



Gas Act 1965

1965 CHAPTER 36

PART II

UNDERGROUND STORAGE OF GAS BY GAS AUTHORITIES

18 Discontinuance of an underground gas storage.

- (1) If at any time it appears to the Minister necessary in the interest of safety that an underground gas storage should be discontinued, he may serve notice on the [F¹public gas transporter]concerned stating that he proposes to make an order requiring the storage to be taken out of operation.

The [F¹public gas transporter]may, within six weeks of the date of service of the notice, make representations to the Minister, and the Minister shall take the representations into account.

- (2) A [F¹public gas transporter]may at any time apply to the Minister for an order requiring the storage to be taken out of operation.
- (3) The Minister shall include in an order under this section such provisions as appear to him necessary or expedient for the purpose of ensuring that the gas in the storage, and the stratum in which the gas is stored, do not become or remain a source of danger; and the Minister may, in particular, include among those provisions a requirement that the [F¹public gas transporter]shall withdraw, so far as may be practicable, all gas from the storage.
- (4) The [F¹public gas transporter]shall submit a report to the Minister setting out the steps taken to comply with the order.
- (5) Any requirement contained in an order under this section shall take effect as from such date as the Minister may specify in the order, and any such provision may at any time be varied or revoked by a subsequent order under this section.
- (6) The [F¹public gas transporter]may at any time make representations to the Minister as to the date on which any requirement in the order is to take effect, or representations as to the variation or revocation of the requirement; and the Minister shall take any such

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Changes to legislation: There are currently no known outstanding effects for the Gas Act 1965, Section 18. (See end of Document for details)

representations into account in deciding whether to exercise his powers of making an order varying or revoking any such requirement.

- (7) At any time after the making of an order under this section the Minister may, if he considers that it is safe to do so, direct—
- (a) that operations in the storage area and the protective area carried out on or after the date specified in the direction shall not be controlled operations, and
 - (b) that any conditions which may have been imposed on the carrying out of controlled operations in the storage area and the protective area shall cease to have effect on that date.
- (8) If a direction is given under the last foregoing subsection—
- (a) section 11 of this Act shall have effect as if, wherever the Minister gave a decision giving rise to a liability to pay compensation under section 8 or section 9 of this Act, he had given a further decision under section 5 of this Act on the date when the direction comes into force giving his consent to the operations in question without any conditions, and
 - (b) section 14 of this Act shall not apply to any damage (as defined in that section) attributable to an event after the date when the direction comes into force.
- (9) If a [^{F1}public gas transporter][^{F2}fails]to comply with an order under this section, the [^{F1}public gas transporter]shall be guilty of an offence under this Part of this Act and shall be liable—
- (a) on summary conviction to a fine not exceeding one hundred pounds, and
 - (b) on conviction on indictment to a fine of any amount.
- (10) In this section references to action necessary in the interests of safety include references to action necessary to protect water resources, and the expression “safe” shall be construed accordingly.

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 Word substituted by Gas Act 1986 (c. 44, SIF 44:2), s. 67(1)(3), Sch. 7 para. 6(14), Sch. 8 para. 33

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