
Changes to legislation: Gas Act 1995, Cross Heading: Functions of Secretary of State in relation to nominations and transfer scheme is up to date with all changes known to be in force on or before 08 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

SCHEDULES

SCHEDULE 5

TRANSITIONAL PROVISIONS AND SAVINGS

PART I

PUBLIC GAS SUPPLIERS' AUTHORISATIONS

Functions of Secretary of State in relation to nominations and transfer scheme

- 3 (1) If the public gas supplier fails, before the date specified in the Secretary of State's direction under paragraph 2 above, to make a nomination for the purposes of sub-paragraph (2) of paragraph 1 above, the Secretary of State may himself make a nomination for the purposes of that sub-paragraph.
- (2) A scheme under paragraph 2 above shall not take effect unless it is approved by the Secretary of State; and the Secretary of State may if he thinks fit, before approving such a scheme, make such modifications of the scheme as he considers appropriate for the purpose of securing that the scheme makes such provision, and only such provision, as he considers requisite or expedient for the purposes of this Part of this Schedule.
- (3) If, in relation to such a scheme—
- (a) the public gas supplier fails, before the date specified in the Secretary of State's direction under paragraph 2 above, to submit the scheme for the approval of the Secretary of State; or
 - (b) the Secretary of State decides not to approve the scheme that has been submitted to him by the supplier because (even with modifications) it would not make such provision, and only such provision, as he considers requisite or expedient for the purposes of this Part of this Schedule,
- the Secretary of State may himself make the scheme.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 3 para. 42(1)(a)para. 42(2)(a) repealed by [2000 c. 27 Sch. 8](#)