



# British Telecommunications Act 1981

## CHAPTER 38

### BRITISH TELECOMMUNICATIONS ACT 1981

#### PART I

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

###### *The Corporation*

1 The Corporation

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- 2 Powers of the Corporation  
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4 Redistribution of property, rights and liabilities among wholly owned subsidiaries  
5 Control of wholly owned subsidiaries

###### *Powers of the Secretary of State over the Corporation*

- 6 General control and supervision by the Secretary of State  
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8 Activities requiring approval of the Secretary of State

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9 Users' Councils

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- 10 Transfer to the Corporation of certain property, rights and liabilities of the Post Office

## 11 Statutory rights and liabilities as to telegraphs

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- 12 Exclusive privilege of the Corporation with respect to telecommunication
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- 16 Approval of apparatus which is to be connected to a telecommunication system run by the Corporation
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- 21 Schemes for determining charges and other terms and conditions applicable to services
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- 23 Exclusion of certain liabilities in tort in relation to telecommunications

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*The Corporation's accounts, and audit thereof*

- 31 The Corporation's accounts and audit thereof

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- 66 Exclusive privilege of the Post Office with respect to the conveyance etc. of letters
- 67 General classes of acts not infringing the postal privilege
- 68 Savings for things done under a licence
- 69 Suspension of the postal privilege

*Limitation of liability*

- 70 The Post Office to be subject to limited liability in respect of certain inland packets

*Finance*

- 71 General duty of the Post Office as to finance
- 72 Reserves of the Post Office and its wholly owned subsidiaries
- 73 Borrowing powers of the Post Office and its wholly owned subsidiaries
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**SCHEDULES****SCHEDULE 1 — Provisions with respect to the Corporation and the Members thereof***Status*

- 1 The Corporation shall be a body corporate.

2 The Corporation shall not be regarded as the servant or...

*Members*

- 3 (1) A member of the Corporation shall hold and vacate...  
4 (1) Before appointing a person to be a member of...  
5 (1) The Corporation— (a) shall pay to the members thereof...  
6 (1) If the Secretary of State is satisfied that a...  
7 Part II of Schedule 1 to the House of Commons...

*Proceedings*

- 8 The validity of any proceedings of the Corporation shall not...  
9 The quorum of the Corporation shall be three; and, while...  
10 Subject to the foregoing provisions of this Schedule, the Corporation...

*Staff*

- 11 The Corporation shall appoint a secretary of the Corporation and...  
12 (1) Except so far as the Corporation is satisfied that...  
13 (1) Except with the Secretary of State's consent, the Corporation...

*Fixing of seal and proof of instruments*

- 14 The fixing of the seal of the Corporation shall be...  
15 A certificate signed by the secretary of the Corporation that...  
16 Every document purporting to be an instrument made or issued...

SCHEDULE 2 — Provisions as to Transfers of Property, Rights and Liabilities

*Allocation of property, rights and liabilities*

- 1 (1) The provisions of this paragraph and paragraph 2 shall...  
2 (1) It shall be the duty of the transferor and...

*Rights and liabilities under contracts of employment*

- 3 (1) The provisions of this paragraph shall have effect where...

*Right to production of documents of title*

- 4 Where on any transfer to which this Schedule applies the...

*Perfection of vesting of certain property or rights*

- 5 Where in the case of any transfer to which this...

*Proof of title by certificate*

- 6 In the case of any transfer to which this Schedule...

*Restrictions on dealing with certain land*

- 7 If the Secretary of State is satisfied on the representation...

*Construction of agreements, statutory provisions and documents*

- 8 Where in the case of any transfer to which this...

- 9 Except as otherwise provided in any provision of this Act...  
 10 Without prejudice to the generality of the provisions of paragraphs...  
 11 (1) References in paragraphs 8 to 10 to agreements to...

*Third parties affected by vesting provisions*

- 12 (1) Without prejudice to the provisions of paragraphs 8 to...

SCHEDULE 3 — Consequential Amendments

PART I — GENERAL

- 1 A requirement to do what is necessary to inform designated...

PART II — PUBLIC GENERAL ENACTMENTS

*Enactments relating to telegraphs*

- 2 (1) References to the Post Office in—  
 3 As from the appointed day, references in section 11 of...  
 4 As from the appointed day, section 5(1) of the Telegraph...  
 5 The reference to the Post Office in section 2(1) of...  
 6 (1) Any such notice or counter-notice as follows, namely—

*Enactments relating to the supply of electricity*

- 7 As from the appointed day, references to the Post Office...  
 8 As from the appointed day, section 26 of the Electric...  
 9 As from the appointed day, the reference to the Post...

*Enactments relating to statutory undertakers*

- 10 (1) The Corporation shall be deemed to be statutory undertakers...  
 11 (1) In the following enactments, namely— (a) the Acquisition of...  
 12 (1) In the following enactments, namely— (a) section 13 of...

*Other enactments*

- 13 As from the appointed day, the reference to the Post...  
 14 As from the appointed day, the reference to the Post...  
 15 As from the appointed day, the reference to the Post...  
 16 As from the appointed day, the reference to the Post...  
 17 (1) For the purposes of section 2 of the Official...  
 18 As from the appointed day, references in section 24 of...  
 19 As from the appointed day, the reference to the Post...  
 20 As from the appointed day, the reference to the Post...  
 21 As from the appointed day, the reference in section 10...  
 22 As from the appointed day, the reference to the Post...  
 23 (1) As from the appointed day, the Corporation shall be...  
 24 (1) As from the appointed day, references to the Post...  
 25 As from the appointed day, references to the Post Office...  
 26 As from the appointed day, the reference to the Post...  
 27 (1) Section 41 (Crown rights) of the Roads Act (Northern...  
 28 (1) The Special Roads Act 1949 shall, as from the...  
 29 As from the appointed day, section 28(4)(c) of the Civil...  
 30 As from the appointed day, the reference in section 47(6)...  
 31 As from the appointed day, section 1(2) of the War...  
 32 As from the appointed day, references in section 6 of...

- 33 (1) Where the alteration of a telegraphic line of the...  
34 As from the appointed day, references in subsections (1) and...  
35 As from the appointed day, the references to the Post...  
36 As from the appointed day, section 3 of the Local...  
37 (1) As from the appointed day, references in section 45(1)...  
38 As from the appointed day, references to the Post Office...  
39 As from the appointed day, Schedule 4 to the Public...  
40 As from the appointed day, the reference to the Post...  
41 (1) No order made on or after the appointed day...  
42 As from the appointed day, the reference in section 1(4)...  
43 (1) Where, on or after the appointed day, the Secretary...  
44 Where, on or after the appointed day, the Department of...  
45 As from the appointed day, the Schedule to the Building...  
46 As from the appointed day, Schedule 2 to the Industrial...  
47 (1) Where the alteration of a telegraphic line of the...  
48 As from the appointed day, section 38(7) of the Countryside...  
49 (1) Where, on or after the appointed day, the Secretary...  
50 As from the appointed day, the Corporation shall be deemed...  
51 (1) Section 7(2) of the 1969 Act (powers of the...  
52 As from the appointed day, the reference to the Post...  
53 (1) The Town and Country Planning Act 1971 shall, as...  
54 (1) The Town and Country Planning (Scotland) Act 1972 shall,...  
55 (1) The Planning (Northern Ireland) Order 1972 shall, as from...  
56 (1) As from the appointed day, the reference to the...  
57 (1) As from the appointed day, references to the Post...  
58 As from the appointed day, Schedule 5 to the Fair...  
59 As from the appointed day, references to the Post Office...  
60 As from the appointed day, the reference to the Post...  
61 As from the appointed day, references to the Post Office...  
62 As from the appointed day, references to the Post Office...  
63 As from the date on which the Treasury first exercise...  
64 As from the appointed day, the reference to the Post...  
65 As from the appointed day, references to the Post Office...  
66 As from the appointed day, the reference to the Post...  
67 (1) As from the appointed day, section 32(2) of the...  
68 (1) The Development of Rural Wales Act 1976 shall, as...  
69 As from the appointed day, the reference to the Post...  
70 As from the appointed day, article 50(1)(a)(iii) of, and paragraph...  
71 (1) As from the appointed day, references to the Post...  
72 As from the appointed day, references to the Post Office...  
73 (1) The Local Government, Planning and Land Act 1980 shall,...  
74 (1) The Highways Act 1980 shall, as from the appointed...  
75 (1) As from the appointed day, references to the Post...  
76 (1) Where the alteration of a telegraphic fine of the...  
PART III — LOCAL ENACTMENTS AND SUBORDINATE LEGISLATION  
77 (1) As from the appointed day, the enactments specified in...  
78 (1) Nothing in— (a) the London Building Acts 1930 to...  
79 (1) As from the appointed day, subsections (2) and (3)...  
80 Subsection (3) of section 77 of the Kingston upon Hull...  
81 A benefit conferred on the Post Office by a provision...  
82 (1) As from the appointed day, a provision to which...  
83 Nothing in a local Act passed in the same session...  
84 As from the appointed day, article 7 of the Visiting...

## SCHEDULE 4 — General Transitional Provisions

- 1 Except as otherwise provided by any provision of this Act...
- 2 A direction given by the Secretary of State to the...
- 3 (1) Subsections (1) and (2) of section 7 shall have...
- 4 An approval given by the Secretary of State to the...
- 5 Section 13(4) shall have effect as if any apparatus which...
- 6 (1) A licence granted, or having effect as if granted,...
- 7 (1) A scheme made by the Post Office under section...
- 8 (1) Section 22(2) shall have effect as if any application...
- 9 (1) Sections 26(3), 27(2), 73(3) and 74(2) shall have effect...
- 10 An authorisation given, or having effect as if given, by...
- 11 (1) A certificate given by the Post Office under section...
- 12 An undertaking given, or having effect as if given, to...
- 13 Where, on the appointed day, there are in progress any...
- 14 (1) This paragraph applies to the following instruments, namely—
- 15 A notice or certificate given, request made or requirement imposed...
- 16 An authority granted under section 5(1) of the Telegraph Act...
- 17 Any such council as is mentioned in the Telegraph Act...
- 18 (1) A notice given under section 26 of the Electric...
- 19 An order under section 24 of the Bankruptcy Act 1914...
- 20 A notice under section 24 of the Requisitioned Land and...
- 21 (1) Nothing in this Act shall affect the validity of...
- 22 (1) If the appointed day is other than a 1st...

## SCHEDULE 5 — Special Transitional Provisions with Respect to Patents for Inventions and Registered Designs

## PART I — INTERPRETATION

- 1 In this Schedule "agreement to which this Schedule applies" means...

## PART II — PATENTS FOR INVENTIONS

- 2 For the purposes of so much of section 32(1) of...
- 3 (1) Where an agreement to which this Schedule applies contains...
- 4 Where by an agreement to which this Schedule applies, being...
- 5 (1) Subject to sub-paragraph (3) where, on or after the...
- 6 Where, in the case of an invention, an authority for...
- 7 The authority of the Corporation in respect of an invention...
- 8 (1) The Corporation shall have the power to use, for...
- 9 (1) In relation to any use of a patented invention...
- 10 (1) Any dispute as to the exercise by the Corporation...
- 11 (1) Where, in pursuance of an agreement to which this...
- 12 Expressions to which meanings are assigned by the Patents Act...

## PART III — REGISTERED DESIGNS

- 13 (1) Where an agreement to which this Schedule applies contains...
- 14 Where, by an agreement to which this Schedule applies, being...
- 15 (1) Subject to sub-paragraph (3), where, on or after the...
- 16 Where, in the case of a design, an authority for...
- 17 The authority of the Corporation in respect of a design...
- 18 (1) In the case of articles vested in the Corporation...
- 19 (1) In relation to any use of a registered design...
- 20 (1) Any dispute as to the exercise by the Corporation...
- 21 (1) Where, in pursuance of an agreement to which this...
- 22 Expressions to which meanings are assigned by the Registered Designs...



SCHEDULE 6 — Enactments Repealed

PART I — ENACTMENTS REPEALED ON THE PASSING OF THIS ACT

PART II — ENACTMENTS REPEALED ON THE APPOINTED DAY