



# Energy Act 1976

## 1976 CHAPTER 76

*Other measures for controlling energy sources and promoting economy*

### **12 Disposal of gas by flaring, etc.**

- (1) Subject to subsection (3) below, the Secretary of State's consent is required for natural gas to be disposed of (whether at source or elsewhere) by flaring or by releasing it unignited into the atmosphere.
- (2) This section applies to all natural gas of the United Kingdom, whether obtained there or in territorial waters, or in areas designated under the Continental Shelf Act 1964, except gas supplied by the British Gas Corporation.
- (3) Disposal of gas by flaring does not require consent under this section—
  - (a) if it is permitted under the terms of a production licence granted under United Kingdom legislation ;
  - (b) if it is of refinery tail gas produced in refining crude liquid petroleum (and "refining " here does not include the treatment of crude for the sole purpose of enabling it to be safely stored or transported);
  - (c) if it is necessary in connection with the start-up or shut down of manufacturing plant; or
  - (d) if it is necessary in the interests of the safety of such plant; or
  - (e) if it is necessary in order to comply with a requirement imposed by or under any enactment.
- (4) In this section " manufacturing plant" means plant used for any of the activities referred to in any of the minimum list headings in Orders III to XIX (inclusive) of the Standard Industrial Classification.
- (5) The Secretary of State's consent under this section—
  - (a) may be given either with reference to particular cases or by means of orders of general application; and
  - (b) may in any case be made subject to conditions which may, in particular, be framed by reference to the description or origin of the gas, or the quantities to be disposed of.

### **13 Restriction on obligation to supply gas**

- (1) Notwithstanding the general obligation of the British Gas Corporation under paragraph 2 of Schedule 4 to the Gas Act 1972 to supply gas on demand, the Corporation is not obliged to supply gas to any premises in any period of 12 months beginning after this section comes into force, in excess of 25,000 therms or (if greater) the largest number of therms supplied to those premises in any period of 12 months ending before that date.
- (2) This section does not affect any obligations of the Corporation (including contractual obligations) in relation to the supply of gas, other than the general obligation referred to above.

### **14 Fuelling of new and converted power stations**

- (1) A person who proposes to carry out works—
  - (a) for the establishment of an electricity generating station to be fuelled by crude liquid petroleum, any petroleum product or natural gas ; or
  - (b) for the conversion of an electricity generating station with a view to its being so fuelled,shall, unless his case is one excepted by order of the Secretary of State under subsection (4), give written notice of the proposal to him.
- (2) A person who proposes—
  - (a) to enter into contractual or other arrangements for obtaining a supply of natural gas as fuel for an electricity generating station; or
  - (b) to extend the duration of any such arrangements (whether made before or after the passing of this Act),shall, unless the arrangements fall within the scope of a general authority granted by the Secretary of State by order under subsection (5), give written notice of the proposal to him.
- (3) The Secretary of State may, if he thinks it expedient having regard to current energy policies, direct that a proposal notified to him under this section be not carried out, or be carried out in accordance with conditions specified in the direction.
- (4) The Secretary of State may by order prescribe cases in which notice under subsection (1) above need not be given; and the cases prescribed may be those where—
  - (a) the plant is of less than specified capacity or is used only for specified purposes; or
  - (b) such other circumstances obtain as make it unnecessary in the Secretary of State's opinion for him to be given notice under the subsection.
- (5) The Secretary of State may by order grant authority for the purposes of subsection (2) above for fuel supply arrangements of any description specified in the order.
- (6) This section does not affect—
  - (a) section 2 of the Electric Lighting Act 1909 ;
  - (b) section 11 of the Electricity Supply Act 1919 ;
  - (c) section 21 of the Control of Pollution Act 1974;
  - (d) section 11 of the Local Government (Miscellaneous Provisions) Act 1976,(all of which operate so as, in certain circumstances, to require the Secretary of State's consent for power station construction etc.).

## 15 Passenger car fuel consumption

- (1) Subject to the provisions of this section, the Secretary of State may in relation to passenger cars make orders—
  - (a) requiring fuel consumption to be determined by means of officially approved tests; and
  - (b) providing for test results, showing the consumption of different classes or descriptions of cars in standard conditions, to be recorded in official fuel economy certificates and published in the specified manner.
- (2) The orders may provide—
  - (a) for requiring manufacturers or importers of cars to carry out officially approved tests, or to arrange for such tests to be carried out (by making available a car to officers of the Secretary of State's department for that purpose, or otherwise);
  - (b) for tests to be repeated from time to time with a view to the issue, where appropriate, of amended or amplified certificates;
  - (c) for payment of fees in connection with testing; and
  - (d) for official approval to be extended to tests carried out in other countries, and for the results of such tests to be adopted, certified and published in the United Kingdom.
- (3) As from a date appointed by such an order in relation to any class or description of cars—
  - (a) no person shall, in the course of a business, deal in or offer for sale new cars of that class or description unless the relevant official tests have been carried out;
  - (b) every person who issues material to the general public with a view to promoting sales of cars of that class or description (especially advertisements, technical specifications, sales brochures and the like) shall, if the material contains any statement about fuel consumption, include specified information as to the results of the relevant official tests ;
  - (c) every manufacturer or, in the case of imported cars, importer of cars of that class or description shall secure that any manual or handbook compiled with a view to a copy of it being issued to any first purchaser of such a car includes specified information as to the results of the relevant official tests;
  - (d) every person who, in the course of a business, deals in or offers for sale new cars of that class or description shall make available for inspection by his customers at any place where he causes such cars to be offered for sale, or regularly transacts business with customers relating to the sale of such cars, specified information as to the results of officially approved tests on all cars which have been subjected to the tests, including not only cars which he deals in or offers for sale, but also those which he does not; and
  - (e) no person shall, with a view to promoting the sale of new cars of that class or description, display such a car on premises where he carries on a business unless the car has affixed to it, so as to be clearly visible to those to whom the car is displayed, a label in specified form containing specified information including—
    - (i) the results of the relevant official tests; and
    - (ii) the fact that the results of officially approved tests on other cars are available for inspection by customers.

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*Status: This is the original version (as it was originally enacted).*

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- (4) The cars about whose fuel consumption provision may be made by orders under this section are road vehicles constructed solely for carrying passengers and their effects and adapted to carry not more than 8 passengers excluding the driver.
- (5) In regard to the making and administration of such orders the Secretary of State shall maintain consultation with the motor industry, that is to say with organisations representative of manufacturers, importers, distributors and retailers of cars for the United Kingdom market.
- (6) Orders under this section may classify and describe cars by reference to—
- (a) manufacturer, mark, serial number, trade appellation or country of origin;
  - (b) design and application (including passenger and baggage carrying capacity);
  - (c) technical characteristics (including engine size, mode of transmission and carburation system); or
  - (d) date of manufacture, date of issue from factory or date of importation into the United Kingdom,
- or to any such combination of those matters, or of those and other similar matters, as the Secretary of State thinks best adapted to keeping the public informed about the fuel consumption of cars on the market.
- (7) In this section—
- (a) " relevant official tests ", in relation to any car, means the officially approved tests carried out or, as the case may be, required to be carried out (pursuant to orders under this section) on cars of that class or description ; and
  - (b) " specified " means specified by such orders ;
- and the orders may specify the cases in which a car is to be regarded as a new car and those in which a person is, or is not, to be regarded as one who deals in new cars.