



Petroleum and Submarine Pipe-lines Act 1975

1975 CHAPTER 74

PART III

SUBMARINE PIPE-LINES

Supplemental

31 Exclusion etc of application of Part III

- (1) A pipe-line of which no initial or terminal point is situated in the United Kingdom or controlled waters shall be disregarded for the purposes of this Part of this Act except this subsection and the following subsection.
- (2) The Secretary of State may by order provide that provisions of this Part of this Act which are specified in the order shall apply, with such modifications as are so specified or without modification, to the whole or any part of such a pipe-line as is mentioned in the preceding subsection; but an order in pursuance of this subsection shall contain only such provisions as the Secretary of State considers are consistent with the jurisdiction which belongs to the United Kingdom under international law.
- (3) Regulations may provide that prescribed provisions of this Part of this Act shall not apply to a pipe-line of a prescribed kind or shall not apply to such a pipe-line while any condition specified in the regulations is satisfied.

32 Regulations

- (1) It shall be the duty of the Secretary of State, before he makes any regulations in pursuance of this Part of this Act, to consult such organisations in the United Kingdom as he considers are representative of persons who will be affected by the regulations.

Status: This is the original version (as it was originally enacted).

- (2) It shall be the duty of the Secretary of State, in making regulations in pursuance of section 26 or 27 of this Act, to have regard to the extent of the jurisdiction which belongs to the United Kingdom under international law.
- (3) Any regulations in pursuance of this Part of this Act may provide—
- (a) for the creation of offences which, subject to the following paragraph, are punishable on summary conviction by a fine not exceeding £400 and on conviction on indictment by imprisonment for a term not exceeding two years and a fine ;
 - (b) for the maximum punishment for an offence created by the regulations to be less than that authorised by the preceding paragraph and for such an offence to be punishable only on summary conviction;
 - (c) for the matters which are to be a defence to a charge of an offence created by the regulations.
- (4) Regulations in pursuance of this Part of this Act—
- (a) may be limited so as to apply only in prescribed cases or may exclude prescribed cases from the application of the regulations;
 - (b) may specify the conditions which must be satisfied in order that a case may be excluded from the application of the regulations and may provide for any exclusion to cease to operate in a case where the conditions are contravened;
- and the Secretary of State may, by directions given to such persons as he considers appropriate, provide for a case specified in the directions to be excluded from the application of any such regulations and specify the conditions which must be satisfied in order that the exclusion may take effect and provide for the exclusion to cease to operate if the conditions are contravened.

33 Interpretation etc of Part III

- (1) Except where the context otherwise requires, in this Part of this Act " pipe-line " means a pipe or system of pipes (excluding a drain or sewer) for the conveyance of any thing, together with any apparatus and works associated with such a pipe or system ; and for the purposes of this Part of this Act the following apparatus and works and no other shall be treated as associated with such a pipe or system, namely—
- (a) any apparatus for inducing or facilitating the flow of any thing through, or through a part of, the pipe or system ;
 - (b) valves, valve chambers and similar works which are annexed to, or incorporated in the course of, the pipe or system;
 - (c) apparatus for supplying energy for the operation of any such apparatus or works as are mentioned in the preceding paragraphs;
 - (d) apparatus for the transmission of information for the operation of the pipe or system ;
 - (e) apparatus for the cathodic protection of the pipe or system; and
 - (f) a structure used or to be used solely for the support of a part of the pipe or system.
- (2) The Secretary of State may by order provide that a part of a pipe-line specified in the order shall be treated for the purposes of this Part of this Act, except this subsection, as a pipe-line.

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

- (3) For the purposes of this Part of this Act " owner " in relation to a pipe-line, and " proposed owner " in relation to a proposed pipe-line, mean the person for the time being designated as the owner of the pipe-line, or as the case may be as the proposed owner of the proposed pipe-line, by an order made by the Secretary of State, and an order designating a person as the proposed owner of a proposed pipe-line may also contain provision for him to be designated as the owner of the pipe-line in question at a time determined by or under the order; but it shall be the duty of the Secretary of State—
- (a) before designating a person in pursuance of this subsection, to give him an opportunity of being heard with respect to the matter; and
 - (b) if a person for the time being designated in pursuance of this subsection requests the Secretary of State in writing to cancel the designation, to consider the request and, if the Secretary of State considers it appropriate to do so, to give that person an opportunity of being heard in connection with the request.
- (4) The Secretary of State may by order revoke any order made in pursuance of subsection (2) or (3) of this section.
- (5) Except where the context otherwise requires, in this Part of this Act the following expressions have the following meanings—
- " authorisation " means an authorisation required by section 20 of this Act;
 - " construction " in relation to a pipe-line, includes placing, and cognate expressions shall be construed accordingly;
 - " heard " means heard on behalf of the Secretary of State by a person appointed by him for the purpose;
 - " holder ", in relation to an authorisation, means the person to whom the authorisation was issued;
 - " pipe-line ", in relation to an application for a works authorisation, means the proposed pipe-line in respect of which the application is made ; and
 - " works authorisation " means an authorisation for works for the construction of a pipe-line or for such works and for the use of the pipe-line.
- (6) For the purposes of this Part of this Act, works at any place in, under or over controlled waters for the purpose of determining whether the place is suitable as part of the site of a proposed pipe-line and the carrying out of surveying operations for the purpose of settling the route of a proposed pipe-line are not works for the construction of a pipe-line.
- (7) Any reference in this Part of this Act to a contravention of a provision of that Part or of regulations made or directions given by virtue of that Part includes a reference to a failure to comply with that provision.
- (8) Any reference in this Part of this Act, except this subsection, to that Part includes a reference to Schedule 4 to this Act.
- (9) This Part of this Act, so far as it applies to individuals or bodies corporate, applies to them notwithstanding that they are not British subjects or, as the case may be, are not incorporated under the law of any part of the United Kingdom.