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*Changes to legislation: There are currently no known outstanding effects for the Channel Tunnel Rail Link Act 1996, Paragraph 6. (See end of Document for details)*

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## SCHEDULES

### SCHEDULE 15

#### PROTECTIVE PROVISIONS

#### PART II

#### PROTECTION FOR ELECTRICITY, GAS, WATER AND SEWERAGE UNDERTAKERS

**Modifications etc. (not altering text)**

- C1** Sch. 15 Pt. II (paras. 1-18) applied (with modifications) (19.2.1999) by [S.I. 1999/537](#), [art. 13\(1\)](#), [Sch. 3 paras. 1-8](#)  
Sch. 15 Pt. II (paras. 1-18) applied (with modifications) (22.3.2001) by [S.I. 2001/1451](#), [art. 15\(1\)](#), [Sch. 3 para. 1\(j\)](#)  
Sch. 15 Pt. II applied (with modifications) (12.8.2002) by [S.I. 2002/1943](#), [art. 15\(1\)\(d\)](#)

- 6 (1) This paragraph applies where—
- (a) the nominated undertaker for the purpose of constructing any work authorised by Part I of this Act in, on or under any land, requires the removal of any apparatus placed in that land, and gives the undertakers not less than 28 days' written notice of that requirement, together with a plan of the proposed work, and of the proposed position of the alternative apparatus to be provided or constructed, or
  - (b) in consequence of the exercise of any of the powers of Part I of this Act, the undertakers reasonably require to remove any apparatus.
- (2) Subject to sub-paragraph (3) below, the nominated undertaker or the Secretary of State shall afford the undertakers the requisite facilities and rights for the construction of any necessary alternative apparatus in other land which is available for the purpose and which is held or used, or intended for use, by the nominated undertaker for the purposes of its undertaking under this Act or held by the Secretary of State, or in which either of them has sufficient rights or interests and thereafter for the maintenance, repair, renewal and inspection of such apparatus.
- (3) Sub-paragraph (4) below applies where facilities and rights required for the construction of apparatus under sub-paragraph (2) above are to be afforded elsewhere than in such other land and neither the nominated undertaker nor the Secretary of State is able to afford such facilities and rights.
- (4) The undertakers shall, on receipt of a written notice from the nominated undertaker that this sub-paragraph applies, forthwith use their best endeavours to obtain the necessary facilities and rights; and neither the nominated undertaker nor the Secretary of State shall be under an obligation as to the provision of such facilities and rights in the other land.

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- (5) The obligation imposed by sub-paragraph (4) above shall not extend to the exercise by the undertakers of any power to acquire by way of compulsory purchase order any land or rights in land, other than any power which may be exercisable by them under paragraph 10 of Schedule 4 to this Act.

**Changes to legislation:**

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