

49. Enforcement of obligations

- (1) The obligations imposed on the DBNGP owner by this Part and by Schedule 1 create duties that are enforceable either —
 - (a) by civil proceedings in a court; or
 - (b) by proceedings before the referee,as prescribed by the regulations, but no breach of those obligations gives rise to an action for damages.
- (2) The terms and conditions on which access is to be made available under clause 2 of Schedule 1 are to be specified in a contract between the DBNGP owner and the shipper, but nothing in the contract can be inconsistent with this Act or the regulations.
- (3) Nothing in subsection (1) affects the enforceability of any contract to which the DBNGP owner is a party, or the availability of damages for a breach of any such contract.
- (4) Sections 177 and 178 of *The Criminal Code* do not apply to the obligations created by or under this Part and Schedule 1.