
STATUTORY INSTRUMENTS

1996 No. 275

The Gas (Northern Ireland) Order 1996

PART III

SAFETY

Safety of pipe-lines

Power of Department to impose requirements with respect to mode of construction, etc., of pipe-lines

50.—(1) The Department may at any time if it considers it necessary so to do in the interests of safety, by notice served on a person who is executing, or is proposing to execute, works in land for the construction of a pipe-line, prohibit—

- (a) the execution of works for the construction of the line or any specified length thereof, otherwise than in such manner as may be specified;
- (b) the construction of any specified length of the line except of such materials, and with the inclusion of such safety devices, as may be specified;
- (c) the incorporation in any specified length of the line in the course of the construction thereof of component parts of a specified class which do not comply with such requirements as may be specified;
- (d) the placing of the line or any specified length thereof (so far as it falls to be placed below the surface of the ground) at a depth below that surface less than such as may be specified;

and in this paragraph “specified” means specified in the notice.

(2) A notice under paragraph (1) has effect only in relation to works falling to be executed after the service of the notice.

(3) If, before the expiration of 12 weeks from the date on which a notice is served on any person under paragraph (1), he serves a counter-notice on the Department objecting to the notice, the Department shall afford him an opportunity of appearing before and being heard by a person appointed by the Department for the purpose.

(4) Before the expiration of 12 weeks from the date on which any hearing under paragraph (3) is concluded, the Department shall consider the objection and the report of the person appointed to hear the objector and, by notice served on the objector—

- (a) quash the notice objected to, or
- (b) confirm it without modification, or
- (c) confirm it with such modification as appears to the Department to meet the objection.

(5) The quashing of a notice served under paragraph (1) shall not affect the previous operation of the notice or be taken to prevent the service of a fresh notice.

(6) Any person who, in executing works for the construction of a pipe-line, fails to comply with a prohibition imposed by a notice served under paragraph (1), shall be guilty of an offence.