

SCHEDULES

SCHEDULE 4

MINOR AND CONSEQUENTIAL AMENDMENTS

Enactments relating to statutory undertakers etc.

- 2 (1) A public gas transporter shall be deemed to be a statutory undertaker and his undertaking a statutory undertaking for the purposes of the following enactments, namely—
- (i) the Public Health Act 1925;
 - (ii) the Public Health Act 1936;
 - (iii) the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947;
 - (iv) section 4 of the Requisitioned Land and War Works Act 1948;
 - (v) the National Parks and Access to the Countryside Act 1949;
 - (vi) the Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951;
 - (vii) the Landlord and Tenant Act 1954;
 - (viii) the Opencast Coal Act 1958;
 - (ix) the Flood Prevention (Scotland) Act 1961;
 - (x) section 17(10) of the Public Health Act 1961;
 - (xi) the Pipe-lines Act 1962;
 - (xii) Schedule 3 to the Harbours Act 1964;
 - (xiii) section 40 of the Forestry Act 1967;
 - (xiv) section 50 of the Agriculture Act 1967;
 - (xv) sections 38 and 66 of the Countryside (Scotland) Act 1967;
 - (xvi) the New Towns (Scotland) Act 1968;
 - (xvii) section 11 of and paragraph 6 of Schedule 2 to the Countryside Act 1968;
 - (xviii) section 22 of the Sewerage (Scotland) Act 1968;
 - (xix) sections 19, 37, 45, 46, 108(2), 117 to 119, 121, 154(3), 170 to 172, 175, 181, 195(6), 198(3), 199(2), 202(3), 205, 211, 212, 214, 216 to 230, 233(7), 242, 266(6)(b) and 275(2) of, and Schedule 8, paragraphs 1 to 3 of Schedule 17 and Schedule 18 to, the Town and Country Planning (Scotland) Act 1972;
 - (xx) section 51 of the Land Compensation Act 1973;
 - (xxi) sections 47 and 67 of the Land Compensation (Scotland) Act 1973;
 - (xxii) section 73 of the Control of Pollution Act 1974;
 - (xxiii) the Welsh Development Agency Act 1975;
 - (xxiv) sections 15(3) and 26 of the Local Government (Miscellaneous Provisions) Act 1976;
 - (xxv) the Development of Rural Wales Act 1976;
 - (xxvi) section 9(3) of the Inner Urban Areas Act 1978;

Status: This is the original version (as it was originally enacted).

- (xxvii) the Ancient Monuments and Archaeological Areas Act 1979;
 - (xxviii) Parts XII and XVI and section 120 of the Local Government, Planning and Land Act 1980;
 - (xxix) the Highways Act 1980;
 - (xxx) the New Towns Act 1981;
 - (xxxi) the Acquisition of Land Act 1981;
 - (xxxii) the Civil Aviation Act 1982;
 - (xxxiii) section 30 of the Local Government (Miscellaneous Provisions) Act 1982;
 - (xxxiv) the Roads (Scotland) Act 1984;
 - (xxxv) the Building Act 1984;
 - (xxxvi) sections 283(2) and 296 of the Housing Act 1985;
 - (xxxvii) section 21 of the Road Traffic Act 1988.
 - (xxxviii) section 9 of the Enterprise and New Towns (Scotland) Act 1990;
 - (xxxix) section 7(5) of the Natural Heritage (Scotland) Act 1991.
- (2) References to public gas suppliers in the following enactments shall have effect as references to a public gas transporter, namely—
- (a) section 17(1)(b) of the Requisitioned Land and War Works Act 1945;
 - (b) the Local Government (Omnibus Shelters and Queue Barriers) (Scotland) Act 1958;
 - (c) section 7A(4)(b)(ii) of the Mines (Working Facilities and Support) Act 1966;
 - (d) section 109(2)(d) of the Transport Act 1968;
 - (e) section 204(2)(a) of the Town and Country Planning (Scotland) Act 1972;
 - (f) sections 73(11)(c) and 74(11)(b) of the Highways Act 1980;
 - (g) section 48(6)(c) of the Civil Aviation Act 1982;
 - (h) paragraph 3 of Schedule 5 to the Road Traffic Regulation Act 1984;
 - (i) section 80(3)(b) of the Building Act 1984;
 - (j) section 91 of the Planning (Listed Buildings and Conservation Areas) Act 1990;
 - (k) section 39 of the Planning (Hazardous Substances) Act 1990;
 - (l) section 52(1) of the Coal Mining Subsidence Act 1991;
 - (m) section 209(3)(b) of and paragraph 1(5)(e) of Schedule 13 to the Water Industry Act 1991;
 - (n) section 208(3)(b) of and paragraph 1(4)(e) of Schedule 22 to the Water Resources Act 1991;
 - (o) paragraph 1(1)(e) of Schedule 6 to the Land Drainage Act 1991.
- (3) The reference in Schedule 4 to the Public Health Act 1961 to gas undertakers shall have effect as a reference to a public gas transporter.
- (4) References in the Landlord and Tenant Act 1927 to a statutory company shall be deemed to include references to a public gas transporter.
- (5) References to public utility undertakers in the Civil Defence Act 1939 shall be deemed to include references to a public gas transporter.
- (6) References to public utility undertakers in the Highways Act 1980 shall be deemed to include references to a public gas transporter.

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- (7) Paragraph 23 of Schedule 2 to the Telecommunications Act 1984 (undertakers' works) shall apply to a public gas transporter for the purposes of any works carried out by him.
- (8) The reference in section 82(4) of the Building Act 1984 (provisions with respect to demolition orders) to a person authorised by an enactment to carry on an undertaking for the supply of gas shall be construed as a reference to a public gas transporter.
- (9) References to public undertakers in section 125(7) of, and paragraphs 9 and 10 of Schedule 8 to, the Housing (Scotland) Act 1987 shall be deemed to include references to a public gas transporter.
- (10) In the following enactments, namely—
- (a) section 39 of the Opencast Coal Act 1958;
 - (b) paragraph 2 of Schedule 6 to the Gas Act 1965;
 - (c) the New Towns (Scotland) Act 1968;
 - (d) sections 195(6), 214 to 227, 266(6)(b) and 275(2) of, and Schedule 8 to, the Town and Country Planning (Scotland) Act 1972;
 - (e) the Welsh Development Agency Act 1975;
 - (f) the Development of Rural Wales Act 1976;
 - (g) the New Towns Act 1981;
 - (h) section 9 of the Enterprise and New Towns (Scotland) Act 1990;
 - (i) section 7(5) of the Natural Heritage (Scotland) Act 1991,
“the appropriate Minister”, in relation to a public gas transporter, shall mean the Secretary of State for Trade and Industry.
- (11) In the following enactments, namely—
- (a) the Pipe-lines Act 1962;
 - (b) Schedule 3 to the Harbours Act 1964;
 - (c) section 121 of the Highways Act 1980; and
 - (d) the Acquisition of Land Act 1981,
“the appropriate Minister”, in relation to a public gas transporter, shall mean the Secretary of State.