



Telecommunications Act 1984

1984 CHAPTER 12

PART II

PROVISION OF TELECOMMUNICATION SERVICES

Acquisition etc. of land by public telecommunications operators

36 Compulsory purchase of land in Northern Ireland

- (1) Where a public telecommunications operator proposes to acquire, otherwise than by agreement, any land in Northern Ireland required by him for, or in connection with, the establishment or running of his system or as to which it can reasonably be foreseen that it will be so required, he may, with the consent of the Director, apply to the Secretary of State for an order vesting that land in him and the Secretary of State shall have power to make such an order.
- (2) The power of acquiring land compulsorily under this section shall include power to acquire, by the creation of a new right, an easement or other right over land.
- (3) Where a public telecommunications operator has acquired any land under this section, he shall not dispose of it except with the consent of the Director.
- (4) For the purposes of the acquisition of land by means of a vesting order under this section, Schedule 6 to the Local Government Act (Northern Ireland) 1972 and Schedule 8 to the Health and Personal Social Services (Northern Ireland) Order 1972 are hereby incorporated in this Act subject to the modifications specified in subsection (5) below.
- (5) The said modifications are as follows—
 - (a) for any reference in the said Schedule 6 to a council there shall be substituted a reference to the operator;
 - (b) for any reference in either Schedule to the Department there shall be substituted a reference to the Secretary of State;

Status: This is the original version (as it was originally enacted).

- (c) for any reference in either Schedule to the Act or Order in question there shall be substituted a reference to this Act;
 - (d) in paragraph 6(2) of the said Schedule 6, for the words from " the fund " onwards there shall be substituted the words " funds of the operator (in this Schedule referred to as ' the compensation fund') and shall be discharged by payments made by the operator "; and
 - (e) in paragraph 12(2) of that Schedule for the words " the clerk of the council" there shall be substituted the words " such person as may be designated for the purposes of this Schedule by the operator ".
- (6) The enactments for the time being in force relating to the assessment of compensation in respect of land vested in a district council by an order made under Schedule 6 to the Local Government Act (Northern Ireland) 1972 shall, subject to any necessary modifications, apply in relation to any land vested in a public telecommunications operator by an order made under this section.
- (7) In this section " land " has the meaning assigned to it by section 45(1)(a) of the Interpretation Act (Northern Ireland) 1954.