



# Gas Act 1986

## 1986 CHAPTER 44

### PART I

#### GAS SUPPLY

*[<sup>F1</sup>Pipe-line systems, storage facilities and LNG import or export facilities: rights of use etc]*

#### **[<sup>F2</sup>19CA <sup>F1</sup>... Revocation of exemptions under section 19C**

<sup>F3</sup>(1) .....

<sup>F4</sup>(2) .....

(3) The Authority must revoke an exemption given under section 19C in respect of a facility—

- (a) if the construction of the facility, or (as the case may be) the making of the modification to which the exemption relates, has not been started within the 2 years beginning with the relevant date; or
- (b) if the facility, or (as the case may be) the modification to which the exemption relates, is not operational within the 5 years beginning with the relevant date.

(4) In subsection (4) “relevant date” means—

- (a) if [<sup>F5</sup>before IP completion day] the European Commission notified the Authority that it approved the exemption and terms as copied to it under subsection (1) [<sup>F6</sup>(as it then had effect)], the date of that notification;
- (b) if, [<sup>F7</sup>before IP completion day and] in accordance with Article 36(9) of the Gas Directive, the European Commission required the Authority to modify the terms, the date of that requirement;

[<sup>F8</sup>(c) if—

- (i) before IP completion day the Authority sent the European Commission a copy of the exemption and terms under subsection (1) (as it then had effect), and

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- (ii) the European Commission does not act as described in paragraph (a) or (b) before IP completion day,  
the date 4 months after the Authority sent the European Commission a copy of the exemption and terms under subsection (1) or IP completion day, whichever is the sooner;]
- [<sup>F9</sup>(d) if the decision to give the exemption was published under section 19C(10) on or after IP completion day, the date on which the decision was published under section 19C(10).]
- (5) The Authority may at any other time revoke an exemption given under section 19C, or modify the terms on which such an exemption is given, in respect of a facility—
- (a) in accordance with the provisions of the exemption; or
  - (b) by giving the owner of the facility a notice of revocation at least 4 months before the revocation takes effect.]

#### Textual Amendments

- F1** Words in s. 19CA heading omitted (31.12.2020) by virtue of [The Electricity and Gas etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/530), regs. 1(1), **27(2)**; 2020 c. 1, Sch. 5 para. 1(1)
- F2** S. 19CA inserted (10.11.2011) by [The Electricity and Gas \(Internal Markets\) Regulations 2011](#) (S.I. 2011/2704), regs. 1(1), **12**
- F3** S. 19CA(1) omitted (31.12.2020) by virtue of [The Electricity and Gas etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/530), regs. 1(1), **27(3)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** S. 19CA(2) omitted (31.12.2020) by virtue of [The Electricity and Gas etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/530), regs. 1(1), **27(4)**; 2020 c. 1, Sch. 5 para. 1(1)
- F5** Words in s. 19CA(4)(a) inserted (31.12.2020) by [The Electricity and Gas etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/530), regs. 1(1), **27(5)(a)(i)** (as amended by [The Electricity and Gas etc. \(Amendment\) \(EU Exit\) Regulations 2020](#) (S.I. 2020/1016), regs. 1(2), **3(10)**); 2020 c. 1, Sch. 5 para. 1(1)
- F6** Words in s. 19CA(4)(a) inserted (31.12.2020) by [The Electricity and Gas etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/530), regs. 1(1), **27(5)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F7** Words in s. 19CA(4)(b) inserted (31.12.2020) by [The Electricity and Gas etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/530), regs. 1(1), **27(5)(b)** (as amended by [The Electricity and Gas etc. \(Amendment\) \(EU Exit\) Regulations 2020](#) (S.I. 2020/1016), regs. 1(2), **3(10)**); 2020 c. 1, Sch. 5 para. 1(1)
- F8** S. 19CA(4)(c) substituted (31.12.2020) by [The Electricity and Gas etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/530), regs. 1(1), **27(5)(c)** (as amended by [The Electricity and Gas etc. \(Amendment\) \(EU Exit\) Regulations 2020](#) (S.I. 2020/1016), regs. 1(2), **3(10)**); 2020 c. 1, Sch. 5 para. 1(1)
- F9** S. 19CA(4)(d) inserted (31.12.2020) by [The Electricity and Gas etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/530), regs. 1(1), **27(5)(d)** (as amended by [The Electricity and Gas etc. \(Amendment\) \(EU Exit\) Regulations 2020](#) (S.I. 2020/1016), regs. 1(2), **3(10)**); 2020 c. 1, Sch. 5 para. 1(1)

**Changes to legislation:**

Gas Act 1986, Section 19CA is up to date with all changes known to be in force on or before 27 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 5(e) and word inserted by [2023 c. 52 s. 185\(3\)](#)
- s. 5(1)(ca) inserted by [2023 c. 52 s. 168\(2\)\(b\)](#)
- s. 5(10A) inserted by [2023 c. 52 s. 168\(2\)\(c\)](#)
- s. 5(11A)(11B) inserted by [2023 c. 52 s. 185\(4\)](#)
- s. 7B(5FA) inserted by [2023 c. 52 s. 185\(13\)](#)
- s. 7AC inserted by [2023 c. 52 s. 185\(6\)](#)
- s. 8AA(11B) inserted by [2023 c. 52 s. 185\(14\)](#)
- s. 15A inserted by [1992 c. 43 s. 17](#)
- s. 23D(2)(d) and word inserted by [2013 c. 32 s. 138\(4\)\(c\)\(iii\)](#)
- s. 27(1ZA)(aa) inserted by S.I. 2019/93, Sch. 1 para. 2(2)(b) (as substituted) by [S.I. 2019/1245 reg. 17](#) (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- s. 28(8A) inserted by [2023 c. 52 Sch. 14 para. 3\(3\)](#)
- s. 41E(6)(d) and word inserted by [2013 c. 32 s. 138\(4\)\(f\)\(ii\)](#)
- Sch. 4B para. 9B and cross-heading inserted by [2023 c. 52 Sch. 14 para. 4](#)