



Petroleum Act 1987

1987 CHAPTER 12

PART III

MISCELLANEOUS

Pipe-lines

26 Availability of funds.

(1) After section 26 of the Pipe-lines Act 1962 there shall be inserted—

“26A Availability of funds.

- (1) The Secretary of State may at any time by notice served on the owner of a pipe-line prohibit the use or testing of the pipe-line, or of any length of the pipe-line, unless there are satisfied such requirements as may be specified in the notice for the purpose mentioned in subsection (2).
- (2) The purpose referred to in subsection (1) is that of ensuring that funds are available to discharge any liability that may arise in respect of damage attributable to the release or escape of anything from the pipe-line or length.
- (3) If, before the expiration of twelve weeks from the date on which a notice is served on any person under subsection (1), he serves a counter-notice on the Secretary of State objecting to the notice, the Secretary of State shall afford him an opportunity of appearing before and being heard by a person appointed by the Secretary of State for the purpose.
- (4) Before the expiration of twelve weeks from the date on which any hearing under subsection (3) is concluded, the Secretary of State shall consider the objection and the report of the person appointed to hear the objector and, by notice served on the objector,—
 - (a) quash the notice objected to, or
 - (b) confirm it without modification, or

Changes to legislation: There are currently no known outstanding effects for the Petroleum Act 1987, Section 26. (See end of Document for details)

- (c) confirm it with such modification as appears to the Secretary of State to meet the objection.
 - (5) The quashing of a notice served under subsection (1) shall not affect the previous operation of the notice or be taken to prevent the service of a fresh notice.
 - (6) If a pipe-line is used or tested in contravention of a prohibition imposed by a notice under this section then, unless he shows that he used due diligence to avoid contravention, the owner shall be guilty of an offence.
 - (7) A person guilty of an offence under this section shall be liable—
 - (a) on summary conviction, to a fine not exceeding the statutory maximum;
 - (b) on conviction on indictment, to a fine.”
- (2) In sections 58(4) and 59(5) of the Pipe-lines Act 1962, ^{M1} at the appropriate places in the lists of provisions of that Act, there shall be inserted the words “ section 26A ”.

Marginal Citations

M1 1962 c. 58.

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