



# Pipe-lines Act 1962

## 1962 CHAPTER 58

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

- 4 Power of the Minister to secure the removal of works executed in contravention of section 1 or 2**
- (1) If works are executed in land in contravention of subsection (1) of section one of this Act or subsection (1) of section two thereof, the Minister may serve on the person who executed them a notice requiring him to remove them.
  - (2) If a person on whom a notice is served under the foregoing subsection fails, before the expiration of six weeks from the date on which the notice was served, or such longer period (not exceeding twelve months from that date) as the Minister may on his application allow, to comply with the requirement imposed by the notice, the Minister may enter and remove the works in question and may recover from the person in default, in any court of competent jurisdiction, the expenses reasonably incurred by the Minister in so doing.
  - (3) A person shall not begin to remove any works in any land in compliance with a notice under subsection (1) of this section, and the Minister shall not enter, or begin to remove any works in, any land in exercise of the power conferred on him by the last foregoing subsection, except after seeking consultation with every owner, lessee and occupier of the land (except tenants for a month or any period less than a month).
  - (4) Where, in consequence of compliance with a requirement to remove any works imposed by a notice under subsection (1) of this section or of the exercise of the power to enter and remove any works conferred by subsection (2) thereof, a person, other than the person who executed the works, suffers loss by reason of damage to, or disturbance in the enjoyment of, any land or chattels, he shall be entitled, where the loss was suffered in consequence of such compliance, to compensation in respect of that loss from the person who executed the works, or, where the loss was suffered in consequence of the exercise of that power, to compensation in respect of that loss from the Minister; and the Minister may recover from the person who executed the works, in any court of competent jurisdiction, the amount of any compensation paid by the Minister under this subsection.

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*Status: This is the original version (as it was originally enacted).*

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- (5) The service of a notice under subsection (1) of this section in consequence of a contravention of either of the subsections therein mentioned shall be without prejudice to the taking of proceedings under the subsection in question in respect of the contravention.