



Pipe-Lines Act 1962

1962 CHAPTER 58 10 and 11 Eliz 2

Exclusion of certain Pipe-lines and Works from Scope of Act

58 Exclusion of application of Act to, and in relation to, pipe-lines of certain statutory bodies.

- (1) The bodies to which this section applies are—
 - [^{F1}(a) a public gas supplier within the meaning of Part I of the Gas Act 1986;];
 - (c)^{F2}
 - (f) the United Kingdom Atomic Energy Authority.
- (2) Sections one and two of this Act shall not apply to works executed by a body to which this section applies.
- (3) The following provisions of this Act shall not apply to a body to which this section applies, namely, sections eleven, twelve and fifteen, subsection (1) of section seventeen, and sections twenty, twenty-three, twenty-five, thirty-nine, and forty-five.
- (4) In the following provisions of this Act, namely, subsection (2) of section seventeen . . . ^{F3}, section twenty-six, [^{F4}section 26A] subsection (1) of section twenty-seven, subsection (1) of section thirty-one, subsection (1) of section thirty-three, subsection (1) of section thirty-six, and sections thirty-seven, thirty-eight, forty . . . ^{F3}, references to a pipe-line shall be construed as not including references to a pipe-line vested in a body to which this section applies.
- (5)^{F5}

Textual Amendments

- F1** S. 58(1)(a) substituted by Gas Act 1986 (c. 44, SIF 44:2), s. 67(1), **Sch. 7 para. 5(1)**
- F2** S. 58(1)(c)–(e) repealed by Electricity Act 1989 (c. 29, SIF 44:1), s. 112(4), Sch. 17 para. 35(1), **Sch. 18**
- F3** Words repealed by S.I. 1974/1986, **Sch. 7**
- F4** Words inserted by Petroleum Act 1987 (c. 12, SIF 86), s. 26(2)
- F5** Ss. 58(5), 59(6) repealed by S.I. 1974/1986, **Sch. 1**

Status: Point in time view as at 01/02/1991. This version of this cross heading contains provisions that are not valid for this point in time.

Changes to legislation: There are currently no known outstanding effects for the Pipe-Lines Act 1962, Cross Heading: Exclusion of certain Pipe-lines and Works from Scope of Act. (See end of Document for details)

Modifications etc. (not altering text)

C1 S. 58(4) excluded by Gas Act 1986 (c. 44, SIF 44:2), s. 67(1), **Sch. 7 para. 5(2)**

VALID FROM 01/03/1996

[^{F6}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.
- (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.]

Textual Amendments

F6 Ss. 58A, 58B inserted (1.3.1996) by 1995 c. 45, s. 16(1), **Sch. 4 para. 6(2)**; S.I. 1996/218, **art. 2**

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Marginal Citations

- M1** 1994 c.39.
M2 1986 c.44.
M3 1991 c.22.

VALID FROM 01/03/1996

58B ^{F7}**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.

Textual Amendments

- F7** Ss. 58A, 58B inserted (1.3.1996) by 1995 c. 45, s. 16(1), **Sch. 4 para. 6(2)**; S.I. 1996/218, art. 2

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Marginal Citations

M4 1986 c.44.

59 Exclusion of application of Act to, and in relation to, certain pipe-lines of railway undertakers, &c.

- (1) Section one and two of this Act shall not apply to works executed by railway undertakers for the purposes of their business other than the operation of pipe-lines.
- (2) Sections eleven and twelve of this Act shall not have effect for the purpose of authorising railway undertakers to purchase land for the placing therein of a pipe-line to be constructed for the purposes aforesaid or a length of pipe-line to be so constructed or to place in land a pipe-line to be so constructed or a length of a pipe-line to be so constructed.
- (3) Section fifteen of this Act shall not operate to empower railway undertakers to place in a street a pipe-line constructed for the purposes aforesaid.
- (4) In subsection (1) of section twenty of this Act the reference to works in land for the construction of a pipe-line shall be construed as not including a reference to works for the construction of a pipe-line by railway undertakers for the purposes aforesaid.
- (5) In the following provisions of this Act, namely, section twenty-three, . . . ^{F8} sections twenty-five and twenty-six, [^{F9}section 26A] subsection (1) of section twenty-seven, subsection (1) of section thirty-one, subsection (1) of section thirty-three, subsection (1) of section thirty-six and sections thirty-seven, thirty-eight, forty . . . ^{F8}, references to a pipe-line shall be construed as not including a pipe-line vested in railway undertakers for the purposes aforesaid.
- (6) ^{F10}

Textual Amendments

F8 Words repealed by S.I. 1974/1986, Sch. 7

F9 Words inserted by Petroleum Act 1987 (c. 12, SIF 86), s. 26(2)

F10 Ss. 58(5), 59(6) repealed by S.I. 1974/1986, Sch. 1

60 Exclusion of application of Act to, and in relation to pipe-lines in factories, mine or quarry premises or petroleum depots.

- (1) References in sections one to forty . . . ^{F11} of this Act to a pipe-line shall be construed as not including references to a pipe-line forming part of the equipment of, and situate wholly within, a factory, to a pipe-line forming part of the equipment of, and situate wholly within premises comprised in, a mine or quarry, or to a pipe-line forming part of the equipment of, and situate wholly within, a petroleum depot, . . . ^{F11}
- (2) References in the said sections one to forty of this Act to a pipe-line shall be construed as not including references—
 - (a) to so much of a pipe-line forming part of the equipment of, and situate partly within and partly outside a factory, as is situate within the factory.

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- (b) to so much of a pipe-line forming part of the equipment of, and situate partly within and partly outside premises comprised in, a mine or quarry, as is situate within those premises, or
- (c) to so much of a pipe-line forming part of the equipment of, and situate partly within and partly outside, a petroleum depot, as is situate within the depot;

^{F11} and in computing for the purposes of this Act the length of a pipe-line that is or will be one to which the foregoing provisions of this subsection apply there shall be disregarded so much of the line as is or will be situate within, as the case may be, the factory of whose equipment it forms or will form part, the premises comprised in the mine or quarry of whose equipment it forms or will form part or the petroleum depot of whose equipment it forms or will form part.

(3) In this section—

- (a) “factory” has the same meaning as in the ^{M5}Factories Act 1961;
- (b) “mine” and “quarry” have the same meanings as in the ^{M6}Mines and Quarries Act 1954;
- (c) “petroleum depot” means premises used or appropriated for use wholly or mainly for the storage of petroleum spirit and includes a petroleum filling station, and “petroleum filling station” and “petroleum spirit” have the meanings assigned to these expressions respectively by section twenty-three of the ^{M7}Petroleum (Consolidation) Act 1928.

Textual Amendments

F11 Words repealed by S.I. 1974/1986, Sch. 7

Marginal Citations

M5 1961 c. 34.

M6 1954 c. 70.

M7 1928 c. 32.

61 Exclusion of application of Act to, and in relation to, dock, &c., pipe-lines.

References in sections one to forty . . . ^{F12} of this Act to a pipe-line and to pipe-line works shall be construed as respectively not including references to a pipe-line wholly situate in premises to which certain provisions of the ^{M8}Factories Act 1961, apply by virtue of subsection (1) of section one hundred and twenty-five (docks, &c.) of that Act, and to pipe-line works executed in connection with a pipe-line that is or will be wholly so situate.

Textual Amendments

F12 Words repealed by S.I. 1974/1986, Sch. 7

Marginal Citations

M8 1961 c. 34.

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62

References in sections twenty-seven and thirty-one of this Act to a pipe-line shall be construed as not including references to a pipe-line that is a government oil pipe-line within the meaning of the ^{M9}Requisitioned Land and War Works Act 1948, or to a pipe-line that was laid under a wayleave order made under section fourteen of the ^{M10}Land Powers (Defence) Act 1958.

Marginal Citations

M9 1948 c. 17.

M10 1958 c. 30.

63 Exclusion of application of certain provisions of Act to pipe-lines whose construction has been begun or authorised by Act.

- (1) Sections one and two of this Act shall not apply to works the execution of which has been begun before the date on which those sections come into operation or to works the execution of which has been authorised by an Act passed before that date.
- (2) References in sections fifteen, seventeen, twenty-seven and thirty-one of this Act to a pipe-line shall be construed as not including references to a pipe-line for the construction of which the execution of works has been authorised as aforesaid.

64 Power of Minister to exclude application of sections 1 and 2 in relation to certain pipe-lines in particular localities.

The Minister, on an application in that behalf being made to him, and after causing if he thinks fit a public inquiry to be held, may by order (made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament) direct that sections one and two of this Act shall not apply to works executed for the construction of a pipe-line designed for the conveyance of a thing of a particular kind specified in the order or things of a class so specified, being a pipe-line wholly situate within such area as may be specified in, or described by, the order.

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