



Greenham and Crookham Commons Act 2002

2002 CHAPTER i

PART 6

MISCELLANEOUS AND SUPPLEMENTARY

38 Saving for certain statutory undertakers

(1) Nothing in this Act, or in any byelaw or regulation made under this Act, shall prejudice or affect—

- (a) the running of a telecommunications code system or the exercise of any right conferred by or in accordance with the telecommunications code on the operator of any such system;
- (b) the rights of any undertakers to lay, erect, maintain, inspect, repair, renew or remove any apparatus or works in, under, over, across, along or upon the Common or any additional land;

or prohibit or regulate the use by the operator of a telecommunications code system, or by any undertakers, of equipment or the erection of structures required in connection with the exercise of their respective rights.

(2) In this section—

- (a) “telecommunications code”, “telecommunications code system” and “operator” have the meanings given to them in paragraph 1(1) of Schedule 4 to the Telecommunications Act 1984 (c. 12);
- (b) “undertakers” means any person authorised to carry on in the area of which the Common or any additional open space forms part—
 - (i) an undertaking for the supply of gas;
 - (ii) an undertaking for the supply of water;
 - (iii) an undertaking for the generation, transmission or supply of electricity;
 - (iv) a sewerage undertaking; or

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (v) an oil undertaking; and
- (c) “apparatus” means—
 - (i) in the case of gas, water or sewerage undertakers, any sewer, mains, pipes or other apparatus belonging to or maintained by such undertakers;
 - (ii) in the case of electricity undertakers, electric lines or electrical plant (as defined in the Electricity Act 1989 (c. 29)) belonging to or maintained by such undertakers; or
 - (iii) in the case of oil undertakers, any pipes or other apparatus belonging to or maintained by such undertakers.