

SCHEDULE 3

AMENDMENTS TO THE GAS ACT 1995

1. For section 12(1) there shall be substituted—

“(1) The owner of a gas processing facility—

- (a) shall publish at least once in every year the main commercial conditions relating to the grant to another person of a right to have gas processed by the facility on that person’s behalf; and
- (b) shall publish any changes to the published conditions as soon as they become effective.

(1A) In subsection (1) “year” means any year ending with 9th August.

(1B) Any person who seeks a right to have gas processed on his behalf by a gas processing facility (“the applicant”) shall, before making an application to the Secretary of State under subsection (1F), apply to the owner of the facility for the right.

(1C) An application under subsection (1B) shall be made by giving notice in writing to the owner specifying what is being sought.

(1D) The notice shall, in particular, specify—

- (a) the period during which the gas is to be processed by the facility;
- (b) the kind of gas to be processed (which must be of, or similar to, the kind which the facility is designed to process); and
- (c) the quantities of gas to be processed.

(1E) Where a person gives notice under subsection (1C), he and the owner of the gas processing facility shall negotiate in good faith and endeavour to reach agreement on the application.

(1F) If the owner and the applicant do not reach any such agreement, the applicant may apply to the Secretary of State for directions under this section which would secure to the applicant the right specified in the notice under subsection (1C).

(1G) The Secretary of State shall not entertain such an application unless he is satisfied that the parties have had a reasonable time in which to fulfil their duties under subsection (1E).”

Commencement Information

11 Sch. 3 para. 1 in force at 10.8.2000, see [reg. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Gas (Third Party Access and Accounts) Regulations 2000, Paragraph 1.