



New Towns (Scotland) Act 1968

1968 CHAPTER 16

*Powers exercisable in relation to land acquired by
development corporations or highway authorities*

[^{F1}24 Provisions as to telegraphic lines.

- (1) Where an order under section 23 of this Act extinguishing a public right of way is made on the application of a development corporation or local [^{F2}roads] authority, and at the time of the publication of the notice required by subsection (2) of that section any [^{F3}electronic communications apparatus] was kept installed for the purposes of [^{F4}an electronic communications code network] under, in, on, over, along or across the land over which the right of way subsisted—
- (a) the power of the operator of the system to remove the apparatus shall, notwithstanding the making of the order, be exercisable at any time not later than the end of the period of three months from the date on which the right of way is extinguished, and shall be exercisable in respect of the whole or any part of the apparatus after the end of that period if before the end of that period the operator of the system has given notice to the corporation or authority of his intention to remove the apparatus or that part of it, as the case may be;
 - (b) the operator of the system may by notice given in that behalf to the corporation or authority not later than the end of the said period of three months abandon the [^{F3}electronic communications apparatus] or any part of it;
 - (c) subject to paragraph (b) above, the operator of the system shall be deemed at the end of that period to have abandoned any part of the apparatus which he has then neither removed nor given notice of his intention to remove;
 - (d) the operator of the system shall be entitled to recover from the corporation or authority the expense of providing, in substitution for the apparatus and any other [^{F3}electronic communications apparatus] connected with it which is rendered useless in consequence of the removal or abandonment of the first-mentioned apparatus, any [^{F3}electronic communications apparatus] in such other place as the operator may require;
 - (e) where under the foregoing provisions of this subsection the operator of the system has abandoned the whole or any part of any [^{F3}electronic communications apparatus], that apparatus or that part of it shall vest in the

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Changes to legislation: There are currently no known outstanding effects for the New Towns (Scotland) Act 1968, Section 24. (See end of Document for details)

corporation or authority and shall be deemed, with its abandonment, to cease to be kept installed for the purposes of [^{F4}an electronic communications code network].

- (2) Where the Secretary of State makes an order under section 23 of this Act in relation to a right of way in circumstances in which subsection (1) of this section applies in relation to the operator of [^{F4}an electronic communications code network], the Secretary of State shall send a copy of the order to the operator.]

Textual Amendments

- F1** S. 24 substituted by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, Sch. 4 para. 47(4)(5), **Sch. 6 para. 45**
- F2** Words substituted by Roads (Scotland) Act 1984 (c. 54, SIF 108), s. 156(1), **Sch. 9 para. 61(11)**
- F3** Words in s. 24 substituted (17.9.2003) by Communications Act 2003 (Consequential Amendments) Order 2003 (S.I. 2003/2155), art. 1(1), Sch. 1 para. 6(1)(c)(2)(e)
- F4** Words in s. 24 substituted (17.9.2003) by Communications Act 2003 (Consequential Amendments) Order 2003 (S.I. 2003/2155), art. 1(1), Sch. 1 para. 6(1)(c)(2)(b)

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