



Oil and Gas (Enterprise) Act 1982

1982 CHAPTER 23

PART II

GAS

Use by other persons of pipe-lines belonging to Gas Corporation

15 Construction of pipe-lines by Gas Corporation

- (1) The Gas Corporation shall not at any time execute any works for the construction of a high pressure pipe-line unless, not less than two years (or such shorter period as the Secretary of State may allow) before that time, it has given notice to the Secretary of State stating that it intends to execute the works.
- (2) A notice under subsection (1) above shall—
 - (a) specify the points between which the proposed pipe-line is to run and be accompanied by a map (drawn to a scale not less than 1:1,500,000) on which is delineated the route which it is proposed to take ;
 - (b) specify the length, diameter and capacity of the proposed pipe-line, the kind of gas which it is designed to convey and the quantities of gas which the Gas Corporation requires or expects to require to be conveyed by the pipe-line in order to secure the performance by the Corporation of its statutory duties and contractual obligations; and
 - (c) contain such other particulars (if any) as may be prescribed by regulations made by the Secretary of State.
- (3) The Secretary of State shall cause to be published in such publication or publications as he considers appropriate notice of the receipt by him of any notice under subsection (1) above; and a notice so published shall—
 - (a) specify the points between which the proposed pipe-line is to run;
 - (b) name a place or places where a copy of the notice under subsection (1) above (and of the map accompanying it) may be inspected free of charge, and copies thereof may be obtained at a reasonable charge, at all reasonable hours; and

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- (c) specify the time within which, and the manner in which, representations may be made as to the matters mentioned in paragraphs (a) and (b) of subsection (4) below.
- (4) Where in the light of any such representations duly made the Secretary of State is satisfied—
- (a) that a demand exists or is likely to arise for the conveyance of gas of, or of a kind similar to, the kind specified in the notice under subsection (1) above; and
 - (b) that the routes along which the gas will require to be conveyed will severally be, as to the whole or any part thereof, the same or substantially the same as the route or any part of the route so specified,
- then, subject to subsection (6) and section 17(4) below, the Secretary of State may give directions to the Corporation in accordance with subsection (5) below.
- (5) Directions under subsection (4) above may—
- (a) require the Gas Corporation to secure that the pipe-line, or any length of it specified in the directions, shall be so constructed as to be capable of conveying quantities so specified of gas of, or of a kind similar to, the kind specified in the notice under subsection (1) above;
 - (b) specify the sums or the method of determining the sums which the Secretary of State considers should be paid to the Corporation by such of the persons who made representations to the Secretary of State as are specified in the directions for the purpose of defraying so much of the cost of constructing the pipe-line as is attributable to that requirement;
 - (c) specify the arrangements which the Secretary of State considers should be made by each of those persons, within a period specified in that behalf in the directions, for the purpose of securing that those sums will be paid to the Corporation if it constructs the pipe-line in accordance with that requirement;
 - (d) provide that the Corporation may, if such arrangements are not made by any of those persons within the period aforesaid, elect in the manner specified in the directions that the requirement shall have effect with such modifications as are so specified with a view to eliminating the consequences of the representations made by that person.
- (6) The Secretary of State shall not give directions under subsection (4) above without first giving the Gas Corporation particulars of the requirement he proposes to specify in the directions and an opportunity of being heard about the matter; and the said particulars must be given to the Corporation within six months of the Secretary of State receiving the notice under subsection (1) above.
- (7) If, after a notice under subsection (1) above has been given to the Secretary of State, the execution of the works to which the notice relates has not been substantially begun at the expiration of three years from the date on which it was given to him, or at the expiration of any extension of that period which he may allow, the notice shall be treated as invalid for the purposes of that subsection except as regards works previously executed.
- (8) This section shall not apply as respects works for the completion of a pipe-line of which the construction was begun before the commencement date or, if the Secretary of State so directs in the case of any works, within three years of that date.
- (9) In this section and sections 16 and 17 below—
- "gas" has the same meaning as in Part III of the 1972 Act;

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" high pressure pipe-line " means any pipe-line which—

- (a) has a design operating pressure exceeding 7 bars; or
- (b) is of a class specified in an order made by the Secretary of State ;

" pipe-line " has the same meaning as in the Pipe-lines Act 1962;

" statutory duties", in relation to the Gas Corporation, means the duties imposed on the Corporation by section 2(1) of and paragraph 2 of Schedule 4 to the 1972 Act.