



Petroleum and Submarine Pipe-lines Act 1975

1975 CHAPTER 74

PART III

SUBMARINE PIPE-LINES

Construction and use of pipe-lines

21 Authorisations for pipe-lines

- (1) The provisions of Part I of Schedule 4 to this Act shall have effect with respect to applications for and notice of works, authorisations, and the provisions of Part II of that Schedule shall have effect with respect to notice of other authorisations.
- (2) It shall be the duty of the Secretary of State not to issue an authorisation to a person other than a body corporate.
- (3) Any authorisation in respect of a controlled pipe-line may contain such terms as the Secretary of State thinks appropriate including in particular, without prejudice to the generality of the preceding provisions of this subsection, terms as to—
 - (a) the duration of the authorisation, including the method of ascertaining its duration ;
 - (b) the persons or kinds of persons who are authorised to execute the works in question or to use the pipe-line or are so authorised if the Secretary of State consents to the execution of the works or the use of the pipeline by them;
 - (c) in the case of a works authorisation, the route of the pipe-line, the boundaries within which any works may be executed in pursuance of the authorisation, the design and capacity of the pipe-line or of part of it and the steps to be taken to avoid or reduce interference by the pipe-line with fishing or with other activities connected with the sea or the sea bed or subsoil;
 - (d) the things authorised to be conveyed by the pipe-line ;

Status: This is the original version (as it was originally enacted).

- (e) the steps to be taken for the purpose of ensuring that funds are available to discharge any liability for damage attributable to the release or escape of any thing from the pipe-line ;
 - (f) the transactions relating to the pipe-line which are not to be entered into, and the other things relating to the pipe-line which are not to be done, without the consent of the Secretary of State ;
 - (g) the persons who may be permitted to acquire an interest in the pipe-line and who may not be permitted to retain such an interest;
 - (h) the operation of the pipe-line, including the methods by which it is to be operated and the persons by whom it may be operated;
 - (i) the information to be furnished in respect of the pipeline ; and
 - (j) the giving by the Secretary of State, with respect to matters specified in the authorisation, of directions which shall have effect as terms of the authorisation.
- (4) Except in a case where the Secretary of State considers that there are special circumstances by reason of which the duration of an authorisation should be limited, the terms as to its duration which are included in an authorisation shall provide for its duration to be unlimited unless the authorisation ceases to be in force by virtue of the following provisions of this Part of this Act.
- (5) Where a works authorisation contains a term requiring that the capacity of the controlled pipe-line to which it relates or of any part of the pipe-line shall be greater than that proposed in the application for the authorisation or requiring that any of the route of the pipe-line shall be different from that so proposed then, subject to section 23(4) of this Act, the Secretary of State may serve on the holder of the authorisation, and on any other person who made representations to the Secretary of State that the capacity proposed as aforesaid should be greater or that any of the route so proposed should be different, a notice—
- (a) specifying the sums or the method of determining the sums which the Secretary of State considers should be paid to the holder by the other person for the purpose of defraying so much of the cost of constructing the pipe-line as is attributable to the term ;
 - (b) requiring the other person to make, within a period specified in that behalf in the notice, arrangements which the Secretary of State considers are appropriate for the purpose of securing that those sums will be paid to the holder if he constructs the pipe-line or a relevant part of it in accordance with the term or satisfies the Secretary of State that he will so construct it;
 - (c) providing that the holder may, if such arrangements are not made by the other person within that period, elect in the manner specified in the notice that—
 - (i) the term shall have effect with such modifications as are so specified with a view to eliminating the consequences of the representations of the other person, and
 - (ii) the provisions included in the notice by virtue of the following paragraph shall cease to have effect; and
 - (d) authorising the holder, if he satisfies the Secretary of State that the pipe-line or a relevant part of it has been or will be constructed in accordance with the term, to recover those sums from the other person.