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ELECTRICITY (AMENDMENT) ACT 2001

Chapter 21

Arrangement of sections

1. Power to lay gas pipes etc.
2. Short title



Signed in Tynwald: 10th July 2001
Received Royal Assent: 10th July 2001
Announced to Tynwald: 11th July 2001
Passed: 11th July 2001

AN ACT

to authorise the Manx Electricity Authority to place, repair, alter or remove pipes and other works and apparatus for the purpose of supplying gas to any of its generating stations; and for connected purposes.

WE, your Majesty's most dutiful and loyal subjects, the Council and Keys of the said Isle, do humbly beseech your Majesty that it may be enacted, and be it enacted, by the Queen's Most Excellent Majesty, by and with the advice and consent of the Council and Keys in Tynwald assembled, and by the authority of the same, as follows (that is to say):—

1. Power to lay gas pipes etc.

After section 15 of the Electricity Act 1996¹ insert —

"15A. Power to lay gas pipes etc.

- (1) The Authority may —
 - (a) place in, on or over any land, repair, alter or remove pipes, conduits and other works, and pressure governors, ventilators and other apparatus, for the purpose of supplying gas to any of its generating stations;
 - (b) place with any works or apparatus mentioned in paragraph (a) (but not elsewhere), repair, alter or remove —
 - (i) pipes, conduits and other works, and pressure governors, ventilators and other apparatus, for supplying gas to other persons;

¹ 1996 c.7

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- (ii) conduits for carrying electric lines or electrical plant; and
- (iii) conduits for carrying telecommunication apparatus; and
- (c) subject to the provisions of the road works code —
 - (i) open and break up any highway or bridge;
 - (ii) open and break up any sewers, drains or tunnels in or under any highway or bridge;
 - (iii) place, repair, alter or remove any works and apparatus mentioned in paragraph (a) or (b) in or under any highway or bridge;
 - (iv) remove or use all earth and materials in or under any highway or bridge;
 - (v) with the consent of the Department of Transport, erect in or on any highway structures for housing apparatus.

(2) Nothing in subsection (1)(a) or (b) empowers the Authority to place any works or apparatus in, on or over land other than —

- (a) land which is vested in the Authority, or
- (b) land over which it has acquired a right to do so.

(3) Where the Authority is authorised to acquire land or rights over land compulsorily for the purpose of placing works or apparatus in, on or over land pursuant to subsection (1)(a) or (b), that authorisation extends to land or rights within such limits of deviation as may be specified on the compulsory purchase plan, not exceeding 50 metres on either side of the line of the works shown on that plan.

(4) The Authority shall so exercise the powers conferred by subsection (1)(c) as to secure that nothing which it installs or keeps installed under, over, in, on, along or across any highway or bridge becomes a source of danger to the public.

(5) Paragraphs 2 and 3 of Schedule 2 apply, with any necessary modifications, to works authorised by subsection (1)(c) as they apply to works authorised by paragraph 1 of that Schedule.

(6) The consent referred to in subsection (1)(c)(v) shall not be unreasonably withheld, and any question whether such consent is unreasonably withheld shall be determined by arbitration.

(7) Nothing in this section —

- (a) affects Part III (submarine pipe-lines) of the Petroleum Act 1998 (an Act of Parliament)², as it has effect in the Island³; or

² 1998 c.17

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(b) authorises the Authority to sell or supply gas to any person.

(8) In this section —

"the compulsory purchase plan", in relation to any compulsory acquisition of land or rights over land, means the plan of the land referred to in the relevant resolution of Tynwald under section 2 of the Acquisition of Land Act 1984⁴;

"the road works code" means the code contained in Schedule 4 to the Highways Act 1986⁵;

"telecommunication apparatus" has the same meaning as in the Telecommunications Act 1984⁶."

2. Short title

This Act may be cited as the Electricity (Amendment) Act 2001.

³ SD 562/00

⁴ 1984 c.9

⁵ 1986 c.17

⁶ 1984 c.11