

SCHEDULE

PART 1

MODIFICATIONS OF PUBLIC GENERAL ACTS

Transport Act 1968 (c. 73)

7.—(1) The Transport Act 1968 is amended as follows.

(2) In section 109 (power of certain bodies to maintain or take over waterways and connected works)⁽¹⁾—

(a) in subsection (2)—

(i) for paragraph (b) substitute—

“(b) Scottish Water;” and

(ii) paragraph (j) is repealed;

(b) in subsection (3)—

(i) in paragraph (b), for the words from “any” to “1963)” substitute “Scottish Water unless the Scottish Ministers”; and

(ii) after “undertakers or of” insert occurs insert “Scottish Water or of”; and

(c) in subsection (5), the words “or (b)(i)” and “, in the case of a local authority,” are repealed.

(3) In section 112 (power to extinguish statutory rights and obligations in respect of canals not comprised in undertaking of Waterways Board)⁽²⁾—

(a) in subsection (2), for the words “any local authority or water” substitute “Scottish Water or any local”; and

(b) in subsection (3)(a), for the words “a water authority” substitute “Scottish Water”.

(4) In section 113(5) (byelaws in respect of waterways owned or managed by certain bodies)⁽³⁾, in the definition of “relevant authority” for the words from “any” in the second place where it occurs to “order)” substitute “, except where applying for the order, Scottish Water or any local authority”.

(5) In paragraph 5(2)(a) of Schedule 13 (publication of proposed orders and consideration of objections)⁽⁴⁾, for “a water authority” substitute “Scottish Water”.

(1) Section 109 was amended by the Water Act 1973 (c. 37), section 9(a); the Local Government (Scotland) Act 1973 (c. 65), section 148 and Schedule 17, paragraph 1; the Gas Act 1986 (c. 44), section 67(1) and Schedule 7, paragraph 9; the Electricity Act 1989 (c. 29), section 112(1) and Schedule 16, paragraph 14; the Gas Act 1995 (c. 45), section 16(1) and Schedule 4, paragraph 7(2)(d); S.I. 1970/1681; and S.I. 2000/3251.

(2) Section 112 was amended by the Water Act 1973 (c. 37), section 9(a); the Water Act 1989 (c. 15), section 190(1) and Schedule 25, paragraph 38; the Planning (Consequential Provisions) Act 1990 (c. 11), section 4 and Schedule 2, paragraph 22(3); and the Planning (Consequential Provisions) (Scotland) Act 1997 (c. 11), section 4 and Schedule 2, paragraph 17(2); and S.I. 2000/3251.

(3) Section 113(5) was amended by the Water Act 1973 (c. 37), section 9(a) and the Water Act 1989 (c. 15), section 190(1) and Schedule 25, paragraph 38(3).

(4) Paragraph 5(2) was amended by the Water Act 1973 (c. 37), section 9(a) and the Water Act 1989 (c. 15), section 190(1) and Schedule 25, paragraph 38(3).