



Pipe-lines Act 1962

1962 CHAPTER 58

Compulsory Acquisition of Rights over Land for Construction of Pipe-lines

12 Orders for compulsory acquisition of rights over land for pipe-line construction

- (1) A person proposing to execute works in land for the placing therein of a pipe-line or a length of a pipe-line may, by means of an order made by the Minister (in this Act referred to as a " compulsory rights order "), be authorised, subject to any conditions attached thereto under the next following section, to place the line or length in land described in the order, to use the line or length, to execute in that land any other pipeline works becoming necessary for the purpose of placing the line or length in that land or in consequence of its being placed there, and to exercise in relation to the line or length such of the rights mentioned in the Fourth Schedule to this Act as may be specified in the order.
- (2) The Minister, on an application for a compulsory rights order, shall have power in his discretion to grant the application or to refuse it.
- (3) The provisions of Part I of the Second Schedule to this Act shall, subject to the modifications specified in Part II of that Schedule, have effect with respect to the making of applications for compulsory rights orders, for the purpose of securing that opportunities are afforded for the making of objections to such applications, with respect to any modifications subject to which such orders may be made, for limiting the rights of persons to question the validity of such orders, and with respect to other related matters therein mentioned.
- (4) A compulsory rights order shall, after the placing of the line or length thereby authorised to be placed, enure for the benefit of the owner for the time being of the line.
- (5) If any such pipe-line or length of a pipe-line as has been placed in land by virtue of a compulsory rights order is diverted from the land comprised in the order or is abandoned, or if a pipe-line construction or diversion authorisation relating to a pipe-line or length of a pipe-line to be placed in land in pursuance of a compulsory rights order becomes of no effect by virtue of subsection (4) of section one of this Act or of that subsection as applied by subsection (4) of section three thereof, or if a notice relating to such a pipe-line or length given for the purposes of subsection (1) of section

Status: This is the original version (as it was originally enacted).

two of this Act or of paragraph (b) of subsection (1) of section three thereof becomes invalid by virtue of subsection (3) of the said section two or of that subsection as applied by subsection (4) of the said section three, the Minister may by order revoke the compulsory rights order to the extent to which it appears to him to have become unnecessary in consequence of the diversion or abandonment or, as the case may be, of the authorisation's so becoming of no effect or the notice's so becoming invalid; and he may also, at any time, by order revoke a compulsory rights order in whole or in part in pursuance of an application in that behalf made to him by the person for whose benefit the compulsory rights order for the time being enures; but the revocation of a compulsory rights order shall not affect the previous operation thereof.

- (6) A compulsory rights order shall not affect any right over the land comprised in the order which would not have been affected had that land been compulsorily purchased by virtue of a compulsory purchase order, nor shall it authorise disregard of any enactment or of any instrument having effect by virtue of any enactment or be taken to confer a right of support for the pipe-line or length of pipe-line placed, by virtue of the order, in the said land.
- (7) A compulsory rights order shall be subject to special parliamentary procedure.