
STATUTORY RULES OF NORTHERN IRELAND

2002 No. 291

**Gas Order 1996 (Amendment)
Regulations (Northern Ireland) 2002**

PART III

CONDITIONS FOR EXISTING LICENCES

Existing licences

10.—(1) The Department after consultation with the Director, shall –

- (a) by notice in writing make such modifications to, or
- (b) require the Director by notice in writing to make such modifications to,

any licence granted before the coming into operation of these Regulations (“an existing licence”) as the Department or the Director, as the case may be, considers necessary or expedient having regard to the requirements and prohibitions laid down by the Directive.

(2) Modifications to an existing licence under paragraph (1) shall in particular –

- (a) in the case of a licence under Article 8(1)(a) or (c) of the 1996 Order which confers on the holder exclusive authority to carry on designated activities, provide for the period specified in the licence under Article 9(1) of the 1996 Order to end on the tenth anniversary of the date on which exclusive authority was first granted in that licence unless paragraph (3) applies;
- (b) without prejudice to sub-paragraph (a) enable any other holder of a licence to carry on any activity authorised by it for the purposes of Article 9A;
- (c) ensure that any pipeline, facility or associated equipment constructed or operated for the purposes of the licence after the date these Regulations come into operation meet the specified criteria.

(3) Where the Department or Director, as the case may be, is satisfied that it is necessary or expedient to do so in the interests of the efficient operation of any designated activity, it may instead of modifying the licence so that it ends on the date provided under and in accordance with paragraph (2)(a) provide for the period specified in the licence under Article 9(1) to end on such later date as may be determined.

(4) A notice under paragraph (1) may in particular –

- (a) revoke or modify such conditions of; or
- (b) include such new conditions in,

an existing licence as the Department or the Director, as the case may be, considers requisite or expedient for the purposes of that paragraph.

(5) Article 10A(2) to (6) of the 1996 Order shall apply in relation to the modification or revocation of the conditions of, and the inclusion of any new conditions in, an existing licence under this regulation as it applies to the inclusion of any conditions in any other licence under that Article.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(6) Subject to Article 18A of the 1996 Order, modifications made to a licence under this regulation are without prejudice to the power of the Director or the Secretary of State to further modify that licence in accordance with Article 14, 17 or 18 of that Order.

Duties of Department and Director

11. Article 5 of the 1996 Order shall apply in relation to the exercise by the Department and the Director of any functions under this Part as it applies to the exercise of their functions under Part II of that Order.

Interpretation of Part III

12. In this Part expressions which are also used in the 1996 Order shall have the same meaning as in that Order.