

## SCHEDULES

### SCHEDULE 33

#### PROTECTIVE PROVISIONS

##### PART 2

###### ELECTRICITY, GAS, WATER AND SEWERAGE UNDERTAKERS

- 31 (1) Any dispute arising between the nominated undertaker and the undertakers under this Part is to be determined by arbitration if—
- (a) the parties agree, or
  - (b) the dispute relates to the amount of any sum payable under this Part,
- but otherwise is to be determined by a person appointed by the appropriate Ministers.
- (2) Any person appointed by the appropriate Ministers under sub-paragraph (1) must, in determining any dispute arising under this Part, have regard to such matters as may be specified by the appropriate Ministers on making the appointment.
- (3) The costs and fees of the person determining the dispute and the costs of the parties to the dispute are to be allocated between the parties as that person may direct.
- (4) In this paragraph “the appropriate Ministers” means the Secretary of State for Transport acting jointly with either the Secretary of State for Environment, Food and Rural Affairs or the Secretary of State for Energy and Climate Change.