EXPLANATORY NOTE

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

1. These regulations prescribe standards of pressure, purity and uniformity of calorific value to be complied with by Area Boards in supplying gas. Penalties are provided for non-compliance.

2. Provision is also made for the disposal of excess revenue where the Minister determines that the revenue of an Area Board has been improperly increased by supplies of gas in any part of the area supplied by them in any quarter at an average calorific value below the declared calorific value. A small excess is to be paid to the Minister and set off against payments to be made to him by the Gas Council under subsection (3) of section fifty-five of the Gas Act, 1948. Any larger excess is to be repaid at the end of the next following quarter to consumers in the part affected as determined by the Minister.

(vii) INVESTMENT AND INFORMATION

The Gas (Investment and Information) Regulations, 1949

1949 No. 568

Made - - - -	28*th March*, 1949
Laid before Parliament	28*th March*, 1949
Coming into Operation	31*st March*, 1949

ARRANGEMENT OF REGULATIONS

PART I	Foreign investments, particulars and disposal	Regulations 1 and 2
PART II	Information generally	Regulations 3 to 5
PART III	Miscellaneous	Regulations 6 to 9
Schedule	Form of particulars of foreign investments	

The Minister of Fuel and Power (in these regulations referred to as "the Minister"), in exercise of the powers conferred upon him by sections thirty-eight and thirty-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:—

PART I

Foreign investments, particulars and disposal

Time limit and form for particulars of foreign investments of certain companies.

1.—(1) Every company, being an undertaker to whom Part II of the Act applies other than an ancillary gas undertaker, shall supply particulars of all foreign investments of the company to the Minister and to the appropriate Board in the form set out in the schedule to these regulations, or a form to the like effect, signed by a duly authorised director or officer of the company before the expiry of one month from the coming into operation of these regulations:

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

Provided that where with respect to any foreign investment particulars furnished to the Minister by the company before the coming into operation of these regulations have been accepted by him for the purpose of this regulation those particulars in the form in which they were so furnished shall be deemed a sufficient compliance with subsection (2) of section thirty-eight of the Act in so far as the requirement to supply particulars of that investment to the Minister is concerned.

(2) The delivery of particulars under this regulation with respect to any foreign investment shall be without prejudice to the right of any person to require information relating to that investment by virtue of regulation three of these regulations.

Disposal of foreign investments.

2.—(1) Subject to the provisions of the following paragraph, every company, being an undertaker to whom Part II of the Act applies other than an ancillary gas undertaker, shall as soon as practicable take such steps as are necessary to assign to the appropriate Board not later than the day preceding the vesting date all interest of the company in each of the company's foreign investments, including the right to receive any proceeds thereof accruing after that assignment; so however that, if at any time before the day aforesaid the appropriate Board direct the company to assign the title to, or interest in, any such investment to any specified person, the company shall as soon as practicable take such steps as are necessary to assign the company's said title or interest to the person so specified.

(2) In the case of any composite company, the foregoing paragraph shall not apply except with respect to such foreign investments as are under subsection (5) of section eighteen of the Act apportioned to the appropriate Board; and in relation to any such company the provisions of the said paragraph shall be construed as if the words "not later than the day preceding the vesting date" and "at any time before the day aforesaid" were deleted.

PART II

Information generally

Information concerning undertakings to which Part II of the Act applies or may apply.

3.—(1) If, in the case of any person who is or may be an undertaker to whom Part II of the Act applies, the production of any book of account, record or document, or the furnishing of any other information, is reasonably required—

(*a*) by the Minister, for the purpose of ascertaining whether or not that person is such an undertaker, or in what category of undertaker he is included,

(*b*) by any Area Board, or by the Gas Council, for the purpose of facilitating the taking over of the business of that person by them on the vesting date, or

(*c*) by the Minister, an Area Board or the Gas Council, for other purposes arising out of the provisions of Part II of the Act,

that person shall on reasonable notice of the requirement produce the required book, record or document, or furnish the required information, in such reasonable manner, and at such reasonable time and place, as may be specified in the notice or subsequently agreed.

(2) In the case of any book, record or document produced, or any information furnished, as aforesaid, the person producing or furnishing it shall on reasonable notice from the person requiring it, and in such reasonable manner, and at such reasonable time and place, as may be specified in that notice or subsequently agreed,—

(*a*) provide facilities for the examination of the said book, record or document, or for the taking of copies thereof or extracts therefrom, or for the verification of the said information ; or

(*b*) supply such copies of, or extracts from, the said book, record or document as may reasonably be required for any appropriate purpose, as specified in the foregoing paragraph, by the person giving the notice.

Production of books etc. to persons concerned in claims.

4.—(1) If an Area Board or the Gas Council is reasonably required to produce any book of account, record or document—

(*a*) by any person who is a party to an agreement or lease disclaimed by that Board or Council, for the purpose of deciding whether to refer to arbitration under the Act any question arising with respect to that agreement or lease under section twenty-two of the Act, or for the purpose of preparing his case on any such reference, or

(*b*) by any person who is a party to any claim or application by that Board or Council under section thirty-three, thirty-six or thirty-eight of the Act, for the purpose of preparing his case in connection with that claim or application,

the Board or the Council, as the case may be, shall on reasonable notice of the requirement and at any reasonable time produce the said book, record or document.

(2) If any such book, record or document as aforesaid remains after the vesting date in the possession of an undertaker to whom section eighteen of the Act applies, or comes into the possession of any person to whom property which vests by virtue of the Act is subsequently transferred, that undertaker or person, as the case may be, shall produce it on the like terms.

(3) In the case of any book, record or document produced in pursuance of this regulation, the person producing it shall on reasonable notice from the person requiring it, and in such reasonable manner, and at such reasonable time and place, as may be specified in that notice or subsequently agreed, provide facilities for the examination of the same, and the taking of copies thereof or extracts therefrom.

Payment of expenses.

5.—(1) Any expenses reasonably incurred by any person in complying in pursuance of any provision of this part of these regulations with any requirement made—

(*a*) by the Minister, shall be paid by the Minister ;

(*b*) by an Area Board or the Gas Council, shall be paid by the Board or Council making the requirement ;

(*c*) under the last foregoing regulation, in so far as concerns any production effected or facilities provided—

(i) by the Board or Council concerned, shall be deemed to be costs or expenses incurred by the Board or Council in any arbitration with respect to the agreement or lease to which the person making the requirement is a party, or in the claim or application, as the case may be;

(ii) by any other person, shall be paid by the person making the requirement.

PART III

Miscellaneous

Offences.

6.—(1) Any person who—

(*a*) fails without reasonable cause or excuse to comply with any requirement made in pursuance of Part II of these regulations; or

(*b*) wilfully obstructs any person in the enjoyment of any facilities provided in pursuance of Part II of these regulations;

shall be guilty of an offence against the regulation by virtue of which the requirement was made or the facilities provided.

(2) Any person guilty of an offence against any of these regulations shall be liable on summary conviction to a fine not exceeding one hundred pounds; and, if the default in respect of which he is so convicted is continued after the conviction, he shall be guilty of a further offence and liable in respect thereof on summary conviction to a fine not exceeding five pounds for each day on which the offence is so continued.

Extension of time.

7. Any period or date specified in these regulations as the period within which, or the date by which, anything is to be done may, notwithstanding that the period has expired or the date has passed, being a period be extended, or being a date be postponed, by the Minister in any case in which he is satisfied that there has been reasonable ground for not doing, or for not having done, that thing within that period, or by that date, as the case may be.

Interpretation.

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

9. These regulations shall come into operation on the thirty-first day of March, nineteen hundred and forty-nine, and may be cited as the Gas (Investment and Information) Regulations, 1949.

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

Hugh Gaitskell,
Minister of Fuel and Power.

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

Regulation 1 (2).

SCHEDULE

GAS ACT, 1948

Gas (Investment and Information) Regulations, 1949

Particulars of foreign investments (*a*)

..... (*b*)

..... (*c*)

Col. 1	Col. 2
Nature of asset, and— (i) in the case of a security, its nominal value; (ii) in the case of patents, designs, trademarks and other industrial property, the registered number.	In the case of a security, title of person or body by whom the security was issued or created.

I certify that set out above are particulars of all foreign investments held by the above-named company at the passing of the Gas Act, 1948.

..... (*d*)

(*a*) By section 38 (5) of the Act, "foreign investments" means any assets the transfer of which is governed otherwise than by the law of any part of Great Britain.

(*b*) Name of company.

(*c*) Address of registered office.

(*d*) Signature of duly authorised director or officer of the company (Reg. 1 (2) of the above-mentioned regulations).

EXPLANATORY NOTE

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

Part I of these regulations prescribes the time limit within which companies to whom Part II of the Gas Act, 1948, applies, other than ancillary gas undertakers, are to supply particulars of their foreign investments (defined in that Act as assets the transfer of which is governed otherwise than by the law of any part of Great Britain). A form is prescribed for the particulars. Where companies have given sufficient particulars to the Minister before the regulations come into operation, those particulars in the form in which they were given may be deemed to have been given in the prescribed form.

Each company is required to take immediate steps to assign its foreign investments to the Area Board in whom the company's property will vest, or to a nominee or purchaser specified by that Board. In the case of composite companies, the requirement is limited to foreign investments apportioned to the Board under section 18 (5) of the Act.

Part II provides that persons who are or may be undertakers to whom Part II of the Act applies are, on certain terms, to produce such books of account, records and documents, to supply such copies or extracts, and to furnish such other information, as the Minister of Fuel and Power, any Area Board or the Gas Council may reasonably require for any of the purposes specified in section 38 of the Act. Such persons are also, on certain terms, to provide facilities for the taking of copies or extracts, and the verification of information.

Area Boards and the Gas Council are required to produce books, records and documents required by persons who are or may be parties to arbitrations arising out of the disclaimer of agreements or leases or the making of claims against directors, and to provide certain facilities. Where such books, records or documents are in the possession of certain other persons, similar obligations are imposed upon them.

Provision is made for payment of expenses, and for penalties in case of non-compliance or obstruction.

(viii) PENSION SCHEME

The Gas (Pension Scheme) Regulations, 1949

1949 No. 744

Made - - - - -	13*th April*, 1949
Laid before Parliament	20*th April*, 1949
Coming into Operation	23*rd April*, 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-eight 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:—

Establishment of approved pension schemes, etc.

1. Any Area Board or the Gas Council may for the purposes of paragraph (*a*) of subsection (1) of section fifty-eight of the Act establish and administer any pension scheme which has been approved by the Minister, or participate in any such approved scheme established by another of those bodies; and may for the purposes of any such scheme as aforesaid contribute to any pension fund or execute or maintain any policy of insurance, bond, indemnity or other similar instrument.

Saving.

2. Nothing in these regulations or in any such scheme as aforesaid shall affect any liability in respect of pensions vesting in an Area Board or the Gas Council by virtue of Part II of the Act.

Interpretation.

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

(a) 11 & 12 Geo. 6. c. 67. (b) 52 & 53 Vict. c. 63.