

SCHEDULE 3

CONSEQUENTIAL AMENDMENTS ETC

Enactments relating to statutory undertakers and their “appropriate Ministers”

1. In section 15(1) of the Water Act 1948 after the definition of “statutory undertakers” there shall be inserted the following definition:—

“‘appropriate Minister’ means—

- (a) in relation to statutory undertakers carrying on any railway, light railway, tramway, road transport, dock, harbour or pier undertaking, the Secretary of State for Transport;
- (b) in relation to statutory undertakers carrying on an undertaking for the supply of electricity, gas or hydraulic power, the Secretary of State for Energy;
- (c) in relation to statutory undertakers carrying on any lighthouse undertaking, the Secretary of State for Trade;
- (d) in relation to statutory undertakers, being statutory water undertakers, in the application of this Act to Wales, the Secretary of State for Wales; and
- (e) in relation to any other statutory undertakers, the Secretary of State for the Environment.”

2.—(1) In section 51(1) of the Opencast Coal Act 1958 after the definition of “agricultural land” there shall be inserted the following definition:—

“‘appropriate Minister’ means—

- (a) in relation to statutory undertakers carrying on any railway, light railway, tramway, road transport, dock, harbour or pier undertaking, the Secretary of State for Transport;
- (b) in relation to statutory undertakers carrying on an undertaking for the supply of electricity, gas or hydraulic power, the Secretary of State for Energy;
- (c) in relation to the Civil Aviation Authority or statutory undertakers carrying on any lighthouse undertaking, the Secretary of State for Trade;
- (d) in relation to the Post Office, the Secretary of State for Industry;
- (e) in relation to any drainage authority, the Minister of Agriculture, Fisheries and Food;
- (f) in relation to statutory undertakers carrying on an undertaking for the supply of water, in the application of this Act to Wales, the Secretary of State for Wales; and
- (g) in all other cases, the Secretary of State for the Environment.”

(2) In section 52(2) of the Opencast Coal Act 1958 after the definition of “agricultural land” there shall be inserted the following definition:—

“‘appropriate Minister’ means—

- (a) in relation to statutory undertakers carrying on any railway, light railway, tramway, road transport, dock, harbour or pier undertaking, the Secretary of State for Transport;
- (b) in relation to statutory undertakers carrying on an undertaking for the supply of gas or hydraulic power, the Secretary of State for Energy;
- (c) in relation to the Civil Aviation Authority or statutory undertakers carrying on any lighthouse undertaking, the Secretary of State for Trade;
- (d) in relation to the Post Office, the Secretary of State for Industry;
- (e) in relation to statutory undertakers carrying on an undertaking for the supply of electricity or water, the Secretary of State for Scotland; and

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(f) in all other cases, the Secretary of State for the Environment.”

3.—(1) In section 54(1) of the New Towns Act 1965 after the definition of “acquiring authority” there shall be inserted the following definition:—

“the appropriate Minister' means—

- (a) in relation to statutory undertakers carrying on any railway, light railway, tramway, road transport, dock, harbour or pier undertaking, the Secretary of State for Transport;
- (b) in relation to statutory undertakers carrying on an undertaking for the supply of electricity, gas or hydraulic power, the Secretary of State for Energy;
- (c) in relation to the British Airports Authority or the Civil Aviation Authority or statutory undertakers carrying on any lighthouse undertaking, the Secretary of State for Trade;
- (d) in relation to the Post Office, the Secretary of State for Industry;
- (e) in relation to statutory undertakers carrying on an undertaking for the supply of water, in the application of this Act to Wales, the Secretary of State for Wales; and
- (f) in relation to any other statutory undertakers, the Secretary of State for the Environment.”

(2) In section 47(1) of the New Towns (Scotland) Act 1968 after the definition of “the Act of 1845” there shall be inserted the following definition:—

“the appropriate Minister' means—

- (a) in relation to statutory undertakers carrying on any railway, light railway, tramway, road transport, dock, harbour or pier undertaking, the Secretary of State for Transport;
- (b) in relation to statutory undertakers carrying on an undertaking for the supply of gas or hydraulic power, the Secretary of State for Energy;
- (c) in relation to the British Airports Authority or the Civil Aviation Authority or statutory undertakers carrying on any lighthouse undertaking, the Secretary of State for Trade;
- (d) in relation to the Post Office, the Secretary of State for Industry;
- (e) in relation to statutory undertakers carrying on an undertaking for the supply of electricity or water, the Secretary of State for Scotland; and
- (f) in relation to any other statutory undertakers, the Secretary of State for the Environment.”

4.—(1) For section 224(1) of the Town and Country Planning Act 1971 there shall be substituted the following subsection:—

“(1) In this Act 'the appropriate Minister' means—

- (a) in relation to statutory undertakers carrying on any railway, light railway, tramway, road transport, dock, harbour or pier undertaking, the Secretary of State for Transport;
- (b) in relation to statutory undertakers carrying on an undertaking for the supply of electricity, gas or hydraulic power, the Secretary of State for Energy;
- (c) in relation to the British Airports Authority or the Civil Aviation Authority or statutory undertakers carrying on any lighthouse undertaking, the Secretary of State for Trade;
- (d) in relation to the Post Office, the Secretary of State for Industry;
- (e) in relation to statutory undertakers carrying on an undertaking for the supply of water, in the application of this Act to Wales, the Secretary of State for Wales; and

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(f) in relation to any other statutory undertakers, the Secretary of State for the Environment.”

(2) For section 213(1) of the Town and Country Planning (Scotland) Act 1972 there shall be substituted the following subsection:—

“(1) In this Act ‘the appropriate Minister’ means—

- (a) in relation to statutory undertakers carrying on any railway, light railway, tramway, road transport, dock, harbour or pier undertaking, the Secretary of State for Transport;
- (b) in relation to statutory undertakers carrying on an undertaking for the supply of gas or hydraulic power, the Secretary of State for Energy;
- (c) in relation to the British Airports Authority or the Civil Aviation Authority or statutory undertakers carrying on any lighthouse undertaking, the Secretary of State for Trade;
- (d) in relation to the Post Office, the Secretary of State for Industry;
- (e) in relation to statutory undertakers carrying on an undertaking for the supply of electricity or water, the Secretary of State for Scotland; and
- (f) in relation to any other statutory undertakers, the Secretary of State for the Environment.”

(3) The said sections 224(1) and 213(1) as substituted by sub-paragraphs (1) and (2) above shall apply in relation to any enactment applying provisions of the said Acts of 1971 and 1972, and to any other enactment or instrument in so far as the meaning therein of “appropriate Minister” depends on its meaning in those Acts, as they apply in relation to those Acts.

5. In the Schedule to the Greater London Council (General Powers) Act 1976 for the second entry in the Table there shall be substituted the following entries:—

“A building owned by a person authorised by or in pursuance of any enactment to carry on any railway, road transport, dock or harbour undertaking.	The Secretary of State for Transport.
A building owned by a person authorised by or in pursuance of any enactment to carry on any canal or inland navigation undertaking.	The Secretary of State for the Environment.”