

Statutes in translation

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Natural Gas Act (2005:403)
(Only the Swedish version is authentic)
(Including amendments up to 1 January 2012)

Chapter 1 Introductory provisions
Applications of the Act

Section 1 This Act contains provisions for natural gas pipelines, storage plants and gasification plants and, in certain cases, trading in natural gas and for the secure supply of natural gas. (*SFS 2006:646*).

Definitions

Section 2 The term natural gas in this Act also denotes biogas, gas from biomass and other gases, to the extent that it is technically possible to use these gases in the natural gas system.

The term natural gas also denotes liquefied (condensed) natural gas (LNG).

Section 3 The term natural gas pipeline in this Act denotes piping, metering and control stations, line valve stations, stations for clearing equipment and compressor stations.

Section 4 The term storage plant in this Act denotes a plant for the storage of natural gas, if the plant is connected to a natural gas pipeline that is used for the transmission of natural gas.

Section 5 The term gasification plant in this Act denotes a plant for the gasification of liquefied natural gas (LNG), if the plant is connected to a natural gas pipeline that is used for the transmission of natural gas.

The provisions for the gasification plant shall also be applied in respect of plants that are used for the liquefaction of natural gas and for the import and unloading of liquefied natural gas, if the plant is connected to a natural gas pipeline that is used for the transmission of natural gas.

Section 6 The term transmission of natural gas in this Act denotes the transmission of natural gas on behalf of another party through both transmission pipelines and distribution pipelines.

Section 7 The term natural gas undertaking denotes an undertaking that transmits or conducts trade in natural gas as well as proprietors of storage plants and gasification plants.

Section 7a The term transmission network operator in this Act denotes the party conducting the transmission of natural gas via high-pressure pipelines or a network which consists mainly of high-pressure pipelines, with the exception of high-pressure pipelines which are mainly used in connection with local distribution of natural gas. (*SFS 2011:713*).

Section 8 The term consumer denotes a natural person to whom natural gas is transmitted or supplied for purposes that mainly fall outside business operations. (*SFS 2006:646*).

Responsible authority

Section 9 The Government shall appoint an authority to deal with matters that in accordance with this Act or in accordance with the regulations made on the basis of the Act are the function of the supervisory authority. (*SFS 2006:646*).

Chapter 2 Concession
General provisions on concessions

Section 1 A natural gas pipeline may not be built or used without a permit (concession) from the Government. No preparatory measures for accommodating a natural gas pipeline, such as blasting, excavation, felling of trees, site preparation or similar measures, may be undertaken before the concession has been granted.

No concession is necessary for a natural gas pipeline which is located after a metering and control station.

The Government may make regulations on exemptions from the requirement for a concession in accordance with the first paragraph for certain types of gas pipelines or for certain types of measures on natural gas pipelines.

Section 2 A storage plant may not be built or used without a concession from the Government. No preparatory measures for accommodating a storage plant, such as blasting, excavation, felling of trees, site preparation or similar measures, may be undertaken before the concession has been granted.

Section 3 A gasification plant may not be built or used without a concession from the Government. No preparatory measures for accommodating a gasification plant, such as blasting, excavation, felling of trees, site preparation or similar measures, may be undertaken before the concession has been granted.

Section 4 If the Government has granted a concession for a natural gas pipeline, storage plant or gasification plant, a prohibition may not be imposed on the basis of the Environmental Code on building and using the pipeline or the plant.

Prerequisites for granting concessions

Section 5 A concession may be granted only if the pipeline or plant is suitable from the public perspective.

Section 6 A concession must not be in conflict with a detailed plan or area regulations. However, if the purpose of the plan or regulation is not counteracted, minor departures may be made.

Section 7 When considering matters concerning the granting of a concession, the provisions of Chapters 2 to 4 and Chapter 5, Section 3 of the Environmental Code shall be applied.

An environmental impact statement shall be included in an application for a concession. As regards procedure, Chapter 6 of the Environmental Code shall apply to the requirements on the environmental impact statement as well as plans and planning documentation. The provisions in the Code concerning the permission granting authority shall apply to the Government or the authority appointed by the Government. (*SFS 2010:895*).

Section 8 A concession may only be granted to a party that, from the public perspective, is suitable to engage in the operation to which the concession relates. Special consideration shall be given to whether the applicant can be assumed to have the will and ability to conduct the operation to which the concession relates and to conduct the operation in accordance with the regulations and conditions that will apply to the operation.

Conditions for concessions

Section 9 A concession for a natural gas pipeline shall specify the principal run of the piping.

A concession for a natural gas pipeline, a storage plant or a gasification plant shall be granted subject to the conditions necessary for protecting the interests of the public and private rights. It shall also be subject to such conditions for the design and utilisation of the pipeline or plant as are necessary for reasons of safety or are necessary for otherwise protecting human health and the environment against harm, damage and nuisance, and for promoting good long-term management of land and water and other resources, or which for other reasons are necessary from the public perspective.

A condition may be specified for the concession that the pipeline or plant shall be completed within a certain period of time. If there are special reasons, the Government may extend the specified time. An application for an extension shall be made before the specified time has expired.

Section 10 A concession may, in order to be valid, be made dependent on the party holding the concession providing security for the costs of removing the pipeline or

installation involved and for taking other restorative measures. The Government, municipalities, county councils and municipal associations need not provide such security.

If it may be assumed that the security provided is no longer sufficient, the Government or, following authorisation by the Government, the supervisory authority may decide on further security.

Chapter 2, Section 25 of the Enforcement Code shall apply regarding the nature of the security. The security shall be considered by the Government or, following authorisation by the Government, the supervisory authority, and shall be kept by the county council of the county in which the operations are conducted.

The term of a concession

Section 11 A concession shall be granted for forty years. However, the time may be shorter if there are special reasons or if requested by the applicant.

Extension of the term

Section 12 On request by the concessionaire, the term of the concession may be extended by forty years at a time. However, the time may be shorter if there are special reasons or if requested by the applicant.

Sections 5 to 9 shall apply in a matter concerning an extension of the term.

An application for an extension of the term should be made no later than two years prior to the expiry of the term of the concession. The concession shall remain in force until the application has been finally considered.

Transfer of a concession

Section 13 A concession may not be transferred without permission. The Government or, following authorisation by the Government, the supervisory authority considers matters relating to permission. When considering an application for the transfer of a concession, Section 8 shall be applied.

Withdrawal of a concession

Section 14 A concession may be withdrawn, either in whole or in part

1. if the pipeline or plant involved has not been used for three years in succession and is no longer required for secure energy supply, or
2. if the concessionaire has failed, to a significant extent, to meet his obligations under this Act, under regulations made on the basis of the Act, under the conditions of the concession or under the safety regulations applicable to the operation of the pipeline or plant involved.

Matters relating to the withdrawal of a concession shall be considered by the Government.

Restoration

Section 15 If a concession ceases to apply, the party that most recently held the concession is under an obligation to remove the pipeline or plant involved and to implement other restorative measures that may be necessary from the public or private perspective.

In conjunction with the cessation of a concession, the Government or, following authorisation by the Government, the supervisory authority shall determine the obligations of the concessionaire under the first paragraph.

If the party that most recently held the concession does not fulfil its obligations under the first paragraph, the supervisory authority may order it, subject to a default fine, to fulfil these obligations or decide that the measures should be taken at its expense. A decision that the measures shall be implemented at the expense of the former concessionaire may be enforced.

Section 16 If a pipeline or plant has been built without the necessary concession, the supervisory authority may order the proprietor of the pipeline or plant to remove it and implement other restorative measures that may be necessary from the public or private perspective.

If the proprietor does not fulfil his obligations under the first paragraph, the supervisory authority may order the proprietor, subject to a default fine, to fulfil these obligations or decide that the measures shall be implemented at the expense of the proprietor. A decision that the measures shall be implemented at the expense of the proprietor may be enforced.

Section 17 If the land of some other party needs to be used for restoration, the supervisory authority may decide that access to the land shall be granted for a fixed term.

The restoration shall be carried out in a manner that will cause the least damage and intrusion. Buildings may be constructed or roads built only if the landowner and the party that has the right of use or easement regarding the land consents to this or if the supervisory authority has given permission for the measure. Permission may be granted only if the measure is indispensable to the execution of the restoration.

If the restoration causes damage or intrusion, compensation for this shall be payable. Actions concerning compensation shall be instituted at the Land and Environment Court within whose district the land or the larger part of it lies. (*SFS 2010:942*).

Natural gas pipeline within the area of a traffic route

Section 18 The proprietor of a natural gas pipeline that has been built in the area of an existing public road, private road that is kept open for traffic, railway, underground or tramline or canal or other such waterway (traffic route) is under an obligation, if the traffic route is to be changed, to implement and pay for such measures on the natural gas pipeline that are necessary to enable the change to be implemented.

However, if the measure on a natural gas pipeline is implemented where a natural gas pipeline crosses a traffic route, the party managing the traffic route shall compensate the proprietor of the pipeline for the cost of the measure.

Section 19 If a natural gas pipeline that has been built within the area of an existing traffic route gives rise to increased costs for the maintenance of the traffic route, the proprietor of the pipeline shall pay compensation for these increased costs.

Section 20 If work on a natural gas pipeline which has been built within the area of a traffic route other than a public road can have an impact on traffic safety or if the work involves substantial intrusion to the traffic route, it shall be performed according to the instructions of the party managing the traffic route or through its agency. The proprietor of the pipeline shall be responsible for the cost of the work.

If a natural gas pipeline has sustained damage and if the delay in the repair work would cause appreciable inconvenience, the proprietor of the pipeline may begin repair work even if there has not been time for the notification of the damage to reach the traffic route operator. However, the pipeline proprietor shall notify the traffic route operator without delay that the work has been started.

Work on the natural gas pipeline within the area of a public road is subject to the provisions of Section 44 of the Highways Act (1971:948).

Chapter 3 Obligations of proprietors of natural gas pipelines

Introductory provisions

Section 1 An undertaking that is the proprietor of a natural gas pipeline and that engages in the transmission of natural gas is responsible for operating and maintaining and, when required, extending its pipeline system and, when appropriate, its connection to other pipeline systems. The undertaking is also responsible for ensuring that its pipeline system is safe, reliable and efficient and for satisfying reasonable requirements for the transmission of natural gas in the long term.

Legal and personal distinction

Section 2 An undertaking that engages in the transmission of natural gas may not engage in the trade in natural gas.

A transmission network operator may not conduct the production of natural gas or in the generation of or trade in electrical power. *(SFS 2011:713)*.

Section 2a A transmission network operator shall be independent of undertakings that conduct the respective production/generation of or trade in natural gas or electrical power. *(SFS 2011:713)*.

Section 2b A party which independently or together with another party exercises control of an undertaking that conducts the respective production/generation of or trade in natural gas or electrical power may not exercise control of or any right with respect to a transmission network operator.

A party which independently or together with another party exercises control of a transmission network operator may not exercise control of or any right with respect to an undertaking that conducts the respective production/generation of or trade in natural gas or electrical power.

A party which independently or together with another party has the authority to appoint members of the board or equivalent body at a transmission network operator may not exercise control of or any right with respect to an undertaking that conducts the production of or trade in natural gas. *(SFS 2011:713)*.

Section 2c That which is stated in Section 2b does not apply to control or rights exercised by the State via the Government.

The provisions of Section 2, second paragraph, Section 2a and Section 2b, first and second paragraphs do not prevent a transmission network operator from conducting such generation of electrical power as referred to in Chapter 3, Section 1a, second paragraph of the Electricity Act (1997:857) or being part of the same group as an undertaking that conducts the generation of electrical power which is exclusively associated with the operation of the transmission network operator's electrical cable network. *(SFS 2011:713)*.

Section 2d A member of the board, managing director or authorised signatory or other person with a similar position at a transmission network operator may not at the same time have an equivalent position in an undertaking which conducts the production of or trade in natural gas. *(SFS 2011:713)*.

Section 2e If a transmission network operator is part of a group and another part of the group conducts the production of or trade in natural gas, measures taken by undertakings in the group in order to ensure that the requirements stipulated in Sections 2a, 2b and 2d are met may not entail that personnel or commercially sensitive information are transferred from the transmission network operator to an undertaking which conducts the production of or trade in natural gas. *(SFS 2011:713)*.

Accounting of the transmission of natural gas

Section 3 Financial accounts related to the transmission of natural gas shall be kept separately from those of other operations. In this connection, accounts for transmission using transmission pipelines and transmission using distribution pipelines shall be kept separately.

The Government or, following authorisation by the Government, the supervisory authority may make more detailed regulations concerning the accounting of operations related to the transmission of natural gas and on the obligation to submit accounting documents to the supervisory authority.

Audit

Section 4 An auditor in an undertaking that engages in the transmission of natural gas shall undertake a particular examination of the accounts for these operations.

The auditor shall annually by a special certificate issue a statement on whether the operation accounts have been kept in accordance with the applicable provisions. The undertaking shall submit the certificate to the supervisory authority.

The Government may issue more detailed regulations concerning the audit.

Connection of a natural gas pipeline, etc.

Section 5 The proprietor of a natural gas pipeline is under an obligation to connect on reasonable terms other natural gas pipelines as well as storage plants and gasification plants. The same shall apply to the reconnection of an existing natural gas pipeline, a change in the agreed capacity at the connection point and a change in the time for transmission.

This obligation shall not apply if the first mentioned pipeline does not have the capacity for the requested measure or if there are other special reasons.

The obligation does not apply to the proprietor of a natural gas pipeline that is used exclusively on his own behalf.

Transmission of natural gas

Section 6 The proprietor of a natural gas pipeline is under an obligation to transmit natural gas on reasonable terms.

The obligation does not apply to the proprietor of a natural gas pipeline that is used exclusively on his own behalf.

Metering and reporting of natural gas transmitted

Section 7 A party that engages in the transmission of natural gas is under an obligation to conduct metering of natural gas transmitted and to report the results of the metering in accordance with the more detailed regulations made by the Government or, following authorisation by the Government, the supervisory authority.

Acquisition of energy for the operation of natural gas pipelines

Section 8 The proprietor of a natural gas pipeline subject to a concession obligation shall in a transparent, non-discriminatory and market-oriented manner acquire the natural gas that is needed in order to engage in the transmission of natural gas.

Monitoring plan

Section 9 An undertaking that engages in the transmission of natural gas and that is part of the same group as an undertaking which conducts the production of or trade in natural gas shall prepare a monitoring plan and ensure compliance with this monitoring plan.

The monitoring plan shall state the measures that will be taken to counteract discriminatory practices in relation to other stakeholders in the natural gas market. The plan shall also state the special obligations that employees have for achieving this objective.

The Government or, following authorisation by the Government, the supervisory authority may issue regulations regarding the content of the monitoring plan. (*SFS 2011:713*).

Section 10 An undertaking which is under an obligation to prepare a monitoring plan under Section 9 shall appoint a monitoring officer who shall independently superintend the preparation of and compliance with the plan. The undertaking shall ensure that the monitoring officer is given the necessary authority and access to information to carry out the task.

The monitoring officer shall annually produce a report on the measures taken in accordance with the monitoring plan and submit the report to the supervisory authority. The undertaking shall publicise the report.

The Government or, following authorisation by the Government, the supervisory authority may make regulations concerning the appointment of a monitoring officer and his duties and concerning publication of the annual report. (*SFS 2011:713*).

Communication with gas consumers and the public

Section 11 If an undertaking which conducts the transmission of natural gas and an undertaking which conducts the production of or trade in natural gas are part of the

same group, the undertakings shall, when contacting an individual gas consumer or the public, provide identification in such a way that it is clear as to which operations the undertaking conducts. (SFS 2011:713).

Chapter 4 Obligations of proprietors of storage and gasification plants

Introductory provisions

Section 1 The proprietor of a storage plant or a gasification plant is responsible for the operation of the plant and for it being safe, reliable and efficient.

Legal and personal distinction

Section 2 An undertaking that is the proprietor of a storage plant or a gasification plant may not conduct trade in natural gas.

A member of the board, managing director or authorised signatory of such an undertaking may not be a member of the board, managing director or authorised signatory of an undertaking that conducts trade in natural gas.

Accounting of the operation of natural gas storage facilities and the operation of a gasification plant

Section 3 Financial accounts related to the storage of natural gas and the operation of a gasification plant shall be kept so that the storage of natural gas and the operation of the gasification plant are kept separately from those of other operations.

The Government or, following authorisation by the Government, the supervisory authority may make more detailed regulations concerning the accounting of operations related to the storage of natural gas and the operation of a gasification plant and on the obligation to submit accounting documents to the supervisory authority.

Audit

Section 4 An auditor in an undertaking that conducts operations in the form of the storage of natural gas or the operation of a gasification plant shall undertake a particular examination of the accounts for these operations.

The auditor shall annually by a special certificate issue a statement on whether the operation accounts have been kept in accordance with the applicable provisions. The undertaking shall submit the certificate to the supervisory authority.

The Government may issue more detailed regulations concerning the audit.

Special provisions on the storage of natural gas

Section 5 The proprietor of a storage plant is under an obligation, on reasonable terms, to store natural gas on behalf of another party. The proprietor of a transmission pipeline for the transmission of natural gas has a corresponding storage obligation.

The obligation to store natural gas does not apply if the plant or pipeline does not have the capacity necessary for the requested storage or if there are other special reasons.

Special provisions on access to gasification plants

Section 6 The proprietor of a gasification plant is under an obligation, on reasonable terms, to feed in natural gas that is owned by another party.

This obligation does not apply if the plant does not have the capacity necessary for the requested access or if there are other special reasons.

Chapter 5 Municipal natural gas undertakings

Section 1 Such a municipal undertaking as referred to in Chapter 3, Sections 16 to 18 of the Local Government Act (1991:900) may, notwithstanding the provisions of Chapter 2, Section 1 of the Local Government Act concerning links to the municipal area or its members, conduct outside the municipal area

1. trade in natural gas and its associated operations, or
2. transmission of natural gas in geographical proximity to the undertaking's

transmission operations within the municipality with the aim of achieving appropriate transmission operations.

Section 2 If such a municipal undertaking as referred to in Chapter 3, Sections 16 to 18 of the Local Government Act (1991:900) conducts trade in natural gas and its associated operations, the operations shall be run on commercial principles and separate accounts shall be kept. If the undertaking also engages in operations such as those referred to in Chapter 7, Section 1, item 1 of the Electricity Act (1997:857), the undertaking may keep joint accounts for the operations concerned.

Chapter 6 Connection charges and tariffs

Connection charges

Section 1 The charges and other conditions for such connection as referred to in Chapter 3, Section 5 shall be reasonable, objective and non-discriminatory.

When formulating the charge for a connection, special consideration shall be given to where the pipeline or plant that is to be connected is located and also the capacity of the connection point. (*SFS 2010:603*).

Section 1a The proprietor of a natural gas pipeline shall, upon request for a new connection, provide within a reasonable time written information on the charge and other conditions for the connection.

The proprietor of a natural gas pipeline shall publicise the methods used to formulate charges for connection.

The Government or the authority appointed by the Government issues more detailed regulations on the publication of methods under the second paragraph. (*SFS 2010:603*).

Tariffs for transmission, storage and gasification

Section 2 Tariffs for the transmission and storage of natural gas and for access to a gasification plant shall be reasonable, objective and non-discriminatory.

Section 3 When formulating tariffs for the transmission of natural gas, special consideration shall be given to the number of customers connected, the customers' geographical location, the quantity of energy transmitted and the capacity subscribed for, the costs of overlying pipelines, the security of supply and the pressure in the pipelines.

Transmission tariffs shall be formulated so that the charge a customer pays for transmission to his connection point includes a charge for transmission in all of the pipes through which transmission occurs.

The Government or, following authorisation by the Government, the supervisory authority may make more detailed regulations concerning the formulation of transmission tariffs.

Section 3a The Government or, following authorisation by the Government, the supervisory authority may make regulations on the formulation of tariffs for the storage of natural gas. (*SFS 2011:713*).

Section 4 A party which engages in the transmission of natural gas or is the proprietor of a natural gas storage facility or a gasification plant shall publicise its tariff and upon request provide without delay written information on the tariff.

The Government or, following authorisation by the Government, the supervisory authority may make more detailed regulations concerning the publication of such tariffs as referred to in the first paragraph.

Section 5 A party which engages in the transmission of natural gas may not start to apply its charges and other conditions for such connection as referred to in Chapter 3, Section 5 or its transmission tariff before the methods that have been used to formulate the charge or tariff have been approved by the supervisory authority. Approval shall be granted if the methods may be presumed to result in the charge or the tariff satisfying the requirements for being objective and non-discriminatory.

If the supervisory authority does not approve the methods covered by an application, the authority shall in its decision state the methods that should instead be applied.

Decisions under the first and second paragraphs apply immediately. The supervisory authority shall serve notice of such decisions in accordance with Section 49, first paragraph, item 1 and second paragraph of the Act on Service of Documents (2010:1932). (*SFS 2010:1976*).

Section 6 The Government may make regulations on exemption from the obligations under Section 5 in matters of natural gas pipelines or pipeline networks used exclusively for the transmission of natural gas within a specific geographic area which is used for industrial or commercial activities. (*SFS 2011:713*).

Chapter 7 Overall system responsibility and balance responsibility

Overall system responsibility

Section 1 The Government shall appoint an authority to have overall responsibility (the authority having system responsibility) for the maintenance of the short-term balance between the infeed and outtake of natural gas in the national natural gas system.

Section 2 The authority having system responsibility may, to the extent necessary to be able to exercise the system responsibility, order proprietors of natural gas storage facilities and gasification plants to, in return for fair market compensation, increase or reduce the infeed or outtake of natural gas from the transmission pipelines and the plants.

If the system responsibility cannot be exercised through measures referred to in the first paragraph, the authority having system responsibility may, to the extent necessary to be able to exercise the system responsibility, order the proprietor of natural gas pipelines to limit or discontinue the transmission of natural gas to customers. A limitation or discontinuation of transmission of natural gas to customers shall, to the extent that the system responsibility allows, be implemented as fairly as possible and in the first instance so that the natural gas supply to consumers is secured. To the extent possible, this shall take into account a pipeline proprietor's commitments regarding security of supply.

More detailed regulations regarding the powers of the authority having system responsibility under the first and second paragraphs are issued by the Government. (*SFS 2006:646*).

Section 3 The Government or, following authorisation by the Government, the authority having system responsibility may make regulations concerning the obligation for those who have entered a balance agreement under Section 4, first paragraph to submit to the authority having system responsibility the information concerning the infeed and outtake of natural gas that is needed to exercise the system responsibility.

The Government or, following authorisation by the Government, the authority having system responsibility may make regulations concerning the obligation of those who engage in the transmission of natural gas to submit to the authority having system responsibility the information that is needed to exercise the system responsibility.

Balance responsibility

Section 4 A supplier of natural gas may only supply natural gas at outtake points for which the supplier or another party, in relation to the authority having system responsibility, has undertaken the financial responsibility for inputting into the national natural gas system as much natural gas as is withdrawn at the outtake point (balance responsibility). Such an undertaking shall be made through a contract with the authority having system responsibility (balance contract).

The first paragraph does not apply during the grace period referred to in Section 7a, first paragraph.

The term outtake point in this connection denotes the point at which a gas consumer, according to a contract with the proprietor of a natural gas pipeline, withdraws natural gas for consumption. (*SFS 2009:581*).

Section 5 The conditions of a balance agreement shall be objective and non-discriminatory.

The authority having system responsibility may not conclude a balance contract before the methods used to formulate the contract have been approved by the supervisory authority. Approval shall be granted if the methods may be presumed to result in the contract satisfying the requirements under the first paragraph.

A decision under the second paragraph applies immediately. The supervisory authority shall serve notice of such a decision in accordance with Section 49, first paragraph, item 1 and second paragraph of the Act on Service of Documents (2010:1932). (*SFS 2010:1976*).

Section 6 The authority having system responsibility shall publicise the conditions applied in the balance contracts and shall upon request provide without delay written information on these conditions.

The Government or, following authorisation by the Government, the supervisory authority may issue more detailed regulations on the publication of conditions under the first paragraph.

Section 7 When the authority having system responsibility learns that a contract with the authority concerning balance responsibility under Section 4, first paragraph, shall cease to apply, the authority shall without delay notify the proprietors of natural gas pipelines on whose pipeline networks the outtake points are located where the balance responsibility will thus cease to apply. The pipeline proprietors shall without delay notify the suppliers of natural gas affected.

When a party, that by a contract with a supplier of natural gas has undertaken the balance responsibility at the outtake points where the supplier supplies natural gas, learns that this contract shall cease to apply, the party having balance responsibility shall without delay notify the authority having system responsibility and the proprietors of natural gas pipelines on whose pipeline networks the outtake points are located of where the balance responsibility will thus cease to apply. The proprietors of natural gas pipelines shall without delay notify the supplier of natural gas.

The Government or, following authorisation by the Government, the supervisory authority issues more detailed regulations on the notification obligation under the first and second paragraphs. (*SFS 2009:581*).

Section 7a A supplier of natural gas that has lost its balance responsibility with immediate effect is entitled to restore the balance responsibility within a grace period of ten working days, though no longer than fifteen calendar days. The grace period commences once the supplier has read or had the possibility to read the first notification received in accordance with Section 7, first or second paragraph.

The grace period for restoring the balance responsibility under the first paragraph also applies to a supplier where notice has been given terminating its contract concerning balance responsibility and that the contract is terminated before the end of the grace period.

The first and second paragraphs do not apply if the supplier has entered into liquidation, has declared itself insolvent, has been adjudicated bankrupt or has declared that it does not intend to restore the balance responsibility.

If during the grace period the supplier enters into liquidation, declares itself insolvent, is adjudicated bankrupt or declares that it does not intend to restore the balance responsibility, the grace period shall cease immediately. (*SFS 2009:581*).

Section 7b A supplier of natural gas which during the grace period restores its balance responsibility shall notify the concerned proprietor of a natural gas pipeline of who has undertaken the balance responsibility at the outtake points where the

supplier supplies natural gas. Such a notification must have been received by the pipeline proprietor before the end of the grace period.

A balance responsibility undertaken by a new party having balance responsibility applies, despite what is stated in Section 9, from the day after the pipeline proprietor has received notification from the supplier.

If the pipeline proprietor has not received notification from the supplier concerning the new party having balance responsibility at the outtake points in question before the end of the grace period, the pipeline proprietor shall assign a supplier to the gas consumers concerned on the day after the end of the grace period. This supplier shall have undertaken the responsibility in relation to the pipeline proprietor to supply natural gas to gas consumers who do not have a supplier. A balance responsibility undertaken by a new party having balance responsibility applies, despite what is stated in Section 9, from the day of assigning a supplier.

The pipeline proprietor shall without delay notify the gas consumers of which supplier has been assigned and of the provisions of the Natural Gas Act concerning a change of supplier. The assigned supplier shall without delay notify the gas consumers of the conditions applied by the supplier for the supply.

The Government or, following authorisation by the Government, the supervisory authority issues more detailed regulations on the notifications under the first and fourth paragraphs. (*SFS 2009:581*).

Section 7c If a supplier of natural gas does not have the right to restore the balance responsibility under Section 7a or if a grace period as mentioned therein ceases under Section 7a, fourth paragraph, the proprietor of a natural gas pipeline shall as soon as possible assign a supplier to the gas consumers concerned. This supplier shall have undertaken the responsibility in relation to the pipeline proprietor to supply natural gas to gas consumers who do not have a supplier. The balance responsibility of the new party having balance responsibility applies, despite what is stated in Section 9, from the day of assigning a supplier.

The pipeline proprietor shall without delay notify the gas consumers of which supplier has been assigned and of the provisions of the Natural Gas Act concerning a change of supplier. The assigned supplier shall without delay notify the gas consumers of the conditions applied by the supplier for the supply. (*SFS 2009:581*).

Section 7d A supplier of natural gas that supplies gas to a gas consumer at a particular outtake point is, irrespective of what has been agreed, under an obligation to continue to supply gas until the supply obligation ceases under the second paragraph.

The supply obligation shall cease if the gas consumer stops withdrawing gas at the outtake point, if another supplier starts to supply gas to the gas consumer at the outtake point or if the transmission of gas in accordance with Chapter 8, Section 3 or 4 or according to contract may be discontinued owing to the gas consumer having neglected his obligations in relation to the supplier. (*SFS 2009:581*).

Section 8 A supplier of natural gas that is to commence the supply of natural gas to an outtake point or take over the supplies to a natural gas consumer at his outtake point shall immediately notify this to the proprietor of the natural gas pipeline. The notification shall also contain details of who has undertaken the balance responsibility at the outtake point. Notification shall be given immediately of commencing a supply of natural gas.

A supplier of natural gas that takes over the supplies to a natural gas consumer at his outtake point may only do this fourteen days after notification in accordance with the first paragraph.

A proprietor of a natural gas pipeline that receives a notification in accordance with the first paragraph shall send notices as a result thereof in accordance with the more detailed regulations made by the Government or, following authorisation by the Government, the supervisory authority.

The Government or, following authorisation by the Government, the supervisory authority may issue more detailed regulations concerning the natural gas supplier's obligations under the first paragraph. *(SFS 2011:713)*.

Section 8a Gas consumers who do not have a supplier of natural gas shall be assigned a supplier by the concerned proprietor of a natural gas pipeline. This supplier shall in relation to the pipeline proprietor have undertaken to supply gas to such gas consumers.

The pipeline proprietor shall without delay notify the gas consumer of the supplier that has been assigned, of what this assigning entails and of the provisions of the Natural Gas Act concerning a change of supplier.

The Government or the authority appointed by the Government issues more detailed regulations regarding what the notification referred to in the second paragraph shall contain.

The assigned supplier shall without delay notify the gas consumer of the conditions for the supply that the supplier intends to apply and of the date on which the supplier intends to commence the supply in accordance with the contract.

For the consumption of the gas that has not been supplied in accordance with a supply contract with a supplier that is under an obligation to supply under Section 7d, the gas consumer shall make payment to the assigned supplier in accordance with the conditions applied by the latter. *(SFS 2009:581)*.

Section 8b A gas consumer who has not had a contract with a supplier which under Section 7d is under an obligation to supply and who has not been assigned a new supplier under Section 8a shall, for the consumption of natural gas during the period in which the gas consumer had no such contract, make payment to a supplier assigned by the pipeline proprietor and in accordance with the conditions applied by the assigned supplier. *(SFS 2009:581)*.

Section 9 A party that takes over the balance responsibility at a natural gas consumer's outtake point after notification in accordance with Section 8, first paragraph may do so from the day on which the natural gas supplier takes over the supplies.

Otherwise, the balance responsibility may only be taken over from the first day of a calendar month. The supplier that under Section 7d is under an obligation to supply at the outtake point shall in accordance with the more detailed regulations that the Government or, following authorisation by the Government, the supervisory authority makes notify the proprietor of the natural gas pipeline of the takeover no later than one month before it is to occur.

The authority having system responsibility may, if there are special reasons, allow in an individual case the balance responsibility at an outtake point to start to apply earlier than as prescribed by the second paragraph.

A proprietor of a natural gas pipeline that receives a notification in accordance with the second paragraph shall send notices as a result thereof in accordance with the more detailed regulations made by the Government or, following authorisation by the Government, the supervisory authority. *(SFS 2011:713)*.

Section 10 A party which engages in the transmission of natural gas shall, in accordance with the more detailed regulations made by the Government or the authority appointed by the Government, keep the authority having system responsibility informed about the change of the party having balance responsibility under Section 7b, first and third paragraphs, Section 7c, first paragraph, and Section 9. A party which engages in the transmission of natural gas shall also keep the authority having system responsibility informed about which party has undertaken the balance responsibility for its own purchasing. *(SFS 2009:581)*.

Section 11 The authority having system responsibility shall be responsible for the account settlement between the parties having balance responsibility in accordance with the regulations that the Government or, following authorisation by the Government, the authority makes.

Section 12 A supplier of natural gas that has supplied gas to an outtake point where there is no party having balance responsibility shall, upon account settlement with the authority having system responsibility, be considered the party having balance responsibility at the outtake point. Compensation shall be paid in accordance with the conditions applied by the authority having system responsibility in relation to parties having balance responsibility. (*SFS 2009:581*).

Chapter 8 Special provisions concerning the transmission of natural gas to consumers

Introductory provisions

Section 1 This chapter applies to the transmission of natural gas to consumers. (*SFS 2006:646*).

Section 2 Contractual conditions which in comparison with the provisions of this chapter are disadvantageous to a consumer are ineffective against the consumer.

Discontinuation of the transmission of natural gas owing to the consumer's breach of contract

Section 3 Transmission of natural gas may be discontinued if the consumer neglects his obligations and this neglect constitutes a fundamental breach of contract.

Before the transmission is discontinued, the consumer shall be directed to, within a reasonable time, implement rectification and, except in cases referred to in Section 4, be notified that the transmission may otherwise be discontinued. The transmission may not be discontinued if rectification is effected.

If the circumstances give cause to fear that the discontinuation would result in not insignificant personal injury or in extensive property damage, the transmission may not be discontinued. However, this does not apply if the consumer acts improperly.

Section 4 If the breach of contract comprises the consumer neglecting to pay for the transmission or supply of natural gas, in addition to that stated in Section 3, the consumer shall, after the period for rectification has expired, be directed to pay within three weeks from when the consumer has been served with the direction and given notice that the transmission may otherwise be discontinued. Notice of the default in payment shall at the same time be submitted to the Social Welfare Committee in the municipality in which the consumer has natural gas transmitted.

If payment is made or if the claim is disputed, the transmission may not be discontinued. Nor may the transmission be discontinued if the Social Welfare Committee, within the time stated in the first paragraph, has in writing notified the party that has given notice that the Committee will assume the payment liability for the debt.

Section 5 The proprietor of a natural gas pipeline and the supplier of natural gas are entitled to reasonable compensation from the consumer for the costs caused by measures referred to in Sections 3 and 4.

Section 6 Notices and messages as referred to in Section 4, first paragraph, shall be submitted in accordance with a standard form determined by the Government or the authority appointed by the Government.

Discontinuation of the transmission of natural gas for safety reasons, etc.

Section 7 The proprietor of a natural gas pipeline may discontinue the transmission of natural gas in order to implement measures that are justified for safety reasons or to maintain good operational and supply security. The discontinuation may in no case last longer than the measure requires.

If the proprietor of the natural gas pipeline can anticipate more than a short-term discontinuation in the transmission, the consumer shall be notified in good time before the discontinuation. The consumer shall be notified personally or, if it is appropriate, by public notice.

Damages in connection with discontinued transmission of natural gas

Section 8 If the transmission of natural gas is discontinued owing to the neglect of the consumer without the preconditions referred to in Sections 3 and 4 being satisfied, the consumer is entitled to compensation from the proprietor of the natural gas pipeline for damage or injury.

If the transmission has been discontinued at the request of the supplier of natural gas, the supplier shall, instead of the pipeline proprietor, compensate the consumer for the damage or injury that has arisen.

Section 9 If the proprietor of a natural gas pipeline has not notified the consumer in accordance with Section 7, second paragraph, the consumer is entitled to compensation from the pipeline proprietor for damage or injury.

Section 10 If the transmission of natural gas is discontinued without this resulting from the consumer's neglect and without there being a right to discontinue the transmission under Section 7, first paragraph, the consumer is entitled to compensation from the proprietor of the natural gas pipeline for damage or injury if the latter does not demonstrate that the discontinuation is the result of an impediment outside the proprietor's control and which the proprietor could not reasonably be expected to have anticipated and the consequences of which the proprietor could neither have reasonably avoided or overcome.

If the discontinuation results from a party that the pipeline proprietor has engaged to perform maintenance, repair or similar work, the pipeline proprietor is only relieved from liability to pay damages if the party the pipeline proprietor engaged would also be relieved under the first paragraph.

Section 11 Damages under Sections 8 to 10 cover compensation for expenses and loss of income and also other loss owing to the discontinuation.

If the liability to pay damages would be unreasonably onerous considering the financial circumstances of the party liable to pay damages, the damages may be adjusted according to what is reasonable. When making this assessment, consideration shall also be given to any existing insurance and opportunities for insurance, the capacity of the party liable to pay damages to anticipate and prevent the damage or injury as well as any other special circumstances.

Section 12 The consumer shall notify the other party of claims for compensation within two years from when the damage or injury occurred. If the consumer does not do so, the consumer shall lose his right to compensation for the damage or injury that has arisen.

Information in a contract

Section 13 A contract between a consumer and a supplier of natural gas shall contain information on

1. the name, address, telephone number and website of the natural gas supplier,
2. the natural gas supplier's obligations to the consumer,
3. when the contract is entered into and at what point the natural gas supplier plans to take over the supplies to the consumer,
4. where the consumer can find information on the natural gas supplier's prices and other conditions,
5. the conditions for invoicing and payment,
6. the term of the contract or if it is for an indefinite term,
7. the provisions applicable regarding extension of a contract with a fixed term,
8. the termination conditions for the contract,
9. how compensation is calculated when a fixed-term contract is terminated prematurely,
10. the conditions for compensation if the natural gas supplier does not fulfil its obligations in accordance with the contract, and
11. how the natural gas supplier otherwise provides via its website and upon request the additional consumer-related information referred to in Section 18.

Information on the contractual conditions and information under the first paragraph shall be provided to the consumer before the contract is entered or confirmed.
(SFS 2011:713).

Section 14 A contract between a consumer and an undertaking that engages in the transmission of natural gas shall contain information on

1. the name, address, telephone number and website of the undertaking,
2. the undertaking's obligations to the consumer,
3. when the contract is entered into,
4. where the consumer can find information on the undertaking's prices and other conditions,
5. the conditions for invoicing and payment,
6. the termination conditions for the contract,
7. the conditions for compensation if the undertaking does not fulfil its obligations in accordance with the contract, and
8. how the undertaking otherwise provides via its website and upon request the additional consumer-related information referred to in Section 18. *(SFS 2011:713)*.

Payment method

Section 15 A supplier of natural gas may not treat a consumer unfairly on the grounds of the consumer's chosen payment method.

If a supplier of natural gas or an undertaking that engages in the transmission of natural gas implements a system for advance payment for consumers, this shall be reasonable and based on the expected consumption. *(SFS 2011:713)*.

Amended contractual conditions

Section 16 A supplier of natural gas that intends to amend the conditions of an indefinite-term contract with a consumer shall notify the consumer of the amendment. Notification shall take the form of a specific message to the consumer. The message shall make it clear that the consumer has the right to give notice terminating the contract.

The new conditions may not begin to apply until at least two months after the message has been sent. *(SFS 2011:713)*.

Price increases

Section 17 When a price increase has occurred, the consumer shall be notified of this in the next invoice from the natural gas supplier. It shall state when the price change took effect and how the price changed. *(SFS 2011:713)*.

Information on consumer rights

Section 18 Natural gas suppliers and undertakings which engage in the transmission of natural gas and which sign contracts with consumers shall provide clear information on their website concerning

1. consumer rights,
2. how the consumer should proceed in order to submit a complaint, and
3. which bodies the consumer can contact for information or to settle a dispute.

On the consumer's request, the information shall be provided in a different manner. *(SFS 2011:713)*.

Change of natural gas supplier

Section 19 A change of natural gas supplier shall be performed without any particular cost to the consumer.

When a change of natural gas supplier takes place, the consumer shall receive a final invoice within six weeks from the date on which the supply of the relinquishing natural gas supplier ceases. *(SFS 2011:713)*.

Handling of complaints

Section 20 Suppliers of natural gas and undertakings which engage in the transmission of natural gas must have established procedures for handling complaints from consumers. *(SFS 2011:713)*.

Chapter 8a Secure natural gas supply

Section 1 A proprietor of a natural gas pipeline, storage plant or gasification plant shall, to the extent that it is possible for him to do so, implement the planning

measures and the measures otherwise necessary to safeguard the natural gas supply. (SFS 2006:646).

Section 2 The authority having system responsibility shall implement the planning measures and any other measures that, within the framework of the system responsibility, are necessary to safeguard the natural gas supply. (SFS 2006:646).

3 § The supervisory authority shall

1. produce and maintain a general national strategy with appropriate levels for a secure natural gas supply,
2. produce and maintain a national plan with measures to secure the natural gas supply in emergency situations, and
3. implement any other measures that, within the framework of the supervisory responsibility, are necessary to safeguard the natural gas supply. (SFS 2008:901).

Section 4 The Government may make regulations on special minimum requirements for a secure natural gas supply for consumers.

The Government or, following authorisation by the Government, the supervisory authority issues additional regulations on planning and measures under Sections 1 to 3. (SFS 2006:646).

Section 5 The authority having system responsibility may order a proprietor of a natural gas pipeline, storage plant or gasification plant to implement, with the pipeline or in the plant, the measures that are necessary in order to safeguard the natural gas supply. If it is more appropriate, this order may be addressed to the owner of the pipeline or the plant instead of the proprietor.

The order may not refer to a measure that is more onerous than is reasonable taking into consideration the scope and importance of the plant or operation to the natural gas supply.

The order may be made subject to a default fine. (SFS 2006:646).

Section 6 A party which has been ordered under Section 5 to implement measures is entitled to compensation for the cost that the implementation of the measures entailed. The right to compensation does not apply to the cost of providing information or for the planning measures referred to in Section 1.

Compensation shall be paid by the government.

The authority having system responsibility considers matters relating to compensation under the first paragraph. (SFS 2006:646).

Section 7 The Government or, following authorisation by the Government, the authority having system responsibility may issue regulations on measures to facilitate repair work and physical safety measures in respect of natural gas pipelines and storage or gasification plants. (SFS 2006:646).

Section 8 The authority having system responsibility is upon request entitled to, from the party which may be ordered under Section 5 to implement measures to safeguard the natural gas supply, obtain the information and gain access to the documents needed to adopt a position on whether measures need to be taken. (SFS 2006:646).

Chapter 9 Exemptions

Introductory provisions

Section 1 A party which has applied for a concession regarding the building of a natural gas pipeline, a storage plant or a gasification plant may, if the pipeline or the plant concerned is of a large scale, be granted an exemption from the obligations under Chapter 3, Sections 2 to 2d, 5, 6 and 8 to 10, Chapter 4, Sections 2, 5 and 6 and Chapters 6 and 7.

This also applies to a party which has applied for a concession regarding a significant increase in the capacity of such an existing pipeline or plant.

A decision on exemptions under the second paragraph may only relate to the increased capacity in the pipeline or plant concerned. *(SFS 2011:713)*.

Prerequisites for exemptions

Section 2 An exemption under Section 1 may only be granted if

- a) the investment enhances the competition with respect to gas supply and increases security of supply,
- b) the risk attached to the investment is such that the investment will not take place if the exemption is not granted,
- c) the proprietor of the plant(s) concerned will be a legal person that is not the proprietor of existing natural gas plants,
- d) charges are only levied by the users of the new plants, and
- e) an exemption granted will not be detrimental to competition or an economically effective, functioning internal natural gas market or prevent the plants to which the new plant(s) shall be connected from functioning in an economically effective way.

Regulation c in the first paragraph does not apply in such cases as referred to in Section 1, second paragraph.

Conditions

Section 3 An exemption granted under Section 1 shall refer to a certain fixed time.

A decision on an exemption shall be made subject to the conditions that are necessary for ensuring that the requirements in Section 2 are satisfied.

A decision on an exemption shall state that the decision may be amended or annulled if the European Commission requests it. *(SFS 2011:713)*.

Examining authority

Section 4 Matters concerning exemptions under Section 1 are considered by the Government following application.

The supervisory authority shall investigate matters referred to in the first paragraph and thereafter transfer the matter, with its own statement of opinion, to the Government for consideration. The supervisory authority shall thereupon publicise its statement of opinion.

Notifications, etc.

Section 5 The Government shall notify without delay the European Commission of a decision on an exemption. *(SFS 2011:713)*.

Section 6 The Government may issue additional regulations related to the processing of an application for exemption under Section 1.

Chapter 10 Supervision, etc.

Supervision

Section 1 The supervisory authority exercises supervision of compliance with:

1. this Act and regulations and conditions issued pursuant to this Act, and
2. Regulation (EC) No 715/2009 of the European Parliament and of the Council of 13 July 2009 on conditions for access to the natural gas transmission networks and repealing of Regulation (EC) No 1775/2005.

Supervision does not include compliance with the provisions of Chapter 7 except Sections 5 and 6, Chapter 8 except Sections 13 to 20, Chapter 8a except Section 1 nor compliance with the provisions of Chapter 5. *(SFS 2006:646)*.

Section 1a A decision made by the supervisory authority in accordance with guidelines approved under Regulation (EC) No 715/2009 shall state that the decision may be amended or annulled if the European Commission requests it. *(SFS 2011:713)*.

Section 2 The supervisory authority is entitled upon request to obtain the information and gain access to the documents that are necessary for supervision.

Section 3 The supervisory authority may issue the orders that are necessary to ensure compliance with the regulations and conditions covered by the supervision. An order may be made subject to a default fine.

An order issued on the grounds of a complaint in accordance with Section 4 applies immediately. *(SFS 2011:713)*.

Time limits

Section 4 The supervisory authority shall make a decision on a matter within two months from when a complaint was received by the authority if the complaint

1. has been submitted by a party with an interest in the matter, and
2. contains an assertion that a proprietor of a natural gas pipeline, storage plant or gasification plant is not following the provisions covered by the authority's supervision under Section 1.

If the authority needs further time to determine the matter, the supervisory authority may extend this period by two months or, if the applicant consents to it, by such further time as may be necessary to enable the matter to be determined.

The time limits also apply in connection with a complaint against the authority having system responsibility containing an assertion that its balance contracts are not objective or non-discriminatory. *(SFS 2011:713)*.

Charges

Section 5 The Government or, following authorisation by the Government, the supervisory authority may issue regulations concerning charges for financing the duties that the supervisory authority has in accordance with this Act and in accordance with regulations issued pursuant to the Act.

Section 5a The Government or, following authorisation by the Government, the authority having system responsibility may issue regulations concerning charges for financing the duties that the authority having system responsibility has in accordance with Chapter 8a and in accordance with regulations issued pursuant to that chapter. *(SFS 2006:646)*.

Charges for delay

Section 6 If a natural gas undertaking that engages in operations other than trade in natural gas does not within the specified time submit the documents that are required in accordance with regulations issued pursuant to Chapter 3, Section 3, second paragraph or Chapter 4, Section 3, second paragraph, the undertaking shall pay to the State a charge for delay in accordance with Section 7. The same applies if such a natural gas undertaking does not submit an auditor's certificate in accordance with regulations issued pursuant to Chapter 3, Section 4, third paragraph or Chapter 4, Section 4, third paragraph.

Decisions regarding charges for delay shall be made by the supervisory authority.

Section 7 A natural gas undertaking shall pay a charge for delay if the documents referred to in Section 6 have not been received by the supervisory authority within seven months from the end of the financial year. If the undertaking has decided on a continued general meeting of shareholders in accordance with Chapter 7, Section 14, second paragraph of the Companies Act (2005:551) or on a continued general meeting of a co-operative in accordance with Chapter 7, Section 4, third paragraph of the Co-operative Societies' Act (1987:667), the undertaking shall pay a charge for delay only if the documents have not been received within nine months from the end of the financial year. The charge shall amount to SEK 10 000.

If the documents referred to in Section 6 have not been received within two months from when notification was dispatched to the undertaking of a decision on a charge for delay under the first paragraph, the undertaking shall pay a new charge for delay. The new charge shall amount to SEK 10 000.

If the documents referred to in Section 6 have not been received within two months from when notification was dispatched to the undertaking of a decision on a charge for delay under the second paragraph, the undertaking shall pay a new charge for delay. The new charge shall amount to SEK 20 000. *(SFS 2005:938)*.

Section 8 If a decision to adjudicate the undertaking bankrupt or entry into liquidation has been registered, a decision concerning a charge for delay may not be made.

Section 9 If the undertaking has submitted the documents referred to in Section 6 within the prescribed time, but the documents have some inadequacy that can easily be rectified, the supervisory authority may make a decision on a charge for delay only if the undertaking has been notified of the inadequacy and has been given an opportunity to rectify it but has not done so within the time stated in the notification. Such notification may be sent by post to the postal address last notified by the undertaking to the supervisory authority.

Section 10 A charge for delay shall be waived if the failure to submit the document appears to be excusable in view of circumstances over which the undertaking was not able to have control. The charge shall also be waived if it appears manifestly unreasonable to impose it.

The provisions concerning waiver shall be taken into account even if no application for this has been presented, if there is cause to do so considering that which has been established in the matter.

Section 11 If a charge for delay has not been paid after a demand for payment, the charge shall be handed over for collection. The Government may prescribe that collection need not be requested for trivial amounts.

Provisions concerning collection are contained in the Act (1993:891) on Collection of State Debts, etc. Enforcement in accordance with the Enforcement Code may take place in connection with collection.

Section 12 A decision on a charge for delay may be enforced even if it has not entered into final legal force.

If an undertaking is entitled to repayment of the charge for delay paid on the grounds of a decision by a court, interest shall be payable on the repaid charge for delay as of and including the month after which such charge for delay was paid up to and including the month when it was repaid. In matters concerning the size of the interest amount, Chapter 65, Section 4, third paragraph of the Tax Procedures Act (2011:1244) shall apply. (*SFS 2011:1415*).

Chapter 11 Other provisions

Provisions on liability

Section 1 A sentence of a fine or imprisonment of at most one year shall be imposed on a party that intentionally or by negligence

1. contravenes Chapter 2, Section 1, 2 or 3, or
2. contravenes conditions made under Chapter 2, Section 9, second paragraph.

Liability shall not be imposed in minor cases.

Section 2 Liability shall not be imposed in accordance with this Act if the act is subject to a penalty under the Penal Code.

Section 3 A party which has disregarded an order subject to a default fine shall not have a sentence imposed in accordance with this Act for an act that is covered by the order.

Appeals

Section 4 Decisions by the supervisory authority under Chapter 2, Sections 15 and 16, Chapter 6, Section 5, first paragraph, Chapter 7, Section 5, second paragraph and Chapter 10, Sections 3, 4, 7 and 10 and decisions by the authority having system responsibility concerning compensation under Chapter 7, Section 2 and also concerning measures and compensation under Chapter 8a, Sections 5 and 6 may be appealed against at a general administrative court. Leave to appeal is required in connection with appeals to the Administrative Court of Appeal.

The Government may make regulations concerning appeals against other decisions in accordance with this Act or in accordance with regulations made pursuant to the Act. (*SFS 2006:646*).

Transitional provisions

2005:403

1. This Act enters into force on 1 July 2005, when the Natural Gas Act (2000:599) shall cease to apply.
2. This Act shall also apply to concessions that have been granted in accordance with the Natural Gas Act (2000:599) and in accordance with the Act (1978:160) on Certain Pipelines and that relate to pipelines for the transport of natural gas or products from natural gas, subject to the following exceptions.
 - a) Section 1, second paragraph, item 1 of the Act on Certain Pipelines shall still apply to pipelines the construction of which was commenced before 1 August 2000.
 - b) An exemption that has been allowed pursuant to Section 1, third paragraph of the Act on Certain Pipelines shall still apply.
 - c) The provision on the term of a concession that has been granted in accordance with the Act on Certain Pipelines shall still apply.
 - d) A condition for a concession that has been granted under Section 6, second paragraph of the Act on Certain Pipelines shall still apply.
3. The obligation, under Chapter 3, Section 5, first paragraph, for a party which is a proprietor of a natural gas pipeline to connect other natural gas pipelines does not, before 1 July 2007, include natural gas pipelines whose proprietors are customers who buy natural gas intended for domestic consumption.
4. A supplier of natural gas may not before 1 July 2007 take over the supplies to a customer who buys natural gas intended for domestic consumption.
5. A concessionaire that before 1 November 2004 has concluded a contract for the acquisition of natural gas that is needed to engage in the transmission of natural gas may apply the contract during its remaining term, though no later than to the end of October 2007.
6. The provisions of Chapter 4, Section 3, first paragraph and Chapter 6, Section 1, Section 2 and Section 3, first and second paragraphs shall apply from and including the financial year commencing on 1 July 2005 or as soon as possible thereafter. Before that, the corresponding provisions of the repealed act shall apply.
7. The provisions of Chapter 6, Section 5, first paragraph, first sentence shall apply to charges and other conditions for such connections as are referred to in Chapter 3, Section 5 and for transmission tariffs that apply from and including the financial year commencing on 1 January 2006 or as soon as possible thereafter.

The proprietor of a natural gas pipeline shall no later than 15 August 2005 submit an application for approval in accordance with Chapter 6, Section 5, first paragraph. The supervisory authority shall determine such a matter no later than 30 November 2005.
8. All gas suppliers shall no later than 31 July 2005 notify the concerned proprietors of natural gas pipelines of the outtake points at which they supply natural gas. The notification shall also contain information about which party has, or which parties have, undertaken the balance responsibility at the outtake points.
9. The provision of Chapter 7, Section 5, second paragraph shall apply as of and including 1 January 2006.
10. The provision of Chapter 10, Section 4 shall apply to matters where a complaint has been received by the supervisory authority on or after 1 July 2005.

2010:1976

1. This Act enters into force on 1 April 2011.
2. Older provisions apply if a decision on the service of documents in accordance with sections 15 to 17 of the Act on Service of Documents (1970:428) has been made before 1 April 2011 or if a document has been sent or submitted before this date.

2011:713

1. This Act enters into force on 1 August 2011 except for Chapter 7, Sections 8 and 9, which enter into force on 1 October 2011.
2. A transmission network operator which has applied for certification in accordance with the Act (2011:711) on the Certification of Certain Natural Gas Undertakings may conduct activities notwithstanding Chapter 3, Section 2, second paragraph, Sections 2a and 2b until a final decision in the matter of certification has entered into final legal force, though only until 2 March 2012 at the latest.

2011:1415

- This Act enters into force on 1 January 2012 and shall apply to interest relating to any period commencing on or after 1 January 2013.