
STATUTORY RULES OF NORTHERN IRELAND

2016 No. 364

**The Gas (Designation of Pipelines)
Order (Northern Ireland) 2016**

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Gas (Designation of Pipelines) Order (Northern Ireland) 2016 and shall come into operation on 26th October 2016.

(2) In this Order—

“assigned” has the same meaning as in Article 12 of the Gas Order;

“the Energy Order” means the Energy (Northern Ireland) Order 2003;

“the Gas Order” means the Gas (Northern Ireland) Order 1996(1); and

“the Insolvency Order” means the Insolvency (Northern Ireland) Order 1989(2)

Designated pipeline

2. The pipeline specified in column (1) of the Schedule, being a high pressure pipeline, is hereby designated as a pipeline to which Article 60 of the Energy Order applies for the period beginning on and including the date of commencement of this Order and ending on the date specified opposite thereto in column (2) of the Schedule.

Cessation of designation

3.—(1) This Order shall, subject to paragraph (2), cease to have effect where—

(a) the licence granted under Article 8(1)(a) of the Gas Order authorising the holder to convey gas through the pipeline designated by Article 2 is assigned or revoked; or

(b) there is an insolvency event in relation to the holder.

(2) This Order shall not cease to have effect by virtue of paragraph (1)(a) where a licence granted under Article 8(1)(a) of the Gas Order authorising the holder to convey gas through the pipeline is assigned or revoked but is immediately replaced by a further such licence granted to the same person so as to preserve the continuity of the authorisation of that person to convey gas through the pipeline.

(3) For the purpose of paragraph (1)(b) an “insolvency event” occurs in relation to the licence holder referred to in that sub-paragraph if it:—

(a) is deemed unable to pay its debts (within the meaning of Article 103(1) or (2) of the Insolvency Order) or if any voluntary arrangement is proposed in relation to it under Article 14 of the Insolvency Order;

(b) has a receiver (which expression shall include an administrative receiver within the meaning of Article 5(1) of the Insolvency Order) of the whole or any material part of its assets or undertaking appointed;

(1) S.I. 1996/275 (N.I. 2) as amended by S.R. 2002 No.291 and the Energy Order (in particular Article 30)

(2) S.I. 1989/2405 (N.I. 19)

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- (c) has an administration order under Article 21 of the Insolvency Order made in relation to it;
- (d) has any resolution for winding up passed in relation to it; or
- (e) becomes subject to an order for winding up by a court of competent jurisdiction.

(4) In paragraph (3)(a) the reference to Article 103(1) of the Insolvency Order shall be construed as a reference to that provision as if in sub-paragraph (a) for “£750” there was substituted “£250,000”.

(5) For the purposes of paragraph (3)(a), a person shall not be deemed to be unable to pay his debts if any such demand as is mentioned in Article 103(1)(a) of the Insolvency Order, is being contested in good faith by that person with recourse to all appropriate measures and procedures.

Sealed with the Official Seal of the Department for the Economy on 28th day of September, 2016.



June Ingram
A senior officer of the
Department for the Economy