



Croydon Tramlink Act 1994

1994 CHAPTER xi

PART II

WORKS

27 Provisions as to use of electrical energy

The following provisions shall apply to the use of electrical energy for the purposes of Tramlink:—

- (1) The Corporation shall employ either insulated returns or uninsulated metallic returns of low resistance.
- (2) The Corporation shall take all reasonable precautions in designing, constructing, placing and maintaining their electric lines and circuits and other works of all descriptions and also in working Tramlink so as to minimise the discharge of electrical currents into the ground and not—
 - (a) injuriously to affect by fusion or electrolytic action any electric lines or any gas or water pipes, or other metallic pipes, structures or substances; or
 - (b) injuriously to interfere with, or with the working of—
 - (i) any wire, line or apparatus from time to time used for the purpose of transmitting electrical energy or of any telecommunication system; or
 - (ii) the currents in any such wire, line or apparatus.
- (3) (a) The Secretary of State may make regulations under this section for regulating the use of electrical energy for the operation of Tramlink, and the design, voltage, testing and working of the overhead equipment and return circuits of the Tramlink system, including regulations—
 - (i) for preventing injurious affection (by the discharge of electrical currents into the ground, fusion or electrolytic action) of electric lines or gas or water pipes or other metallic pipes, structures or substances; and

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- (ii) for minimising, so far as is reasonably practicable, interference with, and with the working of, electric wires, lines and apparatus, whether such apparatus does or does not use the earth as a return.
 - (b) Before making regulations under this section the Secretary of State shall consult the Corporation and the statutory undertakers.
- (4) The Corporation shall be deemed to take all reasonable and proper precautions against interference with, or with the working of, any wire, line or apparatus if and so long as they use, at the option of the Corporation, either such insulated returns, or such uninsulated metallic returns of low resistance and such other means of preventing injurious interference with, and with the working of, the electric wires, lines and apparatus, as may be prescribed by the regulations; and in prescribing such means the Secretary of State shall have regard to the expense involved in relation to the protection afforded.
- (5) The provisions of this section shall not give any right of action in respect of injurious interference with, or with the working of, any electric wire, line or apparatus, or the currents therein, unless, in the construction, erection, maintaining and working of such wire, line and apparatus, all reasonable and proper precautions, including the use of an insulated return, have been taken to minimise injurious interference therewith, and with the currents therein, by or from other electric currents.
- (6) If any difference arises between the Corporation and any other person with respect to anything in the foregoing provisions of this section, the difference shall, unless the parties otherwise agree, be determined by the Secretary of State, or, at his option, by an arbitrator to be appointed by him, and the costs of such determination shall be in the discretion of the Secretary of State or the arbitrator as the case may be.
- (7) The power to make regulations conferred on the Secretary of State by this section shall be exercisable by statutory instrument.
- (8) In this section—
- (a) reference to an insulated return includes reference to a return by means of a combined neutral and earth cable which is covered by an insulated sheath suitable for protection against corrosion and is approved for use below ground by the Secretary of State for the purpose of any regulations relating to the supply of electricity; and
 - (b) telecommunication system has the same meaning as in the Telecommunications Act 1984.