

Status: Point in time view as at 31/07/2017.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Communications Act 2003. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

[^{F1}SCHEDULE 3A

THE ELECTRONIC COMMUNICATIONS CODE

Textual Amendments

- F1** Sch. 3A inserted (31.7.2017 for the purpose of making regulations under Sch. 3A para. 95, 22.11.2017 but only in relation to Sch. 3A para. 106, 28.12.2017 in so far as not already in force) by [Digital Economy Act 2017 \(c. 30\)](#), s. 118(6), [Sch. 1](#) (with [Sch. 2](#)); [S.I. 2017/765](#), reg. 2(ii)(jj); [S.I. 2017/1136](#), reg. 2; [S.I. 2017/1286](#), reg. 2(b)

PART 8

CONFERRAL OF STREET WORK RIGHTS AND THEIR EXERCISE

Introductory

- 56 This Part of this code makes provision about—
- (a) the conferral of street work rights, and
 - (b) the exercise of street work rights.

Streets and roads

- 57 In this Part of this code—
- “road” means—
- (a) a road in Scotland which is a public road;
 - (b) a road in Northern Ireland;
- “street” means a street in England and Wales which is a maintainable highway (within the meaning of Part 3 of New Roads and Street Works Act 1991), other than one which is a footpath, bridleway or restricted byway that crosses, and forms part of, any agricultural land or any land which is being brought into use for agriculture.

Conferral of street work rights

- 58 (1) An operator may exercise a street work right for the statutory purposes.
- (2) But that is subject to the following provisions of this Part of this code.

The street work rights

- 59 (1) For the purposes of this code a “street work right”, in relation to an operator, is—

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- (a) a right to install and keep electronic communications apparatus in, on, under, over, along or across a street or a road;
 - (b) a right to inspect, maintain, adjust, alter, repair, upgrade or operate electronic communications apparatus which is installed or kept by the exercise of the right under paragraph (a);
 - (c) a right to carry out any works in, on, under, over, along or across a street or road for or in connection with the exercise of a right under paragraph (a) or (b);
 - (d) a right to enter any street or road to inspect, maintain, adjust, alter, repair, upgrade or operate electronic communications apparatus which is installed or kept by the exercise of the right under paragraph (a).
- (2) The works that may be carried out under sub-paragraph (1)(c) include—
- (a) breaking up or opening a street or a road;
 - (b) tunnelling or boring under a street or a road;
 - (c) breaking up or opening a sewer, drain or tunnel.]

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