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STATUTORY INSTRUMENTS

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**2022 No. 549**

The M25 Junction 10/A3 Wisley Interchange  
Development Consent Order 2022

PART 5

POWERS OF ACQUISITION AND POSSESSION OF LAND

**Statutory undertakers**

**35.**—(1) Subject to the provisions of Schedule 9 (protective provisions), article 25 (compulsory acquisition of rights and restrictive covenants) and paragraph (2), the undertaker may—

- (a) acquire compulsorily, or acquire new rights or impose restrictive covenants over, any Order land belonging to statutory undertakers; and
- (b) extinguish the rights of, and remove or reposition apparatus belonging to, statutory undertakers over or within the Order land.

(2) Paragraph (1)(b) has no effect in relation to apparatus in respect of which the following provisions apply—

- (a) Part 3 (street works in England and Wales) of the 1991 Act; and
- (b) article 36 (apparatus and rights of statutory undertakers in stopped up streets).

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**Commencement Information**

**II** Art. 35 in force at 2.6.2022, see [art. 1](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The M25 Junction 10/A3 Wisley Interchange Development Consent Order 2022, Section 35.