



**THE PETROLEUM PIPELINES REGULATIONS 1964,
AMENDMENT NO. 2**

KEITH HOLYOAKE, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 27th day of November 1978

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Petroleum Act 1937, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Petroleum Pipelines Regulations 1964, Amendment No. 2, and shall be read together with and deemed part of the Petroleum Pipelines Regulations 1964* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the day after the date of their notification in the *Gazette*.

2. Pipeline easement certificates—Regulation 10 of the principal regulations is hereby amended by adding the following subclause:

“(2) A pipeline easement certificate issued by the Minister under section 70A of the Act shall be in form 6 in the First Schedule hereto.”

3. New Form 6—The First Schedule to the principal regulations is hereby amended by adding form 6 set out in the Schedule hereto.

SCHEDULE

Reg. 3

NEW FORM 6

Form 6

Reg. 10 (2)

PIPELINE(S) EASEMENT CERTIFICATE

Section 70A, Petroleum Act 1937

PURSUANT to the provisions of the Petroleum Act 1937 (in this certificate referred to as the Act), the Minister of Energy hereby certifies that a pipeline(s) (as defined in section 49 of the Act) is/are authorised to pass on, over or through the land described in the Schedule herein (in this certificate referred to as the said land) upon the following terms and conditions:

1. The parties interested (hereinafter called easement holders) and acting as or on behalf of the owner of the pipeline(s) are:

2. The easement holders shall comply jointly and severally with the provisions of the Act and the regulations in force thereunder.

3. The pipeline(s) has/have been placed along the line(s) delineated on the plan annexed hereto marked—.

4. Upon the issue of this certificate the easement holders shall have the right of entry on the said land pursuant to subsection (6) of section 70 of the Act for the purpose of exercising the rights conferred on them by the Act, and any regulations made thereunder, and by the pipeline authorisation.

5. For the purposes of subsection (11) of section 70A of the Act, this certificate shall apply to the strip of land shown on the said plan and not exceeding 20 metres in width under, upon, or over which the pipeline(s) pass(es) (in this certificate referred to as the said strip), and each of the easement holders shall have the right from time to time after the issue hereof to remove from the said strip all cultivated or natural vegetation, including trees and shrubs.

6. The owner or occupier of the said land shall have the right to use it (except for such use as may be reasonably held to interfere with the enjoyment of the rights of any of the parties interested in the pipeline(s) hereunder, or under the Act, or under the pipeline authorisation), but shall not erect any building, construction, or fence or plant any tree or shrub on the said strip, disturb the soil of the said strip below a depth of 0.4 metre from the surface, or do, cause, or permit anything to be done which would or could damage or endanger the pipeline(s) without the consent of the operator(s) of the pipeline(s) being first obtained. Any such consent shall not be unreasonably withheld.

7. All consents and notices required to be issued under the Petroleum Act 1937 shall be given to or sent to the pipeline operator(s).

8. Where the pipeline(s) is/are below the surface of the ground, it is/ they are buried so that it/they will not interfere with the ordinary cultivation of the said land, and in maintaining, repairing, renewing, changing, or removing the pipeline(s), the pipeline operator(s) shall restore the surface of the said land, as nearly as possible, to its former condition or state.

SCHEDULE—*continued*

9. Such of the rights, easements, or obligations hereinbefore recited or referred to which place a burden on the said land or on the owner or occupier of the said land shall be binding on him the said owner or occupier, his or their successors, executors, administrators, and assigns, and such of them as place a burden on any of the easement holders shall be binding on them, their successors, executors, administrators, and assigns.

P. G. MILLEN,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations prescribe the form of the pipeline easement certificate which may be issued under section 70A of the Petroleum Act 1937.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 30 November 1978.

These regulations are administered in the Ministry of Energy (Mines Division).