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STATUTORY INSTRUMENTS

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**2005 No. 16**

**The Gas Act 1986 (Exemption) Order 2005**

**Exemptions in respect of conveyance of gas from an LNG import facility**

4.—(1) Subject to paragraph (3), a relevant transporter shall, except in so far as the Secretary of State consents to his not doing so, comply with any direction given by the Secretary of State to supply to the relevant gas transporter such information as may be specified or described in the direction—

- (a) at such times, in such form and such manner; and
- (b) in respect of such periods, not being less than 1 hour,

as may be so specified or described.

(2) Before issuing a direction under paragraph (1) the Secretary of State shall consult the relevant transporter, the relevant gas transporter, the Authority **(1)** and the Health and Safety Executive.

(3) A relevant transporter shall not be in breach of this condition if he is prevented from complying with a direction by an incident beyond his control.

(4) In this article,

“information” means information—

- (a) relevant to the operation of a pipe-line system—
  - (i) which is operated by a gas transporter specified in the direction given by the Secretary of State; and
  - (ii) to which gas is conveyed—
    - (aa) by the relevant transporter in pursuance of an exemption granted by article 3; or
    - (bb) directly or indirectly, by the relevant gas transporter; and
- (b) relating to—
  - (i) the calorific value or the total quantity of gas expected to be conveyed or which could be conveyed during the next following day by the relevant transporter through pipes in pursuance of an exemption granted by article 3; or
  - (ii) any changes in such calorific value or total quantity as may be so specified; and

“day” means the period beginning at 6 a.m. on one day and ending immediately before 6 a.m. on the next following day.

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**(1)** The Authority was established by section 1 of the Utilities Act 2000 (c. 27).