



# Pipe-Lines Act 1962

1962 CHAPTER 58 10 and 11 Eliz 2

## *Control of Construction of Pipe-lines*

- 4 Power of the Minister to secure the removal of works executed in contravention of section 1.**
- (1) If works are executed in land in contravention of subsection (1) of section one of this Act <sup>F1</sup> . . . , 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 [<sup>F2</sup>every owner, lessee and occupier of the land (except tenants for a month or any period less than a month)][<sup>F2</sup>every person who falls within subsection (3A)]].
- [<sup>F3</sup>(3A) A person falls within this subsection if he is—
- (a) an owner, lessee, tenant (whatever the tenancy period) or occupier of the land;
  - (b) a person to whom the applicant would, if it were proceeding to purchase that land under section 5(1) of the Compulsory Purchase Act 1965, be required to give notice to treat, or
  - (c) a person who the applicant thinks would be likely to be entitled to make a claim for compensation under section 10 of that Act if the land were purchased under a compulsory purchase order, so far as he is known to the applicant after making diligent inquiry.]

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*Changes to legislation: There are currently no known outstanding effects for the Pipe-Lines Act 1962, Section 4. (See end of Document for details)*

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- (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.
- (5) The service of a notice under subsection (1) of this section in consequence of a contravention of [<sup>F4</sup>subsection (1) of section one of this Act] shall be without prejudice to the taking of proceedings under [<sup>F4</sup>that subsection] in respect of the contravention.

#### Textual Amendments

- F1** Words in s. 4(1) omitted (3.4.1999) by virtue of S.I. 1999/742, art. 2, **Sch. para. 1(2)**
- F2** Words in s. 4(3) substituted (E.W.) (24.5.2007) by Planning and Compulsory Purchase Act 2004 (Corresponding Amendments) Order 2007 (S.I. 2007/1519), art. 1(1), **Sch. para. 4(2)(a)** (with art. 1(3))
- F3** S. 4(3A) inserted (E.W.) (24.5.2007) by Planning and Compulsory Purchase Act 2004 (Corresponding Amendments) Order 2007 (S.I. 2007/1519), art. 1(1), **Sch. para. 4(2)(b)** (with art. 1(3))
- F4** Words in s. 4(5) substituted (3.4.1999) by S.I. 1999/742, arts. 1, 2, **Sch. para. 1(3)** (with art. 3)

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

- C1** S. 4: transfer of certain functions (1.7.1999) by S.I. 1999/1750, arts. 1, 2, **Sch. 1** (with art. 7)  
S. 4: certain functions exercisable (30.6.1999) by S.I. 1999/1756, arts. 1, 2, **Sch. para. 1** (with art. 8)
- C2** S. 4 modified (16.9.2011) by The Storage of Carbon Dioxide (Access to Infrastructure) Regulations 2011 (S.I. 2011/2305), regs. 1, **19(1)**

**Changes to legislation:**

There are currently no known outstanding effects for the Pipe-Lines Act 1962, Section 4.