

SCHEDULES

SCHEDULE 4

MINOR AND CONSEQUENTIAL AMENDMENTS

Pipe-lines Act 1962 (c. 58)

- 6 (1) In section 58(1) of the Pipe-lines Act 1962 (exclusion of application of Act to pipe-lines of certain statutory bodies), for paragraph (a) there shall be substituted the following paragraph—
- “(a) a public gas transporter within the meaning of Part I of the Gas Act 1986;”
- (2) After that section there shall be inserted the following sections—

“58A Avoidance of damage by buildings etc to pipe-lines of a public gas transporter

- (1) Notwithstanding subsection (4) of section 58 of this Act, but subject to subsection (2) of this section, the references to a pipe-line in sections 27(1) and 31(1) of this Act (protection of pipe-lines imperilled by buildings, structures or deposits) shall include references to any pipe-line operated by a public gas transporter other than one laid in a street or a service pipe.
- (2) The application by virtue of subsection (1) of this section of sections 27(1) and 31(1) of this Act to a particular part of any pipe-line shall be dependent upon there having been previously deposited with every local authority in whose area the part lies by the public gas transporter a map (drawn to an appropriate scale) showing the route taken by the part.
- (3) A local authority holding a map relating to a pipe-line operated by a public gas transporter shall keep the map at their offices, and shall secure that it is open to inspection by any person at all reasonable times free of charge.
- (4) In this section—
- “local authority” means—
- (a) in England, the council of a county, district or London borough, and the Common Council of the City of London;
- (b) in Wales, the council of a county or county borough; and
- (c) in Scotland, a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994;
- “public gas transporter” and “service pipe” have the same meanings as in Part I of the Gas Act 1986;
- “street” has the same meaning as in Part III of the New Roads and Street Works Act 1991.

Status: This is the original version (as it was originally enacted).

- (5) In relation to any time before 1st April 1996, the definition of “local authority” in subsection (4) of this section shall have effect as if—
- (a) in paragraph (b), for the words “county borough” there were substituted the word “district”; and
 - (b) in paragraph (c), for the words “a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994” there were substituted the words “an islands or district council”.
- (6) In its application to Scotland this paragraph shall have effect with the substitution for any reference to a street of a reference to a road within the meaning of Part IV of the New Roads and Street Works Act 1991.

58B Exclusion of application of Act to construction of small pipes

- (1) In relation to the construction, by any person other than a public gas transporter, of a pipe to which this section applies—
- (a) references in sections 1 to 14 of this Act to a pipe-line shall be construed as not including references to such a pipe; and
 - (b) references in those sections to pipe-line works shall be construed as not including references to works executed in connection with the construction of a such a pipe.
- (2) This section applies to any pipe—
- (a) by which any premises are proposed to be connected to a distribution main of a public gas transporter; and
 - (b) by which gas is proposed to be conveyed to premises at a rate which is not expected to exceed 75,000 therms in any period of twelve months.
- (3) The Secretary of State may, after consulting the Director General of Gas Supply, by order amend subsection (2) above by substituting—
- (a) where the limit is for the time being expressed by reference to a number of therms—
 - (i) such lower number of therms as he considers appropriate; or
 - (ii) such lower limit, expressed by reference to a number of kilowatt hours, as he considers appropriate; or
 - (b) where the limit is for the time being expressed by reference to a number of kilowatt hours, such lower number of kilowatt hours as he considers appropriate.
- (4) An order under subsection (3) above shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (5) In this section “distribution main” and “public gas transporter” have the same meanings as in Part I of the Gas Act 1986.
- (6) In relation to any time after 31st December 1999, the reference in subsection (2) above to 75,000 therms shall be construed as a reference to 2,196,000 kilowatt hours.
- (7) This section is without prejudice to anything in section 58 of this Act.”