

**1990 No. 526**

**ELECTRICITY**

**The Electricity Act 1989 (Consequential Modifications of  
Subordinate Legislation) Order 1990**

<i>Made - - - -</i>	<i>7th March 1990</i>
<i>Laid before Parliament</i>	<i>9th March 1990</i>
<i>Coming into force</i>	<i>31st March 1990</i>

The Secretary of State for Energy (as respects England and Wales) and the Secretary of State for Scotland (as respects Scotland), in exercise of the powers conferred by section 112(2) of the Electricity Act 1989(a), and of all other enabling powers, hereby make the following Order:-

1. This Order may be cited as the Electricity Act 1989 (Consequential Modifications of Subordinate Legislation) Order 1990 and shall come into operation on 31st March 1990.
2. The subordinate legislation mentioned in columns 1 and 2 of the Schedule to this Order is hereby modified to the extent specified in column 3 of the Schedule.

7th March 1990

*John Wakeham*  
Secretary of State for Energy

7th March 1990

*Malcolm Rifkind*  
Secretary of State for Scotland

## SCHEDULE

### Subordinate legislation modified by this Order

(1) <i>Title</i>	(2) <i>Number</i>	(3) <i>Extent of modification(s)</i>
The Civil Defence (Electricity Undertakings) Regulations 1954	S.I. 1954/377(a)	References to— (a) any Area Board shall be construed as references to a person authorised by a licence to supply electricity; and (b) the Generating Board shall be construed as references to any person who is— (i) authorised by a licence to transmit electricity; or (ii) authorised by a licence or exemption to generate electricity.
The Civil Defence (North of Scotland Hydro-Electric Board) Regulations 1954	S.I. 1954/450	References to the North of Scotland Board shall be construed as references to the holder of a licence within the meaning of Part I of the Electricity Act 1989.
The Civil Defence (South of Scotland Electricity Board) Regulations 1956	S.I. 1956/409	References to the South of Scotland Board shall be construed as references to the holder of a licence within the meaning of Part I of the Electricity Act 1989.
The Electricity (Compulsory Wayleaves) (Hearings Procedure) Rules 1967	S.I. 1967/450	References to— (a) “the Electricity (Supply) Act 1919”, “the Act of 1919” and “the Act” shall be construed as references to paragraph 6 of Schedule 4 to the Electricity Act 1989; and (b) “electricity authority” shall be construed as references to a holder of a licence within the meaning of Part I of the Electricity Act 1989.
The Town and Country Planning (Tree Preservation Order) Regulations 1969	S.I. 1969/17	In the Second Schedule to the model order set out in the Schedule, in paragraph (4)(b)— (a) in sub-paragraph (i), after the words “statutory undertaker” there shall be inserted the words “or holder of a licence under section 6(1) of the Electricity Act 1989”; and (b) in sub-paragraph (ii), for the words “an electricity board within the meaning of the Electricity Act 1947” there shall be substituted the words “a licence holder within the meaning of Part I of the Electricity Act 1989”; for the words “the board” there shall be substituted the words “the licence holder”; the words “main transmission line or other” shall be omitted; and for the words “respectively of the Electricity (Supply) Act 1919 and the Electric Lighting Act 1882” there shall be substituted the words “of Part I of the said Act of 1989”.
The Redundancy Payments (Exemption) (No. 1) Order 1970	S.I. 1970/354	(a) In article 2(2), the definition of “Electricity Board” shall be omitted; and (b) in article 3, for the words “an Electricity Board” there shall be substituted the words “any company which is a successor company within the meaning of Part II of the Electricity Act 1989”.
The Town and Country Planning (Tree	S.I. 1975/1204	In the Second Schedule to the model order set out in the Schedule, in paragraph (4)(b)—

(a) These Regulations were amended by the Electricity Act 1957 (c.48), Schedule 4, Part II.

(1)	(2)	(3)
Title	Number	Extent of modification(s)
Preservation Order and Trees in Conservation Areas (Scotland) Regulations 1975		<p>(a) in sub-paragraph (i), after the words "statutory undertaker" there shall be inserted the words "or holder of a licence under section 6(1) of the Electricity Act 1989"; and</p> <p>(b) in sub-paragraph (ii), for the words "an electricity board within the meaning of the Electricity Act 1947" there shall be substituted the words "a licence holder within the meaning of Part I of the Electricity Act 1989"; for the words "the board" there shall be substituted the words "the licence holder"; the words "main transmission line or other" shall be omitted; and for the words "respectively of the Electricity (Supply) Act 1919 and the Electric Lighting Act 1882" there shall be substituted the words "of Part I of the said Act of 1989".</p>
The Tribunals and Inquiries (Discretionary Inquiries) Order 1975	S.I. 1975/1379	<p>(a) In Part I of the Schedule, paragraph 11 shall be omitted;</p> <p>(b) in Part I of the Schedule, in paragraph 32, for the reference to section 34(3) of the Electricity Act 1957 there shall be substituted a reference to paragraph 3(2) of Schedule 8 to the Electricity Act 1989; and</p> <p>(c) in Part II of the Schedule, in paragraph 81, for the reference to section 66 of the Electricity Act 1947 there shall be substituted a reference to section 62 of the Electricity Act 1989.</p>
The Forestry (Exceptions from Restriction of Felling) Regulations 1979	S.I. 1979/792	In regulation 3, in the definition of "statutory undertakers", the word "electricity" shall be omitted.
The Industrial Training (Engineering Board) Order 1980	S.I. 1980/1273	<p>In paragraph 2(e) of Schedule 1, for sub-paragraphs (i) and (ii) there shall be substituted the following sub-paragraph—</p> <p>"(i) any company which is a successor company within the meaning of Part II of the Electricity Act 1989;"</p>
The Industrial Training (Construction Board) Order 1980	S.I. 1980/1274	<p>In paragraph 2(d) of Schedule 1, for sub-paragraphs (i) and (ii) there shall be substituted the following sub-paragraph—</p> <p>"(i) any company which is a successor company within the meaning of Part II of the Electricity Act 1989;"</p>
The Town and Country Planning Appeals (Determination by Appointed Person) (Inquiries Procedure) (Scotland) Rules 1980	S.I. 1980/1677	<p>In Rule 3(1), in the definition of "statutory undertakers", for the words "and public gas suppliers within the meaning of Part I of the Gas Act 1986", there shall be substituted the words " , public gas suppliers within the meaning of Part I of the Gas Act 1986 and holders of a licence under section 6(1) of the Electricity Act 1989".</p>
The Town and Country Planning (Determination of appeals by appointed persons) (Prescribed Classes) Regulations 1981	S.I. 1981/804	<p>In regulation 2, in the definitions of "statutory undertakers", the word "electricity" shall be omitted, and after the words "Gas Act 1986" there shall be inserted the words " , holders of a licence under section 6(1) of the Electricity Act 1989".</p>

(1) <i>Title</i>	(2) <i>Number</i>	(3) <i>Extent of modification(s)</i>
The Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984	S.I. 1984/467	In regulation 2(1), in the definitions of "statutory undertakers" and "statutory undertakings", after the words "Gas Act 1986" there shall be inserted the words "and holder of a licence within the meaning of Part I of the Electricity Act 1989, each of".
The Cycle Tracks Regulations 1984	S.I. 1984/1431	In regulation 2(1), in the definition of "statutory undertaker", after the words "Gas Act 1986" there shall be inserted the words "holders of a licence within the meaning of Part I of the Electricity Act 1989;".
The Town and Country Planning (Determination of Appeals by Appointed Persons) (Prescribed Classes) (Scotland) Regulations 1987	S.I. 1987/1531	In regulation 2(1), in the definition of "statutory undertakers", the word "electricity," shall be omitted; and for the words "and public gas suppliers within the meaning of Part I of the Gas Act 1986" there shall be substituted the words ", public gas suppliers within the meaning of Part I of the Gas Act 1986 and holders of a licence under section 6(1) of the Electricity Act 1989."
The Environmental Assessment (Scotland) Regulations 1988	S.I. 1988/1221	In Part III- (a) in regulation 34, for the existing words in paragraphs (a), (b) and (c) there shall be substituted the words "the Electricity Act 1989"; (b) in regulation 40(1)(d) for the words "date of publication or notice" there shall be substituted the words "date or later date or latest date of publication of the notice as the case may be;" ; and (c) in regulation 40(2), for sub-paragraph (b) there shall be substituted- "(b) included in a notice which the applicant publishes under regulation 4 or 5 of the Electricity (Applications for Consent) Regulations 1990".
The Valuation for Rating (Plant and Machinery) Regulations 1989	S.I. 1989/441	In sub-paragraph (b) of Class 5 in the Schedule, for the words "board established by the Electricity Act 1957, or in the Central Electricity Generating Board" there shall be substituted the words "holder of a licence under section 6(1) of the Electricity Act 1989".

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations are consequential to the Electricity Act 1989. Regulation 2 amends the items of subordinate legislation listed in the Schedule so as to apply to that legislation references to holders of licences under the Act.

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