

Above-ground and Underground Networks (Information Exchange) Act

Act of 21 February 2018 containing rules relating to the exchange of information on above-ground and underground infrastructure of utility networks and networks for the prevention of excavation damage and promoting the deployment of high-speed electronic communication networks as well as amending the *Telecommunicatiewet* (Telecommunications Act) with a view to of promoting the shared use of physical infrastructure and the coordinated installation and deployment of civil works (*Wet informatie-uitwisseling bovengrondse en ondergrondse netten en netwerken* / Above-ground and Underground Networks (Information Exchange) Act).

Having considered that the implementation of Directive 2014/61/EU of the European Parliament and of the Council of 15 May 2014 on measures to reduce the cost of deploying high-speed electronic communications networks (OJEU 2014 L 155) requires measures which encourage the shared use of existing physical infrastructure and the coordination of civil works so as to incentivise the deployment of high-speed electronic communications networks, as well as that this requires an increase in the existing statutory exchange of information between utility network owners; that it is necessary to incorporate the rules for the exchange of information on underground and above-ground elements of utility networks and networks in the same Act; that having regard to the foregoing, the *Wet informatie-uitwisseling ondergrondse netten* (Underground Networks (Information Exchange) Act) is replaced by an Act for the exchange of information on underground and above-ground elements of utility networks and networks;

Chapter 1. Definitions

Section 1

For the purposes of this Act and the provisions based on it, the terms listed below have the following meaning:

provider: a public electronic communications network provider as referred to in Section 1.1 of the *Telecommunicatiewet* (Telecommunications Act);
utility network owner: the party that manages a Utility Network, acting as a natural person in the exercise of a profession or business, or as a legal entity;
network area of interest: the representation by a Utility Network Owner or a Network Operator of a contiguous area, in which a Utility Network Owner manages one or more Utility Networks and a Network Operator manages physical infrastructure;
civil works: civil works as referred to in Section 5a.1 of the *Telecommunicatiewet* (Telecommunications Act);
coordination: coordination of civil works as referred to in Article 5 of Directive 2014/61/EU;
the Agency: Kadaster (the Netherlands' Cadastre, Land Registry and Mapping Agency) referred to in Section 2 of the *Organisatiewet kadaster* (Land Registry Organisation Act);
physical infrastructure: physical infrastructure as referred to in Section 1.1 of the *Telecommunicatiewet* (Telecommunications Act);
area information: the information as a whole made available to the Agency by Utility Network Owners or Network Operators pursuant to Sections 11(1) and 12(1) and (2)(a) regarding the Orientation Polygon or Excavation Polygon in question;
excavation notice: the notice from the Agency referred to in Section 10(b)(1);
excavation location: the location where Excavation Work is performed;
excavation notification: the notification to the Agency of proposed Excavation Work as referred to in Section 8(1);
excavation polygon: the representation by an Excavator of the area in which the Excavation Location is situated;
excavation work: the mechanical performance of work in the subsoil;
excavator: the party under whose responsibility or management Excavation Work is performed;
network location details: the details regarding the location of a Utility Network or Network within the Orientation Polygon or Excavation Polygon in question;
shared use: shared use of physical infrastructure as referred to in Section 5a.3(1) and (4) of the *Telecommunicatiewet* (Telecommunications Act);

utility network: an underground cable or pipeline, including empty pipes, underground support works and protection works intended for the transport of solid, liquid or gaseous substances, energy or data;

utility network with hazardous contents: a pipeline in a category designated pursuant to Section 12.12(2) of the *Wet milieubeheer* (Environmental Management Act);

network: a network operated by a Network Operator;

network operator: a Network Operator as referred to in Section 5a.1 of the *Telecommunicatiewet* (Telecommunications Act);

high-speed network: a high-speed electronic communications network as referred to in Section 1.1 of the *Telecommunicatiewet* (Telecommunications Act);

Our Minister: The Minister of Economic Affairs and Climate Policy;

commissioning party: the party that commissions the performance of a work involving Excavation Work;

orientation polygon: the representation by a Commissioning Party, Excavator, Provider or administrative body of a contiguous area in respect of which it requests Area Information with a view to an interest as referred to in Section 7(1), (2) or (3);

orientation request: the request to the Agency for Area Information, as referred to in Section 7(1) to (3), inclusive;

registration notification: the notification from the Utility Network Owner or a Network Operator referred to in Section 6(2) or (3);

directive 2014/61/EU: Directive 2014/61/EU of the European Parliament and of the Council of 15 May 2014 on measures to reduce the cost of deploying high-speed electronic communications networks (OJEU 2014 L 155).

Chapter 2. Prevention of excavation damage

Section 2

1. The Commissioning Party must ensure that the Excavation Work that it commissions can be performed with due care.
2. The Excavator must perform the Excavation Work with due care.
3. In the implementation of paragraph 2 the Excavator must in any event ensure that:
 - a. an Excavation Notification is sent before the Excavation Work is commenced,
 - b. an investigation has been performed into the exact location of parts of Utility Networks at the Excavation Location, and
 - c. the Area Information received from the Agency is present at the Excavation Location.

Section 3

1. The deployment, maintenance and removal of Utility Networks by a Utility Network Owner must take place in such a way that the management of other Utility Networks is not jeopardised or unduly complicated.
2. A Utility Network Owner that acts in breach of paragraph 1 must take measures at its own expense regarding the relevant part of its Utility Network, if necessary including its relocation, in order to immediately put an end to the breach.

Chapter 3. Electronic information system

Section 4

1. An electronic information system must be in place for the exchange of information between Utility Network Owners, Network Operators, Providers, Commissioning Parties, Excavators and administrative bodies, insofar as necessary for:
 - a. prevention of excavation damage;
 - b. consideration of a request for shared use;
 - c. consideration of a request for coordination.

2. The information referred to in paragraph 1 must be treated confidentially by the users receiving the information via the electronic information system and must only be provided to third parties insofar as necessary for achieving the purposes set out in paragraph 1.
3. The electronic information system is used, at the Utility Network Owner's request, for keeping information as referred to in Section 5a(1).

Section 5

1. The Agency is entrusted with the management of the electronic information system.
2. On request, the Agency makes Area Information available via the electronic information system to:
 - a. Commissioning Parties and Excavators for the preparation of Excavation Work and the proper performance of Excavation Work;
 - b. Providers for the preparation of a request for shared use or coordination;
 - c. administrative bodies insofar as that Area Information is required for the performance of their duties.

Section 5a

1. A Utility Network Owner may request the Agency to keep the following information in the electronic information system for every Utility Network managed by it:
 - a. information regarding the location of the Utility Network;
 - b. relevant properties of the Utility Network;
 - c. information regarding precautions as referred to in Section 15(1) or (2); and
 - d. contact details of the Utility Network Owner.
2. The Utility Network Owner at whose request information is kept as referred to in paragraph 1 must inform the Agency immediately of every change in that information.

Section 6

1. The Agency registers the Network Areas of Interest and the Utility Network Owners with a view to the exchange of information on:
 - a. underground Utility Networks.
 - b. the physical infrastructure of Network Operators;
 - c. planned civil works by Network Operators.
2. A party that:
 - a. manages or will be managing a Utility Network that is not located within a Network Area of Interest registered in its name by the Agency; or
 - b. will no longer be managing a Utility Network that is located within a Network Area of Interest or part thereof registered in its name by the Agency;

must inform the Agency accordingly at least twenty working days before the start of the change in the management of the Utility Network in question, if necessary while stating the changed Network Area of Interest.

3. Paragraph 2 also applies to a Network Operator that manages or will be managing physical infrastructure or that will no longer be managing physical infrastructure, with the exception of a party that:
 - a. has already fulfilled the obligations in paragraph 2(a) and (b), or
 - b. only manages antenna installation sites and that party has made the information referred to in Section 12(1)(a) to (c), inclusive, regarding those antenna installation sites accessible through the antenna register.

4. In case of transfer of a Utility Network or part of that Utility Network, the former and the new Utility Network Owner must jointly notify the change, as referred to in paragraph 2.

Chapter 4. Information exchange with a view to Excavation Work or with a view to shared use or coordination as referred to in Section 5a of the *Telecommunicatiewet* (Telecommunications Act).

Section 7

1. A Commissioning Party or an Excavator may request the Agency to provide Area Information for the preparation of Excavation Work.
2. A Provider may request the Agency to provide Area Information for the preparation of a request for:
 - a. shared use;
 - b. coordination.
3. An administrative body may request the Agency to provide Area Information insofar as that information is required for the performance of the duties assigned to it.
4. The Commissioning Party, the Excavator, the Provider or the administrative body must specify an Orientation Polygon when making an Orientation Request.
5. When making an Orientation Request as referred to in paragraph 2, the area must be specified in which the elements of a high-speed network will be deployed as well as whether the request relates to physical infrastructure or to civil works.

Section 8

1. An Excavator must notify the intention to perform Excavation Work to the Agency not more than twenty working days before the start of that Excavation Work.
2. The Excavator must specify an Excavation Polygon in the Excavation Notification.
3. Paragraph 1 does not apply if the Excavation Work will take place up to a maximum depth to be determined by Order in Council and will be performed in land that is owned or managed by the Excavator, and the Excavator knows that the location of the Utility Networks in that land has not changed since the preceding Excavation Notification.

Section 9

1. By Order in Council certain categories of Excavators may be designated who have dispensation from the obligation to send an Excavation Notification insofar as they perform Excavation Work in land that is owned or managed by the Excavator and the Excavation Work will take place no deeper than 50 cm below ground level.
2. Such dispensation is without prejudice to the duty of care that applies to the Excavator pursuant to Section 2(1), (2) and (3)(b).
3. Section 2 (3) (a) and (c) do not apply to the Excavators as referred to in (1).
4. For the purposes of this Section the Commissioning Party of Excavation Work as referred to in paragraph 1 is considered an Excavator if the Commissioning Party is the owner or Utility Network Owner of the land in which the Excavation Work is performed.

Section 10

After receipt of an Orientation Request as referred to in Section 7(1), (2) or (3) or an Excavation Notification as referred to in Section 8:

- a. the Agency immediately sends acknowledgement of receipt to the party that sent the Orientation Request or the Excavation Notification;
- b. while specifying the Orientation Polygram or Excavation Polygram, the Agency immediately informs:
 1. in the case of Excavation Work: all the Utility Network Owners whose Network Area of Interest coincides in whole or in part with that Orientation Polygon or Excavation Polygram;
 2. in the case of shared use of physical infrastructure or the coordination of civil works: all the Network Operators whose Network Area of Interest coincides in whole or in part with that Orientation Polygon.

Section 11

1. A Utility Network Owner must immediately, but no later than one working day after an Excavation Notice is sent, provide the Agency with at least the following information regarding its Utility Network within the Orientation Polygon in question via the electronic information system:
 - a. the Network Location Details;
 - b. the relevant properties of its Utility Network;
 - c. if applicable, what precautions as referred to in Section 15(1) or (2) are necessary; and
 - d. its contact details.
2. The Utility Network Owner of whom the Agency keeps information as referred to in Section 5a thereby fulfils the provisions of paragraph 1.
3. If a Utility Network Owner exceeds the term specified in paragraph 1, the Agency immediately informs Our Minister.

Section 12

1. If a request relates to shared use, a Network Operator must immediately, but no later than two working days after the Agency has forwarded an Orientation Request as referred to in Section 10, preamble and (b)(2), provide the Agency with at least the following information regarding its Network within the Orientation Polygon in question via the electronic information system:
 - a. the location and route of its physical infrastructure;
 - b. type and current use of its physical infrastructure; and
 - c. its contact details.
2. If a request relates to coordination, a Network Operator must provide at least the following information regarding its Network within the Orientation Polygon in question:
 - a. its contact details: immediately but no later than two working days after the Agency has forwarded an Orientation Request as referred to in Section 10, preamble and (b)(2) and via the electronic information system to the Agency;
 - b. the location and type of work, the Network elements in question and the estimated length of the time for the work to start and its duration: within two weeks and by post, by fax or email to the Provider who has requested information regarding coordination.
3. The obligations in paragraphs 1 and 2, preamble and (a) do not apply to a Network Operator who only manages antenna sites and has made the information referred to in paragraph 1(a) to (c), inclusive, regarding its antenna installation sites accessible through the antenna register.

Section 13

1. The Agency provides Area Information via the electronic information system immediately after receipt of all the information referred to in Section 5a(1) or Sections 11(1) and 12(1) and (2)(a), but no later than two working days after the Excavation Notice or the request for information referred to in Section 10(b)(1) was sent, to the party that sent the Orientation Request or the Excavation Notification.
2. The Agency informs a Utility Network Owner of whom the Agency keeps information as referred to

in Section 5a regarding the information, referred to in Section 11(1)(a) to (d), inclusive, which the Agency has provided on its behalf.

3. If the Agency has not received the information required pursuant to Section 11(1) and Section 12(1) and (2)(a) within the term specified in paragraph 1, or the term specified in Section 12, from all the Utility Network Owners, the Agency makes a statement to that effect when providing the Area Information.

Section 13a

1. If, in the opinion of the Excavator or the Commissioning Party, the Area Information received from the Agency is not sufficient to enable the preparation or execution with due care of the proposed Excavation Work, the Utility Network Owner must provide the Excavator or the Commissioning Party with further information regarding its Utility Network on request.
2. The Utility Network Owner must provide the further information immediately, but no later than three working days after receiving the request referred to in paragraph 1.

Section 13b

1. If, in the event of an Excavation Notification, information is provided on precautions as referred to in Section 11(1)(c), the Excavator must contact the Utility Network Owner in question with a view to making agreements regarding the precautions to be taken.
2. The Excavator and the Utility Network Owner record the agreements referred to in paragraph 1 in writing.
3. The contact referred to in paragraph 1 takes place as soon as the party that made the Excavation Notification has received the Area Information, but no later than three working days before the Excavation Work is due to start.

Section 14

In a situation in which Excavation Notifications regarding Excavation Work as referred to in Section 8(3) are jointly made via an organisation designated by Our Minister, Our Minister can grant dispensation under a regulation from the obligations regarding the terms referred to in Sections 8(1), 10, 11(1), 13(1) and 13b. The dispensation may be granted subject to restrictions.

Section 15

1. The Utility Network Owner of a Utility Network with Hazardous Contents must take precautions which it has agreed with the Excavator will be for its account before that Excavator performs Excavation Work in its vicinity. Those precautions must in any event include the identification at the site of the exact location of that Utility Network by the Utility Network Owner.
2. The Utility Network Owner of a Utility Network of great value may take precautions before an Excavator performs Excavation Work in its vicinity.
3. If the Utility Network Owner has stated that it will take precautions, the Excavator may not commence the Excavation Work until the Utility Network Owner has taken those precautions.
4. The Utility Network Owner must take the precautions within three working days after the Excavator contacts it, unless it makes other agreements in consultation with the Excavator.
5. The Excavator must take the precautions which it has agreed with the Utility Network Owner will be for its account.

Section 16

The Minister of Justice and Security may give the Agency all necessary instructions regarding the information exchange in order to avoid a terrorist crime within the meaning of Section 83 of the Dutch

Criminal Code or to limit its consequences beforehand.

Section 17

1. The Utility Network Owner must report to the Agency in January of each year the number of claims as a result of Excavation Work in the preceding calendar year.
2. The Agency must publish a statement of the number of notified claims at least annually.

Section 18

The Excavator must immediately report any damage to a Utility Network as a result of its Excavation Work to the Utility Network Owner of the damaged Utility Network.

Section 19

1. If the location of the Utility Network differs from the Network Location Details stated to the Excavator, the Excavator must immediately notify the Agency accordingly.
2. The Agency must immediately inform the Utility Network Owner in question of the notification referred to in paragraph 1.
3. The Utility Network Owner must take the measures that are necessary as a result of the notification referred to in paragraph 1 immediately, and in any event within thirty working days after receipt of the information referred to in paragraph 2.

Section 20

1. If the Excavator comes across a Utility Network that is not recorded in the Network Location Details provided by the Agency or of which it is unclear who the Utility Network Owner is, the Excavator must immediately inform the Agency accordingly.
2. The Agency must immediately notify all the Utility Network Owners whose Network Area of Interest coincides in whole or in part with the Excavation Polygon and the Utility Network Owners designated by order of Our Minister that a Utility Network has been found on which no Network Location Details have been provided as referred to in Section 11.
3. If there is a Utility Network Owner of the Utility Network, it must immediately report to the Agency.
4. If the Agency does not receive a report as referred to in paragraph 3 within ten working days after the notification referred to in paragraph 2:
 - a. the Agency passes on the available information on that Utility Network to the municipality in whose territory the Utility Network is located; and
 - b. the Agency registers the general location of the available information on that Utility Network as a polygon.
5. For the purposes of Section 10 the municipality referred to in paragraph 4 is put on a par with a Utility Network Owner.

Section 21

Sections 11, 13a, 13b, 15(1) and (2) and 19(2) and (3) apply accordingly to a municipality that receives information pursuant to Section 20(4), on the understanding that the municipality provides the available information on that Utility Network, including any corrections pursuant to Section 19(2).

Section 22

During a period to be determined by Order in Council the Agency must keep information on the performance of Sections 6(2) and (4), 7, 8(1) and (2), 10, 11, 12(1) and (2)(a), 13, 17(1), 19(1) and (2), 20, with the exception of the information referred to in Sections 11(1)(a), (b) and (c) and 12(1)(a), (b)

and (c) and (2)(a).

Chapter 5. Dispute settlement in relation to information exchange with a view to shared use of physical infrastructure or coordination of civil works

Section 23

1. If a dispute has arisen between a Network Operator and an electronic communications network Provider regarding the fulfilment of an obligation to which one of them is subject under or pursuant to this Act regarding shared use or coordination, Our Minister may settle the dispute at the request of a party to that dispute.
2. Our Minister is not authorised to settle a dispute initiated pursuant to paragraph 1 if the parties to that dispute jointly request Our Minister no longer to hear the dispute.
3. Our Minister may repeal a decision in a dispute as referred to in paragraph 1 in response to a request to that end jointly submitted by the Network Operator and the electronic communications network Provider who are party to that dispute.
4. If a request as referred to in paragraph 1, 2 or 3 also relates to the obligations referred to in Chapter 5a of the *Telecommunicatiewet* (Telecommunications Act), Our Minister will decide on the request in coordination with the Netherlands Authority for Consumers and Markets.

Section 24

1. At the request of Our Minister, the parties to a dispute must provide Our Minister with all the information relevant for the assessment of the dispute within two weeks, or within another reasonable term to be determined by Our Minister.
2. The parties to the dispute must immediately, and in any event within the reasonable term stipulated by Our Minister, provide all the assistance and cooperation which Our Minister may reasonably require for the purpose of assessing the dispute.

Section 25

1. Our Minister will decide within the shortest possible time frame on a request as referred to in Section 23(1), (2) or (3), but, except in exceptional circumstances, no later than two months after receipt of that request.
2. Without prejudice to paragraph 1, Our Minister may in urgent cases issue a provisional decision which will apply between the parties to the dispute until the final decision issued by Our Minister.

Section 26

A party to a dispute must abide by the decision issued by Our Minister pursuant to Section 23. Our Minister may stipulate time frames for such observance.

Section 27

A decision as referred to in Section 23(1), (2) or (3) is made known by publishing it in the Government Gazette.

Chapter 6. Further regulations

Section 28

1. Further rules may be laid down by or pursuant to an Order in Council with regard to:
 - a. the information provided pursuant to Sections 11 and 12, whereby different rules may be laid down for different categories of Utility Networks and Network Operators, and the manner in which that information is provided;

- b. the access to and the connection to the information system; and
 - c. Network Areas of Interest, Orientation Polygons and Excavation Polygons.
2. Further rules may be laid down by or pursuant to an Order in Council with regard to a situation in which due to the urgency required by a contingency it is impossible to comply with Section 2(1) and (3), or the procedure described in Chapter 4 cannot be followed, whereby insofar as necessary it is possible to depart from that Section or from the provisions of that Chapter, respectively.
 3. Further rules may be laid down by or pursuant to an Order in Council with regard to:
 - a. the proper performance of Excavation Work as referred to in Section 2(2);
 - b. Registration Notifications, Orientation Requests and Excavation Notifications;
 - c. the precautions and their observance, as referred to in Section 15(1), (2) and (5);
 - d. the acknowledgement of receipt referred to in Section 10(a) and the Excavation Notice referred to in Section 8(1);
 - e. the contact and the agreements referred to in Sections 13a and 13b.
 4. Rules may be laid down by order of Our Minister with regard to:
 - a. notices as referred to in Sections 17(1), 19(1) and 20(1) and (3); and
 - b. the keeping and provision of information as referred to in Section 22.

Section 29

1. Further rules may be laid down by or pursuant to an Order in Council with regard to the Area Information made available to the Excavator or public telecommunications network Provider under Sections 11 to 13, inclusive, whereby different rules may be stipulated for different categories of Excavation Work, Network Operators, physical infrastructure or civil works and the manner in which that Area Information is provided.
2. Rules may be laid down in regulations of the Agency's board regarding the manner in which the registration of Utility Network Owners or Network Operators referred to in Section 6 takes place.
3. Rules may be laid down in regulations of the Agency's board regarding the times during which Orientation Requests and Excavation Notifications may be sent.

Section 30

By Order in Council areas may be designated in respect of which it is possible for safety reasons to depart from the regulations stipulated by or pursuant to Chapter 4. Rules may be stipulated regarding the exchange of information concerning those areas or the physical infrastructure or civil works located in those areas.

Section 31

If, in the interest of the proper implementation of Directive 2014/61/EU, the matters provided for in this Act require further regulation, this may be undertaken by Order in Council.

Chapter 7. Enforcement

Section 32

1. The officers designated by order of Our Minister are in charge of the supervision of the compliance with the provisions of or pursuant to Sections 2, 5a, 6(2), (3) and (4), 8, 11(1), 12, 13a, 13b, 15(1), (3), (4) and (5), 17(1), 18, 19(1) and (3), 20(1) and (3), 24, 26, 28(1) and (2), (3)(a), (b) and (c), (4)(a) and (b), 29(1), 30 and 41a.
2. A decision as referred to in the first paragraph will be announced through publication in the Government Gazette.

Section 33

Our Minister is authorised to impose an administrative penalty to enforce the obligations imposed in or pursuant to Sections 2, 5a, 6(2) and (4), 11(1), 12, 13a, 13b, 15(1), (3), (4) and (5), 17(1), 24, 28(1), (2) and (3)(a) and (c), 30 and 41a, or Section 5:20 of the *Algemene wet bestuursrecht* (General Administrative Law Act).

Section 34

1. In the event of breach of Sections 2 and 15(3), Our Minister may impose an administrative penalty of no more than €450,000.
2. In the event of breach of the provisions imposed in or pursuant to Sections 5a, 6(2) and (3), 8, 11(1), 12, 13a, 13b, 15(1), (4) and (5), 17(1), 18, 19(1) and (3), 20(1) and (3), 24, 28(1) and (2), (3)(a), (b) and (c), (4)(a) and (b), 29(1), 30, 41a, or Section 5:20 of the General Administrative Law Act, Our Minister may impose an administrative penalty of no more than €100,000.

Chapter 8. Authority vested in municipalities

Section 35

The authority vested in the municipal council pursuant to Section 149 of the *Gemeentewet* (Municipalities Act) remains in force with regard to the performance of Excavation Work insofar as the by-laws to be introduced by it do not conflict with this Act.

Chapter 8a. Evaluation provision

Section 35a

Our Minister will send the States General a report on the efficacy and effects of this Act on the prevention of excavation damage in practice within five years after this Act enters into force and every five years thereafter.

Chapter 9. Amendments to other legislation

Section 36 - 40

Chapter 10. Transitional provisions

Section 41

The regulations applicable under or pursuant to the *Wet informatie-uitwisseling ondergrondse netten* (Underground Networks (Information Exchange) Act) as they existed immediately prior to the entry into force of this Act remain applicable to any objection or appeal pursuant to the Underground Networks (Information Exchange) Act that is submitted against a decision dating from before the entry into force of this Act.

Section 41a

1. In deviation from Section 11, a Utility Network Owner is not obliged to provide the Agency with Network Location Details for the parts of cables or pipelines that are not attached to other cables or pipelines that form a connection between a Utility Network that by its nature may be used for household connections and one immovable property as referred to in Section 16(a) to (e), inclusive, of the *Wet waardering onroerende zaken* (Valuation of Immovable Property Act) insofar as it does not have those Network Location Details available in the form stipulated for transfer via the electronic information system, as referred to in Section 4, and insofar as no renovation or maintenance is being undertaken of the parts of its Utility Network in question.
2. Paragraph 1 applies until 31 December 2019, inclusive, with regard to a utility network as referred to in Section 1(1)(m) of the *Gaswet* (Gas Act).

3. Paragraph 1 applies until 31 December 2027, inclusive, with regard to a utility network as referred to in Section 1(1)(i) of the *Elektriciteitswet 1998* (Electricity Act 1998), a utility network comprising a collective pipeline network or a distribution network as referred to in Section 1(1) of the *Drinkwaterwet* (Drinking Water Act) or a utility network comprising an underground cable as referred to in Section 1.1 of the *Telecommunicatiewet* (Telecommunications Act) and whose location can be determined by other means than excavation. After 31 December 2027, further rules may be laid down by Ministerial Regulation regarding the determination of the location, by other means than excavation, of a utility network or distribution network whose location can only be determined by excavation.

Chapter 11. Final provisions

Section 42

The *Wet informatie-uitwisseling ondergrondse netten* (Underground Networks (Information Exchange) Act) is repealed.

Section 43

The sections of this Act will enter into force on a date to be determined by royal Decree, which date may be different for the various sections or subsections.

Section 44

This Act may be cited as the *Wet informatie-uitwisseling bovengrondse en ondergrondse netten en netwerken* (Above-ground and Underground Networks (Information Exchange) Act).