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STATUTORY INSTRUMENTS

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**1992 No. 450**

**The Gas (Metrication) Regulations 1992**

**PART II**

**AMENDMENTS OF PRIMARY LEGISLATION**

**Gas Levy Act 1981**

**2.—**(1) In this regulation any reference to a section followed by a number is a reference to the section bearing that number in the Gas Levy Act 1981(1).

(2) In section 2 (rate of levy) there shall be inserted, after subsection (4), subsection (4A) as follows—

“(4A) The rate of levy may be specified by reference to either therms or gigajoules, provided that the rate for any year subsequent to the year 1998—1999 shall be specified in gigajoules.”

(3) Until the expiry of 31st December 1999—

( ) sections 3(3) (which specifies how the return for the payment of the gas levy is to be expressed) and 4 (payment of levy where gas is stored in natural reservoirs) shall have effect as if “(or gigajoules, as the case may be,)” were inserted after the word “therms” in each place where it occurs.

(4) With effect from 1st January 2000—

(a) in sections 3(3) and 4, for the word “therms” in each place where it occurs, there shall be substituted the word “gigajoules”; and

(b) in section 7(2), the definition of “therm” shall be omitted.

**Gas Act 1986**

**3.—**(1) In this regulation any reference to a section followed by a number is a reference to the section bearing that number in the Gas Act 1986(2).

(2) In section 48(1) (interpretation of Part I of the Act), after the definition of “information”, there shall be inserted the definition

““kilowatt hour” means 3.6 megajoules;”

(3) With effect from 1st January 1995—

(a) in sections 7(9) and 8(5) (which specify, in relation to authorisations, the minimum permissible distance of premises from the main of another public gas supplier) and 10(1) (a) (duty of a public gas supplier to supply gas to any premises within a minimum distance from the main of the supplier), for “25 yards”, there shall be substituted “23 metres”;

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(1) 1981 c. 3; section 3 was substituted by paragraph 3 of Schedule 6 to the Gas Act 1986 (c. 44).

(2) 1986 c. 44.

- (b) in section 10(3)(b) (defrayment of the cost of providing and laying pipes beyond a minimum distance from those of a public gas supplier), for “30 feet” there shall be substituted “10 metres”;
  - (c) in section 20(1) (requirement for notice of works for the construction of a high pressure pipe-line exceeding a specified length), for “two miles” there shall be substituted “3 kilometres”; and
  - (d) in section 20(2)(a) (which specifies the minimum scale of a map on which the route of a pipe-line is delineated), for “6 miles to the inch” there shall be substituted “1 in 380,160”.
- (4) Until the expiry of 31st December 1999—
- (a) sections 12(1) (method of charging according to the number of therms supplied by a public gas supplier on the basis of a declared calorific value of the gas) and 13(1) and (2)(c) (which relate to the alternative method of charging according to the number of therms supplied by a public gas supplier on the basis of the actual calorific value of the gas supplied) shall have effect as if the words “or kilowatt hours” were inserted after the word “therms” in each place where it occurs; and
  - (b) section 48(1) (interpretation of Part I of the Act) shall have effect as if, in the definition of “therm”, the expression “or 29.3071 kilowatt hours” were inserted after the word “megajoules”.
- (5) With effect from 1st January 2000—
- (a) in the following provisions (which refer to a minimum supply of gas in various contexts)—
    - (i) section 4(2)(d) (duty of Secretary of State etc. to enable persons to compete effectively);
    - (ii) section 7(12) (definition of “relevant main”);
    - (iii) section 8(5)(b) (which specifies, in relation to authorisations, the minimum distance from the main of a public gas supplier);
    - (iv) section 10(5) (which concerns the exemption from the duty of a public gas supplier to supply certain premises); and
    - (v) section 14(4)(b) (provision for special agreements with customers for a minimum supply of gas)
      - “25,000 therms” there shall be substituted “732,000 kilowatt hours”;
  - (b) in section 6(1) (exception for unauthorised supplies by persons who propose to supply gas at the required rate), for “2,000,000 therms” there shall be substituted “58 million kilowatt hours”;
  - (c) in sections 12(1) and 13(1) and (2)(c), for the word “therms” in each place where it occurs there shall be substituted the words “kilowatt hours”;
  - (d) in section 14(3) (requirement of a public gas supplier in fixing certain tariffs not to show undue preference) there shall be substituted the expression “kilowatt hours supplied to any premises in excess of 732,000 kilowatthours” for the expression “therms supplied to any premises in excess of 25,000 therms”; and
  - (e) in section 48(1), the definition of “therm” shall be omitted.