

## SCHEDULES

### SCHEDULE 4

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### *The Opencast Coal Act 1958*

- 38 (1) Section 45 of the Opencast Coal Act 1958 (provisions as to telegraphic lines) shall be amended in accordance with the following provisions of this paragraph.
- (2) In subsection (1) (prohibition on interference with telegraphic lines), for the words from " telegraphic line " onwards there shall be substituted the words " telecommunication apparatus kept installed for the purposes of a telecommunications code system or include any right or power to require any such apparatus to be altered ".
- (3) For subsection (2) (application of section 7 of the Telegraph Act 1878 to authorised operations) there shall be substituted the following subsection: —
- “(2) Where an authorisation has been granted under section 1 of this Act, paragraph 23 of the telecommunications code (which provides a procedure for certain cases where works involve the alteration of telecommunication apparatus) shall apply to the Board for the purposes of any authorised operations.”.
- (4) In subsection (3) (powers in relation to telegraphic lines where public right of way suspended), for the words from " telegraphic line " to " that line " there shall be substituted the words " telecommunication apparatus kept installed for the purposes of a telecommunications code system, the operator of that system shall have the same rights in respect of that apparatus ".
- (5) For subsection (4) (meaning of " telegraphic line " and " alter ") there shall be substituted the following subsection: —
- “(4) Paragraph 1(2) of the telecommunications code (alteration of apparatus to include moving, removal or replacement of apparatus) shall apply for the purposes of subsection (1) above as it applies for the purposes of that code.”.