9. These regulations shall come into operation on the twenty-ninth day of April, nineteen hundred and forty-nine, and may be cited as the Gas (Consultative Council) Regulations, 1949. Commencement and citation.

Dated this twenty-second day of April, nineteen hundred and forty-nine.

Hugh Gaitskell,
Minister of Fuel and Power.

EXPLANATORY NOTE

(This note is not part of these regulations, but is intended to indicate their general purport.)

These regulations regulate the terms of membership and proceedings of Gas Consultative Councils established under the Gas Act, 1948.

(ii) CO-PARTNERSHIP

The Gas (Co-partnership) Regulations, 1949

1949 No. 475

Made - - - -	18*th March*, 1949
Laid before Parliament	19*th March*, 1949
Coming into Operation	1*st May*, 1949

The Minister of Fuel and Power, in exercise of the powers conferred upon him by section fifty-nine of the Gas Act, 1948,(a) (in these regulations referred to as " the Act ") and of all other powers him enabling, hereby makes the following regulations:—

1. —(1) These regulations shall apply to any scheme in force immediately before the vesting date which provides for enabling persons employed by any undertaker to whom Part II of the Act applies, other than an undertaker to whom section eighteen of the Act applies, or any class of persons so employed, to participate in the profits of the undertaking. Schemes to be continued.

(2) Subject to the provisions of the Act and of these regulations, and to the provisions of any regulations made in pursuance of subsection (2) of section fifty-nine of the Act, every scheme to which these regulations apply, including the provisions thereof relating to welfare or amenities or the management of the scheme in question, shall remain in operation until the thirty-first day of March, nineteen hundred and fifty-one.

2.—(1) On and after the vesting date no person shall be admitted to membership of any scheme to which these regulations apply, other than a person employed before the vesting date by the undertaker concerned on terms entitling that person to be admitted a member on the fulfilment of a condition which is not fulfilled with respect to him until after the said date. Provisions concerning admission to, and forfeiture of, membership.

(a) 11 & 12 Geo. 6. c. 67.

(2) Every such scheme shall have effect on and after the vesting date subject to the modification that a member of the scheme, transferred by the Area Board concerned, otherwise than at his own request, to employment in the area not connected with any part of the business of the Board corresponding to the undertaking of the undertaker concerned, shall not by reason thereof be ineligible to remain a member.

Participation in profits.

3.—(1) Every scheme to which these regulations apply shall have effect subject to the modification that, for the provisions for a sum or sums provided from the profits of the undertaking to be paid for any year or part of a year for the benefit of members of the scheme, there shall be substituted a provision for the Area Board concerned to pay in cases to which paragraph (2) is applicable a sum for the benefit of those members ascertained as provided in that paragraph for each year as defined in paragraph (4) ending after the vesting date.

(2) The sum aforesaid shall be payable in the case of schemes where a scheme payment as defined in paragraph (4) has been made for any of the last three years as so defined completed before the vesting date, or for any part of any such year, and shall be—

(*a*) if every scheme payment for those years was determined as a percentage of wages and salaries (on any basis), a sum ascertained by applying to the wages and salaries (on the same basis) of members of the scheme in the year for which the payment is to be made a percentage equal to one third of the aggregate of the yearly percentages for those years, or, if greater, a sum ascertained by applying to the wages and salaries (on that basis) of the members aforesaid the percentage applied in the last of the three said years for which a scheme payment was made; or

(*b*) in any other case, a sum equal to one third of the aggregate of the scheme payments for the three said years, so far as attributable to members of the scheme, or, if greater, a sum equal to the scheme payment or payments, so far as so attributable, for the last of the three said years for which a scheme payment was made.

(3) Where, under the provisions of any scheme or the practice of the undertaker concerned, a scheme payment is required to be made for a year or part of a year ending within the three months next before the vesting date, but that payment is not made before that date, the Area Board concerned shall pay a sum equal to the amount of the said scheme payment for the benefit of the members of the scheme; and if any scheme ceases to have effect on a day other than the day with which a year ends, the Area Board concerned shall pay, for the period from the end of the last complete year to the date on which the scheme ceases to have effect, a sum bearing the same proportion to the sum ascertained under paragraph (2) with respect to that scheme as the said period bears to a period of twelve months.

(4) For the purpose of payments in pursuance of this regulation the expression "year" means a period of twelve months ending with the day with which ended the year for the purpose of the scheme, or, in the case of a scheme which provided for payments for parts of a year, the part completed last before the vesting date; and the expression "scheme payment" means the payment under the scheme, or in lieu of a payment under the scheme, of a sum to be provided from the profits of the undertaking.

4. Every person, being a trustee of a scheme to which these regulations apply, or a member of a committee or person otherwise concerned with the management of any such scheme, appointed by or on behalf of the undertaker concerned in his capacity as employer, shall cease to hold his said office at the expiry of six months from the coming into operation of these regulations, unless he is appointed by the Area Board concerned to hold that office after the expiry of that period. Management of schemes.

5. In any provision limiting or specifying the securities which may be held for the purposes of a scheme to which these regulations apply, any reference to stock of the undertaker concerned shall be construed as a reference to British Gas Stock ; so however that any sum paid after the vesting date for the purposes of the scheme by the Area Board concerned may be held by the trustees or other persons for the time being holding cash or investments for the purposes of the scheme upon trust to apply the same and any proceeds thereof for the like purposes. Investment of moneys.

6.—(1) Any question arising with respect to the application of these regulations to any scheme may be referred by the Area Board concerned, or by the persons for the time being concerned with the management of the scheme, to arbitration under the Act. Reference to arbitration.

(2) Where any such question is so referred, any provision in the scheme, or in any agreement made in pursuance thereof between the Board and the said persons, relating to determination by any other method shall, in so far as concerns the determination of that question, cease to have effect.

7.—(1) In these regulations the following expressions have the meanings hereby assigned to them respectively, that is to say:— Interpretation.

" the Act " means the Gas Act, 1948 ;

" Area Board concerned " means in relation to any scheme the Area Board, or, as the case may be, the Gas Council, in whom the property, rights, liabilities and obligations of the undertaker concerned have vested by virtue of the Act.

(2) Expressions to which meanings are assigned by the Act or by these regulations shall, unless the context otherwise require, bear the same meanings in any instrument issued under the provisions of these regulations.

(3) The Interpretation Act, 1889,(a) shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

8. These Regulations shall come into operation on the first day of May, nineteen hundred and forty-nine, and may be cited as the Gas (Co-partnership) Regulations, 1949. Commencement and citation.

Dated this eighteenth day of March, nineteen hundred and forty-nine.

Hugh Gaitskell,
Minister of Fuel and Power.

(a) 52 & 53 Vict. c. 63.

EXPLANATORY NOTE

(This note is not part of these regulations, but is intended to indicate their general purport.)

These regulations provide for the continuation until 31st March, 1951, of schemes in force immediately before 1st May, 1949, which enable persons employed by undertakers to whom Part II of the Gas Act, 1948, applies, other than undertakers to whom sec. 18 of that Act applies, to participate in the profits of the undertaking concerned.

Payments by way of participation will amount to a sum in each year equal to the average of payments in the last three complete years before 1st May, 1949 (the vesting date), or to the payment in the last of those years for which a payment was made, whichever is the greater. In addition, the Area Board concerned is to make a payment in respect of the last complete year before the vesting date in any case where such a payment would have been made but for the vesting date supervening.

No new members are to be admitted after the vesting date, other than employees who had already acquired a prospective right to admission on the fulfilment of a condition which is not fulfilled until after that date; members are not to lose their membership rights by reason of involuntary transfer to other employment under the same Board.

Persons concerned with the management of a scheme, who were appointed by the undertaker in his capacity as employer, cease to hold office six months after the coming into operation of the regulations, unless confirmed in their appointment by the Area Board concerned.

Questions arising as to the application of the regulations to any scheme may be referred, by the Area Board concerned or by the managers of the scheme, to arbitration under the Act.

(iii) DECLARATION OF CALORIFIC VALUE

The Gas (Declaration of Calorific Value) Regulations, 1949

1949 No. 788

Made - - - -	*22nd April*, 1949
Laid before Parliament	*25th April*, 1949
Coming into Operation	*1st May*, 1949

The Minister of Fuel and Power (in these regulations referred to as "the Minister"), in exercise of the powers conferred upon him by section fifty-three of the Gas Act, 1948,(a) and of all other powers him enabling, hereby makes the following regulations:—

Calculation of charges for therms supplied.

1. Where any Area Board charges for gas supplied by them according to the number of therms supplied, the number supplied to any consumer shall be ascertained by multiplying the number of cubic feet of gas registered by the consumer's meter by the number of British thermal units in the declared calorific value of the gas and dividing the product by one hundred thousand.

(a) 11 & 12 Geo. 6. c. 67.