



Petroleum Act 1998

1998 CHAPTER 17

PART III

SUBMARINE PIPELINES

28 Interpretation of Part III

- (1) Except where the context otherwise requires, in this Part of this Act the following expressions have the following meanings—
- “authorisation” means an authorisation required by section 14;
 - “construction”, in relation to a pipeline, includes placing, and cognate expressions shall be construed accordingly;
 - “controlled pipeline” and “controlled waters” have the meanings given to them by section 14;
 - “enactment” includes an enactment of the Parliament of Northern Ireland or of the Northern Ireland Assembly;
 - “heard” means heard on behalf of the Secretary of State by a person appointed by him for the purpose;
 - “holder”, in relation to an authorisation, means the person to whom the authorisation was issued;
 - “notice” means notice in writing;
 - “pipeline”, in relation to an application for a works authorisation, means the proposed pipeline in respect of which the application is made;
 - “prescribed” means prescribed by regulations; and
 - “works authorisation” means an authorisation—
 - (a) for works for the construction of a pipeline; or
 - (b) for such works and for the use of the pipeline.
- (2) For the purposes of this Part of this Act, works at any place in, under or over controlled waters for the purpose of determining whether the place is suitable as part of the site of a proposed pipeline and the carrying out of surveying operations for the purpose

Status: This is the original version (as it was originally enacted).

of settling the route of a proposed pipeline are not works for the construction of a pipeline.

- (3) Any reference in this Part of this Act to a contravention of a provision of this Part or regulations made or directions given under this Part includes a reference to a failure to comply with that provision.
- (4) Subsections (1) to (3) of section 49 of the Pipe-lines Act 1962 (service of documents) have effect as if—
 - (a) references to that Act included references to this Part of this Act; and
 - (b) in subsection (3), after “arrangements agreed” there were inserted “or in accordance with regulations under Part III of the Petroleum Act 1998”.
- (5) In the application of subsection (4) to Northern Ireland, section 49(1) to (3) of the Pipe-lines Act 1962 shall have effect as if it extended to Northern Ireland.
- (6) Except so far as this Part of this Act otherwise expressly provides, nothing in this Part of this Act—
 - (a) confers a right of action in any civil proceedings (other than proceedings for recovery of a fine) in respect of any contravention of this Part of this Act or an order or regulations made under it;
 - (b) affects any restriction imposed by or under any other enactment, whether public, local or private; or
 - (c) derogates from any right of action or other remedy (whether civil or criminal) in proceedings instituted otherwise than under this Act.
- (7) Subsection (6) is subject to section 18 of the Interpretation Act 1978 (duplicated offences).