



Gas Act 1986

1986 CHAPTER 44

PART I

GAS SUPPLY

Other functions of Director

34 General functions.

- (1) It shall be the duty of the Director, so far as it appears to him practicable from time to time, to keep under review the carrying on both within and outside Great Britain of
- [^{F1}(a) such activities as are mentioned in section 5(1) above [^{F2}or subsection (2A) below]; and
 - (b) activities ancillary to such activities (including in particular the storage of gas, the provision and reading of meters and the provision of pre-payment facilities).]

- (2) It shall also be the duty of the Director, so far as it appears to him practicable from time to time, to collect information with respect to
- [^{F3}(a) the carrying on of such activities as are mentioned in subsection (1) above; and
 - (b) the persons by whom such activities are carried on,]
- with a view to his becoming aware of, and ascertaining the circumstances relating to, matters with respect to which his functions are exercisable.

[^{F4}(2A) The activities referred to in subsection (1)(a) are the matters specified in the following provisions of the Gas Directive as matters to be monitored—

- (a) Article 26(3);
- (b) Article 41(1)(g) to (k), (m), (n) [^{F5}, (r) and] (t);
- (c) where a person is certified on the ground mentioned in subsection (5) of section 8G, Article 41(3)(a) and (b);
- (d) ^{F6}... and
- (e) Article 41(9).]

Status: Point in time view as at 31/12/2020.

Changes to legislation: Gas Act 1986, Section 34 is up to date with all changes known to be in force on or before 27 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- [^{F7}(2B) For the purposes of subsection (2A)(c), the reference to Article 41(3)(a) is to be read as if the reference in that provision to Article 41 were a reference to Article 41 as implemented in Great Britain immediately before IP completion day.]
- (3) The Secretary of State may give general directions indicating—
- (a) considerations to which the Director should have particular regard in determining the priority in which matters are to be brought under review in the performance of his duty under subsection (1) or (2) above; and
 - (b) considerations to which, in cases where it appears to the Director that any of his functions are exercisable, he should have particular regard in determining whether to exercise those functions.
- (4) It shall be the duty of the Director, where either he considers it expedient or he is requested by the Secretary of State or [^{F8}the CMA] to do so, to give information, advice and assistance to the Secretary of State or [^{F8}the CMA] with respect to any matter in respect of which any function of the Director [^{F9}or the Secretary of State.] is exercisable.
- [^{F10}(5) The Authority shall have power to make agreements with the Health and Safety Executive for the Authority to perform on behalf of that Executive (with or without payment) any of the functions of that Executive.]

Textual Amendments

- F1** S. 34(1)(a)(b) substituted for words in s. 34(1) (1.3.1996) by 1995 c. 45, s. 10(1), **Sch. 3 para. 40(1)**; S.I. 1996/218, **art. 2**
- F2** Words in s. 34(1)(a) inserted (10.11.2011) by *The Electricity and Gas (Internal Markets) Regulations 2011* (S.I. 2011/2704), regs. 1(1), **30(2)**
- F3** S. 34(2)(a)(b) substituted for words in s. 34(2) (1.3.1996) by 1995 c. 45, s. 10(1), **Sch. 3 para. 40(2)**; S.I. 1996/218, **art. 2**
- F4** S. 34(2A) inserted (10.11.2011) by *The Electricity and Gas (Internal Markets) Regulations 2011* (S.I. 2011/2704), regs. 1(1), **30(3)**
- F5** Words in s. 34(2A)(b) substituted (31.12.2020) by *The Electricity and Gas etc. (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/530), regs. 1(1), **34(2)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F6** S. 34(2A)(d) omitted (31.12.2020) by virtue of *The Electricity and Gas etc. (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/530), regs. 1(1), **34(2)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F7** S. 34(2B) inserted (31.12.2020) by *The Electricity and Gas etc. (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/530), regs. 1(1), **34(3)** (as amended by *The Electricity and Gas etc. (Amendment) (EU Exit) Regulations 2020* (S.I. 2020/1016), regs. 1(2), **3(13)**); 2020 c. 1, Sch. 5 para. 1(1)
- F8** Words in s. 34(4) substituted (1.4.2014) by *The Enterprise and Regulatory Reform Act 2013 (Competition) (Consequential, Transitional and Saving Provisions) Order 2014* (S.I. 2014/892), art. 1(1), **Sch. 1 para. 48** (with art. 3)
- F9** Words in s. 34(4) inserted (1.3.1996) by 1995 c. 45, s. 10(1), **Sch. 3 para. 40(3)**; S.I. 1996/218, **art. 2**
- F10** S. 34(5) substituted (1.4.2008) by *The Legislative Reform (Health and Safety Executive) Order 2008* (S.I. 2008/960), art. 1, **Sch. 3** (with art. 21, Sch. 2)

Status:

Point in time view as at 31/12/2020.

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