

SCHEDULE 1

AMENDMENT OF LEGISLATION MADE UNDER THE LIGHT RAILWAYS ACT 1896(1) AND THE TRANSPORT AND WORKS ACT 1992(2)

PART 3

OTHER AMENDMENTS

Bure Valley Light Railway Order 1989

- 13.**—(1) The Bure Valley Light Railway Order 1989(3) is amended as follows.
- (2) In article 2 (interpretation)—
- (a) omit the definition of “telecommunications apparatus”;
 - (b) insert in the appropriate places the following definitions—
 - ““electronic communications apparatus” has the meaning given in paragraph 5 of the electronic communications code;”;
 - ““electronic communications code” means the code set out in Schedule 3A to the Communications Act 2003;”;
 - ““operator of an electronic communications code network” has the meaning given in paragraph 1(1) of Schedule 17 to the Communications Act 2003;”.
- (3) In article 6 (interference with roads and footpaths), in paragraph (6)—
- (a) for “telecommunication operators” substitute “operators of an electronic communications code network”;
 - (b) for “telecommunications apparatus” substitute “electronic communications apparatus”.

Wirral Tramway Light Railway Order 1994

- 14.**—(1) The Wirral Tramway Light Railway Order 1994(4) is amended as follows.
- (2) In article 20—
- (a) for the heading substitute “For protection of operators of electronic communications code networks”;
 - (b) in the words before paragraph (a)—
 - (i) for “telecommunications operators”, in the first place where those words occur, substitute “operators of electronic communications code networks”
 - (ii) omit “telecommunications” in the second place where that word occurs.
 - (c) for paragraph (a) substitute—
 - “(a) in this article—
 - “electronic communications code” means the code set out in Schedule 3A to the Communications Act 2003;

(1) 1896 c.48 (59 & 60 Vict.). This Act is repealed by the Transport and Works Act 1992 (c.42). However, orders in force before 1st January 1993 were saved by S.I.1992/2784.

(2) 1992 c.42.

(3) S.I. 1989/835.

(4) S.I. 1994/1761.

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“operator of an electronic communications code network” has the meaning given in paragraph 1(1) of Schedule 17 to the Communications Act 2003;”;

- (d) in paragraph (b) for “a telecommunications operator under paragraph 9 of the telecommunications code” substitute “an operator of an electronic communications code network under Part 8 of the electronic communications code”.

Greater Manchester (Light Rapid Transit System) (Eccles Extension) Order 1996

15.—(1) The Greater Manchester (Light Rapid Transit System) (Eccles Extension) Order 1996 (5) is amended as follows.

(2) In article 5 (power to construct and maintain works), in paragraph (6), for “Paragraph 23” substitute “Part 10”.

(3) In article 11 (temporary stopping up of streets), in paragraph (5), for “paragraph 9” substitute “Part 8”.

Greater Manchester (Light Rapid Transit System) (Airport Extension) Order 1997

16.—(1) The Greater Manchester (Light Rapid Transit System) (Airport Extension) Order 1997(6) is amended as follows.

(2) In article 6 (power to construct and maintain works), in paragraph (7), for “Paragraph 23” substitute “Part 10”.

(3) In article 12 (temporary stopping up of streets), in paragraph (5), for “paragraph 9” substitute “Part 8”.

Welsh Highland Railway Order 1999

17.—(1) The Welsh Highland Railway Order 1999(7) is amended as follows.

(2) In article 21 (for the protection of British Telecommunications PLC)—

(a) in paragraph (3)—

(i) for “paragraph 9” substitute “Part 8”;

(ii) for “Schedule 2 to the Telecommunications Act 1984” substitute “Schedule 3A to the Communications Act 2003”;

(b) in paragraph (9), for “Schedule 2 to the Telecommunications Act 1984” substitute “Schedule 3A to the Communications Act 2003”.

Leeds Supertram (Extension) Order 2001

18.—(1) The Leeds Supertram (Extension) Order 2001(8) is amended as follows.

(2) In Schedule 9 (provisions relating to statutory undertakers etc.), in paragraph 3—

(a) in the heading, for “telecommunications code” substitute “electronic communications code”;

(b) in sub-paragraph (1)—

(i) for “Paragraph 23 of the telecommunications code” substitute “Part 8 of the electronic communications code”;

(5) [S.I. 1996/2714](#).

(6) [S.I. 1997/1266](#).

(7) [S.I. 1999/2129](#).

(8) [S.I. 2001/1347](#).

- (ii) in paragraph (b), for “telecommunications apparatus” substitute “electronic communications apparatus”.

Heathrow Express Railway Extension Order 2002

19.—(1) The Heathrow Express Railway Extension Order 2002⁽⁹⁾ is amended as follows.

(2) In Schedule 4 (protection of fuel pipelines and facilities), in Part IV (protection of certain depots), in paragraph 14(2), for “telecommunications” substitute “electronic communications”.

Strand Road, Preston Railway Order 2002

20.—(1) The Strand Road, Preston Railway Order 2002 ⁽¹⁰⁾ is amended as follows.

(2) In article 5(4) (operation of railway), for “Schedule 2 to the Telecommunications Act 1984” substitute “paragraph 5 of the electronic communications code set out in Schedule 3A to the Communications Act 2003”.

Preston Dock Railway Order 2004

21.—(1) The Preston Dock Railway Order 2004⁽¹¹⁾ is amended as follows.

(2) In article 2 (interpretation), for the definition of “electronic communications apparatus” substitute—

““electronic communications apparatus” has the meaning given in paragraph 5 of the electronic communications code set out in Schedule 3A to the Communications Act 2003;”.

Docklands Light Railway (Capacity Enhancement) Order 2005

22.—(1) The Docklands Light Railway (Capacity Enhancement) Order 2005⁽¹²⁾ is amended as follows.

(2) In article 2 (interpretation)—

- (a) omit the definition of “conduit system”;
- (b) in paragraph (a) of the definition of “electronic communications code network”, for “conduit system” substitute “infrastructure system”;
- (c) in the appropriate place insert—

““infrastructure system” has the same meaning as in the electronic communications code and references to providing an infrastructure system are to be construed in accordance with paragraph 7 of that code;”.

(3) In Schedule 9 (provisions relating to statutory undertakers, etc.), in paragraph 2(9), for “paragraph 9” substitute “Part 8”.

Felixstowe Dock and Railway Company (Land Acquisition) Order 2007

23.—(1) The Felixstowe Dock and Railway Company (Land Acquisition) Order 2007⁽¹³⁾ is amended as follows.

(2) In Schedule 2 (provisions relating to statutory undertakers etc.), in Part 1 (apparatus of statutory undertakers etc.), in paragraph 6—

⁽⁹⁾ [S.I. 2002/1064](#).

⁽¹⁰⁾ [S.I. 2002/2398](#).

⁽¹¹⁾ [S.I. 2004/3126](#).

⁽¹²⁾ [S.I. 2005/3105](#).

⁽¹³⁾ [S.I.2007/3345](#).

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- (a) omit the definition of “conduit system”;
- (b) in paragraph (a) of the definition of “electronic communications code network”, for “conduit system” substitute “infrastructure system”;
- (c) in the appropriate place insert—
 - ““infrastructure system” has the same meaning as in the electronic communications code and references to providing an infrastructure system are to be construed in accordance with paragraph 7 of that code;”

Felixstowe Branch Line and Ipswich Yard Improvement Order 2008

24.—(1) The Felixstowe Branch Line and Ipswich Yard Improvement Order 2008⁽¹⁴⁾ is amended as follows.

(2) In Schedule 10 (protective provisions), in Part 3 (protection of Cable and Wireless PLC), in paragraph 30, for the words from “paragraph 9” to “Schedule 3” substitute “Part 8 of the electronic communications code (“the Code”) set out in Schedule 3A”.

Leeds Railway Station (Southern Entrance) Order 2013

25.—(1) The Leeds Railway Station (Southern Entrance) Order 2013⁽¹⁵⁾ is amended as follows.

(2) In Schedule 14 (for the protection of operators of electronic communications code networks)

- (a) in paragraph 1(2)—
 - (i) omit the definition of “conduit system”;
 - (ii) in paragraph (a) of the definition of “electronic communications code network”, for “conduit system” substitute “infrastructure system”;
 - (iii) in the appropriate place insert—
 - ““infrastructure system” has the same meaning as in the electronic communications code and references to providing an infrastructure system are to be construed in accordance with paragraph 7 of that code;”
- (b) in paragraph 2, for “paragraph 9” substitute “Part 8”.

Croxley Rail Link Order 2013

26.—(1) The Croxley Rail Link Order 2013⁽¹⁶⁾ is amended as follows.

(2) In Schedule 9 (protective provisions), in Part 2 (protection for operators of electronic communications code networks), in paragraph 11(2)—

- (a) omit the definition of “conduit system”;
- (b) in paragraph (a) of the definition of “electronic communications code network”, for “conduit system” substitute “infrastructure system”;
- (c) in the appropriate place insert—
 - ““infrastructure system” has the same meaning as in the electronic communications code and references to providing an infrastructure system are to be construed in accordance with paragraph 7 of that code;”

⁽¹⁴⁾ [S.I. 2008/2512](#).

⁽¹⁵⁾ [S.I. 2013/1933](#).

⁽¹⁶⁾ [S.I. 2013/1967](#).

London Underground (Northern Line Extension) Order 2014

27.—(1) The London Underground (Northern Line Extension) Order 2014⁽¹⁷⁾ is amended as follows.

(2) In Schedule 8 (protective provisions), in Part 5 (protection for operators of electronic communications code networks), in paragraph 55(2)—

- (a) omit the definition of “conduit system”;
- (b) in paragraph (a) of the definition of “electronic communications code network”, for “conduit system” substitute “infrastructure system”;
- (c) in the appropriate place insert—
““infrastructure system” has the same meaning as in the electronic communications code and references to providing an infrastructure system are to be construed in accordance with paragraph 7 of that code;”.

London Underground (Bank Station Capacity Upgrade) Order 2015

28.—(1) The London Underground (Bank Station Capacity Upgrade) Order 2015⁽¹⁸⁾ is amended as follows.

(2) In Schedule 13 (for the protection of operators of electronic communications code network)—

- (a) in paragraph 1(2)—
 - (i) omit the definition of “conduit system”;
 - (ii) in paragraph (a) of the definition of “electronic communications code network”, for “conduit system” substitute “infrastructure system”;
 - (iii) in the appropriate place insert—
““infrastructure system” has the same meaning as in the electronic communications code and references to providing an infrastructure system are to be construed in accordance with paragraph 7 of that code;”;
- (b) in paragraph 2, for “paragraph 10” substitute “Part 8”.

⁽¹⁷⁾ S.I. 2014/3102.

⁽¹⁸⁾ S.I. 2015/2044.