



# Pipe-Lines Act 1962

1962 CHAPTER 58 10 and 11 Eliz 2

## *Interpretation*

### 65 Meaning of “pipe-line”.

- (1) In this Act “pipe-line” (except where the context otherwise requires) means a pipe (together with any apparatus and works associated therewith), or system of pipes (together with any apparatus and works associated therewith), for the conveyance of any thing other than air, water, water vapour or steam, not being—
- (a) a drain or sewer; or
  - (b) a pipe or system of pipes constituting or comprised in apparatus for heating or cooling or for domestic purposes; or
  - (c) a pipe or system of pipes on the site of any operations or works to which certain provisions of the <sup>M1</sup>Factories Act 1961, apply by virtue of subsection (1) of section one hundred and twenty-seven (building operations and works of engineering construction) of that Act; or
  - (d) a pipe or system of pipes wholly situate within the boundaries of an agricultural unit and designed for use for purposes of agriculture; or
  - (e) a pipe or system of pipes wholly situate in premises used for the purposes of education or research; or
  - (f) a pneumatic dispatch-tube.
- (2) For the purposes of the foregoing subsection, the following apparatus and works, and none other, shall be treated as being associated with a pipe, or system of pipes, namely,
- (a) apparatus for inducing or facilitating the flow of any thing through the pipe or, as the case may be, through the system or any part thereof;
  - (b) valves, valve chambers, manholes, inspection pits and similar works, being works annexed to, or incorporated in the course of, the pipe or system;
  - (c) apparatus for supplying energy for the operation of any such apparatus as is mentioned in paragraph (a) of this subsection or of any such works as are mentioned in paragraph (b) thereof;

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- (d) apparatus for the transmission of information for the operation of the pipe or system;
- (e) apparatus for affording cathodic protection to the pipe or system;
- (f) a structure for the exclusive support of a part of the line or system.
- [<sup>F1</sup>(fa) in relation only to a pipe, or system of pipes, which is used to convey carbon dioxide to a carbon dioxide storage site, apparatus for treating and cooling carbon dioxide which is to flow through, or through any part of, the pipe or system;]<sup>F2</sup>...
- <sup>F2</sup>(g) .....

[<sup>F3</sup>(3) In subsection (2)(fa), the reference to a pipe, or system of pipes, being used to convey carbon dioxide includes a pipe or system which is not being used for any purpose but which is intended to be used to convey carbon dioxide.]

#### Textual Amendments

- F1** S. 65(2)(fa) inserted (16.9.2011) by [The Storage of Carbon Dioxide \(Access to Infrastructure\) Regulations 2011 \(S.I. 2011/2305\)](#), reg. 1, **Sch. para. 5(a)**
- F2** S. 65(2)(g) and word omitted (21.3.2012) by virtue of [Energy Act 2011 \(c. 16\)](#), s. 121(1), **Sch. 2 para. 6**; [S.I. 2012/873](#), art. 2(b)(i)
- F3** S. 65(3) inserted (16.9.2011) by [The Storage of Carbon Dioxide \(Access to Infrastructure\) Regulations 2011 \(S.I. 2011/2305\)](#), reg. 1, **Sch. para. 5(b)**

#### Modifications etc. (not altering text)

- C1** S. 65(2) applied by [Gas Act 1986 \(c. 44, SIF 44:2\)](#), s. 21(4)

#### Marginal Citations

- M1** 1961 c. 34.

## 66 General interpretation provisions.

(1) In this Act, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say:—

[<sup>F4</sup>“additional pipe-line” means a pipe-line (other than a diversion)—

- (a) which is of a length not exceeding 16.093 kilometres and is to form an addition to another pipe-line, if the aggregate of the lengths of both exceeds 16.093 kilometres, or
- (b) which is of a length not exceeding 16.093 kilometres and is to be constructed so as to connect two or more other pipe-lines, if the aggregate of the lengths of the line and of those connected thereby exceeds 16.093 kilometres;]

“agriculture” includes dairy farming, the production of any consumable produce which is grown for sale or for consumption or other use for the purposes of a trade or business or of any other undertaking (whether carried on for profit or not), and the use of land as grazing, meadow or pasture land or orchard or osier land or woodland or for market gardens or nursery grounds, and “agricultural” shall be construed accordingly;

“agricultural unit” means land which is occupied as a unit for agricultural purposes;

[<sup>F5</sup>“carbon dioxide pipe-line” means—

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- (a) a pipe-line used to convey carbon dioxide to a carbon dioxide storage site; or
  - (b) a pipe-line which is not being used for any purpose but which is intended to be used to convey carbon dioxide to such a site;
- “carbon dioxide storage site” means a facility—
- (a) for the storage of carbon dioxide (with a view to its permanent disposal, or as an interim measure prior to its permanent disposal); and
  - (b) in respect of the use of which a person is required to have a licence under section 18 of the Energy Act 2008;]
- ...<sup>F6</sup>
- “carriageway” has the meaning assigned to it by [<sup>F7</sup>section 329(1) of the Highways Act 1980];
- “compulsory purchase order” has the meaning assigned to it by subsection (1) of section eleven of this Act;
- “compulsory rights order” has the meaning assigned to it by [<sup>F8</sup>sections 12(1) and 12A(3)] of this Act;
- “construction”, in relation to a pipe-line, includes placing, and “construct” and “constructed” shall, in relation to a pipe-line, be construed accordingly;
- “cross-country pipe-line” means a pipe-line whose length exceeds, or is intended to exceed, [<sup>F9</sup>16.093 kilometres];
- [<sup>F10</sup>“diversion” means a lateral diversion of any length of a pipe-line (whether or not that pipe-line has been constructed) where the diversion is—
- (a) beyond the limits of lateral diversion permitted by an authorisation under this Act relating to that pipe-line, or
  - (aa) [<sup>F11</sup>if no such authorisation is required, beyond the limits of lateral diversion permitted by development consent under the Planning Act 2008 relating to that pipe-line, or]
  - (b) if no such authorisation [<sup>F12</sup>or consent] is required, beyond the lateral limits of deviation permitted by planning permission granted in relation to that pipe-line under Part III of the Town and Country Planning Act 1990 or under Part III of the Town and Country Planning (Scotland) Act 1997;]
- [<sup>F13</sup>“foreign sector of the continental shelf” means an area within which rights are exercisable with respect to the sea bed and subsoil and their natural resources by a country or territory outside the United Kingdom;
- <sup>F13</sup> “gas” means any substance which consists wholly or mainly of—
- (a) methane ethane, propane, butane, hydrogen or carbon monoxide;
  - (b) a mixture of two or more of those gases; or
  - (c) a combustible mixture of one or more of those gases and air;
- [<sup>F14</sup>“gas interconnector” has the same meaning as in Part 1 of the Gas Act 1986;]
- [<sup>F15</sup>“gas pipe-line” means a pipe-line used to convey gas to premises, or to a pipe-line system operated by a gas transporter (within the meaning of Part 1 of the Gas Act 1986), which—
- (a) is a pipe-line in respect of which an exemption has been granted by or under that Act from the requirement for a gas transporter’s licence; and
  - (b) is not comprised in an upstream petroleum pipe-line;]
- <sup>F13</sup> “gas processing facility” means any facility in Great Britain operated otherwise than by a public gas transporter (within the meaning of Part I of the Gas Act 1986) which carries out gas processing operations;

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- <sup>F13</sup> “gas processing operation” means any of the following operations, namely—
- (a) purifying, blending, odourising or compressing gas for the purpose of enabling it to be introduced into a pipe-line system operated by a public gas transporter (within the meaning of Part I of the Gas Act 1986) or to be conveyed to an electricity generating station, a gas storage facility or any place outside Great Britain;
  - (b) removing from gas for that purpose any of its constituent gases, or separating from gas for that purpose any oil or water; <sup>F16</sup> ...
  - (c) determining the quantity or quality of gas which is or is to be so introduced, or so conveyed, whether generally or by or on behalf of a particular person;]
  - (d) [<sup>F17</sup>separating, purifying, blending, odourising or compressing gas, for the purpose of—
    - (i) converting it into a form in which a purchaser is willing to accept delivery from a seller, or
    - (ii) enabling it to be loaded for conveyance to another place (whether inside or outside Great Britain); and
  - (e) loading gas—
    - (i) at a facility which carries out operations of a kind mentioned in paragraph (d), or
    - (ii) piped from such a facility,
 for the purpose of enabling the gas to be conveyed to another place (whether inside or outside Great Britain);]

...

“in”, in a context referring to a pipe-line or a length thereof or works or operations in land or a street, includes a reference to a pipe-line, length, works or operations under, over, across, along or upon it;

[<sup>F18</sup>“interconnector” means a pipe-line, other than an upstream petroleum pipe-line or a pipe-line operated by a public gas transporter (within the meaning of Part I of the Gas Act 1986), which is used to convey gas to or from a place outside Great Britain;]

<sup>F19</sup>  
...

“land” includes land covered by water and in Scotland includes salmon fishings;

“local pipe-line” means a pipe-line other than a cross-country one;

[<sup>F20</sup> “ local water authority ” means a local water authority within the meaning of the <sup>M2</sup> Water (Scotland) Act 1946; ]

“the Minister” means [<sup>F21</sup>the Secretary of State];

“notice” means a notice in writing;

“owner”—

- (a) in relation to any land other than land in Scotland, means a person, other than a mortgagee not in possession, who is for the time being entitled to dispose of the fee simple of the land, whether in possession or in reversion, and includes also a person holding or entitled to the rents and profits of the land under a lease or agreement the unexpired term of which exceeds three years;
- (b) in relation to land in Scotland, includes any person who, under the Lands Clauses Acts, would be enabled to sell and convey the land to the

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promoters of an undertaking and a tenant of the land under a lease the unexpired term of which exceeds three years;

- (c) in relation to a pipe-line, means the person in whom the pipe-line is vested [<sup>F22</sup>and, for the purposes of section 10 in the case of gas pipe-lines only (other than section 10(1)), and for the purposes of [<sup>F23</sup>section 10C], includes a person who has the right to use capacity in the pipe-line, where such right has been acquired by that person on terms that—
- (i) he is entitled to use the capacity for a period of one year or more; and
  - (ii) the right is capable of being assigned or otherwise disposed of to another person;]
- (d) in relation to a structure, means a person who, in relation to land being the site of the structure, is an owner thereof by virtue of paragraph (a) or (b) of this definition;

[<sup>F24</sup>“petroleum” includes any mineral oil or relative hydrocarbon and natural gas existing in its natural condition in strata, whether or not it has undergone any processing; but does not include coal or bituminous shales or other stratified deposits from which oil can be extracted by destructive distillation;

<sup>F24</sup> “petroleum production project” means a project carried out by virtue of a licence granted under section 3 of the Petroleum Act 1998, or an equivalent project in a foreign sector of the continental shelf, and includes such a project which is used for the storage of gas; ]

“pipe-line construction authorisation” has the meaning assigned to it by subsection (1) of section one of this Act;

<sup>F25</sup>  
. . .

“pipe-line works” means works of any of the following kinds, that is to say,—

- (a) placing a pipe-line or a length of pipe-line;
  - inspecting, maintaining, adjusting, repairing, altering or renewing a pipe-line or a length of pipe-line;
  - changing the position of a pipe-line or a length of pipe-line or removing a pipe-line or a length of pipe-line;
- (b) breaking up or opening land for the purposes of works mentioned in the foregoing paragraph and tunnelling or boring for those purposes and other works requisite for or incidental to those purposes;

“prescribed” means prescribed by regulations made under this Act;

“railway undertakers” means any persons authorised by an enactment or provision of an order or scheme made under or confirmed by an Act to construct, work or carry on a railway;

[<sup>F26</sup>“ river works consent ” means a consent given under section 109 of the Water Resources Act 1991; ]

“statutory undertakers” means any person authorised by any Act (whether public general or local) or by any order or scheme made under or confirmed by an Act to construct, work or carry on a railway, light railway, tramway, road transport, water transport, canal, inland navigation, dock, harbour, pier or lighthouse undertaking or any undertaking for the supply of . . . <sup>F27</sup>, . . . <sup>F28</sup>, [<sup>F29</sup>or hydraulic power];

[<sup>F30</sup> “ statutory water undertakers ” means the National Rivers Authority or a water undertaker; ]

“street works consent” means a consent given under section fifteen of this Act.

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[<sup>F31</sup>“terminal” includes—

- (a) facilities for such initial blending and other treatment as may be required to produce stabilised crude oil and other hydrocarbon liquids to the point at which a seller could reasonably make a delivery to a purchaser of such oil and liquids;
- (b) gas processing facilities; <sup>F32</sup> ...
- (c) a facility for the reception of gas prior to its conveyance to a place outside Great Britain [<sup>F33</sup>; and
- (d) oil processing facilities (within the meaning given by section 81(8) of the Energy Act 2008);]

[<sup>F34</sup>“upstream petroleum pipe-line” has the meaning given by section 90(1) of the Energy Act 2011]

- (2) For the purposes of this Act the length of a pipe-line shall be taken to be the total length of pipe comprised in it; but where, in a system of pipes, a number of adjacent parallel lengths of pipe serve the same purpose as would be served by a single pipe of a diameter greater than that of any of those lengths, that number shall be taken to constitute a single pipe.
- (3) For the purposes of this Act the execution of works in land for the purpose of determining whether or not it is suitable for the placing in it of a pipe-line and the carrying out of surveying operations for the purpose of settling the route of a proposed pipe-line shall be deemed not to constitute the execution of works for the construction of a pipe-line.
- (4) Any reference in this Act to any other enactment shall be construed as a reference to that enactment as amended by any other Act.]

#### Textual Amendments

- F4** Definition in s. 66 inserted (1.7.1999) by S.I. 1999/742, art. 2, **Sch. para. 15(a)**
- F5** Words in s. 66(1) inserted (16.9.2011) by [The Storage of Carbon Dioxide \(Access to Infrastructure\) Regulations 2011 \(S.I. 2011/2305\)](#), reg. 1, **Sch. para. 6**
- F6** Definition of “appropriate Minister” repealed by S.I. 1970/1681, **Sch. 4**: expression explained by *ibid.*, Sch. 3 para. 21(a)
- F7** Words substituted by [Highways Act 1980 \(c. 66, SIF 59\)](#), s. 343(2), **Sch. 24 para. 10(c)**
- F8** Words in s. 66(1) substituted (21.3.2012) by [Energy Act 2011 \(c. 16\)](#), ss. **108(4)**, 121(1); S.I. 2012/873, art. 2(b)(iii)
- F9** Words in s. 66(1) substituted (1.1.1995) by S.I. 1992/449, **reg. 2(2)(b)**
- F10** Definition in s. 66 inserted (1.7.1999) by S.I. 1999/742, art. 2, **Sch. para. 15(b)**
- F11** Words in s. 66(1) inserted (1.3.2010) by [Planning Act 2008 \(c. 29\)](#), s. 241(8), **Sch. 2 para. 7(a)** (with s. 226); S.I. 2010/101, art. 2 (with art. 6)
- F12** Words in s. 66(1) inserted (1.3.2010) by [Planning Act 2008 \(c. 29\)](#), s. 241(8), **Sch. 2 para. 7(b)** (with s. 226); S.I. 2010/101, art. 2 (with art. 6)
- F13** S. 66(1): definitions of “foreign sector of the continental shelf”, “gas”, “gas pipe-line”, “gas processing facility” and “gas processing operation” inserted (10.8.2000) by S.I. 2000/1937, reg. 2(1), **Sch. 1 para. 9(a)**
- F14** Words in s. 66(1) inserted (14.8.2006) by [Energy Act 2004 \(c. 20\)](#), ss. **151(4)(b)**, 198(2); S.I. 2006/1964, art. 2, Sch.
- F15** Words in s. 66(1) substituted (14.8.2006) by [Energy Act 2004 \(c. 20\)](#), ss. **151(4)(a)**, 198(2); S.I. 2006/1964, art. 2, Sch.
- F16** Word in s. 66(1) repealed (6.4.2009) by [Energy Act 2008 \(c. 32\)](#), ss. 78(1)(a), 110(2), **Sch. 6**; S.I. 2009/45, art. 4(c)(aa)(d)(ii)

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- F17** Words in s. 66(1) inserted (6.4.2009) by Energy Act 2008 (c. 32), **ss. 78(1)(a)**, 110(2); S.I. 2009/45, art. 4(c)
- F18** S. 66(1): definition of “interconnector” inserted (10.8.2000) by S.I. 2000/1937, reg. 2(1), **Sch. 1 para. 9(b)**
- F19** Definition repealed by S.I. 1974/1986, **Sch. 1**
- F20** Words in s. 66(1) repealed (S.) (14.7.2004) by Water Industry (Scotland) Act 2002 (Consequential Modifications) Order 2004 (S.I. 2004/1822), art. 1(1), **Sch. para. 3(4)**
- F21** Words substituted by virtue of S.I. 1969/1498, **arts. 2(1)**, 5(6) and 1970/1537, arts. 2(2), 7(4)
- F22** S. 66(1): words and sub paragraphs (i)(ii) in definition of “owner” added (10.8.2000) by S.I. 2000/1937, reg. 2(1), **Sch. 1 para. 9(c)**
- F23** Words in s. 66(1) substituted (21.3.2012) by Energy Act 2011 (c. 16), s. 121(1), **Sch. 2 para. 7(a)**; S.I. 2012/873, art. 2(b)(i)
- F24** S. 66(1): definitions of “petroleum” and “petroleum production project” inserted (10.8.2000) by S.I. 2000/1937, reg. 2(1), **Sch. 1 para. 9(d)**
- F25** Definition in s. 66(1) omitted (3.4.1999) by S.I. 1999/742, arts. 1, 2, **Sch. para. 2(6)**
- F26** Definition in s. 66(1) substituted (E.W.) (1.12.1991) by Water Consolidation (Consequential Provisions) Act 1991 (60), ss. 2(1), 4(2), Sch. 1 para. 12
- F27** Word repealed by Electricity Act 1989 (c. 29, SIF 44:1), s. 112(4), Sch. 17 para. 35(1), **Sch. 18**
- F28** Word repealed by Gas Act 1986 (c. 44, SIF 44:2), s. 67(4), **Sch. 9 Pt. 1**
- F29** Words in s. 66(1) substituted (E.W.) by Water Act 1989 (c. 15, SIF 130), ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 25 para. 30(2)(a), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), **58**
- F30** Definition in s. 66(1) substituted (E.W.) by Water Act 1989 (c. 15, SIF 130), ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 25 para. 30(2)(b), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), **58**
- F31** S. 66(1): definitions of “terminal” and “upstream petroleum pipe-line” inserted (10.8.2000) by S.I. 2000/1937, reg. 2(1), **Sch. 1 para. 9(e)**
- F32** Word in s. 66(1) repealed (6.4.2009) by Energy Act 2008 (c. 32), ss. 78(1)(b), 110(2), **Sch. 6**; S.I. 2009/45, art. 4(c)(aa)(d)(ii)
- F33** Words in s. 66(1) inserted (6.4.2009) by Energy Act 2008 (c. 32), **ss. 78(1)(b)**, 110(2); S.I. 2009/45, art. 4(c)
- F34** Words in s. 66(1) substituted (21.3.2012) by Energy Act 2011 (c. 16), s. 121(1), **Sch. 2 para. 7(b)**; S.I. 2012/873, art. 2(b)(i)

#### Marginal Citations

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