
D R A F T

S T A T U T O R Y I N S T R U M E N T S

2013 No. 0000

GAS

The Gas Act 1986 (Exemption) (Onshore Gas) Order 2013

<i>Made</i>	- - - -	***
<i>Laid before Parliament</i>		***
<i>Coming into force</i>	- -	***

The Secretary of State, in exercise of the powers conferred by section 6A of the Gas Act 1986(a), makes the following Order.

The Secretary of State has given notice of the proposal to make this Order in accordance with section 6A(1A) and (1B) of that Act and has considered representations made in relation to the proposal.

Citation and commencement

1. This Order may be cited as the Gas Act 1986 (Exemption) (Onshore Gas) Order 2013 and comes into force on [...].

Interpretation

2. In this Order—

“the Act” means the Gas Act 1986;

“gas processing operations” means any of the following operations—

(a) purifying, enrichment, blending, odourising or compressing gas for the purpose of enabling it to be introduced into a pipeline system operated by a gas transporter,

(b) removing from gas for that purpose any of its constituent gases, through cleaning, scrubbing or particulate removal, or separating from gas for that purpose any oil or water,

(c) determining the quality or quantity of gas which is or is so to be introduced, or so conveyed, whether generally or by or on behalf of a particular person;

“landward areas” has the meaning given in article 3 of the Petroleum (Production) (Landward Areas) Regulations 1995, S.I. 1995/1436;

“onshore gas processing facility” means any facility which—

(a) 1986 c.44. Section 6A was substituted by section 4 of the Gas Act 1995 c.45 and amended by sections 3, 86 and 108 of, and Schedule 8 to, the Utilities Act 2000 c.27, section 149 of the Energy Act 2004 c.20 and S.I. 2012/2400. Section 7(1) which defines “gas transporter” was substituted by section 5 of the Gas Act 1995 and amended by section 76(1) and (2) Utilities Act 2000; section 197(9) Energy Act 2004 when brought into force will repeal subsection 7(1)(c). Section 48 defines “LNG import or export facility”, inserted by S.I. 2011/2704.

- (a) carries out gas processing operations in respect of gas extracted from or produced in landward areas only,
- (b) is not operated by a gas transporter, and
- (c) is not an LNG import or export facility.

Exemption from section 5(1)(a) of the Act

3.—(1) A person (“A”) who conveys gas over a distance not exceeding 16.043 kilometres from an onshore gas processing facility to a pipeline system operated by a gas transporter is exempt from section 5(1)(a) of the Act in relation to that conveyance.

(2) The exemption granted by paragraph (1) shall cease to have effect if A fails to comply with the condition specified in article 4.

Condition on exemption

- 4. The condition is that A does not convey the gas mentioned in article 3 to any premises.

	<i>Name</i>
	Minister of State,
Date	Department of Energy and Climate Change

EXPLANATORY NOTE

(This note is not part of the Order)

This Order grants an exemption from the requirement under section 5(1)(a) of the Gas Act 1986 to hold a licence when transporting gas (conveying gas through pipes to pipeline systems operated by gas transporters) to a person who conveys gas from an onshore gas processing facility to a pipeline system operated by a gas transporter. The exemption only applies if the distance over which the gas is conveyed does not exceed 16.043 kilometres.

The exemption applies in respect of gas conveyed from an onshore gas processing facility, being a facility that carries out gas processing operations on gas produced in landward areas. Landward areas are defined by reference to the Petroleum (Production) (Landward Areas) Regulations 1995; Schedule 1 to those Regulations lists a set of co-ordinates which specify the boundaries of landward areas in Great Britain.