STATUTORY RULES OF NORTHERN IRELAND

1996 No. 447

GAS

Gas (Applications for Licences and Extensions) Regulations (Northern Ireland) 1996

Made - - - -	*24th September 1996*
Coming into operation	*24th September 1996*

The Department of Economic Development, in exercise of the powers conferred on it by Article 8(3) of the Gas (Northern Ireland) Order 1996(**1**) and of every other power enabling it in that behalf, hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Gas (Applications for Licences and Extensions) Regulations (Northern Ireland) 1996 and shall come into operation on 24th September 1996.

Interpretation

2. In these Regulations—

"the Department" means the Department of Economic Development;

"the Order" means the Gas (Northern Ireland) Order 1996;

"application" means an application for a licence or extension;

"extension" means in relation to—

(a) a gas conveyance licence, an extension of that licence under Article 8(2)(*a*) of the Order;

(b) a gas storage licence, an extension of that licence under Article 8(2)(*b*) of the Order; and

(c) a gas supply licence, an extension of that licence under Article 8(2)(*c*) of the Order;

"gas conveyance licence" means a licence under Article 8(1)(*a*) of the Order;

"gas storage licence" means a licence under Article 8(1)(*b*) of the Order;

"gas supply licence" means a licence under Article 8(1)(*c*) of the Order;

"licence" when used without qualification, includes any licence under Article 8(1) of the Order;

"standard condition" in relation to any licence means a condition (if any) determined and published by the Department in accordance with Article 11(1) of the Order for the purposes

(**1**) S.I. 1996/275 (N.I. 2)

of that licence and a reference to a standard condition includes a reference to that condition as modified for the time being under Article 11(4) of the Order.

Form of application

3. An application shall be in the form, and shall contain the particulars, specified in Schedule 1.

Documents and other particulars to accompany applications

4.—(1) Subject to paragraphs (2) and (3):—

(a) an application for a gas conveyance licence, or for an extension, shall be accompanied by the documents and other particulars specified in Part I of Schedule 2;

(b) an application for a gas storage licence, or for an extension, shall be accompanied by the documents and other particulars specified in Part II of Schedule 2;

(c) an application for a gas supply licence, or for an extension, shall be accompanied by the documents and other particulars specified in Part III of Schedule 2.

(2) The obligation imposed by paragraph (1) shall, to the extent that documents and other particulars are specified in Parts I, II and III of Schedule 2 by reference to, or in relation to, a standard condition have effect:—

(a) in the case of an application for a licence, subject to paragraph (3), as if the standard condition in question were to be incorporated in any licence granted as a result of the application;

(b) in the case of an application for an extension of a licence, in relation to such of the standard conditions in question as have been incorporated in the licence.

(3) Where a modification of any standard condition is specified in accordance with paragraph 15 of Part I of Schedule 2, paragraph 11 of Part II of Schedule 2, or paragraph 15 of Part III of Schedule 3, the obligation imposed by paragraph (2)(*a*) above shall be modified accordingly.

Lodgement of applications

5. An application shall:—

(a) be signed and dated by or on behalf of the applicant, stating, where signed on behalf of the applicant, the capacity in which the signatory does so; and

(b) be delivered, or sent by prepaid post, to the Department or to the Director at his principal office.

Manner of publishing applications

6.—(1) For the purposes of Article 8(3) of the Order, a notice containing a copy of the application shall be published by the applicant:—

(a) in the Belfast Gazette; and

(b) in the newspaper or newspapers circulating:—

(i) in the case of a gas conveyance licence, in each part of the area to which the application relates;

(ii) in the case of a gas storage licence in the area in which the gas storage facility to which the licence relates is to be located; and

(iii) in the case of a gas supply licence in each area where the persons or premises to which the application relates are located.

(2) Where, in relation to any application, a map forms part of the documents and particulars provided in accordance with regulation 4, each notice relating to that application published by the applicant in a periodical under paragraph (1)(*b*) shall state that a copy of that map is available for inspection by the public at the offices of the Department or the principal office of the Director, as the case may be, between 10.00 am and 4.00 pm on any working day.

(3) An applicant shall cause a copy of the Belfast Gazette and of each newspaper in which the application made by him is published under paragraph (1)(*b*) to be delivered to or sent as soon as is practicable after publication by prepaid post to the Department or to the Director at his principal office, as appropriate.

Fees payable with applications

7.—(1) The fee payable with an application for a gas conveyance licence shall be £800.

(2) The fee payable with an application for a gas storage licence shall be £500.

(3) The fee payable with an application for a gas supply licence shall be £500.

(4) The fee payable with an application for an extension shall be £200.

(5) Any fees payable under this regulation shall be paid when the application to which it relates is lodged.

Sealed with the Official Seal of the Department of Economic Development on 24th September 1996

J. E. Wolstencroft
Assistant Secretary

SCHEDULE 1

Form of Application for a Gas Conveyance Licence, Gas Storage Licence or Gas Supply Licence

Regulation 3

1. Full name of the applicant(s).

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2. Address of the applicant(s) or, in the case of a body corporate, the registered or principal office.

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3. Where the applicant is a partnership or other joint venture (other than a body corporate), the name and address of each party concerned.

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4. The name, address and telephone number of the person or persons resident in Northern Ireland to whom correspondence or enquiries concerning the application should be directed.

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5. The particular type of licence(s) sought that is to say whether to convey gas and/or store gas and/or supply gas, or an extension of any of these types of licence granted to the applicant at the time of this application.

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6. The date from which the licence or extension is desired to take effect.

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7. Status of the applicant that is to say whether the applicant is a public limited company, private limited company, overseas company, other body corporate, partnership, unincorporated association, sole trader or other entity (and in the last case particulars of the legal status).

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8. If the applicant is a body corporate:

(*a*) The jurisdiction under which it is incorporated.

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(*b*) If applicable, its registration number.

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(*c*) The full names and addresses of its current Directors (including any shadow director within the meaning of Article 9(2) of the 1986 Order) or, where appropriate, the corresponding officers.

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(*d*) Where incorporated outside Northern Ireland the name, address and telephone number of a person or persons resident in Northern Ireland authorised to accept service of any notices or processes required to be served on the company.

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(*e*) The name and registered office of any holding company (within the meaning of Article 4 of the 1986 Order as substituted by Article 62 of the 1990 Order) of the applicant and the name and registered or principal office of any parent undertaking (within the meaning of Article 266 of the 1986 Order) of the applicant.

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