

SFS 2006:1043 **Natural Gas Ordinance (2006:1043)**

Issued:
29 June 2006

Unamended.

Introductory provisions

Section 1 This Ordinance contains supplementary provisions on the Natural Gas Act (2005:403).

Definitions

Section 2 Terms and expressions used in this Ordinance have the same meaning as in the Natural Gas Act (2005:403).

Exceptions from the requirement for a concession

Section 3 A concession under Chapter 2, Section 11 of the Natural Gas Act (2005:403) is not required for the rebuilding of a metering and control station, line valve station, station for clearing equipment or compressor station.

Matters concerning a concession

Section 4 An application for a concession for a natural gas pipeline under Chapter 2, Section 1, first paragraph of the Natural Gas Act (2005:403) shall contain details about

1. the transmission needs that the natural gas pipeline is intended to meet,
2. the needs that the metering and control station or the compressor station is intended to meet, and
3. the alternative route of the natural gas pipeline and the alternative locations of the station that the applicant has examined, and the results of the consultations that preceded the application.

Section 5 An application for a concession for a storage plant or a gasification plant under Chapter 2, Section 2 or 3 of the Natural Gas Act (2005:403) shall contain details about

1. the needs that the plant is intended to meet, and
2. the alternative locations of the plant that the applicant has examined, and the results of the consultations that preceded the application.

Section 6 An application under Section 4 or 5 shall be made in writing and be submitted to the Swedish Energy Agency. In addition to the requirements prescribed by Sections 4 and 5, the application shall also contain

1. a technical description of the planned pipeline, station or plant and a cost calculation,
2. a map of the proposed route of the pipeline or proposed location of the station or plant, and a description of the land that needs to be allocated to the pipeline, station or plant,
3. certified lists of the owners and proprietors of properties on which it is intended to run the pipeline or on which the station or plant is intended to be located, or of properties that are otherwise needed for the plant,
4. information on the agreements concluded concerning the grant of land

for the pipeline, station or plant, or any obstacles there may be to such agreements,

5. description of the applicant's organisation, and

6. a description of how the general rules of consideration contained in Chapter 2 of the Environmental Code are complied with.

A description under the first paragraph, item 1 shall include a drawing of the design of the pipeline, station or plant and its connection to natural gas pipelines.

According to Chapter 2, Section 7, second paragraph of the Natural Gas Act (2005:403), the application shall contain an environmental impact statement.

Section 7 In individual cases, the Swedish Energy Agency may grant a waiver from the provisions of Sections 4-6 or may require the additional information needed to be able to decide on the matter.

Section 8 The Swedish Energy Agency shall give public notice of an application under Section 4 or 5. The announcement shall be made in a local newspaper. In addition, the Swedish Energy Agency shall send messages concerning the application to the parties holding an interest as named in the application.

The announcement and the messages in accordance with the first paragraph shall state that views on the application can be submitted in writing to the Energy Agency within a specified period of time, which shall be at least four weeks from the date of publication of the announcement in the local newspaper.

Section 9 In a matter concerning a concession, views shall be obtained from

1. the Swedish Rescue Services Agency
2. the Swedish Armed Forces,
3. the county council of the county or counties affected by the application,
4. the municipalities affected by the application,
5. the property owners affected by the application, and
6. the other parties holding an interest affected by the application.

Section 10 After the Swedish Energy Agency has processed a matter in accordance with Section 4 or 5, the authority shall hand over the matter, together with its own statement of views, to the Government for consideration. In its statement, the authority shall state whether the environmental impact statement complies with the requirements of Chapter 6 of the Environmental Code.

Construction of natural gas pipelines, storage plants and gasification plants

Section 11 Before the construction of a natural gas pipeline, storage plant or gasification plant that requires a concession, the concession holder shall notify the Swedish Energy Agency and the municipal board or boards involved in the planning and building services that construction is to start. A map and a technical description of the natural gas pipeline, storage plant or gasification plant shall be submitted together with the notification.

Section 12 A concession holder must not begin to use a natural gas

pipeline, storage plant or gasification plant before the Swedish Energy Agency has issued a permit (operating permit).

Certain matters under Chapter 2 of the Natural Gas Act

Section 13 An application for an extension of the term of a concession under Chapter 2, Section 12, first paragraph of the Natural Gas Act (2005:403) shall be made in writing and shall be submitted to the Swedish Energy Agency.

Sections 4-10 shall apply to such matters.

Section 14 The Swedish Energy Agency shall consider applications in accordance with Chapter 2, Section 13 of the Natural Gas Act (2005:403) for permission to transfer the concession.

Section 15 The Swedish Energy Agency shall process matters concerning withdrawal of the concession under Chapter 2, Section 14 of the Natural Gas Act (2005:403), and shall then hand over the matter, together with its own statement of views, to the Government for consideration.

Section 16 The Swedish Energy Agency shall consider matters under Chapter 2, Section 15, second and third paragraphs, Chapter 2, Section 16, first and second paragraphs and Chapter 2, Section 17, first and second paragraphs of the Natural Gas Act (2005:403).

Metering and reporting of natural gas transmitted

Section 17 A party who engages in the transmission of natural gas shall meter the natural gas transmitted and report the results of these measurements in accordance with the more detailed regulations made by the Swedish Energy Agency.

Section 18 The Swedish Board for Accreditation and Conformity Assessment make regulations concerning the requirements on and inspection of metering equipment that is used in connection with such metering and reporting as referred to in Section 17.

The Swedish Board for Accreditation and Conformity Assessment shall exercise supervision of compliance with the regulations made under the first paragraph.

Monitoring plan

Section 19 The Swedish Energy Agency may make more detailed regulations concerning the content of the monitoring plan and concerning the publication of the annual report in accordance with Chapter 3, Section 9 of the National Gas Act (2005:403).

Tariffs for the transmission of natural gas

Section 20 The Swedish Energy Agency may make more detailed regulations concerning the formation of transmission tariffs under Chapter 6, Section 3 of the Natural Gas Act (2005:403) and the publication of tariffs under Chapter 6, Section 4, first paragraph of the Natural Gas Act.

Overall system responsibility

Section 21 The public utility service Svenska Kraftnät shall be the system management authority in accordance with Chapter 7, Section 1 of the Natural Gas Act (2005:403).

Section 22 A party who engages in the transmission of natural gas shall keep Svenska Kraftnät continuously informed about the temperature, pressure, flow and valve settings at the metering and control stations and about any operational disruptions that may affect the operation of the Swedish natural gas system.

A party who engages in the transmission of natural gas shall also keep Svenska Kraftnät informed about the volume of natural gas in the pipelines, the amount of natural gas transmitted that, considering Chapter 7, Section 2, second paragraph of the Natural Gas Act (2005:403), may be discontinued and where such a discontinuation may possibly occur in the pipeline network.

A party who engages in the transmission of natural gas shall notify Svenska Kraftnät without delay of any planned measures to its own pipelines that may affect the operation of the Swedish natural gas system.

Section 23 Svenska Kraftnät may make more detailed regulations on notices in accordance with Section 22.

Section 24 The Swedish Energy Agency may make more detailed regulations on the publication of conditions under Chapter 7, Section 6, first paragraph of the Natural Gas Act (2005:403).

Notifications and notices regarding the supply of natural gas

Section 25 The Swedish Energy Agency may make more detailed regulations on notifications under Chapter 7, Section 8, first paragraph and notices under Chapter 7, Section 8, third paragraph of the Natural Gas Act (2005:403).

Notices on balance responsibility

Section 26 The Swedish Energy Agency may make more detailed regulations on notices under Chapter 7, Section 9, first and third paragraphs of the Natural Gas Act (2005:403).

Section 27 Svenska Kraftnät may make more detailed regulations on notices under Chapter 7, Section 10 of the Natural Gas Act (2005:403).

Notices to consumers and messages to the Social Welfare Committee

Section 28 The Swedish Energy Agency may issue more detailed regulations determining the standard forms for notices to consumers and messages to the Social Welfare Committee under Chapter 8, Section 6 of the Natural Gas Act (2005:403).

Secure natural gas supply

Section 29 The measures that are planned in accordance with Chapter 8 a,

Section 1 of the Natural Gas Act (2005:403) shall be approved by the Swedish Energy Agency.

Svenska Kraftnät shall inform the Energy Agency of any measures that are planned under Chapter 8 a, Section 2 of the Natural Gas Act.

Section 30 The general national strategy to be produced and maintained by the Swedish Energy Agency under Chapter 8 a, Section 3, item 1, first paragraph of the Natural Gas Act (2005:403) shall be made in writing and shall be submitted to and approved by the Government. The strategy shall contain:

1. an objective for natural gas supply in Sweden,
2. a method for and an assessment of vulnerability and threat profile,
3. a method for and completed surrounding world monitoring,
4. a description of planned and completed preventive activities,
5. a description of planned and completed information and training initiatives,
6. a description of the coordination of such tasks affecting several authorities, and
7. a national plan with measures to secure the national gas supply in emergency situations.

Every proposed amendment to this strategy in accordance with the first paragraph shall be notified in good time to the Government for approval.

The Government shall decide the way in which the strategy shall be published.

Section 31 The Swedish Energy Agency may make more detailed regulations regarding the requirements that the planning and measures under Chapter 8 a, Sections 1 and 3 of the Natural Gas (2005:403) shall satisfy.

Section 32 When planning and implementing measures under Chapter 8 a, Sections 1-3 of the Natural Gas Act (2005:403), the consumers' supply of natural gas shall be safeguarded in at least the following cases:

- in the event of a partial disruption of national natural gas supplies that does not exceed 24 hours,
- annually during the winter period from and including December up to and including February, and
- during periods when the temperature is less than normal winter temperature by 4-5 degrees (twenty-year winters).

Section 33 Svenska Kraftnät may make regulations on measures to facilitate repair work and physical safety measures in natural gas pipelines and at storage and gasification plants under Chapter 8 a, Section 7 of the Natural Gas Act (2005:403).

Supervision

Section 34 The Swedish Energy Agency shall exercise supervision under Chapter 10, Section 1 of the Natural Gas Act (2005:403).

Appeals

Section 35 Section 22a of the Administrative Procedure Act (1986:223) includes provisions for appeals to a general administrative court. Appeals

against decisions by the Swedish Energy Agency under Section 14 of this Ordinance may be presented to the Government.