

SCHEDULES

SCHEDULE 3

OTHER POWERS ETC., OF LICENCE HOLDERS

Interpretation

1.—(1) In this Schedule—

“controlled works” means any such works as are mentioned in paragraph 2(1) being works done under the right conferred by that paragraph;

“electrical plant” and “electric line” have the same meaning as in the Electricity (Northern Ireland) Order 1992;

“electricity licence holder” means the holder of a licence granted under Article 10 of the Electricity (Northern Ireland) Order 1992;

“emergency works” means—

- (a) in relation to a licence holder, work arising from faults in any gas apparatus;
- (b) in relation to an electricity licence holder for the purpose of paragraph 4, work arising from faults in any electric lines or electrical plant;
- (c) in relation to a government department for the purpose of paragraph 4, work requisite to put an end to, or prevent, the arising of circumstances which are likely to cause—
 - (i) danger to persons or property, or
 - (ii) interference with the exercise of any functions conferred on that department;
- (d) in relation to^{F1} an electronic communications code operator] for the purpose of paragraph 4, work requisite to put an end to, or prevent, the arising of circumstances which are likely to cause—
 - (i) danger to persons or property, or
 - (ii) the interruption of any service provided by the^{F1} electronic communications network] of the operator;

“gas apparatus” means—

- (a) pipes and other conduits for the conveyance of gas;
- (b) pressure governors, ventilators and other apparatus used for, or in connection with, the conveyance or supply of gas;

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

“plan” includes section;

“planning permission” means planning permission under Part IV of the Planning (Northern Ireland) Order 1991;

^{F2} ...

Changes to legislation: *The Gas (Northern Ireland) Order 1996, Paragraph 1 is up to date with all changes known to be in force on or before 18 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

“sewer” means a sewer as defined in the Water and Sewerage Services (Northern Ireland) Order [^{F3}2006];

“street” has the same meaning as in the Street Works (Northern Ireland) Order 1995;

F4
...

F5
...

(2) In this Schedule, references to the alteration of any apparatus include references to the moving, removal or replacement of the apparatus.

(3) References in this Schedule to arbitration are to arbitration by an arbitrator appointed by agreement between the parties concerned or, in default of agreement, by the President of the Institution of Civil Engineers.

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| F1 | 2003 c. 21 |
| F2 | Words in Sch. 3 para. 1(1) omitted (28.12.2017) by virtue of Digital Economy Act 2017 (c. 30), s. 118(6), Sch. 3 para. 39(2)(a); S.I. 2017/1286, reg. 2(d) |
| F3 | Words in Sch. 3 para. 1(1) substituted (1.4.2007) by The Water and Sewerage Services (Northern Ireland) Order 2006 (S.I. 2006/3336 (N.I. 21)), art. 1(2), Sch. 12 para. 36(a) (with arts. 8(8), 121(3), 307; S.R. 2007/194, art. 2(2), Sch. 1 Pt. 2 (with Sch. 2) |
| F4 | Words in Sch. 3 para. 1(1) omitted (28.12.2017) by virtue of Digital Economy Act 2017 (c. 30), s. 118(6), Sch. 3 para. 39(2)(b); S.I. 2017/1286, reg. 2(d) |
| F5 | Words in Sch. 3 para. 1(1) omitted (28.12.2017) by virtue of Digital Economy Act 2017 (c. 30), s. 118(6), Sch. 3 para. 39(2)(c); S.I. 2017/1286, reg. 2(d) |

Changes to legislation:

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Changes and effects yet to be applied to :

- Instrument am. (pt.prosp.) by [1998 c. 41 s.66\(5\)Sch.10 Pt.III para.8](#)
- Instrument amended by [1998 c. 41 s.66\(5\)Sch.10 Pt.V para.18](#)
- Instrument rev. in pt. (prosp.) by [1998 c. 41 ss.66\(5\),74\(3\), Sch.10, Pt.V, para.18, Sch.14, Pt.II](#)

Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- art. 18(1A)(aa) inserted by S.I. 2019/93, Sch. 1 para. 7(2)(b) (as substituted) by [S.I. 2019/1245 reg. 24](#) (This amendment not applied to [legislation.gov.uk](#). The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)