



# Pipe-lines Act 1962

## 1962 CHAPTER 58

### *Provisions for avoiding Obstructions to Navigation and Interference with telegraphic, &c, Lines*

#### **39 Avoidance of obstruction or danger to navigation by pipelines over or under harbour waters**

- (1) No person shall place a length of pipe-line above or beneath the surface of waters over which a harbour authority have jurisdiction except with the consent of the authority and subject to such (if any) reasonable conditions as they may impose for securing that the length does not constitute an obstruction or danger to navigation.
- (2) Consent, for the purposes of this section, of a harbour authority shall not be unreasonably withheld, and if a dispute arises—
  - (a) whether consent, for those purposes, of such an authority is unreasonably withheld, or
  - (b) whether conditions imposed under this section by such an authority are reasonable,it shall be referred to and determined by the Minister and the Minister of Transport jointly.
- (3) A person who contravenes subsection (1) of this section shall be liable, on summary conviction, to a fine not exceeding one hundred pounds.
- (4) In this section " harbour authority " has the same meaning as in section three of the Oil in Navigable Waters Act, 1955.

#### **40 Avoidance of interference with telegraphic, and c, lines**

- (1) Electrical apparatus forming part of a pipe-line shall be so constructed, installed and used as to prevent interference with any telegraphic line belonging to, or used by, the Postmaster General or with communication by means of any such line or with any apparatus used by railway undertakers for the purpose of signalling, or of controlling, directing or securing the safety of, traffic on their railway or the proper functioning of such apparatus.

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*Status: This is the original version (as it was originally enacted).*

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- (2) The expression " Act of Parliament" in section seven of the Telegraph Act, 1878 (which makes provision as to work done in pursuance of Acts of Parliament involving any telegraphic lines), shall be construed as including a compulsory rights order.
- (3) In this section " telegraphic line " has the same meaning as in the Telegraph Act, 1878.