

## SCHEDULE 1

### PART 2

#### Amendments to other Acts (including Acts of the Scottish Parliament)

##### **Land Drainage (Scotland) Act 1958 (c. 24)**

**2.**—(1) In section 17 of the Land Drainage (Scotland) Act 1958(1) (provision as to work involving alteration of telegraphic lines)—

- (a) for “telecommunications code”, there shall be substituted “electronic communications code”; and
- (b) for “telecommunication apparatus”, there shall be substituted “electronic communications apparatus”.

(2) In the Second Schedule to that Act, in paragraph 3 (temporary works), for the words from “telecommunications” to the end there shall be substituted “electronic communications apparatus kept installed for the purposes of an electronic communications code network or with the service provided by any such network.”.

##### **Local Government (Omnibus Shelters and Barriers) (Scotland) Act 1958 (c. 50)**

**3.** In section 3 of the Local Government (Omnibus Shelters and Barriers) (Scotland) Act 1958(2) (supplementary provisions as to omnibus shelters, etc.)—

- (a) for “telecommunication apparatus”, wherever occurring, there shall be substituted “electronic communications apparatus”;
- (b) in subsection (1), for “a telecommunications code system”, there shall be substituted “an electronic communications code network”; and
- (c) for “system”, wherever occurring (except in the expression “telecommunications code system”), there shall be substituted “network”.

##### **Flood Prevention (Scotland) Act 1961 (c. 41)**

**4.**—(1) The Flood Prevention (Scotland) Act 1961(3) shall be amended as follows.

(2) In section 3(4) (supplementary provisions as to powers of local authorities)—

- (a) for “telecommunication apparatus” there shall be substituted “electronic communications apparatus”;
- (b) for “a telecommunications code system” there shall be substituted “an electronic communications code network”;
- (c) for “the running of any such system” there shall be substituted “the provision of any such network”; and
- (d) for “the system” there shall be substituted “the network”.

(3) In paragraph 2 of the First Schedule—

- (a) for “telecommunication apparatus” there shall be substituted “electronic communications apparatus”; and

---

(1) 1958 c. 24.

(2) 1958 c. 50.

(3) 1961 c. 41.

*Status: This is the original version (as it was originally made).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

(b) for the words from “a telecommunications” to the end there shall be substituted “an electronic communications code network or with the service provided by any such network”.

(4) In paragraph 3(1)(e) of the Second Schedule for “a telecommunications code system running”, there shall be substituted “an electronic communications code network the provision”.

### **Countryside (Scotland) Act 1967 (c. 86)**

5.—(1) The Countryside (Scotland) Act 1967(4) shall be amended as follows.

(2) In section 11 (rights of public where access agreement or order in force), in subsection (5) (f) for “a telecommunications system”, there shall be substituted “an electronic communications network”.

(3) In section 38(7), (8) and (9) (supplementary provisions as to creation, closure and diversion of public paths)—

- (a) for “telecommunications apparatus”, wherever occurring, there shall be substituted “electronic communications apparatus”;
- (b) for “the telecommunications code”, wherever occurring, there shall be substituted “the electronic communications code”;
- (c) for “a telecommunications code system” there shall be substituted “an electronic communications code network”; and
- (d) for “that system” there shall be substituted “that network”.

(4) In section 54 (byelaws), in subsection (6)—

- (a) for “a telecommunications code system” there shall be substituted “an electronic communications code network”;
- (b) for “the telecommunications code” there shall be substituted “the electronic communications code”; and
- (c) for “such system” there shall be substituted “such network”.

### **New Towns (Scotland) Act 1968 (c. 16)**

6.—(1) This paragraph applies to the following provisions of the New Towns (Scotland) Act 1968(5)—

- (a) section 14(2) (exception to extinguishment of rights over land compulsorily acquired);
- (b) section 19(1) (saving from power to override servitudes and other rights);
- (c) section 24 (provisions as to telegraphic lines);
- (d) section 26(8) (extinguishment of rights of way, and rights as to apparatus, of statutory undertakers); and
- (e) section 36A (application of sections 35 etc. to operators of telecommunication systems).

(2) In each of the provisions to which this paragraph applies—

- (a) for “the telecommunications code”, wherever occurring, there shall be substituted “the electronic communications code”;
- (b) for “a telecommunications code system” and “any telecommunications code system” wherever occurring, there shall be substituted “an electronic communications code network”;

---

(4) 1967 c. 86.

(5) 1968 c. 16.

- (c) for “the running of the telecommunications code system”, wherever occurring, there shall be substituted “the provision of the electronic communications code network”;
- (d) for “the running of such a system”, wherever occurring, there shall be substituted “the provision of such a network”;
- (e) for “telecommunication apparatus” there shall be substituted “electronic communications apparatus”; and
- (f) for “the system” and “such system” wherever occurring, there shall be substituted respectively “the network” and “such network”.

#### **Sewerage (Scotland) Act 1968 (c. 47)**

7. In section 22(1) of the Sewerage (Scotland) Act 1968(6) (protection for statutory undertakers)

- (a) for “a telecommunications code system” there shall be substituted “an electronic communications code network”; and
- (b) for “that system” there shall be substituted “that network”.

#### **Local Government (Scotland) Act 1973 (c. 65)**

8. In section 50A(6)(c) of the Local Government (Scotland) Act 1973(7) (admission to meetings of local authorities), for the words from “telecommunications” to “system” there shall be substituted “electronic communications network, for transmitting the report by means of such a network”.

#### **Water (Scotland) Act 1980 (c. 45)**

9.—(1) Schedule 4 to the Water (Scotland) Act 1980(8) shall be amended as follows.

(2) In paragraph 4, for the words from “telecommunication” to “such system” there shall be substituted “electronic communications apparatus kept installed for the purposes of an electronic communications code network or with the service provided by any such network”.

(3) In paragraph 36(a)—

- (a) for “telecommunication apparatus” there shall be substituted “electronic communications apparatus”;
- (b) for “a telecommunications code system” there shall be substituted “an electronic communications code network”; and
- (c) for “the telecommunications code” there shall be substituted “the electronic communications code”.

#### **Roads (Scotland) Act 1984 (c. 54)**

10.—(1) This paragraph shall apply to the following provisions of the Roads (Scotland) Act 1984(9)—

- (a) section 50 (planting of trees, shrubs and grass or other plants by roads authority);
- (b) section 75 (bridges over and tunnels under navigable waters);
- (c) section 78(4) (power to divert waters when constructing or improving public road etc.);
- (d) section 132 (saving for operators of telecommunications code systems); and

---

(6) 1968 c. 47.

(7) 1973 c. 65.

(8) 1980 c. 45.

(9) 1984 c. 54.

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

- (e) section 151(4) (interpretation).
- (2) In each of the provisions to which this paragraph applies—
  - (a) for “the telecommunications code”, wherever occurring, there shall be substituted “the electronic communications code”;
  - (b) for “telecommunication apparatus” and “telecommunications apparatus”, wherever occurring, there shall be substituted “electronic communications apparatus”;
  - (c) for “a telecommunications code system” wherever occurring, there shall be substituted “an electronic communications code network”; and
  - (d) for “system”, wherever occurring (except in the expressions “telecommunications code system” and “driver information system”), there shall be substituted “network”.
- (3) In section 151(1) of that Act (interpretation), in the definition of “statutory undertaker”, for “telecommunications code system” there shall be substituted “electronic communications code network”.

#### **Housing (Scotland) Act 1987 (c. 26)**

**11.** In paragraph 11 of Part II of Schedule 8 to the Housing (Scotland) Act 1987<sup>(10)</sup> (saving for telecommunication apparatus etc.)—

- (a) for “the telecommunications code”, wherever occurring, there shall be substituted “the electronic communications code”;
- (b) for “telecommunication apparatus”, wherever occurring, there shall be substituted “electronic communications apparatus”;
- (c) for “a telecommunications code system”, wherever occurring, there shall be substituted “an electronic communications code network”; and
- (d) for “that system” and “such system” there shall be substituted, respectively, “that network” and “such network”.

#### **Enterprise and New Towns (Scotland) Act 1990 (c. 35)**

**12.** In section 9(9) of the Enterprise and New Towns (Scotland) Act 1990<sup>(11)</sup> (saving from powers of entry)—

- (a) for “the telecommunications code” there shall be substituted “the electronic communications code”;
- (b) for “a telecommunications code system” there shall be substituted “an electronic communications code network”;
- (c) for “telecommunication apparatus” there shall be substituted “electronic communications apparatus”; and
- (d) for “such system” there shall be substituted “such network”.

#### **Town and Country Planning (Scotland) Act 1997 (c. 8)**

**13.—(1)** This paragraph applies to the following provisions of the Town and Country Planning (Scotland) Act 1997<sup>(12)</sup>—

- (a) section 194(2) (exception to extinguishment of rights over land compulsorily acquired);
- (b) section 196(3) (exception to power to override servitudes and other rights);

---

<sup>(10)</sup> 1987 c. 26.

<sup>(11)</sup> 1990 c. 35.

<sup>(12)</sup> 1997 c. 8.

- (c) section 205(3) (provision of amenity for road reserved to pedestrians);
  - (d) section 212 (telecommunication apparatus);
  - (e) sections 225 to 227 (extinguishment of rights of statutory undertakers etc.); and
  - (f) sections 232 and 233 (compensation to statutory undertakers).
- (2) In the provisions to which this paragraph applies—
- (a) for “a telecommunications code system” and “any telecommunications code system”, wherever occurring, there shall be substituted “an electronic communications code network”;
  - (b) for “the telecommunications code system”, wherever occurring (except in the expression “the running of the telecommunications code system”), there shall be substituted “the electronic communications code network”;
  - (c) for “the running of the telecommunications code system”, wherever occurring, there shall be substituted “the provision of the electronic communications code network”;
  - (d) for “telecommunication apparatus”, wherever occurring, there shall be substituted “electronic communications apparatus”;
  - (e) for “telecommunications code”, wherever occurring (except in the expression “telecommunications code system”), there shall be substituted “electronic communications code”; and
  - (f) for “system”, wherever occurring (except in the expression “telecommunications code system”), there shall be substituted “network”.
- (3) In section 99(1) of that Act, in the definition of “statutory undertakers” for “public telecommunications operators” there shall be substituted “electronic communications code operators and former PTOs”.
- (4) In paragraph 1(1)(a)(ii) of Schedule 14 to that Act (blighted land), for the words from “establishment” to “system” there shall be substituted “provision by an electronic communications operator of an electronic communications code network or the provision by a former PTO of a public electronic communications network or a public electronic communications service”.

### **Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (c. 9)**

**14.**—(1) The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997(**13**) shall be amended as follows—

- (2) In section 46 (ending of rights over land compulsorily acquired)—
- (a) for “the telecommunications code” there shall be substituted “the electronic communications code”;
  - (b) for “a telecommunications code system” there shall be substituted “an electronic communications code network”;
  - (c) for “telecommunications apparatus” there shall be substituted “electronic communications apparatus”; and
  - (d) for “such system” there shall be substituted “such network”.
- (3) In section 81(3), in the definition of “statutory undertakers”, for “a public telecommunications operator” there shall be substituted “electronic communications operators and former PTOs”.

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

## **Land Reform (Scotland) Act 2003 (asp2)**

**15.**—(1) The Land Reform (Scotland) Act 2003(**14**) shall be amended as follows.

(2) In section 32 (interpretation of Part 1), in the definition of “statutory undertaker”, for “telecommunications code system” there shall be substituted “electronic communications code network”.

(3) In Schedule 1—

- (a) in paragraph 11, for “telecommunications code system” there shall be substituted “electronic communications code network”;
- (b) in paragraph 12, for “telecommunications code” there shall be substituted “electronic communications code”; and
- (c) in paragraph 13, for “telecommunications apparatus” there shall be substituted “electronic communications apparatus”.