



Requisitioned Land and War Works Act 1948

1948 CHAPTER 17

Government oil pipe-lines

15 Supplementary provisions as to government oil pipe-lines

- (1) Any person authorised in that behalf by a Minister may, for the purpose—
- (a) of exercising any powers conferred by section twelve of this Act, or
 - (b) of restoring land where a government oil pipe-line or works accessory thereto are abandoned, or
 - (c) of inspecting any such land or works,
- enter upon any land of which the Minister is not in possession:

Provided that—

- (i) except in a case of emergency or for the purpose of inspection by a person producing, if required, written evidence of his authority so to do, entry upon any land shall not be demanded as of right unless reasonable notice of the intended entry has been served on the occupier of the land in the manner provided by paragraphs (i) to (v) of subsection (1) of section eight of the Act of 1945;
 - (ii) where otherwise than for the purpose of inspection only any land has been entered upon in pursuance of this subsection without notice being served as aforesaid on the occupier of the land, the Minister shall forthwith cause notice of the entry to be served on the occupier in the manner aforesaid.
- (2) Subsections (6) and (7) of section thirteen of this Act shall apply in relation to powers conferred by the last foregoing subsection as they apply to the powers mentioned in the said subsection (6).
- (3) Sections seventy-eight to eighty-five of the Railways Clauses Consolidation Act, 1845 (which restrict the working of minerals, subject to the payment of compensation) as originally enacted and not as amended for certain purposes by section fifteen of

the Mines (Working Facilities and Support) Act, 1923, shall apply in relation to any government oil pipeline or works accessory thereto with the substitution—

- (a) for references to the railway of references to the pipeline or works;
- (b) for references to the company of references to the Minister or other person entitled to use the pipe-line or works;
- (c) for references to the Special Act of references to section twenty-eight of the Act of 1945.

(4) The Treasury may make regulations—

- (a) for the protection of persons affected by the maintenance and use of government oil pipe-lines and works accessory thereto, and in particular for requiring the Minister or other person entitled to the use thereof to keep any such line and works in good repair, to take such steps as may be prescribed for restoring -land where any such line or works are abandoned, and to indemnify persons against loss or damage caused by any failure to keep any such line or works in good repair, and for relieving statutory undertakers and other persons of liabilities or obligations arising in consequence of any such failure or any exercise of the powers conferred by section twelve of this Act or this section;
- (b) for requiring notice to be given where a government oil pipe-line or works accessory thereto are abandoned, and for discontinuing the operation of provisions of section twelve of this Act or this section, or of regulations under this subsection, where such a notice is given;
- (c) for applying in relation to government oil pipe-lines passing under highways the provisions of Part VI of the Third Schedule to the Water Act, 1945 (which relates to the breaking-up of highways for the purposes of repairing pipes thereunder) and for excluding in relation to government oil pipe-lines the provisions of section sixteen of the Act of 1945.