
STATUTORY RULES OF NORTHERN IRELAND

2010 No. 431

**Valuation (Telecommunications, Natural Gas
and Water) Regulations (Northern Ireland) 2010**

Telecommunications hereditaments

3.—(1) Where—

- (a) British Telecommunications plc. occupies, or if it is unoccupied, owns any hereditament which comprises posts, wires, fibres, cables, ducts, telephone kiosks, masts, towers, switching equipment, or other equipment, or easements or wayleaves, being property used for the monitoring, processing or transmission of communications or other signals for the provision of electronic communications services; or
- (b) any person occupies, or if it is unoccupied, owns any hereditament which is an unbundled local loop,

and which would, apart from these Regulations, be more than one hereditament, those hereditaments shall be treated as one hereditament.

(2) Where a company which is mentioned in Part 1 of the Schedule (“the designated person”) occupies, or if it is unoccupied, owns any hereditament which comprises posts, wires, fibres, cables, ducts, telephone kiosks, masts, towers, switching equipment, or other equipment, or easements or wayleaves, being property used for the monitoring, processing or transmission of communications or other signals for the provision of electronic communications services and which would, apart from these Regulations, be more than one hereditament, those hereditaments shall be treated as one hereditament.

(3) The hereditament described in paragraph (1) shall be treated as occupied by British Telecommunications plc.

(4) The hereditament described in paragraph (2) shall be treated as occupied by the designated person.

(5) The letting or licensing by British Telecommunications plc. to any person of a fully unbundled local loop is to be assumed, for the purpose of valuing the hereditament described in paragraph (1) pursuant to Part III of the Rates (Northern Ireland) Order 1977, to be a matter affecting the physical state or physical enjoyment of the hereditament.

(6) In this regulation—

“fully unbundled local loop” means an unbundled local loop which British Telecommunications plc. has let or licensed to any person for all uses that comprise the monitoring, processing or transmission of communications or other signals for the provision of electronic communications services; and

“unbundled local loop” means—

- (a) cables, fibres, wires and conductors (or any part of them) used or intended to be used for carrying communications or other signals between the network terminating equipment on the premises of end users and premises (or any part of them) used for the processing of communications or other signals, and land occupied therewith; and

(b) poles, posts, towers, masts, mast radiators, pipes, ducts, conduits and any associated supports and foundations (or any part of them) used or intended to be used in connection with any of the items listed in paragraph (a), and land occupied therewith,
which British Telecommunications plc. has let or licensed to any person.