

not been printed at length in this volume, the Ministry of Commerce fixed the rate of payment to the said Ministry for the year 1936 at elevenpence for each million cubic feet of gas sold during the year 1935.

Special Orders.

THE GAS (SPECIAL ORDERS) RULES (NORTHERN IRELAND), 1936, DATED 1ST JULY, 1936, MADE BY THE MINISTRY OF COMMERCE FOR NORTHERN IRELAND WITH RESPECT TO APPLICATIONS FOR SPECIAL ORDERS UNDER SECTION 10 OF THE GAS REGULATION ACT, 1920 (10 & 11 GEO. 5, c. 28).

1936. No. 96.

The Ministry of Commerce for Northern Ireland, in exercise of the powers conferred upon the said Ministry by Section sixteen of the Gas Regulation Act, 1920, and of all other powers in that behalf, hereby makes the following Rules:—

Rule 1.
Public
Notices.

1. Applicants for an Order shall publish notice of their intended application by advertisement inserted once in a local newspaper circulating in the area to which the application relates, and once in the Belfast Gazette as soon as possible after the publication in the local newspaper. The advertisement shall be headed with a short title descriptive of the undertaking and shall contain—

- (1) the description and address of the applicants;
- (2) a statement of the objects of the application including a description of any proposed area of supply, any proposed new works and any land which it is proposed to use for the purpose of gasworks;
- (3) an intimation to the effect and (as nearly as may be) in the form of paragraph (1) of Rule 5;
- (4) a list of the addresses at which, in accordance with paragraph (4) of Rule 2, copies of the Draft Order and of the maps (if any) have been deposited for public inspection;
- (5) the address of an office situate within the existing or proposed areas of supply at which copies of the Draft Order may be purchased at a price of not more than one shilling each.

Rule 2.
Notice of
Application
and Deposits
with Local
Authorities,
&c.

2. On or before the date on which publication of the advertisement is made in the Belfast Gazette the applicants shall—

- (1) serve a copy of the advertisement in manner provided by this Rule on—
 - (a) every authority, company or person supplying or authorised to supply gas within any area proposed to be supplied by the applicants;

- (b) the owner or reputed owner, lessee or reputed lessee, and occupier, (so far as they can reasonably be ascertained) of every dwelling-house situate within 300 yards of any land proposed to be used for the construction of works for the manufacture or storage of gas or the manufacture or conversion of residual products ;
 - (c) the owner or reputed owner and lessee or reputed lessee of every railway, tramway, or canal along or across which it is proposed to lay any pipes or which it is proposed otherwise to affect or interfere with ;
- (2) deposit a copy of the advertisement and of the Draft Order—
- (a) at the office of the local authority of every district wholly or partly within the existing and any proposed areas of supply ;
 - (b) at the Ministry of Home Affairs for Northern Ireland and the Ministry of Finance for Northern Ireland and the Head Office of the Postmaster General in Belfast.
- (3) deposit a copy of the maps (if any) required by paragraphs (5) and (6) of Rule 3 at the Office of the Clerk of the Parliaments of Northern Ireland ;
- (4) deposit, for public inspection, a copy of the Draft Order and of the maps (if any) required by paragraphs (5) and (6) of Rule 3—
- (a) at an office situate within the existing or proposed areas of supply ;
 - (b) at the office of the Clerk of the Crown and Peace of every county wholly or partly within the existing and any proposed areas of supply ;
- (5) deposit a sufficient number of copies of the Draft Order at the office referred to in paragraph (5) of Rule 1.

The copy of the advertisement required to be served by paragraph (1) of this Rule may, in the case of any person, be served by delivering it to him or by leaving it, or forwarding it by registered post addressed to him, at his usual or last known place of abode ; and in the case of any authority, company or body, may be served by delivering it to their clerk or secretary, or by leaving it, or forwarding it by registered post addressed to such clerk or secretary, at the office of the authority, company or body.

Rule 3.
Deposits
at the
Ministry.

3. The application for an Order shall be made in writing to the Secretary, Ministry of Commerce, Belfast, within seven days of the date on which publication of the advertisement is made in the Belfast Gazette and the applicants shall deposit therewith—

- (1) a copy of the newspaper and Gazette containing the advertisement ;
- (2) lists of the names and addresses of the authorities, companies and person upon whom a copy of the advertisement has been served in accordance with paragraph (1) of Rule 2 ;
- (3) a list of the local authorities with whom a copy of the advertisement and of the Draft Order have been deposited in accordance with paragraph (2) (a) of Rule 2 ;
- (4) six copies of the Draft Order ;
- (5) where it is proposed to authorise the applicants to use any lands for the manufacture or storage of gas, or for the manufacture or conversion of residual products, or for the construction of works, an Ordnance Map or Maps on the scale of 25 inches to the mile showing the situation of the land to be used or of the proposed works as the case may be ;
- (6) where it is proposed to authorise the applicants to supply gas in any area in which they are not already authorised to supply gas, an Ordnance Map on a scale of not less than 6 inches to the mile, or such smaller scale as may be allowed by the Ministry, showing the boundaries of the proposed area of supply and of the area (if any) in which the applicants are already authorised to supply gas ;
- (7) where the applicants are a local authority and borrowing powers are sought,
 - (a) a statement of the amounts borrowed and authorised to be borrowed (if any) for the purposes of the gas undertaking ; and
 - (b) a certified statement showing under separate heads the purposes for which the borrowing powers are sought, and the amount required for each purpose ;

where the applicants are not a local authority,

- (a) a statement of the existing capital and borrowing powers (if any) showing the amounts authorised, raised and expended ; and
- (b) where capital or borrowing powers are sought, a certified statement showing under separate heads the purposes for which the capital or

borrowing powers are required and the amount required for each purpose ;

- (8) a copy of the accounts of the undertaking for the half-year or year next before the date of the application ;
- (9) if the applicants are a company incorporated under the provisions of the Companies Acts, a copy of their Memorandum and Articles of Association and of every registered special resolution of the company ;
- (10) a list of every special Act of Parliament and Order having the force of an Act relating to the undertaking ;
- (11) a cheque for £35 payable to the Secretary, Ministry of Commerce.

Rule 4.
Proof of
compliance
with Rules.

4. The applicants or their agents shall prove compliance with the provisions of the foregoing Rules when required by the Ministry of Commerce. Due notice will be given of the day and hour at which they shall attend for the purpose at the office of the Ministry of Commerce if so required.

Rule 5.
Objections
to Draft
Order.

5.—(1) Any local or other public authority, company or person desiring to bring before the Ministry of Commerce any objection to the Draft Order may do so by registered letter addressed to the Secretary, Ministry of Commerce, Belfast, and despatched on or before (a date to be stated in the advertisement which shall not be earlier than 30 days after the date on which publication of the advertisement is made in the Belfast Gazette). Any such objection shall state—

- (a) the specific grounds of objection ; and
- (b) the omissions, additions or modifications asked for.

A copy of the objection shall be forwarded to the applicants for the Order or their agents at the same time as it is sent to the Ministry of Commerce.

(2) As soon as practicable after the period allowed for objections has expired, the applicants shall furnish the Ministry of Commerce with replies to any objections which have been made, and also with three copies of the Draft Order showing any amendments which the applicants wish to be made therein. A copy of the replies to the objections shall at the same time be sent to the respective objectors.

Rule 6.
Information
required by
the Ministry

6. The applicants shall furnish the Ministry of Commerce with such information and documents as the Ministry may require in connection with the application, including—

- (1) Where it is proposed to authorise the use of any lands for the manufacture or storage of gas or the manu-

facture or conversion of residual products, the deed of conveyance or assignment or lease to, or the contract for purchase by, the applicants of all lands to be so used. (These documents will be returned to the applicants when they have been inspected on behalf of the Ministry of Commerce);

- (2) Where the applicants are a company (a) applying for capital or borrowing powers or (b) proposing to purchase or amalgamate with another undertaking, a certified copy of a resolution approving the application, passed by shareholders or stockholders qualified to vote at ordinary meetings of the company who were present (either in person or by proxy) at a general meeting and who held at least three-fourths of the paid up capital of the company represented by the votes at such meeting. A certified copy of the notice convening the meeting should also be furnished;
- (3) Where the applicants propose to purchase, or to amalgamate with another undertaking proof will be required that the purchase or amalgamation is approved by the proprietors of the other undertaking concerned.

Rule 7.
Ministry expenses.

7. In addition to the fee of £35 any extraordinary expenses incurred by the Ministry of Commerce in connection with an inquiry into the application or otherwise shall be payable by the applicants.

Rule 8.
Definitions.

8. In these Rules:—

The expression "area of supply" means the area within which the undertakers are, for the time being, authorised to supply gas under the authority of an Act of Parliament or a Provisional or Special Order.

The expression "the local authority" means the council of a county, county borough, urban district and rural district.

The expression "occupier" applies only to persons entered as occupiers in the Rate Books of a county, county borough or urban district and to other persons not so entered whose interest in the premises occupied is not less than that of a quarterly tenant.

Rule 9.
Revocation.

9. The Gas Regulation Act (Special Orders) Rules, 1920 (S. R. & O. 1920, No. 2160), are hereby revoked.

Rule 10.
Short title.

10. These Rules may be cited as the "Gas (Special Orders) Rules (Northern Ireland), 1936," and shall come into operation from the date hereof.

Given under the Official Seal of the Ministry of Commerce for Northern Ireland, this First day of July, 1936.

(L.S.)

W. D. Scott,
Secretary.