

## SCHEDULES

### SCHEDULE 9

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### *The Pipe-lines Act 1962 (c. 58)*

- 55 (1) The Pipe-lines Act 1962 shall be amended in accordance with this paragraph.
- (2) In section 15 (power to place pipe-lines in streets)—
- (a) in subsections (1) to (9), for the word "street", wherever it occurs, there shall be substituted the word "road";
  - (b) in subsection (4), in each of the paragraphs (c) to (d), for the word "highway" there shall be substituted the words "road over which there is a public right of passage";
  - (c) in subsection (7), for the words from "shall be determined" to the end there shall be substituted the words "shall be referred to the arbitration of a single arbiter appointed by agreement between the parties concerned or, in default of agreement, by the sheriff; and in any such arbitration the arbiter may, and, if so directed by the Court of Session, shall, state a case for the decision of that court on any question of law arising in the arbitration."; and
  - (d) for subsections (10) and (11) there shall be substituted the following subsection—
    - “(10) In this section, except where the context otherwise requires—
      - "appropriate authority", in relation to a road, means—
        - (a) where the road is a public road, the roads authority;
        - (b) where the road is a prospective public road, the roads authority and the road managers;
        - (c) where the road is neither a public road nor a prospective public road, the road managers;
      - "carriageway" has the same meaning as in the Roads (Scotland) Act 1984;
      - "prospective road" shall be construed in accordance with section 1(4)(b) of the Public Utilities Street Works Act 1950;
      - "protected road" means—
        - (a) a special road;
        - (b) a trunk road; or
        - (c) such other road as is for the time being classified by the Secretary of State under section 11(1) of the said Act of 1984 as a protected road for the purposes of this Act;
      - "public road" has the same meaning as in the said Act of 1984;
      - "road" and "road managers" have the same meanings as in the said Act of 1950; and

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*Status: This is the original version (as it was originally enacted).*

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" roads authority ", " special road " and " trunk road " have the same meanings as in the said Act of 1984.”.

- (3) In section 16 (modification of street works code in application to pipe-line works)—
- (a) in subsection (1)—
    - (i) for the word " street ” where it occurs for the first and fourth times, there shall in each case be substituted the word " roads " ;
    - (ii) for the words " street which is a maintainable highway or is prospectively a maintainable highway" there shall be substituted the words " road which is a public road or prospective public road " ;
    - (iii) for the word " street", where it occurs for the third time, there shall be substituted the word " road " ; and
    - (iv) for the word " arbitrator " there shall be substituted the word " arbiter " ; and
  - (b) in subsection (2)(b), for the word " arbitrator" there shall be substituted the word " arbiter " .
- (4) In section 66(1) (interpretation), in the definition of " in ", for the word " street" there shall be substituted the word " road " .