

SCHEDULES

SCHEDULE 3

CONSEQUENTIAL AMENDMENTS

PART III

LOCAL ENACTMENTS AND SUBORDINATE LEGISLATION

- 77
- (1) As from the appointed day, the enactments specified in the following Table (which penalise the use of public telephone boxes for the purpose of making false calls for police assistance, giving false alarms of fire and the like, but are so framed that, unless amended, they will become of no effect on the appointed day) shall have effect as if—

(a)

for any reference to a call box of the Post Office telephone service there were substituted a reference to a call box of the Corporation's telephone service ;

(b)

for any reference to a telephone call box provided by the Post Office there were substituted a reference to a telephone call box provided by the Corporation ; and

(c)

for any reference to a Post Office telephone call box there were substituted a reference to a Corporation telephone call box.

TABLE

1937 c. lxxx.	Section 83(2) of the Rotherham Corporation Act 1937.
1938 c. liv.	Section 176(2) of the Redcar Corporation Act 1938.
1938 c. lvi	Section 167(2) of the Swinton and Pendlebury Corporation Act 1938.
1938 c. lxiii.	Section 211(2) of the Clacton Urban District Council Act 1938.
1939 c. lxv.	Section 89(2) of the Tiverton Corporation Act 1939.
1939 c. lxxxvii.	Section 110(2) of the Macclesfield Corporation Act 1939.
1940 c. xxx.	Section 101(2) of the Christchurch Corporation Act 1940.
1947 c. xlv.	Section 154(2) of the Preston Corporation Act 1947.

Status: This is the original version (as it was originally enacted).

1948 c. xxxviii.	Section 71(2) of the Brighton Corporation Act 1948.
1948 c. xli.	Section 173(2) of the Ipswich Corporation Act 1948.
1949 c. li.	Section 89(2) of the Barnsley Corporation Act 1949.
1951 c. xliv.	Section 178(2) of the Worcester Corporation Act 1951.
1951 c. xlv.	Section 89(2) of the Nottinghamshire County Council Act 1951.
1953 c.xli.	Section 85(2) of the Berkshire County Council Act 1953.
1956 c. xl.	Section 97(2) of the Gloucestershire County Council Act 1956.
1956 c. xlix.	Section 96(2) of the Leicester Corporation Act 1956.
1958 c. vi.	Section 60(2) of the Kent County Council Act 1958.
1960 c. xliii.	Section 70(2) of the Southampton Corporation Act 1960.
1960 c. xlix.	Section 41(2) of the Hertfordshire County Council Act 1960.
1960 c. lii.	Section 60(2) of the Oldham Corporation Act 1960.
1961 c. xlv.	Section 30(3) of the Devon County Council Act 1961.
1962 c. xxvi.	Section 10(2) of the Grimsby Corporation Act 1962.
1963 c. xxxvii.	Section 44(2) of the Durham County Council Act 1963.
1966 c. xv.	Section 29(2) of the Exeter Corporation Act 1966.
1970 c. xxiv.	Section 14(2) of the Huntingdon and Peterborough County Council Act 1970.
1971 c. xv.	Section 107(2) of the Teesside Corporation (General Powers) Act 1971.
1971 c. xxxvi.	Section 63(2) of the Surrey County Council Act 1971.
1971 c. l.	Section 44(2) of the Stockport Corporation Act 1971.
1971 c. lx.	Section 61(2) of the Torbay Corporation (No. 2) Act 1971.

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1971 c. lxiii.

Section 66(2) of the Oxfordshire County Council Act 1971.

- (2) Any enactment contained in a local Act which is not specified in the above Table but is similar to any enactment so specified shall, as from the appointed day, have effect subject to the like amendment as is made by paragraph (a), (b) or (c) of subparagraph (1), as the case may require.
- 78 (1) Nothing in—
- (a) the London Building Acts 1930 to 1939 or byelaws there under ; or
 - (b) a special enactment passed or made before the appointed day (including such an enactment relating to Scotland or Northern Ireland) for purposes similar to those of an enactment contained in Part V or IX of the Highways Act 1980 (except sections 156, 157 and 159),
- shall affect any powers of the Corporation under the enactments relating to telegraphs or apply to any telegraphic lines placed or maintained by the Postmaster General, the Post Office or the Corporation by virtue of those enactments.
- (2) In this paragraph, " special enactment" has the same meaning as in the Highways Act 1980.
- 79 (1) As from the appointed day, subsections (2) and (3) of section 59 of the Metropolitan Water Board (Various Powers) Act 1907 (which empower the Post Office to place telegraphic lines along, over or across the lands, works and undertaking of the Metropolitan Water Board) shall be construed so as to confer and impose on the Corporation the like rights and liabilities as are, immediately before that day, conferred and imposed on the Post Office and so as to render it subject to the like restrictions as those to which it is subject by virtue thereof immediately before that day ; and anything done by or to the Post Office under those subsections before that day shall, as from that day, be treated as having been done by or to the Corporation.
- (2) As from the appointed day, the reference to the Post Office in subsection (4) of the said section 59 (saving for its rights in relation to the Lee Navigation) and the reference to it in the proviso to section 11 of the Metropolitan Water Board Act 1915 (which saves its rights under, amongst other enactments, the said Act of 1907) shall be construed as referring to the Corporation.
- 80 Subsection (3) of section 77 of the Kingston upon Hull Corporation Act 1967 (which provides that byelaws made under that section with reference to the telephone system maintained by the Corporation of Kingston upon Hull shall continue in force only so long as there is in force a licence granted, or having effect as if granted, under section 27 of the 1969 Act by the Post Office to the said Corporation permitting that Corporation to provide telephonic services) shall, as from the appointed day, have effect as if, for the reference to such a licence, there were substituted a reference to a licence so permitting granted, or having effect as if granted, under section 15 by the Corporation ; and the references in subsection (4) of the said section 77 to any such licence as is mentioned in subsection (3) shall, as from that day, be construed accordingly.
- 81 A benefit conferred on the Post Office by a provision of a local Act passed in the same session as this Act or a previous session or of an order confirmed by an Act so passed consisting in securing that a power conferred by the Act or order to acquire land compulsorily, to secure compulsorily the creation of an easement or other right over land or to execute works on, under or over land shall not, except with its consent or agreement, be exercisable in relation to land specified or described in

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that provision shall, as from the appointed day, also enure for the benefit of the Corporation.

- 82 (1) As from the appointed day, a provision to which this paragraph applies which refers to the rights or powers of the Post Office under a provision of an enactment relating to telegraphs or to the exclusive privilege conferred on it by section 24 of the 1969 Act shall have effect with the substitution—
- (a) for any reference to the Post Office of a reference to the Corporation; and
 - (b) for any reference to the said section 24 of a reference to section 12(1).
- (2) A provision to which this paragraph applies that operates to afford protection to, or confer a benefit on, the Post Office with reference to, or to accommodation for, telegraphic lines of it or used by it or to communication by means of telegraphic lines of it or used by it, shall, as from the appointed day, be construed so as, in all respects, to afford the like protection to, or confer the like benefit on, the Corporation with reference to, or to accommodation for, telegraphic lines of it or used by it or, as the case may be, to communication by means of telegraphic lines of it or used by it and subject to the like incidents (if any) as those to which the protection afforded to, or the benefit conferred on, the Post Office is subject (references to the Corporation being, accordingly, substituted where necessary for references to the Post Office); and, so far as may be necessary to preserve continuity in the giving of effect to that provision, anything done before the appointed day by or to the Post Office shall be treated, for the purposes of that provision, as having been done by or to the Corporation.
- (3) A provision to which this paragraph applies that operates to permit vehicles in the service of, or employed by, the Post Office to wait on a highway in circumstances in which their waiting there would, apart from that provision, be unlawful, shall, as from the appointed day, have effect as if any reference to the Post Office included a reference to the Corporation.
- (4) The provisions to which this paragraph applies are those of a local Act passed in the same session as this Act or in a previous session, those of an order confirmed by an Act so passed and those of a scheme or order made before the passing of this Act under any Act (whether public general or local).
- (5) In this paragraph, " telegraphic line " means anything falling within the definition of that expression in the Telegraph Act 1878.
- 83 Nothing in a local Act passed in the same session as this Act shall authorise the doing of anything constituting an infringement of the privilege conferred by section 12(1).
- 84 As from the appointed day, article 7 of the 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 if 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 ".