



Jersey

JERSEY GAS COMPANY AMENDMENT LAW 202-

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JERSEY GAS COMPANY AMENDMENT LAW 202-

A LAW to amend the [Jersey Gas Company \(Jersey\) Law 1989](#).

Adopted by the States

21 January 2026

Sanctioned by Order of His Majesty in Council

[date to be inserted]

Registered by the Royal Court

[date to be inserted]

Coming into force

[date to be inserted]

THE STATES, subject to the sanction of His Most Excellent Majesty in Council, have adopted the following Law –

1 [Jersey Gas Company \(Jersey\) Law 1989](#) amended

This Law amends the [Jersey Gas Company \(Jersey\) Law 1989](#).

2 [Article 1 \(interpretation\) amended](#)

In Article 1, for the definition “Minister” there is substituted –

“Minister” (except in Part 14A) means the Minister for Infrastructure;

3 [Part 14A \(power to require company to provide information\) inserted](#)

After Article 89 there is inserted –

PART 14A

POWER TO REQUIRE COMPANY TO PROVIDE INFORMATION

89A Interpretation

In this Part –

“benchmarking” includes comparison with international best practices, benchmarks and data from countries and jurisdictions that the JHA Minister considers relevant to Jersey;

“information” means information in any form or of any description, including documents, accounts, estimates, returns, records, reports and data;

“JHA Minister” means the Minister for Justice and Home Affairs.

89B Obligation to notify JHA Minister

- (1) The Company must notify the JHA Minister, or another person if so directed by that Minister, of the occurrence of a reportable event or circumstance if notification is required by a direction of the Minister published under paragraph (2).
- (2) The Minister, having consulted the Company, must publish a direction that sets out reporting requirements, which may be different for different reportable events or circumstances, and which may cover –
 - (a) the thresholds for notification, including situations in which notification is not required or different notification requirements are to apply;
 - (b) the time when the Company must make the notification;
 - (c) whom the Company must notify;
 - (d) how the Company must make the notification; and
 - (e) what information must be provided with the notification.
- (3) The reportable events or circumstances are –
 - (a) events or circumstances that threaten, or potentially threaten, public safety or harm to people or property in Jersey in connection with the supply of gas;
 - (b) events or circumstances that threaten, or potentially threaten, the security and continued supply of gas in Jersey;
 - (c) events or circumstances that have, or may have, a material adverse effect on the ability of the Company to carry out its functions under an enactment, including a material adverse change in its financial position; and
 - (d) a change in control of the Company, whether direct or indirect.
- (4) In this Article, “control” in relation to the Company, means having the power to exercise decisive influence over its activities.
- (5) In determining if that influence exists, all the circumstances are to be taken into account and not just the legal effect of any instrument, deed, transfer, assignment or other act.

89C Obligation to disclose information to JHA Minister

- (1) The Company must provide the JHA Minister, or another person if so directed by that Minister, with the information requested at the time and in the form requested –
 - (a) if that Minister directs by notice in writing;
 - (b) if the information relates to 1 or both matters set out in paragraph (2); and
 - (c) if that Minister believes that 1 or more of the situations set out in paragraph (3) exist.
- (2) The matters are –
 - (a) public safety in connection with the supply of gas in Jersey; and

- (b) the security and continued supply of gas in Jersey, including how this may be affected by the financial position of the Company.
- (3) The situations are –
 - (a) that the information is necessary or expedient in the public interest;
 - (b) that the Company is in breach of Article 89B (obligation to notify JHA Minister) or there is a material risk that it will breach that Article;
 - (c) that the Company has breached another statutory duty or there is a material risk that it will do so; and
 - (d) that the information is necessary for undertaking benchmarking to ensure that the Company's safety measures and service standards are in line with industry best practices.

89D Excluded information

Nothing in this Part requires the Company to provide any information if –

- (a) it is subject to legal privilege or is otherwise privileged from disclosure in civil proceedings;
- (b) the Company could not be compelled to give it in evidence in civil proceedings; or
- (c) it is subject to any other enactment that prohibits disclosure.

89E Permitted recipients

A person to whom information is provided under this Part must not disclose it without the consent of the Company except to –

- (a) another Minister;
- (b) an administration of the States (within the meaning of Article 1 of the [Freedom of Information \(Jersey\) Law 2011](#));
- (c) the Emergencies Council constituted by Article 1 of the [Emergency Powers and Planning \(Jersey\) Law 1990](#); or
- (d) a professional adviser of –
 - (i) the JHA Minister; or
 - (ii) a person listed in this Article who is under a duty of confidentiality.

89F Permitted uses

- (1) A person listed in Article 89E must not use information provided under this Part without the consent of the Company except –
 - (a) in accordance with, and in support of, the discharge of the JHA Minister's or that person's functions under this Part or under any other enactment;
 - (b) in connection with the provision of advice by a person mentioned in Article 89E(e); or
 - (c) for a purpose mentioned in paragraph (2).
- (2) The purposes are –

- (a) assessing health and safety risks associated with the supply of gas;
- (b) assessing risks to the security and continued provision of the supply of gas;
- (c) emergency and contingency planning associated with health and safety relating to the supply of gas;
- (d) emergency and contingency planning associated with the security and continued provision of the supply of gas;
- (e) planning, organising and implementing measures designed to –
 - (i) maintain or make the best use of supplies of gas available for distribution;
 - (ii) conserve and make the best use of supplies of fuel or other material available for the manufacture of gas;
 - (iii) preserve public safety; or
 - (iv) suspend or modify a restriction or obligation imposed on the Company by or under an enactment or by a contractual obligation;
- (f) monitoring the financial viability and solvency of the Company; or
- (g) undertaking benchmarking to ensure that the Company's safety measures and service standards are in line with industry best practices.

89G Power to enter premises and require information

- (1) In exercising the JHA Minister's functions under this Part, that Minister or a person duly authorised by them may –
 - (a) at a reasonable time and, if required, on production of evidence of authority, enter premises, other than premises used wholly or mainly as a private dwelling, to examine and take away documents or other material; and
 - (b) require a person to answer questions and provide information.
- (2) A statement made by a person in compliance with a requirement imposed under paragraph (1)(b) must not be used by the prosecution in evidence against the person in any criminal proceedings except for an offence under Article 89H(3).
- (3) A person authorised by the Minister under this Article may make investigations and report to the Minister any findings relevant to the Minister's functions under this Part.

89H Offences under this Part

- (1) A person who contravenes Article 89B or 89C commits an offence and is liable to imprisonment for a term of 5 years and to a fine.
- (2) In proceedings for an offence under paragraph (1) it is a defence for the defendant to prove that they took all reasonable precautions and exercised all due diligence to avoid committing the offence.
- (3) A person commits an offence if the person –

- (a) knowingly or recklessly provides the JHA Minister or another person entitled to information under this Part with information that is false or misleading in a material particular;
- (b) with intent to avoid compliance with Article 89B or 89C, or to avoid the detection of an offence under this Part, removes out of the jurisdiction, destroys, conceals or fraudulently alters any information, or causes or permits the removal, destruction, concealment or fraudulent alteration of any information; or
- (c) intentionally and without reasonable excuse obstructs a person exercising functions under Article 89G.

(4) A person guilty of an offence under paragraph (3) is liable to imprisonment for a term of 7 years and to a fine.

4 Article 97A (power to amend enactments by Regulations) inserted

After Article 97 there is inserted –

97A Power to amend enactments by Regulations

The States may by Regulations make amendments to this Law and any other enactment if the amendments relate to the safety, security and provision of the supply of gas, or the constitution, organisation, powers and duties of the Company.

5 Citation and commencement

This Law may be cited as the Jersey Gas Company Amendment Law 202- and comes into force on a day to be specified by the Minister for Justice and Home Affairs by Order.