



London Underground (Safety Measures) Act 1991

1991 CHAPTER xviii

PART IV

PROTECTIVE PROVISIONS

25 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 (No. 2) Act of 1971—
 - section 22 (For protection of Port Authority and river users); and
 - section 23 (Lights and day marks on river works):
 - 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;”;
 - (b) in sub-paragraph (a) of the definition of “apparatus” for the words “electric lines or works” there were substituted “electric lines or electrical plant” and

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for the reference to the Electricity (Supply) Acts 1882 to 1936 there were substituted a reference to the Electricity Act 1989.

- (3) The provisions of the said section 22 of the (No. 2) Act of 1971, as so incorporated, shall have effect as if—
- (a) in subsection (2) (a) thereof, for the words from “and a river work” onwards there were substituted the words “and section 76 (Works to be approved by Board of Trade) of the Port of London Act 1968, except paragraph (b) of subsection (1) thereof, shall apply in relation to a river work as if it were, or were to be, a work placed or constructed on the bed of the river under the direction or licence of the port authority”;
 - (b) in subsection (3) (b) thereof, the words “of the chief engineer” were omitted;
 - (c) in subsection (5) thereof, for the words “under the hand of their secretary” there were substituted the words “(which shall not be unreasonably withheld)”;
 - (d) in subsection (12) thereof—
 - (i) for the words “1 inch to 208·33 feet” there were substituted the words “1:2500”;
 - (ii) for the words “one-eighth of an inch to 1 foot” there were substituted the words “1:100”;
 - (iii) for the reference to Work No. 1 authorised by the (No. 2) Act of 1971 there were substituted a reference to Work No. 1 (Works at London Bridge); and
 - (iv) the words “and also of Works Nos. 2 and 3 where they pass under the Surrey Canal” were omitted.
- (4) The provisions of the said section 23 of the (No. 2) Act of 1971, as so incorporated, shall have effect as if in subsection (2) thereof for the words “one hundred pounds” there were substituted the words “the statutory maximum”.
- (5) The provisions of the said section 13 of the Act of 1976, as so incorporated, shall have effect as if—
- (a) for reference to Thames Water Authority there were substituted reference 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 15 (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.
- (6) 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 any reference to Work No. 2 of the Act of 1981 there were substituted a reference to the works; and
 - (c) for any reference to British Telecommunications there were substituted a reference to a public telecommunications operator as defined in section 9 (3) of the Telecommunications Act 1984.