



Gas Act 1995

1995 CHAPTER 45

Introductory

1 General duties under 1986 Act

For section 4 of the Gas Act 1986 (“the 1986 Act”) there shall be substituted the following section—

“4 General duties of Secretary of State and Director

- (1) The Secretary of State and the Director shall each have a duty to exercise the functions assigned to him by or under this Part in the manner which he considers is best calculated—
 - (a) to secure that, so far as it is economical to meet them, all reasonable demands in Great Britain for gas conveyed through pipes are met;
 - (b) to secure that licence holders are able to finance the carrying on of the activities which they are authorised or required by their licences to carry on; and
 - (c) to secure effective competition in the carrying on of activities the carrying on of which is required to be licensed under section 7A below.
- (2) Subject to subsection (1) above, the Secretary of State and the Director shall each have a duty to exercise the functions assigned to him by or under this Part in the manner which he considers is best calculated—
 - (a) to protect the interests of consumers of gas conveyed through pipes in respect of the prices charged and the other terms of supply, the continuity of supply, the quality of the gas supply services provided and the exercise of rights under this Part to enter their premises;
 - (b) to promote efficiency and economy on the part of persons authorised by or under this Part to carry on any activities, and the efficient use of gas conveyed through pipes; and
 - (c) to secure effective competition—
 - (i) in the conveyance of gas through pipes to pipe-line systems and to areas to which it has not previously been so conveyed;

Status: This is the original version (as it was originally enacted).

- (ii) in the supplying and laying of service pipes; and
 - (iii) in the carrying on of activities ancillary to those mentioned in subsection (1)(c) above;
- and a duty to take into account, in exercising those functions, the effect on the environment (whether by way of pollution or otherwise) of activities connected with the conveyance of gas through pipes.
- (3) In performing his duty under subsection (2) above to exercise functions assigned to him in the manner which he considers is best calculated to protect the interests of consumers of gas conveyed through pipes in respect of the quality of the gas supply services provided, the Secretary of State or, as the case may be, the Director shall take into account, in particular, the interests of those who are chronically sick, disabled or of pensionable age.
 - (4) In this section “environment” and “pollution”, in relation to the environment, shall be construed in accordance with section 1 of the Environmental Protection Act 1990.
 - (5) In this Part, unless the context otherwise requires, “licence” means a licence under section 7 or 7A below and “licence holder” shall be construed accordingly.”

2 Duties under 1986 Act with respect to safety

After section 4 of the 1986 Act there shall be inserted the following section—

“4A Duties of Secretary of State and Director with respect to safety

- (1) Subject to section 4(1) above, the Secretary of State and the Director shall each have a duty to exercise the functions assigned to him by or under this Part in the manner which he considers is best calculated to protect the public from dangers arising from the conveyance of gas through pipes or from the use of gas conveyed through pipes.
- (2) In performing his duty under subsection (1) above, the Secretary of State or, as the case may be, the Director shall consult with and take into account any advice offered by the Health and Safety Executive.
- (3) It shall also be the duty of the Director—
 - (a) in conjunction with the Health and Safety Executive, to prepare and from time to time revise a document setting out such means as may, with the approval of the Health and Safety Commission, be agreed between the Director and that Executive for securing co-operation and the exchange of information between them; and
 - (b) without prejudice to the effect or operation of any relevant statutory provisions (within the meaning of Part I of the Health and Safety at Work etc. Act 1974), to exercise the functions assigned to him by or under this Part in accordance with any agreement contained in that document.
- (4) As soon as practicable after agreement is reached for the purposes of—
 - (a) the preparation of a document in accordance with subsection (3) above, or

(b) any revision of a document prepared in accordance with that subsection,
the Director shall send a copy of the document or, as the case may be, of the revised version of it to the Secretary of State, and the Secretary of State shall lay the copy before each House of Parliament.”