

SCHEDULES

SCHEDULE 13

PROTECTIVE PROVISIONS

PART 4

FOR THE PROTECTION OF ELECTRICITY SUPPLIERS

Facilities and rights for alternative apparatus

58.—(1) Where, in accordance with the provisions of this Part of this Schedule, the undertaker affords to the electricity supplier facilities and rights for the construction and maintenance in land of the undertaker of alternative apparatus in substitution for apparatus to be removed, those facilities and rights are to be granted upon such terms and conditions as may be agreed between the undertaker and the electricity supplier or in default of agreement settled by arbitration in accordance with article 46 (arbitration).

(2) If the facilities and rights to be afforded by the undertaker in respect of any alternative apparatus, and the terms and conditions subject to which those facilities and rights are to be granted, are in the opinion of the arbitrator less favourable on the whole to the electricity supplier than the facilities and rights enjoyed by it in respect of the apparatus to be removed and the terms and conditions to which those facilities and rights are subject, the arbitrator must make such provision for the payment of compensation by the undertaker to the electricity supplier as appears to the arbitrator to be reasonable having regard to all the circumstances of the particular case.