

Changes to legislation: There are currently no known outstanding effects for the Channel Tunnel Act 1987, Paragraph 6. (See end of Document for details)

SCHEDULE 7

PROTECTIVE PROVISIONS

PART X

PROTECTION OF TELECOMMUNICATIONS OPERATORS

- 6 (1) Subject to sub-paragraphs (2) and (3) below, if, by reason or in consequence of the construction of any of the works authorised by this Act or any subsidence resulting from any of those works, any damage to any [^{F1}electronic communications apparatus] kept installed for the purposes of [^{F2}an electronic communications code network] (other than apparatus the repair of which is not reasonably necessary in view of its intended removal), or any interruption in the service provided by [^{F3}that network], shall be caused, the appropriate authority shall bear and pay the cost reasonably incurred by [^{F4}the operator] of [^{F5}that network] in making good such damage or restoring that service and shall—
- (a) make reasonable compensation to the operator for loss sustained by it; and
 - (b) indemnify the operator against claims, demands, proceedings, costs, damages and expenses which may be made, or taken against, or recovered from, or incurred by, the operator;
- by reason or in consequence of any such damage or interruption.
- (2) Nothing in sub-paragraph (1) above shall impose any liability on the appropriate authority with respect to any damage or interruption affecting [^{F2}an electronic communications code network] to the extent that such damage or interruption is attributable to the act, neglect or default of the operator of [^{F5}that network], its officers, servants, contractors or agents.
- (3) The operator shall give to the appropriate authority reasonable notice of any claim or demand as aforesaid and no settlement or compromise thereof shall be made without the prior consent of the appropriate authority.

Textual Amendments

- F1** Words in Sch. 7 paras. 2-7 substituted (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 17 para. 86\(3\)\(a\)](#) (with [Sch. 18](#)); [S.I. 2003/1900](#), arts. 1(2), 2(1), [Sch. 1](#) (with art. 3) (as amended by [S.I. 2003/3142](#), art. 1(3)); [S.I. 2003/3142](#), art. 3(2) (with art. 11)
- F2** Words in Sch. 7 paras. 2-7 substituted (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 17 para. 86\(3\)\(b\)](#) (with [Sch. 18](#)); [S.I. 2003/1900](#), arts. 1(2), 2(1), [Sch. 1](#) (with art. 3) (as amended by [S.I. 2003/3142](#), art. 1(3)); [S.I. 2003/3142](#), art. 3(2) (with art. 11)
- F3** Words in Sch. 7 paras. 2-7 substituted (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 17 para. 86\(3\)\(c\)](#) (with [Sch. 18](#)); [S.I. 2003/1900](#), arts. 1(2), 2(1), [Sch. 1](#) (with art. 3) (as amended by [S.I. 2003/3142](#), art. 1(3)); [S.I. 2003/3142](#), art. 3(2) (with art. 11)
- F4** Words in Sch. 7 paras. 2-7 substituted (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 17 para. 86\(3\)\(d\)](#) (with [Sch. 18](#)); [S.I. 2003/1900](#), arts. 1(2), 2(1), [Sch. 1](#) (with art. 3) (as amended by [S.I. 2003/3142](#), art. 1(3)); [S.I. 2003/3142](#), art. 3(2) (with art. 11)

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- F5** Words in Sch. 7 paras. 2-7 substituted (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 17 para. 86\(3\)\(f\)](#) (with [Sch. 18](#)); [S.I. 2003/1900](#), arts. 1(2), 2(1), [Sch. 1](#) (with art. 3) (as amended by [S.I. 2003/3142](#), art. 1(3)); [S.I. 2003/3142](#), art. 3(2) (with art. 11)

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