

SCHEDULES

SCHEDULE 3

Amendments

The Roads (Northern Ireland) Order 1993 (NI 15)

30. In Article 119 (power to enter on land)—

(a) after paragraph (7) insert—

“(7A) Where in the exercise of the power conferred by paragraph (1)(a) works (other than surveying) are to be executed in a street—

(a) Article 15 of the Street Works (Northern Ireland) Order 1995 (notice of starting date of works), so far as it requires notice to be given to a person having apparatus in the street which is likely to be affected by the works;

(b) Article 29 of that Order (requirements to be complied with where works likely to affect another person’s apparatus in the street); and

(c) Article 42 of that Order (liability for damage or loss caused),

have effect in relation to the works as if they were street works within the meaning of that Order.”;

(b) after paragraph (10) insert—

“(10A) Where any person is entitled under Article 42 of the Street Works (Northern Ireland) Order 1995, as applied by paragraph (7A), to compensation in respect of any matter, he is not entitled to recover compensation under paragraph (10) in respect of the same matter.”; and

(c) at the end, add—

“(12) In this Article “street” has the same meaning as in the Street Works (Northern Ireland) Order 1995.”.