



Petroleum Act 1998

1998 CHAPTER 17

PART III

SUBMARINE PIPELINES

28 Interpretation of Part III.

(1) Except where the context otherwise requires, in this Part of this Act the following expressions have the following meanings—

“authorisation” means an authorisation required by section 14;

“construction”, in relation to a pipeline, includes placing, and cognate expressions shall be construed accordingly;

[^{F1}“controlled petroleum pipeline” means any controlled pipeline or one of a network of controlled pipelines operated or constructed as part of a petroleum production project or used to convey petroleum from the site of one or more such projects—

(a) directly to premises, in order for that petroleum to be used at those premises for power generation or for an industrial process;

(b) directly to a place outside Great Britain;

(c) directly to a terminal; or

(d) indirectly to a terminal by way of one or more other terminals, whether or not such intermediate terminals are of the same kind as the final terminal;]

“controlled pipeline” and “controlled waters” have the meanings given to them by section 14;

[^{F2}“downstream gas pipeline” means a controlled pipeline, other than a controlled petroleum pipeline, which is used to convey gas to or from a place outside Great Britain;]

“enactment” includes an enactment of the Parliament of Northern Ireland or of the Northern Ireland Assembly;

[^{F3}“gas” means any substance which consists wholly or mainly of—

(a) methane, ethane, propane, butane, hydrogen or carbon monoxide;

(b) a mixture of two or more of those gases; or

Status: Point in time view as at 10/08/2000. This version of this provision has been superseded.

Changes to legislation: Petroleum Act 1998, Section 28 is up to date with all changes known to be in force on or before 19 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

(c) a combustible mixture of one or more of those gases and air;

^{F3}“gas processing facility” means any facility in Great Britain operated otherwise than by a public gas transporter which carries out gas processing operations;

^{F3}“gas processing operation” means any of the following operations, namely—

(a) purifying, blending, odourising or compressing gas for the purpose of enabling it to be introduced into a pipeline system operated by a public gas transporter or to be conveyed to an electricity generating station, a gas storage facility or any place outside Great Britain;

(b) removing from gas for that purpose any of its constituent gases, or separating from gas for that purpose any oil or water; and

(c) determining the quantity or quality of gas which is or is to be so introduced, or so conveyed, whether generally or by or on behalf of a particular person;]

“heard” means heard on behalf of the Secretary of State by a person appointed by him for the purpose;

“holder”, in relation to an authorisation, means the person to whom the authorisation was issued;

“notice” means notice in writing;

[^{F4}“offshore gas storage facility” means the facility for the storage of gas known as the “Rough” facility, situated to the east of Hull in the Southern North Sea at grid reference 0° 27iE 53° 50iN;

^{F4}“petroleum” has the same meaning as in Part I of this Act, and includes petroleum which has undergone any processing;

^{F4}“petroleum production project” means a project carried out by virtue of a licence granted under section 3, or an equivalent project in a foreign sector of the continental shelf, and includes such a project which is used for the storage of gas;]

“pipeline”, in relation to an application for a works authorisation, means the proposed pipeline in respect of which the application is made;

“prescribed” means prescribed by regulations; and

[^{F5}“public gas transporter” means a public gas transporter within the meaning of Part I of the Gas Act 1986;

^{F5}“terminal” includes—

(a) onshore facilities in the United Kingdom for such initial blending and other treatment as may be required to produce stabilised crude oil and other hydrocarbon liquids to the point at which a seller could reasonably make a delivery to a purchaser of such oil and liquids;

(b) gas processing facilities; and

(c) a facility for the reception of gas prior to its conveyance to a place outside Great Britain;]

“works authorisation” means an authorisation—

(a) for works for the construction of a pipeline; or

(b) for such works and for the use of the pipeline.

(2) For the purposes of this Part of this Act, works at any place in, under or over controlled waters for the purpose of determining whether the place is suitable as part of the site of a proposed pipeline and the carrying out of surveying operations for the purpose of settling the route of a proposed pipeline are not works for the construction of a pipeline.

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- (3) Any reference in this Part of this Act to a contravention of a provision of this Part or regulations made or directions given under this Part includes a reference to a failure to comply with that provision.
- (4) Subsections (1) to (3) of section 49 of the ^{M1}Pipe-lines Act 1962 (service of documents) have effect as if—
- (a) references to that Act included references to this Part of this Act; and
 - (b) in subsection (3), after “arrangements agreed” there were inserted “ or in accordance with regulations under Part III of the Petroleum Act 1998 ”.
- (5) In the application of subsection (4) to Northern Ireland, section 49(1) to (3) of the Pipe-lines Act 1962 shall have effect as if it extended to Northern Ireland.
- (6) Except so far as this Part of this Act otherwise expressly provides, nothing in this Part of this Act—
- (a) confers a right of action in any civil proceedings (other than proceedings for recovery of a fine) in respect of any contravention of this Part of this Act or an order or regulations made under it;
 - (b) affects any restriction imposed by or under any other enactment, whether public, local or private; or
 - (c) derogates from any right of action or other remedy (whether civil or criminal) in proceedings instituted otherwise than under this Act.
- (7) Subsection (6) is subject to section 18 of the ^{M2}Interpretation Act 1978 (duplicated offences).

Textual Amendments

- F1** S.28(1): definition of “controlled petroleum pipeline” inserted (10.8.2000) by [S.I. 2000/1937, reg. 2\(4\)](#), [Sch. 4 para. 9\(a\)](#)
- F2** S. 28(1): definition of “downstream gas pipeline” inserted (10.8.2000) by [S.I. 2000/1937, reg. 2\(4\)](#), [Sch. 4 para. 9\(b\)](#)
- F3** S. 28(1): definitions of “gas”, “gas processing facility” and “gas processing operation” inserted (10.8.2000) by [S.I. 2000/1937, reg. 2\(4\)](#), [Sch. 4 para. 9\(c\)](#)
- F4** S. 28(1): definitions of “offshore gas storage facility”, “petroleum” and “petroleum production project” inserted (10.8.2000) by [S.I. 2000/1937, reg. 2\(4\)](#), [Sch. 4 para. 9\(d\)](#)
- F5** S. 28(1): definitions of “public gas transporter” and “terminal” inserted (10.8.2000) by [S.I. 2000/1937, reg. 2\(4\)](#), [Sch. 4 para. 9\(e\)](#)

Marginal Citations

- M1** 1962 c. 58.
M2 1978 c. 30.

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