

## SCHEDULES

### SCHEDULE 3 **N.I.**

#### OTHER POWERS ETC., OF LICENCE HOLDERS

##### *Interpretation*

##### **N.I.**

**1.—(1)** In this Schedule—

“controlled works” means any such works as are mentioned in paragraph 2(1) being works done under the right conferred by that paragraph;

“electrical plant” and “electric line” have the same meaning as in the Electricity (Northern Ireland) Order 1992;

“electricity licence holder” means the holder of a licence granted under Article 10 of the Electricity (Northern Ireland) Order 1992;

“emergency works” means—

- (a) in relation to a licence holder, work arising from faults in any gas apparatus;
- (b) in relation to an electricity licence holder for the purpose of paragraph 4, work arising from faults in any electric lines or electrical plant;
- (c) in relation to a government department for the purpose of paragraph 4, work requisite to put an end to, or prevent, the arising of circumstances which are likely to cause—
  - (i) danger to persons or property, or
  - (ii) interference with the exercise of any functions conferred on that department;
- (d) in relation to<sup>[F1]</sup> an electronic communications code operator] for the purpose of paragraph 4, work requisite to put an end to, or prevent, the arising of circumstances which are likely to cause—
  - (i) danger to persons or property, or
  - (ii) the interruption of any service provided by the<sup>[F1]</sup> electronic communications network] of the operator;

“gas apparatus” means—

- (a) pipes and other conduits for the conveyance of gas;
- (b) pressure governors, ventilators and other apparatus used for, or in connection with, the conveyance or supply of gas;

“in”, in a context referring to works or apparatus in a street or land, includes a reference to works or apparatus under, over, across, along or upon it;

“plan” includes section;

“planning permission” means planning permission under Part IV of the Planning (Northern Ireland) Order 1991;

**Status:** Point in time view as at 12/04/2013.

**Changes to legislation:** The Gas (Northern Ireland) Order 1996, Cross Heading: Interpretation is up to date with all changes known to be in force on or before 03 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

“sewer” means a sewer as defined in the Water and Sewerage Services (Northern Ireland) Order [<sup>F3</sup>2006];

“street” has the same meaning as in the Street Works (Northern Ireland) Order 1995;

[<sup>F4</sup>“telecommunication apparatus” and “[<sup>F5</sup>“electronic communications network]” have the same meaning as in the Telecommunications Act 1984; ]

(2) In this Schedule, references to the alteration of any apparatus include references to the moving, removal or replacement of the apparatus.

(3) References in this Schedule to arbitration are to arbitration by an arbitrator appointed by agreement between the parties concerned or, in default of agreement, by the President of the Institution of Civil Engineers.

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| <b>F1</b> | 2003 c. 21   |
| <b>F2</b> | Sch. 3 para. 1(1): definition of "public telecommunications operator" repealed (25.7.2003 for specified purposes, 29.12.2003 for specified purposes, otherwise prosp.) by <a href="#">Communications Act 2003 (c. 21)</a> , s. 411(2), <a href="#">Sch. 19</a> (with <a href="#">Sch. 18</a> ); S.I. 2003/1900, art. 2(1), <a href="#">Sch. 1</a> (with art. 3(1)); S.I. 2003/3142, <a href="#">art. 3(2)</a>                            |
| <b>F3</b> | Words in Sch. 3 para. 1(1) substituted (1.4.2007) by <a href="#">The Water and Sewerage Services (Northern Ireland) Order 2006 (S.I. 2006/3336 (N.I. 21))</a> , art. 1(2), <a href="#">Sch. 12 para. 36(a)</a> (with arts. 8(8), 121(3), 307; S.R. 2007/194, art. 2(2), Sch. 1 Pt. 2 (with <a href="#">Sch. 2</a> ))   |
| <b>F4</b> | Sch. 3 para. 1(1): definition of "telecommunications apparatus" and " telecommunications system" repealed (25.7.2003 for specified purposes, 29.12.2003 for specified purposes, otherwise prosp.) by <a href="#">Communications Act 2003 (c. 21)</a> , s. 411(2), <a href="#">Sch. 19</a> (with <a href="#">Sch. 18</a> ); S.I. 2003/1900, art. 2(1), <a href="#">Sch. 1</a> (with art. 3(1)); S.I. 2003/3142, <a href="#">art. 3(2)</a> |
| <b>F5</b> | Sch. 3 para. 1(1): definition of "electronic communications network" subst. by (25.7.2003 for specified purposes, 29.12.2003 for specified purposes, otherwise prosp.) by <a href="#">Communications Act 2003 (c. 21)</a> , s. 411(2), <a href="#">Sch. 17 para. 142(2)(b)</a> (with <a href="#">Sch. 18</a> ); S.I. 2003/1900, art. 2(1), <a href="#">Sch. 1</a> (with art. 3(1)); S.I. 2003/3142, <a href="#">art. 3(2)</a>            |
| <b>F6</b> | Sch. 3 para. 1(1): definition of "telecommunications code" repealed (25.7.2003 for specified purposes, 29.12.2003 for specified purposes, otherwise prosp.) by <a href="#">Communications Act 2003 (c. 21)</a> , s. 411(2), <a href="#">Sch. 19</a> (with <a href="#">Sch. 18</a> ); S.I. 2003/1900, art. 2(1), <a href="#">Sch. 1</a> (with art. 3(1)); S.I. 2003/3142, <a href="#">art. 3(2)</a>                                       |

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