

*Changes to legislation: There are currently no known outstanding effects for the Energy Act 2011, Cross Heading: Pipe-lines Act 1962. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 2

#### UPSTREAM PETROLEUM INFRASTRUCTURE: MINOR AND CONSEQUENTIAL AMENDMENTS

##### *Pipe-lines Act 1962*

1 The Pipe-lines Act 1962 is amended in accordance with paragraphs 2 to 7.

#### Commencement Information

**II** Sch. 2 para. 1 in force at 21.3.2012 by S.I. 2012/873, art. 2(b)(i) (with art. 4)

2 In section 9 (provisions for securing that a pipeline is so constructed as to reduce necessity for construction of others)—

(a) in subsection (8) for the words from “applications” to the end substitute “with respect to the proposed pipe-line—

(a) an application of a kind mentioned in subsection (1)(a) of section 82 of the Energy Act 2011 (acquisition of rights to use upstream petroleum infrastructure), and

(b) if applicable, an application under subsection (4) of that section.”;

(b) after subsection (8) insert—

“(9) For the purposes of an application made with respect to a proposed pipe-line by virtue of subsection (8)—

(a) sections 82 and 83 of the Energy Act 2011 shall have effect as if—

(i) references to a pipe-line were references to the proposed pipe-line as it would be once constructed in accordance with the condition attached by virtue of subsection (1) of this section;

(ii) references to the owner of a pipe-line were reference to the proposed owner of the proposed pipeline;

(b) section 84 of the Energy Act 2011 shall be disregarded.”

#### Commencement Information

**I2** Sch. 2 para. 2 in force at 21.3.2012 by S.I. 2012/873, art. 2(b)(i) (with art. 4)

3 In section 9A (provisions for securing that an additional pipe-line is so constructed as to reduce necessity for construction of other pipe-lines)—

(a) in subsection (8) for the words from “applications” to the end substitute “with respect to the proposed pipe-line—

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- (a) an application of a kind mentioned in subsection (1)(a) of section 82 of the Energy Act 2011 (acquisition of rights to use upstream petroleum infrastructure), and
  - (b) if applicable, an application under subsection (4) of that section.”;
- (b) after subsection (8) insert—
- “(9) For the purposes of an application made with respect to a proposed pipe-line by virtue of subsection (8)—
- (a) sections 82 and 83 of the Energy Act 2011 shall have effect as if—
    - (i) references to a pipe-line were references to the proposed pipe-line as it would be once constructed in accordance with the notice served under subsection (1) of this section;
    - (ii) references to the owner of a pipe-line were reference to the proposed owner of the proposed pipeline;
  - (b) section 84 of the Energy Act 2011 shall be disregarded.”

**Commencement Information**

**I3** Sch. 2 para. 3 in force at 21.3.2012 by S.I. 2012/873, art. 2(b)(i) (with art. 4)

- 4 In section 10A(2) for “, 10(4) or 10E(9)” substitute “ or 10(4) ”.

**Commencement Information**

**I4** Sch. 2 para. 4 in force at 21.3.2012 by S.I. 2012/873, art. 2(b)(i) (with art. 4)

- 5 Sections 10E to 10H (provisions for securing that upstream petroleum pipe-lines are so used as to reduce necessity for construction of other etc) are repealed.

**Commencement Information**

**I5** Sch. 2 para. 5 in force at 21.3.2012 by S.I. 2012/873, art. 2(b)(i) (with art. 4)

- 6 In section 65(2) (meaning of “pipeline”) omit paragraph (g) and the “and” immediately before that paragraph.

**Commencement Information**

**I6** Sch. 2 para. 6 in force at 21.3.2012 by S.I. 2012/873, art. 2(b)(i) (with art. 4)

- 7 In section 66(1) (general interpretation provisions)—
- (a) in paragraph (c) of the definition of “owner” for the words from “sections 10C” to “section 10E(2)” substitute “ section 10C ”;
  - (b) for the definition of “upstream petroleum pipe-line” substitute—
 

““upstream petroleum pipe-line” has the meaning given by section 90(1) of the Energy Act 2011”.

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**Commencement Information**

**I7** Sch. 2 para. 7 in force at 21.3.2012 by S.I. 2012/873, **art. 2(b)(i)** (with art. 4)

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