## (vi) GAS QUALITY

# The Gas (Quality) Regulations, 1949

## 1949 No. 792

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| *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"), after consultation with the Gas Council, in exercise of the powers conferred upon him by section fifty-five 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 :—

Standards of pressure.

**1.** Subject to the provisions of regulation five, gas supplied by an Area Board shall be supplied at such pressure in every pipe laid between the main and the meter having an internal diameter of two or more inches, and in every main, as to balance a column of water not less than two inches in height:

Provided that if the charges for any such gas are according to the number of therms supplied and the declared calorific value thereof is less than three hundred and fifty British thermal units per cubic foot such pressure shall balance a column of water not less than three inches in height.

Standard of purity.

**2.** Subject as aforesaid, gas supplied by an Area Board shall not contain sulphuretted hydrogen :

Provided that, where an Area Board charges for gas supplied from any gasworks by some method other than according to the number of therms supplied and less than twenty million cubic feet of gas was supplied from that gasworks during the year nineteen hundred and forty-eight, the provisions of this regulation shall not apply to the gas so supplied until the end of the first calendar year during which a greater quantity of gas than aforesaid was supplied from that gasworks, or until the Board charges for such gas according to the number of therms supplied, whichever first occurs.

Distinctive pungent smell.

**3.** Subject as aforesaid, no Area Board shall supply any gas containing carbon monoxide unless such gas possesses the distinctive pungent smell of coal gas.

Penalties.

**4.** Subject to the provisions of regulation seven, for any failure to comply with any provision of the three foregoing regulations, an Area Board shall be liable on summary conviction to a fine of ten pounds.

Exemptions.

**5.** The Minister may exempt any Area Board from any provision of regulations one to three in the case of any supply by that Board of gas for industrial purposes through any main not used for the supply of gas for domestic purposes.

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

Uniformity of calorific value.

**6.** Where charges for gas are made according to the number of therms supplied, the Area Board concerned shall maintain the calorific value of the gas supplied at not less than the declared calorific value and if—

(*a*) where there is a continuous record of the calorific value of the gas, the calorific value for any period of two hours is continuously more than five per centum below the declared calorific value, or

(*b*) where there is no such continuous record, the calorific value ascertained by a person appointed by the Minister under subsection (2) of section fifty-five of the Act (in these regulations referred to as a " gas examiner ") on the average of two tests, with an interval of not less than one hour and not more than two hours between them, is more than five per centum below the declared calorific value,

the Area Board shall be liable on summary conviction to a fine not exceeding five pounds for each complete one per centum in excess of five per centum by which the calorific value for two hours or the said average, as the case may be, is less than the declared calorific value.

Provisions as to liability.

**7.** An Area Board shall not be liable to a fine for any failure to comply with any provision of the foregoing regulations in any case in which they can show that any such failure was due to circumstances not within their control and that they took all reasonable steps to prevent such failure, nor shall they be liable for more than one fine for failure to comply with any one of the foregoing regulations during any period of twenty-four hours in respect of gas supplied from any one gasworks.

Disposal of excess revenues.

**8.**—(1) Where in any part of the area supplied by an Area Board in which charges for gas supplied by them are made according to the number of therms supplied—

(*a*) there is a continuous record of the calorific value of the gas and in any quarter the average calorific value of the gas supplied is less than the declared calorific value ; or

(*b*) there is no such continuous record but the average of the calorific values shown by the tests (being not less than six at each testing place) made by any gas examiner in any quarter of gas supplied in that part is less than the declared calorific value :

the Minister will determine the sum (in these regulations referred to as " the excess revenue ") by which the revenue of the Area Board concerned has been improperly increased by the deficiency in that part of the area.

(2) Where the excess revenue so ascertained in respect of any part of the area of an Area Board when divided by the number of therms supplied by the Board in that part in the next following quarter produces a sum less than one-fifth of a penny, an amount equal to the excess revenue shall be paid by that Board to the Minister and shall be set off against the payments due to the Minister from the Gas Council under subsection (3) of section fifty-five of the Act unless the mean of the average calorific values, or of the averages shown by the tests, as the case may be, of the gas supplied by the Board in the part aforesaid in the quarter in which the deficiency occurred and in the quarter last preceding or immediately following that quarter was equal to or greater than the declared calorific value.

(3) Where the excess revenue in respect of any part of the area of an Area Board when divided as aforesaid produces a sum not less than one-fifth of a penny, the Board concerned shall allow to every consumer who is a consumer in that part at the end of the next following quarter in respect of each therm supplied to him a credit of one-fifth of a penny or, where the sum so produced is not less than two-fifths of a penny, a credit equal to such simple multiple of one-fifth of a penny as most nearly approximates to but does not exceed the sum so produced, and the difference (if any) between the excess revenue and the aggregate amount of such credits shall be paid to the Minister as aforesaid.

(4) Where any credit is required by this regulation to be allowed in respect of gas supplied in any quarter in any part of the area of supply of an Area Board, that Board shall deliver to every consumer of gas supplied by them in that part and in that quarter, together with the demand note for gas charges payable in respect of that quarter, a notice in writing stating the amount of that credit.

(5) For any failure to comply with the provisions of the last foregoing paragraph, an Area Board shall for each offence be liable on summary conviction to a fine not exceeding fifty pounds.

Interpretation.

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

" the Act " means the Gas Act, 1948 ;

" excess revenue " has the meaning assigned by paragraph (1) of regulation eight ;

" gas examiner " has the meaning assigned by regulation six ;

" quarter " means the period of three months in any year beginning on the first day of January, the first day of April, the first day of July or the first day of October ;

" the Minister " means the Minister of Fuel and Power.

(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.

Commencement and citation.

**10.** These regulations shall come into operation on the first day of May, nineteen hundred and forty-nine, and may be cited as the Gas (Quality) Regulations, 1949.

Dated this twenty-second day of April, 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.)*

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.

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### (vii) INVESTMENT AND INFORMATION

# The Gas (Investment and Information) Regulations, 1949

## 1949 No. 568

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|---|---|
| *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:

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