

## SCHEDULES

### SCHEDULE 4

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### *The Housing (Northern Ireland) Order 1981*

- 82 (1) After Article 159 of the Housing (Northern Ireland) Order 1981 there shall be inserted the following Article: —
- “159A(1) Paragraph 23 of the telecommunications code (which provides a procedure for certain cases where works involve the alteration of telecommunication apparatus) shall apply to the Executive for the purposes of any works which it is authorised to execute under Chapter II, III or V of Part III.
- (2) Where in pursuance of an order under Article 51 a public right of way over land is extinguished and, at the beginning of the day on which the order comes into operation, there is under, in, on, over, along or across the land 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 that apparatus as if the order had not come into operation; but any person entitled to land over which the right of way subsisted shall be entitled to require the alteration of the apparatus.
- (3) 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 Article as it applies for the purposes of that code.
- (4) Paragraph 21 of the telecommunications code (restriction on removal of telecommunication apparatus) shall apply in relation to any entitlement conferred by this Article to require the alteration, moving or replacement of any telecommunication apparatus as it applies in relation to an entitlement to require the removal of any such apparatus.”.
- (2) In relation to an order under Article 51 of the said Order of 1981 coming into force before the appointed day, paragraph 76(2) of Schedule 3 to the 1981 Act (which made provision corresponding to sub-paragraph (1) above in relation to British Telecommunications) shall have effect, notwithstanding any repeal made by this Act, as it has effect immediately before the coming into force of sub-paragraph (1) above.