
Changes to legislation: Gas Act 1995, Cross Heading: Pipe-lines Act 1962 (c.58) is up to date with all changes known to be in force on or before 20 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 4

MINOR AND CONSEQUENTIAL AMENDMENTS

Pipe-lines Act 1962 (c.58)

- 6 (1) In section 58(1) of the Pipe-lines Act 1962 (exclusion of application of Act to pipe-lines of certain statutory bodies), for paragraph (a) there shall be substituted the following paragraph—
- “(a) a public gas transporter within the meaning of Part I of the Gas Act 1986;”
- (2) After that section there shall be inserted the following sections—

“58A Avoidance of damage by buildings etc to pipe-lines of a public gas transporter.

- (1) Notwithstanding subsection (4) of section 58 of this Act, but subject to subsection (2) of this section, the references to a pipe-line in sections 27(1) and 31(1) of this Act (protection of pipe-lines imperilled by buildings, structures or deposits) shall include references to any pipe-line operated by a public gas transporter other than one laid in a street or a service pipe.
- (2) The application by virtue of subsection (1) of this section of sections 27(1) and 31(1) of this Act to a particular part of any pipe-line shall be dependent upon there having been previously deposited with every local authority in whose area the part lies by the public gas transporter a map (drawn to an appropriate scale) showing the route taken by the part.
- (3) A local authority holding a map relating to a pipe-line operated by a public gas transporter shall keep the map at their offices, and shall secure that it is open to inspection by any person at all reasonable times free of charge.
- (4) In this section—
- “local authority” means—
- (a) in England, the council of a county, district or London borough, and the Common Council of the City of London;
- (b) in Wales, the council of a county or county borough; and
- (c) in Scotland, a council constituted under section 2 of the ^{M1}Local Government etc. (Scotland) Act 1994;
- “public gas transporter” and “service pipe” have the same meanings as in Part I of the ^{M2}Gas Act 1986;
- “street” has the same meaning as in Part III of the ^{M3}New Roads and Street Works Act 1991.

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- (5) In relation to any time before 1st April 1996, the definition of “local authority” in subsection (4) of this section shall have effect as if—
 - (a) in paragraph (b), for the words “county borough” there were substituted the word “district”; and
 - (b) in paragraph (c), for the words “a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994” there were substituted the words “an islands or district council”.
- (6) In its application to Scotland this paragraph shall have effect with the substitution for any reference to a street of a reference to a road within the meaning of Part IV of the New Roads and Street Works Act 1991.

58B Exclusion of application of Act to construction of small pipes.

- (1) In relation to the construction, by any person other than a public gas transporter, of a pipe to which this section applies—
 - (a) references in sections 1 to 14 of this Act to a pipe-line shall be construed as not including references to such a pipe; and
 - (b) references in those sections to pipe-line works shall be construed as not including references to works executed in connection with the construction of a such a pipe.
- (2) This section applies to any pipe—
 - (a) by which any premises are proposed to be connected to a distribution main of a public gas transporter; and
 - (b) by which gas is proposed to be conveyed to premises at a rate which is not expected to exceed 75,000 therms in any period of twelve months.
- (3) The Secretary of State may, after consulting the Director General of Gas Supply, by order amend subsection (2) above by substituting—
 - (a) where the limit is for the time being expressed by reference to a number of therms—
 - (i) such lower number of therms as he considers appropriate; or
 - (ii) such lower limit, expressed by reference to a number of kilowatt hours, as he considers appropriate; or
 - (b) where the limit is for the time being expressed by reference to a number of kilowatt hours, such lower number of kilowatt hours as he considers appropriate.
- (4) An order under subsection (3) above shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (5) In this section “distribution main” and “public gas transporter” have the same meanings as in Part I of the ^{M4}Gas Act 1986.
- (6) In relation to any time after 31st December 1999, the reference in subsection (2) above to 75,000 therms shall be construed as a reference to 2,196,000 kilowatt hours.
- (7) This section is without prejudice to anything in section 58 of this Act.”

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Marginal Citations

M1 [1994 c.39](#)

M2 [1986 c.44.](#)

M3 [1991 c.22.](#)

M4 [1986 c.44.](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 3 para. 42(1)(a)para. 42(2)(a) repealed by [2000 c. 27 Sch. 8](#)