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STATUTORY INSTRUMENTS

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**2001 No. 1149**

**The Postal Services Act 2000 (Consequential Modifications No. 1) Order 2001**

**Transitional and saving provisions**

4.—(1) The repeal by this Order of sections 16 and 18 of the Post Office Act 1969 does not affect the vestings effected by virtue of either section.

(2) The repeal of section 18 of that Act does not affect the continued existence of any concurrent rights which were exercisable immediately before 26th March 2001 by virtue of that section.

(3) The repeal by this Order of section 133 of that Act does not affect any changes made or having effect in accordance with that section in relation to trust deeds, rules, regulations or other instruments.

(4) The repeal by this Order of the words “or the Post Office” in section 157(5) of the Inheritance Tax Act 1984 does not apply in relation to determining the value of an estate by reference to a point in time before 26th March 2001.

(5) Nothing in Part 1 of the Building Act 1984 with respect to building regulations, and nothing in any building regulations, shall apply to any building work commenced before 26th March 2001 in relation to any building which—

- (a) belonged to the Post Office;
- (b) was held or used by the Post Office for the purpose of its statutory undertaking; and
- (c) did not fall within section 4(1)(b)(i) or (ii) of that Act;

or which would have so belonged, been held or used and not fallen if the work had been completed before that date.

(6) For the purposes of paragraph (5) building work shall be taken to have commenced before 26th March 2001 if—

- (a) substantive building work commenced before that date; or
- (b) a contract providing for substantive building work to be commenced no later than six months after 26th March 2001 was entered into before 26th March 2001.

(7) In paragraph (6) “substantive building work”, in the case of building work which consists in the erection of a building, means the erection of that building.

(8) The modifications by this Order relating to the Regulation of Investigatory Powers Act 2000 do not affect the validity (including in relation to conduct on or after 26th March 2001) of any authorisation issued under section 28 or 29 of that Act by the Post Office before that date; and any functions in connection with the authorisation which formerly belonged to the Post Office shall be treated as being, on or after 26th March 2001, functions of the corresponding universal service provider.

(9) The revocation of paragraph 23 of the Schedule to the Local Authorities (Capital Finance) (Approved Investments) Regulations 1990 shall not have effect in relation to any investments made by a local authority to the Post Office before 26th March 2001.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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(10) Any transitory, transitional or saving provision made by an order under section 129 of the Postal Services Act 2000 in relation to an enactment modified by that Act shall, so far as relevant, apply to any modification by this Order of an enactment which relates to the enactment which is being modified by the Act.

(11) No repeal of an enactment by this Order shall apply so far as the enactment is necessary for any purpose in connection with a transfer effected by virtue of section 4 or 10 of the British Telecommunications Act 1981 or section 60 of the Telecommunications Act 1984.

(12) Any transitional or saving provision made by this article is without prejudice to the operation of section 16 of the Interpretation Act 1978<sup>(1)</sup>.

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(1) 1978 c. 30.