



# Pipe-lines Act 1962

## 1962 CHAPTER 58

### *Control of Construction of Pipe-lines*

#### **3 Diversion of pipe-lines**

- (1) A length of a pipe-line placed in any land under a pipe-line construction authorisation or in accordance with a notice given to the Minister for the purposes of subsection (1) of section two of this Act or, after the grant of such an authorisation in relation thereto or the giving for the purposes of the said (Subsection (1) of a notice in relation thereto, proposed to be placed in any land under the authorisation or in accordance with the notice, may be diverted laterally from the route delineated on the map annexed to the authorisation or, as the case may be, accompanying the notice, to an extent greater than that permissible apart from this subsection if—
  - (a) in a case where the length of the line as a whole after the diversion exceeds or is intended to exceed ten miles (whether or not its length before the diversion exceeded ten miles) or a case where its length after diversion neither exceeds nor is intended to exceed ten miles but before diversion exceeded or was intended to exceed ten miles, the diversion is effected pursuant to an authorisation in that behalf (in this Act referred to as a " pipe-line diversion authorisation ") granted by the Minister and so much of the line as is diverted is placed along the route delineated on the map annexed to the authorisation or within such limits of lateral deviation therefrom as may be specified in the authorisation;
  - (b) in a case where the length of the line as a whole before diversion neither exceeded nor was intended to exceed ten miles and its length thereafter neither exceeds nor is intended to exceed ten miles, notice of intention to divert it is given to the Minister and so much of the line as is diverted is placed along the route delineated on the map which, by virtue of the following provisions of this section, must accompany the notice or within such limits of lateral deviation from that route as may be prescribed for the purposes of subsection (1) of the said section two.
- (2) The foregoing subsection shall have effect for the purpose of authorising the further lateral diversion of a length of a pipeline previously diverted pursuant thereto as it has effect for the purpose of authorising the original diversion of that length.

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*Status: This is the original version (as it was originally enacted).*

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- (3) Where a length of a pipe-line is diverted in pursuance of subsection (1) of this section, no offence in respect of the construction of the line shall be taken to be committed under section one or two of this Act.
- (4) Subsections (2) to (5) of section one of this Act shall, with the substitution, for references to a pipe-line construction authorisation and the execution of the works whose execution is authorised thereby, of references respectively to a pipe-line diversion authorisation and the execution of the works necessary to effect the diversion to be effected pursuant to such an authorisation, have effect for the purposes of paragraph (a) of subsection (1) of this section, and Part I of the First Schedule to this Act shall, as applied by this subsection, have effect subject to the modifications specified in Part II thereof.
- (5) Subsections (2) to (4) of section two of this Act shall apply to a notice for the purposes of paragraph (b) of subsection (1) of this section as they apply to a notice for the purposes of subsection (1) of that section with the following modifications:—
- (a) the name and address required by paragraph (a) of subsection (2) shall, instead of being that therein specified, be that of the person who (according to the circumstances of the case) is or will be the owner of the pipe-line in question ;
  - (b) paragraphs (b) and (c) of subsection (2) shall have effect with the substitution, for references to the proposed pipe-line, of references to the portion of pipe-line to be diverted and paragraph (d) of that subsection shall be omitted;
  - (c) subsections (3) and (4) shall have effect with the substitution, for references to the execution of the works to which the notice relates, of references to the execution of the works necessary to effect the diversion to which the notice relates.