



Gas Act 1965

1965 CHAPTER 36

PART II

UNDERGROUND STORAGE OF GAS BY GAS AUTHORITIES

10 Exclusion of double compensation.

- (1) A right to store gas in an underground gas storage acquired by a [^{F1}public gas transporter] by agreement or compulsorily shall not include a right, as against any other person, to prevent the carrying out of any controlled operations, or of any operations which would be controlled operations but for the provisions of section 18(7)(a) of this Act; and compensation for any compulsory acquisition of such a right under [^{F2}Schedule 3 to the principal Act] shall be assessed accordingly.
- (2) In assessing compensation—
 - (a) under section 7 of this Act, or
 - (b) on a claim for compensation for the compulsory acquisition by a [^{F1}public gas transporter] of an interest in or right over any land which involves a claim for the injurious affection of any land,the effect of sections 5 and 6 of this Act shall be disregarded.
- (3) The [^{F3}appropriate tribunal] in assessing compensation for the depreciation of an interest in land—
 - (a) on a claim for compensation under section 7 of this Act, or
 - (b) on a claim for compensation for compulsory acquisition by a [^{F1}public gas transporter] of an interest in or right over any land which involves compensation for depreciation,shall make such adjustments as will in the opinion of the [^{F3}appropriate tribunal] prevent compensation being paid more than once for the same cause on two or more claims falling within paragraphs (a) and (b) of this subsection, or on one or more such claims when taken with the consideration paid by the [^{F1}public gas transporter] for the acquisition by agreement of any interest in land.

Changes to legislation: There are currently no known outstanding effects for the Gas Act 1965, Section 10. (See end of Document for details)

- (4) The [^{F3}appropriate tribunal] in assessing compensation under section 8 or section 9 of this Act shall make such adjustments as will in the opinion of the [^{F3}appropriate tribunal] prevent compensation being paid more than once in respect of the same cause, whether it gives rise to a claim for the depreciation of an interest in land, for abortive expenditure or for other loss or damage.

Textual Amendments

- F1** Words in Pt. II (ss. 4-28) substituted (1.3.1996) by 1995 c. 45, s. 16(1), **Sch. 4 para. 7(1)**; S.I. 1996/218, **art. 2**
- F2** Words substituted by virtue of Gas Act 1986 (c. 44), S. 67(1)(3), Sch. 7 para. 6(3), **Sch. 8 para. 33**
- F3** Words in s. 10(3)(4) substituted (1.6.2009) by The Transfer of Tribunal Functions (Lands Tribunal and Miscellaneous Amendments) Order 2009 (S.I. 2009/1307), art. 1, **Sch. 1 para. 54** (with Sch. 5)

Changes to legislation:

There are currently no known outstanding effects for the Gas Act 1965, Section 10.