

---

## STATUTORY INSTRUMENTS

---

# 1996 No. 275

## The Gas (Northern Ireland) Order 1996

### PART II

#### GAS SUPPLY AND ASSOCIATED ACTIVITIES

##### *Licensing of supply of gas and associated activities*

#### [<sup>F1</sup>Compliance with Community obligations

**10A.**—(1) Without prejudice to the generality of Article 10, a licence shall include such conditions as appear to the grantor to be necessary or expedient having regard to the requirements and prohibitions laid down in the Directive.

(2) The conditions referred to in paragraph (1) shall in particular—

- (a) require the licence holder to keep accounts in accordance with the requirements of Article 13 of the Directive and confer on the Department and the Director a right of access to his accounts for the purpose of ensuring compliance with those requirements;
- <sup>F2</sup>(b) in the case of a licence under Article 8(1)<sup>F3</sup> (a) or (c), require the holder to comply with the requirements for system access laid down by Article 16 of the Directive and to act in accordance with Articles 10 and 11 of the Directive;
- (c) in the case of a licence under Article 8(1)<sup>F3</sup> (a) or (b), require the holder to develop and publish the technical rules required by Article 5 of the Directive and to comply with Articles 7 and 8 of the Directive.

(3) For the purposes of paragraph (2)(b) the requirements for system access referred to in that sub-paragraph shall in particular include the requirements that—

- (a) access to the system in question be granted in accordance with objective, non-discriminatory and transparent criteria; and
- (b) any terms and obligations (including as to pricing) for such access be published.

(4) In including conditions in a licence under Article 10 and this Article, the grantor shall—

- (a) comply with the requirements of Article 3(1) of the Directive;
- (b) ensure that, where these conditions permit a licence holder to refuse system access in accordance with Article 17 of the Directive, he gives reasons for that refusal as required by paragraph (5) of that Article;
- (c) in the case of a licence under Article 8(1)(a) or (c) which confers on the holder exclusive authority to carry on designated activities (within the meaning of Article 9), comply with the requirements of Article 7(2) of the Directive;
- (d) ensure that, where the licence authorises the carrying on of any activity, the construction or operation of any pipeline, facility or associated apparatus used in connection with that activity meets the specified criteria.

---

**Status:** Point in time view as at 01/01/2006. This version of this provision has been superseded.

**Changes to legislation:** The Gas (Northern Ireland) Order 1996, Section 10A is up to date with all changes known to be in force on or before 16 July 2024. 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)

---

(5) Where the Department or the Director refuses to grant to any person a licence or an extension of a licence, the Department or Director, as the case may be, shall by notice in writing—

- (a) inform the person making the application of the fact;
- (b) give him the reasons for that refusal; and
- (c) inform him of any right to challenge the refusal.

(6) In this Article “specified criteria” means the criteria specified by the Department from time to time for the purposes of and in accordance with Article 4(2) of the Directive and published by it.]

- |   |
|---|
| <p><b>F1</b> SR 2002/291</p> <p><b>F2</b> prosp. insertion by <a href="#">2003 NI 6</a></p> <p><b>F3</b> prosp. rep. by <a href="#">2003 NI 6</a></p> |
|---|

**Status:**

Point in time view as at 01/01/2006. This version of this provision has been superseded.

**Changes to legislation:**

The Gas (Northern Ireland) Order 1996, Section 10A is up to date with all changes known to be in force on or before 16 July 2024. 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.