



# British Telecommunications Act 1981

## 1981 CHAPTER 38

An Act to establish a public corporation to be called British Telecommunications; to make provision with respect to its functions and to transfer to it certain property, rights and liabilities of the Post Office; to make further provision with respect to the Post Office; to provide for dealings by the Treasury in the shares of Cable and Wireless Limited; to amend the Telegraphs Acts; and for connected purposes. [27th July 1981]

### Modifications etc. (not altering text)

C1 Act excluded by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), s. 109, [Sch. 5 para. 12\(4\)](#)

### Commencement Information

II Act partly in force at Royal Assent; Act wholly in force on 1.10.1981 (day appointed under s. 1(2) (now repealed)) by [S.I. 1981/1274](#).

## PART I

### NEW CORPORATION FOR THE PROVISION OF TELECOMMUNICATION AND DATA PROCESSING SERVICES

#### *The Corporation*

## 1 The Corporation.

- F1(1) .....
- F2(2) .....
- F1(3) .....
- F1(4) .....
- F1(5) .....

*Status: Point in time view as at 01/10/2009.*  
*Changes to legislation: There are currently no known outstanding effects for the British Telecommunications Act 1981. (See end of Document for details)*

F1(6) .....

**Textual Amendments**  
F1 S. 1(1)(3)-(6) repealed (6.9.1994) by Telecommunications Act 1984 (c. 12, SIF 96), ss. 109(6), 110(4), Sch. 7 Pt. III; S.I. 1994/2162  
F2 S. 1(2) repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, Sch. 7 Pt. II

*Powers and duties of the Corporation*

2 ..... F3

**Textual Amendments**  
F3 S. 2 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, Sch. 7 Pt. II

3 ..... F4

**Textual Amendments**  
F4 S. 3 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, Sch. 7 Pt. I

4, 5. .... F5

**Textual Amendments**  
F5 Ss. 4, 5, 6(1) repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, Sch. 7 Pt. II

*Powers of the Secretary of State over the Corporation*

**6 General control and supervision by the Secretary of State.**

- (1) ..... F6
- (2) ..... F7
- (3) ..... F8
- (4) ..... F9
- (6) ..... F10
- (12) ..... F11
- (13) ..... F12

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**Textual Amendments**

- F6** Ss. 4, 5, 6(1) repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. II**
- F7** S. 6(2) repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. I**
- F8** S. 6(3) repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. II**
- F9** S. 6(4)(5) repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. I**
- F10** S. 6(6)–(11) repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. II**
- F11** S. 6(12) repealed (with saving) by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, Sch. 5 para. 40(1), **Sch. 7 Pt. II**
- F12** Ss. 6(13), 7, 8. repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. II**

**7, 8.** ..... **F13**

**Textual Amendments**

- F13** Ss. 6(13), 7, 8. repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. II**

*Users' Councils*

**9** ..... **F14**

**Textual Amendments**

- F14** S. 9 repealed and superseded by Telecommunications Act 1984 (c. 12, SIF 96), ss. 49(4), 54, 109, **Sch. 7 Pt. I**

*Transfers of property, rights and liabilities*

**10 Transfers of property, rights and liabilities**

- (1) Before the appointed day the Post Office shall take steps to separate from the remainder of its undertaking the part thereof concerned with the provision of telecommunication and data processing services (that is to say, the part thereof which is under the management and control of the deputy chairman who has special responsibility for telecommunication and data processing services).
- (2) Subject to the following provisions of this section, on the appointed day there shall be transferred from the Post Office to, and by virtue of this Act vested in, the Corporation all the property, rights and liabilities which, immediately before that day, were comprised in the part of the Post Office's undertaking mentioned in subsection (1).
- (3) At any time before the appointed day the Post Office and the Corporation may agree in writing that subsection (2) shall not have effect in relation to any property, rights and liabilities specified in the agreement.
- (4) At any time before the expiration of twelve months beginning with the appointed day the Post Office and the Corporation may agree in writing that, as from such date, not

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earlier than the appointed day, as may be specified in or determined by or under the agreement and in such circumstances (if any) as may be so specified—

- (a) there shall be transferred from the Post Office to, and vested in, the Corporation any property, rights and liabilities specified in the agreement; or
- (b) there shall be transferred from the Corporation to, and vested in, the Post Office any property, rights and liabilities so specified.

- (5) No agreement under subsection (3) or (4) shall have effect in relation to rights and liabilities under a contract of employment unless the employee concerned is a party to the agreement.
- (6) Subject to subsection (7), in the case of any agreement under subsection (4) the property, rights and liabilities in question shall on the date of the coming into force of the agreement be transferred, and by virtue of the agreement vest, in accordance with the agreement.
- (7) Schedule 2 shall apply to any transfer under subsection (2) or (6) subject, in the case of a transfer under subsection (6), to any reference in that Schedule to a vesting by virtue of this Act being construed as a reference to a vesting by virtue of the agreement in question; and those subsections shall have effect subject to the provisions of that Schedule.
- (8) Any reference in this Act to a transfer by this Act includes a reference to a transfer under subsection (6).

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**Modifications etc. (not altering text)**  
**C2** S. 10 modified by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), s. 109, **Sch. 5 para. 41**

11— ..... <sup>F15</sup>  
20.

.....

**Textual Amendments**  
**F15** Ss. 11–21 repealed by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), s. 109, **Sch. 7 Pt. I**

*Charges and other terms and conditions applicable to services*

21 ..... <sup>F16</sup>

.....

**Textual Amendments**  
**F16** Ss. 11–21 repealed by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), s. 109, **Sch. 7 Pt. I**

22 ..... <sup>F17</sup>

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**Textual Amendments**

**F17** S. 22 repealed (with saving) by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), s. 109, Sch. 5 para. 13, [Sch. 7 Pt. I](#)

*Limitation of liability*

**23** ..... **F18**

**Textual Amendments**

**F18** S. 23 repealed (with saving) by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), s. 109, Sch. 5 para. 14, [Sch. 7 Pt. I](#)

*Finance*

**24— General duty of the Corporation as to finance.**

**27.** ..... **F19**

**Textual Amendments**

**F19** Ss. 24–28(1) repealed by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), [Sch. 7 Pt. II](#)

**28** (1) ..... **F20**

(2) ..... **F21**

**Textual Amendments**

**F20** Ss. 24–28(1) repealed by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), [Sch. 7 Pt. II](#)

**F21** S. 28(2)–(4) repealed (with saving) by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), Sch. 5 para. 42, [Sch. 7 Pt. II](#)

**29, 30.** ..... **F22**

**Textual Amendments**

**F22** Ss. 29, 30 repealed by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), s. 109, [Sch. 7 Pt. II](#)

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*The Corporation’s accounts, and audit thereof*

**31 The Corporation’s accounts and audit thereof.**

..... F23

**Textual Amendments**  
F23 S. 31 repealed (with saving) by Telecommunications Act 1984 (c. 12, SIF 96), Sch. 5 para. 40(2), Sch. 7 Pt. II

*Pensions*

**32** ..... F24

**Textual Amendments**  
F24 Ss. 32, 33(1)(2) repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, Sch. 7 Pt. II

**33 Power of the Secretary of State to make orders about pensions.**

- (1) ..... F25
- (3) ..... F26
- (4) ..... F27

**Textual Amendments**  
F25 Ss. 32, 33(1)(2) repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, Sch. 7 Pt. II  
F26 S. 33(3) repealed (with saving) by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, Sch. 5 para. 43, Sch. 7 Pt. II  
F27 Ss. 33(4)(5), 34 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, Sch. 7 Pt. II

**34** ..... F28

**Textual Amendments**  
F28 Ss. 33(4)(5), 34 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, Sch. 7 Pt. II

*Rating*

**35** ..... F29

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**Textual Amendments**

**F29** S. 35 repealed by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), s. 109, **Sch. 7 Pt. I**

[<sup>F30</sup>**36** **Rating in Scotland.**

(1) In paragraph 5 of Schedule 1 to the <sup>M1</sup>Local Government (Scotland) Act 1975 (lands and heritages to which section 6(1) of that Act applies and occupied by the Post Office by certain property used for the purposes of telecommunication services) for the words “the Post Office” there shall be substituted the words “British Telecommunications”.

(2) This section applies to Scotland only.]

**Textual Amendments**

**F30** S. 36 repealed (S.) by [Local Government Finance Act 1988 \(c. 41, SIF 81:1\)](#), s. 149, **Sch. 13 Pt. IV**

**Marginal Citations**

**M1** 1975 c. 30.

37— ..... <sup>F31</sup>  
52.

**Textual Amendments**

**F31** Ss. 37–52 repealed by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), s. 109, **Sch. 7 Pt. I**

*Miscellaneous*

53 ..... <sup>F32</sup>

**Textual Amendments**

**F32** S. 53 repealed (with saving) by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), s. 109, Sch. 5 para. 17, **Sch. 7 Pt. I**

54 ..... <sup>F33</sup>

**Textual Amendments**

**F33** S. 54 repealed by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), s. 109, **Sch. 7 Pt. II**

55 ..... <sup>F34</sup>

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**Textual Amendments**

**F34** S. 55 repealed by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), s. 109, **Sch. 7 Pt. I**

**56** ..... <sup>F35</sup>

**Textual Amendments**

**F35** S. 56 repealed (with saving) by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), s. 109, Sch. 5 para. 44, **Sch. 7 Pt. II**

**57** ..... <sup>F36</sup>

**Textual Amendments**

**F36** S. 57 repealed by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), s. 109, **Sch. 7 Pt. II**

**PART II**

THE POST OFFICE

*Powers and duties of the Post Office*

**58** <sup>F37</sup>(1) .....  
<sup>F37</sup>(2) .....  
<sup>F37</sup>(3) .....  
<sup>F38</sup>(4) .....  
<sup>F39</sup>(5) .....

**Textual Amendments**

**F37** Ss. 58(1)-(3) repealed (26.3.2001) by 2000 c. 26, s. 127(6), **Sch. 9**; S.I. 2000/2957, art. 2(3), **Sch. 3**  
Table

**F38** Ss. 58(4), 80 repealed by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), s. 109, **Sch. 7 Pt. I**

**F39** S. 58(5) repealed (26.3.2001) by 2001/1149, arts. 1(2), 3(2), Sch. 2 (with art. 4(11))

<sup>F40</sup>**59** .....

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**Textual Amendments**

**F40** S. 59 repealed (26.3.2001) by 2000 c. 26, s. 127(6), **Sch. 9**; S.I. 2000/2957, art. 2(3), **Sch. 3** Table

<sup>F41</sup> **60** .....

**Textual Amendments**

**F41** S. 60 repealed (26.3.2001) by 2000 c. 26, s. 127(6), **Sch. 9**; S.I. 2000/2957, art. 2(3), **Sch. 3** Table  
S. 60 applied (26.3.2001) by S.I. 2001/1148, **art. 19** (with art. 34)

<sup>F42</sup> **61** .....

**Textual Amendments**

**F42** S. 61 repealed (26.3.2001) by 2000 c. 26, s. 127(6), **Sch. 9**; S.I. 2000/2957, art. 2(3), **Sch. 3** Table

*Powers of the Secretary of State over the Post Office*

<sup>F43</sup> **62** .....

**Textual Amendments**

**F43** S. 62 repealed (26.3.2001) by S.I. 2001/1149, arts. 1(2), 3(2), **Sch. 2** (with art. 4(11))

<sup>F44</sup> **63** .....

**Textual Amendments**

**F44** S. 63 repealed (26.3.2001) by 2000 c. 26, s. 127(6), **Sch. 9**; S.I. 2000/2957, art. 2(3), **Sch. 3** Table

<sup>F45</sup> **64** .....

**Textual Amendments**

**F45** S. 64 repealed (26.3.2001) by 2000 c. 26, s. 127(6), **Sch. 9**; S.I. 2000/2957, art. 2(3), **Sch. 3** Table

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*Post Office Users’ Councils*

F46 65 .....

**Textual Amendments**

F46 S. 65 repealed (1.1.2001) by 2000 c. 26, s. 127(6), Sch. 9; S.I. 2000/2957, art. 2(2), Sch. 2 Table

*Exclusive privilege of the Post Office with respect to the conveyance etc. of letters*

F47 66 .....

**Textual Amendments**

F47 S. 66 repealed (26.3.2001) by 2000 c. 26, s. 127(6), Sch. 9; S.I. 2000/2957, art. 2(3), Sch. 3 Table  
S. 66(2)-(4) applied (26.3.2001) by S.I. 2001/1148, art. 21 (with art. 34)

F48 67 .....

**Textual Amendments**

F48 S. 67 repealed (26.3.2001) by 2000 c. 26, s. 127(6), Sch. 9; S.I. 2000/2957, art. 2(3), Sch. 3 Table

F49 68 .....

**Textual Amendments**

F49 S. 68 repealed (26.3.2001) by 2000 c. 26, s. 127(6), Sch. 9; S.I. 2000/2957, art. 2(3), Sch. 3 Table  
S. 68(4)(7) applied (26.3.2001) by S.I.2001/1148, art. 22 (with art. 34)

F50 69 .....

**Textual Amendments**

F50 S. 69 repealed (26.3.2001) by 2000 c. 26, s. 127(6), Sch. 9; S.I. 2000/2957, art. 2(3), Sch. 3 Table

*Limitation of liability*

F51 70 .....

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**Textual Amendments**

**F51** S. 70 repealed (26.3.2001) by S.I. 2001/1149, arts. 1(2), 3(2), **Sch. 2** (with art. 4(11))

*Finance*

<sup>F52</sup>**71** .....

**Textual Amendments**

**F52** S. 71 repealed (26.3.2001) by 2000 c. 26, s. 127(6), **Sch. 9**; S.I. 2000/2957, art. 2(3), **Sch. 3** Table

<sup>F53</sup>**72** .....

**Textual Amendments**

**F53** S. 72 repealed (26.3.2001) by 2000 c. 26, s. 127(6), **Sch. 9**; S.I. 2000/2957, art. 2(3), **Sch. 3** Table

<sup>F54</sup>**73** .....

**Textual Amendments**

**F54** S. 73 repealed (26.3.2001) by 2000 c. 26, s. 127(6), **Sch. 9**; S.I. 2000/2957, art. 2(3), **Sch. 3** Table

<sup>F55</sup>**74** .....

**Textual Amendments**

**F55** S. 74 repealed (26.3.2001) by 2000 c. 26, s. 127(6), **Sch. 9**; S.I. 2000/2957, art. 2(3), **Sch. 3** Table

<sup>F56</sup>**75** .....

**Textual Amendments**

**F56** S. 75 repealed (26.3.2001) by 2000 c. 26, s. 127(6), **Sch. 9**; S.I. 2001/1148, art. 2, **Sch.** (with art. 34)  
S. 75(2)-(8) applied (26.3.2001) by S.I. 2001/1148, **art. 23(1)** (with art. 34)

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### *Pensions*

F5776 .....

#### **Textual Amendments**

**F57** S. 76 repealed (26.3.2001) by 2000 c. 26, s. 127(6), **Sch. 9**; S.I. 2000/2957, art. 2(3), **Sch. 3** Table

### *Miscellaneous*

F5877 .....

#### **Textual Amendments**

**F58** S. 77 repealed (26.3.2001) by S.I. 2001/1149, arts. 1(2), 3(2), **Sch. 2** (with art. 4(11))

## **78 Interpretation and extent of Part II.**

- (1) This Part shall be construed as one with Part III of the 1969 Act.
- (2) This Part, except sections 59 and 63 to 70, shall extend to the Isle of Man and the Channel Islands.

## **PART III**

### MISCELLANEOUS AND GENERAL

## **79 Powers of Treasury to dispose etc. of the shares of Cable and Wireless Limited.**

- (1) The Treasury after consultation with the Secretary of State may at any time dispose of their interest in all or any of the shares of Cable and Wireless Limited in consideration of such sums as the Treasury may fix; and after any such disposal section 1(1) of the <sup>M2</sup>Imperial Telegraphs Act 1938 and section 3(5) of the <sup>M3</sup>Cable and Wireless Act 1946 (which require the payment into the Exchequer of dividends paid on the said shares) shall not apply to dividends so paid in respect of the shares to which the disposal relates.
- (2) The Treasury after consultation with the Secretary of State [<sup>F59</sup>or the Secretary of State with the consent of the Treasury] may at any time—
  - (a) acquire an interest in any shares or stock of Cable and Wireless Limited or any of its subsidiaries or in any rights to subscribe for any such shares; and
  - (b) dispose of an interest so acquired in consideration of such sum as the Treasury [<sup>F59</sup>or the Secretary of State] may fix.
- (3) Any sums required by the Treasury [<sup>F60</sup>or the Secretary of State] for making an acquisition under subsection (2) shall be paid out of moneys provided by Parliament; and any sums received by the Treasury [<sup>F60</sup>or the Secretary of State] in consideration of a disposal made under subsection (1) or (2), or by way of dividend or otherwise in

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right of any interest acquired by them [<sup>F60</sup>or him] under subsection (2), shall be paid into the Consolidated Fund.

**Textual Amendments**

**F59** Words inserted by S.I. 1986/2237, art. 3(1), **Sch. 2 para. 1(1)**

**F60** Words inserted by S.I. 1986/2237, art. 3(1), **Sch. 2 para. 1(2)**

**Modifications etc. (not altering text)**

**C3** Certain functions transferred by S.I. 1986/2237, **arts. 2(1)(a), 3(3)**

**Marginal Citations**

**M2** 1938 c. 57.

**M3** 1946 c. 82.

**80** ..... <sup>F61</sup>

**Textual Amendments**

**F61** Ss. 58(4), 80 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. I**

**81 Stamp duty.**

(1) Stamp duty shall not be chargeable on any instrument which is certified to the Commissioners of Inland Revenue by the Corporation, the Post Office or any wholly owned subsidiary of either of those bodies as having been made or executed in pursuance of section 10 or Schedule 2; but no such instrument shall be deemed to be duly stamped unless it is stamped with the duty to which it would but for this subsection be liable or it has, in accordance with the provisions of section 12 of the <sup>M4</sup>Stamp Act 1891, been stamped with a particular stamp denoting that it is not chargeable with any duty or that it is duly stamped.

(2) ..... <sup>F62</sup>

**Textual Amendments**

**F62** S. 81(2)(3) repealed by Finance Act 1988 (c. 39, SIF 114), s. 148, **Sch. 14 Pt. XI**

**Modifications etc. (not altering text)**

**C4** S. 81 modified (26.3.2001) by S.I. 2001/1148, **art. 24** (with art. 34)

**C5** S. 81(1) modified by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 5 para. 41**

**Marginal Citations**

**M4** 1891 c. 39.

**82 Tax provisions.**

(1) For the purposes of the [<sup>F63</sup>Taxation of Chargeable Gains Act 1992] any asset transferred by this Act from the Post Office to the Corporation, or from the Corporation

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to the Post Office, shall be deemed to be for a consideration such that no gain or loss accrues to the transferor on its transfer; and [F<sup>63</sup>Schedule 2] to that Act shall have effect in relation to any asset so transferred as if the acquisition or provision of it by the transferor, or the acquisition or provision of it by the Crown which is treated as the acquisition or provision of it by the transferor, had been the acquisition or provision of it by the transferee.

- (2) For the purposes of the Corporation Tax Acts—
- (a) the part of the Post Office's trade transferred by this Act to the Corporation ("the transferred trade") and the part thereof retained by the Post Office ("the retained trade") shall be treated as having been, at all times since the commencement of the Post Office's trade, separate trades carried on by the Corporation and the Post Office respectively; and
  - (b) the trade carried on by each of those bodies after the appointed day shall be treated as the same trade as that which, by virtue of paragraph (a), it is treated as having carried on before that day.
- (3) The aggregate of the amounts for which the Corporation and the Post Office are entitled to relief under section 177(1) of the M<sup>5</sup>Income and Corporation Taxes Act 1970, as for losses sustained by them before the appointed day in carrying on the transferred trade and the retained trade, shall not exceed the amount which, if subsection (2) had not been enacted and the Post Office had continued to carry on both trades, would have been available to it for carrying forward against trading income from the trades in succeeding accounting periods.
- (4) Where, in the discharge of any liability which is transferred to the Corporation by this Act, the Corporation makes payments to the trustees of a retirement benefits scheme with a view to the provision of relevant benefits for persons who are employees of the Post Office, the Tax Acts shall have effect in relation to those payments—
- (a) as if those persons were employees of the Corporation; and
  - (b) where the scheme is an exempt approved scheme, as if paragraph (a) of the proviso to section 21(3) of the M<sup>6</sup>Finance Act 1970 were omitted;
- and in this subsection expressions which are also used in Chapter II of Part II of the said Act of 1970 have the same meanings as in that Chapter.
- (5) Any transfer by this Act of an interest in land from the Post Office to the Corporation, or from the Corporation to the Post Office, shall be deemed to be a disposal to which subsection (1) of section 20 of the M<sup>7</sup>Development Land Tax Act 1976 (groups of companies) applies.
- (6) For the purposes of section 21 of the M<sup>8</sup>Finance Act 1972 (value added tax: group registration) the Corporation, the Post Office and any bodies corporate resident in the United Kingdom or the Isle of Man which are subsidiaries of either of those bodies shall be eligible to be treated as members of a group until the expiration of the period of three years beginning with the appointed day; and where, by virtue of this subsection, two or more bodies are so treated, the Commissioners of Customs and Excise shall, as soon as practicable after the expiration of that period, by notice to those bodies, terminate that treatment from such date as may be specified in the notice.
- (7) Subsections (2) and (3) shall have effect in relation to accounting periods of the Corporation and of the Post Office ending on or after the appointed day.

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#### Textual Amendments

- F63** Words in s. 82(1) substituted (6.3.1992 with effect as mentioned in s. 289(1)(2) of the amending Act) by Taxation of Chargeable Gains Act 1992 (c. 12), ss. 289, 290(1), **Sch. 10 para.5** (with ss. 60, 101(1), 201(3)).

#### Modifications etc. (not altering text)

- C6** S. 82(4) amended (*temp.* during the transitional period referred to in s. 69(1) of the Telecommunications Act 1984 (c. 12)) by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 5 para. 39(9)**

#### Marginal Citations

- M5** 1970 c. 10.  
**M6** 1970 c. 24.  
**M7** 1976 c. 24.  
**M8** 1972 c. 41.

### 83 Financial provisions.

- (1) There shall be paid out of moneys provided by Parliament—
- any administrative expenses of the Secretary of State under this Act; and
  - any increase attributable to the provisions of this Act in the sums which under any other enactment are paid out of moneys so provided.
- (2) There shall be paid out of the Consolidated Fund or the National Loans Fund any increase attributable to the provisions of this Act in the sums which under any other enactment are paid out of that Fund.

### 84 Power of managers of certain welfare funds to preserve their scope.

- (1) A fund to which this section applies is one (whether described by the addition thereto of the attribute “welfare”, “benevolent” or “mutual aid” or by the addition thereto of any other attribute) the objects of which consist in or include the provision for—
- persons who are, or have been, employees of the Post Office, or for such persons of any class or description; or
  - for the relatives and dependants of any persons who are or have been so employed, or of such persons of any class or description,
- of benefits in case of need, sickness or distress, and a society or organisation to which this section applies is one (however described) the objects of which are similar; and in this section—
- “managers” in relation to a fund, society or organisation, means the trustees, committee or other persons entrusted with its management;
- “relevant body” means the Corporation or any of its subsidiaries or any subsidiary of the Post Office.
- (2) The provisions of the trust deed, rules, regulations or other instrument constituting or regulating a fund, society or organisation to which this section applies may, by resolution of the managers of the fund, society or organisation, be altered—

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- (a) so as to permit persons who are employees (past or present) of a relevant body, or persons who are members of a class of persons of that description, to become members of, or subscribers to, the fund, society or organisation;
- (b) so as, in the case of persons of the said description or persons who are members of a class of persons of that description, to entitle them and persons claiming in right of them (subject to such, if any, terms and conditions as may be specified in the resolution) to receive benefits from the fund, society or organisation if, and to the extent that, they would be entitled to receive benefits therefrom if employment by a relevant body were employment by the Post Office;

but so that no alteration be made that alters the character of the fund, society or organisation.

- (3) If a resolution of the managers of a fund, society or organisation to which this section applies so provides—
  - (a) any reference in the trust deed, rules, regulations or other instrument constituting or regulating the fund, society or organisation to the Post Office (not being a reference in a context referring, in whatever terms, to persons employed by the Post Office or persons so employed of a specified description) shall be construed as referring (or, if the context so requires, as including a reference) to a relevant body; and
  - (b) any reference in that instrument, in whatever terms, to persons so employed or persons so employed of a specified description shall be construed as referring (or, if the context so requires, as including a reference) to persons employed by a relevant body or, as the case may be, to persons so employed of a corresponding description.
- (4) For the purposes of a resolution deriving validity from this section, the definition of a class of persons may be framed by reference to any circumstances whatever.

**Modifications etc. (not altering text)**

C7 S. 84 modified by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), s. 109, [Sch. 5 para. 34\(1\)\(2\)](#)

**85 General interpretation.**

(1) In this Act—

“the <sup>M9</sup>1953 Act” means the Post Office Act 1953;

“the <sup>M10</sup>1969 Act” means the Post Office Act 1969;

“the appointed day” has the meaning given by section 1(2);

“the Corporation” means British Telecommunications;

<sup>F64</sup>  
...

“pension” includes allowance and gratuity;

<sup>F65</sup>  
...

“statutory provision”, except in relation to Northern Ireland or the Isle of Man, has the same meaning as in section 57(1) of the <sup>M11</sup>Harbours Act 1964, in relation to Northern Ireland, has the same meaning as in section 1(f) of the <sup>M12</sup>Interpretation Act (Northern Ireland) 1954 and, in relation to the Isle of Man, means an Act of Tynwald.

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[<sup>F66</sup>(2) Any reference in this Act to a subsidiary or wholly-owned subsidiary shall be construed in accordance with [<sup>F67</sup>section 1159 of the Companies Act 2006].]

(3) This section shall extend to the Isle of Man and the Channel Islands.

#### Textual Amendments

- F64** Definition repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, Sch. 4 para. 78(2), Sch. 5 para. 45, **Sch. 7 Pt. I**
- F65** Definition of 'statutory maximum' in s. 85(1) repealed (5.11.1993) by 1993, c. 50, s. 1(1), Sch. 1, Pt.XIV
- F66** S. 85(2) substituted by Companies Act 1989 (c. 40, SIF 27), s. 144(4), **Sch. 18 para. 25**
- F67** Words in s. 85(2) substituted (1.10.2009) by The Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009 (S.I. 2009/1941), art. 1(2), **Sch. 1 para. 47** (with art. 10)

#### Marginal Citations

- M9** 1953 c. 36.
- M10** 1969 c. 48.
- M11** 1964 c. 40.
- M12** 1954 c. 33 (N.I.)

## 86 Application to Northern Ireland.

- (1) In the application of this Act to Northern Ireland any reference—
- to an enactment comprised in Northern Ireland legislation (except a reference to Schedule 6 to the <sup>M13</sup>Local Government Act (Northern Ireland) 1972 or Schedule 8 to the <sup>M14</sup>Health and Personal Social Services (Northern Ireland) Order 1972); or
  - to an enactment which the Northern Ireland Assembly has power to amend, shall, except in Schedule 3, be construed as including a reference to any enactment comprised in Northern Ireland legislation passed or made after this Act and re-enacting the said enactment with or without modification.
- (2) Regulations made by the Secretary of State under the <sup>M15</sup>Civil Defence Act (Northern Ireland) 1950 may apply to the Corporation such of the provisions of the <sup>M16</sup>Civil Defence Act (Northern Ireland) 1939 (except section 7(4) thereof) relating to public utility undertakers as may be specified in the regulations and may specify the Secretary of State as the appropriate department in relation to the Corporation for the purpose of the application of any provisions so specified to the Corporation.
- (3) There shall be excluded from the workers in relation to whom the Road Haulage Wages Council (Northern Ireland) and any wages council established under the <sup>M17</sup>Wages Councils Act (Northern Ireland) 1945 may operate any person employed by the Corporation on road haulage work within the meaning of paragraph 1 of the Schedule to the <sup>M18</sup>Road Haulage Wages Council (Northern Ireland) (Variation) Order 1952.

#### Marginal Citations

- M13** 1972 c. 9 (N.I. 14)
- M14** S.I. 1972/1265 (N.I. 14)

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**M15** 1950 c. 11 (N.I.)

**M16** 1939 c. 15 (N.I.)

**M17** 1945 c. 21 (N.I.)

**M18** S.I. 1952/193.

## 87 Consequential amendments.

- (1) The amendments contained in Schedule 3 shall have effect, being minor amendments or amendments consequential on the foregoing provisions of this Act.
- (2) This section and Schedule 3 shall extend to the Isle of Man, so far as regards any enactment mentioned in that Schedule that so extends, and shall extend to the Channel Islands so far as regards any enactment so mentioned that so extends.

## 88 Transitional provisions.

- (1) The general transitional provisions contained in Schedule 4<sup>F68</sup>... shall have effect.
- (2) This section and Schedules 4<sup>F69</sup>... shall extend to the Isle of Man, and this section and Schedule 4 shall extend to the Channel Islands.

### Textual Amendments

**F68** Words in s. 88(1) repealed (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 19\(1\)](#) Note 1 (with [Sch. 18](#)); [S.I. 2003/1900](#), arts. 1(2), 2(1), [Sch. 1](#) (with art. 3) (as amended by [S.I. 2003/3142](#), art. 1(3)); [S.I. 2003/3142](#), art. 3(2) (with art. 11)

**F69** Words in s. 88(2) repealed (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 19\(1\)](#) Note 1 (with [Sch. 18](#)); [S.I. 2003/1900](#), arts. 1(2), 2(1), [Sch. 1](#) (with art. 3) (as amended by [S.I. 2003/3142](#), art. 1(3)); [S.I. 2003/3142](#), art. 3(2) (with art. 11)

## 89 Repeals and savings.

- (1) The enactments mentioned in part I of Schedule 6 (which includes some that are spent or no longer of practical utility) shall on the passing of this Act be repealed to the extent specified in the third column of that Schedule ; and the enactments mentioned in Part II of that Schedule shall on the appointed day, be repealed to the extent specified in that column.
- (2) By reason of the repeal of this section by the <sup>M19</sup>Post Office Act 1961, there shall be inserted in Schedule 9 to the 1969 Act (general transitional provisions) at the end of paragraph 2 the following sub-paragraph—
  - “(4) With respect to instruments and documents executed or signed before the appointed day—
    - (a) every instrument or document purporting to be executed or signed by or on behalf of the Postmaster General shall be deemed to be so executed or signed unless the contrary is shown ; and
    - (b) a certificate signed before the appointed day by the Postmaster General that any instrument or document purporting to be executed or signed shall be conclusive evidence of that fact.”

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- (3) Notwithstanding the repeal by this section of the said Act of 1961, the <sup>M20</sup>Exchequer and Audit Departments Act 1866 and the <sup>M21</sup>Exchequer and Audit Departments Act 1921 shall continue to have effect with the amendments made by Schedule 1 to the said Act of 1961.
- (4) The repeal by this section of section 2 of the <sup>M22</sup>Post Office (Data Processing Service) Act 1967 and section 65 of the 1969 Act shall not affect the operation of those sections in relation to information obtained before the appointed day.
- (5) This section and Schedule 6 shall extend to the Isle of Man so far as regards any enactment mentioned in that Schedule that so extends (other than an enactment contained in the <sup>M23</sup>Telegraph Act 1863), and shall extend to the Channel Islands so far as regards any enactment so mentioned that so extends.

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**Modifications etc. (not altering text)**

**C8** The “said Act of 1961” means [Post Office Act 1961 \(c. 15\)](#)

**C9** The text of s. 89(1),(2) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

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**Marginal Citations**

**M19** [1961 c. 15.](#)

**M20** [1866 c. 39.](#)

**M21** [1921 c. 52.](#)

**M22** [1967 c. 62.](#)

**M23** [1863 c. 112.](#)

**90 Short title and extent.**

- (1) This Act may be cited as the British Telecommunications Act 1981.
- (2) This Act extends to Northern Ireland.

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# SCHEDULES

## SCHEDULE 1

### PROVISIONS WITH RESPECT TO THE CORPORATION AND THE MEMBERS THEREOF

#### *Status*

F70<sub>1</sub> .....

**Textual Amendments**

**F70** Sch. 1 para. 1 repealed (6.9.1994) by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), ss. 109(6), 110(4), [Sch. 7 Pt. III](#); S.I. 1994/2162

F71<sub>2</sub> .....

**Textual Amendments**

**F71** Sch. 1 para. 2 repealed (6.9.1994) by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), ss. 109(6), 110(4), [Sch. 7 Pt. III](#); S.I. 1994/2162

#### *Members*

F72<sub>3</sub> .....

**Textual Amendments**

**F72** Sch. 1 para. 3 repealed (6.9.1994) by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), ss. 109(6), 110(4), [Sch. 7 Pt. III](#); S.I. 1994/2162

F73<sub>4</sub> .....

**Textual Amendments**

**F73** Sch. 1 para. 4 repealed (6.9.1994) by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), ss. 109(6), 110(4), [Sch. 7 Pt. III](#); S.I. 1994/2162

F74<sub>5</sub> .....

**Textual Amendments**

**F74** Sch. 1 para. 5 repealed by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), s. 109, [Sch. 7 Pt. II](#)

F75<sub>6</sub> .....

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**Textual Amendments**

**F75** Sch. 1 para. 6 repealed (6.9.1994) by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), ss. 109(6), 110(4), [Sch. 7 Pt. III](#); S.I. 1994/2162

F76<sup>7</sup> .....

**Textual Amendments**

**F76** Sch. 1 para. 7 repealed (6.9.1994) by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), ss. 109(6), 110(4), [Sch. 7 Pt. III](#); S.I. 1994/2162

*Proceedings*

F77<sup>8</sup> .....

**Textual Amendments**

**F77** Sch. 1 para. 8 repealed (6.9.1994) by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), ss. 109(6), 110(4), [Sch. 7 Pt. III](#); S.I. 1994/2162

F78<sup>9</sup> .....

**Textual Amendments**

**F78** Sch. 1 para. 9 repealed (6.9.1994) by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), ss. 109(6), 110(4), [Sch. 7 Pt. III](#); S.I. 1994/2162

F79<sup>10</sup> .....

**Textual Amendments**

**F79** Sch. 1 para. 10 repealed (6.9.1994) by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), ss. 109(6), 110(4), [Sch. 7 Pt. III](#); S.I. 1994/2162

*Staff*

F80<sup>11</sup> .....

**Textual Amendments**

**F80** Sch. 1 para. 11 repealed (6.9.1994) by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), ss. 109(6), 110(4), [Sch. 7 Pt. III](#); S.I. 1994/2162

F81<sup>12</sup> .....

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**Textual Amendments**

**F81** Sch. 1 para. 12 repealed (6.9.1994) by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), ss. 109(6), 110(4), [Sch. 7 Pt. III](#); S.I. 1994/2162

**F82**<sup>13</sup> .....

**Textual Amendments**

**F82** Sch. 1 para. 13 repealed (6.9.1994) by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), ss. 109(6), 110(4), [Sch. 7 Pt. III](#); S.I. 1994/2162

*Fixing of seal and proof of instruments*

**F83**<sup>14</sup> .....

**Textual Amendments**

**F83** Sch. 1 para. 14 repealed (6.9.1994) by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), ss. 109(6), 110(4), [Sch. 7 Pt. III](#); S.I. 1994/2162

**F84**<sup>15</sup> .....

**Textual Amendments**

**F84** Sch. 1 para. 15 repealed (6.9.1994) by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), ss. 109(6), 110(4), [Sch. 7 Pt. III](#); S.I. 1994/2162

**F85**<sup>16</sup> .....

**Textual Amendments**

**F85** Sch. 1 para. 16 repealed (6.9.1994) by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), ss. 109(6), 110(4), [Sch. 7 Pt. III](#); S.I. 1994/2162

SCHEDULE 2

PROVISIONS AS TO TRANSFERS OF PROPERTY, RIGHTS AND LIABILITIES

**Modifications etc. (not altering text)**

**C10** Sch. 2 modified by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), s. 109, [Sch. 5 para. 41](#)  
 Sch. 2 applied (with modifications) (26.3.2001) by S.I. 2001/1148, [art. 20\(1\)](#) (with art. 34)

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*Allocation of property, rights and liabilities*

- 1
- (1) The provisions of this paragraph and paragraph 2 shall have effect where a transfer to which this Schedule applies is a transfer of all property, rights and liabilities comprised in a specified part of the transferor's undertaking, but shall not apply to any such rights or liabilities under a contract of employment.
  - (2) Any property, right or liability comprised partly in the part of the transferor's undertaking which is transferred to the transferee and partly in the part of that undertaking which is retained by the transferor shall, where the nature of the property, right or liability permits, be divided or apportioned between the transferor and the transferee in such proportions as may be appropriate; and, where any estate or interest in land falls to be so divided—
    - (a) any rent payable under a lease in respect of that estate or interest; and
    - (b) any rent charged on that estate or interest,shall be correspondingly apportioned or divided so that the one part is payable in respect of, or charged on, only one part of the estate or interest and the other part is payable in respect of, or charged on, only the other part of the estate or interest.
  - (3) [<sup>F86</sup>In the application of sub-paragraph (2)] to Northern Ireland “lease” in paragraph (a) includes a fee farm grant whether or not that grant creates the relationship of landlord and tenant.
  - (4) Any property, right or liability comprised as mentioned in sub-paragraph (2) the nature of which does not permit its division or apportionment as so mentioned shall be transferred to the transferee or retained by the transferor according to—
    - (a) in the case of an estate or interest in land, whether on the transfer date the transferor or the transferee appears to be in greater need of the security afforded by that estate or interest or, where neither appears to be in greater need of that security, whether on that date the transferor or the transferee appears likely to make use of the land to the greater extent;
    - (b) in the case of any other property or any right or liability, whether on the transfer date the transferor or the transferee appears likely to make use of the property, or as the case may be to be affected by the right or liability, to the greater extent,subject (in either case) to such arrangements for the protection of the other of them as may be agreed between them.

**Textual Amendments**

**F86** Words in Sch. 2 para. 1(3) substituted (S.) (28.11.2004) by [Abolition of Feudal Tenure etc. \(Scotland\) Act 2000 \(asp 5\)](#), ss. 71, 77(2), [sch. 12 para. 43](#) (with ss. 58, 62, 75); S.S.I. 2003/456, art. 2

- 2
- (1) It shall be the duty of the transferor and the transferee, whether before or after the transfer date, so far as practicable to arrive at such written agreements and to execute such other instruments as are necessary or expedient to identify or define the property, rights and liabilities transferred to the transferee or retained by the transferor and as will—
    - (a) afford to the transferor and the transferee as against one another such rights and safeguards as they may require for the proper discharge of their respective functions; and

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- (b) make as from such date, not being earlier than the transfer date, as may be specified in the agreement or instrument such clarification and modifications of the division of the transferor's undertaking as will best serve the proper discharge of the respective functions of the transferor and the transferee.
- (2) Any such agreement shall provide so far as it is expedient—
- (a) for the granting of leases and for the creation of other liabilities and rights over land whether amounting in law to interests in land or not, and whether involving the surrender of any existing interest or the creation of a new interest or not;
- (b) for the granting of indemnities in connection with the severance of leases and other matters; and
- (c) for responsibility for registration of any matter in any statutory register.
- (3) If the transferor or the transferee represents to the Secretary of State, or if it appears to the Secretary of State without such a representation, that it is unlikely in the case of any matter on which agreement is required under sub-paragraph (1) that such agreement will be reached, the Secretary of State may, whether before or after the transfer date, give a direction determining that matter and may include in the direction any provision which might have been included in an agreement under sub-paragraph (1); and any property, rights or liabilities required by the direction to be transferred to the transferee shall be regarded as having been transferred by this Act to, and by virtue thereof vested in, the transferee accordingly.

*Rights and liabilities under contracts of employment*

- 3 (1) The provisions of this paragraph shall have effect where any rights and liabilities transferred under a transfer to which this Schedule applies are rights and liabilities under a contract of employment and the transfer is of all property, rights and liabilities comprised in a specified part of the transferor's undertaking.
- (2) The rights and liabilities under the contract of employment shall be transferred only if immediately before the transfer date the employee concerned was employed in the part of the transferor's undertaking which is transferred.

*Right to production of documents of title*

- 4 Where on any transfer to which this Schedule applies the transferor is entitled to retain possession of any documents relating in part to the title to, or to the management of, any land or other property transferred to the transferee, the transferor shall be deemed to have given to the transferee an acknowledgement in writing of the right of the transferee to production of that document and to delivery of copies thereof; and—
- (a) in England and Wales, section 64 of the <sup>M24</sup>Law of Property Act 1925; and
- (b) in Northern Ireland, section 9 of the <sup>M25</sup>Conveyancing Act 1881,
- shall have effect accordingly, and on the basis that the acknowledgement did not contain any such expression of contrary intention as is mentioned in that section.

**Marginal Citations**

**M24** 1925 c. 20.

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M25 1881 c. 41.

*Perfection of vesting of certain property or rights*

- 5 Where in the case of any transfer to which this Schedule applies any property or rights which fall to be transferred to the transferee cannot be properly vested in the transferee by virtue of this Act because transfers thereof are governed otherwise than by the law of a part of the United Kingdom, the transferor shall take all practicable steps for the purpose of securing that the ownership of the property or, as the case may be, the right is effectively transferred.

*Proof of title by certificate*

- 6 In the case of any transfer to which this Schedule applies, a joint certificate by or on behalf of the transferor and the transferee that any property specified in the certificate, or any such interest in or right over any such property as may be so specified, or any right or liability so specified, is by virtue of this Act for the time being vested in such one of them as may be so specified, shall be conclusive evidence for all purposes of that fact; and if on the expiration of one month after a request from either of them for the preparation of such a joint certificate as respects any property, interest, right or liability, they have failed to agree on the terms of the certificate, they shall refer the matter to the Secretary of State and issue the certificate in such terms as he may direct.

*Restrictions on dealing with certain land*

- 7 If the Secretary of State is satisfied on the representation of the transferor or the transferee that, in consequence of a transfer to which this Schedule applies, different interests in land, whether the same or different land, are held by the transferor and by the transferee and that the circumstances are such that this paragraph should have effect, the Secretary of State may direct that this paragraph shall apply to such of that land as may be specified in the direction, and while that direction remains in force—
- (a) neither the transferor nor the transferee shall dispose of any interest to which they may respectively be entitled in any of the specified land except with the consent of the Secretary of State;
  - (b) if in connection with any proposal to dispose of an interest of either the transferor or the transferee in any of the specified land it appears to the Secretary of State to be necessary or expedient for the protection of either of them, he may—
    - (i) require either the transferor or the transferee to dispose of any interest to which it may be entitled in any of the specified land to such person and in such manner as may be specified in the requirement;
    - (ii) require either the transferor or the transferee to acquire from the other any interest in any of the specified land to which that other is entitled; or
    - (iii) consent to the proposed disposal subject to compliance with such conditions as the Secretary of State may see fit to impose;
- but a person other than the transferor and the transferee dealing with, or with a person claiming under, either the transferor or the transferee shall not

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be concerned to see or enquire whether this paragraph applies or has applied in relation to any land to which the dealing relates or as to whether the provisions of this paragraph have been complied with in connection with that or any other dealing with that land, and no transaction between persons other than the transferor and the transferee shall be invalid by reason of any failure to comply with those provisions.

*Construction of agreements, statutory provisions and documents*

8 Where in the case of any transfer to which this Schedule applies any rights or liabilities transferred are rights or liabilities under an agreement to which the transferor was a party immediately before the transfer date, whether in writing or not, and whether or not of such nature that rights and liabilities thereunder could be assigned by the transferor, that agreement shall have effect on and after the transfer date as if—

- (a) the transferee had been the party to the agreement;
- (b) for any reference (whether express or implied and, if express, however worded) to the transferor there were substituted, as respects anything falling to be done on or after the transfer date, a reference to the transferee;
- (c) any reference (whether express or implied and, if express, however worded) to a person employed by, or engaged in the business of, the transferor and holding a specified office or serving in a specified capacity were, as respects anything falling to be done on or after the transfer date, a reference to such person as the transferee may appoint or, in default of appointment, to a person employed by, or engaged in the business of, the transferee who corresponds as nearly as may be to the first-mentioned person;
- (d) any reference in general terms (however worded) to persons employed by, persons engaged in the business of, or agents of, the transferor were, as respects anything to be done on or after the transfer date, a reference to persons employed by, persons engaged in the business of, or agents of, the transferee;
- (e) where the agreement refers to property, rights or liabilities which fall to be apportioned or divided between the transferor and the transferee, the agreement constituted two separate agreements separately enforceable by and against the transferor and the transferee as regards the part of the property, rights or liabilities retained by the transferor or, as the case may be, the part thereof vesting in the transferee, and not as regards the other part;

and sub-paragraph (e) shall apply in particular to the covenants, stipulations and conditions of any lease by or to the transferor.

9 Except as otherwise provided in any provision of this Act (whether expressly or by necessary implication) paragraph 8, except sub-paragraph (a) thereof, shall apply in relation to any statutory provision, any provision of any agreement to which the transferor was not a party, and any provision of any document other than an agreement, if and so far as the provision in question relates to any of the transferred rights and liabilities, as it applies in relation to an agreement to which the transferor was a party, and, in relation to any such statutory or other provision as aforesaid, references in sub-paragraphs (b), (c) and (d) of that paragraph to the transferor and to any persons employed by, persons engaged in the business of, or agents of, the transferor include references made by means of a general reference to a class of

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persons of which the transferor is one, without the transferor itself being specifically referred to.

- 10 Without prejudice to the generality of the provisions of paragraphs 8 and 9, the transferee under a transfer to which this Schedule applies and any other person shall, as from the transfer date, have the same rights, powers and remedies (and in particular the same rights and powers as to the taking or resisting of legal proceedings or the making or resisting of applications to any authority) for ascertaining, perfecting or enforcing any right or liability vested in the transferee by virtue of this Act as he would have had if that right or liability had at all times been a right or liability of the transferee, and any legal proceedings or applications to any authority pending on the transfer date by or against the transferor in so far as they relate to any property, right or liability vested in the transferee by virtue of this Act, or to any agreement or enactment relating to any such property, right or liability, shall be continued by or against the transferee to the exclusion of the transferor.
- 11 (1) References in paragraphs 8 to 10 to agreements to which the transferor was a party and to statutory provisions include in particular reference to agreements to which the transferor became a party by virtue of the 1969 Act or this Act and statutory provisions which apply to the transferor by virtue of either Act.
- (2) The provisions of paragraphs 8 to 10 shall have effect for the interpretation of agreements, statutory provisions and other instruments subject to the context, and shall not apply where the context otherwise requires.

*Third parties affected by vesting provisions*

- 12 (1) Without prejudice to the provisions of paragraphs 8 to 11, any transactions effected between the transferor and the transferee in pursuance of paragraph 2(1) or of a direction under paragraph 2(3) shall be binding on all other persons, and notwithstanding that it would, apart from this sub-paragraph, have required the consent or concurrence of any other person.
- (2) It shall be the duty of the transferor and the transferee if they effect any transaction in pursuance of paragraph 2(1) or a direction under paragraph 2(3) to notify any person who has rights or liabilities which thereby become enforceable as to part by or against the transferor and as to part by or against the transferee, and if such a person applies to the Secretary of State and satisfies him that the transaction operated unfairly against him the Secretary of State may give such directions to the transferor and the transferee as appear to him appropriate for varying the transaction.
- (3) If in consequence of a transfer to which this Schedule applies or of anything done in pursuance of the provisions of this Schedule the rights or liabilities of any person other than the transferor and the transferee which were enforceable against or by the transferor become enforceable as to part against or by the transferor and as to part against or by the transferee, and the value of any property or interest of that person is thereby diminished, such compensation as may be just shall be paid to that person by the transferor, the transferee or both, and any dispute as to whether and if so how much compensation is so payable, or as to the person to whom it shall be paid, shall be referred to and determined by an arbitrator appointed by the Lord Chancellor or, where the proceedings are to be held in Scotland, by an arbiter appointed by the Lord President of the Court of Session.
- (4) Where in the case of a transfer to which this Schedule applies the transferor or the transferee purports by any conveyance or transfer to transfer to some person

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*Changes to legislation: There are currently no known outstanding effects for the British Telecommunications Act 1981. (See end of Document for details)*

other than the transferor or the transferee for consideration any land or any other property transferred which before the transfer date belonged to the transferor or which is an interest in property which before that date belonged to the transferor, the conveyance or transfer shall be as effective as if both the transferor and the transferee had been parties thereto and had thereby conveyed or transferred all their interest in the property conveyed or transferred.

- (5) If in the case of any transfer to which this Schedule applies it appears to the court, at any stage in any court proceedings to which the transferor or the transferee and a person other than the transferor or the transferee are parties, that the issues in the proceedings depend on the identification or definition of any of the property, rights or liabilities transferred which the transferor and the transferee have not yet effected, or to raise a question of construction on the relevant provisions of this Act which would not arise if the transferor and the transferee constituted a single person, the court may, if it thinks fit on the application of a party to the proceedings other than the transferor and the transferee, hear and determine the proceedings on the footing that such one of the transferor and the transferee as is a party to the proceedings represents and is answerable for the other of them, and that the transferor and the transferee constitute a single person, and any judgement or order given by the court shall bind both the transferor and the transferee accordingly.
- (6) In the case of any transfer to which this Schedule applies it shall be the duty of the transferor and the transferee to keep one another informed of any case where either of them may be prejudiced by sub-paragraph (4) or (5), and if either the transferor or the transferee claims that it has been so prejudiced and that the other of them ought to indemnify or make a repayment to it on that account and has unreasonably failed to meet that claim, it may refer the matter to the Secretary of State for determination by him.

## SCHEDULE 3

### CONSEQUENTIAL AMENDMENTS

#### PART I

#### GENERAL

1 ..... F87

#### Textual Amendments

**F87** Sch. 3 paras. 1–8 repealed by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), s. 109, [Sch. 7 Pt. 1](#)

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*Changes to legislation: There are currently no known outstanding effects for the British Telecommunications Act 1981. (See end of Document for details)*

## PART II

### PUBLIC GENERAL ENACTMENTS

#### *Enactments relating to telegraphs*

2—6. .... F88

#### **Textual Amendments**

**F88** Sch. 3 paras. 1–8 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, Sch. 7 Pt. I

#### *Enactments relating to the supply of electricity*

7, 8. .... F89

#### **Textual Amendments**

**F89** Sch. 3 paras. 1–8 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, Sch. 7 Pt. I

9 ..... F90

#### **Textual Amendments**

**F90** Sch. 3 para. 9 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, Sch. 7 Pt. II

#### *Enactments relating to statutory undertakers*

10 (1) ..... F91

(2) The Post Office shall cease to be deemed to be statutory undertakers and its undertaking a statutory undertaking for the purposes of the following enactments, namely—

(a) section 20 of the National Parks and Access to the <sup>M26</sup>Countryside Act 1949;

(b) paragraph 6 of Schedule 2 to the <sup>M27</sup>Countryside Act 1968;

<sup>F92</sup>(c) .....

<sup>F93</sup>(d) .....

<sup>F94</sup>(3) .....

(4) Section 44(1) of the <sup>M28</sup>Local Government (Miscellaneous Provisions) Act 1976 shall have effect as if in the definition of “statutory undertakers” for the words from “the Post Office” to “sewerage”) there were substituted the words “ any public authority exercisign functions by virtue of any provisions of sections 14 and 15 of the Water Act 1973 (which relates to sewerage), British Telecommunications and, except in sections 1(4)(a), 3(2)(d) and 4(1) of this Act, the Post Office ”.

(5) ..... F95

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

*Status: Point in time view as at 01/10/2009.*

*Changes to legislation: There are currently no known outstanding effects for the British Telecommunications Act 1981. (See end of Document for details)*

**Textual Amendments**

- F91** Sch. 3 para. 10(1) repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 4 para. 3(2)(a)**, Sch. 5 para. 45, Sch. 7 Pt. I
- F92** Sch. 3 para. 10(2)(c) repealed by Planning (Consequential Provisions) Act 1990 (c. 11, SIF 123:1, 2), s. 3, **Sch. 1 Pt. I**
- F93** Sch. 3 para. 10(2)(d) repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), **Sch. 1 Pt. I** (with s. 5, Sch. 3).
- F94** Sch. 3 para. 10(3) repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. I**
- F95** Sch. 3 para. 10(5) repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 4 para. 3(2)(a)**, Sch. 5 para. 45, Sch. 7 Pt. I (and Sch. 3 para. 10(5) is also expressed to be repealed in part (1.1.1993) by New Roads and Street Works Act 1991 (c. 22), s. 168(2), **Sch. 9**; (E.W.) S.I. 1992/2984, art. 2(2), **Sch. 2**; (S.) S.I. 1992/2990, art. 2(2), **Sch. 2**).

**Modifications etc. (not altering text)**

- C11** The text of Sch. 3 Pt. II para. 10(4) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**Marginal Citations**

- M26** 1949 c. 97.
- M27** 1968 c. 41.
- M28** 1976 c. 57.

11, 12. . . . . **F96**

**Textual Amendments**

- F96** Sch. 3 paras. 11–22, 24(1), 25, 26, 28, 30, 32, 35–38 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. I**

*Other enactments*

13—22. . . . . **F97**

**Textual Amendments**

- F97** Sch. 3 paras. 11–22, 24(1), 25, 26, 28, 30, 32, 35–38 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. I**

23 . . . . . **F98**

**Textual Amendments**

- F98** Sch. 3 para. 23 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 4 para. 3(2)(b)**, Sch. 5 para. 45, Sch. 7 Pt. I

24 (1) . . . . . **F99**

(2) . . . . . **F100**

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*Changes to legislation: There are currently no known outstanding effects for the British Telecommunications Act 1981. (See end of Document for details)*

**Textual Amendments**

**F99** Sch. 3 paras. 11–22, 24(1), 25, 26, 28, 30, 32, 35–38 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. I**

**F100** Sch. 3 paras. 24(2), 27 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. I**

25, 26. . . . . **F101**

**Textual Amendments**

**F101** Sch. 3 paras. 11–22, 24(1), 25, 26, 28, 30, 32, 35–38 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. I**

27 . . . . . **F102**

**Textual Amendments**

**F102** Sch. 3 paras. 24(2), 27 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. I**

28 . . . . . **F103**

**Textual Amendments**

**F103** Sch. 3 paras. 11–22, 24(1), 25, 26, 28, 30, 32, 35–38 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. I**

29 . . . . . **F104**

**Textual Amendments**

**F104** Sch. 3 para. 29 repealed by Civil Aviation Act 1982 (c. 16, SIF 9), **Sch. 16** and expressed to be repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. I**

30 . . . . . **F105**

**Textual Amendments**

**F105** Sch. 3 paras. 11–22, 24(1), 25, 26, 28, 30, 32, 35–38 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. I**

31 . . . . . **F106**

**Textual Amendments**

**F106** Sch. 3 para. 31 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 4 para. 3(2)(c)**, Sch. 5 para. 45, Sch. 7 Pt. I

32 . . . . . **F107**

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*Changes to legislation: There are currently no known outstanding effects for the British Telecommunications Act 1981. (See end of Document for details)*

**Textual Amendments**

**F107** Sch. 3 paras. 11–22, 24(1), 25, 26, 28, 30, 32, 35–38 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. I**

33 ..... **F108**

**Textual Amendments**

**F108** Sch. 3 para. 33 repealed (with saving) by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, Sch. 4 para. 35(2), Sch. 5 para. 45, **Sch. 7 Pt. I** and Housing (Consequential Provisions Act) 1985 (c. 71, SIF 61), s. 5(2), **Sch. 4 para. 12**

34 As from the appointed day, references in subsections (1) and (4) of section 5 of the <sup>M29</sup>Milford Haven Conservancy Act 1958 (powers with respect to dredging, etc.) to a submarine cable placed or maintained by the Post Office shall be construed as including references to such a cable placed or maintained by the Corporation, and the second reference in the said subsection (4) to the Post Office shall be construed as referring to the Corporation.

**Marginal Citations**

**M29** 1958 c. 23.

35—38. .... **F109**

**Textual Amendments**

**F109** Sch. 3 paras. 11–22, 24(1), 25, 26, 28, 30, 32, 35–38 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. I**

39 ..... **F110**

**Textual Amendments**

**F110** Sch. 3 para. 39 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 4 para. 3(2)(d)**, Sch. 5 para. 45, Sch. 7 Pt. I

40 ..... **F111**

**Textual Amendments**

**F111** Sch. 3 paras. 40, 41(2) repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. I**

41 (1) ..... **F112**

(2) ..... **F113**

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*Changes to legislation: There are currently no known outstanding effects for the British Telecommunications Act 1981. (See end of Document for details)*

**Textual Amendments**

**F112** Sch. 3 para. 41(1) repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. I**

**F113** Sch. 3 paras. 40, 41(2) repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. I**

42 ..... **F114**

**Textual Amendments**

**F114** Sch. 3 para. 42 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. II**

43 ..... **F115**

**Textual Amendments**

**F115** Sch. 3 para. 43 repealed by New Towns Act 1981 (c. 64, SIF 123:3), **Sch. 13**

44 ..... **F116**

**Textual Amendments**

**F116** Sch. 3 para. 44 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. I**

45 ..... **F117**

**Textual Amendments**

**F117** Sch. 3 para. 45 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. I** and expressed to be repealed (E.W.) by Housing and Building Control Act 1984 (c. 29, SIF 96), s. 61, **Sch. 12 Pt. I**

46 ..... **F118**

**Textual Amendments**

**F118** Sch. 3 para. 46 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. II**

47 ..... **F119**

**Textual Amendments**

**F119** Sch. 3 para. 47 repealed (with saving) by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, Sch. 4 para. 61(2), Sch. 5 para. 45, **Sch. 7 Pt. I**

48 ..... **F120**

*Status: Point in time view as at 01/10/2009.*

*Changes to legislation: There are currently no known outstanding effects for the British Telecommunications Act 1981. (See end of Document for details)*

**Textual Amendments**

**F120** Sch. 3 paras. 48, 51(2)(9), 53–55 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, Sch. 7 Pt. I

49 ..... **F121**

**Textual Amendments**

**F121** Sch. 3 para. 49 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, Sch. 7 Pt. I

50 ..... **F122**

**Textual Amendments**

**F122** Sch. 3 para. 50 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, Sch. 4 para. 3(2)(e), Sch. 5 para. 45, Sch. 7 Pt. I

51 <sup>F123</sup>(1) .....

(2) ..... **F124**

<sup>F123</sup>(3) .....

(4) Section 52(4) of the 1969 Act (rating in England and Wales) shall have effect as if for the words from “rateable value” to the end of the subsection there were substituted the words “ value which, by virtue of an order under this section or section 19 of the Local Government Act 1974, is shown in a list as the rateable value of any hereditament occupied by the Post Office by any such property as is mentioned in paragraph 5 of Schedule 3 to that Act ”.

<sup>F125</sup>(5) .....

<sup>F125</sup>(6) .....

<sup>F126</sup>(7) .....

(8) Section 87(1) of the 1969 Act (power of Her Majesty in Council to make necessary provision if the Post Office surrenders privileges as regards the Isle of Man or the Channel Islands) shall have effect as if for the words “section 3 of the Post Office Act 1953” there were substituted the words “ section 66(1) of the British Telecommunications Act 1981 ” and for the words “the said section 3” in both places where they occur, there were substituted the words “ the said section 66(1) ”.

(9) ..... **F124**

(10) Schedule 1 to the 1969 Act shall have effect as if paragraphs 2(2) and 4(2) (laying before Parliament of statements concerning the terms of appointment of members of the Post Office) and paragraph 11(2), (3) and (5) (provision of information to the Secretary of State concerning the establishment of machinery for negotiation etc. and of information to participants in connection with its operation) were omitted.

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*Changes to legislation: There are currently no known outstanding effects for the British Telecommunications Act 1981. (See end of Document for details)*

(11) Paragraph 93(1) of Schedule 4 to the 1969 Act (Post Office as statutory undertakers for the purposes of certain enactments) shall have effect as if for head (viii) there were substituted the following head—

“(viii) the Roads Act (Northern Ireland) 1948, as applied by any statutory provision passed or made before the commencement of the Roads (Northern Ireland) Order 1980”.

**Textual Amendments**

**F123** Sch. 3 para. 51(1)(3) repealed (26.3.2001) by 2000 c. 26, s. 127(6), **Sch. 9**; S.I. 2001/1148, art. 2, **Sch.** (with art. 34)

**F124** Sch. 3 paras. 48, 51(2)(9), 53–55 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. I**

**F125** Sch. 3 para. 51(5)(6) repealed (26.3.2001) by S.I. 2001/1149, arts. 1(2), 3(2), **Sch. 2** (with art. 4(11))

**F126** Sch. 3 para. 51(7) repealed (12.11.2003) by The Postal Services Act 2000 (Consequential Modifications) Order 2003 (S.I. 2003/2908), art. 1(2), **Sch. 2** (with art. 4(3))

**Modifications etc. (not altering text)**

**C12** The text of Sch. 3 para. 51 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

52 ..... **F127**

**Textual Amendments**

**F127** Sch. 3 para. 52 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 4 para. 3(2)(f)**, Sch. 5 para. 45, Sch. 7 Pt. I

53—55. .... **F128**

**Textual Amendments**

**F128** Sch. 3 paras. 48, 51(2)(9), 53–55 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. I**

56 ..... **F129**

**Textual Amendments**

**F129** Sch. 3 para. 56 repealed by Broadcasting Act 1981 (c. 68, SIF 96), **Sch. 9**

57 (1) ..... **F130**

(2) As from the appointed day, Schedule 3 to the said Act of 1973 (reserved matters) shall have effect as if—

- (a) the words “ telecommunications and” were omitted from paragraph 13 of that Schedule ; and
- (b) after the said paragraph 13 there were inserted the following paragraph—

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“13A Telecommunications.”

**Textual Amendments**

**F130** Sch. 3 paras. 57(1) 61, 62 repealed by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), s. 109, **Sch. 7 Pt. II**

**Modifications etc. (not altering text)**

**C13** The text of Sch. 3 para. 57(2) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

58—60. . . . . **F131**

**Textual Amendments**

**F131** Sch. 3 paras. 58—60, 64, 65, 67(1), 69, 70, 71, 74—80 repealed by [Telecommunications Act 1984 \(c.12, SIF 96\)](#), s. 109, **Sch. 7 Pt. I**

61, 62. . . . . **F132**

**Textual Amendments**

**F132** Sch. 3 paras. 57(1) 61, 62 repealed by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), s. 109, **Sch. 7 Pt. II**

63 As from the date on which the Treasury first exercise the power conferred on them by section 79(1), Part III of Schedule 1 to the <sup>M30</sup>House of Commons Disqualification Act 1975 and Part III of Schedule 1 to the <sup>M31</sup>Northern Ireland Assembly Disqualification Act 1975 (which specify certain offices all holders of which are disqualified under those Acts) shall each have effect as if at the end of the entry relating to directors of Cable and Wireless Limited there were inserted the words “nominated by a Minister of the Crown or Government department”.

**Marginal Citations**

**M30** 1975 c. 24.

**M31** 1975 c. 25.

64, 65. . . . . **F133**

**Textual Amendments**

**F133** Sch. 3 paras. 58—60, 64, 65, 67(1), 69, 70, 71, 74—80 repealed by [Telecommunications Act 1984 \(c.12, SIF 96\)](#), s. 109, **Sch. 7 Pt. I**

66 . . . . . **F134**

*Status: Point in time view as at 01/10/2009.*

*Changes to legislation: There are currently no known outstanding effects for the British Telecommunications Act 1981. (See end of Document for details)*

**Textual Amendments**

**F134** Sch. 3 para. 66 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 4 para. 3(2)(h)**, Sch. 5 para. 45, Sch. 7 Pt. I

- 67 (1) ..... **F135**  
(2) ..... **F136**

**Textual Amendments**

**F135** Sch. 3 paras. 58–60, 64, 65, 67(1), 69, 70, 71, 74—80 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. I**  
**F136** Sch. 3 paras. 67(2), 68 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. I**

- 68 ..... **F137**

**Textual Amendments**

**F137** Sch. 3 paras. 67(2), 68 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. I**

- 69—71. .... **F138**

**Textual Amendments**

**F138** Sch. 3 paras. 58–60, 64, 65, 67(1), 69, 70, 71, 74—80 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. I**

- 72 ..... **F139**

**Textual Amendments**

**F139** Sch. 3 para. 72 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. II**

- 73 (1) ..... **F140**  
(2) ..... **F141**  
(3) ..... **F142**

**Textual Amendments**

**F140** Sch. 3 para. 73(1) repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. I**  
**F141** Sch. 3 para. 73(2) repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 4 para. 3(2)(i)**, Sch. 5 para. 45, Sch. 7 Pt. I  
**F142** Sch. 3 para. 73(3)(4) repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. I**

- 74—76. .... **F143**

*Status: Point in time view as at 01/10/2009.*

*Changes to legislation: There are currently no known outstanding effects for the British Telecommunications Act 1981. (See end of Document for details)*

#### Textual Amendments

**F143** Sch. 3 paras. 58–60, 64, 65, 67(1), 69, 70, 71, 74—80 repealed by [Telecommunications Act 1984 \(c.12, SIF 96\)](#), s. 109, **Sch. 7 Pt. I** (and words in Sch. 3 para. 74(2) are expressed to be substituted (1.1.1993) by [New Roads and Street Works Act 1991 \(c. 22\)](#), s. 168(1), **Sch. 8 Pt. IV para.111**; S.I. 1992/2984, art. 2(2), **Sch.2**; S.I. 1992/2990, art. 2(2), **Sch.2**).

### PART III

#### LOCAL ENACTMENTS AND SUBORDINATE LEGISLATION

77—80. . . . . **F144**

#### Textual Amendments

**F144** Sch. 3 paras. 58–60, 64, 65, 67(1), 69, 70, 71, 74—80 repealed by [Telecommunications Act 1984 \(c.12, SIF 96\)](#), s. 109, **Sch. 7 Pt. I**

81 . . . . . **F145**

#### Textual Amendments

**F145** Sch. 3 para. 81 repealed by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), s. 109, **Sch. 7 Pt. II**

82, 83. . . . . **F146**

#### Textual Amendments

**F146** Sch. 3 paras. 82, 83 repealed by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), s. 109, **Sch. 7 Pt. I**

84 As from the appointed day, article 7 of the <sup>M32</sup>Visiting Forces and International Headquarters (Application of Law) Order 1965 (which empowers the making, by agreement, of exceptions from, among other things, the exclusive privilege of the Post Office with respect to telecommunication) shall have effect as for the words “section 24(1) of the Post Office Act 1969, and the Prohibition imposed by section 89 of that Act” in paragraph (b) there were substituted the words “section 12(1) of the British Telecommunications Act 1981, and the prohibition imposed by section 89 of the Post Office Act 1969”.

#### Modifications etc. (not altering text)

**C14** The text of Sch. 3 para. 84 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

#### Marginal Citations

**M32** S.I. 1965/1536.

*Status: Point in time view as at 01/10/2009.*

*Changes to legislation: There are currently no known outstanding effects for the British Telecommunications Act 1981. (See end of Document for details)*

## SCHEDULE 4

### GENERAL TRANSITIONAL PROVISIONS

- 1 Except as otherwise provided by any provision of this Act (whether expressly or by necessary implication), any statutory provision, any agreement and any provision in a document other than an agreement (not being a provision or agreement to which paragraph 8 or 9 of Schedule 2 applies) shall, so far as may be necessary in consequence of the enactment of this Act, have effect as from the appointed day as if—
- (a) references to the Post Office (except in cases where they fall to be adapted by the following provisions of this paragraph) were (or, if the context so requires, included) references to the Corporation;
  - (b) references in general terms (however worded) to persons employed by, persons engaged in the business of, or agents of, the Post Office were (or, if the context so requires, included) references to persons employed by, persons engaged in the business of, or agents of, the Corporation;
  - (c) references (whether express or implied and, if express however worded) to a person employed by, or engaged in the business of, the Post Office and holding a specified office or serving in a specified capacity were (or, if the context so requires, included) references to a person employed by, or engaged in the business of, the Corporation who corresponds, as nearly as may be, to the first-mentioned person;
  - (d) references (whether express or implied and, if express, however worded) to property of the Post Office were (or, if the context so requires, included) references to property of the Corporation and references (whether express or implied and, if express, however worded) to land or premises occupied by the Post Office were (or if the context so requires, included) references to land or premises occupied by the Corporation.

F147<sup>2</sup> .....

#### Textual Amendments

**F147** Sch. 4 paras. 2-18 repealed (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 19\(1\)](#) Note 1 (with [Sch. 18](#)); [S.I. 2003/1900](#), arts. 1(2), 2(1), [Sch. 1](#) (with art. 3) (as amended by [S.I. 2003/3142](#), art. 1(3)); [S.I. 2003/3142](#), art. 3(2) (with art. 11)

F147<sup>3</sup> .....

#### Textual Amendments

**F147** Sch. 4 paras. 2-18 repealed (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 19\(1\)](#) Note 1 (with [Sch. 18](#)); [S.I. 2003/1900](#), arts. 1(2), 2(1), [Sch. 1](#) (with art. 3) (as amended by [S.I. 2003/3142](#), art. 1(3)); [S.I. 2003/3142](#), art. 3(2) (with art. 11)

F147<sup>4</sup> .....

*Status: Point in time view as at 01/10/2009.*

*Changes to legislation: There are currently no known outstanding effects for the British Telecommunications Act 1981. (See end of Document for details)*

**Textual Amendments**

**F147** Sch. 4 paras. 2-18 repealed (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 19\(1\)](#) Note 1 (with [Sch. 18](#)); S.I. 2003/1900, arts. 1(2), 2(1), [Sch. 1](#) (with art. 3) (as amended by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, art. 3(2) (with art. 11)

**F147**<sup>5</sup> .....

**Textual Amendments**

**F147** Sch. 4 paras. 2-18 repealed (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 19\(1\)](#) Note 1 (with [Sch. 18](#)); S.I. 2003/1900, arts. 1(2), 2(1), [Sch. 1](#) (with art. 3) (as amended by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, art. 3(2) (with art. 11)

**F147**<sup>6</sup> .....

**Textual Amendments**

**F147** Sch. 4 paras. 2-18 repealed (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 19\(1\)](#) Note 1 (with [Sch. 18](#)); S.I. 2003/1900, arts. 1(2), 2(1), [Sch. 1](#) (with art. 3) (as amended by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, art. 3(2) (with art. 11)

**F147**<sup>7</sup> .....

**Textual Amendments**

**F147** Sch. 4 paras. 2-18 repealed (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 19\(1\)](#) Note 1 (with [Sch. 18](#)); S.I. 2003/1900, arts. 1(2), 2(1), [Sch. 1](#) (with art. 3) (as amended by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, art. 3(2) (with art. 11)

**F147**<sup>8</sup> .....

**Textual Amendments**

**F147** Sch. 4 paras. 2-18 repealed (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 19\(1\)](#) Note 1 (with [Sch. 18](#)); S.I. 2003/1900, arts. 1(2), 2(1), [Sch. 1](#) (with art. 3) (as amended by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, art. 3(2) (with art. 11)

**F147**<sup>9</sup> .....

**Textual Amendments**

**F147** Sch. 4 paras. 2-18 repealed (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 19\(1\)](#) Note 1 (with [Sch. 18](#)); S.I. 2003/1900,

*Status: Point in time view as at 01/10/2009.*

**Changes to legislation:** There are currently no known outstanding effects for the British Telecommunications Act 1981. (See end of Document for details)

arts. 1(2), 2(1), Sch. 1 (with art. 3) (as amended by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, art. 3(2) (with art. 11)

F147<sup>10</sup> .....

**Textual Amendments**

F147 Sch. 4 paras. 2-18 repealed (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), **Sch. 19(1)** Note 1 (with [Sch. 18](#)); S.I. 2003/1900, arts. 1(2), 2(1), Sch. 1 (with art. 3) (as amended by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, art. 3(2) (with art. 11)

F147<sup>11</sup> .....

**Textual Amendments**

F147 Sch. 4 paras. 2-18 repealed (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), **Sch. 19(1)** Note 1 (with [Sch. 18](#)); S.I. 2003/1900, arts. 1(2), 2(1), Sch. 1 (with art. 3) (as amended by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, art. 3(2) (with art. 11)

F147<sup>12</sup> .....

**Textual Amendments**

F147 Sch. 4 paras. 2-18 repealed (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), **Sch. 19(1)** Note 1 (with [Sch. 18](#)); S.I. 2003/1900, arts. 1(2), 2(1), Sch. 1 (with art. 3) (as amended by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, art. 3(2) (with art. 11)

F147<sup>13</sup> .....

**Textual Amendments**

F147 Sch. 4 paras. 2-18 repealed (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), **Sch. 19(1)** Note 1 (with [Sch. 18](#)); S.I. 2003/1900, arts. 1(2), 2(1), Sch. 1 (with art. 3) (as amended by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, art. 3(2) (with art. 11)

F147<sup>14</sup> .....

**Textual Amendments**

F147 Sch. 4 paras. 2-18 repealed (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), **Sch. 19(1)** Note 1 (with [Sch. 18](#)); S.I. 2003/1900, arts. 1(2), 2(1), Sch. 1 (with art. 3) (as amended by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, art. 3(2) (with art. 11)

F147<sup>15</sup> .....

*Status: Point in time view as at 01/10/2009.*

*Changes to legislation: There are currently no known outstanding effects for the British Telecommunications Act 1981. (See end of Document for details)*

**Textual Amendments**

**F147** Sch. 4 paras. 2-18 repealed (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 19\(1\)](#) Note 1 (with [Sch. 18](#)); [S.I. 2003/1900](#), arts. 1(2), 2(1), [Sch. 1](#) (with art. 3) (as amended by [S.I. 2003/3142](#), art. 1(3)); [S.I. 2003/3142](#), art. 3(2) (with art. 11)

**F147**16 .....

**Textual Amendments**

**F147** Sch. 4 paras. 2-18 repealed (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 19\(1\)](#) Note 1 (with [Sch. 18](#)); [S.I. 2003/1900](#), arts. 1(2), 2(1), [Sch. 1](#) (with art. 3) (as amended by [S.I. 2003/3142](#), art. 1(3)); [S.I. 2003/3142](#), art. 3(2) (with art. 11)

**F147**17 .....

**Textual Amendments**

**F147** Sch. 4 paras. 2-18 repealed (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 19\(1\)](#) Note 1 (with [Sch. 18](#)); [S.I. 2003/1900](#), arts. 1(2), 2(1), [Sch. 1](#) (with art. 3) (as amended by [S.I. 2003/3142](#), art. 1(3)); [S.I. 2003/3142](#), art. 3(2) (with art. 11)

**F147**18 .....

**Textual Amendments**

**F147** Sch. 4 paras. 2-18 repealed (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 19\(1\)](#) Note 1 (with [Sch. 18](#)); [S.I. 2003/1900](#), arts. 1(2), 2(1), [Sch. 1](#) (with art. 3) (as amended by [S.I. 2003/3142](#), art. 1(3)); [S.I. 2003/3142](#), art. 3(2) (with art. 11)

19 [<sup>F148</sup>An order under section 24 of the Bankruptcy Act 1914 which is effective at the appointed day shall, as from that day, have effect as if any reference therein to the Post Office included a reference to the Corporation.]

**Textual Amendments**

**F148** Sch. 4 para. 19 repealed (E.W.) by [Insolvency Act 1985 \(c. 65, SIF 11:1\)](#), s. 235, [Sch. 10 Pt. III](#)

**F149**20 .....

**Textual Amendments**

**F149** Sch. 4 para. 20 repealed by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), s. 109, [Sch. 7 Pt. I](#)

**F150**21 .....

*Status: Point in time view as at 01/10/2009.*

*Changes to legislation: There are currently no known outstanding effects for the British Telecommunications Act 1981. (See end of Document for details)*

**Textual Amendments**

**F150** Sch. 4 para. 21 repealed (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 19\(1\)](#) Note 1 (with [Sch. 18](#)); [S.I. 2003/1900](#), arts. 1(2), 2(1), [Sch. 1](#) (with [art. 3](#)) (as amended by [S.I. 2003/3142](#), art. 1(3)); [S.I. 2003/3142](#), art. 3(2) (with [art. 11](#))

**F151** 22 .....

**Textual Amendments**

**F151** Sch. 4 para. 22 repealed (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 19\(1\)](#) Note 1 (with [Sch. 18](#)); [S.I. 2003/1900](#), arts. 1(2), 2(1), [Sch. 1](#) (with [art. 3](#)) (as amended by [S.I. 2003/3142](#), art. 1(3)); [S.I. 2003/3142](#), art. 3(2) (with [art. 11](#))

SCHEDULE 5

SPECIAL TRANSITIONAL PROVISIONS WITH RESPECT TO PATENTS FOR INVENTIONS AND REGISTERED DESIGNS

PART I

INTERPRETATION

**F152** 1 .....

**Textual Amendments**

**F152** Sch. 5 para. 1 repealed (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 19\(1\)](#) Note 1 (with [Sch. 18](#)); [S.I. 2003/1900](#), arts. 1(2), 2(1), [Sch. 1](#) (with [art. 3](#)) (as amended by [S.I. 2003/3142](#), art. 1(3)); [S.I. 2003/3142](#), art. 3(2) (with [art. 11](#))

PART II

PATENTS FOR INVENTIONS

2 ..... **F153**

**Textual Amendments**

**F153** Sch. 5 para. 2 repealed by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), s. 109, [Sch. 7 Pt. I](#)

**F154** 3 .....

Status: Point in time view as at 01/10/2009.

Changes to legislation: There are currently no known outstanding effects for the British Telecommunications Act 1981. (See end of Document for details)

**Textual Amendments**

**F154** Sch. 5 paras. 3-22 repealed (25.7.2003 for specified purposes 29.12.2003 in so far as not already in force) by Communications Act 2003 (c. 21), s. 411(2), **Sch. 19(1)** Note 1 (with **Sch. 18**); S.I. 2003/1900, arts. 1(2), 2(1), **Sch. 1** (with art. 3) (as amended by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, art. 3(2) (with art. 11)

**F154**<sub>4</sub> .....

**Textual Amendments**

**F154** Sch. 5 paras. 3-22 repealed (25.7.2003 for specified purposes 29.12.2003 in so far as not already in force) by Communications Act 2003 (c. 21), s. 411(2), **Sch. 19(1)** Note 1 (with **Sch. 18**); S.I. 2003/1900, arts. 1(2), 2(1), **Sch. 1** (with art. 3) (as amended by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, art. 3(2) (with art. 11)

**F154**<sub>5</sub> .....

**Textual Amendments**

**F154** Sch. 5 paras. 3-22 repealed (25.7.2003 for specified purposes 29.12.2003 in so far as not already in force) by Communications Act 2003 (c. 21), s. 411(2), **Sch. 19(1)** Note 1 (with **Sch. 18**); S.I. 2003/1900, arts. 1(2), 2(1), **Sch. 1** (with art. 3) (as amended by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, art. 3(2) (with art. 11)

**F154**<sub>6</sub> .....

**Textual Amendments**

**F154** Sch. 5 paras. 3-22 repealed (25.7.2003 for specified purposes 29.12.2003 in so far as not already in force) by Communications Act 2003 (c. 21), s. 411(2), **Sch. 19(1)** Note 1 (with **Sch. 18**); S.I. 2003/1900, arts. 1(2), 2(1), **Sch. 1** (with art. 3) (as amended by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, art. 3(2) (with art. 11)

**F154**<sub>7</sub> .....

**Textual Amendments**

**F154** Sch. 5 paras. 3-22 repealed (25.7.2003 for specified purposes 29.12.2003 in so far as not already in force) by Communications Act 2003 (c. 21), s. 411(2), **Sch. 19(1)** Note 1 (with **Sch. 18**); S.I. 2003/1900, arts. 1(2), 2(1), **Sch. 1** (with art. 3) (as amended by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, art. 3(2) (with art. 11)

**F154**<sub>8</sub> .....

**Textual Amendments**

**F154** Sch. 5 paras. 3-22 repealed (25.7.2003 for specified purposes 29.12.2003 in so far as not already in force) by Communications Act 2003 (c. 21), s. 411(2), **Sch. 19(1)** Note 1 (with **Sch. 18**); S.I. 2003/1900, arts.

*Status: Point in time view as at 01/10/2009.*

*Changes to legislation: There are currently no known outstanding effects for the British Telecommunications Act 1981. (See end of Document for details)*

1(2), 2(1), Sch. 1 (with art. 3) (as amended by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, art. 3(2) (with art. 11)

F154<sup>9</sup> .....

**Textual Amendments**

**F154** Sch. 5 paras. 3-22 repealed (25.7.2003 for specified purposes 29.12.2003 in so far as not already in force) by Communications Act 2003 (c. 21), s. 411(2), **Sch. 19(1)** Note 1 (with Sch. 18); S.I. 2003/1900, arts. 1(2), 2(1), Sch. 1 (with art. 3) (as amended by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, art. 3(2) (with art. 11)

F154<sup>10</sup> .....

**Textual Amendments**

**F154** Sch. 5 paras. 3-22 repealed (25.7.2003 for specified purposes 29.12.2003 in so far as not already in force) by Communications Act 2003 (c. 21), s. 411(2), **Sch. 19(1)** Note 1 (with Sch. 18); S.I. 2003/1900, arts. 1(2), 2(1), Sch. 1 (with art. 3) (as amended by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, art. 3(2) (with art. 11)

F154<sup>11</sup> .....

**Textual Amendments**

**F154** Sch. 5 paras. 3-22 repealed (25.7.2003 for specified purposes 29.12.2003 in so far as not already in force) by Communications Act 2003 (c. 21), s. 411(2), **Sch. 19(1)** Note 1 (with Sch. 18); S.I. 2003/1900, arts. 1(2), 2(1), Sch. 1 (with art. 3) (as amended by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, art. 3(2) (with art. 11)

F154<sup>12</sup> .....

**Textual Amendments**

**F154** Sch. 5 paras. 3-22 repealed (25.7.2003 for specified purposes 29.12.2003 in so far as not already in force) by Communications Act 2003 (c. 21), s. 411(2), **Sch. 19(1)** Note 1 (with Sch. 18); S.I. 2003/1900, arts. 1(2), 2(1), Sch. 1 (with art. 3) (as amended by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, art. 3(2) (with art. 11)

**PART III**

REGISTERED DESIGNS

F154<sup>13</sup> .....

**Textual Amendments**

**F154** Sch. 5 paras. 3-22 repealed (25.7.2003 for specified purposes 29.12.2003 in so far as not already in force) by Communications Act 2003 (c. 21), s. 411(2), **Sch. 19(1)** Note 1 (with Sch. 18); S.I. 2003/1900, arts.

*Status: Point in time view as at 01/10/2009.*

*Changes to legislation: There are currently no known outstanding effects for the British Telecommunications Act 1981. (See end of Document for details)*

1(2), 2(1), Sch. 1 (with art. 3) (as amended by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, art. 3(2) (with art. 11)

F154 14 .....

**Textual Amendments**

**F154** Sch. 5 paras. 3-22 repealed (25.7.2003 for specified purposes 29.12.2003 in so far as not already in force) by Communications Act 2003 (c. 21), s. 411(2), **Sch. 19(1)** Note 1 (with Sch. 18); S.I. 2003/1900, arts. 1(2), 2(1), Sch. 1 (with art. 3) (as amended by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, art. 3(2) (with art. 11)

F154 15 .....

**Textual Amendments**

**F154** Sch. 5 paras. 3-22 repealed (25.7.2003 for specified purposes 29.12.2003 in so far as not already in force) by Communications Act 2003 (c. 21), s. 411(2), **Sch. 19(1)** Note 1 (with Sch. 18); S.I. 2003/1900, arts. 1(2), 2(1), Sch. 1 (with art. 3) (as amended by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, art. 3(2) (with art. 11)

F154 16 .....

**Textual Amendments**

**F154** Sch. 5 paras. 3-22 repealed (25.7.2003 for specified purposes 29.12.2003 in so far as not already in force) by Communications Act 2003 (c. 21), s. 411(2), **Sch. 19(1)** Note 1 (with Sch. 18); S.I. 2003/1900, arts. 1(2), 2(1), Sch. 1 (with art. 3) (as amended by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, art. 3(2) (with art. 11)

F154 17 .....

**Textual Amendments**

**F154** Sch. 5 paras. 3-22 repealed (25.7.2003 for specified purposes 29.12.2003 in so far as not already in force) by Communications Act 2003 (c. 21), s. 411(2), **Sch. 19(1)** Note 1 (with Sch. 18); S.I. 2003/1900, arts. 1(2), 2(1), Sch. 1 (with art. 3) (as amended by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, art. 3(2) (with art. 11)

F154 18 .....

**Textual Amendments**

**F154** Sch. 5 paras. 3-22 repealed (25.7.2003 for specified purposes 29.12.2003 in so far as not already in force) by Communications Act 2003 (c. 21), s. 411(2), **Sch. 19(1)** Note 1 (with Sch. 18); S.I. 2003/1900, arts. 1(2), 2(1), Sch. 1 (with art. 3) (as amended by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, art. 3(2) (with art. 11)

F154 19 .....

*Status: Point in time view as at 01/10/2009.*

*Changes to legislation: There are currently no known outstanding effects for the British Telecommunications Act 1981. (See end of Document for details)*

**Textual Amendments**

**F154** Sch. 5 paras. 3-22 repealed (25.7.2003 for specified purposes 29.12.2003 in so far as not already in force) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 19\(1\)](#) Note 1 (with [Sch. 18](#)); [S.I. 2003/1900](#), arts. 1(2), 2(1), [Sch. 1](#) (with [art. 3](#)) (as amended by [S.I. 2003/3142](#), art. 1(3)); [S.I. 2003/3142](#), art. 3(2) (with art. 11)

**F154**20 .....

**Textual Amendments**

**F154** Sch. 5 paras. 3-22 repealed (25.7.2003 for specified purposes 29.12.2003 in so far as not already in force) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 19\(1\)](#) Note 1 (with [Sch. 18](#)); [S.I. 2003/1900](#), arts. 1(2), 2(1), [Sch. 1](#) (with [art. 3](#)) (as amended by [S.I. 2003/3142](#), art. 1(3)); [S.I. 2003/3142](#), art. 3(2) (with art. 11)

**F154**21 .....

**Textual Amendments**

**F154** Sch. 5 paras. 3-22 repealed (25.7.2003 for specified purposes 29.12.2003 in so far as not already in force) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 19\(1\)](#) Note 1 (with [Sch. 18](#)); [S.I. 2003/1900](#), arts. 1(2), 2(1), [Sch. 1](#) (with [art. 3](#)) (as amended by [S.I. 2003/3142](#), art. 1(3)); [S.I. 2003/3142](#), art. 3(2) (with art. 11)

**F154**22 .....

**Textual Amendments**

**F154** Sch. 5 paras. 3-22 repealed (25.7.2003 for specified purposes 29.12.2003 in so far as not already in force) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 19\(1\)](#) Note 1 (with [Sch. 18](#)); [S.I. 2003/1900](#), arts. 1(2), 2(1), [Sch. 1](#) (with [art. 3](#)) (as amended by [S.I. 2003/3142](#), art. 1(3)); [S.I. 2003/3142](#), art. 3(2) (with art. 11)

SCHEDULE 6

Section 89.

ENACTMENTS REPEALED

**Modifications etc. (not altering text)**

**C15** The text of Sch. 6 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

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*Status: Point in time view as at 01/10/2009.*

*Changes to legislation: There are currently no known outstanding effects for the British Telecommunications Act 1981. (See end of Document for details)*

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## PART I

### ENACTMENTS REPEALED ON THE PASSING OF THIS ACT

Chapter or Number	Short title	Extent of repeal
31 & 32 Vict. c. 110.	The Telegraph Act 1868.	Section 11.  In the Schedule, paragraphs 7 to 9, 12 and 13.
41 & 42 Vict. c. 76.	The Telegraph Act 1878.	In section 2, in the definition of “telegraphic line”, the words from “and also” to “communication”.  Section 14.
55 & 56 Vict. c. 59.	The Telegraph Act 1892.	Section 8.
1 & 2 Geo. 5. c. 26.	The Telephone Transfer Act 1911.	The whole Act.
1 & 2 Geo. 5. c. 39.	The Telegraph (Construction) Act 1911.	Section 6(2).
1 & 2 Eliz. 2. c. 36.	The Post Office Act 1953.	Sections 3 and 4.
2 & 3 Eliz. 2. c. iv.	The Dover Harbour Consolidation Act 1954.	Section 120.
9 & 10 Eliz. 2. c. 15.	The Post Office Act 1961.	The whole Act.
1968 c. 13.	The National Loans Act 1968.	In Schedule 5, the entry relating to the Post Office Act 1961.
1969 c. 48.	The Post Office Act 1969.	Section 1.  In section 2(6), the words from “but anything” onwards.  In section 6, in subsection (1) the words from “so, however” onwards, in subsection (2), paragraph (a) and, in paragraph (b), the words “after the expiration of that period”, and subsection (2A).  Section 12(10).  Section 14(18).  Section 17.  Section 19.  Sections 31 and 32.  Section 34.

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*Status: Point in time view as at 01/10/2009.*

*Changes to legislation: There are currently no known outstanding effects for the British Telecommunications Act 1981. (See end of Document for details)*

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		Section 50.
		Section 68.
		Section 74(1).
		Section 81(3).
		Sections 82 and 83.
		Section 85.
		In section 86(1), in the definition of “local authority” the words “county borough”.
		Sections 106 and 107.
		Section 127.
		In section 129(1), the words “or any order made under this Act” and “or any copy of any such order”.
		Sections 130 and 131.
		In Schedule 1, paragraphs 2(2), 4(2) and 11(2), (3) and (5).
		In Schedule 4, in paragraph 2(1), in the Table, the entry relating to section 3 of the 1953 Act and paragraphs 81, 87, 93(1)(i),(ii) and (viii), 94 and 98.
		Schedule 7.
		In Schedule 9, paragraphs 3(1), (3), (4) and (6), 4, 5, 8, 15, 16, 18, 19, 22 to 26, 31, 32, 36 to 47 and 50.
1977 c. 44.	The Post Office Act 1977.	The whole Act.
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<i>Northern Ireland Legislation</i>		
1970 c. 1 (N.I.).	The Harbours Act (Northern Ireland) 1970.	In section 26(4), the words “as from the appointed day within the meanin of the Post Office Act 1969”.
S.I. 1974/2143 (N.I. 6).	The Juries (Northern Ireland) Order 1974.	In Schedule 2, the words “Officers of the Post Office”.
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*Status: Point in time view as at 01/10/2009.*

*Changes to legislation: There are currently no known outstanding effects for the British Telecommunications Act 1981. (See end of Document for details)*

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## PART II

### ENACTMENTS REPEALED ON THE APPOINTED DAY

<b>Chapter or Number</b>	<b>Short title</b>	<b>Extent of repeal</b>
26 & 27 Vict. c. 112.	The Telegraph Act 1863.	In section 24, the words from “and send” onwards. Section 34.
1 & 2 Eliz. 2. c. 36.	The Post Office Act 1953.	In section 60(1), the words “or telephone kiosk or cabinet” (twice) and the words “kiosk or cabinet”. In section 61(1), the words “telegraph post” and the word “post”, in the last place where it occurs. In section 64(1), the words “or postal telegraph office” or “public telephone call office” and the words “or a place where the public may make telephone calls”. Section 65A. In section 87(1), the definition of “telegraph post”.
1967 c.62.	The Post Office (Data Processing Service) Act 1967.	The whole Act.
1968 c.60.	The Theft Act 1968.	In Schedule 2, in Part I, paragraph 8.
1969 c. 48.	The Post Office Act 1969.	Section 9. Section 11(7). Section 13. Section 23 to 27. In section 29, in subsection (1), paragraphs (b) and (d) and, in subsection (2), the words “or telephone exchange attendant”. Section 35 and 36. Section 42. Section 54. Section 65.

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*Changes to legislation:* There are currently no known outstanding effects for the British Telecommunications Act 1981. (See end of Document for details)

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		Section 69(1) and (2). In section 72(1), the words “or telegraphic”.
		Section 78.
		Section 86(3). In section 87(1), paragraphs (a)(ii), (b)(ii) and (c)(ii).
		Section 88(6). In Schedule 4, paragraph 2(16), in paragraph 21(1), the words “telegraph, telephone, wireless, or signal station or” and paragraphs 78(1), 79, 86(1) and 93(1)(xxix).
1972 c. 79.	The Post Office (Borrowing Powers) Act 1972.	The whole Act.
1973 c. 36.	The Northern Ireland Constitution Act 1973.	In Schedule 3, paragraph 13, the words “telecommunications and”.
1974 c. 7.	The Local Government Act 1974.	In Schedule 3, paragraph 5(a).
1974 c. 8.	The Statutory Corporations (Financial Provisions) Act 1974.	In Schedule 2, paragraph 4.
1975 c. 55.	The Statutory Corporations (Financial Provisions) Act 1975.	In Schedule 2, the entry relating to the Post Office.
1976 c. 10.	The Post Office (Banking Services) Act 1976.	In Schedule 4, paragraph 5. Section 2. In section 3(2), the words from “and shall” onwards.

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*Northern Ireland Legislation*

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S.I. 1973/2905.	The Local Government (Consequential Provisions) (Northern Ireland) Order 1973.	In Schedule 1, paragraph 7.
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**Status:**

Point in time view as at 01/10/2009.

**Changes to legislation:**

There are currently no known outstanding effects for the British Telecommunications Act 1981.