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STATUTORY INSTRUMENTS

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**2017 No. 1011**

**ELECTRONIC COMMUNICATIONS**

The Communications Act 2003 and the Digital Economy Act 2017 (Consequential Amendments to Secondary Legislation) Regulations 2017

*Made* - - - - *18th October 2017*  
*Laid before Parliament* *19th October 2017*  
*Coming into force in accordance with article 1(1)*

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 406(3) of the Communications Act 2003(1) and section 6(1) to (3) of the Digital Economy Act 2017(2).

**Citation, commencement and extent**

1.—(1) These Regulations may be cited as the Communications Act 2003 and the Digital Economy Act 2017 (Consequential Amendments to Secondary Legislation) Regulations 2017 and come into force on the day on which section 4 of, and Schedule 1 to, the Digital Economy Act 2017 come fully into force.

(2) These Regulations do not extend to the Channel Islands or the Isle of Man.

(3) Subject to paragraph (2), any amendment by these Regulations of an enactment has the same extent as the enactment specified.

**Amendments**

2.—(1) The amendments to legislation made under the Light Railways Act 1896(3) and the Transport and Works Act 1992(4) specified in Schedule 1 have effect.

(2) The amendments to road traffic legislation specified in Schedule 2 have effect.

(3) The amendments to planning legislation specified in Schedule 3 have effect.

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(1) 2003 c.21.  
(2) 2017 c.30. The effect of section 4 of that Act is to omit the code set out in Schedule 2 to the Telecommunications Act 1984 (c. 12) and replaces it with the code set out in Schedule 3A to the Communications Act 2003.  
(3) 1896 c.48 (59 & 60 Vict.). This Act is repealed by the Transport and Works Act 1992 (c.42). However, orders in force before 1st January 1993 were saved by S.I. 1992/2784.  
(4) 1992 c.42.

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(4) The amendments to other secondary legislation specified in Schedule 4 have effect.

Signed by authority of the Secretary of State for Digital, Culture, Media and Sport

*Matt Hancock*  
Minister of State  
Department for Digital, Culture, Media and  
Sport

18th October 2017

## SCHEDULE 1

Regulation 2(1)

AMENDMENT OF LEGISLATION MADE UNDER THE LIGHT RAILWAYS  
ACT 1896(5) AND THE TRANSPORT AND WORKS ACT 1992(6)

## PART 1

AMENDMENT OF REFERENCES TO  
THE TELECOMMUNICATIONS ACT 1984**References to Schedule 2 to the Telecommunications Act 1984**

1. In the instruments set out in the first column of the Table below, in the provisions set out in the third column, for Schedule 2 to the Telecommunications Act 1984” substitute “Schedule 3A to the Communications Act 2003”(7).

<i>Title of Instrument</i>	<i>Instrument number</i>	<i>Provision to be amended</i>
Derwent Valley Railway (Transfer) Light Railway Order 1987	<a href="#">S.I. 1987/75</a>	Article 5
North Norfolk (Extension and Amendment) Light Railway Order 1987	<a href="#">S.I. 1987/950</a>	Article 6
Yorkshire Dales Light Railway Order 1987	<a href="#">S.I. 1987/1088</a>	Article 9
Swanage Light Railway Order 1987	<a href="#">S.I. 1987/1443</a>	Article 7
South Tynedale Railway (Light Railway) Order 1987	<a href="#">S.I. 1987/1984</a>	Article 7
Kinneil and Manuel Light Railway Order 1988	<a href="#">S.I. 1988/725</a>	Article 7
Peak Rail Light Railway Order 1990	<a href="#">S.I. 1990/2350</a>	Article 6
Bitton Light Railway Order 1991	<a href="#">S.I. 1991/134</a>	Article 7
North Tyneside Steam Railway Light Railway Order 1991	<a href="#">S.I. 1991/933</a>	Article 9
Yorkshire Dales Light Railway Order 1991	<a href="#">S.I. 1991/1111</a>	Article 8
Isle of Wight Light Railway Order 1991	<a href="#">S.I. 1991/1619</a>	Article 8
Leicester North Station Light Railway Order 1991	<a href="#">S.I. 1991/1965</a>	Article 7

(5) [1896 c.48](#) (59 & 60 Vict.). This Act is repealed by the Transport and Works Act 1992 (c.42). However, orders in force before 1st January 1993 were saved by [S.I.1992/2784](#).

(6) [1992 c.42](#).

(7) Relevant amendments to these instruments are made by paragraph 18 of Schedule 1 to [S.I. 2003/2155](#).

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<i>Title of Instrument</i>	<i>Instrument number</i>	<i>Provision to be amended</i>
Kirklees Light Railway Order 1991	<a href="#">S.I. 1991/2194</a>	Article 8
Grimsby and Louth Light Railway Order 1991	<a href="#">S.I. 1991/2210</a>	Article 7(b)
Saundersfoot Steam Railway (Light Railway) Order 1991	<a href="#">S.I. 1991/2682</a>	Article 9
Chappel and Wakes Colne Light Railway Order 1994	<a href="#">S.I. 1994/84</a>	Article 7
Northampton and Lamport Light Railway Order 1995	<a href="#">S.I. 1995/1300</a>	Article 5
Oswestry Light Railway Order 1995	<a href="#">S.I. 1995/2142</a>	Article 8(3)
Great Central (Nottingham) Railway Order 1995	<a href="#">S.I. 1995/2143</a>	Article 10(4)
Low Moor Tramway Light Railway Order 1995	<a href="#">S.I. 1995/2501</a>	Article 7(2)
South Tynedale Railway (Light Railway) Order 1996	<a href="#">S.I. 1996/1829</a>	Article 7(3)
Bodmin and Wenford Light Railway Order 1996	<a href="#">S.I. 1996/2867</a>	Article 8(3)
Yorkshire Dales Light Railway Order 1997	<a href="#">S.I. 1997/102</a>	Article 9(3)
Golden Valley Railway Order 1997	<a href="#">S.I. 1997/1688</a>	Article 10(4)
Keith and Dufftown Light Railway Order 1999	<a href="#">S.I. 1999/2382</a>	Article 6(3)
Great Central Railway (East Leake Branch, etc) Order 2000	<a href="#">S.I. 2000/2585</a>	Article 10(4)
East Lancashire (Heywood Extension) Light Railway Order 2002	<a href="#">S.I. 2002/1384</a>	Article 7(3)

## PART 2

### AMENDMENT OF NETWORK RAIL ORDERS

#### Network Rail (West Coast Main Line) Order 2003

2.—(1) The Network Rail (West Coast Main Line) Order 2003<sup>(8)</sup> is amended as follows.

(2) In Schedule 13 (protective provisions), in Part II (protection for operators of an electronic communications code network), in paragraph 15, for “paragraph 9” substitute “Part 8”.

<sup>(8)</sup> [S.I. 2003/1075](#).

### **Network Rail (West Coast Main Line) Order 2004**

**3.**—(1) The Network Rail (West Coast Main Line) Order 2004<sup>(9)</sup> is amended as follows.

(2) In article 2(1) (interpretation)—

- (a) omit the definition of “conduit system”;
- (b) in paragraph (a) of the definition of “electronic communications code network”, for “conduit system” substitute “infrastructure system”;
- (c) in the appropriate place insert—

““infrastructure system” has the same meaning as in the electronic communications code and references to providing an infrastructure system are to be construed in accordance with paragraph 7 of that code;”.

(3) In Schedule 13 (protective provisions), in Part II (protection for operators of an electronic communications code network), in paragraph 15, for “paragraph 9” substitute “Part 8”.

### **Network Rail (Thameslink 2000) Order 2006**

**4.**—(1) The Network Rail (Thameslink 2000) Order 2006<sup>(10)</sup> is amended as follows.

(2) In article 2(1) (interpretation)—

- (a) omit the definition of “conduit system”;
- (b) in paragraph (a) of the definition of “electronic communications code network”, for “conduit system” substitute “infrastructure system”;
- (c) in the appropriate place insert—

““infrastructure system” has the same meaning as in the electronic communications code and references to providing an infrastructure system are to be construed in accordance with paragraph 7 of that code;”.

(3) In Schedule 10 (protective provisions), in Part 2 (protection for operators of an electronic communications code network), in paragraph 15, for “paragraph 9” substitute “Part 8”.

### **Network Rail (Nuneaton North Chord) Order 2010**

**5.**—(1) The Network Rail (Nuneaton North Chord) Order 2010<sup>(11)</sup> is amended as follows.

(2) In Schedule 10 (protection for operators of electronic communications code networks)—

- (a) in paragraph 1—
  - (i) omit the definition of “conduit system”;
  - (ii) in paragraph (a) of the definition of “electronic communications code network”, for “conduit system” substitute “infrastructure system”;
  - (iii) in the appropriate place insert—

““infrastructure system” has the same meaning as in the electronic communications code and references to providing an infrastructure system are to be construed in accordance with paragraph 7 of that code;”;

- (b) in paragraph 2, for “paragraph 9” substitute “Part 8”.

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<sup>(9)</sup> S.I. 2004/389.

<sup>(10)</sup> S.I. 2006/3117.

<sup>(11)</sup> S.I. 2010/1721.

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### **Network Rail (Ipswich Chord) Order 2012**

6.—(1) The Network Rail (Ipswich Chord) Order 2012<sup>(12)</sup> is amended as follows.

(2) In Schedule 7 (protective provisions), in Part 2 (for the protection of operators of electronic communications code networks)—

(a) in paragraph 11(2)—

(i) omit the definition of “conduit system”;

(ii) in paragraph (a) of the definition of “electronic communications code network”, for “conduit system” substitute “infrastructure system”;

(iii) in the appropriate place insert—

““infrastructure system” has the same meaning as in the electronic communications code and references to providing an infrastructure system are to be construed in accordance with paragraph 7 of that code;”;

(b) in paragraph 12, for “paragraph 23 of Schedule 2 to the Telecommunications Act 1984” substitute “Part 10 of Schedule 3A to the Communications Act 2003”.

### **Network Rail (North Doncaster Chord) Order 2012**

7.—(1) The Network Rail (North Doncaster Chord) Order 2012<sup>(13)</sup> is amended as follows.

(2) In Schedule 12 (protective provisions), in Part 2 (for the protection of operators of electronic communications code networks)—

(a) in paragraph 12—

(i) omit the definition of “conduit system”;

(ii) in paragraph (a) of the definition of “electronic communications code network”, for “conduit system” substitute “infrastructure system”;

(iii) in the appropriate place insert—

““infrastructure system” has the same meaning as in the electronic communications code and references to providing an infrastructure system are to be construed in accordance with paragraph 7 of that code;”;

(b) in paragraph 13, for “paragraph 23 of Schedule 2 to the Telecommunications Act 1984” substitute “Part 10 of Schedule 3A to the Communications Act 2003”.

### **Network Rail (Redditch Branch Enhancement) Order 2013**

8.—(1) The Network Rail (Redditch Branch Enhancement) Order 2013<sup>(14)</sup> is amended as follows.

(2) In article 2(1) (interpretation), in the definition of “electronic communications code” for “section 137(8)” substitute “section 106(1)”.

(3) In Schedule 10 (protective provisions), in Part 2 (protection for operators of electronic communications code networks)—

(a) in paragraph 11(2)—

(i) omit the definition of “conduit system”;

(ii) in paragraph (a) of the definition of “electronic communications code network”, for “conduit system” substitute “infrastructure system”;

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<sup>(12)</sup> S.I. 2012/2284.

<sup>(13)</sup> S.I. 2012/2635.

<sup>(14)</sup> S.I. 2013/2809.

(iii) in the appropriate place insert—

““infrastructure system” has the same meaning as in the electronic communications code and references to providing an infrastructure system are to be construed in accordance with paragraph 7 of that code;”

(b) in paragraph 12 for “paragraph 23 of Schedule 2 to the Telecommunications Act 1984” substitute “Part 10 of Schedule 3A to the Communications Act 2003”.

#### **Network Rail (Norton Bridge Area Improvements) Order 2014**

**9.**—(1) The Network Rail (Norton Bridge Area Improvements) Order 2014(**15**) is amended as follows.

(2) In Schedule 10 (protective provisions), in Part 2 (for the protection of operators of electronic communications code networks)—

(a) in paragraph 11(2)—

(i) omit the definition of “conduit system”;

(ii) in paragraph (a) of the definition of “electronic communications code network”, for “conduit system” substitute “infrastructure system”;

(iii) in the appropriate place insert—

““infrastructure system” has the same meaning as in the electronic communications code and references to providing an infrastructure system are to be construed in accordance with paragraph 7 of that code;”;

(b) in paragraph 12, for “paragraph 23 of Schedule 2 to the Telecommunications Act 1984” substitute “Part 10 of Schedule 3A to the Communications Act 2003”.

#### **Network Rail (Huyton) Order 2014**

**10.**—(1) The Network Rail (Huyton) Order 2014(**16**) is amended as follows.

(2) In Schedule 8 (protection for operators of electronic communications code networks)—

(a) in paragraph 1(2)—

(i) omit the definition of “conduit system”;

(ii) in paragraph (a) of the definition of “electronic communications code network”, for “conduit system” substitute “infrastructure system”;

(iii) in the appropriate place insert—

““infrastructure system” has the same meaning as in the electronic communications code and references to providing an infrastructure system are to be construed in accordance with paragraph 7 of that code;”;

(b) in paragraph 2, for “paragraph 9” substitute “Part 8”.

#### **Network Rail (Ordsall Chord) Order 2015**

**11.**—(1) The Network Rail (Ordsall Chord) Order 2015(**17**) is amended as follows.

(2) In Schedule 12 (protective provisions), in Part 2 (for the protection of operators of electronic communications code networks), in paragraph 12(2)—

(a) omit the definition of “conduit system”;

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(15) [S.I. 2014/909](#).

(16) [S.I. 2014/2027](#).

(17) [S.I. 2015/780](#).

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- (b) in paragraph (a) of the definition of “electronic communications code network”, for “conduit system” substitute “infrastructure system”;
- (c) in the appropriate place insert—
  - ““infrastructure system” has the same meaning as in the electronic communications code and references to providing an infrastructure system are to be construed in accordance with paragraph 7 of that code;”.

### **Network Rail (Glasgow Queen Street Station) Order 2017**

**12.**—(1) The Network Rail (Glasgow Queen Street Station) Order 2017<sup>(18)</sup> is amended as follows.

(2) In Schedule 8 (protective provisions), in Part 2 (protection for operators of electronic communications code networks)—

- (a) in paragraph 16—
  - (i) omit the definition of “conduit system”;
  - (ii) in paragraph (a) of the definition of “electronic communications code network”, for “conduit system” substitute “infrastructure system”;
  - (iii) in the appropriate place insert—
    - ““infrastructure system” has the same meaning as in the electronic communications code and references to providing an infrastructure system are to be construed in accordance with paragraph 7 of that code;”.
- (b) in paragraph 17, for “paragraph 9” substitute “Part 8”.

## **PART 3**

### **OTHER AMENDMENTS**

#### **Bure Valley Light Railway Order 1989**

**13.**—(1) The Bure Valley Light Railway Order 1989<sup>(19)</sup> is amended as follows.

(2) In article 2 (interpretation)—

- (a) omit the definition of “telecommunications apparatus”;
- (b) insert in the appropriate places the following definitions—
  - ““electronic communications apparatus” has the meaning given in paragraph 5 of the electronic communications code;”;
  - ““electronic communications code” means the code set out in Schedule 3A to the Communications Act 2003;”;
  - ““operator of an electronic communications code network” has the meaning given in paragraph 1(1) of Schedule 17 to the Communications Act 2003;”.

(3) In article 6 (interference with roads and footpaths), in paragraph (6)—

- (a) for “telecommunication operators” substitute “operators of an electronic communications code network”;
- (b) for “telecommunications apparatus” substitute “electronic communications apparatus”.

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<sup>(18)</sup> S.S.I. 2017/100.

<sup>(19)</sup> S.I. 1989/835.



### **Wirral Tramway Light Railway Order 1994**

- 14.**—(1) The Wirral Tramway Light Railway Order 1994(**20**) is amended as follows.
- (2) In article 20—
- (a) for the heading substitute “For protection of operators of electronic communications code networks”;
  - (b) in the words before paragraph (a)—
    - (i) for “telecommunications operators”, in the first place where those words occur, substitute “operators of electronic communications code networks”
    - (ii) omit “telecommunications” in the second place where that word occurs.
  - (c) for paragraph (a) substitute—
    - “(a) in this article—
    - “electronic communications code” means the code set out in Schedule 3A to the Communications Act 2003;
    - “operator of an electronic communications code network” has the meaning given in paragraph 1(1) of Schedule 17 to the Communications Act 2003;”;
  - (d) in paragraph (b) for “a telecommunications operator under paragraph 9 of the telecommunications code” substitute “an operator of an electronic communications code network under Part 8 of the electronic communications code”.

### **Greater Manchester (Light Rapid Transit System) (Eccles Extension) Order 1996**

- 15.**—(1) The Greater Manchester (Light Rapid Transit System) (Eccles Extension) Order 1996 (**21**) is amended as follows.
- (2) In article 5 (power to construct and maintain works), in paragraph (6), for “Paragraph 23” substitute “Part 10”.
- (3) In article 11 (temporary stopping up of streets), in paragraph (5), for “paragraph 9” substitute “Part 8”.

### **Greater Manchester (Light Rapid Transit System) (Airport Extension) Order 1997**

- 16.**—(1) The Greater Manchester (Light Rapid Transit System) (Airport Extension) Order 1997(**22**) is amended as follows.
- (2) In article 6 (power to construct and maintain works), in paragraph (7), for “Paragraph 23” substitute “Part 10”.
- (3) In article 12 (temporary stopping up of streets), in paragraph (5), for “paragraph 9” substitute “Part 8”.

### **Welsh Highland Railway Order 1999**

- 17.**—(1) The Welsh Highland Railway Order 1999(**23**) is amended as follows.
- (2) In article 21 (for the protection of British Telecommunications PLC)—
- (a) in paragraph (3)—
    - (i) for “paragraph 9” substitute “Part 8”;

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(20) S.I. 1994/1761.

(21) S.I. 1996/2714.

(22) S.I. 1997/1266.

(23) S.I. 1999/2129.

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- (ii) for “Schedule 2 to the Telecommunications Act 1984” substitute “Schedule 3A to the Communications Act 2003”;
- (b) in paragraph (9), for “Schedule 2 to the Telecommunications Act 1984” substitute “Schedule 3A to the Communications Act 2003”.

#### **Leeds Supertram (Extension) Order 2001**

- 18.**—(1) The Leeds Supertram (Extension) Order 2001(**24**) is amended as follows.
- (2) In Schedule 9 (provisions relating to statutory undertakers etc.), in paragraph 3—
- (a) in the heading, for “telecommunications code” substitute “electronic communications code”;
  - (b) in sub-paragraph (1)—
    - (i) for “Paragraph 23 of the telecommunications code” substitute “Part 8 of the electronic communications code”;
    - (ii) in paragraph (b), for “telecommunications apparatus” substitute “electronic communications apparatus”.

#### **Heathrow Express Railway Extension Order 2002**

- 19.**—(1) The Heathrow Express Railway Extension Order 2002(**25**) is amended as follows.
- (2) In Schedule 4 (protection of fuel pipelines and facilities), in Part IV (protection of certain depots), in paragraph 14(2), for “telecommunications” substitute “electronic communications”.

#### **Strand Road, Preston Railway Order 2002**

- 20.**—(1) The Strand Road, Preston Railway Order 2002 (**26**) is amended as follows.
- (2) In article 5(4) (operation of railway), for “Schedule 2 to the Telecommunications Act 1984” substitute “paragraph 5 of the electronic communications code set out in Schedule 3A to the Communications Act 2003”.

#### **Preston Dock Railway Order 2004**

- 21.**—(1) The Preston Dock Railway Order 2004(**27**) is amended as follows.
- (2) In article 2 (interpretation), for the definition of “electronic communications apparatus” substitute—
- ““electronic communications apparatus” has the meaning given in paragraph 5 of the electronic communications code set out in Schedule 3A to the Communications Act 2003;”.

#### **Docklands Light Railway (Capacity Enhancement) Order 2005**

- 22.**—(1) The Docklands Light Railway (Capacity Enhancement) Order 2005(**28**) is amended as follows.
- (2) In article 2 (interpretation)—
- (a) omit the definition of “conduit system”;

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(24) [S.I. 2001/1347](#).  
(25) [S.I. 2002/1064](#).  
(26) [S.I. 2002/2398](#).  
(27) [S.I. 2004/3126](#).  
(28) [S.I. 2005/3105](#).

- (b) in paragraph (a) of the definition of “electronic communications code network”, for “conduit system” substitute “infrastructure system”;
  - (c) in the appropriate place insert—
    - ““infrastructure system” has the same meaning as in the electronic communications code and references to providing an infrastructure system are to be construed in accordance with paragraph 7 of that code;”.
- (3) In Schedule 9 (provisions relating to statutory undertakers, etc.), in paragraph 2(9), for “paragraph 9” substitute “Part 8”.

#### **Felixstowe Dock and Railway Company (Land Acquisition) Order 2007**

**23.**—(1) The Felixstowe Dock and Railway Company (Land Acquisition) Order 2007<sup>(29)</sup> is amended as follows.

(2) In Schedule 2 (provisions relating to statutory undertakers etc.), in Part 1 (apparatus of statutory undertakers etc.), in paragraph 6—

- (a) omit the definition of “conduit system”;
- (b) in paragraph (a) of the definition of “electronic communications code network”, for “conduit system” substitute “infrastructure system”;
- (c) in the appropriate place insert—
  - ““infrastructure system” has the same meaning as in the electronic communications code and references to providing an infrastructure system are to be construed in accordance with paragraph 7 of that code;”

#### **Felixstowe Branch Line and Ipswich Yard Improvement Order 2008**

**24.**—(1) The Felixstowe Branch Line and Ipswich Yard Improvement Order 2008<sup>(30)</sup> is amended as follows.

(2) In Schedule 10 (protective provisions), in Part 3 (protection of Cable and Wireless PLC), in paragraph 30, for the words from “paragraph 9” to “Schedule 3” substitute “Part 8 of the electronic communications code (“the Code”) set out in Schedule 3A”.

#### **Leeds Railway Station (Southern Entrance) Order 2013**

**25.**—(1) The Leeds Railway Station (Southern Entrance) Order 2013<sup>(31)</sup> is amended as follows.

(2) In Schedule 14 (for the protection of operators of electronic communications code networks)

- (a) in paragraph 1(2)—
  - (i) omit the definition of “conduit system”;
  - (ii) in paragraph (a) of the definition of “electronic communications code network”, for “conduit system” substitute “infrastructure system”;
  - (iii) in the appropriate place insert—
    - ““infrastructure system” has the same meaning as in the electronic communications code and references to providing an infrastructure system are to be construed in accordance with paragraph 7 of that code;”
- (b) in paragraph 2, for “paragraph 9” substitute “Part 8”.

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<sup>(29)</sup> [S.I.2007/3345](#).

<sup>(30)</sup> [S.I. 2008/2512](#).

<sup>(31)</sup> [S.I. 2013/1933](#).

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### **Croxley Rail Link Order 2013**

**26.**—(1) The Croxley Rail Link Order 2013(**32**) is amended as follows.

(2) In Schedule 9 (protective provisions), in Part 2 (protection for operators of electronic communications code networks), in paragraph 11(2)—

- (a) omit the definition of “conduit system”;
- (b) in paragraph (a) of the definition of “electronic communications code network”, for “conduit system” substitute “infrastructure system”;
- (c) in the appropriate place insert—

““infrastructure system” has the same meaning as in the electronic communications code and references to providing an infrastructure system are to be construed in accordance with paragraph 7 of that code;”

### **London Underground (Northern Line Extension) Order 2014**

**27.**—(1) The London Underground (Northern Line Extension) Order 2014(**33**) is amended as follows.

(2) In Schedule 8 (protective provisions), in Part 5 (protection for operators of electronic communications code networks), in paragraph 55(2)—

- (a) omit the definition of “conduit system”;
- (b) in paragraph (a) of the definition of “electronic communications code network”, for “conduit system” substitute “infrastructure system”;
- (c) in the appropriate place insert—

““infrastructure system” has the same meaning as in the electronic communications code and references to providing an infrastructure system are to be construed in accordance with paragraph 7 of that code;”.

### **London Underground (Bank Station Capacity Upgrade) Order 2015**

**28.**—(1) The London Underground (Bank Station Capacity Upgrade) Order 2015(**34**) is amended as follows.

(2) In Schedule 13 (for the protection of operators of electronic communications code network)—

- (a) in paragraph 1(2)—
  - (i) omit the definition of “conduit system”;
  - (ii) in paragraph (a) of the definition of “electronic communications code network”, for “conduit system” substitute “infrastructure system”;
  - (iii) in the appropriate place insert—

““infrastructure system” has the same meaning as in the electronic communications code and references to providing an infrastructure system are to be construed in accordance with paragraph 7 of that code;”;

- (b) in paragraph 2, for “paragraph 10” substitute “Part 8”.

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(32) S.I. 2013/1967.

(33) S.I. 2014/3102.

(34) S.I. 2015/2044.

## SCHEDULE 2

Regulation 2(2)

## AMENDMENT OF ROAD TRAFFIC LEGISLATION

## PART 1

## PRELIMINARY

**References to telecommunications apparatus**

1. In the instruments set out in the first column of the Tables in Parts 2 and 3 below, in the provisions set out in the third column, for—

- (a) “telecommunications apparatus as defined in paragraph 1(1) of Schedule 2 of the Telecommunications Act 1984”;
- (b) “telecommunications apparatus as defined in Schedule 2 of the Telecommunications Act 1984”; or
- (c) “telecommunications apparatus as defined in Schedule 2 to the Telecommunications Act 1984”,

as the case may be, substitute “electronic communications apparatus within the meaning given in paragraph 5 of the electronic communications code set out in Schedule 3A to the Communications Act 2003”.

## PART 2

## AMENDMENT OF TRAFFIC ORDERS (GREATER LONDON)

<i>Title of Instrument</i>	<i>Instrument Number</i>	<i>Provisions to be amended</i>
A13 Trunk Road (Tower Hamlets) (Bus Lanes) Traffic Order 1994	<a href="#">S.I. 1994/2887</a>	Article 6(2)(d)
London Borough of Islington (Trunk Roads) Red Route (Bus Lanes) Traffic Order 1997	<a href="#">S.I. 1997/445</a>	Article 4(2)(g)
City of Westminster (Trunk Roads) Red Route (Bus Lanes) Traffic Order 1997	<a href="#">S.I. 1997/446</a>	Article 4(2)(g)
London Borough of Enfield (Trunk Roads) Red Route (Bus Lanes) Traffic Order 1997	<a href="#">S.I. 1997/450</a>	Article 4(2)(g)
London Borough of Camden (Trunk Roads) Red Route (Bus Lanes) Traffic Order 1997	<a href="#">S.I. 1997/463</a>	Article 4(2)(g)
A205 Trunk Road (Lewisham) Red Route (Bus Lanes) Experimental Traffic Order 1997	<a href="#">S.I. 1997/555</a>	Article 4(2)(g)
City of Westminster (A41 Trunk Road) Red Route (Bus Lanes) Traffic Order 1997	<a href="#">S.I. 1997/2473</a>	Article 4(2)(g)

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<i>Title of Instrument</i>	<i>Instrument Number</i>	<i>Provisions to be amended</i>
London Borough of Islington (Trunk Roads) Red Route (Bus Lanes) Experimental Traffic Order 1997	<a href="#">S.I. 1997/2784</a>	Article 4(2)(g)
London Borough of Lambeth (Trunk Roads) Red Route (Bus Lanes) Traffic Order 1998	<a href="#">S.I. 1998/118</a>	Article 4(2)(g)
A41 Trunk Road (Camden) Red Route (Bus Lanes) Traffic Order 1998	<a href="#">S.I. 1998/381</a>	Article 4(2)(g)
A205 Trunk Road (Lewisham) Red Route (Bus Lanes) Traffic Order 1998	<a href="#">S.I. 1998/884</a>	Article 4(2)(g)
London Borough of Haringey (A10 Trunk Road) Red Route (Bus Lanes) Traffic Order 1998	<a href="#">S.I. 1998/1107</a>	Article 4(2)(g)
London Borough of Wandsworth (Trunk Roads) Red Route (Bus Lanes) Traffic Order 1998	<a href="#">S.I. 1998/1151</a>	Article 4(2)(g)
A205 Trunk Road (Lewisham) Red Route (Bus Lanes) Experimental Traffic Order 1998	<a href="#">S.I. 1998/2171</a>	Article 4(2)(g)
London Borough of Lewisham (Trunk Roads) Red Route (Bus Lanes) Traffic Order 1998	<a href="#">S.I. 1998/2502</a>	Article 4(2)(g)
London Borough of Lambeth (Trunk Roads) Red Route (Bus Priority) Traffic Order 1998	<a href="#">S.I. 1998/3128</a>	Article 4(2)(g)
A205 Trunk Road (Southwark) Red Route (Bus Lanes) Traffic Order 1999	<a href="#">S.I. 1999/15</a>	Article 4(2)(g)
A1 Trunk Road (Islington) Red Route (Bus Priority) Traffic Order 1999	<a href="#">S.I. 1999/1476</a>	Article 5(1)(g)
A205 Trunk Road (Hounslow) Red Route (Bus Priority) Traffic Order 1999	<a href="#">S.I. 1999/2127</a>	Article 5(1)(g)
A13 Trunk Road (Tower Hamlets) Red Route (Bus Priority) Traffic Order 1999	<a href="#">S.I. 1999/3051</a>	Article 5(1)(g)
A1 Trunk Road (Haringey) (Bus Lanes) Red Route (Bus Priority) Experimental Traffic Order 1999	<a href="#">S.I. 1999/3254</a>	Article 5(1)(g)
A1 Trunk Road (Islington) (Bus Lanes) Red Route (Bus Priority) Experimental Traffic Order 2000	<a href="#">S.I. 2000/247</a>	Article 5(1)(g)
A205 Trunk Road (Lewisham) Red Route (Bus Priority) Traffic Order 2000	<a href="#">S.I. 2000/530</a>	Article 5(1)(g)

## PART 3

## AMENDMENT OF ROAD TRAFFIC LEGISLATION (ENGLAND AND WALES)

<i>Title of Instrument</i>	<i>Instrument Number</i>	<i>Provisions to be amended</i>
M4 Motorway (Heathrow Airport Spur Road) (Bus Lane) Regulations 1997	<a href="#">S.I. 1997/847</a>	Regulation 3(2)(d)(iii)
A21 Trunk Road (Lamberhurst Bypass) (24 Hours Clearway) Order 2005	<a href="#">S.I. 2005/1142</a>	Article 4(a)(iii)
A249 Trunk Road (Iwade Bypass to Queenborough Improvement) (Prohibition of Certain Classes of Traffic and Pedestrians) Order 2006	<a href="#">S.I. 2006/1347</a>	Article 4(d)
A249 Trunk Road (Iwade Bypass to Queenborough Improvement) (24 Hours Clearway) Order 2006	<a href="#">S.I. 2006/1956</a>	Article 4(a)(iii)
A404 Trunk Road (Maidenhead Thicket to Handy Cross) (24 Hours Clearway) Order 2007	<a href="#">S.I. 2007/1575</a>	Article 4(a)(iv)
A12 Trunk Road (Junction 33, Copdock Mill Interchange, Suffolk to Junction 12, Marylands Interchange, Essex) (Prohibition of Entry) Order 2010	<a href="#">S.I. 2010/1168</a>	Article 4(a)(iv)
A14 Trunk Road (Ipswich Western Bypass, Suffolk) (Prohibition of Entry) Order 2010	<a href="#">S.I. 2010/1169</a>	Article 4(a)(iv)
A5 Trunk Road (High Street North, Dunstable, Bedfordshire) (Bus Lane) (No.2) Order 2010	<a href="#">S.I. 2010/1170</a>	Article 4(b)(iv)
A46 Trunk Road (M40 Junction 15, Warwickshire) (24 Hours Clearway) Order 2010	<a href="#">S.I. 2010/1418</a>	Article 4(a)(iv)
A46 Trunk Road (M40 Junction 15, Warwickshire) (Bus Lane) Order 2010	<a href="#">S.I. 2010/1543</a>	Article 5(2)(b)(iv)
A56 Trunk Road (Edenfield Bypass) (Conversion of Layby to Emergency Use Only) Order 2010	<a href="#">S.I. 2010/1746</a>	Article 4(a)(iv)
A40 Trunk Road (Over Roundabout to Highnam Roundabout, Gloucestershire) (Bus Lane, Prohibition of Use of Gaps in Central Reservation and Prohibition of Turns) Order 2010	<a href="#">S.I. 2010/2053</a>	Article 9(b)(iii)

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<i>Title of Instrument</i>	<i>Instrument Number</i>	<i>Provisions to be amended</i>
A414 Trunk Road (Park Street Roundabout to Buncefield Roundabout) (24 Hours Clearway) Order 2010	<a href="#">S.I. 2010/2202</a>	Article 4(a)(iv)
A419 Trunk Road (Blunsdon Bypass, Swindon) (24 Hours Clearway) Order 2010	<a href="#">S.I. 2010/2781</a>	Article 4(a)(iv)
A5111 Trunk Road (Raynesway) and A6 Trunk Road (Alvaston Bypass) (Derbyshire) (24 Hours Clearway) Order 2010	<a href="#">S.I. 2010/3073</a>	Article 4(a)(iv)
A14 Trunk Road (Felixstowe Dock No.1, Roundabout, Suffolk) (Prohibition of Waiting) Order 2011	<a href="#">S.I. 2011/49</a>	Article 3(a)(iv)
A40 and the A449 Trunk Roads (Welsh Border to Traveller's Rest Roundabout, Ross-on-Wye) (24 Hours Clearway) Order 2011	<a href="#">S.I. 2011/59</a>	Article 4(a)(iv)
A12 Trunk Road (Junction 32B, Bentley Longwood Interchange, Suffolk) (Prohibition of Entry) Order 2011	<a href="#">S.I. 2011/91</a>	Article 4(a)(iv)
A47 Trunk Road (Dereham, Norfolk) (Prohibition of Entry) Order 2011	<a href="#">S.I.2011/260</a>	Article 4(a)(iv)
A14 Trunk Road (Junction 52, Claydon Interchange, Suffolk) (Prohibition of Entry) Order 2011	<a href="#">S.I. 2011/288</a>	Article 4(a)(iv)
A421 Trunk Road (M1 Junction 13 to Bedford) (24 Hour Clearway) Order 2011	<a href="#">S.I. 2011/486</a>	Article 4(a)(iv)
A36 Trunk Road (Wilton Road, Salisbury, Wiltshire) (Restriction and Prohibition of Waiting) Order 2011	<a href="#">S.I. 2011/859</a>	Article 5(1)(b)(iv)
A3 Trunk Road (Hindhead) (Prohibition of Certain Classes of Traffic and Pedestrians) No 2 Order 2011	<a href="#">S.I. 2011/1535</a>	Article 4(d)
A3 Trunk Road (Hindhead) (24 Hours Clearway) Order 2011	<a href="#">S.I. 2011/1537</a>	Article 4(a)(iii)
A26 Trunk Road (New Road, Newhaven) (Waiting Restrictions) Order 2011	<a href="#">S.I. 2011/2073</a>	Article 4(1)(c)(iv)
A5 Trunk Road (High Street North to London Road, Dunstable,	<a href="#">S.I. 2011/2387</a>	Article 4(1)(b)(i)



<i>Title of Instrument</i>	<i>Instrument Number</i>	<i>Provisions to be amended</i>
Bedfordshire) (Prohibition and Restriction of Waiting, Loading and Unloading) Order 2011		
A27 Trunk Road (Falmer) (Temporary Restriction of Traffic) Order 2011	<a href="#">S.I. 2011/2613</a>	Article 5(c)(iii)
M4 Motorway (Junctions 1-4A) (Temporary Restrictions and Prohibition of Traffic) Order 2012	<a href="#">S.I. 2012/904</a>	Article 7(2)(f)(iii)
A46 Trunk Road (A607 Hobby Horse Roundabout, Syston, to A1133 Winthorpe Roundabout, Newark-on-Trent) (24 Hours Clearway and Prohibition of Waiting) Order 2012	<a href="#">S.I. 2012/1082</a>	Article 5(a)(iv)
A52 Trunk Road (Gamston to Grantham) (24 Hours Clearway) Order 2012	<a href="#">S.I. 2012/1093</a>	Article 4(a)(iv)
A38 Trunk Road (Dobwalls Bypass, Cornwall) (24 Hours Clearway) Order 2012	<a href="#">S.I. 2012/1376</a>	Article 4(a)(iv)
A550, A5117 and A494 Trunk Roads (Dunkirk Junction to Deeside Park Junction) (24 Hour Clearway) Order 2012	<a href="#">S.I. 2012/1571</a>	Article 4(a)
A30 Trunk Road (Innis Downs to Indian Queens, Cornwall) (24 Hour Clearway) Order 2012	<a href="#">S.I. 2012/1705</a>	Article 4(a)(iv)
A11 Trunk Road (Besthorpe, Norfolk) (Prohibition of Entry) Order 2012	<a href="#">S.I. 2012/1857</a>	Article 4(a)(iii)
A14 Trunk Road (Stowupland, Suffolk) (Prohibition of Entry) Order 2012	<a href="#">S.I. 2012/2696</a>	Article 4(a)(iii)
A500 Trunk Road (Hanchurch to Barthomley (24 Hour Clearway, Prohibition of Waiting and Right Turn Ban) Order 2012	<a href="#">S.I. 2012/3267</a>	Article 6(a)(v)
A47 Trunk Road (Wansford, City of Peterborough to Great Yarmouth, Norfolk) (24 Hour Clearway) Order 2013	<a href="#">S.I. 2013/394</a>	Article 4(a)(iv)
A52 Trunk Road (Queens Medical Centre Roundabout, Nottingham) (Bus Lane) Order 2013	<a href="#">S.I. 2013/780</a>	Article 4(2)(b)(iv)

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<i>Title of Instrument</i>	<i>Instrument Number</i>	<i>Provisions to be amended</i>
A31 Trunk Road (Avon Heath Country Park) (Vehicle Restrictions and Prohibitions) Order 2013	<a href="#">S.I. 2013/1384</a>	Article 4(a)(iii) Article 9(a)(iv)
M1 Junction 10a (Grade Separation) Order 2013	<a href="#">S.I. 2013/2808</a>	Article 11(4)(a)(iii)
A30 Trunk Road (M5 Junction 29) (Bus Lane) Order 2013	<a href="#">S.I. 2013/3070</a>	Article 4(b)(ii)
A270/A27 (Entry Slip Road) (Bus Lane) (Vehicle Prohibitions) Order 2013	<a href="#">S.I. 2013/3173</a>	Article 4(b)(iii)
A23 Trunk Road (Handcross to Warninglid Section Slip Roads) (24 Hours Clearway) 2014	<a href="#">S.I. 2014/2306</a>	Article 4(a)(iii)
A5 Trunk Road (Weirbrook to East of Nesscliffe, Shropshire) (24 Hours Clearway) Order 2014	<a href="#">S.I. 2014/2469</a>	Article 4(a)(iv)
A49 Trunk Road (Holmer Road, Hereford) (Prohibition of Waiting) Order 2014	<a href="#">S.I. 2014/2907</a>	Article 4(a)(iv)
A4510 Trunk Road (M54 Junction 2) (Link Roads) (24 Hours Clearway) Order 2014	<a href="#">S.I. 2014/3384</a>	Article 4(a)(iv)
A2070 Trunk Road (Bad Munstereifel Road) (Prohibition of "U" Turns and Bus Lane) Order 2014	<a href="#">S.I. 2014/3401</a>	Article 4(b)(ii)
A57 Trunk Road (Denton Roundabout) (24 Hour Clearway and One-Way Traffic) Order 2015	<a href="#">S.I. 2015/1085</a>	Article 4(a)
A421 Trunk Road (Bedford Southern Bypass, Elstow, Bedfordshire) Eastbound (Layby) Prohibition of Waiting) Order 2015	<a href="#">S.I. 2015/1218</a>	Article 5(a)(iv)
A12 Trunk Road (Old London Road, Marks Tey, Essex) (Prohibition and Restriction of Waiting) Order 2015	<a href="#">S.I. 2015/1243</a>	Article 4(1)(a)(i)

## PART 4

### OTHER ROAD TRAFFIC LEGISLATION AMENDMENTS

#### **A556 (Knutsford to Bowdon Improvement) Development Consent Order 2014**

2.—(1) The A556 (Knutsford to Bowdon Improvement) Development Consent Order 2014<sup>(35)</sup> is amended as follows.

(2) In article 14 (clearways), in paragraph (3)(a)(iii), for “telecommunications apparatus as defined in paragraph 1(1) of Schedule 2 to the Telecommunications Act 1984” substitute “electronic communications apparatus as defined in paragraph 5 of the electronic communications code set out in Schedule 3A to the Communications Act 2003”.

(3) In Schedule 8 (protective provisions), in Part 2 (for the protection of operators of electronic communications code networks)—

(a) in paragraph 15—

(i) omit the definition of “conduit system”;

(ii) in paragraph (a) of the definition of “electronic communications code network”, for “conduit system” substitute “infrastructure system”;

(iii) in the appropriate place insert—

““infrastructure system” has the same meaning as in the electronic communications code and references to providing an infrastructure system are to be construed in accordance with paragraph 7 of that code;”;

(b) in paragraph 16, for “paragraph 23 of Schedule 2 to the Telecommunications Act 1984” substitute “Part 10 of Schedule 3A to the Communications Act 2003”.

#### **A160/A180 (Port of Immingham Improvement) Development Consent Order 2015**

3.—(1) The A160/A180 (Port of Immingham Improvement) Development Consent Order 2015<sup>(36)</sup> is amended as follows.

(2) In article 15 (clearways), in paragraph (2)(a)(iii), for “telecommunications apparatus as defined in paragraph 1(1) of Schedule 2 (The Telecommunications Code) to the Telecommunications Act 1984” substitute “electronic communications apparatus within the meaning given in paragraph 5 of the electronic communications code set out in Schedule 3A to the Communications Act 2003”.

(3) In Schedule 8 (protective provisions), in Part 4 (for the protection of operators of electronic communications code networks)—

(a) in paragraph 45—

(i) omit the definition of “conduit system”;

(ii) in paragraph (a) of the definition of “electronic communications code network”, for “conduit system” substitute “infrastructure system”;

(iii) in the appropriate place insert—

““infrastructure system” has the same meaning as in the electronic communications code and references to providing an infrastructure system are to be construed in accordance with paragraph 7 of that code;”;

(b) in paragraph 46, for “paragraph 23 of Schedule 2 to the Telecommunications Act 1984” substitute “Part 10 of Schedule 3A to the Communications Act 2003”.

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<sup>(35)</sup> S.I. 2014/2269.

<sup>(36)</sup> S.I. 2015/129.

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### **M275 and M27 Motorway (Speed Limit and Bus Lane) Regulations 2015**

4.—(1) The M275 and M27 (Speed Limit and Bus Lane) Regulations 2015 (37) are amended as follows.

(2) In regulation 6 (bus lane restriction), in paragraph (2)(d)(iii), for “Schedule 2 to the Telecommunications Act 1984” substitute “paragraph 5 of the electronic communications code set out in Schedule 3A to the Communications Act 2003”.

### **Norfolk County Council (Norwich Northern Distributor Road A1067 to A47(T)) Order 2015**

5.—(1) The Norfolk County Council (Norwich Northern Distributor Road A1067 to A47(T)) Order 2015(38) is amended as follows.

(2) Schedule 13 (protective provisions) is amended as follows.

(3) In Part 1 (for the protection of railway interests), in paragraph 4(3), for “telecommunications code system” substitute “electronic communications code network”.

(4) In Part 5 (for the protection of operators of electronic communications code networks)—

(a) in paragraph 64—

(i) omit the definition of “conduit system”;

(ii) in paragraph (a) of the definition of “electronic communications code network”, for “conduit system” substitute “infrastructure system”;

(iii) in the appropriate place insert—

““infrastructure system” has the same meaning as in the electronic communications code and references to providing an infrastructure system are to be construed in accordance with paragraph 7 of that code;”;

(b) in paragraph 65, for “paragraph 23 of Schedule 2 to the Telecommunication Act 1984” substitute “Part 10 of Schedule 3A to the Communications Act 2003”.

### **A19/A1058 Coast Road (Junction Improvement) Development Consent Order 2016**

6.—(1) The A19/A1058 Coast Road (Junction Improvement) Development Consent Order 2016(39) is amended as follows.

(2) In article 14 (clearways), in paragraph (2)(a)(iii), for “telecommunications apparatus as defined in paragraph 1(1) of Schedule 2 (The Telecommunications Code) to the Telecommunications Act 1984” substitute “electronic communications apparatus as defined in paragraph 5 of the electronic communications code set out in Schedule 3A to the Communications Act 2003”.

(3) In Schedule 8 (protective provisions), in Part 3 (for the protection of operators of electronic communications code networks)—

(a) in paragraph 30—

(i) omit the definition of “conduit system”;

(ii) in paragraph (a) of the definition of “electronic communications code network”, for “conduit system” substitute “infrastructure system”;

(iii) in the appropriate place insert—

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(37) [S.I. 2015/405](#).

(38) [S.I. 2015/1347](#).

(39) [S.I. 2016/73](#).

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““infrastructure system” has the same meaning as in the electronic communications code and references to providing an infrastructure system are to be construed in accordance with paragraph 7 of that code;”;

- (b) in paragraph 31, for “paragraph 23 of Schedule 2 (undertaker’s works) to the Telecommunications Act 1984” substitute “Part 10 of Schedule 3A to the Communications Act 2003 (undertaker’s works)”.

### **A77 Trunk Road (Vicarton Street, Girvan) (Prohibition of Waiting, Loading and Unloading) Order 2010**

7.—(1) The A77 Trunk Road (Vicarton Street, Girvan) (Prohibition of Waiting, Loading and Unloading) Order 2010(40) is amended as follows.

(2) In article 4 (exemption for certain purposes), in paragraph (a)(ii), for “paragraph 1(1) of Schedule 2 to the Telecommunications Act 1984” substitute “paragraph 5 of the electronic communications code set out in Schedule 3A to the Communications Act 2003”.

## **PART 5**

### **AMENDMENT OF NORTHERN IRELAND ROAD TRAFFIC LEGISLATION**

#### **References to Schedule 2 to the Telecommunications Act 1984**

8. In the instruments set out in the first column of the table below, in the provisions set out in the third column, for “Schedule 2 to the Telecommunications Act 1984” substitute “paragraph 5 of the electronic communications code set out in Schedule 3A to the Communications Act 2003”.

<i>Title of Instrument</i>	<i>Instrument Number</i>	<i>Provision to be amended</i>
Extinguishment of Right to Use Vehicles on Roads (Londonderry) Order (Northern Ireland) 2010	<a href="#">S.R. 2010 No. 88</a>	Item 6 in Schedule 2
Waiting Restrictions (Downpatrick) Order (Northern Ireland) 2010	<a href="#">S.R. 2010 No. 150</a>	Article 3(1)(d)(vi)
Prohibition of Traffic (Drumbeg, Craigavon) Order (Northern Ireland) 2010	<a href="#">S.R. 2010 No. 202</a>	Article 3(e)
Waiting Restrictions (Moir) Order (Northern Ireland) 2010	<a href="#">S.R. 2010 No. 236</a>	Article 3(1)(d)(vi)
Clearway (Ballymena) Order (Northern Ireland) 2010	<a href="#">S.R. 2010 No. 262</a>	Article 3(1)(c)(v)
Prohibition of Traffic (Juniper Way, Twinbrook) Order (Northern Ireland) 2010	<a href="#">S.R. 2010 No. 263</a>	Article 3(e)
Parking Places on Roads (Motor Cycles) Order (Northern Ireland) 2010	<a href="#">S.R. 2010 No. 268</a>	Article 4(c)(iv)

(40) [S.S.I. 2010/293](#).

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<i>Title of Instrument</i>	<i>Instrument Number</i>	<i>Provision to be amended</i>
Parking Places on Roads (Bushmills) Order (Northern Ireland) 2010	<a href="#">S.R. 2010 No. 270</a>	Articles 5(d)(iv) and 6(a)(iv)
Parking Places on Roads (Keady) Order (Northern Ireland) 2010	<a href="#">S.R. 2010 No. 271</a>	Articles 5(d)(iv) and 6(a)(iv)
Parking Places on Roads (Lisburn) Order (Northern Ireland) 2010	<a href="#">S.R. 2010 No. 274</a>	Articles 5(d)(iv) and 6(a)(iv)
Parking Places on Roads (Kesh) Order (Northern Ireland) 2010	<a href="#">S.R. 2010 No. 275</a>	Articles 5(d)(iv) and 6(a)(iv)
Waiting Restrictions (Rasharkin) Order (Northern Ireland) 2010	<a href="#">S.R. 2010 No. 280</a>	Article 3(1)(d)(vi)
Parking and Waiting Restrictions (Crumlin) Order (Northern Ireland) 2010	<a href="#">S.R. 2010 No. 283</a>	Articles 5(1)(d)(iv) and 12(1)(d)(vi)
Parking Places, Loading Bay and Waiting Restrictions (Portstewart) Order (Northern Ireland) 2010	<a href="#">S.R. 2010 No. 284</a>	Articles 4(a)(iv), 11(c)(iv) and 14(1)(d)(vi)
Waiting Restrictions (Bangor) Order (Northern Ireland) 2010	<a href="#">S.R. 2010 No. 330</a>	Article 3(1)(d)(vi)
Parking Places on Roads (Cookstown) Order (Northern Ireland) 2010	<a href="#">S.R. 2010 No. 358</a>	Articles 5(1)(d)(vi) and 6(a)(iv)
Parking Places on Roads (Lisburn) (No.2) Order (Northern Ireland) 2010	<a href="#">S.R. 2010 No. 390</a>	Articles 4(1)(d)(vi) and 5(a)(iv)
Control of Traffic (Belfast) Order (Northern Ireland) 2011	<a href="#">S.R. 2011 No. 131</a>	Articles 6(1)(d)(vi) and 11(d)(iii)
		Paragraph 4 of Schedule 3
Parking Places on Roads (Belfast) Order (Northern Ireland) 2011	<a href="#">S.R. 2011 No. 132</a>	Articles 4(a)(iv), 10(d)(vi) ((41) and 12(b)(iv)
Waiting Restrictions (Kilkeel) Order (Northern Ireland) 2011	<a href="#">S.R. 2011 No. 139</a>	Article 3(1)(d)(vi)
Clearway (Route A6, Glenshane Road, Maghera) Order (Northern Ireland) 2011	<a href="#">S.R. 2011 No. 144</a>	Article 3(1)(c)(vii)
Traffic Weight Restriction (Church Place, Lurgan) Order (Northern Ireland) 2011	<a href="#">S.R. 2011 No. 146</a>	Article 3(e)
Parking Places on Roads (Enniskillen) Order (Northern Ireland) 2011	<a href="#">S.R. 2011 No. 150</a>	Articles 5(1)(d)(vi) and 6(a)(iv)
Parking Places on Roads (Larne) Order (Northern Ireland) 2011	<a href="#">S.R. 2011 No. 202</a>	Articles 5(1)(d)(vi) and 6(a)(iv)

(41) Article 10 is substituted by [S.R. 2012 No. 202](#).

<i>Title of Instrument</i>	<i>Instrument Number</i>	<i>Provision to be amended</i>
Waiting Restrictions (Larne) Order (Northern Ireland) 2011	<a href="#">S.R. 2011 No. 204</a>	Article 3(1)(d)(vi)
Parking Places on Roads (Lisburn) Order (Northern Ireland) 2011	<a href="#">S.R. 2011 No. 253</a>	Articles 5(1)(d)(vi) and 6(a)(iv)
Parking and Waiting Restrictions (Irvinestown) Order (Northern Ireland) 2011	<a href="#">S.R. 2011 No. 268</a>	Articles 5(1)(d)(vi), 6(a)(iv) and 12(1)(d)(vi)
Prohibition of Traffic (North Belfast) Order (Northern Ireland) 2011	<a href="#">S.R. 2011 No. 269</a>	Article 3(e)
Parking Places on Roads (Glengormley) Order (Northern Ireland) 2011	<a href="#">S.R. 2011 No. 319</a>	Articles 5(1)(d)(vi) and 6(a)(iv)
Parking Places, Loading Bays and Waiting Restrictions (Coleraine) Order (Northern Ireland) 2011	<a href="#">S.R. 2011 No. 322</a>	Articles 5(1)(c)(vi), 6(a)(iv) and 12(1)(d)(vi)
Prohibition of Traffic (Thorndale Avenue, Belfast) Order (Northern Ireland) 2011	<a href="#">S.R. 2011 No. 354</a>	Article 3(e)
Extinguishment of Right to Use Vehicles on Roads (Strabane) Order (Northern Ireland) 2011	<a href="#">S.R. 2011 No. 358</a>	Item 6 in Schedule 2
Prohibition of Traffic (Avoniel, Belfast) Order (Northern Ireland) 2011	<a href="#">S.R. 2011 No. 359</a>	Article 3(e)
Parking Places on Roads (Castlecaulfield) Order (Northern Ireland) 2011	<a href="#">S.R. 2011 No. 362</a>	Articles 5(1)(d)(vi) and 6(a)(iv)
Control of Traffic (Armagh) Order (Northern Ireland) 2011	<a href="#">S.R. 2011 No. 366</a>	Article 3(1)(e)
Parking Places on Roads (Whiteabbey) Order (Northern Ireland) 2011	<a href="#">S.R. 2011 No. 382</a>	Articles 5(1)(d)(vi) and 6(a)(iv)
Parking Places on Roads (Lisburn) (No.2) Order (Northern Ireland) 2011	<a href="#">S.R. 2011 No. 425</a>	Articles 4(1)(d)(vi) and 5(a)(iv)
Waiting Restrictions (Ormeau Road, Belfast) Order (Northern Ireland) 2012	<a href="#">S.R. 2012 No. 53</a>	Article 3(1)(d)(vi)
Prohibition of Traffic (Lenadoon, Belfast) Order (Northern Ireland) 2012	<a href="#">S.R. 2012 No. 63</a>	Article 3(e)
Prohibition of Traffic (Lower Windsor, Belfast) Order (Northern Ireland) 2012	<a href="#">S.R. 2012 No. 76</a>	Article 3(e)

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<i>Title of Instrument</i>	<i>Instrument Number</i>	<i>Provision to be amended</i>
Parking and Waiting Restrictions (Rathfriland) Order (Northern Ireland) 2012	<a href="#">S.R. 2012 No. 143</a>	Articles 5(1)(d)(vi), 6(a)(iv) and 12(1)(d)(vi)
Parking Places on Roads (Belfast City Centre) Order (Northern Ireland) 2012	<a href="#">S.R. 2012 No. 202</a>	Articles 4(a)(iv) and 10(d)(vi)
Waiting Restrictions (Larne) Order (Northern Ireland) 2012	<a href="#">S.R. 2012 No. 220</a>	Article 3(1)(d)(vi)
Parking Places on Roads (Toome) Order (Northern Ireland) 2012	<a href="#">S.R. 2012 No. 223</a>	Articles 5(1)(d)(vi) and 6(a)(iv)
Waiting Restrictions (Holywood) Order (Northern Ireland) 2012	<a href="#">S.R. 2012 No. 287</a>	Article 3(1)(d)(vi)
Parking Places on Roads (Electric Vehicles) Order (Northern Ireland) 2012	<a href="#">S.R. 2012 No. 290</a>	Articles 6(c)(vi) and 7(a)(iv)
Waiting Restrictions (Bushmills) Order (Northern Ireland) 2012	<a href="#">S.R. 2012 No. 297</a>	Article 3(1)(d)(vi)
Prohibition of Traffic (Rosemount Gardens, Londonderry) Order (Northern Ireland) 2012	<a href="#">S.R. 2012 No. 326</a>	Article 4(e)
Waiting Restrictions (John Street, Castleberg) Order (Northern Ireland) 2012	<a href="#">S.R. 2012 No. 343</a>	Article 3(1)(d)(vi)
Waiting Restrictions (Springfield Road, Belfast) Order (Northern Ireland) 2012	<a href="#">S.R. 2012 No. 344</a>	Article 3(1)(d)(vi)
Waiting Restrictions (Dundonald) Order (Northern Ireland) 2012	<a href="#">S.R. 2012 No. 350</a>	Article 3(1)(d)(vi)
Parking Places on Roads (Kilkeel) (No.2) Order (Northern Ireland) 2012	<a href="#">S.R. 2012 No. 358</a>	Articles 5(1)(d)(vi) and 6(a)(iv)
Parking Places on Roads (Belfast) Order (Northern Ireland) 2012	<a href="#">S.R. 2012 No. 404</a>	Articles 4(a)(iv), 10(1)(d)(vi) and 12(1)(c)(iv)
Waiting Restrictions (Ahoghill) Order (Northern Ireland) 2012	<a href="#">S.R. 2012 No. 425</a>	Article 3(1)(d)(vi)
Parking Places, Loading Bay and Waiting Restrictions (Randalstown) Order (Northern Ireland) 2012	<a href="#">S.R. 2012 No. 433</a>	Articles 5(1)(d)(vi), 6(a)(iv) and 13(1)(d)(vi)
Parking Places on Roads (Donaghmore) Order (Northern Ireland) 2012	<a href="#">S.R. 2012 No. 434</a>	Articles 4(1)(d)(vi) and 5(a)(iv)
Parking Places, Loading Bays and Waiting Restrictions (Portadown) Order (Northern Ireland) 2013	<a href="#">S.R. 2013 No. 14</a>	Articles 5(1)(d)(vi), 6(a)(iv) and 13(1)(d)(vi)



<i>Title of Instrument</i>	<i>Instrument Number</i>	<i>Provision to be amended</i>
Waiting Restrictions (Bangor) Order (Northern Ireland) 2013	<a href="#">S.R. 2013 No. 20</a>	Article 3(1)(d)(vi)
Waiting Restrictions (Brockagh) Order (Northern Ireland) 2013	<a href="#">S.R. 2013 No. 52</a>	Article 3(1)(d)(vi)
Waiting Restrictions (Enniskillen) Order (Northern Ireland) 2013	<a href="#">S.R. 2013 No. 111</a>	Article 3(1)(d)(vi)
Waiting Restrictions (Warrenpoint) Order (Northern Ireland) 2013	<a href="#">S.R. 2013 No. 195</a>	Article 3(1)(d)(vi)
Waiting Restrictions (Belmont Road, Belfast) Order (Northern Ireland) 2013	<a href="#">S.R. 2013 No. 235</a>	Article 3(1)(d)(vi)
Parking and Waiting Restrictions (Magherafelt) Order (Northern Ireland) 2013	<a href="#">S.R. 2013 No. 242</a>	Articles 5(1)(d)(vi), 6(a)(iv) and 12(1)(d)(vi)
Waiting Restrictions (Ballycastle) Order (Northern Ireland) 2013	<a href="#">S.R. 2013 No. 271</a>	Article 3(1)(d)(vi)
Parking and Waiting Restrictions (Omagh) Order (Northern Ireland) 2013	<a href="#">S.R. 2013 No. 273</a>	Articles 5(1)(d)(vi), 6(a)(iv) and 12(1)(d)(vi)
Waiting Restrictions (Ballykelly) Order (Northern Ireland) 2014	<a href="#">S.R. 2014 No. 4</a>	Article 3(1)(d)(vi)
Parking Places, Loading Bay and Waiting Restrictions (Newcastle) Order (Northern Ireland) 2014	<a href="#">S.R. 2014 No.72</a>	Articles 4(a)(iv), 11(d)(iv) and 14(1)(d)(vi)
Parking and Waiting Restrictions (Cathedral Quarter, Belfast) Order (Northern Ireland) 2014	<a href="#">S.R. 2014 No. 161</a>	Article 3(1)(d)(vi)
Waiting Restrictions (Craigavon) Order (Northern Ireland) 2014	<a href="#">S.R. 2014 No. 252</a>	Article 3(1)(d)(vi)
Parking and Waiting Restrictions (Banbridge) Order (Northern Ireland) 2014	<a href="#">S.R. 2014 No. 260</a>	Articles 5(1)(d)(vi), 6(a)(iv) and 12(1)(d)(vi)
Parking and Waiting Restrictions (Fivemiletown) Order (Northern Ireland) 2014	<a href="#">S.R. 2014 No. 281</a>	Articles 5(1)(d)(vi), 6(a)(iv) and 12(1)(d)(vi)
Parking and Waiting Restrictions (Londonderry) Order (Northern Ireland) 2015	<a href="#">S.R. 2015 No. 67</a>	Articles 5(1)(d)(vi), 6(a)(iv) and 12(1)(d)(vi)
Waiting Restrictions (Castleberg) Order (Northern Ireland) 2015	<a href="#">S.R. 2015 No. 110</a>	Article 3(1)(d)(vi)
Parking and Waiting Restrictions (Newtownabbey) Order (Northern Ireland) 2015	<a href="#">S.R. 2015 No. 222</a>	Articles 5(1)(d)(vi), 6(a)(iv) and 12(1)(d)(vi)

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<i>Title of Instrument</i>	<i>Instrument Number</i>	<i>Provision to be amended</i>
Parking and Waiting Restrictions (Antrim) Order (Northern Ireland) 2015	<a href="#">S.R. 2015 No. 232</a>	Articles 5(1)(d)(vi), 6(a)(iv) and 12(1)(d)(vi)
Footways (Prohibition of Waiting) Order (Northern Ireland) 2015	<a href="#">S.R. 2015 No. 252</a>	Article 3(d)(vi)
Waiting Restrictions (Lisburn) Order (Northern Ireland) 2015	<a href="#">S.R. 2015 No. 260</a>	Article 3(1)(d)(vi)
Waiting Restrictions (Clogher) Order (Northern Ireland) 2015	<a href="#">S.R. 2015 No. 267</a>	Article 3(1)(d)(vi)
Parking Places on Roads and Waiting Restrictions (Newry) Order (Northern Ireland) 2015	<a href="#">S.R. 2015 No. 270</a>	Articles 5(1)(d)(vi), 6(a)(iv) and 12(1)(d)(vi)
Waiting Restrictions (Cookstown) Order (Northern Ireland) 2015	<a href="#">S.R. 2015 No. 304</a>	Article 3(1)(d)(vi)
Parking Places and Waiting Restrictions (Ballymoney) Order (Northern Ireland) 2015	<a href="#">S.R. 2015 No. 316</a>	Articles 5(1)(d)(vi), 6(a)(iv) and 12(1)(d)(vi)
Parking Places and Waiting Restrictions (Belfast City Centre) Order (Northern Ireland) 2015	<a href="#">S.R. 2015 No. 378</a>	Article 3(1)(d)(vi)
Parking and Waiting Restrictions (Strabane) Order (Northern Ireland) 2015	<a href="#">S.R. 2015 No. 400</a>	Articles 5(1)(d)(vi), 6(a)(iv) and 12(1)(d)(vi)
Waiting Restrictions (Portballintrae) Order (Northern Ireland) 2015	<a href="#">S.R. 2015 No. 401</a>	Article 3(1)(d)(vi)
Parking Places and Waiting Restrictions (Alfred Street/Upper Arthur Street, Belfast) Order (Northern Ireland) 2015	<a href="#">S.R. 2015 No. 410</a>	Articles 4(a)(iv), 10(d)(vi) and 20(1)(d)(vi)
Parking Places on Roads (Coaches) Order (Northern Ireland) 2015	<a href="#">S.R. 2015 No. 414</a>	Articles 6(d)(vi) and 7(a)(iv)
Parking and Waiting Restrictions (Lurgan) Order (Northern Ireland) 2016	<a href="#">S.R. 2016 No. 7</a>	Articles 5(1)(d)(vi), 6(a)(iv) and 12(1)(d)(vi)
Parking Places on Roads (Ballynahinch) Order (Northern Ireland) 2016	<a href="#">S.R. 2016 No. 20</a>	Articles 5(1)(d)(vi) and 6(a)(iv)
Parking and Waiting Restrictions (Dungannon) Order (Northern Ireland) 2016	<a href="#">S.R. 2016 No. 124</a>	Article 4(1)(d)(vi)
Urban Clearways Order (Northern Ireland) 2016	<a href="#">S.R. 2016 No. 130</a>	Article 3(1)(d)(vii)

<i>Title of Instrument</i>	<i>Instrument Number</i>	<i>Provision to be amended</i>
Parking and Waiting Restrictions (Newtownards) Order (Northern Ireland) 2016	<a href="#">S.R. 2016 No. 280</a>	Articles 5(1)(d)(vi), 6(a)(iv) and 12(1)(d)(vi)
Parking and Waiting Restrictions (Carrickfergus) Order (Northern Ireland) 2016	<a href="#">S.R. 2016 No.306</a>	Article 5(1)(d)(vi)
Parking and Waiting Restrictions (Armagh) Order (Northern Ireland) 2017	<a href="#">S.R. 2017 No.100</a>	Articles 5(1)(d)(vi), 6(a)(iv) and 12(1)(d)(vi)
Parking and Waiting Restrictions (Dromore) Order (Northern Ireland) 2017	<a href="#">S.R. 2017 No. 121</a>	Articles 6(1)(d)(vi) and 13(1)(d)(vi)

### SCHEDULE 3

Regulation 2(3)

#### AMENDMENT OF PLANNING LEGISLATION

##### **Town and Country Planning (General Permitted Development) (Scotland) Order 1992**

1.—(1) The Town and Country Planning (General Permitted Development) (Scotland) Order 1992<sup>(42)</sup> is amended as follows.

(2) In Schedule 1 (classes of permitted development)—

- (a) in Part 13 (development by statutory undertakers), in relation to Class 40 (electricity undertakings), in paragraph (5), in the definition of “electronic communications line” for “paragraph 1 of Schedule 2 to the Telecommunications Act 1984” substitute “paragraph 5 of the electronic communications code set out in Schedule 3A to the Communications Act 2003”;
- (b) in the heading to Part 21, for “telecommunications” substitute “electronic communications”.

##### **Town and Country Planning (Trees) Regulations 1999**

2.—(1) The Town and Country Planning (Trees) Regulations 1999<sup>(43)</sup> are amended as follows.

(2) In the form set out in the Schedule (form of Tree Preservation Order), in paragraph 5(2) (exemptions)—

- (a) omit the words from “the holder of a licence under section 7” to “applied”;
- (b) at the end insert—

“a person in whose case the electronic communications code is applied by a direction under section 106 of the Communications Act 2003.”.

<sup>(42)</sup> [S.I. 1992/223 \(S.17\)](#). Relevant amendments are made by [S.I. 2003/2155](#) and [S.S.I.2007/209](#) and [2011/357](#)

<sup>(43)</sup> [S.I. 1999/1892](#). These Regulations are in force in relation to Wales only.

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### **Town and Country Planning (General Permitted Development) (Wales) Order 1995**

3.—(1) The Town and Country Planning (General Permitted Development) (Wales) Order 1995<sup>(44)</sup> is amended as follows.

(2) In Schedule 2, in Part 17 (development by statutory undertakers), in relation to Class G (electricity undertakings), in paragraph G.4 for “paragraph 1 of Schedule 2 to the Telecommunications Act 1984” substitute “paragraph 5 of the electronic communications code set out in Schedule 3A to the Communications Act 2003”.

### **Town and Country Planning (Local Development Plan) (Wales) Regulations 2005**

4.—(1) The Town and Country Planning (Local Development Plan) (Wales) Regulations 2005<sup>(45)</sup> are amended as follows.

(2) In the English text of the Regulations, in regulation 2(1) (interpretation), in the definition of “electronic communications apparatus” (“*offer cyfathrebu electronig*”) for “paragraph 1(1)” substitute “paragraph 5”.

(3) In the Welsh text of the Regulations, in regulation 2(1) (*dehongli*), in the definition of “*offer cyfathrebu electronig*” (“*electronic communications apparatus*”) for “*baragraff 1(1)*” substitute “*baragraff 5*”.

### **Town and Country Planning (Control of Advertisements) (England) Regulations 2007**

5.—(1) The Town and Country Planning (Control of Advertisements) (England) Regulations 2007<sup>(46)</sup> are amended as follows.

(2) In Schedule 3 (classes of advertisement for which deemed consent is granted), in Part 2, in paragraph 1(1) (interpretation), in the definition of “electronic communications apparatus” for “paragraph 1(1) of Schedule 2 to the Telecommunications Act 1984” substitute “paragraph 5 of the electronic communications code set out in Schedule 3A to the Communications Act 2003”.

### **Town and Country Planning (Tree Preservation) (England) Regulations 2012**

6.—(1) The Town and Country Planning (Tree Preservation) (England) Regulations 2012<sup>(47)</sup> are amended as follows.

(2) In regulation 14 (exceptions), for paragraph (3)(e) substitute—

“(e) an operator of an electronic communications code network (within the meaning given in paragraph 1(1) of Schedule 17 to the Communications Act 2003);”.

### **Neighbourhood Planning (General) Regulations 2012**

7.—(1) The Neighbourhood Planning (General) Regulations 2012<sup>(48)</sup> are amended as follows.

(2) In regulation 3 (interpretation), in the definition of “electronic communications apparatus” for “paragraph 1(1)” substitute “paragraph 5”.

<sup>(44)</sup> S.I. 1995/418. This Order is in force in relation to Wales only.

<sup>(45)</sup> S.I. 2005/2839.

<sup>(46)</sup> S.I. 2007/783.

<sup>(47)</sup> S.I. 2012/605.

<sup>(48)</sup> S.I. 2012/637.

### **Town and Country Planning (Local Planning) (England) Regulations 2012**

**8.**—(1) The Town and Country Planning (Local Planning) (England) Regulations 2012<sup>(49)</sup> are amended as follows.

(2) In regulation 2(1) (interpretation), in the definition of “electronic communications apparatus” for “paragraph 1(1)” substitute “paragraph 5”.

### **Town and Country Planning (General Permitted Development) (England) Order 2015**

**9.**—(1) The Town and Country Planning (General Permitted Development) (England) Order 2015<sup>(50)</sup> is amended as follows.

(2) In Schedule 2 (permitted development rights)—

(a) in Part 15 (power related development), in relation to Class B (electricity undertakings), in paragraph B.4, in the definition of “electronic communications line” for “paragraph 1 of Schedule 2 to the Telecommunications Act 1984” substitute “paragraph 5 of the electronic communications code set out in Schedule 3A to the Communications Act 2003”;

(b) in Part 16 (communications)—

(i) in the heading to Class B, for “telecommunications” substitute “electronic communications”;

(ii) in the heading to Class C, for “telecommunications” substitute “electronic communications”.

### **Planning (Trees) Regulations (Northern Ireland) 2015**

**10.**—(1) The Planning (Trees) Regulations (Northern Ireland) 2015<sup>(51)</sup> are amended as follows.

(2) In the form set out in the Schedule (form of Tree Preservation Order), for paragraph 2(a) of Schedule 3 substitute—

“(a) in pursuance of the powers conferred on the operator by virtue of section 106 of, and Part 13 of Schedule 3A to, the Communications Act 2003;”.

### **East Midlands Gateway Rail Freight Interchange and Highway Order 2016**

**11.**—(1) The East Midlands Gateway Rail Freight Interchange and Highway Order 2016<sup>(52)</sup> is amended as follows.

(2) In paragraph (4)(a)(iii) of article 19 (clearways and no waiting) and in paragraph (4)(b)(iii) of article 20 (motor vehicle restrictions), for “telecommunications apparatus as defined in Schedule 2 to the Telecommunications Act 1984” substitute “electronic communications apparatus within the meaning given in paragraph 5 of the electronic communications code set out in Schedule 3A to the Communications Act 2003”.

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<sup>(49)</sup> S.I. 2012/767.

<sup>(50)</sup> S.I. 2015/596.

<sup>(51)</sup> S.R. 2015 No. 84.

<sup>(52)</sup> S.I. 2016/17.

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## SCHEDULE 4

Regulation 2(4)

## AMENDMENT OF OTHER SECONDARY LEGISLATION

**Telecommunications (Street Works) (Northern Ireland) Order 1984**

1.—(1) The Telecommunications (Street Works) (Northern Ireland) Order 1984<sup>(53)</sup> is amended as follows.

(2) In article 2, for the words from “telecommunications code” to “paragraph 9” substitute “electronic communications code set out in Schedule 3A to the Communications Act 2003 to do one or more things mentioned in paragraphs 58 and 59 of Part 8”.

(3) In the heading to Part 1 of Schedule 1, for “paragraph 9(1) of the telecommunications code” substitute “paragraphs 58 and 59 of Part 8 of the electronic communications code”.

**Road Vehicles (Construction and Use) Regulations 1986**

2.—(1) The Road Vehicles (Construction and Use) Regulations 1986<sup>(54)</sup> are amended as follows.

(2) In regulation 101 (parking in darkness), in paragraph (2)(b)(v), for “Schedule 2 to the Telecommunications Act 1984” substitute “paragraph 5 of the electronic communications code set out in Schedule 3A to the Communications Act 2003”.

**Padstow Harbour Revision Order 1987**

3.—(1) The Padstow Harbour Revision Order 1987<sup>(55)</sup> is amended as follows.

(2) In article 26 (moorings etc.), in paragraph (8)—

- (a) for “Paragraph 23 of the telecommunications code” substitute “Part 10 of the electronic communications code set out in Schedule 3A to the Communications Act 2003”;
- (b) for “telecommunication apparatus” substitute “electronic communications apparatus”.

**Cowes Harbour Revision Order 1989**

4.—(1) The Cowes Harbour Revision Order 1989<sup>(56)</sup> is amended as follows.

(2) In article 2 (interpretation) insert in the appropriate places the following definitions—

““electronic communications code” means the code set out in Schedule 3A to the Communications Act 2003;”;

““operator of an electronic communications code network” has the meaning given in paragraph 1(1) of Schedule 17 to the Communications Act 2003;”.

(3) In article 4 (restriction of works and dredging), in paragraph (4)(a)—

- (a) for “a telecommunications code system” substitute “an electronic communications code network”;
- (b) for “telecommunications code”, in the second place it occurs, substitute “electronic communications code”.

(4) In article 5(6)(a)(i) (licensing of works), for “a telecommunications code system” substitute “an electronic communications code network”.

<sup>(53)</sup> S.I. 1984/960.

<sup>(54)</sup> S.I. 1986/1078, amended by S.I. 2003/2155; there are other amending instruments but none is relevant.

<sup>(55)</sup> S.I. 1987/420.

<sup>(56)</sup> S.I. 1989/1941.

### **Portland Harbour Fishery Order 1989**

- 5.—(1) The Portland Harbour Fishery Order 1989<sup>(57)</sup> is amended as follows.
- (2) In article 8 (rights of various persons and bodies), for paragraph (a) substitute—
- “(a) any right conferred on the operator of an electronic communications code network (within the meaning given in paragraph 1(1) of Schedule 17 to the Communications Act 2003) by, or in accordance with, the electronic communications code set out in Schedule 3A to that Act;”.

### **Sealink, (Transfer of Newhaven Harbour) Harbour Revision Order 1991**

- 6.—(1) The Sealink, (Transfer of Newhaven Harbour) Harbour Revision Order 1991<sup>(58)</sup> is amended as follows.
- (2) In article 2 (interpretation)—
- (a) omit the definition of ““operator” and “telecommunications code system””;
- (b) for paragraph (d) of the definition of “statutory undertaker” substitute—
- “(d) any operator of an electronic communications code network (within the meaning given in paragraph 1(1) of Schedule 17 to the Communications Act 2003);”.

### **Sealink (Transfer of Heysham Harbour) Harbour Revision Order 1991**

- 7.—(1) The Sealink (Transfer of Heysham Harbour) Harbour Revision Order 1991<sup>(59)</sup> is amended as follows.
- (2) In article 2(1) (interpretation)—
- (a) omit the definition of ““operator” and “telecommunications code system””;
- (b) for paragraph (d) of the definition of “statutory undertaker” substitute—
- “(d) any operator of an electronic communications code network (within the meaning given in paragraph 1(1) of Schedule 17 to the Communications Act 2003);”.

### **Montrose Harbour Revision Order 1991**

- 8.—(1) The Montrose Harbour Revision Order 1991<sup>(60)</sup> is amended as follows.
- (2) In article 2 (interpretation)—
- (a) omit the definition of ““operator” and “telecommunications code system””;
- (b) for paragraph (c) of the definition of “statutory undertaker” substitute—
- “(c) any operator of an electronic communications code network (within the meaning given in paragraph 1(1) of Schedule 17 to the Communications Act 2003);”.

### **River Colne Barrier (Wivenhoe) Order 1991**

- 9.—(1) The River Colne Barrier (Wivenhoe) Order 1991<sup>(61)</sup> is amended as follows.

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<sup>(57)</sup> S.I. 1989/2428.

<sup>(58)</sup> S.I. 1991/1257.

<sup>(59)</sup> S.I. 1991/1258.

<sup>(60)</sup> S.I. 1991/1745.

<sup>(61)</sup> S.I. 1991/1760.

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- (2) In article 2(1) (interpretation) insert in the appropriate places—
- ““electronic communications apparatus” has the meaning given in paragraph 5 of the electronic communications code;”;
  - ““electronic communications code” means the code set out in Schedule 3A to the Communications Act 2003;”;
  - ““operator of an electronic communications code network” has the meaning given in paragraph 1(1) of Schedule 17 to the Communications Act 2003;”.
- (3) In article 11(4) (temporary stoppage of watercourses, roads and footpaths)—
- (a) for “operator of any telecommunications code system” substitute “operator of an electronic communications code network”;
  - (b) for “telecommunication apparatus” substitute “electronic communications apparatus”.

### **Overhead Lines (Exemption) Regulations (Northern Ireland) 1992**

**10.**—(1) The Overhead Lines (Exemption) Regulations (Northern Ireland) 1992 **(62)** are amended as follows.

(2) In regulation 3 (exemptions from Article 40(1) of the Order), in paragraph (1)(b), for the words from “telecommunications apparatus” to “1984)” substitute “electronic communications apparatus (within the meaning given in paragraph 5 of the electronic communications code set out in Schedule 3A to the Communications Act 2003)”.

### **Wells Harbour Revision Order 1994**

**11.**—(1) The Wells Harbour Revision Order**(63)** is amended as follows.

- (2) In article 2 (interpretation)—
- (a) omit the definition of “the telecommunications code”;
  - (b) in the appropriate place insert—
    - ““the electronic communications code” means the code set out in Schedule 3A to the Communications Act 2003;”.
- (3) In article 18 (moorings etc.), in paragraph (8)—
- (a) for the words from the beginning to “telecommunications apparatus)” substitute “Part 10 of the electronic communications code (which provides a procedure for certain cases where works involve the alteration of electronic communications apparatus)”;
  - (b) for “paragraph 23”, in the second place it occurs, substitute “Part 10”.

### **Lancaster Port Commission Harbour Revision Order 1994**

**12.**—(1) The Lancaster Port Commission Harbour Revision Order 1994**(64)** is amended as follows.

- (2) In article 2 (interpretation)—
- (a) omit the definition of ““operator”, “telecommunications code” and “telecommunications code system””;
  - (b) insert in the appropriate places—

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**(62)** [S.R.1992 No. 118.](#)

**(63)** [S.I. 1994/1440.](#)

**(64)** [S.I. 1994/1647.](#)



““electronic communications code” means the code set out in Schedule 3A to the Communications Act 2003;”;

““operator of an electronic communications code network” has the meaning given in paragraph 1(1) of Schedule 17 to the Communications Act 2003;”;

- (c) in paragraph (d) of the definition of “statutory undertaker”, for “a telecommunication code system” substitute “an electronic communications code network”.

#### **Gloucester Harbour Revision Order 1994**

13.—(1) The Gloucester Harbour Revision Order 1994(65) is amended as follows.

(2) In article 2 (interpretation)—

(a) omit the definition of ““operator” and “telecommunications code system””;

(b) for paragraph (d) of the definition of “statutory undertaker” substitute—

“(d) any operator of an electronic communications code network (within the meaning given in paragraph 1(1) of Schedule 17 to the Communications Act 2003);”.

#### **Swansea Bay Mussel Fishery Order 1995**

14.—(1) The Swansea Bay Mussel Fishery Order 1995(66) is amended as follows.

(2) In article 6 (rights of various persons and bodies), for paragraph (2)(b) substitute—

“(b) any undertaking consisting in the operation of an electronic communications code network (within the meaning given in paragraph 1(1) of Schedule 17 to the Communications Act 2003);”.

#### **Street Works (Northern Ireland) Order 1995**

15.—(1) The Street Works (Northern Ireland) Order 1995(67) is amended as follows.

(2) In Schedule 2 (streets with special engineering difficulties), in paragraph 7 (procedure on submission of plan and section), in sub-paragraph (4)—

(a) for the definition of “electronic communications apparatus” substitute—

““electronic communications apparatus” has the meaning given in paragraph 5 of the electronic communications code set out in Schedule 3A to the Communications Act 2003;”

(b) omit the definition of “telecommunications system”;

(c) insert in the appropriate place—

““electronic communications network” has the meaning given in section 32 of the Communications Act 2003;”

#### **Portland Harbour Revision Order 1997**

16.—(1) The Portland Harbour Revision Order 1997(68) is amended as follows.

(2) In article 2 (interpretation)—

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(65) S.I. 1994/3162.

(66) S.I. 1995/2145.

(67) S.I. 1995/3210 (N.I. 19) amended by paragraph 135 of Schedule 17 to the Communications Act 2003 (c. 21); there are other amending instruments but none is relevant.

(68) S.I. 1997/2949.

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- (a) omit the definition of ““operator” and “telecommunications code system””;
- (b) for paragraph (c) of the definition of “statutory undertaker” substitute—
  - “(c) any operator of an electronic communications code network (within the meaning given in paragraph 1(1) of Schedule 17 to the Communications Act 2003);”.

#### **Penrhos Point Mussel Fishery Order 1998**

17.—(1) The Penrhos Point Mussel Fishery Order 1998 (69) is amended as follows.

(2) In article 6 (rights of various persons and bodies), in paragraph (2), for sub-paragraph (b) substitute—

- “(b) any undertaking consisting in the operation of an electronic communications code network (within the meaning given in paragraph 1(1) of Schedule 17 to the Communications Act 2003);”

#### **Bristol City Docks Harbour Revision Order 1998**

18.—(1) The Bristol City Docks Harbour Revision Order 1998(70) is amended as follows.

(2) In article 2 (interpretation)—

- (a) omit the definition of ““operator” and “telecommunications code system””;
- (b) for paragraph (d) of the definition of “statutory undertaker” substitute—
  - “(d) any operator of an electronic communications code network (within the meaning given in paragraph 1(1) of Schedule 17 to the Communications Act 2003);”.

#### **Civil Procedure Rules 1998**

19.—(1) The Civil Procedure Rules 1998(71) are amended as follows.

(2) In Schedule 2, in Part 49 (miscellaneous statutes)—

- (a) in the heading to Rule 18A, for “Telecommunications Act 1984” substitute “Communications Act 2003”;
- (b) in paragraph (1) of Rule 18A, for “paragraph 5 of Schedule 2 to the Telecommunications Act 1984” substitute “Part 4 of Schedule 3A to the Communications Act 2003”.

#### **Larne Harbour Order (Northern Ireland) 1998**

20.—(1) The Larne Harbour Order (Northern Ireland) 1998(72) is amended as follows.

(2) In article 6(4) (power to secure sufficient waterway and sell dredged etc. materials), for “a telecommunications code system as defined in paragraph 1(1) of Schedule 4 to the Telecommunications Act 1984” substitute “an electronic communications code network within the meaning given in paragraph 1(1) of Schedule 17 to the Communications Act 2003”.

#### **Wirral Tramway Order 1999**

21.—(1) The Wirral Tramway Order 1999(73) is amended as follows.

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(69) S.I. 1998/1146.

(70) S.I. 1998/1209.

(71) S.I. 1998/3132.

(72) S.R.1998 No. 221.

(73) S.I. 1999/1306; amended by S.I. 2003/2155; there are other amending instruments but none is relevant.

- (2) In article 25 (for the protection of British Telecommunications plc)—
- (a) in paragraph (2), for the words from “paragraph 9” to “1984” substitute “Part 10 of the electronic communications code set out in Schedule 3A to the Communications Act 2003”;
  - (b) in paragraph (5), for “Schedule 2 to the Telecommunications Act 1984” substitute “Schedule 3A to the Communications Act 2003”.

#### **River Thames (Hungerford Footbridges) Order 1999**

**22.**—(1) The River Thames (Hungerford Footbridges) Order 1999<sup>(74)</sup> is amended as follows.

- (2) In Schedule 10 (protection of certain persons), in Part 3 (protection of British Telecommunications plc)—
- (a) in paragraph 25, for the words from “paragraph 9” to “1984” substitute “Part 8 of the electronic communications code set out in Schedule 3A to the Communications Act 2003”;
  - (b) in paragraph 27, for “Schedule 2 to the Telecommunications Act 1984” substitute “Schedule 3A to the Communications Act 2003”.

#### **Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1999**

**23.**—(1) The Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1999<sup>(75)</sup> are amended as follows.

- (2) In regulation 2 (interpretation), in the definition of “statutory undertaker”, for the words from “a telecommunications code system” to “1984” substitute “an electronic communications code network within the meaning given in paragraph 1(1) of Schedule 17 to the Communications Act 2003”.
- (3) In regulation 117 (parking in darkness), in subsection (2)(b)(v), for the words from “telecommunication apparatus” to “1984” substitute “electronic communications apparatus as defined in paragraph 5 of the electronic communications code set out in Schedule 3A to the Communications Act 2003”.

#### **Watchet Harbour Revision Order 2000**

**24.**—(1) The Watchet Harbour Revision Order 2000<sup>(76)</sup> is amended as follows.

- (2) In article 2(1) (interpretation), for paragraph (d) of the definition of “statutory undertaker” substitute—
- “(d) any operator of an electronic communications code network (within the meaning given in paragraph 1(1) of Schedule 17 to the Communications Act 2003);”.

#### **Port of Tyne Harbour Revision Order 2001**

**25.**—(1) The Port of Tyne Harbour Revision Order 2001<sup>(77)</sup> is amended as follows.

- (2) In article 2 (interpretation)—
- (a) omit the definition of ““operator” and “telecommunications code system””;
  - (b) for paragraph (d) of the definition of “statutory undertaker” substitute—

<sup>(74)</sup> S.I.1999/2981; amended by S.I. 2003/2155.

<sup>(75)</sup> S.R. 1999 No. 454; to which there are amendments not relevant to these Regulations.

<sup>(76)</sup> S.I. 2000/1884.

<sup>(77)</sup> S.I. 2001/416.

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- “(d) any operator of an electronic communications code network within the meaning given in paragraph 1(1) of Schedule 17 to the Communications Act 2003.”.

#### **Waddeton Fishery Order 2001**

**26.**—(1) The Waddeton Fishery Order 2001(**78**) is amended as follows.

(2) In article 14 (rights of various persons and bodies), for paragraph (2)(b) substitute—

- “(b) any undertaking consisting in the operation of an electronic communications code network (within the meaning given in paragraph 1(1) of Schedule 17 to the Communications Act 2003);”.

#### **Piccadilly Line (Heathrow T5 Extension) Order 2002**

**27.**—(1) The Piccadilly Line (Heathrow T5 Extension) Order 2002(**79**) is amended as follows.

(2) In Schedule 7 (protection of fuel pipelines and facilities), in paragraph 14(2), for “telecommunications” substitute “electronic communications”.

#### **Electronic Communications Code (Conditions and Restrictions) Regulations 2003**

**28.**—(1) The Electronic Communications Code (Conditions and Restrictions) Regulations 2003(**80**) are amended as follows.

(2) In regulation 2 (interpretation)—

- (a) in paragraph (1) for “Schedule 2 to the Telecommunications Act 1984” substitute “Schedule 3A to the Act”;
- (b) in paragraph (2) in the definition of “relevant undertaker”, for the words from “has the meaning” to “1984” substitute “means an undertaker within the meaning given in paragraph 66 of Part 10 of Schedule 3A to the Act”.

(3) In regulation 16(1)(a) (funds for meeting liabilities), for “paragraph 9” substitute “Part 8”.

#### **Midland Metro (Wednesbury to Brierley Hill and Miscellaneous Amendments) Order 2005**

**29.**—(1) The Midland Metro (Wednesbury to Brierley Hill and Miscellaneous Amendments) Order 2005(**81**) is amended as follows.

(2) In Schedule 10 (provisions relating to statutory undertakers etc.)—

- (a) in paragraph 1(6), in the definition of “electronic communications code” for “Schedule 2 to the Telecommunications Act 1984” substitute “Schedule 3A to the Communications Act 2003”;
- (b) in the heading to paragraph 3, for “telecommunications” substitute “electronic communications”.
- (c) in paragraph 3(1), for “Paragraph 21” substitute “Part 6”;
- (d) in paragraph 3(2), for “Paragraph 23” substitute “Part 10”;
- (e) in paragraph 3(3), for “paragraph 9” substitute “Part 8”.

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(78) S.I. 2001/1380.

(79) S.I. 2002/1065.

(80) S.I. 2003/2553; to which there are amendments not relevant to these Regulations.

(81) S.I. 2005/927.

### **Telford Railfreight Terminal (Donnington) Order 2005**

**30.**—(1) The Telford Railfreight Terminal (Donnington) Order 2005(**82**) is amended as follows.

(2) In Schedule 7 (statutory undertakers etc.), in paragraph 1(6), in the definition of “code operator” for “103” substitute “106”.

(3) In Schedule 8 (protective provisions), in Part 2 (protection for code operators), in paragraph 11(1)—

- (a) for “telecommunications operators”, in the first place it occurs, substitute “operators of electronic communications code networks”;
- (b) for “the telecommunications operators” substitute “the operators”.

### **Midland Metro (Birmingham City Centre Extension, etc.) Order 2005**

**31.**—(1) The Midland Metro (Birmingham City Centre Extension, etc.) Order 2005(**83**) is amended as follows.

(2) In Schedule 7 (provisions relating to statutory undertakers, etc.)—

- (a) in paragraph 1(6), in the definition of “electronic communications code” for “Schedule 2 to the Telecommunications Act 1984” substitute “Schedule 3A to the Communications Act 2003”;
- (b) in paragraph 2(1), for “Paragraph 21” substitute “Part 6”;
- (c) in paragraph 2(2), for “Paragraph 23” substitute “Part 10”;
- (d) in paragraph 2(3), for “paragraph 9” substitute “Part 8”.

### **River Tyne (Tunnels) Order 2005**

**32.**—(1) The River Tyne (Tunnels) Order 2005(**84**) is amended as follows.

(2) In Schedule 10 (protection of certain persons), in Part 4 (protection of telecommunications undertakers)—

- (a) in the heading, for “telecommunications” substitute “electronic communications”;
- (b) in paragraph 46, for the words from “paragraph 9” to “Schedule 3” substitute “Part 8 of the electronic communications code (the “Code”) set out in Schedule 3A”.

### **Water and Sewerage Services (Northern Ireland) Order 2006**

**33.**—(1) The Water and Sewerage Services (Northern Ireland) Order 2006(**85**) is amended as follows.

(2) In Schedule 10 (protective provisions in respect of certain undertakings), in paragraph 4—

- (a) in the heading, for “telecommunication systems” substitute “electronic communications networks”;
- (b) for “Paragraph 23 of Schedule 2 to the Telecommunications Act 1984 (c. 12)” substitute “Part 10 of Schedule 3A to the Communications Act 2003”.

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(82) S.I. 2005/1163.

(83) S.I. 2005/1794.

(84) S.I. 2005/2222.

(85) S.I. 2006/3336 (N.I. 21).

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### **Maryport Harbour Revision Order 2007**

**34.**—(1) The Maryport Harbour Revision Order 2007(**86**) is amended as follows.

(2) In article 2(1) (interpretation), for paragraph (d) of the definition of “statutory undertaker” substitute—

“(d) any operator of an electronic communications code network (within the meaning given in paragraph 1(1) of Schedule 17 to the Communications Act 2003);”

### **Overhead Lines (Exemption) (England and Wales) Regulations 2009**

**35.**—(1) The Overhead Lines (Exemption) (England and Wales) Regulations 2009(**87**) are amended as follows.

(2) In regulation 3 (exemptions from section 37(1) of the Act), in paragraph (1)(b), for “paragraph 1 of Schedule 2 to the Telecommunications Act 1984” substitute “the electronic communications code set out in Schedule 3A to the Communications Act 2003”.

### **River Mersey (Mersey Gateway Bridge) Order 2011**

**36.**—(1) The River Mersey (Mersey Gateway Bridge) Order 2011(**88**) is amended as follows.

(2) In Schedule 10 (protective provisions), in Part 7 (protection of Cable and Wireless UK), in paragraph 83, for the words from “paragraph 9” to “Schedule 3” substitute “Part 8 of the electronic communications code (“the Code”) set out in Schedule 3A”.

### **River Roach Oyster Fishery Order 2013**

**37.**—(1) The River Roach Oyster Fishery Order 2013(**89**) is amended as follows.

(2) In article 7 (lawful activities of statutory undertakers), for paragraph (2)(c) substitute—

“(c) any operator of an electronic communications code network (within the meaning given in paragraph 1(1) of Schedule 17 to the Communications Act 2003);”

### **Overhead Lines (Exemption) (Scotland) Regulations 2013**

**38.**—(1) The Overhead Lines (Exemption) (Scotland) Regulations 2013(**90**) are amended as follows.

(2) In regulation 3 (exemptions from section 37(1) of the Act), in paragraph (1)(b)(i), for “paragraph 1 of Schedule 2 to the Telecommunications Act 1984” substitute “the electronic communications code set out in Schedule 3A to the Communications Act 2003”.

### **National Grid (King’s Lynn B Power Station Connection) Order 2013**

**39.**—(1) The National Grid (King’s Lynn B Power Station Connection) Order 2013(**91**) is amended as follows.

(2) In Schedule 8 (protective provisions), in Part 4 (for the protection of operators of electronic communications code networks)—

(a) in paragraph 2—

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(86) S.I. 2007/3463.

(87) S.I. 2009/640.

(88) S.I. 2011/41.

(89) S.I. 2013/1979.

(90) S.S.I. 2013/264.

(91) S.I. 2013/3200.

- (i) omit the definition of “conduit system”;
- (ii) in paragraph (a) of the definition of “electronic communications code network”, for “conduit system” substitute “infrastructure system”;
- (iii) in the appropriate place insert—
  - ““infrastructure system” has the same meaning as in the electronic communications code and references to providing an infrastructure system are to be construed in accordance with paragraph 7 of that code;”
- (b) in paragraph 3, for “paragraph 23 of Schedule 2 to the Telecommunications Act 1984” substitute “Part 10 of Schedule 3A to the Communications Act 2003”.

#### **National Grid (North London Reinforcement Project) Order 2014**

**40.**—(1) The National Grid (North London Reinforcement Project) Order 2014<sup>(92)</sup> is amended as follows.

(2) In Schedule 13 (protective provisions), in Part 1 (for the protection of operators of electronic communications code networks)—

- (a) in paragraph 2—
  - (i) omit the definition of “conduit system”;
  - (ii) in paragraph (a) of the definition of “electronic communications code network”, for “conduit system” substitute “infrastructure system”;
  - (iii) in the appropriate place insert—
    - ““infrastructure system” has the same meaning as in the electronic communications code and references to providing an infrastructure system are to be construed in accordance with paragraph 7 of that code;”;
- (b) in paragraph 3, for “paragraph 23 of Schedule 2 to the Telecommunications Act 1984” substitute “Part 10 of Schedule 3A to the Communications Act 2003”.

#### **East Anglia ONE Offshore Wind Farm Order 2014**

**41.**—(1) The East Anglia ONE Offshore Wind Farm Order 2014<sup>(93)</sup> is amended as follows.

(2) In Schedule 6 (land in which only new rights etc. may be acquired), for “telecommunications” wherever that word occurs substitute “electronic communications”.

(3) In Schedule 9 (protective provisions), in Part 2 (protection for operators of electronic communications code networks)—

- (a) in paragraph 1(2)—
  - (i) omit the definition of “conduit system”;
  - (ii) in paragraph (a) of the definition of “electronic communications code network”, for “conduit system” substitute “infrastructure system”;
  - (iii) in the appropriate place insert—
    - ““infrastructure system” has the same meaning as in the electronic communications code and references to providing an infrastructure system are to be construed in accordance with paragraph 7 of that code;”;
- (b) in paragraph 2, for “paragraph 23 of Schedule 2 to the Telecommunications Act 1984” substitute “Part 10 of Schedule 3A to the Communications Act 2003”.

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<sup>(92)</sup> S.I. 2014/1052.

<sup>(93)</sup> S.I. 2014/1599.

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### **Thames Water Utilities Limited (Thames Tideway Tunnel) Order 2014**

**42.**—(1) The Thames Water Utilities Limited (Thames Tideway Tunnel) Order 2014<sup>(94)</sup> is amended as follows.

(2) In Schedule 1 (authorised project), in Part 1 (authorised development), in paragraph (a) of the section headed “And in connection with Works Nos. 1 to 27”, for “telecommunications” substitute “electronic communications”.

(3) In Schedule 16 (provisions for protection of specified undertakers), in Part 6 (communications network operators)—

(a) in paragraph 2—

(i) omit the definition of “conduit system” in paragraph (a);

(ii) in the definition of “electronic communications code network” in paragraph (d), for “conduit system” substitute “infrastructure system”;

(iii) in the appropriate place insert—

““infrastructure system” has the same meaning as in the electronic communications code and references to providing an infrastructure system are to be construed in accordance with paragraph 7 of that code;”;

(b) in paragraph 3, for “paragraph 23 of Schedule 2 to the Telecommunications Act 1984” substitute “Part 10 of Schedule 3A to the Communications Act 2003”;

(c) in paragraph 5(1), for “paragraph 9” substitute “Part 8”.

### **Walney Extension Offshore Wind Farm Order 2014**

**43.**—(1) The Walney Extension Offshore Wind Farm Order 2014<sup>(95)</sup> is amended as follows.

(2) In column 2 of the table in Schedule 6 (land in which only new rights etc., may be acquired), for “telecommunications” wherever that word occurs, substitute “electronic communications”.

(3) In Schedule 12 (protective provisions), in Part 2 (protection for operators of electronic communications code networks)—

(a) in paragraph 1(2)—

(i) omit the definition of “conduit system”;

(ii) in paragraph (a) of the definition of “electronic communications code network”, for “conduit system” substitute “infrastructure system”;

(iii) in the appropriate place insert—

““infrastructure system” has the same meaning as in the electronic communications code and references to providing an infrastructure system are to be construed in accordance with paragraph 7 of that code;”;

(b) in paragraph 2, for “Paragraph 23 of Schedule 2 to the Telecommunications Act 1984” substitute “Part 10 of Schedule 3A to the Communications Act 2003”.

### **Willington C Gas Pipeline Order 2014**

**44.**—(1) The Willington C Gas Pipeline Order 2014<sup>(96)</sup> is amended as follows.

(2) In Schedule 9 (protective provisions), in Part 2 (for the protection of operators of electronic communications code networks)—

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<sup>(94)</sup> S.I. 2014/2384.

<sup>(95)</sup> S.I. 2014/2950.

<sup>(96)</sup> S.I. 2014/3328.



- (a) in paragraph 2 —
  - (i) omit the definition of “conduit system”;
  - (ii) in paragraph (a) of the definition of “electronic communications code network”, for “conduit system” substitute “infrastructure system”;
  - (iii) in the appropriate place insert—
    - ““infrastructure system” has the same meaning as in the electronic communications code and references to providing an infrastructure system are to be construed in accordance with paragraph 7 of that code;”;
- (b) in paragraph 3, for “paragraph 23 of Schedule 2 to the Telecommunications Act 1984” substitute “Part 10 of Schedule 3A to the Communications Act 2003”.

#### **Hornsea One Offshore Wind Farm Order 2014**

**45.**—(1) The Hornsea One Offshore Wind Farm Order 2014<sup>(97)</sup> is amended as follows.

(2) In Schedule 12 (protective provisions), in Part 3 (protection for operators of electronic communications code networks)—

- (a) in paragraph 31(2) —
  - (i) omit the definition of “conduit system”;
  - (ii) in paragraph (a) of the definition of “electronic communications code network”, for “conduit system” substitute “infrastructure system”;
  - (iii) in the appropriate place insert—
    - ““infrastructure system” has the same meaning as in the electronic communications code and references to providing an infrastructure system are to be construed in accordance with paragraph 7 of that code;”;
- (b) in paragraph 32, for “Paragraph 23 of Schedule 2 to the Telecommunications Act 1984” substitute “Part 10 of Schedule 3A to the Communications Act 2003”.

#### **Non-Domestic Rating (Small Business Relief) (Wales) Order 2015**

**46.**—(1) The Non-Domestic Rating (Small Business Relief) (Wales) Order 2015<sup>(98)</sup> is amended as follows.

(2) In the English text of the Order, in article 2 (interpretation), in paragraph (a) of the definition of “electronic communications apparatus” (“*cyfarpar cyfathrebiadau electronig*”) for “paragraph 1(1)” substitute “paragraph 5”.

(3) In the Welsh text of the Order, in article 2 (dehongli), in paragraph (a) of the definition of “cyfarpar cyfathrebiadau electronig” (“*electronic communications apparatus*”) for “baragraff 1(1)” substitute “baragraff 5”.

#### **Dogger Bank Creyke Beck Offshore Wind Farm Order 2015**

**47.**—(1) The Dogger Bank Creyke Beck Offshore Wind Farm Order 2015<sup>(99)</sup> is amended as follows.

(2) In Schedule 12 (protective provisions), in Part 3 (protection of operators of electronic communications code networks)—

- (a) in paragraph 1(2)—

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<sup>(97)</sup> S.I. 2014/3331.

<sup>(98)</sup> S.I. 2015/229.

<sup>(99)</sup> S.I. 2015/318.

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- (i) omit the definition of “conduit system”;
  - (ii) in paragraph (a) of the definition of “electronic communications code network”, for “conduit system” substitute “infrastructure system”;
  - (iii) in the appropriate place insert—
    - ““infrastructure system” has the same meaning as in the electronic communications code and references to providing an infrastructure system are to be construed in accordance with paragraph 7 of that code;”;
- (b) in paragraph 2, for “paragraph 9” substitute “Part 8”.

#### **Poole Harbour Fishery Order 2015**

- 48.**—(1) The Poole Harbour Fishery Order 2015(**100**) is amended as follows.
- (2) In article 7 (statutory undertakers), for paragraph (2)(a) substitute—
- “(a) a person operating an electronic communications code network within the meaning given in paragraph 1(1) of Schedule 17 to the Communications Act 2003; and”.

#### **Swansea Bay Tidal Generating Station Order 2015**

- 49.**—(1) The Swansea Bay Tidal Generating Station Order 2015(**101**) is amended as follows.
- (2) In Part 6 of Schedule 8 (for the protection of British Telecommunications Plc etc.), in paragraph 77, for the words from “paragraph 9” to “1984” substitute “Part 8 of the electronic communications code (the “Code”) set out in Schedule 3A to the Communications Act 2003”.

#### **Preesall Underground Gas Storage Facility Order 2015**

- 50.**—(1) The Preesall Underground Gas Storage Facility Order 2015(**102**) is amended as follows.
- (2) In Schedule 8 (protective provisions), in Part 2 (for the protection of operators of electronic communications code networks)—
- (a) in paragraph 2—
    - (i) omit the definition of “conduit system”;
    - (ii) in paragraph (a) of the definition of “electronic communications code network”, for “conduit system” substitute “infrastructure system”;
    - (iii) in the appropriate place insert—
      - ““infrastructure system” has the same meaning as in the electronic communications code and references to providing an infrastructure system are to be construed in accordance with paragraph 7 of that code;”;
  - (b) in paragraph 3, for “paragraph 23 of Schedule 2 to the Telecommunications Act 1984” substitute “Part 10 of Schedule 3A to the Communications Act 2003”;
  - (c) in paragraph 5, for “paragraph 9” substitute “Part 8”.

#### **Progress Power (Gas Fired Power Station) Order 2015**

- 51.**—(1) The Progress Power (Gas Fired Power Station) Order 2015(**103**) is amended as follows.

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(100) S.I. 2015/1346.  
(101) S.I. 2015/1386.  
(102) S.I. 2015/1561.  
(103) S.I. 2015/1570.

(2) In Schedule 9 (protective provisions), in Part 3 (for the protection of operators of electronic communications code networks)—

(a) in paragraph 27(2)—

(i) omit the definition of “conduit system”;

(ii) in paragraph (a) of the definition of “electronic communications code network”, for “conduit system” substitute “infrastructure system”;

(iii) in the appropriate place insert—

““infrastructure system” has the same meaning as in the electronic communications code and references to providing an infrastructure system are to be construed in accordance with paragraph 7 of that code;”;

(b) in paragraph 28, for “paragraph 23 of Schedule 2 to the Telecommunications Act 1984 (undertaker’s works)” substitute “Part 10 of Schedule 3A to the Communications Act 2003 (undertaker’s works affecting electronic communications apparatus)”.

### **Hirwaun Generating Station Order 2015**

**52.**—(1) The Hirwaun Generating Station Order 2015(**104**) is amended as follows.

(2) Schedule 7 (protective provisions) is amended as follows.

(3) In Part 4 (for the protection of operators of electronic communications code networks)—

(a) in paragraph 35(2)—

(i) omit the definition of “conduit system”;

(ii) in paragraph (a) of the definition of “electronic communications code network”, for “conduit system” substitute “infrastructure system”;

(iii) in the appropriate place insert—

““infrastructure system” has the same meaning as in the electronic communications code and references to providing an infrastructure system are to be construed in accordance with paragraph 7 of that code;”

(b) in paragraph 36, for “paragraph 23 of Schedule 2 to the Telecommunications Act 1984 (undertaker’s works)” substitute “Part 10 of Schedule 3A to the Communications Act 2003 (undertaker’s works affecting electronic communications apparatus)”.

(4) In Part 5 (for the protection of affected persons), in paragraph 41, in the definition of “services”, for “telecommunications” substitute “electronic communications”.

### **Dogger Bank Teesside A and B Offshore Wind Farm Order 2015**

**53.**—(1) The Dogger Bank Teesside A and B Offshore Wind Farm Order 2015(**105**) is amended as follows.

(2) In Schedule 12 (protective provisions), in Part 3 (protection of operators of electronic communications code networks)—

(a) in paragraph 1(2)—

(i) omit the definition of “conduit system”;

(ii) in paragraph (a) of the definition of “electronic communications code network”, for “conduit system” substitute “infrastructure system”;

(iii) in the appropriate place insert—

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(104) S.I. 2015/1574.

(105) S.I. 2015/1592.

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““infrastructure system” has the same meaning as in the electronic communications code and references to providing an infrastructure system are to be construed in accordance with paragraph 7 of that code;”

(b) in paragraph 2, for “paragraph 9” substitute “Part 8”.

#### **Ferrybridge Multifuel 2 Power Station Order 2015**

**54.**—(1) The Ferrybridge Multifuel 2 Power Station Order 2015(**106**) is amended as follows.

(2) In Schedule 1 (authorised development), under the heading “Associated development”, in paragraphs (g) and (j), for “telecommunications” substitute “electronic communications”.

#### **Peterhead Port Authority Harbour Revision Order 2015**

**55.**—(1) The Peterhead Port Authority Harbour Revision Order 2015(**107**) is amended as follows.

(2) In article 5 (subsidiary works), in paragraph (2)(b), for “telecommunications apparatus” substitute “electronic communications apparatus”.

#### **Public Contracts (Scotland) Regulations 2015**

**56.**—(1) The Public Contracts (Scotland) Regulations 2015(**108**) are amended as follows.

(2) In the table in Schedule 2 (activities constituting works), in relation to class 45.31 (installation of electrical wiring and fittings), for “telecommunications systems” substitute “electronic communications networks”.

#### **National Grid (Hinkley Point C Connection Project) Order 2016**

**57.**—(1) The National Grid (Hinkley Point C Connection Project) Order 2016(**109**) is amended as follows.

(2) In Schedule 15 (protective provisions), in Part 2 (protection for operators of electronic communications code networks)—

(a) in paragraph 8(2)—

(i) omit the definition of “conduit system”;

(ii) in paragraph (a) of the definition of “electronic communications code network”, for “conduit system” substitute “infrastructure system”;

(iii) in the appropriate place insert—

““infrastructure system” has the same meaning as in the electronic communications code and references to providing an infrastructure system are to be construed in accordance with paragraph 7 of that code;”;

(b) in paragraph 9, for “paragraph 23 of Schedule 2 to the Telecommunications Act 1984” substitute “Part 10 of Schedule 3A to the Communications Act 2003”.

#### **Traffic Signs Regulations and General Directions 2016**

**58.**—(1) The Traffic Signs Regulations and General Directions 2016(**110**) are amended as follows.

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(106) S.I. 2015/1832.

(107) S.S.I. 2015/298.

(108) S.S.I. 2015/446.

(109) S.I. 2016/49.

(110) S.I. 2016/362.

(2) In Schedule 7 (road markings etc.), in Part 6 (the significance of particular road markings), in paragraph 4(3)(e), for “system” substitute “network”.

(3) In Schedule 9 (regulatory signs etc.), in Part 7 (the significance of particular signs in Schedule 9), in paragraph 9(3)(c)(iv), for “system” substitute “network”.

(4) In Schedule 14 (signs for traffic control etc.)—

(a) in Part 1 (provisions applying to signs in Parts 2 and 3), in paragraphs 14(3)(d)(iv) and 23(3)(e)(iv), for “system” substitute “network”;

(b) in Part 5 (movement at section 25 crossings), in paragraph 4(2)(e)(iv), for “system” substitute “network”.

### **Midland Metro (Birmingham City Centre Extension, etc.) (Land Acquisition and Variation) Order 2016**

**59.**—(1) The Midland Metro (Birmingham City Centre Extension, etc.) (Land Acquisition and Variation) Order 2016(**111**) is amended as follows.

(2) In Schedule 4 (provisions relating to statutory undertakers, etc.)—

(a) in paragraph 1(6), in the definition of “electronic communications code” for “Schedule 2 to the Telecommunications Act 1984” substitute “Schedule 3A to the Communications Act 2003”;

(b) in paragraph 2(1), for “Paragraph 21” substitute “Part 6”;

(c) in paragraph 2(2), for “Paragraph 23” substitute “Part 10”;

(d) in paragraph 2(3), for “paragraph 9” substitute “Part 8”.

### **Midland Metro (Wolverhampton City Centre Extension) Order 2016**

**60.**—(1) The Midland Metro (Wolverhampton City Centre Extension) Order 2016(**112**) is amended as follows.

(2) In Schedule 8 (provisions relating to statutory undertakers etc.)—

(a) in paragraph 1(6), in the definition of “electronic communications code” for “Schedule 2 to the Telecommunications Act 1984” substitute “Schedule 3A to the Communications Act 2003”;

(b) in the heading to paragraph 3, for “telecommunications” substitute “electronic communications”.

(c) in paragraph 3(1), for “Paragraph 21” substitute “Part 6”;

(d) in paragraph 3(2), for “Paragraph 23” substitute “Part 10”;

(e) in paragraph 3(3), for “paragraph 9” substitute “Part 8”.

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(111) S.I. 2016/545.

(112) S.I. 2016/684.

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations update references in secondary legislation to terms which have been superseded by amendments made by the Communications Act 2003 (c.21) and by the Digital Economy Act 2017 (c.30) (“the 2017 Act”). In particular, the 2017 Act enacts a new electronic communications code and these Regulations largely make amendments relating to the definitions of certain terms used in that code.

A full impact assessment has not been published for this instrument as it has no impact on the private sector or civil society organisations. An overall Impact Assessment for the reforms to the electronic communications code introduced by the 2017 Act is available at [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/524895/ECC\\_Impact\\_Assessment.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/524895/ECC_Impact_Assessment.pdf). Hard copies are available from the Department for Digital, Culture, Media and Sport at 100 Parliament Street, London SW1A 2BQ.