

SCHEDULES

SCHEDULE 12

FOR PROTECTION OF ELECTRICITY, GAS, WATER AND SEWERAGE UNDERTAKERS

Removal of apparatus and construction of alternative apparatus by the promoter

13. Paragraphs 14 to 16 apply to so much of the work necessary in connection with the construction of alternative apparatus, or the removal of apparatus required to be removed, as will take place in any land held or used, or intended for use, by the promoter for the purpose of its undertaking.

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Commencement Information

I1 Sch. 12 para. 13 in force at 9.6.2009, see [art. 1](#)

14. If the promoter gives notice in writing to the specified undertaker that it desires to carry out any part of any work to which this paragraph applies, such work, instead of being carried out by the specified undertaker, may be carried out by the promoter with the prior written consent of the specified undertaker (which shall not be unreasonably withheld and shall be subject to any such conditions as are reasonable and proper to protect the apparatus) in accordance with plans and in a position agreed between the specified undertaker and the promoter or, in default of agreement, determined by arbitration, with all reasonable dispatch under the superintendence (if given) and to the reasonable satisfaction of the specified undertaker.

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Commencement Information

I2 Sch. 12 para. 14 in force at 9.6.2009, see [art. 1](#)

15. In carrying out any work under paragraph 14 the promoter shall comply with all statutory obligations which would have been applicable had the works been carried out by the specified undertaker.

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Commencement Information

I3 Sch. 12 para. 15 in force at 9.6.2009, see [art. 1](#)

16. Nothing in paragraph 14 shall authorise the promoter to carry out the actual placing, erection, installation, bedding, packing, removal, connection or disconnection of any apparatus or, where the apparatus is laid in a trench, execute any filling around the apparatus within 600 millimetres (measured in any direction) of the apparatus.

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Commencement Information

I4 Sch. 12 para. 16 in force at 9.6.2009, see [art. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Nottingham Express Transit System Order 2009, Cross Heading: Removal of apparatus and construction of alternative apparatus by the promoter.