

Bill No. 4 of 1949 (2nd Session)

A BILL TO AMEND THE PIPE LINE ACT.

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NOTE.

This Bill amends *The Pipe Line Act*, being chapter 315 of the Revised Statutes of Alberta, 1942.

Section 2 is amended as to the definition of the term "gas" so that the definition conforms more closely to the definitions contained in the other legislation relating to oil and gas. A new definition of the term "pipe line" is also added to the interpretation section. The definition of the term "pipe line" makes it clear that this term includes property required for tanks, reservoirs, pumps, racks, storage, loading and other terminal facilities incidental to the pipe line.

Section 3 is amended for purposes of clarification without changing its meaning or effect.

Section 5 (c) is amended by adding some additional items which are required to be shown upon the map accompanying an application for a permit.

A new section 5a is added immediately after section 5. The effect of this new section is that when a company files an application, maps and other material with the Minister, when applying for a permit to construct a pipe line, a copy of all the material must also be filed with The Petroleum and Natural Gas Conservation Board. The Conservation Board may recommend to the Minister changes and alterations in the plan and its details.

Section 7 is amended to provide that the Minister, with the approval of the Conservation Board, may grant a permit for the construction of a pipe line.

Section 8 (b) has been amended by rewording it for purposes of clarification.

Section 9 is amended by striking out subsections (2), (3) and (4) and by substituting a new subsection. The new subsection is similar to the present subsection (4). Sections 9 and 10 gave the power to the Board of Public Utility Commissioners to declare pipe lines to be common purchasers or common carriers. This power is being transferred to The Petroleum and Natural Gas Conservation Board to assist in the enforcement of its conservation measures and accordingly subsections (2) and (3) of section 9 and all of section 10 are no longer necessary.

Section 11, which is the section empowering the Board of Public Utility Commissioners to make regulations relating to

pipe lines, is amended. Paragraphs (c), (d), (f) and (k) are struck out and a new paragraph (c) is substituted. The new paragraph (c) authorizes the making of regulations governing pipe lines which constitute a distribution system to ultimate consumers. The powers contained in paragraphs (d) and (f) are being transferred to the Conservation Board and will be found in the amendments to *The Oil and Gas Resources Conservation Act*. Paragraph (k) is unnecessary as the Board has this power under *The Public Utilities Act*.

A minor amendment is made to section 12 for purposes of clarification.

Section 15 is struck out as it is no longer necessary.

KENNETH A. MCKENZIE,  
*Acting Legislative Counsel.*

*(This note does not form any part of the Bill but is offered in explanation of its provisions.)*

# BILL

No. 4 of 1949 (2nd Session)

An Act to amend The Pipe Line Act.

(Assented to \_\_\_\_\_, 1949.)

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

**1.** *The Pipe Line Act*, being chapter 315 of the Revised Statutes of Alberta, 1942, is hereby amended as to section 2,—

(a) by striking out paragraph (a) and by substituting the following:

“(a) ‘gas’ includes natural gas both before and after it has been subjected to any treatment or process by absorption, purification, scrubbing or otherwise;”;

(b) by striking out the word “natural”, where it occurs in paragraph (c);

(c) by striking out paragraph (d) and by substituting the following:

“(d) ‘pipe line’ includes all property of any kind required for the purpose of the pipe line or in connection with or incidental to, the operation of the pipe line in the transporting, handling and delivery of gas or petroleum, and without restricting the generality of the foregoing, includes all property required for tanks, surface reservoirs, pumps, racks, storage, loading and other terminal facilities;”.

**2.** The said Act is further amended as to section 3 by striking out the words “laying mains or pipes” and by substituting the words “building, constructing or laying a pipe line”.

**3.** The said Act is further amended as to section 5 by striking out paragraph (c) and by substituting the following:

“(c) the location and capacity of all proposed pumping stations, gate valves, check valves, tanks, surface reservoirs, pumps, racks, storage, loading and other terminal facilities, and connections of all kinds upon the line.”.

4. The said Act is further amended by adding immediately after section 5 the following new section:

“5a.—(1) A copy of the application and all maps, plans, information and material filed with the Minister shall be filed with The Petroleum and Natural Gas Conservation Board at the same time.

“(2) The Petroleum and Natural Gas Conservation Board shall notify the Minister whether it approves or disapproves of the pipe line and may recommend to the Minister such changes and alterations in the plan and its details as the Board deems expedient.”.

5. The said Act is further amended as to section 7 by striking out the words “in his discretion, but” and by substituting the words “with the approval of The Petroleum and Natural Gas Conservation Board”.

6. The said Act is further amended as to section 8 by striking out paragraph (b) and by substituting the following:

“(b) upon obtaining the permit and upon compliance with such regulations as the Lieutenant Governor in Council may from time to time approve or prescribe, take and appropriate so much of the lands or interest therein of the Crown or other persons as may be necessary for the building, construction, laying or operating of the pipe line, and break up, dig, trench or use, the streets, squares, highways, lanes, public places and Crown or private lands necessary to exercise the rights granted in the permit.”.

7. The said Act is further amended as to section 9 by striking out subsections (2), (3) and (4) and by substituting the following:

“(2) The Board may, as a condition of granting the declaratory order, stipulate that until such time as the company is declared to be a common purchaser by order of The Petroleum and Natural Gas Conservation Board, the company shall not own or operate directly or indirectly any petroleum or gas well, petroleum or gas lease or petroleum or gas holdings or interests in the Province.”.

8. The said Act is further amended by striking out section 10.

9. The said Act is further amended as to section 11,—

(a) by striking out paragraphs (c) and (d) where they occur in subsection (1) and by substituting the following:

“(c) governing any pipe or any system or arrangement of pipes which constitutes a distribution system to ultimate consumers;”;

(b) by striking out paragraphs (*f*) and (*k*) of subsection (1).

**10.** The said Act is further amended as to section 12 by striking out the words "or the provisions of any order made by the Board under sections 9 or 10 or any other", where they occur in subsection (1), and by substituting the words "or any".

**11.** The said Act is further amended by striking out section 15.

**12.** This Act shall come into force on the day upon which it is assented to.

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SECOND SESSION  
**ELEVENTH LEGISLATURE**  
13 GEORGE VI  
1949

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**BILL**

An Act to amend The Pipe Line Act.

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Received and read the

First time .....

Second time .....

Third time .....

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HON. MR. McMILLAN.

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