

Supplemental Information Paper: Section(s) 38 and 38A of the Gas Act

The Gas (Amendment) Bill was passed by Parliament on 21 May 2007.

The amendments made in the Bill substantially change the provisions of the existing Section 38 in the Gas Act, and introduce a new Section 38A.

Under Section 38, any person who is unable to negotiate access to a gas facility such as a gas pipeline, a gas processing or production facility, an onshore receiving facility or LNG terminal may apply to the Energy Market Authority (EMA) for directions to secure access rights.

Pursuant to the new Section 38A, any person who is unable to enter into an arrangement for the allocation of gas in any offshore gas pipeline may apply to the EMA for directions to be given to the applicant and every person whose gas is being conveyed through the offshore gas pipeline, requiring such persons to enter into such arrangement for the allocation of gas in the offshore gas pipeline on such terms, and to take such steps to ensure that the arrangement is given effect to.

Information papers pertaining to the procedures and indicative timelines involved in a Section 38/38A application have already been posted on this website.

These procedures will become applicable once the Gas (Amendment) Bill receives Presidential assent, and is brought into operation thereafter.