



Counter-Terrorism Act 2008

2008 CHAPTER 28

PART 7

MISCELLANEOUS

Costs of policing at gas facilities

88 Costs of policing at gas facilities: recovery of costs

- (1) The Secretary of State may determine—
 - (a) the amount of the costs to be paid by a designated gas transporter under section 85 or 86,
 - (b) the manner in which and the times at which those costs are to be paid, and
 - (c) the person or persons to whom they are to be paid.
- (2) An occupier who incurs costs under an [^{F1}arrangement under section 86 of the Police and Fire Reform (Scotland) Act 2012] that are required to be paid by a designated gas transporter under section 86 may recover them directly from the designated gas transporter.
- (3) A designated gas transporter may, in determining its charges for conveying gas through pipes, take into account—
 - (a) any payments made by the designated gas transporter under section 85 or 86, and
 - (b) the reasonable costs incurred by it as party to an [^{F2}arrangement under section 86 of the Police and Fire Reform (Scotland) Act 2012] entered into at the Secretary of State's request.

This applies despite anything in the conditions of the designated gas transporter's licence under section 7 of the Gas Act 1986 (c. 44) that prevents the transporter from recovering such payments or costs.

- (4) The Secretary of State may direct the Gas and Electricity Markets Authority (“the Authority”)—

Changes to legislation: There are currently no known outstanding effects for the Counter-Terrorism Act 2008, Section 88. (See end of Document for details)

- (a) to treat the payments or costs as costs of a kind specified by the Secretary of State for the purposes of the determination by the designated gas transporter of the transporter's charges, or
 - (b) to allow the designated gas transporter to take into account payments made or costs incurred in or in relation to a period so specified in determining the transporter's charges for a period so specified.
- (5) The Secretary of State must consult the designated gas transporter and the Authority before giving a direction under this section.

Textual Amendments

- F1** Words in s. 88(2) substituted (1.4.2013) by [The Police and Fire Reform \(Scotland\) Act 2012 \(Consequential Provisions and Modifications\) Order 2013 \(S.I. 2013/602\)](#), art. 1(2), **Sch. 2 para. 60(6)(a)** (with Sch. 2 para. 19(3))
- F2** Words in s. 88(3)(b) substituted (1.4.2013) by [The Police and Fire Reform \(Scotland\) Act 2012 \(Consequential Provisions and Modifications\) Order 2013 \(S.I. 2013/602\)](#), art. 1(2), **Sch. 2 para. 60(6)(b)** (with Sch. 2 para. 19(3))

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