



# Local Government (Omnibus Shelters and Barriers) (Scotland) Act 1958

1958 CHAPTER 50 6 and 7 Eliz 2

## 3 Supplementary provisions as to omnibus shelters, etc.

- (1) Where a shelter or barriers or posts are provided by a [<sup>F1</sup>local roads authority] under section one of this Act in a position obstructing access to any [<sup>F2</sup> [<sup>F3</sup>electronic communications apparatus] kept installed for the purposes of [<sup>F4</sup>an electronic communications code network], and the operator of that [<sup>F5</sup>network] notifies the [<sup>F1</sup>local roads authority] that he requires to obtain access to that apparatus, the authority shall, unless they temporarily remove the shelter, barriers or posts for the purpose of affording such access, or so much thereof as is necessary for that purpose, be liable to repay the operator of that [<sup>F5</sup>network] so much of the expenses reasonably incurred by him in obtaining] such access as is attributable to the situation of the shelter or barriers or posts.
- (2) The provisions of the foregoing subsection shall apply in relation to any sewers, pipe-subways, pipes, wires or other apparatus belonging to or maintained by the Minister or any local authority or any gas, electricity, water, hydraulic power, tramcar or trolley vehicle undertakers, as they apply in relation to any such [<sup>F6</sup> [<sup>F3</sup>electronic communications apparatus] as is therein mentioned, and as if for any reference therein to the operator of the [<sup>F5</sup>network] in question there were] substituted a reference to the Minister or the local authority or the undertakers, as the case may be.
- (3) Any dispute as to the amount (if any) payable by a [<sup>F1</sup>local roads authority] under the foregoing provisions of this section shall be determined by arbitration.

### Textual Amendments

- F1** Words substituted by [Roads \(Scotland\) Act 1984 \(c. 54, SIF 108\)](#), s. 49
- F2** Words substituted by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), s. 109, [Sch. 4 para. 37\(a\)](#), Sch. 5 para. 45
- F3** Words in s. 3 substituted (17.9.2003) by [Communications Act 2003 \(Consequential Amendments\) Order 2003 \(S.I. 2003/2155\)](#), art. 1(1), [Sch. 1 para. 3\(a\)](#)

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**Status:** Point in time view as at 07/11/2006.

**Changes to legislation:** There are currently no known outstanding effects for the Local Government (Omnibus Shelters and Barriers) (Scotland) Act 1958, Section 3. (See end of Document for details)

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- F4** Words in s. 3(1) substituted (17.9.2003) by [Communications Act 2003 \(Consequential Amendments\) Order 2003 \(S.I. 2003/2155\)](#), art. 1(1), **Sch. 1 para. 3(b)**
- F5** Word in s. 3 substituted (17.9.2003) by [Communications Act 2003 \(Consequential Amendments\) Order 2003 \(S.I. 2003/2155\)](#), art. 1(1), **Sch. 1 para. 3(c)**
- F6** Words substituted by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), s. 109, **Sch. 4 para. 37(b)**, Sch. 5 para. 45

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**Modifications etc. (not altering text)**

- C1** Ss. 1-4: functions made exercisable concurrently (1.11.2006) by [Transfer of Functions to the Shetland Transport Partnership Order 2006 \(No. 527\)](#), art. 1, **Sch. 2**
- C2** Ss. 1-4: functions made exercisable concurrently (7.11.2006) by [Transfer of Functions to the South-West of Scotland Transport Partnership Order 2006 \(No. 538\)](#), art. 1, **Sch. 2** (with art. 5)

**Status:**

Point in time view as at 07/11/2006.

**Changes to legislation:**

There are currently no known outstanding effects for the Local Government (Omnibus Shelters and Barriers) (Scotland) Act 1958, Section 3.