**STATUTORY NOTICE**

**NOTICE OF OBJECTION TO THE EXERCISE OF A TRANSPORT LAND RIGHT UNDER THE ELECTRONIC COMMUNICATIONS CODE TO CARRY OUT NON-EMERGENCY WORKS**

**Paragraph 50(2) of Part 7 of Schedule 3A of the Communications Act 2003**

1. This is a statutory notice pursuant to paragraph 50(2) of the electronic communications code, set out in Schedule 3A to the Communications Act 2003 (the “**Code**”).[[1]](#footnote-1) **[see note (a)]**
2. We, [*Insert name of Transport Undertaker*], have received a notice from you, [*Insert name of Code operator*], pursuant to paragraph 49(1) of the Code. In that notice, dated [*Insert date*], you informed us of your intention to carry out non-emergency works (as defined in paragraph 49(5) of the Code) at [*Insert address / description of land, etc.*] (the “**Proposed Works**”).
3. The purpose of this notice is to inform you that we object to the Proposed Works.

CONSEQUENCES OF THIS NOTICE

1. As a result of this notice, either one of us may give the other a notice that the objection is to be referred to arbitration under paragraph 52 of the Code.
2. Any notice of arbitration must be given within the period of 28 days beginning with the day on which this notice of objection has been given (the “**arbitration notice period**”).
3. Please note that you may only exercise a transport land right in order to carry out the Proposed Works if **either**:
	1. the arbitration notice period has ended and no arbitration notice has been given by either of us; **or**
	2. an arbitration notice has been given within the arbitration notice period but the works are permitted in accordance with an award made on the arbitration.

[*Insert date of Notice*]

*NOTES FOR COMPLETING THIS NOTICE*

1. *This notice should be* ***delivered by hand*** *or sent by* ***registered post*** *or* ***recorded delivery*** *to the operator at:*
* *the address for service that the operator has given to you for the purposes of the Code; or*
* *if no such address has been given to you, at the address given by section 394 of the Communications Act 2003 (available online at* [*www.legislation.gov.uk*](http://www.legislation.gov.uk)*).*
1. A copy of the Communications Act 2003 is available online at [www.legislation.gov.uk](http://www.legislation.gov.uk). [↑](#footnote-ref-1)