

## SCHEDULES

### SCHEDULE 9

Section 138.

#### GENERAL TRANSITIONAL PROVISIONS

- 1 (1) Section 3(1) of this Act shall not affect the validity of anything done by or in relation to the Postmaster General before the appointed day, being a thing done under or by virtue of the Wireless Telegraphy Act 1949, the Television Act 1964 or the Wireless Telegraphy Act 1967; and anything which, immediately before that day, is, under or by virtue of any of those Acts, in process of being done by or in relation to him (including, in particular, any legal proceeding to which he is a party) may be continued by or in relation to the Minister.
- (2) Any notice served, approval or authority given or other thing whatsoever done under or by virtue of the Wireless Telegraphy Act 1949, the Television Act 1964 or the Wireless Telegraphy Act 1967 by the Postmaster General shall, if effective at the appointed day, continue in force and have effect as if similarly served, given or done by the Minister.
- 2 (1) Any agreement, and any provision in a document not being an agreement, shall, so far as may be necessary in consequence of the enactment of Part III of this Act, have effect as from the appointed day—
  - (a) as if references to the Crown, the Postmaster General, the Post Office or the Minister of Public Building and Works (except in cases where they fall to be adapted by head (b) or (c) below) were (or, if the context so requires, included) references to the authority established by section 6 of this Act;
  - (b) as if—
    - (i) references in general terms (however worded) to officers of the Postmaster General, to officers of the Post Office (otherwise than as defined by section 87(1) of the Post Office Act 1953), to officers of the Crown or to servants of the Postmaster General, the Post Office or the Crown were (or, if the context so requires, included) references to persons employed by the authority established by section 6 of this Act;
    - (ii) references in general terms (however worded) to officers of the Post Office as so defined were (or, if the context so requires, included) references to persons engaged in the business of the said authority;
    - (iii) references in general terms (however worded) to agents of the Postmaster General, the Post Office or the Crown were (or, if the context so requires, included) references to agents of the said authority;
    - (iv) references (however worded) to an officer of the Postmaster General or the Post Office holding a specified office were (or, if the context so requires, included) references to the person employed by the said authority who corresponds, as nearly as may be, to the first-mentioned officer; and

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- (v) references (however worded) to a servant of the Postmaster General, the Post Office or the Crown serving in a specified capacity were (or, if the context so requires, included) references to the person employed by the said authority who corresponds, as nearly as may be, to the first-mentioned servant;
  - (c) as if references (whether express or implied and, if express, however worded) to property of the Crown or the Postmaster General or his department were (or, if the context so requires, included) references to property of the said authority and references (whether express or implied and, if express, however worded) to land or premises occupied by the Crown, the Postmaster General, his department or an officer or servant of the Crown or Postmaster General were (or, if the context so requires, included) references to land or premises occupied by the said authority;
  - (d) as if any reference to the making, under a government provision, of a payment to or in respect of a person in consequence of his becoming ill, being injured or dying, were a reference to the making, to or in respect of him in consequence of his becoming ill, being injured or dying, of a payment falling to be made by virtue of a condition of his service (whether binding in law or not) providing for the making, in consequence of his becoming ill, being injured or dying, of a payment to or in respect of him.
- (2) Without prejudice to the foregoing sub-paragraph, any agreement to which the Crown is a party, whether in writing or not, and whether or not of such a nature that rights and liabilities thereunder could be assigned by it, shall, as from the appointed day, have effect, so far as may be necessary for, or in consequence of, the vesting by virtue of Part III of this Act of property, rights or liabilities in the Post Office, as if the Post Office had been a party thereto.
- (3) Without prejudice to sub-paragraph (1) above, where, by the operation of the said Part III, a right or liability becomes a right or liability of the Post Office, it and all other persons shall have the same rights, powers and remedies (and, in particular, the same rights, powers and remedies as to taking or resisting legal proceedings or the making or resisting of applications to any authority) for ascertaining, perfecting or enforcing it as they would have had if it had at all times been the right or liability of the Post Office; and legal proceedings or applications by or against the Crown, in so far as they relate to any property, rights or liabilities vested in the Post Office by virtue of sections 16 to 20 of this Act, or to any agreement or document which has effect in accordance with the foregoing provisions of this paragraph, shall not abate by reason of the Crown's ceasing to be interested in the subject-matter thereof but may be continued by or against the Post Office to the exclusion of the Crown.
- 3 (1) Any such regulations as follows that are in force immediately before the appointed day, that is to say.—
- (a) regulations under section 11 of the Juries Act 1862;
  - (b) regulations under section 22 of the Juries Act (Ireland) 1871;
  - (c) any such regulations made, or having effect as if made, under section 81 of the Post Office Act 1953 as have effect by virtue of section 5(2), 6(1) or (2), 8(1), 10, 11(3), 15, 20, 21 or proviso (b) to section 24 of that Act or of section 9(5) of the Crown Proceedings Act 1947;
  - (d) regulations under the Telephone Act 1951;
  - (e) regulations made, or having effect as if made, under the Telegraph Act 1962;

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and are not revoked by virtue of sub-paragraph (4) below shall, with the substitution, for references to the Postmaster General, of references to the Post Office, with the omission of provisions as to evidence, deductions of money payable to bankers for or on account or in respect of money orders and limitation or exclusion of liability (except liability in respect of money orders that have become void by effluxion of time) and with any requisite modifications, have effect on and after that day as if they were provisions of schemes made under section 28 of this Act and coming into operation on that day and may be revoked or amended accordingly, and any charges fixed under any such regulations as aforesaid that are not revoked by virtue of that sub-paragraph shall have effect as if fixed under schemes so made and coming into operation.

- (2) Subsection (3) of section 10 of the Post Office Act 1953 (consequence of failure to pay sums payable in respect of a cash on delivery packet) shall (unless repealed by virtue of sub-paragraph (4) below), with the omission of the reference to a British postal agency, with the substitution, for the references to the Postmaster General, of references to the Post Office and with the omission of the words " as a debt due to him " , have effect on and after the appointed day as if it were a provision of a scheme made under section 28 of this Act and coming into operation on that day, and may be repealed or amended accordingly; and, as from that day, the expression " cash on delivery packet" in that subsection shall mean a packet on whose delivery a sum falls to be collected by the Post Office for remission to the sender of the packet.
- (3) Conclusive evidence of charges fixed under regulations made under the Telephone Act 1951 or regulations made, or having effect as if made, under section 81 of the Post Office Act 1953 or under the Telegraph Act 1962 may be given in all courts of justice and in all legal proceedings by the production of a copy of the London, Edinburgh or Belfast Gazette in which they were published.
- (4) A scheme made under section 28 of this Act which is to come into effect on the appointed day may revoke or amend any such regulations as are referred to in sub-paragraph (1) above, and may repeal section 10(3) of the Post Office Act 1953.
- (5) Any reference in an agreement or licence in force on the appointed day to a provision of any such regulations as are mentioned in sub-paragraph (1)(d) or (e) above (other than a provision relating to evidence or to limitation or exclusion of liability) shall, if during the currency of the agreement or licence that provision is revoked, be construed (unless the context otherwise requires) as referring to the corresponding provision for the time being in force of a scheme made under section 28 of this Act; and any reference in any such agreement or licence to a provision of any such regulations relating to limitation or exclusion of liability shall, as from that day, be construed in like manner as if that provision had not ceased to be in force.
- (6) For the purposes of section 69 of this Act, proceedings instituted by or against the Postmaster General which are continued by or against the Post Office shall be treated as having been instituted by or against the Post Office; and the reference in subsection (1) of that section to a sum due to the Post Office under such provisions as are therein mentioned shall be taken to include a reference to a sum that, having been due to the Postmaster General under any such regulations as are mentioned in sub-paragraph (1)(d) or (e) above, has, by virtue of section 16 of this Act, become due to the Post Office.

- 4 Any postage or other sum payable under the Post Office Act 1953 in respect of a postal packet which has not been paid before the appointed day shall, on that day, become payable to the Post Office and be treated for the purposes of this Act as if it

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were exigible under a scheme made under section 28 thereof; and any proceedings instituted by the Crown for the recovery of any such sum as aforesaid that are pending on that day may be continued by the Post Office in like manner as if they had been instituted by it.

5 (1) References in sections 70 and 71 of this Act to a money order issued by the Post Office shall include references to—

- (a) a money order issued by the Postmaster General but not paid before the appointed day; and
- (b) an order issued by him in pursuance of such an arrangement as is mentioned in section 24 of the Post Office Act 1953 (as in force immediately before the appointed day) but not so paid, being an order which is for the payment of money in the British Islands and corresponds to a money order issued by him;

and the reference in the said section 71 to payment by the Post Office shall include a reference to payment by the Postmaster General.

(2) References in section 70 of this Act to a postal order issued by the Post Office shall include references to a postal order issued by the Postmaster General but not paid before the appointed day.

(3) In this paragraph " the British Islands" means the United Kingdom, the Isle of Man and the Channel Islands.

6 An authorisation given under section 3(1), 61, 62 or 64 of the Post Office Act 1953 by the Postmaster General which is effective at the appointed day shall have effect as from that day as if given by the Post Office, and a declaration under section 78(1) of that Act by the Postmaster General which is so effective shall so have effect as if made by the Post Office.

7 An undertaking given under section 51(2) or (3) of the Post Office Act 1953 to the Postmaster General shall, if effective at the appointed day, have effect, as from that day, as if given to the Post Office.

8 Where, on the appointed day there are in progress any proceedings for the settlement or determination, under the Telegraph Act 1863 or the Telegraph Act 1878, of a difference, dispute, matter or question or the amount or application of compensation, being proceedings to which the Postmaster General is a party, the Post Office shall be substituted for the Postmaster General as a party to the proceedings; and where, on that day, there are in progress any proceedings under section 8 of the last-mentioned Act for the recovery by the Postmaster General of either or both of the following, namely, expenses incurred by him in making good destruction of, or injury to, a telegraphic line and a daily fine in respect of the interruption of telegraphic communication, the Post Office shall be similarly substituted.

9 (1) This paragraph applies to the following instruments, namely.—

- (a) the agreement dated 2nd April 1962 whereto the parties are the Postmaster General and the Commercial Cable Company, Incorporated (a company incorporated under the law of the State of New York of the United States of America);
- (b) the agreement dated 1st April 1963 whereto the parties are the Postmaster General and tile Compagnie Francaise des Cables Telegraphiques S.A. (a company incorporated under the law of France);

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- (c) the agreement dated 27th December 1965 whereto the parties are the Postmaster General and Western Union International, Incorporated (a company incorporated under the law of the State of Delaware of the United States of America); and
      - (d) the licence dated 1st March 1966 whereto the parties are Her Majesty, the Crown Estate Commissioners, the Postmaster General and Det Store Nordiske Telegraf-Selskab Aktie-selskab (a company incorporated under the law of the Kingdom of Denmark and commonly known in the United Kingdom, and in that licence referred to, as the Great Northern Telegraph Company Limited).
    - (2) Nothing done, on or after the appointed day, under, and in accordance with the terms of, an instrument to which this paragraph applies, shall constitute an infringement of the privilege conferred by section 24(1) of this Act.
  - 10 (1) Any licence operating by way of exception from the exclusive privilege conferred by section 4 of the Telegraph Act 1869 on the Postmaster General which is effective at the appointed day (not being a licence under the Wireless Telegraphy Act 1949) shall, as from that day, have effect as if it had been granted under section 27(1) of this Act and—
    - (a) as if references to the Crown (except in contexts referring to a Minister of the Crown) or to the Postmaster General or the Post Office (except in cases where they fall to be adapted by head (b) below) were references to the authority established by section 6 of this Act; and
    - (b) as if—
      - (i) references in general terms (however worded) to officers of the Postmaster General, to officers of the Post Office (otherwise than as defined by section 87(1) of the Post Office Act 1953), or to servants of the Postmaster General or the Post Office were (or, if the context so requires, included) references to persons employed by the authority established by section 6 of this Act;
      - (ii) references in general terms (however worded) to officers of the Post Office as so defined were (or, if the context so requires, included) references to persons engaged in the business of the said authority;
      - (iii) references in general terms (however worded) to agents of the Postmaster General or the Post Office were (or, if the context so requires, included) references to agents of the said authority;
      - (iv) references (however worded) to an officer of the Postmaster General or the Post Office holding a specified office were references to the person employed by the said authority who corresponds, as nearly as may be, to the first-mentioned officer; and
      - (v) references (however worded) to a servant of the Postmaster General or the Post Office serving in a specified capacity were references to the person employed by the said authority who corresponds, as nearly as may be, to the first-mentioned servant.
  - (2) Any instrument issued in pursuance of a licence falling within the foregoing sub-paragraph, being an instrument effective at the appointed day, shall, as from that day, have effect subject to the like modifications as those provided for by heads (a) and (b) of that sub-paragraph in the case of the licence.
- 11 A notice or certificate given, request made or requirement imposed under any provision of the enactments relating to telegraphs by, to or on the Postmaster

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- General which is effective at the appointed day shall, as from that day, have effect as if given, made or imposed by, to or on the Post Office.
- 12 An authority granted under section 5(1) of the Telegraph Act 1892 which is effective at the appointed day shall, as from that day, have effect as if it had been granted under that section as amended by paragraph 5 of Schedule 4 to this Act.
- 13 Any such council as is mentioned in the Telegraph Act 1899 which, at the beginning of the appointed day, is licensed by the Postmaster General to provide a system of public telephonic communication, shall, so long as the licence continues in force, be deemed, for the purposes of that Act, to be licensed by the Post Office so to provide.
- 14 (1) A notice given under section 26 of the Electric Lighting Act 1882 by undertakers to the Postmaster General which is effective at the appointed day shall, as from that day, have effect as if given to the Post Office; any requirements made under that section by the Postmaster General which are so effective shall, as from that day, have effect as if made by the Post Office; and any arbitration on a difference under that section which is in progress immediately before that day may be continued with the substitution of the Post Office for the Postmaster General as a party thereto.
- (2) A requirement imposed under section 4(2) of the Electric Lighting Act 1888 by the Postmaster General which is effective at the appointed day shall, as from that day, have effect as if imposed by the Post Office.
- (3) An approval given under section 10(c) of the Schedule to the Electric Lighting (Clauses) Act 1899 with the concurrence of the Postmaster General which is effective at the appointed day shall, as from that day, have effect as if given with the concurrence of the Post Office; a notice served under section 14 of that Schedule by undertakers on the Postmaster General which is so effective shall, as from that day, have effect as if served on the Post Office; a requirement imposed or approval or disapproval notified under that section by the Postmaster General which is effective at the appointed day shall, as from that day, have effect as if imposed or notified by the Post Office; and a requirement imposed under section 60 of that Schedule which is effective at the appointed day shall, as from that day, have effect as if imposed by the Post Office.
- (4) Any notice given under section 20 of the Schedule to the Electric Lighting (Clauses) Act 1899 to the Postmaster General which is effective at the appointed day shall, as from that day, have effect as if given to the Post Office, any requisition served under that section by the Postmaster General which is effective at that day shall, as from that day, have effect as if served by the Post Office and any arbitration under that section which is in progress immediately before that day, being an arbitration to which the Postmaster General is a party, may be continued with the substitution of the Post Office for the Postmaster General.
- 15 An order under section 187 of the Bankruptcy (Scotland) Act 1913 or section 24 of the Bankruptcy Act 1914 which is effective at the appointed day shall, as from that day, have effect as if, for any reference therein to the Postmaster General, there were substituted a reference to the Post Office.
- 16 A notice given under section 24 of the Requisitioned Land and War Works Act 1945 by or to the Postmaster General which is effective at the appointed day shall, as from that day, have effect as if given by or to the Post Office.
- 17 (1) No steps shall be taken for the enforcement of a building law with respect to works on land that vests in the Post Office by virtue of section 16 of this Act, being works begun before the appointed day, or with respect to works on land begun by the Post

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Office before the expiration of six months beginning with that day; nor shall any proceedings for the recovery of a fine or other penalty be brought against the Post Office for having carried out or retained any such works as aforesaid which do not comply with a building law.

(2) In the foregoing sub-paragraph, " building law" means any obligation or restriction as to the construction, nature or situation of works on land or as to any other circumstances of such works (including the use of the land) having effect by virtue of—

- (a) section 17 of the Restriction of Ribbon Development Act 1935;
- (b) an enactment contained in Part II or IV of the Public Health Act 1936 or Part II of the Public Health Act 1961 or byelaws or regulations made under an enactment so contained;
- (c) the London Building Acts 1930 to 1939 or byelaws made thereunder;
- (d) the Thermal Insulation (Industrial Buildings) Act 1957 or regulations made thereunder;
- (e) section 72, 73, 74, 75, 81 or 159 of the Highways Act 1959;
- (f) paragraph 13, 15 or 18 of Part III of Schedule 9 to the London Government Act 1963 or byelaws made under paragraph 6 of that Part of that Schedule; or
- (g) any enactment contained in a local Act made for purposes similar to the purposes of any of the aforesaid enactments or any byelaws made under any enactment contained in a local Act so made;

and " works " includes any building, structure, excavation or other work on land.

(3) Any reference in this paragraph to non-compliance with a building law means, in relation to any works on land, that the construction, nature or situation of the works or any other circumstances thereof (including the use of the land) are such either that the works do not comply with the building law in question or that, by virtue of that law, the rejection of plans for the works is expressly required or authorised.

(4) Any reference in this paragraph to the enforcement of a building law shall be construed as a reference to securing (whether by the doing of work on land or the requiring, by injunction or otherwise, that some other person shall do work on land) that works on land not complying with the building law in question shall either be demolished or removed or be altered so as to comply therewith.

(5) In the application of this paragraph to Scotland, the following shall be substituted for heads (a) to (g) of sub-paragraph (2):—

- “(a) an enactment contained in the Burgh Police (Scotland) Acts 1892 to 1903 or under the Public Health (Scotland) Act 1897 or byelaws made under any such enactment;
- (b) the Roads Improvement Act 1925;
- (c) section 17 of the Restriction of Ribbon Development Act 1935;
- (d) section 53 of the Water (Scotland) Act 1946;
- (e) the Thermal Insulation (Industrial Buildings) Act 1957 or regulations made thereunder;
- (f) the Building (Scotland) Act 1959 or regulations made thereunder;
- (g) the Sewerage (Scotland) Act 1968;
- (h) any enactment contained in a local Act made for purposes similar to the purposes of any of the aforesaid enactments or any byelaws made under any enactment contained in a local Act so made; or

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- (i) any enactment or rule of the common law conferring powers on a dean of guild court”.
- (6) In the application of this paragraph to Northern Ireland, the following shall be substituted for heads (a) to (g) of sub-paragraph (2):—
- “(a) section 9 of the Summary Jurisdiction (Ireland) Act 1851;
  - (b) an enactment contained in the Public Health Acts (Northern Ireland) 1878 to 1967 or byelaws made under an enactment so contained;
  - (c) an enactment contained in the Housing Acts (Northern Ireland) 1890 to 1967;
  - (d) the Roads Improvement Act (Northern Ireland) 1928; or
  - (e) any enactment contained in a local Act made for purposes similar to the purposes of any of the aforesaid enactments or any byelaws or orders made under any enactment contained in a local Act so made”.
- 18 (1) Any regulations under section 79 of the Representation of the People Act 1949 which are effective at the appointed day shall, as from that day, have effect as if, for references therein to the Post Office or the Postmaster General, there were substituted references to the authority established by section 6 of this Act.
- (2) Any security given under any such regulations as aforesaid which is effective at the appointed day shall, as from that day, have effect as if given to the said authority.
- 19 (1) Any regulations under section 53 of the Electoral Law Act (Northern Ireland) 1962 which are effective at the appointed day shall, as from that day, have effect as if, for references therein to the Post Office or the Postmaster General, there were substituted references to the authority established by section 6 of this Act.
- (2) Any security given under any such regulations as aforesaid which is effective at the appointed day shall, as from that day, have effect as if given to the said authority.
- 20 (1) Nothing in Part III of this Act shall affect the validity of anything done by, or in relation to, the Postmaster General before the appointed day under or by virtue of the Public Utilities Street Works Act 1950; and anything which, immediately before that day, is in process of being done under, or by virtue of, that Act by or in relation to him (including, in particular, any legal proceedings to which he is a party) may be continued by, or in relation to, the Post Office.
- (2) Any notice or direction given or other thing whatsoever done under the said Act of 1950 by the Postmaster General shall, if effective at the appointed day, continue in force and have effect as if similarly given or done by the Post Office.
- 21 A notice served under section 29 of the Income Tax Act 1952 (power to obtain information as to interest paid or credited without deduction of tax) on the Postmaster General before the appointed day shall, if it has not been complied with before that day, be deemed to have been served on the Director of Savings; and subsection (1) of that section shall, in its application on and after that day to the National Savings Bank, have effect as if the reference to interest paid or credited by the Director of Savings included, as regards any period before that day, a reference to interest paid or credited by the Postmaster General to depositors.
- 22 A notice given under section 6 of the Local Government (Miscellaneous Provisions) Act 1953 (supplementary provisions as to omnibus shelters, &c.) by the Postmaster General which is effective at the appointed day shall, as from that day, have effect as if given by the Post Office; and any proceedings for the settlement of a dispute under that section in progress at the appointed day, being proceedings to which the



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- Postmaster General is a party, may be continued with the substitution of the Post Office for the Postmaster General.
- 23 In relation to an agreement which, on the appointed day, becomes subject to registration under Part I of the Restrictive Trade Practices Act 1956 by reason of its having effect as from that day as if the Post Office had been a party thereto, section 10 of that Act (particulars to be furnished for registration) and section 7 of the Restrictive Trade Practices Act 1968 (consequences of failure to register) shall have effect with the substitution, for references to the time within which particulars are required to be furnished under section 6 of the last-mentioned Act (time for registration of agreements), of references to the period of three months beginning with that day and the said section 6 shall not apply.
- 24 An order under paragraph 8 of Schedule 1 to the Solicitors Act 1957 which is effective at the appointed day shall, as from that day, have effect as if, for any reference therein to the Postmaster General, there were substituted a reference to the Post Office.
- 25 A notice given under section 5(4) of the Milford Haven Conservancy Act 1958 by the Milford Haven Conservancy Board to the Postmaster General which is effective at the appointed day shall, as from that day, have effect as if given to the Post Office.
- 26 A notice given under section 3 of the Local Government (Omnibus Shelters and Queue Barriers) (Scotland) Act 1958 by the Postmaster General which is effective at the appointed day shall, as from that day, have effect as if given by the Post Office; and any proceedings for the settlement of a dispute under that section in progress immediately before the appointed day, being proceedings to which the Postmaster General is a party, may be continued with the substitution of the Post Office for the Postmaster General.
- 27 (1) Where, between the passing of this Act and the appointed day, the Postmaster General notifies a local planning authority in writing of a proposal to carry out development of land, and, before that day and the expiration of the relevant period, that authority notifies the Postmaster General in writing that it has no objection to the proposal, planning permission for the development shall be deemed to be granted by that authority on that day subject to the relevant condition as to time.
- (2) Where, between the passing of this Act and the appointed day, the Postmaster General notifies a local planning authority in writing of a proposal to carry out development of land, and, before that day and the expiration of the relevant period, that authority notifies the Postmaster General in writing that it has no objection to the proposal provided that conditions specified by it in the notification are complied with (not being conditions containing a stipulation as to the time at which the development must be begun or completed), planning permission for the development shall—
- (a) except in a case in which those conditions are subsequently either modified as mentioned in the following provisions of this sub-paragraph or withdrawn as so mentioned, be deemed to be granted by that authority on the appointed day subject to those conditions and to the relevant condition as to time;
  - (b) in a case in which those conditions are subsequently modified by that authority in writing with the written concurrence of the Postmaster General, be deemed to be granted by that authority on the appointed day subject to those conditions as so modified and to the relevant condition as to time;
  - (c) in a case in which those conditions are withdrawn by that authority in writing addressed to the Postmaster General, be deemed to be granted by that authority on the appointed day subject to the relevant condition as to time.

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- (3) Where, between the passing of this Act and the appointed day, the Postmaster General notifies a local planning authority in writing of a proposal to carry out development of land, and before that day and the expiration of the relevant period, that authority notifies the Postmaster General in writing that it has no objection to the proposal provided that conditions specified by it in the notification are complied with (being conditions containing a stipulation as to the time at which the development must be begun or completed), planning permission for the development shall—
- (a) except in a case in which those conditions are subsequently either modified as mentioned in the following provisions of this sub-paragraph or withdrawn as so mentioned, be deemed to be granted by that authority on the appointed day subject to those conditions;
  - (b) in a case in which those conditions are subsequently modified by that authority in writing with the written concurrence of the Postmaster General (otherwise than by withdrawing the stipulation as to time), be deemed to be granted by that authority on the appointed day subject to those conditions as so modified;
  - (c) in a case in which those conditions (except so far as containing the stipulation as to time) are withdrawn by that authority in writing addressed to the Postmaster General, be deemed to be granted by that authority on the appointed day subject to the condition containing that stipulation.
- (4) Where, between the passing of this Act and the appointed day, the Postmaster General notifies a local planning authority in writing of a proposal to carry out development of land, and—
- (a) the relevant period expires with the day immediately preceding the appointed day or with an earlier day; and
  - (b) that authority does not, before the expiration of that period, notify the Postmaster General in writing as mentioned in sub-paragraph (1), (2) or (3) above or that it objects to the proposal;
- planning permission for the development shall be deemed to be granted by the authority on the appointed day subject to the relevant condition as to time.
- (5) The foregoing sub-paragraphs shall, with requisite modifications, apply in a case where, before the passing of this Act, the Postmaster General has notified a local planning authority in writing of a proposal to carry out development of land (but that development has not been carried out before the appointed day) as they apply in a case where he does so between the passing of this Act and that day.
- (6) Where, by virtue of sub-paragraph (2) or (3) above, planning permission for the carrying out of development of land consisting in the erection, extension or alteration of a building is deemed to be granted by a local planning authority subject to a condition that the Postmaster General should consult that authority with respect to any matters relating to the siting, design or external appearance of the building or means of access thereto, then, so far as regards any of those matters as to which, before the appointed day, the Postmaster General has not been notified by that authority in writing that it is satisfied with the way in which that matter is to be dealt with, it shall be deemed, as from that day, to be a matter in the case of which the approval of that authority to the manner in which it is to be dealt with is required under a development order and the planning permission shall be deemed to be granted subject to a condition that application for approval must be made not later than the expiration of three years beginning with that day.

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- (7) Parts VI and XI of the Town and Country Planning Act 1962 shall not have effect in a case in which planning permission is deemed, by virtue of this paragraph, to be granted.

In the application of this sub-paragraph to Scotland, for the reference to Parts VI and XI of the Town and Country Planning Act 1962 there shall be substituted a reference to the following provisions—

- (a) sections 1 and 2, Part II, sections 50, 65 and 66 of the Town and Country Planning (Scotland) Act 1954; and
  - (b) section 31 of the Town and Country Planning (Scotland) Act 1959.
- (8) Section 7 of the Control of Office and Industrial Development Act 1965 shall not have effect in relation to planning permission deemed, by virtue of this paragraph, to be granted.
- (9) Every local planning authority shall, with respect to each case in which planning permission is deemed, by virtue of this paragraph, to be granted by it, include, in that part of the register kept by it under section 19(4) of the Town and Country Planning Act 1962 that contains entries relating to applications for planning permission that have been finally disposed of, the following particulars, namely.—
- (a) the date on which the permission is deemed to be granted;
  - (b) a general description of the development to which the permission relates and of the land to be developed in accordance with the permission;
  - (c) in a case in which the authority approves, in relation to the development to which the permission relates, anything which, by virtue of sub-paragraph (6) above, falls to be approved by it, the date on which it does so;
  - (d) in a case in which, in consequence of the operation of that sub-paragraph, an appeal as to any matter relating to the development to which the permission relates is entertained by the Minister of Housing and Local Government or an application is referred to him, the date on which the appeal or reference is disposed of, and the decision on the appeal or reference.

In the application of this sub-paragraph to Scotland, for the references to section 19(4) of the Town and Country Planning Act 1962 and to the Minister of Housing and Local Government there shall be substituted respectively references to section 12(5) of the Town and Country Planning (Scotland) Act 1947 and to the Secretary of State.

- (10) For the purposes of section 99(3) of the Land Commission Act 1967, planning permission which, by virtue of sub-paragraph (2) or (3) above, is deemed to be granted subject to approval on any matter, shall be deemed to be granted on an outline application.
- (11) Section 69 of the Town and Country Planning Act 1968 and section 70 of the Town and Country Planning (Scotland) Act 1969 shall have effect in relation to the Post Office as if, at the end of paragraph (d) of subsection (3) thereof, there were added the following—

“or

- (e) deemed to be granted by virtue of paragraph 27 of Schedule 9 to the Post Office Act 1969”.

- (12) In this paragraph.—

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- (a) "development", "development order", "local planning authority" and "planning permission" have, in the application of this paragraph to England and Wales, the same meanings as they have for the purposes of the Town and Country Planning Act 1962 and, in the application of this paragraph to Scotland, the same meanings as in the Town and Country Planning (Scotland) Act 1947;
  - (b) "the relevant condition as to time"—
    - (i) except in a case in which planning permission is, by virtue of sub-paragraph (6) above, deemed to be granted subject to a condition that application for the approval of matters must be made not later than the expiration of three years beginning with the appointed day, means a condition that the development to which the permission relates must be begun not later than the expiration of five years beginning with that day;
    - (ii) in the said excepted case, means a condition that the development must be begun not later than whichever is the later of the following dates, namely, the expiration of five years from the appointed day and the expiration of two years from the final approval of matters which are the subject of the condition subject to which planning permission is, by virtue of that sub-paragraph, deemed to be granted (or, in the case of approval on different dates, the final approval of the last such matter to be approved);
  - (c) "relevant period", in relation to a notification to a local planning authority of a proposal to carry out development, means the period of two months from the day on which the notification is received by the authority or such longer period as may, before the expiration of the first-mentioned period, be agreed in writing between the authority and the Postmaster General.
- (13) For the purposes of this paragraph, development shall be taken to be begun on the earliest date on which any specified operation (as defined in section 64(3) of the Land Commission Act 1967) comprised in the development begins to be carried out.
- (14) Sections 65 and 66 of the Town and Country Planning Act 1968 and sections 66 and 67 of the Town and Country Planning (Scotland) Act 1969 (which relate to the duration of planning permission) shall not apply to planning permission deemed, by virtue of this paragraph, to be granted.
- (15) Subsections (3) and (5) of section 67 of the Town and Country Planning Act 1968 (which respectively define final approval of reserved matters and invalidate development carried out, and applications for approval made, out of time) shall have effect for the purposes of this paragraph with the substitution for any reference to a reserved matter of a reference to such a matter as is referred to in sub-paragraph (12)(b)(ii) above, and, for the reference to planning permission having conditions attached to it by or under provisions of section 65 or 66 of that Act, of a reference to planning permission deemed, by virtue of this paragraph, to be granted. In the application of this sub-paragraph to Scotland, for the references to subsections (3) and (5) of section 67 of the Town and Country Planning Act 1968 and to sections 65 and 66 of that Act there shall be substituted respectively references to subsections (3) and (5) of section 68 of the Town and Country Planning (Scotland) Act 1969 and to sections 66 and 67 of that Act.

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- (16) For the purposes of the general application of this paragraph to Scotland, in subparagraphs (1), (2) and (3) the words " and the expiration of the relevant period " and subparagraphs (4) and (12)(c) shall be omitted.
- (17) This paragraph does not extend to Northern Ireland.
- 28 (1) Notwithstanding section 83 of the Town and Country Planning (Scotland) Act 1947 or section 199 of the Town and Country Planning Act 1962 (exercise of powers in relation to Crown land), planning permission for the development by the Post Office of land which is Crown land within the meaning of that section by reason only of the subsistence therein of an interest of the Postmaster General may be granted under either Act in pursuance of an application therefor made by the Post Office before the appointed day, and section 36 of the Town and Country Planning (Scotland) Act 1959 and section 16 of the said Act of 1962 (certificates required to accompany application) shall not apply to an application that may be granted by virtue of this sub-paragraph or to an appeal from a decision to refuse to grant planning permission in pursuance of such an application or to grant it subject to conditions.
- (2) Any approval required under a development order (within the meaning of the said Act of 1947 or of the said Act of 1962) in relation to development of such land as is mentioned in the foregoing sub-paragraph, being development proposed to be carried out by the Post Office, may be granted in pursuance of an application therefor made by the Post Office before the appointed day.
- 29 No enforcement notice shall be served by virtue of section 72(1) of the Town and Country Planning (Scotland) Act 1947 or under paragraph 12 of Schedule 13 to the Town and Country Planning Act 1962 in respect of works carried out on land that vests in the Post Office by virtue of section 16 of this Act or in respect of use of land that so vests; and no enforcement notice shall be served under section 15 of the Town and Country Planning Act 1968 or section 15 of the Town and Country Planning (Scotland) Act 1969 in respect of development carried out before the appointed day on land that so vests.
- 30 Neither an interim development authority, nor, where the Ministry of Development for Northern Ireland is exercising any of the functions of such an authority, that Ministry, shall take any action under section 4 of the Planning (Interim Development) Act (Northern Ireland) 1944 (enforcement of interim development control) in respect of any development carried out before the appointed day in or on land that vests in the Post Office by virtue of section 16 of this Act.
- 31 (1) Subsection (2) of section 57 of the Landlord and Tenant Act 1954 (modification on grounds of public interest of rights under Part II of that Act) shall not preclude the giving, in relation to a tenancy, of a certificate under subsection (1) or (5) of that section by the Minister if, in relation to the tenancy, a notice has been given under the first-mentioned subsection by the Postmaster General; but in a case in which this paragraph applies, the Minister shall, before determining whether to give the certificate, consider any representations made in writing by the tenant to the Postmaster General within twenty-one days of the giving of the notice.
- (2) A certificate given by the Postmaster General under subsection (1) or (5) of the said section 57 with respect to property in which, immediately before the appointed day, the landlord's interest belongs to him, shall not be rendered ineffective by reason of the vesting, on that day, by virtue of section 16 of this Act, of that interest in the Post Office.

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- 32 (1) A licensing authority to whom an application is made before the appointed day by the Post Office for an A licence or for a B licence shall not refuse the application if it is accompanied by a certificate of the Postmaster General certifying that the vehicles proposed to be used under the licence are in use by him.
- (2) Section 168(2) of the Road Traffic Act 1960 (which authorises a licensing authority to attach conditions to a B licence) shall not apply to a B licence granted in pursuance of an application which, by virtue of the foregoing sub-paragraph, the authority is bound to grant, but it shall be a condition of the licence that no vehicle which is for the time being an authorised vehicle shall be used for the carriage for hire or reward of goods other than—
- (a) goods consigned for carriage by post; or
  - (b) goods that are the subject of an agreement between the Post Office and another person who carries on business as a carrier of goods whereunder the Post Office undertakes to carry on his behalf goods consigned to him for carriage;
- and accordingly, in relation to a B licence so granted, section 166(3) of that Act (which specifies the purposes for which a B licence entitles the holder thereof to use the authorised vehicles) shall have effect with the substitution, for paragraph (b), of the following paragraph, namely.—
- “(b) for the carriage of goods for hire or reward”.
- (3) This paragraph shall be construed as one with Part IV of the Road Traffic Act 1960.
- 33 (1) Where a person enters the employment of the Post Office on the appointed day and, immediately before that day, was occupied in the department of the Postmaster General in employment to which this paragraph applies, then, for the purpose of ascertaining the length of the period of his employment for the purposes of sections 1 and 2 of the Contracts of Employment Act 1963, Schedule 1 to that Act shall have effect—
- (a) as if, in a case where he was so occupied otherwise than under a contract of service, employment of his to which this paragraph applies in which he was occupied otherwise than as aforesaid before the appointed day, whether or not in the department of the Postmaster General, had been employment within the meaning of the said Act of 1963, and, while he was occupied therein, he had been an employee within the meaning of that Act, but as if for paragraph 4 of that Schedule there were substituted the following paragraph:—
- “4 Any week during the whole or part of which the terms of his employment normally involve employment for twenty-one hours or more weekly shall count in computing a period of employment”;
- and
- (b) as if, in any case, subject to the next following sub-paragraph, the period, ending immediately before the appointed day, of employment of his to which this paragraph applies, whether or not in the department of the Postmaster General, counted as a period of employment with the Post Office (if, apart from this provision, it would not so count) and his transfer to employment with the Post Office did not break the continuity of the period of employment (if, apart from this provision, the transfer would do so).
- (2) Where, before the appointed day, a person's employment to which this paragraph applies was terminated and a payment made to him in respect of the termination in

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accordance with the Superannuation Act 1965 or any enactment repealed by that Act, or under such arrangements as are mentioned in section 41(3) of the Redundancy Payments Act 1965, then, whether or not he was re-employed in employment to which this paragraph applies immediately following that termination, Schedule 1 to the said Act of 1963 shall have effect as if the period of his employment before that termination in employment to which this paragraph applies did not count as a period of employment with the Post Office.

- (3) In the application of paragraph 7 of Schedule 2 to the said Act of 1963 (calculation of rates of remuneration) to a person in whose case sub-paragraph (1) above applies, references in that paragraph to a former employer and a period of employment with a former employer shall be construed in accordance with the foregoing sub-paragraphs, and the reference in that paragraph to paragraph 10 of Schedule 1 to that Act shall include a reference to head (b) of that sub-paragraph.
  - (4) Section 7 of the said Act of 1963 (power to vary number of weekly hours of employment necessary to qualify for rights) shall have effect as if the references therein to paragraph 4 of Schedule 1 to that Act included references to the paragraph substituted therefor by sub-paragraph (1) above and to the next following sub-paragraph.
  - (5) This paragraph applies to employment of a person in the civil service of the State in an established or unestablished capacity within the meaning of the Superannuation Act 1965, and to employment of a person therein in part-time service, where he gives personal service of at least twenty-one hours a week and the remuneration in respect thereof is defrayed entirely out of the Post Office Fund or moneys provided by Parliament.
- 34
- (1) For the purpose of computing, for the purposes of the Redundancy Payments Act 1965, a period of employment of a person in whose case sub-paragraph (1) of the last foregoing paragraph applies, any reference in that Act to Schedule 1 or 2 to the Contracts of Employment Act 1963 shall, in relation to employment of his to which the last foregoing paragraph applies, being employment before the appointed day, be construed as a reference to the said Schedule 1 or 2, as the case may be, as it has effect by virtue of the last foregoing paragraph.
  - (2) Where a person enters the employment of the Post Office on the appointed day and, immediately before that day, was occupied in the department of the Postmaster General in employment to which the last foregoing paragraph applies, then, for the purposes of computing a period of employment for the purposes of Schedule 1 to the said Act of 1963 as applied by the said Act of 1965, a period in which he was occupied in employment to which the last foregoing paragraph applies shall, notwithstanding the provisions of section 16(4) of the said Act of 1965 (which excludes the application of section 1 of that Act to a person in respect of certain employment) be treated as if it had been a period in respect of which section 1 of that Act had applied.
- 35
- (1) Where a person enters the employment of the Post Office on the appointed day and immediately before that day was occupied in the department of the Postmaster General in employment to which this paragraph applies, then, for the purpose of ascertaining the length of the period of his employment for the purposes of sections 1 and 2 of the Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965, Schedule 1 to that Act shall have effect—
    - (a) as if, in a case where he was so occupied otherwise than under a contract of service, employment of his to which this paragraph applies in which he

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was occupied otherwise than as aforesaid before the appointed day, whether or not in the department of the Postmaster General, had been employment within the meaning of the said Act of 1965, and, while he was occupied therein, he had been an employee within the meaning of that Act, but as if, for paragraph 4 of that Schedule, there were substituted the following paragraph:—

“4 Any week during the whole or a part of which the terms of his employment normally involve employment for twenty-one hours or more weekly shall count in computing a period of employment”;

and

(b) as if, in any case, subject to the next following sub-paragraph, the period, ending immediately before the appointed day, of employment of his to which this paragraph applies, whether or not in the department of the Postmaster General, counted as a period of employment with the Post Office (if, apart from this provision, it would not so count) and his transfer to employment with the Post Office did not break the continuity of the period of employment (if, apart from this provision, the transfer would do so).

- (2) Where, before the appointed day a person's employment to which this paragraph applies was terminated and a payment made to him in respect of the termination in accordance with the Superannuation Act 1965 or any enactment repealed by that Act, or under such arrangements as are mentioned in section 41(3) of the Redundancy Payments Act 1965, then, whether or not he was re-employed in employment to which this paragraph applies immediately following that termination, Schedule 1 to the Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965 shall have effect as if the period of his employment before that termination in employment to which this paragraph applies did not count as a period of employment with the Post Office.
- (3) In the application of paragraph 7 of Schedule 2 to the Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965 (calculation of rates of remuneration) to a person in whose case sub-paragraph (1) above applies, references in that paragraph to a former employer and a period of employment with a former employer shall be construed in accordance with the foregoing sub-paragraphs, and the reference in that paragraph to paragraph 10 of Schedule 1 to that Act shall include a reference to head (b) of that sub-paragraph.
- (4) Section 7 of the Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965 (power to vary number of weekly hours of employment necessary to qualify for rights) shall have effect as if the reference therein to paragraph 4 of Schedule 1 to that Act included a reference to the paragraph substituted therefor by sub-paragraph (1) above and to sub-paragraph (7) below.
- (5) For the purpose of computing, for the purposes of the Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965, a period of employment of a person in whose case sub-paragraph (1) of this paragraph applies, any reference in that Act to Schedule 1 or 2 to that Act shall, in relation to employment to which this paragraph applies of his before the appointed day, be construed as a reference to the said Schedule 1 or 2, as the case may be, as it has effect by virtue of sub-paragraphs (1) to (4) above.
- (6) Where a person enters the employment of the Post Office on the appointed day and, immediately before that day, was occupied in the department of the Postmaster General in employment to which this paragraph applies, then, for the purpose of



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computing a period of employment for the purposes of the said Schedule 1 as applied by Schedule 3 to the said Act of 1965, a period in which he was occupied in employment to which this paragraph applies shall, notwithstanding the provisions of section 26(3) of the said Act of 1965 (which excludes the application of section 11 of that Act to a person in respect of certain employment), be treated as if it had been a period in respect of which section 11 of that Act had applied.

- (7) This paragraph applies to employment of a person in the civil service of the State in an established or unestablished capacity within the meaning of the Superannuation Act 1965, and to employment of a person therein in part-time service where he gives personal service of at least twenty-one hours a week and the remuneration in respect thereof is defrayed entirely out of the Post Office Fund or moneys provided by Parliament.
- 36 (1) Notwithstanding paragraph 82 of Schedule 4 to this Act, the Board of Trade may, out of moneys provided by Parliament, make to the Post Office in respect of an asset provided by the Postmaster General for the purposes of his business a grant of the like amount as they might have made to him under section 1 or 2 of the Industrial Development Act 1966 if this Act had not passed.
- (2) For the purposes of the foregoing sub-paragraph, an asset shall not be deemed not to have been provided as therein mentioned by reason of the fact that it is delivered to the Post Office on or after the appointed day and is so delivered in fulfilment of a contract entered into before that day by the Postmaster General.
- (3) Section 8 of the Industrial Development Act 1966 (conditions) shall have effect as if references therein to Part I of that Act included references to sub-paragraph (1) above.
- 37 (1) Notwithstanding paragraph 82 of Schedule 4 to this Act, the Ministry of Commerce for Northern Ireland may, if the Parliament of Northern Ireland makes provision for the defrayal out of moneys provided by that Parliament of any expenses which may be incurred by that Ministry under this paragraph, make to the Post Office in respect of an asset provided by the Postmaster General for the purposes of his business a grant of the like amount as it might have made to him under section 1, 2 or 5 of the Industrial Investment (General Assistance) Act (Northern Ireland) 1966 if this Act had not passed.
- (2) For the purposes of the foregoing sub-paragraph, an asset shall not be deemed not to have been provided as therein mentioned by reason of the fact that it is delivered to the Post Office on or after the appointed day and is so delivered in fulfilment of a contract entered into before that day by the Postmaster General.
- (3) Sections 10 and 11 of the Industrial Investment (General Assistance) Act (Northern Ireland) 1966 (conditions and fraudulent applications) shall have effect as if references therein to that Act included references to sub-paragraph (1) above.
- 38 Where an interest of the Postmaster General in land vests in the Post Office by virtue of section 16 of this Act and, at a time when the interest was vested in the Postmaster General, the land fell within any of such descriptions of land as, for the purposes of section 84 of the Land Commission Act 1967, were agreed between him and the Treasury as being at that time descriptions of land which, in relation to functions of his, corresponded as nearly as may be to the descriptions of land which were operational land in relation to statutory undertakers, then, for the purposes of section 58 of that Act, the land shall be treated as if, at that time, it had been operational land of the Post Office.

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- 39 (1) Where—
- (a) in relation to relevant land, an act or event falling within Case C occurs between the passing of this Act and the appointed day or has occurred before the passing of this Act and occurs or occurred in circumstances in which, but for the exemptions enjoyed by the Postmaster General as mentioned in section 2(1) of the Post Office Act 1961, a credit would be, or have been, taken to have arisen from the act or event by reason of the case falling within paragraph 2 of Schedule 11 to the Land Commission Act 1967 (carry forward of credit from previous chargeable act or event); or
  - (b) in relation to land in the case in which an interest therein vests in the Post Office by virtue of section 16 of this Act, an act or event falling within Case E occurs between the passing of this Act and the appointed day or has occurred before the passing of this Act, and occurs or occurred in circumstances in which, but for the exemptions aforesaid, a credit would be, or have been, taken to have arisen from the act or event by reason of the case falling within paragraph 3 of the said Schedule 11;
- and a sum is certified by the Treasury to be the sum agreed between them and the Postmaster General or between them and the Post Office as the amount which is to be treated as subsisting or having subsisted on the appointed day in respect of the act or event by way of credit under the said Schedule 11, then paragraph 6 and Parts II and III of the said Schedule 11 shall have effect as if a credit of that amount were taken to have arisen from a previous chargeable act or event falling within such of the cases distinguished as Cases A to F in the Table in section 27(2) of the Land Commission Act 1967 as is certified by the Treasury as being the Case within which the act or event falls.
- (2) For the purposes of the said Schedule 11 as it has effect in any case by virtue of the foregoing sub-paragraph the original chargeable interest and the original chargeable unit shall respectively be the interest in land, and the land, designated in that behalf by the Treasury, and the original chargeable owner shall be taken to be the Post Office.
  - (3) Sub-paragraph (1) above shall have effect in relation to an act or event falling within Case F as it does in relation to one falling within Case E, with the modifications that for the reference to paragraph 3 of Schedule 11 there shall be substituted a reference to any provision of regulations made under paragraph 15 of that Schedule providing for a credit's being taken to have arisen from an act or event falling within Case F, and for the reference to paragraph 6 and Parts II and III of the said Schedule 11, there shall be substituted a reference to that paragraph and those Parts as they have effect by virtue of the said paragraph 15.
  - (4) In sub-paragraph (1) above, " relevant land " means land in the case of which an interest therein vests in the Post Office by virtue of section 16 of this Act or land (other than as aforesaid) in which the Post Office acquires, after the appointed day, an interest, being an interest in the case of which the Postmaster General was immediately before the appointed day under an enforceable contract to purchase it or had before that day served (and had not before that day withdrawn) a notice to treat for the compulsory purchase thereof, or a tenancy which on that day the Postmaster General was under an enforceable contract to take and " Case C," " Case E" and " Case F " have the same meanings respectively as in Part III of the Land Commission Act 1967.
- 40 (1) Where work begun before the passing of this Act, or between the passing of this Act and the appointed day, constitutes development for which planning permission is, by virtue of paragraph 27 of this Schedule, deemed to be granted on that day, then,

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notwithstanding that the work was so begun it shall, for the purposes of paragraph 21(7) of Schedule 4 to the Land Commission Act 1967 and of paragraph 7(2) of Schedule 6 to that Act be treated as if planning permission for its carrying out had been granted before it was begun.

- (2) Where work falling within the foregoing sub-paragraph constitutes the carrying out of a project of material development of relevant land, other than one which is relevant for the purposes of paragraph 21 of Schedule 4 to the Land Commission Act 1967, and is uncompleted at the date which, for the purposes of that paragraph, is the relevant date in relation to the carrying out of a project of material development of that land which is relevant for those purposes, then, notwithstanding anything in sub-paragraph (6) of that paragraph, in calculating the rent referred to in paragraph 16 of that Schedule, account shall be taken of the planning permission deemed to have been granted in respect of the development constituted by the work in so far as it authorises the carrying out of the first-mentioned project.
  - (3) Where work falling within sub-paragraph (1) above constitutes a project of material development of relevant land, then, notwithstanding anything in sub-paragraph (1) of paragraph 7 of Schedule 6 to the Land Commission Act 1967 (but subject to paragraph 8 of that Schedule where that paragraph applies), in calculating any such value as is referred to in paragraph 6 of that Schedule account shall, if the project was begun before, but remained uncompleted at, the relevant date, be taken of the planning permission deemed to have been granted in respect of the development constituted by the work in so far as it relates to the land comprised in that project; and for that purpose sub-paragraph (3) of paragraph 7 shall apply as it applies where account of planning permission is taken by virtue of sub-paragraph (2) thereof.
  - (4) In this paragraph, " project of material development" has the same meaning as it has for the purposes of Part III of the Land Commission Act 1967.
- 41
- (1) If, in the case of a hereditament vested in the Post Office by virtue of section 16 of this Act, there is, in compliance with section 37(1) of the General Rate Act 1967, entered in the valuation list immediately before the appointed day, as representing the rateable value of the hereditament, the value upon which is computed any contribution made by the Crown in lieu of rates, then there shall be ascribed in that list to the hereditament under section 19 of that Act a net annual value equal to the value so entered.
  - (2) Where alterations fall to be made in a valuation list in consequence of the foregoing sub-paragraph, the valuation officer shall cause those alterations to be made therein without any proposal under section 69 of the General Rate Act 1967, and section 87 of that Act (duty of rating authority to give effect to directions as to alteration of a valuation list) shall have effect in relation to this paragraph as it does in relation to any provision of that Act.
  - (3) No proposal shall be made under section 69 of the General Rate Act 1967 for an alteration of the rateable value ascribed by virtue of this paragraph in a list to—
    - (a) a hereditament occupied by the Post Office by any such property as follows, namely, posts, wires, underground cables and ducts, telephone kiosks and other equipment not within a building, being property used for the purposes of telecommunications services; or
    - (b) a hereditament occupied by the Post Office by the underground railway.
  - (4) Expressions used in this paragraph and in the General Rate Act 1967 have the same meaning in this paragraph as in that Act; and the expression " the underground

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railway " means the railway constructed, and the works executed, by the Postmaster General in exercise of the powers conferred by the Post Office (London) Railway Act 1913, and the railway constructed, and the works associated therewith executed, by him in exercise of the powers conferred by the Post Office (Site and Railway) Act 1954.

- (5) This paragraph extends to England and Wales only.
- 42 (1) If, in the case of lands and heritages vested in the Post Office by virtue of section 16 of this Act, there is entered in the valuation roll immediately before the appointed day, as representing the rateable value of the lands and heritages, the value upon which is computed any contribution made by the Crown in lieu of rates, then the rateable value of the lands and heritages on the appointed day shall be taken to be the value so entered in the valuation roll.
- (2) The rateable values of lands and heritages described in section 53(1) of this Act shall remain unaltered until an apportionment as mentioned in section 53(2) of this Act is made, and the rate to be levied by a county council on the rateable value entered in the valuation roll in respect of such lands and heritages shall be the mean of the county rate and the highest aggregate rate levied in the separately rated areas of the landward area of the county.
- (3) In this paragraph " county rate " has the same meaning as in section 224(1) of the Local Government (Scotland) Act 1947 and other expressions have the same meanings as in the Local Government (Scotland) Act 1966.
- (4) This paragraph extends to Scotland only.
- 43 (1) If, in the case of a hereditament vested in the Post Office by virtue of section 16 of this Act, there is entered in the valuation lists immediately before the appointed day, as representing the net annual value of the hereditament, the amount upon which is computed any contribution made by the Crown in lieu of rates, then the net annual value of the hereditament on the appointed day shall be taken to be the amount so entered in the valuation lists.
- (2) A hereditament vested in the Post Office by virtue of section 16 of this Act which, immediately before the appointed day, was, under section 2 of the Valuation (Ireland) Act 1854, distinguished as exempt from rates shall, as from that day, be deemed not to be so distinguished.
- (3) The Commissioner of Valuation for Northern Ireland shall not, during the period beginning with the appointed day and ending with the 31st March next following, make any interim revision of the net annual value of any hereditament (other than any such hereditament as is mentioned in section 54(1) of this Act) vested in the Post Office by virtue of section 16 of this Act unless during that period the Post Office ceases to occupy the hereditament or there is a change in the use of the hereditament by the Post Office.
- (4) In this paragraph " interim revision " means a revision under section 13 of the Local Government (Finance) Act (Northern Ireland) 1936 or section 4 of the Valuation Acts Amendment Act (Northern Ireland) 1953.
- (5) This paragraph extends to Northern Ireland only.
- 44 (1) If an order made by virtue of section 67 of the Town and Country Planning Act 1962 or section 29 of the Town and Country Planning Act 1968 for the acquisition by the Postmaster General of any land or rights is effective at the appointed day,

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proceedings for the acquisition may be continued by the Post Office as if section 55 of this Act had been in force when the order became operative, the order were one made by virtue of that section and confirmed by the Minister, and anything done by or to the Postmaster General after the order became operative had been done by or to the Post Office.

- (2) If, at the appointed day, the provisions compliance with which is, by virtue of Schedule 1 to the Acquisition of Land (Authorisation Procedure) Act 1946, requisite in order for an order prepared in draft by a Minister to be made by him, are in course of being complied with with reference to an order prepared in draft by virtue of the said section 67 or the said section 29 for the acquisition by the Postmaster General of any land or rights, then, upon compliance with those provisions being completed, the order may (with any adaptations rendered requisite in consequence of the provisions of this paragraph) be made by the Minister and shall take effect as if it were an order made by the Post Office by virtue of section 55 of this Act and confirmed by him, being an order that authorised the acquisition by the Post Office of that land or, as the case may be, those rights.
- (3) In the application of this paragraph to Scotland, for references to the Acquisition of Land (Authorisation Procedure) Act 1946 there shall be substituted references to the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 and for references to section 67 of the Town and Country Planning Act 1962 and to section 29 of the Town and Country Planning Act 1968 there shall be substituted respectively references to section 34 of the Town and Country Planning (Scotland) Act 1947 and to section 30 of the Town and Country Planning (Scotland) Act 1969.

45 An application by the Post Office made before the appointed day for an operator's licence under Part V of the Transport Act 1968 shall, if accompanied by a certificate of the Postmaster General certifying that the vehicles proposed to be used under the licence are in use by him, be treated for the purposes of section 94(1) of that Act as an application made by the holder of a carrier's licence in respect of the vehicles.

46 (1) The Postmaster General shall be under obligation to provide the Post Office with such money as it requires during the period beginning with the day on which this Act is passed and ending with the day immediately preceding the appointed day; and payments in discharge of this obligation shall be made out of the Post Office Fund.

- (2) The power conferred by section 9 of the Post Office Act 1961 on the Treasury to make, out of the National Loans Fund, advances to the Postmaster General shall include power to make, out of that fund, advances to him for the purpose of enabling him to discharge the obligation imposed on him by the foregoing sub-paragraph.

47 All expenses incurred by the Post Office before the appointed day shall, for the purposes of its accounts, be treated as expenses incurred in the first accounting year; and all sums received by the Post Office before that day shall be treated for those purposes as receipts attributable to that year.

48 The following enactments, namely.—

- (a) section 107(1) of the National Insurance Act 1965 and section 4(8)(a) of the Industrial Injuries and Diseases (Old Cases) Act 1967 (which provide that certain orders, regulations and schemes shall not be made unless a draft thereof has been laid before Parliament and approved by resolution of each House);

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- (b) section 108 of the said Act of 1965 (which requires a preliminary draft of any regulations under that Act to be submitted to the National Insurance Advisory Committee); and
- (c) section 62(2) of the National Insurance (Industrial Injuries) Act 1965 (which requires any proposal to make regulations under that Act to be referred to the Industrial Injuries Advisory Council for consideration and advice);

shall not apply to any regulations or scheme contained in a statutory instrument made before the appointed day if that instrument states that it is made in consequence of this Act; but any such regulations or scheme to which the said section 107(1) or 4(8)(a) would otherwise apply shall instead be subject to annulment in pursuance of a resolution of either House of Parliament.

49 Where works on land vested in the Post Office by virtue of this Act are executed by it so as injuriously to affect another person who would, had the works been executed by the Postmaster General, have had a right to receive from him compensation in respect of the injurious affection, that person shall have the right to receive from the Post Office compensation in respect of the injurious affection.

50 (1) Where, on the appointed day, a matter in dispute between the Postmaster General and another stands referred, under section 8 of the Post Office Savings Bank Act 1954 to the Registrar (as defined by that Act) or to a person to whom the powers and duties under that section of the Registrar have been transferred by virtue of subsection (5) thereof, the Director of Savings shall be substituted for the Postmaster General as a party to the reference; and an award, order or determination made under that section before that day shall, as from that day, bind the Director of Savings.

(2) Where, on the appointed day, a matter in dispute between the Postmaster General and the holder of stock stands referred, under section 4 of the National Debt Act 1958, to the Chief Registrar of friendly societies, the Assistant Registrar of friendly societies in Scotland or a deputy appointed by the Chief Registrar of friendly societies, the Director of Savings shall be substituted for the Postmaster General as a party to the reference; and an award made under that section before that day that binds the Postmaster General shall, as from that day, bind the Director of Savings.

51 An indemnity given under section 13 of the National Debt Act 1958 to the Postmaster General shall, if effective at the appointed day, have effect, as from that day, as if given to the Director of Savings.

52 Any reference to the Postmaster General in a prospectus issued with respect to securities issued under the National Loans Act 1939 or the National Loans Act 1968 shall, as from the appointed day, be construed as referring to the Director of Savings.

53 Where the Crown retains possession of any documents of title to any land any part of which is vested by virtue of section 16 of this Act in the Post Office, the Minister shall be assumed to have given to the Post Office an acknowledgment in writing of the right of the Post Office to production of those documents and to delivery of copies thereof, and, so far as relates to land in England or Wales, section 64 of the Law of Property Act 1925 shall have effect accordingly, and on the basis that the acknowledgment did not contain any such expression of contrary intention as is mentioned in that section and, so far as relates to land in Northern Ireland, section 9 of the Conveyancing Act 1881 shall have similar effect.

54 Any legal proceedings or applications pending on the appointed day by or against the Crown, being proceedings or applications instituted or made by or against the Postmaster General or his department (but not being proceedings in the case

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of which express provision is made by some other provision of this Act with respect to the continuance thereof) may be continued by or against the appropriate government department authorised for the purposes of the Crown Proceedings Act 1947.