

---

**Changes to legislation:** There are currently no known outstanding effects for the Cardiff Bay Barrage Act 1993, Cross Heading: Works affecting apparatus. (See end of Document for details)

---

## SCHEDULES

### SCHEDULE 2

#### WORKS: SUPPLEMENTARY

##### *Works affecting apparatus*

- 15 (1) Sub-paragraph (2) below applies where—
- (a) statutory undertakers' apparatus is or may be affected by any works executed under any of the powers conferred on the Development Corporation by section 1 of this Act or this Schedule, and
  - (b) section 84 of the <sup>M1</sup>New Roads and Street Works Act 1991 does not apply.
- (2) Where this sub-paragraph applies the Development Corporation and the statutory undertakers shall take such steps as are reasonably required—
- (a) to identify any measures needing to be taken in relation to the apparatus in consequence of, or in order to facilitate, the execution of the works,
  - (b) to settle a specification of the necessary measures and determine by whom they are to be taken, and
  - (c) to co-ordinate the taking of those measures and the execution of the works, so as to secure the efficient implementation of the necessary work and the avoidance of unnecessary delay.
- (3) The costs of those measures shall be borne by the Development Corporation except—
- (a) where the apparatus in question was placed after the Development Corporation had given the statutory undertakers notice in writing of their intention to execute the works, or
  - (b) where they are taken to remedy matters for which the Development Corporation were not to blame.
- (4) Any question arising under this paragraph shall, in default of agreement, be settled by arbitration.
- (5) If there is a failure on the part of the Development Corporation or the statutory undertakers to comply with an agreement or arbitrator's decision as to any of the matters mentioned in sub-paragraph (2) above, the Development Corporation or the statutory undertakers shall be liable to compensate the other in respect of any loss or damage resulting from the failure.
- (6) In this paragraph "apparatus" and "affected by" have the same meanings as in Part III of the <sup>M2</sup>New Roads and Street Works Act 1991.

---

#### Marginal Citations

**M1** 1991 c. 22.

**M2** 1991 c. 22.

---

**Changes to legislation:** There are currently no known outstanding effects for the Cardiff Bay Barrage Act 1993, Cross Heading: Works affecting apparatus. (See end of Document for details)

---

- 16      [<sup>F1</sup>Part 10 of Schedule 3A to the Communications Act 2003 (the electronic communications code)] (procedure where works involve the alteration of [<sup>F2</sup>electronic communications apparatus]) shall apply to the Development Corporation for the purposes of any works carried out by them in exercise of any of the powers conferred by section 1 of this Act or this Schedule.

---

**Textual Amendments**

- F1** Words in Sch. 2 para. 16 substituted (28.12.2017) by [Digital Economy Act 2017 \(c. 30\), s. 118\(6\), Sch. 3 para. 33](#); S.I. 2017/1286, reg. 2(d)
- F2** Words in Sch. 2 para. 16 substituted (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by [Communications Act 2003 \(c. 21\), s. 411\(2\), Sch. 17 para. 124\(b\)](#) (with Sch. 18); S.I. 2003/1900, arts. 1(2), 2(1), Sch. 1 (with art. 3) (as amended by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, art. 3(2) (with art. 11)

**Changes to legislation:**

There are currently no known outstanding effects for the Cardiff Bay Barrage Act 1993, Cross  
Heading: Works affecting apparatus.