

# SCHEDULES

## SCHEDULE 8

### PROTECTIVE PROVISIONS

#### PART 4

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

#### *Interpretation*

**42.**—(1) The following provisions of this Part of this Schedule have effect unless otherwise agreed in writing between LUL and the undertaker concerned.

(2) The provisions of Schedule 7 (provisions relating to statutory undertakers, etc.), in so far as they relate to the removal of apparatus, do not apply in relation to apparatus to which this Schedule applies.

#### **Commencement Information**

**II** Sch. 8 para. 42 in force at 15.12.2014, see [art. 1](#)

**43.** In this Part of this Schedule—

“alternative apparatus” means alternative apparatus adequate to enable the undertaker in question to fulfil its statutory functions in a manner not less efficient than previously;

“apparatus” means—

- (a) in the case of an electricity undertaker, electric lines or electrical plant (as defined in the Electricity Act 1989(1)) belonging to or maintained by that undertaker;
- (b) in the case of a gas undertaker, any mains, pipes or other apparatus belonging to or maintained by a gas transporter for the purposes of gas supply;
- (c) in the case of a water undertaker—
  - (i) mains, pipes or other apparatus belonging to or maintained by that undertaker for the purposes of water supply; and
  - (ii) mains, pipes or other apparatus that is the subject of an agreement to adopt made under section 51A of the Water Industry Act 1991(2); and
- (d) in the case of a sewerage undertaker—
  - (i) any drain or works vested in the undertaker under the Water Industry Act 1991; and

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(1) 1989 c. 29.

(2) 1991 c. 56.

**Changes to legislation:** There are currently no known outstanding effects for the The London Underground (Northern Line Extension) Order 2014, Cross Heading: Interpretation. (See end of Document for details)

- (ii) any sewer which is so vested or is the subject of a notice of intention to adopt given under section 102(4) of that Act or an agreement to adopt made under section 104 of that Act,

and includes a sludge main, disposal main (within the meaning of section 219 of that Act) or sewer outfall and any manholes, ventilating shafts, pumps or other accessories forming part of any such sewer, drain or works,

and includes any structure in which apparatus is or is to be lodged or which gives or will give access to apparatus;

“functions” includes powers and duties;

“in”, in a context referring to apparatus or alternative apparatus in land, includes a reference to apparatus or alternative apparatus under, over, across, along or upon land;

“plans” includes sections, specifications and method statements; and

“undertaker” means—

- (a) any licence holder within the meaning of Part 1 of the Electricity Act 1989;
  - (b) a gas transporter within the meaning of Part 1 of the Gas Act 1986<sup>(3)</sup>;
  - (c) a water undertaker within the meaning of the Water Industry Act 1991; and
  - (d) a sewerage undertaker within the meaning of Part 1 of the Water Industry Act 1991,
- for the area of the authorised works, and in relation to any apparatus, means the undertaker to whom it belongs or by whom it is maintained.

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**Commencement Information**

**I2** Sch. 8 para. 43 in force at 15.12.2014, see [art. 1](#)

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(3) 1986 c. 44.

**Changes to legislation:**

There are currently no known outstanding effects for the The London Underground (Northern Line Extension) Order 2014, Cross Heading: Interpretation.