

Changes to legislation: There are currently no known outstanding effects for the Telecommunications Act 1984, Cross Heading: The Countryside (Scotland) Act 1967. (See end of Document for details)

SCHEDULES

SCHEDULE 4

MINOR AND CONSEQUENTIAL AMENDMENTS

Modifications etc. (not altering text)

- C1** Definition of "telecommunications code system" in Sch. 4 applied by [Heathrow Express Railway Act 1991 \(c. vii\)](#), [ss. 16\(5\)](#), [17\(2\)](#)
- C1** Definition of "telecommunications code system" in Sch. 4 para. 1(1) applied (E.W.) (1.12.1991) by [Water Resources Act 1991 \(c. 57, SIF 130\)](#), [ss. 178](#), [225\(2\)](#), [Sch. 22 para. 1\(4\)\(c\)](#).
- C1** Definition of "telecommunications code system" in Sch. 4 para. 1(1) applied (E.W.) (1.12.1991) by [Water Industry Act 1991 \(c. 56, SIF 130\)](#), [ss. 183](#), [223\(2\)](#), [Sch. 13 para. 1\(5\)\(c\)](#)
- C1** Definition of "telecommunications code system" in Sch. 4 applied by [Strathclyde Regional Council Order Confirmation Act 1991 \(c. xx, SIF 200\)](#), s. 1, Sch. Pt. IV s. 11(2).

The ^{M1}Countryside (Scotland) Act 1967

Marginal Citations

- M1** [1967 c. 86](#).

- 46 (1) In section 11(5)(f) of the Countryside (Scotland) Act 1967 (under which land covered by works used for the purposes of a statutory undertaking is excepted land for the purposes of Part II of that Act), after the words "statutory undertaking" there shall be inserted the words "or a telecommunications code system".
- (2) In subsection (7) of section 38 of that Act (saving in respect of telegraphic lines in the case of the closure or diversion of a public path), for the words from "any telegraphic line" to the end of the proviso there shall be substituted the words "any telecommunication apparatus kept installed for the purposes of a telecommunications code system, the operator of that system shall have the same powers in respect of the telecommunication apparatus as if the order had not come into force; but any person entitled to land over which the path subsisted shall be entitled to require the alteration of the apparatus"; and after that subsection there shall be inserted the following subsections:—
- “(8) Paragraph 1(2) of the telecommunications code (alteration of apparatus to include moving, removal or replacement of apparatus) shall apply for the purposes of the preceding provisions of this section as it applies for the purposes of that code.
- (9) Paragraph 21 of the telecommunications code (restriction on removal of apparatus) shall apply in relation to any entitlement conferred by this section to require the alteration, moving or replacement of any telecommunication

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apparatus as it applies in relation to an entitlement to require the removal of any such apparatus.”.

- (3) In relation to any such order as is mentioned in the said subsection (7) coming into force before the appointed day, that subsection shall have effect, notwithstanding any repeal made by this Act, as it has effect immediately before the coming into force of sub-paragraph (2) above.
- (4) In subsection (6) of section 54 of the said Act of 1967 (byelaws for the protection of the countryside etc. not to interfere with the exercise of functions by statutory undertakers), at the end there shall be inserted the words “ or with the running of a telecommunications code system or the exercise of any right conferred by or in accordance with the telecommunications code on the operator of any such system. ”.

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