



# Petroleum and Submarine Pipe-lines Act 1975

## 1975 CHAPTER 74

### PART III

#### SUBMARINE PIPE-LINES

##### *Safety and inspection*

#### 26 Safety

- (1) The Secretary of State may by regulations make such provision as he considers appropriate for the purpose of securing the proper construction and safe operation of pipe-lines, preventing damage to pipe-lines and securing the safety, health and welfare of persons engaged on pipe-line works ; and, without prejudice to the generality of the preceding provisions of this subsection, regulations in pursuance of this subsection may include provision with respect to the use of any aircraft, vessel, vehicle, structure, plant, equipment or other thing for the purposes of any pipe-line works and with respect to the movement of and the precautions to be taken on or in connection with any of those things which are used for the purposes of any pipeline works or are in the vicinity of a pipe-line or pipe-line works.
- (2) In the preceding subsection " pipe-line works " means works of any of the following kinds, namely—
  - (a) assembling or placing a pipe-line or length of pipe-line ;
  - (b) inspecting, testing, maintaining, adjusting, repairing, altering or renewing a pipe-line or length of pipe-line;
  - (c) changing the position of or dismantling or removing a pipe-line or length of pipe-line ;
  - (d) opening the bed of the sea for the purposes of works mentioned in the preceding paragraphs, tunnelling or boring for those purposes and other works needed for or incidental to those purposes ;

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*Status: This is the original version (as it was originally enacted).*

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- (e) works for the purpose of determining whether a 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.
- (3) References to a pipe-line in the preceding provisions of this section are to a controlled pipe-line but shall be construed as excluding—
- (a) any pipe-line so far as it forms part of—
    - (i) an offshore installation within the meaning of the Mineral Workings (Offshore Installations) Act 1971, or
    - (ii) such an other installation as is mentioned in section 44(1) of this Act, or
    - (iii) the equipment of a vessel or vehicle ; and
  - (b) any apparatus and works associated with a pipe or system of pipes and prescribed for the purposes of this paragraph.

## **27 Inspectors etc.**

- (1) The Secretary of State may appoint, as inspectors to assist him in the execution of this Part of this Act, such number of persons appearing to him to be qualified for the purpose as he considers appropriate from time to time; and the Secretary of State may make, to or in respect of any person appointed in pursuance of this subsection, such payments by way of remuneration or otherwise as the Secretary of State determines with the approval of the Minister for the Civil Service.
- (2) Provision may be made by regulations with respect to the powers and duties of inspectors appointed in pursuance of the preceding subsection and of any other persons acting on the directions of the Secretary of State in connection with the execution of this Part of this Act and with respect to the facilities to be accorded to such inspectors and other persons; and, without prejudice to the generality of the power conferred by the preceding provisions of this subsection, regulations made in the exercise of that power may include provisions as to—
- (a) powers to inspect pipe-lines;
  - (b) powers to enter upon premises, vessels and installations used or intended to be used in connection with a pipe-line or with activities relating to a pipe-line or a proposed pipe-line;
  - (c) powers to inspect and test equipment and, in special circumstances, to dismantle, test to destruction or take possession of articles of equipment;
  - (d) powers to require, in connection with the inspection of a pipe-line, the carrying out of procedures and the conduct of tests and, in special circumstances, the shutting down of the pipe-line or the discontinuance of the conveyance of things through the pipe-line ;
  - (e) powers exercisable in case of immediate or apprehended danger;
  - (f) powers to require the conveyance of persons and things to and from, and the provision for persons of reasonable accommodation and means of subsistence while they are on or in transit to or from, any vessel or installation;
  - (g) duties of persons to keep and produce records and to furnish information.
- (3) Provision may also be made by regulations with respect to the notification of and the holding of public inquiries into accidents connected with pipe-lines; and, without prejudice to the generality of the power conferred by the preceding provisions of this

subsection, regulations made in the exercise of that power may include provisions as to—

- (a) powers of entry and inspection for the purposes of an inquiry;
  - (b) powers for such purposes of summoning witnesses to give evidence or produce documents, of taking evidence on oath and of administering oaths or requiring the making of declarations;
  - (c) the making by the Secretary of State of payments to a person holding an inquiry, to any assessor appointed to assist him and to witnesses at an inquiry;
  - (d) the persons by whom and the manner in which the costs of an inquiry, including the remuneration of a person holding the inquiry, are to be defrayed.
- (4) The provision as to costs in pursuance of paragraph (d) of the preceding subsection may include—
- (a) provision for the payment of any costs out of money provided by Parliament;
  - (b) provision requiring any costs to be defrayed by any person who appears to the person holding the inquiry to be responsible in any degree for the accident in question by reason of any act or default of the first-mentioned person or of any servant or agent of his.
- (5) If an inquiry is held by virtue of subsection (3) of this section into an accident which causes the death of any person, no inquiry in respect of the death shall be held in pursuance of the Fatal Accidents Inquiry (Scotland) Act 1895 unless the Lord Advocate directs that such an inquiry is to be held in pursuance of that Act.
- (6) References to a pipe-line in the preceding provisions of this section are to a controlled pipe-line.