

SCHEDULES

SCHEDULE 3

CONSEQUENTIAL AMENDMENTS

PART II

PUBLIC GENERAL ENACTMENTS

Other enactments

- 47 (1) Where the alteration of a telegraphic line of the Corporation is reasonably necessary for the purpose of enabling a local authority to exercise any of the powers conferred on them by Part III of the Housing (Scotland) Act 1966 or Part II of the Housing (Scotland) Act 1974, paragraphs (1) to (8) of section 7 of the Telegraph Act 1878 shall apply to the alteration and accordingly shall have effect, subject to any necessary modifications, as if references therein to undertakers included references to the local authority.
- (2) Where, in pursuance of an order under section 33 of the said Act of 1974 that comes into operation on or after the appointed day, a public right of way over land is extinguished or a street is closed or diverted and, at the beginning of the day on which the order comes into operation, there is, under, in, on, over, along or across the land or street a telegraphic line of the Corporation, the Corporation shall have the same powers in respect of the line as if the order had not come into operation ; but, if a person entitled to land over which the right of way subsisted or on which the street was situated requires that the line should be altered, paragraphs (1) to (8) of the said section 7 shall apply to the alteration and accordingly shall have effect, subject to any necessary modifications, as if references therein to undertakers included references to the person by whom the alteration is required.
- (3) In the proviso to section 33(4) of the said Act of 1974, the expression " apparatus " shall, in relation to the Corporation, be construed generally and shall not be limited by the definition thereof in section 208(1) of the said Act of 1966.
- (4) In this paragraph " telegraphic line " and " alteration " have the same meanings as in the Telegraph Act 1878.