
STATUTORY INSTRUMENTS

1996 No. 275

The Gas (Northern Ireland) Order 1996

PART III

SAFETY

Safety of pipe-lines

Power of Department to cause action to be taken to render pipe-line safe on abandonment or cesser of use

54.—(1) Where—

- (a) a pipe-line or a length thereof has been abandoned, or 3 years have expired from the date on which a pipe-line or a length thereof was last used; and
- (b) the Department is of the opinion that the line or length is, or is likely to become, a source of danger,

the Department may serve on the owner of the line a notice requiring him to take such action in relation to the line or length as may be specified in the notice, being action which appears to the Department requisite to stop the line or length being, or prevent it becoming, a source of danger.

(2) If a person on whom a notice is served under paragraph (1) fails, before the expiration of 6 weeks from the date on which the notice was served, or such longer period as the Department may on his application allow, to take the action specified in the notice, the Department may enter and take that action.

(3) Where, in consequence of compliance with a requirement imposed by a notice under paragraph (1), a person other than the owner of the pipe-line suffers loss by reason of damage to, or disturbance in the enjoyment of, any land or chattels, he shall be entitled to compensation in respect of that loss from the owner of the line.

(4) Where, in consequence of the exercise by the Department of its powers under paragraph (2) in relation to a pipe-line or length thereof, a person other than the owner of the pipe-line suffers loss by reason of damage to, or disturbance in the enjoyment of, any land or chattels, he shall be entitled to compensation in respect of that loss from the Department.

(5) The Department may recover from the owner of a pipe-line on whom a notice has been served under paragraph (1)—

- (a) the expenses reasonably incurred by the Department in taking action under paragraph (2); and
- (b) the amount of any compensation paid by the Department under paragraph (4).