

## SCHEDULES

### SCHEDULE 1

Section 3(2).

#### “[SCHEDULE 2A TO 1986 ACT]”

#### EXCEPTIONS TO PROHIBITION ON UNLICENSED ACTIVITIES

##### *Conveyance or supply by landlords etc.*

- 1 Section 5(1) of this Act is not contravened by a person—
- (a) conveying within a building or part of a building in which he has an interest; or
  - (b) supplying for use in such a building or part of a building, gas supplied to the building by a person authorised to supply it by or under section 6A or 7A of this Act or this Schedule.

##### *Conveyance or supply to associated companies*

- 2 Section 5(1) of this Act is not contravened by a company conveying or supplying gas to any premises occupied by a subsidiary or holding company of the company, or by a subsidiary of a holding company of the company.

##### *Conveyance or supply of propane or butane*

- 3 (1) Section 5(1) of this Act is not contravened by a person conveying or supplying to any premises gas which consists wholly or mainly of propane or butane.
- (2) In the case of a supply, this paragraph does not apply unless—
- (a) the contract for the supply contains provisions empowering a person authorised by the supplier to enter the premises where in his opinion it is necessary to do so for the purpose of averting danger to life or property;
  - (b) those provisions are in terms approved for the purposes of this paragraph by the Secretary of State; and
  - (c) the gas is conveyed to the premises otherwise than by a public gas transporter.

##### *Conveyance for supply to large consumers*

- 4 Section 5(1) of this Act is not contravened by a person conveying gas to any premises at any time if they are supplied with gas at a rate which, at any time within the period of 12 months immediately preceding that time, he reasonably expected to exceed 75,000 therms a year.

*Supply to very large consumers*

- 5 (1) Sub-paragraph (2) below applies where a person (in this paragraph referred to as a “supplier”) notifies the Director—
- (a) that he proposes to undertake a supply of gas to any premises at a rate in excess of 2,000,000 therms a year (in this paragraph referred to as “the required rate”); or
  - (b) that, in such circumstances as may be described in the notification, he would undertake a supply of gas to any premises, at a rate in excess of the required rate, for such period as may be so described.
- (2) Section 5(1) of this Act is not contravened by a supply of gas to the premises (or, as the case may require, a supply of gas to the premises in the circumstances and for the period described in the notification) unless, within six weeks of receiving the notification, the Director notifies the supplier either—
- (a) that he is of the opinion that the rate of supply to those premises would be unlikely to exceed the required rate; or
  - (b) that he is unable to form an opinion as to whether the rate of supply to those premises would or would not be likely to exceed the required rate.
- (3) Where a supplier has given the Director a notification under sub-paragraph (1)(a) above and—
- (a) the rate of supply to the premises to which the notification relates fails to exceed the required rate for three successive periods of twelve months;
  - (b) the supplier fails to furnish the Director with such information as he may require for the purpose of determining whether the condition in paragraph (a) above is fulfilled; or
  - (c) the supplier fails to afford to the Director such facilities as he may require for the purpose of verifying any information furnished in pursuance of such a requirement as is mentioned in paragraph (b) above,
- the Director may direct that the supplier’s notification shall be treated as invalid for the purposes of that sub-paragraph except as regards gas previously supplied.
- (4) As soon as practicable after receiving a notification under sub-paragraph (1) above, giving a notification under sub-paragraph (2) above or giving a direction under sub-paragraph (3) above, the Director shall send a copy of the notification or direction to the Health and Safety Executive.”