1973. No. 149 [C]

GAS

Application for Special Orders

REGULATIONS, DATED 16TH MAY 1973, MADE BY THE MINISTRY OF COMMERCE UNDER SECTION 9(4) OF THE GAS ACT (NORTHERN IRELAND) 1971.

The Ministry of Commerce on behalf of the Secretary of State and in exercise of the powers conferred on it by section 9(4) of the Gas Act (Northern Ireland) 1971(a) and of every other power enabling it in that behalf hereby makes the following Regulations:—

Citation

1. These Regulations may be cited as the Gas (Application for Special Orders) Regulations (Northern Ireland) 1973.

Application of Regulations

2. These Regulations shall apply to applications for Orders under subsections (1) and (2) of section 9 of the Gas Act (Northern Ireland) 1971.

Notice of application

3. Applicants for an Order shall publish notice of their intention to apply, by advertisement inserted once in a local newspaper circulating in the area to which the application refers and once in the Belfast Gazette as soon as possible after the publication in the local newspaper. The advertisement shall be headed with a short descriptive title and shall contain—

(*a*) the description and address of the applicants;

(*b*) a statement of the objects of the application including a description of any proposed area of supply, any proposed new works and any land which it is proposed to use for the purpose of gasworks;

(*c*) a list of addresses where copies of the draft Order and maps, if any, are available for public inspection as prescribed in Regulation 4(*b*);

(*d*) instructions for the lodgement of objections to the draft Order in the form set out in Regulation 6(1)

Service

4. On or before the date of publication of the advertisement in the Belfast Gazette the applicants shall—

(*a*) serve by the recorded delivery service a copy of the advertisement prescribed in Regulation 3 on—

(i) every undertaker supplying or authorised to supply gas within any area proposed to be supplied by the applicants;

(ii) the owner or reputed owner, lessee or reputed lessee and occupier of every dwelling house situate within 300 metres of any land proposed to be used for the construction of works for the manufacture or storage of gas;

(a) 1971. c. 19 (N.I.).

(iii) the owner or reputed owner and lessee or reputed lessee of any railway, harbour or canal along or across which it is proposed to lay pipes or otherwise affect;

(*b*) deposit a copy of the advertisement and of the draft Order and maps, if any—

(i) at the office of every district council or local authority whose district is wholly or partly within the existing or proposed area of supply;

(ii) at an office of the applicants situate within the proposed or existing areas of supply;

(iii) at the office of the Ministry of Commerce for Northern Ireland at Chichester House, 64 Chichester Street, Belfast BT1 4JX.

Applications

5. The application for an Order shall be made in writing to the Ministry within seven days of the date of publication of the advertisement in the Belfast Gazette in accordance with Regulation 3 and it shall include—

(*a*) a copy of the newspaper and the Gazette containing the advertisement;

(*b*) the names and addresses of the authorities, companies and persons upon whom a copy of the advertisement has been served in accordance with Regulation 4(*a*), together with proof of service in the form of recorded delivery documents;

(*c*) particulars of the offices where the draft Order has been deposited for public inspection in accordance with Regulation 4(*b*);

(*d*) three copies of the draft Order;

(*e*) an Ordnance map or maps of 1 : 2,500 scale showing the land to be used or the proposed works when the applicants are seeking to be authorised to use any lands for the storage of gas or for the construction of works;

(*f*) an Ordnance map or maps of 1 : 10,000 scale or such lesser scale as the Ministry may allow, showing the boundaries of the proposed area of supply and the area (if any) where the applicants are already authorised to supply gas, when the applicants are seeking to be authorised to supply gas in an area where they are not already so authorised;

(*g*) where the applicants are a district council or local authority and borrowing powers are sought—

(i) a statement of the amounts borrowed and authorised to be borrowed for the purposes of the gas undertaking;

(ii) a statement showing under separate heads the purposes for which the borrowing powers are sought and the amount required for each purpose;

(*h*) where the applicants are not a district council or local authority—

(i) a statement of the existing capital and borrowing powers showing the amounts authorised, raised and expended; and

(ii) where capital or borrowing powers are sought, a statement showing under separate heads the purposes for which the powers are sought and the amount required for each purpose;

(*i*) if the applicants are a company, a copy of their Memorandum and Articles of Association if any and of every special resolution of the company;

(*j*) the title of every special Act of Parliament and Order having the force of an Act relating to the undertaking.