



# Pipe-lines Act 1962

## 1962 CHAPTER 58

### *Supplementary Provisions*

#### **47 Provisions as to inquiries and hearings**

(1) Subsections (2) to (5) of section two hundred and ninety of the Local Government Act, 1933 (which provides for the holding of inquiries for the purposes of that Act), shall apply to a public inquiry caused by the Minister to be held in England or Wales under any provision of this Act (except section thirty-four thereof) as they apply to an inquiry held under the said section two hundred and ninety, subject to the following modifications, namely.—

- (a) for references to a department, there shall be substituted references to the Minister ;
- (b) subsection (4) shall have effect as if references therein to the payment of costs by a local authority not being a party to the inquiry had been omitted;

and subsections (4) and (5) of the said section two hundred and ninety shall, with the like modifications, apply in relation to any hearing caused by the Minister to take place in England or Wales in pursuance of any provision of this Act (otherwise than by way of public inquiry or under the said section thirty-four) as if the hearing were a public inquiry caused by the Minister to be held as aforesaid.

(2) Subsections (2) to (9) of section three hundred and fifty-five of the Local Government (Scotland) Act, 1947 (which relates to local inquiries), shall apply to a public inquiry caused by the Minister to be held in Scotland under any provision of this Act (except section thirty-four thereof) as they apply to a public inquiry held under the said section three hundred and fifty-five, subject to the following modification, namely, that subsection (8) shall have effect as if references therein to the payment of expenses by a local authority not being a party to the inquiry had been omitted ; and subsections (8) and (9) of the said section three hundred and fifty-five shall, with (in the case of subsection (8)) the like modification, apply in relation to any hearing caused by the Minister to take place in Scotland in pursuance of any provision of this Act (otherwise than by way of public inquiry or under the said section thirty-four) as if the hearing were a public inquiry caused by the Minister to be held as aforesaid.

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*Status: This is the original version (as it was originally enacted).*

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- (3) It shall not be open to a person to impugn the validity of a pipe-line construction or diversion authorisation on the ground that an inquiry or hearing under the First Schedule to this Act with respect to an objection to the application for the grant of the authorisation was combined with an inquiry or hearing under the Second Schedule to this Act with respect to an objection to an application made, by the applicant for the grant of the authorisation, for a compulsory purchase order or compulsory rights order, or to impugn the validity of a compulsory purchase order or compulsory rights order on the ground that an inquiry or hearing under the Second Schedule to this Act with respect to an objection to the application for the order was combined with an inquiry or hearing under the First Schedule to this Act with respect to an objection to an application made, by the applicant for the order, for the grant of a pipe-line construction or diversion authorisation.