
STATUTORY INSTRUMENTS

2019 No. 1268

The Abergelli Power Gas Fired Generating Station Order 2019

PART 5

POWERS OF ACQUISITION

Funding

33.—(1) The undertaker must not exercise the powers conferred by the provisions referred to in paragraph (2) in relation to any land unless it has first put in place either—

- (a) a guarantee and the amount of that guarantee has been approved by the Secretary of State in respect of the liabilities of the undertaker to pay compensation under this Order in respect of the exercise of the relevant power in relation to that land; or
- (b) an alternative form of security and the amount of that security for that purpose has been approved by the Secretary of State in respect of the liabilities of the undertaker to pay compensation under this Order in respect of the exercise of the relevant power in relation to that land.

(2) The provisions are—

- (a) article 18 (compulsory acquisition of land);
- (b) article 20 (statutory right to override easements);
- (c) article 22 (compulsory acquisition of rights etc.);
- (d) [^{F1}article 23] (private rights);
- (e) article 25 (acquisition of subsoil only);
- (f) article 27 (rights under or over streets);
- (g) article 28 (temporary use of land in connection with the carrying out of the authorised development);
- (h) article 29 (temporary use of land for maintaining the authorised development); and
- (i) article 30 (statutory undertakers).

(3) A guarantee or alternative form of security given in respect of any liability of the undertaker to pay compensation pursuant to the provisions referred to in paragraph (2) is to be treated as enforceable against the guarantor or person providing the alternative form of security by any person to whom such compensation is payable and must be in such form as to be capable of enforcement by such a person.

(4) Nothing in this article requires a guarantee or alternative form of security to be in place for more than 15 years after the date on which the relevant power is exercised.

Textual Amendments

- F1** Words in art. 33(2)(d) substituted (10.1.2020) by [The Abergelli Gas Fired Generating Station \(Correction\) Order 2020 \(S.I. 2020/22\)](#), art. 1(2), [Sch.](#)

Status: Point in time view as at 10/01/2020.

Changes to legislation: There are currently no known outstanding effects for the The Abergelli Power Gas Fired Generating Station Order 2019, Section 33. (See end of Document for details)

Commencement Information

II Art. 33 in force at 10.10.2019, see [art. 1](#)

Status:

Point in time view as at 10/01/2020.

Changes to legislation:

There are currently no known outstanding effects for the The Abergelli Power Gas Fired Generating Station Order 2019, Section 33.