
Changes to legislation: There are currently no known outstanding effects for the Pipe-Lines Act 1962, Paragraph 10. (See end of Document for details)

SCHEDULES

SECOND SCHEDULE

APPLICATIONS FOR GRANT OF COMPULSORY PURCHASE ORDERS AND COMPULSORY RIGHTS ORDERS

Modifications etc. (not altering text)

- C1** Sch. 2 (except para. 8): transfer of certain functions (1.7.1999) by S.I. 1999/1750, arts. 1, 2, **Sch. 1** (with art. 7)
Sch. 2: certain functions exercisable (30.6.1999) by S.I. 1999/1756, arts. 1, 2, **Sch. para. 1** (with art. 8)

PART II

MODIFICATIONS SUBJECT TO WHICH PART I HAS EFFECT IN ITS APPLICATION TO APPLICATIONS FOR GRANT OF COMPULSORY RIGHTS ORDERS

- 10 (1) The modifications subject to which Part I of this Schedule has effect as applied by [F¹sections 12(3) and 12A(6)] are those set out in the following provisions of this paragraph.
- (2) For references to a compulsory purchase order there shall be substituted references to a compulsory rights order.
- (3) There shall be included amongst the requirements with which, by virtue of paragraph 1, the application must comply a requirement that it shall state what rights are sought to be obtained by the application.
- (4) There shall be included amongst the particulars to be included in a notice published in pursuance of paragraph 3 particulars of the rights sought to be obtained by the application.
- (5) For paragraph 6 there shall be substituted the following paragraph:—
- “6 A compulsory rights order may be made with or without modification as regards the land sought to be comprised therein or the nature of the rights for the exercise of which authorisation is sought by the order but shall not, unless all persons interested consent, be so made as to authorise the person in whose favour it is made to exercise any right which the order would not have authorised him to exercise if it had been made without modification or to exercise rights in relation to any land in relation to which the order would not have authorised him to exercise rights if it had been so made.”
- (6) There shall be included amongst the particulars to be included in a notice published in pursuance of sub-paragraph (2) of paragraph 7 a statement of the rights of which the exercise is authorised by the order.

[F²(6A) Sub-paragraphs (3) to (6) of paragraph 7 shall be omitted.]

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- (7) In paragraph 8, for the words from “the order shall not be made” to the end of the paragraph there shall be substituted the words “the order shall not be made so as to authorise the exercise of a right over any land as to which that Minister is satisfied as aforesaid unless he is also satisfied—
- (a) that the nature and situation of the land are such that the exercise thereover of that right will not cause serious detriment to the carrying on of the undertaking, or
 - (b) that such conditions will be attached to the order under section thirteen of this Act as will ensure that the exercise over the land of that right will not cause such serious detriment as aforesaid,

and certifies accordingly ”.

Textual Amendments

- F1** Words in Sch. 2 para. 10(1) substituted (21.3.2012) by [Energy Act 2011 \(c. 16\)](#), **ss. 108(5)(b)**, 121(1); S.I. 2012/873, art. 2(b)(iii)
- F2** Sch. 2 para. 10(6A) inserted (E.W.) (2.2.2017) by [The Housing and Planning Act 2016 \(Compulsory Purchase\) \(Corresponding Amendments\) Regulations 2017 \(S.I. 2017/16\)](#), reg. 1(2), **Sch. para. 1(3)** (with Sch. para. 1(4))

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