



London Underground (Green Park) Act 1994

1994 CHAPTER ix

PART IV

PROTECTIVE PROVISIONS

19 Incorporation of protective provisions

- (1) The following provisions of the undermentioned Acts are, with necessary modifications, incorporated with this Act:—
- the Act of 1963—
section 42 (For protection of gas, water and electricity undertakers):
 - the Act of 1976—
section 13 (For protection of sewers of Thames Water Authority):
 - the Act of 1981—
section 17 (For protection of British Telecommunications).
- (2) The provisions of paragraph (1) of the said section 42 of the Act of 1963, as so incorporated, shall have effect as if—
- (a) for the definition of “the undertakers” there were substituted the following:—

“ ‘the undertakers’ means any person authorised to carry on, in the area within which the Company are by this Act authorised to purchase land or execute works, an undertaking for the supply of gas or water or for the generation, transmission or supply of electricity;” and
 - (b) in the definition of “apparatus”—
 - (i) in sub-paragraph (a)

thereof for the words “electric lines or works” there were substituted “electric lines or electrical plant” and for the reference to the Electricity (Supply) Acts 1882 to 1936 there were substituted a reference to Part I of the Electricity Act 1989; and

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- (ii) in the words in parenthesis for the reference to the Public Utilities Street Works Act 1950 there were substituted a reference to Part III of the New Roads and Street Works Act 1991.
- (3) The provisions of the said section 13 of the Act of 1976, as so incorporated, shall have effect as if—
- (a) for references to Thames Water Authority there were substituted references to Thames Water Utilities Limited;
 - (b) for the reference in paragraph (8) thereof to section 7 (Incorporation of provisions of Acts of 1963, 1965, 1969 and 1974 relating to works) of the Act of 1976 there were substituted a reference to section 11 (Incorporation of works provisions) of this Act; and
 - (c) in the definition of “the specified works” in paragraph (1), for the reference to the works authorised by the Act of 1976 there were substituted a reference to the works.
- (4) The provisions of the said section 17 of the Act of 1981, as so incorporated, shall have effect as if—
- (a) paragraph (2) of that section were omitted;
 - (b) for references to Work No. 2 of the Act of 1981 there were substituted references to the works; and
 - (c) for the reference to British Telecommunications there were substituted a reference to any public telecommunications operator as defined in section 9 (3) of the Telecommunications Act 1984.

20 Crown rights

- (1) Nothing in this Act affects prejudicially any estate, right, power, privilege or exemption of the Crown and in particular and without prejudice to the generality of the foregoing nothing in this Act authorises the Company to take, use or in any manner interfere with any land or hereditaments or any rights of whatsoever description—
- (a) belonging to Her Majesty in right of Her Crown and under the management of the Crown Estate Commissioners without the consent in writing of those commissioners; or
 - (b) belonging to Her Majesty in right of Her Crown and under the management (pursuant to any statute or otherwise) of the Secretary of State without his consent in writing; or
 - (c) belonging to a government department or held in trust for Her Majesty for the purposes of a government department without the consent in writing of that government department.
- (2) A consent under subsection (1) above may be given unconditionally or subject to such conditions and upon such terms as may be considered necessary or appropriate.