



Petroleum Act 1998

1998 CHAPTER 17

PART III

SUBMARINE PIPELINES

^{F1}17H Enforcement of certain duties in sections 17B, 17D and 17E.

- (1) [^{F2}The obligation to comply with any notice under section 17D(11) [^{F3}or with a notice given under subsection (6) of section 17GA in a case falling within subsection (7) of that section] and the obligation to comply with any duty in section 17B(6) or section 17D(7)] shall be duties owed to any person who may be affected by a failure to comply with them.
- (2) Where a duty is owed by virtue of subsection (1) to any person, any breach of the duty which causes that person to sustain loss or damage shall be actionable at the suit or instance of that person.
- (3) In any proceedings brought against a person in pursuance of subsection (2), it shall be a defence for him to prove that he took all reasonable steps and exercised all due diligence to avoid contravening the duty.
- (4) Compliance with the duties in sections 17B(1) and (3), 17D(1) and (3) and 17E(2) shall be enforceable by civil proceedings by the Secretary of State for an injunction or interdict or other appropriate relief or remedy.

Textual Amendments

- F1** Ss. 17A-17H inserted (10.8.2000) by [S.I. 2000/1937, reg. 2\(4\), Sch. 4 para. 4](#)
- F2** Words in s. 17H(1) substituted (26.8.2004) by [Gas \(Third Party Access\) Regulations 2004 \(S.I. 2004/2043\), reg. 1, Sch. 3 para. 2](#)
- F3** Words in s. 17H(1) inserted (8.2.2007) by [The Petroleum Act 1998 \(Third Party Access\) Order 2007 \(S.I. 2007/290\), art. 1, Sch. para. 3](#)

Status:

Point in time view as at 08/02/2007. This version of this provision has been superseded.

Changes to legislation:

Petroleum Act 1998, Section 17H is up to date with all changes known to be in force on or before 14 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.