

## SCHEDULES

### SCHEDULE 4

#### ADAPTATIONS OF ENACTMENTS AND ORDERS IN COUNCIL CONSEQUENTIAL ON THE ASSUMPTION BY THE NEW AUTHORITY FOR THE CONDUCT OF POSTAL AND TELEGRAPHIC BUSINESS OF FUNCTIONS EXERCISED AND PERFORMED BEFORE THE APPOINTED DAY BY THE POSTMASTER GENERAL

#### PART II

##### ADAPTATIONS OF PUBLIC GENERAL ENACTMENTS

###### *Adaptations of other Enactments*

- 14 As from the appointed day, section 11 of the Juries Act 1862 and section 22 of the Juries Act (Ireland) 1871 (summoning of jurors by post) shall each have effect as if, for the words from " under such regulations" to the words " the postmaster shall", there were substituted the words " the postmaster, upon receipt of the fee (if any) exigible for so doing, shall ".
- 15 As from the appointed day, the reference to the Postmaster General in section 6 of the Military Tramways Act 1887 (which requires the insertion, in certain cases, in a provisional order made under that Act of provisions for the protection of his telegraphs), and any reference to him in a provisional order so made which is in force at the beginning of that day, shall be construed as referring to the authority.
- 16 As from the appointed day, the reference to the Postmaster General in section 2(2) of Lloyd's Signal Stations Act 1888 (power of the society incorporated under the name of " Lloyd's " to enter into arrangements with the Postmaster General for the purpose of securing telegraphic communication between Lloyd's signal stations themselves or between those stations and the Postmaster General's telegraph stations) and the second reference to him in section 6 of that Act (saving for his property) shall be construed as referring to the authority.
- 17 As from the appointed day, the reference to the Postmaster General in section 15 (savings) of the Public Health Acts Amendment Act 1890 shall be construed as referring to the authority.
- 18 As from the appointed day, the reference to Her Majesty's Postmaster General in section 132 of the Burgh Police (Scotland) Act 1892 (erection of telegraph poles, &c, in streets) shall be construed as referring to the authority.
- 19 As from the appointed day, the reference to the Postmaster General in section 4(1) (f) of the Congested Districts (Scotland) Act 1897 (guarantees for telegraph extensions, &c), shall be construed as referring to the authority.
- 20 As from the appointed day, the reference to the Postmaster General in section 26 of the Local Government (Scotland) Act 1908 (use of machinery in quarries) shall be construed as referring to the authority.

- 21 (1) For the purposes of section 2 of the Official Secrets Act 1911 membership of, or any office or employment under, the authority shall be deemed to be an office under Her Majesty, and a contract with the authority shall be deemed to be a contract with Her Majesty; and, as from the appointed day, any telegraph, telephone, wireless or signal station or office belonging to, or occupied by, the authority shall be a prohibited place for the purposes of that Act.
- (2) Section 5 of the Official Secrets Act 1920 shall not apply to the authority; and, as from the appointed day, the reference in subsection (6) of that section to the Postmaster General shall be construed as referring to the authority.
- 22 As from the appointed day, section 187 of the Bankruptcy (Scotland) Act 1913 (letters to bankrupt to be delivered to trustee) shall have effect as if, for the words "Postmaster General, or the officers acting under him ", there were substituted the words " Post Office ".
- 23 As from the appointed day, references in section 24 of the Bankruptcy Act 1914 (re-direction of debtor's letters) to the Postmaster General shall be construed as referring to the authority.
- 24 With reference to any point of time after the beginning of the appointed day, references in sections 12 and 18 of the Larceny Act 1916 (larceny of postal packets, &c. ; embezzlement by officers of the Post Office) to an officer of the Post Office shall be construed as referring to a person engaged in the business of the authority.
- 25 As from the appointed day, the reference in the definition of " postal service " in section 74 of the Government of Ireland Act 1920 to Post Office money orders and postal orders shall be construed as referring to money and postal orders issued by the authority.
- 26 As from the appointed day, the reference to the Postmaster General in section 194(4) of the Law of Property Act 1925 (which contains a saving for his telegraphic lines) shall be construed as referring to the authority.
- 27 The reference to the Postmaster General in section 79(3) of the Land Registration Act 1925 (return to the Chief Land Registrar of letters marked outside " Her Majesty's Land Registry" and addressed to persons who cannot be found) shall, as from the appointed day, be construed as referring to the authority.
- 28 As from the appointed day, section 5 of the Roads Improvement Act 1925 (prescription of building lines) shall have effect as if at the end thereof there were added the following subsection:—
- “(9) Nothing in this section shall affect any powers of the Post Office under the enactments relating to telegraphs, or apply to any telegraphic lines placed or maintained by virtue of any of those enactments”.
- 29 As from the appointed day, the reference in section 10 of the Public Health Act 1925 (Crown rights) to works or apparatus belonging to the Postmaster General shall be construed as referring to works or apparatus belonging to the authority.
- 30 As from the appointed day, section 2(2)(e) of the Execution of Diligence (Scotland) Act 1926 (execution of arrestment or charge by registered letter) shall have effect as if, for the words from " Postmaster " to " 1908 ", there were substituted the words " Post Office in pursuance of any provision contained in a scheme made under section 28 of the Post Office Act 1969 ".

- 31 As from the appointed day, section 14 of the Moneylenders Act 1927 and section 14 of the Moneylenders Act (Northern Ireland) 1933 (special provisions as to pawnbrokers' loans) shall each have effect as if, in proviso (i) to subsection (1) thereof, for the words " it would not under the Post Office regulations for the time being in force be received for transmission by parcel post", there were substituted the words " it would not, under the provisions of a scheme made under section 28 of the Post Office Act 1969 relating to parcel post, be received for transmission by parcel post ".
- 32 Section 61(1) of the Land Drainage Act 1930 (which protects certain undertakings from works executed under that Act) shall, as from the appointed day, have effect as if, after paragraph (f) thereof, there were added the following paragraph, namely.—  
“(g) the undertaking of the Post Office”.
- 33 (1) As from the appointed day, references to the Postmaster General in subsections (1) and (2) of section 2 of the Motor Vehicles and Road Traffic Act (Northern Ireland) 1930 (conveyance of mails by public service vehicles) shall be construed as referring to the authority.
- (2) As from the appointed day, references to an officer of the Post Office in the said subsection (1) shall be construed as referring to a person engaged in the business of the authority.
- 34 As from the appointed day, the reference to the Postmaster General in section 23(2) of the Restriction of Ribbon Development Act 1935 (saving for Postmaster General) shall be construed as referring to the authority.
- 35 As from the appointed day, the reference to the Post Office in section 20(3) of the Solicitors Act (Northern Ireland) 1938 (service of disciplinary committee's orders) shall be construed as referring to the authority.
- 36 (1) As from the appointed day, the authority shall be deemed to be public utility undertakers and its undertaking a public utility undertaking for the purposes of the provisions of the Civil Defence Act 1939, other than paragraphs (a) to (c) of section 7(6) and section 9(4).
- (2) As from the appointed day, in the said Act of 1939 the expression "the appropriate department" shall, in relation to the authority, mean the Minister.
- 37 (1) As from the appointed day, section 22(4) of the Town and Country Planning (Scotland) Act 1945 shall have effect as if the first reference to a telegraphic line belonging to or used by the Postmaster General included a reference to such a line of the authority's, as if for the words " the Postmaster General" in all places (except the first and third) where they occur, there were substituted the words " the Post Office " and as if—
- (a) in relation to any such period mentioned in paragraph (a) as begins to run before, and is current on, the appointed day, after the words " the Postmaster General" (where secondly occurring in that paragraph) there were inserted the words " or the Post Office ", for the word " he " in paragraph (b), there were substituted the words " the Postmaster General or the Post Office ", and after the word " his " in both paragraphs, there were inserted the words " or its ";
- (b) in relation to any such period so mentioned as begins to run on or after the appointed day, for the words "the Postmaster General" (where secondly occurring in paragraph (a)) and for the word " he " in paragraph (b), there

were substituted the words " the Post Office ", and for the word " his" in both paragraphs, there were substituted the word " its ".

- (2) As soon as practicable after the making, on or after the appointed day, of an order under the said section 22 extinguishing a public right of way in circumstances in which subsection (4) of that section applies, the Secretary of State shall give notice to the authority of the making of the order.
- (3) As from the appointed day, sections 27 and 28 of the Town and Country Planning (Scotland) Act 1945 shall apply to the acquisition of land by the authority under this Act as they apply to the acquisition of land by a purchasing authority under any other enactment.
- 38 (1) As from the appointed day, the references to the Postmaster General in sections 4, 5(3) and 70 of Schedule 3 to the Water Act 1945 (which contain savings for his telegraphic lines) shall be construed as referring to the authority.
- (2) The reference in the foregoing sub-paragraph to Schedule 3 to the Water Act 1945 shall be construed as including a reference to that Schedule as incorporated or applied by or under any enactment in force at the beginning of the appointed day.
- 39 As from the appointed day, references to the Postmaster General in section 24 of the Requisitioned Land and War Works Act 1945 (power of owners, &c, to require removal of telegraphic lines) and in subsections (2) and (3) of section 25 of that Act (deep lines) shall be construed as referring to the authority.
- 40 (1) As from the appointed day, references to the Postmaster General in paragraphs 4, 5(3) and 36 of Schedule 4 to the Water (Scotland) Act 1946 (which paragraphs contain a protection for telegraphic lines from interference) shall be construed as referring to the authority.
- (2) The reference in the foregoing sub-paragraph to Schedule 4 to the Water (Scotland) Act 1946 shall be construed as including a reference to that Schedule as incorporated or applied by or under any enactment in force at the beginning of the appointed day.
- 41 As from the appointed day, references to Post Office business in proviso (ii) to section 19 (Sunday employment) and in section 33 (application to Post Office business) of the Shops Act (Northern Ireland) 1946 shall be construed as referring to business of any of the kinds that the authority carry on.
- 42 (1) The Town and Country Planning (Scotland) Act 1947 shall, as from the appointed day, be amended in accordance with the following sub-paragraphs.
- (2) The reference to the Postmaster General in section 111(1) (saving for his powers) shall be construed as referring to the authority.
- (3) Section 111(2) (provisions as to telegraphic lines) shall, in relation to an order coming into force on or before the appointed day, have effect as if, for the second reference to the Postmaster General, there were substituted a reference to the authority, and, in relation to an order coming into force after that day, have effect as if, for each reference to the Postmaster General, there were substituted a reference to the authority.
- (4) Section 111(3) shall, in relation to an order coming into force after the appointed day, have effect as if, for the reference to the Postmaster General, there were substituted a reference to the authority.

- 43 As from the appointed day, the second reference to the Postmaster General in paragraph 6(1) of the Schedule to the Requisitioned Land and War Works Act 1948 (which paragraph contains a saving for his telegraphic lines) shall be construed as referring to the authority.
- 44 As from the appointed day, references to the Postmaster General in section 41(1) and (2) of the Roads Act (Northern Ireland) 1948 (Crown rights) shall be construed as referring to the authority.
- 45 (1) The Special Roads Act 1949 shall, as from the appointed day, be amended in accordance with the following sub-paragraphs.
- (2) The reference to the Postmaster General in section 20(1) (saving for his powers) shall be construed as referring to the authority.
- (3) Section 20(2) shall, in relation to an order coming into force on or before the appointed day, have effect as if, for the second reference to the Postmaster General, there were substituted a reference to the authority and, in relation to an order coming into force after that day, have effect as if, for each reference to the Postmaster General, there were substituted a reference to the authority.
- (4) Section 20(3) shall, in relation to an order coming into force after the appointed day, have effect as if, for the reference to the Postmaster General, there were substituted a reference to the authority.
- 46 As from the appointed day, section 28(4)(c) of the Civil Aviation Act 1949 (which modifies the application of Schedule 1 to the Statutory Orders (Special Procedure) Act 1945 in its application to orders stopping up or diverting highways in the interests of civil aviation) shall have effect as if the authority were electricity undertakers.
- 47 (1) As from the appointed day, references to the Postmaster General in section 79 of the Representation of the People Act 1949 (candidate's right to send election address post free) shall be construed as referring to the authority.
- (2) Section 162 of the Representation of the People Act 1949 (service of notices, &c.) shall, as regards a summons, notice or document sent by post on or after the appointed day, have effect as if, in subsection (2), for the reference to the post office, there were substituted a reference to the authority.
- 48 As from the appointed day, the reference in section 47(b) (savings) of the Coast Protection Act 1949 to the Postmaster General shall be construed as referring to the authority.
- 49 As from the appointed day, section 1(2) of the War Damaged Sites Act 1949 (which precludes a local authority from taking possession compulsorily of any such land as is specified in section 1(2) of the Acquisition of Land (Authorisation Procedure) Act 1946) shall have effect as if the reference to such land included a reference to land acquired by the authority for the purposes of its undertaking.
- 50 As from the appointed day, the reference in section 17(2) (service of notices) of the Election Commissioners Act 1949 to the Post Office shall be construed as including a reference to the authority.
- 51 As from the appointed day, references to post office business in the following provisions of the Shops Act 1950, namely, section 22 (Sunday employment), section 44 (exemptions for post office business), Schedule 2 (transactions not affected by general closing hours or by closing orders) and Schedule 5 (transactions

- for the purposes of which a shop may be open in England and Wales for the serving of customers on Sunday) shall be construed as referring to business of any of the kinds that the authority carry on.
- 52 As from the appointed day, references to the Postmaster General in section 20 of the Erne Drainage and Development Act (Northern Ireland) 1950 (savings) shall be construed as referring to the authority.
- 53 As from the appointed day, section 16 of the Defamation Act 1952 (interpretation) shall have effect as if, in subsection (4) thereof, the words " in accordance with a licence granted by the Postmaster General" were omitted and section 14(3) of the Defamation Act (Northern Ireland) 1955 shall have similar effect.
- 54 As from the appointed day, references in section 6 of the Local Government (Miscellaneous Provisions) Act 1953 (supplementary provisions as to omnibus shelters, &c.) to the Postmaster General shall be construed as referring to the authority.
- 55 As from the appointed day, the reference to the Post Office in section 12(3)(b) of the Criminal Justice Act (Northern Ireland) 1953 (evidence by certificate) shall be construed as including a reference to the authority.
- 56 As from the appointed day, the reference to the Post Office in section 7(5) of the Juries Act (Northern Ireland) 1953 (service of jurors' summonses) shall be construed as referring to the authority.
- 57 As from the appointed day, references in paragraph 8 of Schedule 1 to the Solicitors Act 1957 (re-direction of solicitor's letters in pursuance of court order) to the Postmaster General shall be construed as referring to the authority.
- 58 (1) Where the alteration of a telegraphic line of the authority is reasonably necessary for the purpose of enabling a local authority to exercise any of the powers conferred on them by Part III of the Housing Act 1957, paragraphs (1) to (8) of section 7 of the Telegraph Act 1878 (alteration of telegraphic lines in the execution of undertakings authorised by Act of Parliament) shall apply to the alteration and accordingly shall have effect, subject to any necessary modifications, as if references therein to undertakers included references to the local authority.
- (2) Where, in pursuance of an order under section 64 of the Housing Act 1957, that comes into operation on or after the appointed day, a public right of way over land is extinguished and, immediately before the day on which the order comes into operation, there is under, in, on, over, along or across the land a telegraphic line of the authority's, the authority shall have the same powers in respect of the line as if the order had not come into operation ; but, if a person entitled to land over which the right of way subsisted requires that the line should be altered, paragraphs (1) to (8) of the said section 7 shall apply to the alteration and accordingly shall have effect, subject to any necessary modifications, as if references therein to undertakers included references to the person by whom the alteration is required.
- (3) In the proviso to section 64(3) of the Housing Act 1957, the expression " apparatus" shall, in relation to the authority, be construed generally and shall not be limited by the definition thereof in section 189(1) of that Act.
- (4) In this paragraph, " telegraphic line " and " alteration " have the same meanings as in the Telegraph Act 1878.
- 59 (1) Where any work proposed to be done on or after the appointed day by a relevant authority in pursuance of a clearance or demolition order or a re-development scheme

made by them under the Housing Acts (Northern Ireland) 1890 to 1967 involves, or is likely to involve, an alteration in a telegraphic line belonging to, or used by, the authority, paragraphs (1) to (8) of section 7 of the Telegraph Act 1878 shall apply to the alteration and accordingly shall have effect, subject to any necessary modifications, as if references therein to undertakers included references to the relevant authority.

- (2) Where, in pursuance of an order under section 22 of the Housing of the Working Classes Act 1890, section 14 of the Housing Act (Northern Ireland) 1961, or section 25 of the New Towns Act (Northern Ireland) 1965, that comes into operation on or after the appointed day, a public right of way over land is extinguished and, immediately before the day on which the order comes into operation, there is under, in, on, over, along or across the land a telegraphic line of the authority's, the authority shall have the same powers in respect of the line as if the order had not come into operation ; but, if a person entitled to land over which the right of way subsisted requires that the line should be altered, paragraphs (1) to (8) of the said section 7 shall apply to the alteration and accordingly shall have effect, subject to any necessary modifications, as if references therein to undertakers included references to the person by whom the alteration is required.
- (3) In this paragraph " relevant authority " means a local authority or the Northern Ireland Housing Trust and " telegraphic line " and " alteration " have the same meanings as in the Telegraph Act 1878.
- 60 As from the appointed day, the reference in section 8(5) of the Urban Drainage Act (Northern Ireland) 1957 (powers of Postmaster General in relation to streets closed under that section) to a telegraphic line belonging to, or used by, the Postmaster General shall be construed as referring to such a line belonging to, or used by, the authority.
- 61 As from the appointed day, references in subsections (1) and (4) of section 5 of the Milford Haven Conservancy Act 1958 (powers with respect to dredging, &c.) to a submarine cable placed or maintained by the Postmaster General shall be construed as including references to such a cable placed or maintained by the authority, and the second reference in the said subsection (4) to the Postmaster General shall be construed as referring to the authority.
- 62 As from the appointed day, the reference to the Postmaster General in paragraph 3 of Schedule 2 to the Land Drainage (Scotland) Act 1958 (saving for telegraphic lines) shall be construed as referring to the authority.
- 63 As from the appointed day, section 3 of the Local Government (Omnibus Shelters and Queue Barriers) (Scotland) Act 1958 (access to telegraphic lines, &c.) shall have effect as if for the words " Postmaster General " there were substituted the words " Post Office " and as if, in subsection (1), for the words " he " and " him " there were substituted the word " it ".
- 64 (1) As from the appointed day, references in section 45(1) and (2) of the Opencast Coal Act 1958 (provisions as to telegraphic lines) to the Postmaster General shall be construed as referring to the authority.
- (2) Section 45(3) of the said Act of 1958 shall, in relation to an order coming into force on or before the appointed day, have effect as if, for the second reference to the Postmaster General, there were substituted a reference to the authority and, in relation to an order coming into force after that day, have effect as if, for each reference to the Postmaster General, there were substituted a reference to the authority.

- 65 (1) The Highways Act 1959 shall, as from the appointed day, be amended in accordance with the following sub-paragraphs.
- (2) The authority shall be deemed to be undertakers for the purposes of sections 137 to 139 (which contain provision for mitigating obstruction caused by the execution of works in highways).
- (3) The reference to the Postmaster General in section 300(1) (saving for Postmaster General) shall be construed as referring to the authority.
- (4) Section 300(2) shall, in relation to an order coming into force on or before the appointed day, have effect as if, for the second reference to the Postmaster General, there were substituted a reference to the authority and, in relation to an order coming into force after that day, have effect as if, for each reference to the Postmaster General, there were substituted a reference to the authority.
- (5) Section 300(3) shall have effect as if, for the words " the Postmaster General", in all places (except the third) where they occur, and for the word " he " in paragraph (c), there were substituted the words " the Post Office " and as if.—
- (a) in relation to any such period mentioned in paragraph (a) as begins to run before and is current on the appointed day, for the words " the Postmaster General" (where secondly occurring in that paragraph) and for the word " he ", in paragraph (b), there were substituted the words " the Postmaster General or the Post Office " and after the word " his ", in both paragraphs, there were inserted the words " or its "; and
- (b) in relation to any such period so mentioned as begins to run on or after that day, for the words " the Postmaster General" (where secondly occurring in paragraph (a)) and for the word " he ", in paragraph (b), there were substituted the word " it " and for the word " his ", in both paragraphs, there were substituted the word " its ".
- (6) The reference in section 300(4) to the Postmaster General shall be construed as referring to the authority.
- (7) Section 300(5) shall, in relation to an order coming into force after the appointed day, have effect as if, for the reference to the Postmaster General, there were substituted a reference to the authority.
- 66 As from the appointed day, references to the Post Office in subsections (2) and (4) of section 36 of the Mental Health Act 1959 (correspondence of patients) shall be construed as referring to the authority.
- 67 As from the appointed day, section 7(1) of the Payment of Wages Act 1960 (interpretation) shall have effect as if, for the definitions of " money order " and " postal order ", there were substituted the following definitions:—
- “ money order ' means a money order issued by the Postmaster General or the Post Office and ' postal order ' means a postal order so issued”.
- 68 As from the appointed day, references to the Postmaster General in paragraph 2 of Schedule 1 and paragraph 3(1)(e) of Schedule 2 to the Flood Prevention (Scotland) Act 1961 (saving for telegraphic lines) shall be construed as referring to the authority.
- 69 As from the appointed day, the reference to the Postmaster General in section 14(6) of the Highways (Miscellaneous Provisions) Act 1961 (which contains a saving for his telegraphic lines) shall be construed as referring to the authority.

70 As from the appointed day, Schedule 4 to the Public Health Act 1961 (which specifies, in relation to buildings of certain descriptions, the persons who are to be appropriate authorities for the purposes of the provisions of that Act relating to the attachment of street lights to buildings) shall have effect as if the following were added at the end thereof:—

|                                      |  |
|--------------------------------------|--|
| “A building owned by the Post Office | The Minister of Posts and Telecommunications”. |
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71 (1) The Town and Country Planning Act 1962 shall, as from the appointed day, be amended in accordance with the following sub-paragraphs.

(2) Section 158(1) (which section contains provisions as to telegraphic lines) shall, in relation to an order coming into force on or before the appointed day, have effect as if, for the second reference to the Postmaster General, there were substituted a reference to the authority, and, in relation to an order coming into force after that day, have effect as if, for each reference to the Postmaster General, there were substituted a reference to the authority.

(3) Section 158(2) shall, in relation to an order coming into force after the appointed day, have effect as if, for the reference to the Postmaster General, there were substituted a reference to the authority.

(4) Section 158(3) shall have effect as if the first reference to a telegraphic line belonging to, or used by, the Postmaster General included a reference to such a line of the authority's, as if for the words " the Postmaster General" in all places (except the first and third) where they occur, there were substituted the words " the Post Office " and as if—

(a) in relation to any such period mentioned in paragraph (a) as begins to run before, and is current on, the appointed day, after the word " the Postmaster General" (where secondly occurring in that paragraph) there were inserted the words " or the Post Office ", for the word " he " in paragraph (c), there were substituted the words " the Postmaster General or the Post Office ", and after the words " his ", in both paragraphs, there were inserted the words " or its ";

(b) in relation to any such period so mentioned as begins to run on or after the appointed day, for the words " the Postmaster General" (where secondly occurring in paragraph (a)), and for the word " he ", in paragraph (c), there were substituted the word " it ", and for the word " his ", in both paragraphs, there were substituted the word " its ".

(5) As soon as practicable after the making, on or after the appointed day, of an order under section 155 extinguishing a public right of way in circumstances in which section 158(3) applies, the Minister of Housing and Local Government shall give notice to the authority of the making of the order.

(6) The reference to the Postmaster General in paragraph 50 of Schedule 14 (saving for his powers) shall be construed as referring to the authority.

72 As from the appointed day, the reference to the Postmaster General in section 40(1) of the Pipe-lines Act 1962 (avoidance of interference with telegraphic, &c, lines) shall be construed as referring to the authority.

- 73 As from the appointed day, the references to the Postmaster General in section 53 of the Electoral Law Act (Northern Ireland) 1962 (transmission of election addresses) shall be construed as referring to the authority.
- 74 (1) No order made on or after the appointed day under section 67 of the Water Resources Act 1963 (compulsory powers for carrying out engineering or building operations) shall authorise the doing of anything to, or in relation to, a telegraphic line (within the meaning of the Telegraph Act 1878) of the authority's.
- (2) As from the appointed day, the reference to the Postmaster General in section 130 of the Water Resources Act 1963 (which makes provision with respect to alterations of telegraphic lines of his required by a river authority to be made for the purpose of carrying out engineering or building operations) shall be construed as referring to the authority and subsection (2) of that section shall be omitted.
- 75 As from the appointed day, references to the Postmaster General in section 28(1) and (2) of the Special Roads Act (Northern Ireland) 1963 (savings) shall be construed as referring to the authority.
- 76 As from the appointed day, the reference in subsection (1) of section 20 of the Airports Authority Act 1965 (which contains provisions with respect to telegraphic lines of the Postmaster General's) to a telegraphic line belonging to or used by the Postmaster General shall be construed as including a reference to such a line of the authority's, and the reference in subsection (3) of that section to the Postmaster General shall be construed as referring to the authority.
- 77 As from the appointed day, the reference in section 1(4) of the Criminal Evidence Act 1965 to the Post Office shall be construed as including a reference to the authority.
- 78 (1) Where, on or after the appointed day, the Minister of Housing and Local Government makes an order under section 23 of the New Towns Act 1965 (extinguishment of public rights of way over land acquired) on the application of a development corporation or local highway authority, he shall send a copy thereof to the authority.
- (2) As from the appointed day, paragraph 71(4) of this Schedule shall apply to section 24 of the New Towns Act 1965 (which makes provision with respect to telegraphic lines of the Postmaster General's) as it applies to section 158(3) of the Town and Country Planning Act 1962.
- (3) As from the appointed day, section 26 of the New Towns Act 1965 (extinguishment of rights of way and rights as to apparatus of statutory undertakers) shall, so far as regards a right of the authority with respect to a telegraphic line and so far as regards a telegraphic line of its, not have effect in a case in which section 24 of that Act has effect.
- (4) In this paragraph, "telegraphic line" has the same meaning as in the Telegraph Act 1878.
- 79 Where, on or after the appointed day, the Ministry of Development for Northern Ireland approves an order made under section 25 of the New Towns Act (Northern Ireland) 1965 (extinguishment of public rights of way over land acquired), that Ministry shall send a copy thereof to the authority.
- 80 As from the appointed day, the Schedule to the Building Control Act 1966 (which specifies bodies in the case of which work carried out by them is exempt from control under that Act) shall have effect as if, at the end thereof, there were added a reference to the authority.

- 81 (1) As from the appointed day, Schedule 1 to the Selective Employment Payments Act 1966 shall have effect as if, in Part I thereof (which sets out the bodies to which section 3 of that Act applies), after paragraph 14, there were inserted the following paragraph:—
- “14A The Post Office”.
- (2) As from the appointed day, Schedule 1 to the Selective Employment Payments Act (Northern Ireland) 1966 (bodies to which section 4 of that Act applies) shall have effect as if, before the entry relating to the Ulster Folk Museum, there were inserted the words " The Post Office ".
- 82 As from the appointed day, Schedule 2 to the Industrial Development Act 1966 (which specifies bodies not eligible for certain grants under Part I of that Act) shall have effect as if the authority were included amongst the bodies therein specified and Schedule 1 to the Industrial Investment (General Assistance) Act (Northern Ireland) 1966 shall have similar effect.
- 83 (1) Where the alteration of a telegraphic line of the authority's is reasonably necessary for the purpose of enabling a local authority to exercise any of the powers conferred on them by Part III of the Housing (Scotland) Act 1966, paragraphs (1) to (8) of section 7 of the Telegraph Act 1878 shall apply to the alteration and accordingly shall have effect, subject to any necessary modifications, as if references therein to undertakers included references to the local authority.
- (2) Where, in pursuance of an order under section 51 of the Housing (Scotland) Act 1966 that comes into operation on or after the appointed day, a public right of way over land is extinguished or a street is closed or diverted and, immediately before the day on which the order comes into operation, there is, under, in, on, over, along or across the land or street a telegraphic line of the authority's, the authority shall have the same powers in respect of the line as if the order had not come into operation ; but, if a person entitled to land over which the right of way subsisted or on which the street was situated requires that the line should be altered, paragraphs (1) to (8) of the said section 7 shall apply to the alteration and accordingly shall have effect, subject to any necessary modifications, as if references therein to undertakers included references to the person by whom the alteration is required.
- (3) In the proviso to section 51(4) of the Housing (Scotland) Act 1966, the expression " apparatus " shall, in relation to the authority, be construed generally and shall not be limited by the definition thereof in section 208(1) of that Act.
- (4) In this paragraph " telegraphic line " and " alteration " have the same meanings as in the Telegraph Act 1878.
- 84 As from the appointed day, paragraph 45(e) of Schedule 4 to the Land Commission Act 1967 shall have effect as if the reference to expenditure which has been or is to be met directly or indirectly by a government department did not include expenditure incurred by the Postmaster General in relation to land in the case of which an interest therein vests in the Post Office by virtue of section 16 of this Act.
- 85 As from the appointed day, section 38(7) of the Countryside (Scotland) Act 1967 (provisions as to telegraphic lines) shall, in relation to an order coming into force on or before that day, have effect as if, for the second reference to the Postmaster General, there were substituted a reference to the authority, and, in relation to an order coming into force after that day, have effect as if, for each reference to the Postmaster General, there were substituted a reference to the authority.

- 86 (1) Where, on or after the appointed day, the Secretary of State makes an order under section 23 of the New Towns (Scotland) Act 1968 (extinguishment of public rights of way over land acquired) on the application of a development corporation or local highway authority, he shall send a copy thereof to the authority.
- (2) As from the appointed day, section 24(1) of the New Towns (Scotland) Act 1968 shall have effect as if the first reference to a telegraphic line belonging to, or used by, the Postmaster General included a reference to such a line of the authority's, as if for the words " the Postmaster General" in all places (except the first and third) where they occur, there were substituted the words " the Post Office " and as if—
- (a) in relation to any such period mentioned in paragraph (a) as begins to run before, and is current on, the appointed day, after the words " the Postmaster General" (where secondly occurring in that paragraph) there were inserted the words " or the Post Office ", for the word "he" in paragraph (c), there were substituted the words " the Postmaster General or the Post Office ", and after the word " his ", in both paragraphs, there were inserted the words " or its ";
- (b) in relation to any such period so mentioned as begins to run on or after the appointed day, for the words "the Postmaster General" (where secondly occurring in paragraph (a)), and for the word " he ", in paragraph (c), there were substituted the word " it ", and for the word " his ", in both paragraphs, there were substituted the word " its ".
- (3) As from the appointed day, section 26 of the New Towns (Scotland) Act 1968 (extinguishment of rights of way, and rights as to apparatus, of statutory undertakers) shall, so far as regards a right of the authority with respect to a telegraphic line and so far as regards a telegraphic line of its, not have effect in a case in which section 24 of that Act has effect.
- (4) In this paragraph " telegraphic line " has the same meaning as in the Telegraph Act 1878.
- 87 As from the appointed day, Schedule 1 to the Industrial Expansion Act 1968 (which specifies bodies to which financial support is not to be provided under a scheme made under section 2 of that Act) shall have effect as if the authority were included amongst the bodies therein specified.
- 88 As from the appointed day, section 6 of the Transport Act 1968 (the Freight Integration Council) shall have effect as if—
- (a) in subsection (1), for the reference to the Postmaster General, there were substituted a reference to the authority ; and
- (b) in subsection (2), the words " except where that authority is the Postmaster General" and the words " or, where that authority is the Postmaster General, may invite him to appoint a representative so to act" were omitted.
- 89 (1) As from the appointed day, section 69(1) of the Town and Country Planning Act 1968 (new provision as to what is " operational land " of statutory undertakers) shall, in relation to the authority, have effect with the substitution, for the reference to section 221(1) of the Town and Country Planning Act 1962, of a reference to subparagraph (4) of paragraph 93 of this Schedule.
- (2) The said section 69 shall not apply to land in the case of which an interest therein of the Postmaster General vests in the authority by virtue of section 16 of this Act.
- (3) In paragraph 6 of Schedule 9 to the Town and Country Planning Act 1968 (construction of certain statutory references to the acquisition of land and to land

acquired) any reference to an enactment other than the principal Act and that Act and the reference to a statutory provision shall include a reference to section 55 of this Act.

- 90 As from the appointed day, the authority shall be deemed to be a public utility undertaking for the purposes of section 1 of the Local Government and Roads Act (Northern Ireland) 1968.
- 91 As from the appointed day, the reference to the Postmaster General in section 2(5) of the Vehicle and Driving Licences Act 1969 (which, amongst other things, empowers local authorities to make arrangements with him for him to issue licences and collect duty under the Vehicles (Excise) Act 1962 on their behalf) shall be construed as referring to the authority.
- 92 (1) As from the appointed day, section 70(1) of the Town and Country Planning (Scotland) Act 1969 (new provisions as to what is "operational land" of statutory undertakers) shall, in relation to the authority, have effect with the substitution, for the reference to section 113(1) of the Act of 1947, of a reference to paragraph 93(4) below.
- (2) The said section 70 shall not apply to land in the case of which an interest therein of the Postmaster General vests in the authority by virtue of section 16 of this Act.
- (3) In paragraph 5 of Schedule 9 to the Town and Country Planning (Scotland) Act 1969 (construction of certain statutory references to the acquisition of land and to land acquired) any reference to an enactment other than the Act of 1947 and that Act and the reference to a statutory provision shall include a reference to section 55 of this Act.
- 93 (1) The authority shall be deemed to be statutory undertakers and its undertaking a statutory undertaking for the purposes of the following enactments, namely.—
- (i) section 14 of the Restriction of Ribbon Development Act 1935 ;
  - (ii) section 3(4) of the Trunk Roads Act 1936 ;
  - (iii) sections 23 to 26 of, and Schedule 4 to, the Town and Country Planning (Scotland) Act 1945 ;
  - (iv) the Acquisition of Land (Authorisation Procedure) Act 1946;
  - (v) the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947;
  - (vi) sections 10, 17, 32(1), (2) and (4), 42(4) and (5), 94 and 99(9) of, and Schedule 5 to, the Town and Country Planning (Scotland) Act 1947 ;
  - (vii) section 4 of the Requisitioned Land and War Works Act 1948 ;
  - (viii) the Roads Act (Northern Ireland) 1948 ;
  - (ix) the Civil Aviation Act 1949 ;
  - (x) the National Parks and Access to the Countryside Act 1949 ;
  - (xi) the Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951;
  - (xii) the Landlord and Tenant Act 1954;
  - (xiii) section 19 of the Town and Country Planning (Scotland) Act 1954;
  - (xiv) section 39(6)(b) of the Opencast Coal Act 1958 ;
  - (xv) sections 152, 223 and 254(6) of, and Schedule 7 to, the Highways Act 1959 ;
  - (xvi) sections 31 and 38 of, and paragraph 2(6) of Schedule 5 to, the Town and Country Planning (Scotland) Act 1959 ;
  - (xvii) section 11 of the Land Compensation Act 1961 ;
  - (xviii) section 3(4) of the Flood Prevention (Scotland) Act 1961 ;

- (xix) sections 12, 41, 70(2), 81, 82, 83, 103, 130 to 133 (both inclusive), 138 and 148(6), Part X and sections 179(7)(b), 189 and 212(6)(b) of the Town and Country Planning Act 1962 ;
- (xx) the Pipe-lines Act 1962 ;
- (xxi) section 18 of the Land Compensation (Scotland) Act 1963 ;
- (xxii) Schedules 3 and 5 to the Harbours Act 1964 ;
- (xxiii) Schedule 6 to the Gas Act 1965 ;
- (xxiv) section 10(4) of the Highlands and Islands Development (Scotland) Act 1965 ;
- (xxv) the New Towns Act 1965 ;
- (xxvi) sections 14(2), 15(2), 35(3), 58 and 89(6) of the Land Commission Act 1967 ;
- (xxvii) sections 11(5)(f), 54(6) and 75(4) of, and Schedule 3 to, the Countryside (Scotland) Act 1967 ;
- (xxviii) the New Towns (Scotland) Act 1968 ;
- (xxix) paragraph 6 of Schedule 2 to the Countryside Act 1968 ;
- (xxx) section 22 of the Sewerage (Scotland) Act 1968 ;
- (xxxi) sections 33(1), 62, 63, 69 to 73 (both inclusive), 90, 93(3) and 94(3) of, and paragraphs 13, 14 and 15 of Schedule 5, Schedules 6 and 7 and paragraph 6 of Schedule 9 to, the Town and Country Planning Act 1968 ; and
- (xxxii) sections 34(1), 62, 63, 70 to 74 (both inclusive), 89, 92(3) and 93(2) of, and paragraphs 12, 13 and 14 of Schedule 4, Schedules 5 to 7 and paragraph 5 of Schedule 9 to, the Town and Country Planning (Scotland) Act 1969 ;

subject to this exception, namely, that it shall not be so deemed for the purposes of section 164 of the Town and Country Planning Act 1962 as applied by section 13 of the Opencast Coal Act 1958.

(2) In the following enactments, namely.—

- (a) sections 24 to 26 of the Town and Country Planning (Scotland) Act 1945 ;
- (b) the Acquisition of Land (Authorisation Procedure) Act 1946 ;
- (c) the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 ;
- (d) sections 42 and 99 of, and Schedule 5 to, the Town and Country Planning (Scotland) Act 1947 ;
- (e) the Civil Aviation Act 1949 ;
- (f) section 39(6)(b) of the Opencast Coal Act 1958 ;
- (g) section 254(6) of the Highways Act 1959 ;
- (h) paragraph 2(6) of Schedule 5 to the Town and Country Planning (Scotland) Act 1959 ;
- (i) section 148(6), Part X and section 212(6)(b) of the Town and Country Planning Act 1962 ;
- (j) the Pipe-lines Act 1962 ;
- (k) Schedules 3 and 5 to the Harbours Act 1964 ;
- (l) Schedule 6 to the Gas Act 1965 ;
- (m) section 10(4) of the Highlands and Islands Development (Scotland) Act 1965 ;
- (n) the New Towns Act 1965 ;
- (o) section 75(4) of the Countryside (Scotland) Act 1967 ;
- (p) the New Towns (Scotland) Act 1968 ;

- (q) section 73(5) of, and Schedule 6 and paragraph 4 of Schedule 7 to, the Town and Country Planning Act 1968 ; and
  - (r) section 74(5) of, and Schedule 5 and paragraph 4 of Schedule 7 to, the Town and Country Planning (Scotland) Act 1969 ;  
" the appropriate Minister " shall, in relation to the authority, mean the Minister.
- (3) The Land Commission Act 1967 shall have effect as if, in subsection (3) of section 58 thereof in its application to the authority, for the words from " the Minister who " to the end of the subsection, and in subsection (6) of section 89 thereof, in its application to the authority, for the words from "the appropriate Minister" to the end of the subsection, there were substituted the words " the Minister of Posts and Telecommunications ".
- (4) In the following enactments, namely.—
- (a) section 32 of, and Schedule 5 to, the Town and Country Planning (Scotland) Act 1947 ;
  - (b) section 19 of the Town and Country Planning (Scotland) Act 1954 ;
  - (c) section 103(3) and Part X of the Town and Country Planning Act 1962 ;
  - (d) section 13 of the Pipe-lines Act 1962;
  - (e) the New Towns Act 1965 ;
  - (f) section 58 of the Land Commission Act 1967 ;
  - (g) the New Towns (Scotland) Act 1968 ;
  - (h) section 71(3) of, and Schedule 6 to, the Town and Country Planning Act 1968 ; and
  - (i) section 72(3) of, and Schedule 5 to, the Town and Country Planning (Scotland) Act 1969 ;  
" operational land " shall, in relation to the authority, mean land of its of any such class as may be specified in regulations made jointly by the Minister and the Minister of Housing and Local Government by statutory instrument (which shall be subject to annulment in pursuance of a resolution of either House of Parliament) ; and—
    - (i) the definition of a class of land for the purposes of regulations made under this sub-paragraph may be framed by reference to any circumstances whatsoever ; and
    - (ii) if any question arises whether land of the authority's falls within a class specified in regulations so made, it shall be determined by the Minister.

In the application of this sub-paragraph to Scotland, for the reference to the Minister of Housing and Local Government there shall be substituted a reference to the Secretary of State.

- (5) This paragraph shall come into operation on the appointed day.

94      Nothing in the Roads Improvement Act (Northern Ireland) 1928 or in the Planning Acts (Northern Ireland) 1931 and 1944 or in any scheme or order made thereunder shall affect any powers of the authority under the enactments relating to telegraphs or apply to any telegraphic lines placed or maintained by virtue of those enactments.