

SCHEDULES

SCHEDULE 4

MINOR AND CONSEQUENTIAL AMENDMENTS

The Airports Authority Act 1975

- 64 (1) For section 20 of the Airports Authority Act 1975 (provisions as to telegraphic lines) there shall be substituted the following section: —
- “**20** (1) Paragraph 23 of the telecommunications code shall apply for the purposes—
- (a) of any work in pursuance of an order or direction under section 44 or 46 of the Civil Aviation Act 1982, as applied by section 17 of this Act, and
 - (b) of anything done with respect to a highway in pursuance of an order under section 48 of that Act (as so applied) to which subsection (2) below applies,
- to the person doing that work or, as the case may be, the highway authority ; and in the case of any such order as is mentioned in paragraph (b) above, any person entitled to land over which the highway passes shall be entitled to require the alteration of the telecommunication apparatus in question.
- (2) This subsection applies to an order under the said section 48 where the order provides—
- (a) for the stopping up or diversion of the highway ; or
 - (b) unless the highway is a trunk road, for the improvement of the highway;
- and immediately before the order comes into operation any telecommunication apparatus is kept installed for the purposes of a telecommunications code system under, in, on, over, along or across the highway.
- (3) Subject to the preceding provisions of this section, the operator of a telecommunications code system shall, in a case falling within subsection (2) (a) above, have the same rights in respect of any apparatus kept installed for the purposes of that system as if the order had not come into operation.
- (4) The said paragraph 23 shall not apply by virtue of subsection (2)(b) above in relation to the alteration of any telecommunication apparatus where the alteration is for the purpose of authority's works as defined in Part II of the Public Utilities Street Works Act 1950.
- (5) Sub-paragraph (8) of the said paragraph 23 (offence) shall be deemed to be omitted for the purposes of the application by this section of that paragraph to the Secretary of State.
- (6) Paragraph 1(2) of the telecommunications code (alteration of apparatus to include moving, removal or replacement of apparatus) shall apply for the

Status: This is the original version (as it was originally enacted).

purposes of the preceding provisions of this section as it applies for the purposes of the code.

- (7) Paragraph 21 of the telecommunications code (restriction on removal of apparatus) shall apply in relation to any entitlement conferred by this section to require the alteration, moving or replacement of any telecommunication apparatus as it applies in relation to an entitlement to require the removal of any such apparatus.”.
- (2) In relation to any such order as is mentioned in subsection (1)(b) of section 20 of the said Act of 1975 coming into force before the appointed day, that section shall have effect, notwithstanding any repeal made by this Act, as it has effect immediately before the coming into force of sub-paragraph (1) above.