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STATUTORY INSTRUMENTS

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**2001 No. 1149**

**POSTAL SERVICES**

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

*Made* - - - - 22nd March 2001  
*Coming into force* - - 26th March 2001

Whereas a draft of this Order has been laid before and approved by a resolution of each House of Parliament in accordance with section 122(12) of the Postal Services Act 2000<sup>(1)</sup>;

Now therefore, the Secretary of State, in exercise of the powers conferred upon him by sections 122(2) and (7) and 127(1) and (2) of that Act, hereby makes the following Order:

**Citation, commencement and extent**

1.—(1) This Order may be cited as the Postal Services Act 2000 (Consequential Modifications No. 1) Order 2001.

(2) Subject to paragraph (3), this Order shall come into force on 26th March 2001.

(3) The repeal of the words “The Post Office” in Part I of Schedule 4 to the National Audit Act 1983<sup>(2)</sup> shall come into force on the day on which the Post Office is dissolved in accordance with section 75 of the Postal Services Act 2000.

(4) This Order does not extend to the Channel Islands or the Isle of Man.

(5) Subject to paragraph (4), any modification by this Order of an enactment has the same extent as the enactment modified.

**References to second class post**

2.—(1) Any enactment which requires or authorises a document or other thing to be sent by second class post (whether or not it makes any other provision in that respect) shall be construed as if it required, or (as the case may be) authorised, that thing to be sent by a postal service which seeks to deliver such documents or other things by post no later than three working days after posting in all or the majority of cases.

(2) Any enactment which makes any other provision in relation to the sending of a document or other thing by second class post, or to a thing so sent, shall be construed as if it made corresponding

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(1) 2000 c. 26.  
(2) 1983 c. 44.

provision in relation to the sending of that thing by a postal service which seeks to deliver such documents or other things by post no later than three working days after posting in all or the majority of cases, or (as the case may be) to a thing sent by such a service.

(3) Any reference (however worded and including references which are to be construed as such references) in a related enactment to the second class post, or to a letter or other postal packet sent by that post, shall be construed as references to a postal service which seeks to deliver such documents or other things by post no later than three working days after posting in all or the majority of cases, or to a letter or other postal packet sent by such a post.

(4) In paragraph (3) “related enactment” means—

- (a) any enactment the provisions of which apply to, or operate in consequence of the operation of, any enactment to which paragraph (1) or (2) applies,
- (b) any enactment relating to the sending of documents or other things otherwise than by second class post or to documents or other things so sent.

(5) Paragraphs (3) and (4) are without prejudice to the generality of paragraphs (1) and (2).

(6) Paragraphs (1) to (5) do not apply in relation to any enactment made after the coming into force of this article if the context in that enactment is such as to require that those paragraphs do not apply.

(7) Paragraphs (1) to (5) are subject to any provision made under the Postal Services Act 2000.

(8) In this article references to sending a document or other thing include references to serving, executing, giving or delivering it or doing any similar thing.

### **Other modifications of enactments**

3.—(1) The amendments specified in Schedule 1 shall have effect.

(2) The repeals and revocations specified in Schedule 2 shall have effect.

### **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.

(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(3).

### **Supplementary provision**

**5.** In sections 111 to 114 and 117 of, and Part I of Schedule 8 to, the Postal Services Act 2000, “the Post Office company” has the meaning given by section 62(8) of that Act.

22nd March 2001

*Alan Johnson,*  
Parliamentary Under Secretary of State for  
Competitiveness,  
Department of Trade and Industry

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## SCHEDULE 1

Article 3(1)

## AMENDMENTS

**Consequential Amendments***Commissioners Clauses Act 1847*

1. In section 99 of the Commissioners Clauses Act 1847(4) (service of notices upon commissioners) for the words “the post office” are substituted the words “a post office of a postal operator (within the meanings given by the Postal Services Act 2000)”.

*Improvement of Land Act 1864*

2. In section 7 of the Improvement of Land Act 1864(5) (service of notices on other persons) for the words “Post Office” are substituted the words “postal operator (within the meaning of the Postal Services Act 2000) concerned”.

*Bankers' Books Evidence Act 1879*

3. In section 9(1) of the Bankers' Books Evidence Act 1879(6) (interpretation of “bank” etc.) at the end of paragraph (aa) is inserted the word “and”.

*Bills of Exchange Act 1882*

4.—(1) The Bills of Exchange Act 1882(7) is amended as follows.

(2) In section 2 (interpretation of terms) at the appropriate place is inserted—

““postal operator” has the meaning given by section 125(1) of the Postal Services Act 2000.”.

(3) In section 41(1)(e) (rules as to presentment for acceptance etc.) for the words “the post office” are substituted the words “a postal operator”.

(4) In section 45(8) (rules as to presentment for payment) for the words “the post office” are substituted the words “a postal operator”.

(5) In section 49(15) (rules as to notice of dishonour) for the words “post office” are substituted the words “postal operator concerned”.

(6) In section 51(6)(a) (protest of bill) for the words “the post office” are substituted the words “a postal operator”.

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(4) 1847 c. 16.

(5) 1864 c. 114. Section 7 was repealed in relation to Scotland by section 76(2) of, and Part I of Schedule 13 to, the [Abolition of Feudal Tenure etc \(Scotland\) Act 2000 \(asp.5.\)](#) and was amended by the Statute Law (Repeals) Act 1974 (c. 22.).

(6) 1879 c. 11. Section 9 was substituted by section 51(1) of, and paragraph 1 of Schedule 6 to, the [Banking Act 1979 \(c. 37.\)](#) and amended by sections 4(3) and 7(3) of, and Schedule 4 to, the [Trustee Savings Banks Act 1985 \(c. 58.\)](#). Subsection (1)(a) was substituted by section 108(1) of, and paragraph 1 of Schedule 6 to, the [Banking Act 1987 \(c. 22.\)](#). Subsection (1)(aa) was inserted by section 120 of, and paragraph 1 of Part I of Schedule 18 to, the [Building Societies Act 1986 \(c. 53.\)](#). Subsection (1) was modified in relation to the reference to an institution authorised under the [Banking Act 1987](#) by regulation 82(1) of, and paragraph 2 of Part I of Schedule 10 to, the [Banking Coordination \(Second Council Directive\) Regulations 1992 \(S.I. 1992/3218\)](#).

(7) 1882 c. 61.

*Congested Districts (Scotland) Act 1897*

**5.** In section 4(1)(f) of the Congested Districts (Scotland) Act 1897(**8**) (application of moneys at disposal of Commissioners) for the words “Postmaster General” are substituted the words “Post Office company (within the meaning of Part IV of the Postal Services Act 2000) or any subsidiary or wholly-owned subsidiary (within the meanings given by section 736 of the Companies Act 1985) of the Post Office company”.

*Revenue Act 1898*

**6.** In section 7(4) of the Revenue Act 1898(**9**) (amendment of section 9 of the Stamp Act 1891) for the words “Post Office Protection Act 1884” are substituted the words “Postal Services Act 2000”.

*Law of Property Act 1925*

**7.** In section 196(4) of the Law of Property Act 1925(**10**) (regulations respecting notices) for the words “through the post-office” are substituted the words “by the postal operator (within the meaning of the Postal Services Act 2000) concerned”.

*Land Registration Act 1925*

**8.—**(1) The Land Registration Act 1925(**11**) is amended as follows.

(2) In section 30(2) (protection of charges for securing further advances) for the words “post office” are substituted the words “postal operator (within the meaning of the Postal Services Act 2000)”.

(3) In section 79(3) (addresses for service and notices) for the words at the beginning before “shall give” are substituted the words “The postal operator (within the meaning of the Postal Services Act 2000) concerned”.

*Land Registration Rules 1925*

**9.—**(1) The Land Registration Rules 1925(**12**) are amended as follows.

(2) In rule 313(1) (notice to be deemed to be received within seven days)—

(a) for the words “through the post” are substituted the words “by post”; and

(b) for the words “the Post Office” are substituted the words “the postal operator (within the meaning of the Postal Services Act 2000) concerned”.

(3) In rule 314 (return of notices by Post Office) for the words “the Post Office” are substituted the words “a postal operator (within the meaning of the Postal Services Act 2000)”.

*Execution of Diligence (Scotland) Act 1926*

**10.** In section 2(2)(e) of the Execution of Diligence (Scotland) Act 1926(**13**) (execution of arrestment or charge by registered letter in certain cases) for the words “the Post Office in pursuance of any provision contained in a scheme made under section 28 of the Post Office Act 1969” are

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(8) 1897 c. 53. Section 4(f) was amended by Schedule 2 to the Small Landholders (Scotland) Act 1911 (c. 49.); Part II and Schedule 11 to the Post Office Act 1969 (c. 48.); and section 109 of, and Schedule 7 to, the Telecommunications Act 1984 (c. 12.).

(9) 1898 c. 46.

(10) 1925 c. 20. Modified by section 49 of the Landlord and Tenant Act 1987 (c. 31.).

(11) 1925 c. 21.

(12) S.I. 1925/1093. Rule 313 was substituted by S.I. 1989/801 Rule 5.

(13) 1926 c. 16. Subsection (2)(e) was amended by paragraph 30 of Schedule 4 to the Post Office Act 1969.

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substituted the words “a universal service provider (within the meaning of the Postal Services Act 2000) in pursuance of any provision contained in a scheme made under section 89 of that Act”.

#### *Agricultural Credits Act 1928*

**11.** In section 5(7) of the Agricultural Credits Act 1928(**14**) (agricultural charges on farming stock and assets), in the definition of “Bank”, after the word “England,” is inserted the word “or”.

#### *Agricultural Credits (Scotland) Act 1929*

**12.** In section 9(2) of the Agricultural Credits (Scotland) Act 1929(**15**) (interpretation), in the definition of “Bank”, after the word “England” is inserted the word “or”.

#### *Motor Vehicles and Road Traffic Act (Northern Ireland) 1930*

**13.**—(1) Section 2 of the Motor Vehicles and Road Traffic Act (Northern Ireland) 1930(**16**) is amended as follows.

(2) In subsection (1)—

- (a) for the words “the Postmaster-General” are substituted the words “a universal service provider”;
- (b) for the words “the officers of the Post Office” are substituted the words “the employees of the universal service provider”; and
- (c) for the words “any Post Office or officer of the Post Office” are substituted the words “any post office or employee of the universal service provider”.

(3) In subsection (2) for the words “the Postmaster-General” are substituted the words “the universal service provider concerned”.

(4) In subsection (3) for the words from “the expression”, where it appears for the second time, to the end of that subsection are substituted the words “the expressions “mail bag”, “post office” and “universal service provider” have the same meanings as in the Postal Services Act 2000”.

#### *Civil Defence Act 1939*

**14.** After section 90(2) of the Civil Defence Act 1939(**17**) is inserted—

“(3) For the purposes of this Act—

- (a) a universal service provider (within the meaning of the Postal Services Act 2000) in connection with the provision of a universal postal service (within the meaning of that Act) shall be taken to be a public utility undertaker; and
- (b) his undertaking so far as relating to the provision of a universal postal service shall be taken to be a public utility undertaking.

**(14)** 1928 c. 43. In section 5(7) the definition of “Bank” was substituted by section 51(1) of, and paragraphs 2 and 14 of Schedule 6 to, the Banking Act 1979 (c. 37.) and amended by section 108(1) of, and paragraph 2 of Schedule 6 to, the Banking Act 1987 (c. 22.) and sections 4(3), 7(3) of, and Schedule 4 to, the Trustee Savings Banks Act 1985 (c. 58.). Subsection (7) was also modified by regulation 82(1) of, and paragraph 3 of Schedule 10 to, the Banking Coordination (Second Council Directive) Regulations 1992 (S.I. 1992/3218).

**(15)** 1929 c. 13. In section 9(2), the definition of “bank” was substituted by section 51(1) of, and paragraphs 3 and 15 of Schedule 6 to, the Banking Act 1979 (c. 37.) and amended by section 108(1) of, and paragraph 3 of Schedule 6 to, the Banking Act 1987 (c. 22.) and sections 4(3), 7(3) of, and Schedule 4 to, the Trustee Savings Banks Act 1985 (c. 58.) Subsection (2) was also modified by regulation 82(1) of, and paragraph 4 of Schedule 10 to, the Banking Coordination (Second Council Directive) Regulations 1992 (S.I. 1992/3218).

**(16)** 1930 c. 24. (N.I.).

**(17)** 1939 c. 31. Section 90 was amended by paragraph 4 of Schedule 16 and Schedule 18 to, the Electricity Act 1989, Part I of Schedule 9 to the Gas Act 1986, the Statute Law (Repeals) Act 1976 and the Statute Law (Repeals) Act 1993.

(4) For the purposes of this Act as it applies by virtue of subsection (3) above in relation to a universal service provider the appropriate department is the Secretary of State.”.

*Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947*

**15.** In section 7(1) of the Acquisition of Land (Authorisation Procedure)(Scotland) Act 1947(**18**) (interpretation), in the definition of “statutory undertakers”, at the end are inserted the words “, or a universal service provider (within the meaning of the Postal Services Act 2000) in connection with the provision of a universal postal service (within the meaning of that Act)”.

*Opencast Coal Act 1958*

**16.**—(1) The Opencast Coal Act 1958(**19**) is amended as follows.

(2) In section 51(1) (interpretation), in the definitions of “statutory undertakers” and “statutory undertaking”, after the words “of 1990” are inserted the words “(but excluding a universal service provider within the meaning of the Postal Services Act 2000 and his undertaking)”.

(3) In section 52(2) (general application to Scotland), in the definitions which include “statutory undertakers” and “statutory undertaking”, after the words “of 1947” are inserted the words “(but “statutory undertakers” and “statutory undertaking” do not include a universal service provider within the meaning of the Postal Services Act 2000 and his undertaking).”.

*Criminal Justice Act 1961*

**17.** In section 23(2) of the Criminal Justice Act 1961(**20**) (prison rules) for the words “through the post office” are substituted the words “by post”.

*Public Health Act 1961*

**18.** In Schedule 4 to the Public Health Act 1961(**21**) (attachment of street lighting equipment to certain buildings) for the words “the Post Office” are substituted the words “a universal service provider (within the meaning of the Postal Services Act 2000) in connection with the provision of a universal postal service (within the meaning of that act)”.

*Recorded Delivery Service Act 1962*

**19.** In section 1(6) of the Recorded Delivery Service Act 1962(**22**) (provisions relating to recorded delivery not to authorise the sending of prohibited articles) for the words “under the Post Office Act 1953 or any instrument thereunder” are substituted the words “by virtue of the Postal Services Act 2000 or the terms and conditions of the service concerned”.

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(18) 1947 c. 42. The definition of “statutory undertakers” in subsection (1) was repealed in part by section 112, paragraph 35(1) of Schedule 17, and Schedule 18(2) of the Electricity Act 1989 (c. 29), and section 67(4) and Part I of Schedule 9(2) of the Gas Act 1986 (c. 44).

(19) 1958 c. 69. In sections 51(1) and 52(2) the original definition of “appropriate Minister” was repealed by article 5(3) of, and Schedule 3 to, S.I. 1970/1681. A new definition was inserted by article 6(1) of, and paragraph 2(1) of Schedule 3 to, S.I. 1976/1775.

(20) 1961 c. 39.

(21) 1961 c. 64. The words “A building owned by the Post Office” were inserted by paragraph 70 of Schedule 4 to the Post Office Act 1969. The words “Secretary of State” in relation to a building owned by the Post Office were inserted by article 3(3) of S.I. 1974/691.

(22) 1962 c. 27.

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*Electoral Law Act (Northern Ireland) 1962*

**20.** In section 53 of the Electoral Law Act (Northern Ireland) 1962(**23**) (right to send election address post free)—

(a) in subsection (1)—

(i) for the words “regulations of the Postmaster General” are substituted the words “such reasonable terms and conditions as the universal service provider may specify”; and

(ii) after the word “postage” are inserted the words “which would otherwise be made by a universal service provider”;

(b) in subsection (2) for the words “the Postmaster General” are substituted the words “the universal service provider concerned”; and

(c) after subsection (3) there is inserted—

“(4) In this section “universal service provider” has the same meaning as in the Postal Services Act 2000.”.

*Recorded Delivery Service Act (Northern Ireland) 1963*

**21.** In section 1(5) of the Recorded Delivery Service Act (Northern Ireland) 1963(**24**) (provisions relating to recorded delivery not to authorise the sending of prohibited articles) for the words “under the Post Office Act 1953 or any instrument thereunder” are substituted the words “by virtue of the Postal Services Act 2000 or the terms and conditions of the service concerned”.

*Various Trunk Roads (Prohibition of Waiting) (Clearways) Order 1963*

**22.** In article 5(c) of the Various Trunk Roads (Prohibition of Waiting) (Clearways) Order 1963(**25**) (exceptions to article 4) for the words “section 87 of the Post Office Act 1953” are substituted the words “section 125(1) of the Postal Services Act 2000”.

*Forestry Act 1967*

**23.** After section 40(2)(d) of the Forestry Act 1967(**26**) (land not subject to compulsory purchase under the Act) is inserted—

“(e) land held or used by a universal service provider (within the meaning of the Postal Services Act 2000) for any purpose in connection with the provision of a universal postal service (within the meaning of that Act).”.

*Carriage by Air Acts (Application of Provisions) Order 1967*

**24.** In Schedule 1 to the Carriage of Air Acts (Application of Provisions) Order 1967(**27**) (non-international carriage and carriage of mail and postal packages)—

(a) in Part II, in paragraph (9), for the words from “the Postmaster General” to “postal services” are substituted the words “a universal service provider (within the meaning of the Postal Services Act 2000) in connection with the provision of a universal postal service (within the meaning of that Act)”; and

(23) 1962 c. 14. (N.I.). Section 53 was amended by article 11 of S.I. 1985/454.

(24) 1963 c. 5. (N.I.).

(25) S.I. 1963/1172.

(26) 1967 c. 10. Section 40(2) was amended by article 3 of, and Part I of Schedule 1 to, S.I. 1974/595, article 3 of S.I. 1970/211, section 180(1) of, and paragraph 69 of Schedule 13 to, the Local Government etc (Scotland) Act 1994 and section 67(4) of, and Part II of Schedule 9 to, the Gas Act 1986, section 112(4) of, and Schedule 18 to, the Electricity Act 1989 and section 190 of, and Part I of Schedule 27 to, the Water Act 1989.

(27) S.I. 1967/480. Schedule I was substituted by article 3(4) of, and the Schedule to, S.I. 1999/1737.



- (b) in Part IIIB, in Article XI, for the words from “the Postmaster General” to “postal services” are substituted the words “a universal service provider (within the meaning of the Postal Services Act 2000) in connection with the provision of a universal postal service (within the meaning of that Act)”.

#### *National Loans Act 1968*

- 25.** In section 12(5)(a) of the National Loans Act 1968**(28)** (power of Treasury to borrow)—
- (a) for the words “Post Office”, where they appear for the first time, are substituted the words “Post Office company (within the meaning of Part IV of the Postal Services Act 2000) or any subsidiary or wholly-owned subsidiary (within the meanings given by section 736 of the Companies Act 1985) of the Post Office company”; and
  - (b) for the words “Post Office”, where they appear for the second time, are substituted the words “Post Office company or any such subsidiary”.

#### *Post Office Act 1969*

- 26.**—(1) The Post Office Act 1969**(29)** is amended as follows.
- (2) After section 135(1) (remuneration of Post Office company for issuing dog and game licences in England and Wales) is inserted—
- “(1A) In subsection (1) above “the Post Office company” has the same meaning as in Part IV of the Postal Services Act 2000.”.
- (3) In paragraph 93(1) of Schedule 4 (statutory undertakers for certain purposes)—
- (a) for the words “The authority” are substituted the words “A universal service provider (within the meaning of the Postal Services Act 2000) in connection with the provision of a universal postal service (within the meaning of the Act)”;
  - (b) for the words “statutory undertakers” are substituted the words “a statutory undertaker”; and
  - (c) for the words “its undertaking” are substituted the words “his undertaking so far as relating to the provision of a universal postal service”.
- (4) In paragraph 93(2) of Schedule 4 (meaning of “appropriate Minister”) for the words “the authority” are substituted the words “a universal service provider (within the meaning of the Postal Services Act 2000)”.
- (5) In paragraph 93(4) of Schedule 4 (meaning of “operational land” in certain enactments)—
- (a) for the words “the authority” are substituted the words “a universal service provider (within the meaning of the Postal Services Act 2000)”;
  - (b) for the word “its” is substituted the word “his”; and
  - (c) for the words “the authority's” are substituted the words “a universal service provider's”.

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**(28)** 1968 c. 13.

**(29)** 1969 c. 48. Section 135 is amended by paragraph 11 of Schedule 8 to the Postal Services Act 2000 (c. 26.) and repealed in part by Schedule 9 to that Act. Paragraph 2 of Schedule 4 was amended by Part I of Schedule 6 of the British Telecommunications Act 1981 (c. 38.), Schedule 14 of the Railways Act 1993 (c. 43.), articles 2 and 3(3) of S.I. 1974/691, paragraph 12 of Schedule 4 to the Customs and Excise Management Act 1979 (c. 2.) and Part II of Schedule 6 to the British Telecommunications Act 1981.

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*Drainage Rates (Appeals) Regulations 1970*

**27.**—(1) Regulation 5 of the Drainage Rates (Appeals) Regulations 1970(**30**) (hereditaments occupied for purposes of extensive undertakings) is amended as follows.

(2) In paragraph (2)(a) for the words “for the purposes of the Post Office” are substituted the words “by a universal service provider for any purpose in connection with the provision of a universal postal service”.

(3) In paragraph (4), at the appropriate place, is inserted “and; “universal service provider” has the same meaning as in the Postal Services Act 2000; and references to the provision of a universal postal service shall be construed in accordance with that Act;”.

*Secretary of State for the Environment Order 1970*

**28.**—(1) Schedule 3 to the Secretary of State for the Environmental Order 1970(**31**) (amendments and adaptations of enactments) is amended as follows.

(2) In paragraph 11(3)(c) (enactments relating to docks and harbours) for the words “the Post Office” are substituted the words “a universal service provider (within the meaning of the Postal Services Act 2000) in connection with the provision of a universal postal service (within the meaning of that Act)”.

(3) In paragraph 21(1) (the Pipe-lines Act 1962) for the words “the Post Office” are substituted the words “a universal service provider (within the meaning of the Postal Services Act 2000) in connection with the provision of a universal postal service (within the meaning of that Act)”.

*Pensions (Increase) Act 1971*

**29.** After paragraph 3 of Schedule 3 to the Pensions (Increase) Act 1971(**32**) (pensions of former civil servants payable by Post Office company) is inserted—

“(3A) In paragraph 3 above “the Post Office company” has the same meaning as in Part IV of the Postal Services Act 2000.”.

*Public Health (Aircraft) Regulations (Northern Ireland) 1971*

**30.** In regulation 35 of the Public Health (Aircraft) Regulations (Northern Ireland) 1971(**33**) (saving for mails)—

- (a) for the words “the Post Office” are substituted the words “a universal service provider (within the meaning of the Postal Services Act 2000) in connection with the provision of a universal postal service (within the meaning of that Act)”; and
- (b) for the words “Post Office Act 1953, as amended by Part II of Schedule 4 to the Post Office Act 1969” are substituted the words “Postal Services Act 2000”.

*Public Health (Ships) Regulations (Northern Ireland) 1971*

**31.** In regulation 42 of the Public Health (Ships) Regulations (Northern Ireland) 1971(**34**) (saving for mails)—

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(30) [S.I. 1970/1152](#), to which there are amendments not relevant to this Order.

(31) [S.I. 1970/1681](#). The words in square brackets were inserted by article 4 of, and paragraph 138 of Schedule 2 to [S.I. 1999/1820](#).

(32) [1971 c. 56](#). Paragraph 3 of Schedule 3 is amended by paragraph 12 of Schedule 8 to the Postal Services Act 2000 and section 29(1) of and paragraph 90 of Schedule 6 to, the Superannuation Act [1972 \(c. 11\)](#).

(33) [S.R. 1971 No. 182](#).

(34) [S.R. 1971 No. 183](#).

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- (a) for the words “the Post Office” are substituted the words “a universal service provider (within the meaning of the Postal Services Act 2000) in connection with the provision of a universal postal service (within the meaning of that Act)”; and
- (b) for the words “Post Office Act 1953, as amended by Part II of Schedule 4 to the Post Office Act 1969” are substituted the words “Postal Services Act 2000”.

#### *Civil Defence (Posts and Telecommunications) Regulations 1971*

**32.**—(1) The Civil Defence (Posts and Telecommunications) Regulations 1971(**35**) are amended as follows.

(2) Regulation 2—

- (a) in paragraph (1) for the words ““the Post Office” has the meaning assigned to it in section 6 of the Post Office Act 1969” are substituted the words ““a universal service provider” has the same meaning as in the Postal Services Act 2000; and references to the provision of a universal postal service shall be construed in accordance with that Act”; and
- (b) after paragraph (1) is inserted—

“(1A) In these regulations, except where the context otherwise requires, the undertaking of a universal service provider shall be taken to be his undertaking so far as it relates to the provision of a universal postal service.”.

(3) In regulation 4—

- (a) for the words “the Post Office” are substituted the words “a universal service provider”;
- (b) for the words “requiring it” are substituted the words “requiring him”;
- (c) in paragraph (a) for the word “it” is substituted the word “he”;
- (d) in that paragraph for the word “its” is substituted the word “his”;
- (e) in paragraph (b) for the word “it” is substituted the word “his”.

(4) In regulation 5(1)—

- (a) for the words “the Post Office” are substituted the words “a universal service provider”; and
- (b) for the word “its” is substituted the word “his”.

#### *Road Vehicles (Registration and Licensing) Regulations 1971*

**33.** In regulation 16(1) of the Road Vehicles (Registration and Licensing) Regulations 1971(**36**) (exhibition of licences)—

- (a) for the words “any post office” are substituted the words “any postal operator (within the meaning of the Postal Services Act 2000)”; and
- (b) for the words “Post Office” are substituted the words “postal operator concerned”.

#### *Misuse of Drugs (Safe Custody) (Northern Ireland) Regulations 1973*

**34.** In regulation 5(2) of the Misuse of Drugs (Safe Custody)(Northern Ireland) Regulations 1973(**37**) for the words “the Post Office” are substituted the words “a postal operator (within the meaning given by section 125(1) of the Postal Services Act 2000)”.

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(35) S.I. 1971/221.

(36) S.I. 1971/450. Regulation 16(1) was amended by regulation 4 of S.I. 1972/1865 and regulation 2 of, and paragraph 6 of the Schedule to, S.I. 1995/1470.

(37) S.R. 1973 No. 179.

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### *Post Office Operational Land Regulations 1973*

**35.** In regulation 2 of the Post Office Operational Land Regulations 1973**(38)**—

- (a) for the words “the Post Office”, where they appear for the second time, are substituted the words “a universal service provider (within the meaning of the Postal Services Act 2000)”;
- (b) for the words “the Post Office”, where they appear for the third time, are substituted the words “a universal service provider”;
- (c) for the word “it”, in both places where it appears, is substituted the word “him”; and
- (d) after the word “purposes” are inserted the words “in connection with the provision of a universal postal service (within the meaning of the Postal Services Act 2000)”.

### *Walkways Regulations 1973*

**36.**—(1) The Walkways Regulations 1973**(39)** are amended as follows.

(2) In regulation 1(2) (commencement, citation and interpretation), at the appropriate place, is inserted—

““universal service provider” has the same meaning as in the Postal Services Act 2000; and references to the provision of a universal postal service shall be construed in accordance with that Act;”.

(3) In regulation 4 (rights of statutory undertakers etc.)—

- (a) in paragraph (1) for the words “the Post Office” are substituted the words “a universal service provider in his capacity as a person who provides a universal postal service”; and
- (b) in paragraph (2) for the words “the Post Office” are substituted the words “a universal service provider in his capacity as a person who provides a universal postal service”.

(4) In regulation 5 (periodic and temporary closure of walkways)—

- (a) in paragraph (3)(a) for the words “the Post Office” are substituted the words “a universal service provider in his capacity as a person who provides a universal postal service”; and
- (b) in paragraph (5) for the words “the Post Office” are substituted the words “a universal service provider in connection with the provision of a universal postal service”.

(5) In regulation 6(2)(b) (stopping up of walkway by building owner) for the words “the Post Office” are substituted the words “a universal service provider in his capacity as a person who provides a universal postal service”.

(6) In paragraph (1) of regulation 7 (apparatus of statutory undertakers etc. in stopped up walkway)—

- (a) for the words “the Post Office”, where they appear for the first time, are substituted the words “a universal service provider in connection with the provision of a universal postal service”; and
- (b) for the words “the Post Office”, where they appear for the second time, are substituted the words “the universal service provider concerned”.

(7) In paragraph (5) of that regulation for the words “the Post Office” are substituted the words “a universal service provider in his capacity as a person who provides a universal postal service”.

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**(38)** S.I. 1973/310.

**(39)** S.I. 1973/686.

*Misuse of Drugs (Safe Custody) Regulations 1973*

**37.** In regulation 5(2)(c) of the Misuse of Drugs (Safe Custody) Regulations 1973(**40**) for the words “the Post Office” are substituted the words “a postal operator (within the meaning of the Postal Services Act 2000)”.

*Control of Pollution Act 1974*

**38.** In section 73(1) of the Control of Pollution Act 1974(**41**) (interpretation), in the definition of “statutory undertakers”, for the words “the Post Office” are substituted the words “a universal service provider (within the meaning of the Postal Services Act 2000) in his capacity as a person who provides a universal postal service (within the meaning of that Act)”.

*Solicitors Act 1974*

**39.**—(1) Paragraph 10 of Schedule 1 to the Solicitors Act 1974(**42**) (power of High Court to re-direct mail of solicitor) is amended as follows.

(2) In sub-paragraph (1) for the words “section 87(1) of the Post Office Act 1953” are substituted the words “section 125(1) of the Postal Services Act 2000”.

(3) In sub-paragraph (2)—

- (a) for the words “Post Office”, where they first appear, are substituted the words “postal operator (as defined by section 125(1) of the Postal Services Act 2000) concerned”; and
- (b) for the words “Post Office”, where they appear for the third time, are substituted the words “postal operator”.

*Welsh Development Agency Act 1975*

**40.**—(1) Section 27 of the Welsh Development Agency Act 1975(**43**) is amended as follows.

(2) In subsection (1) (definitions)—

- (a) in the definition of “statutory undertakers”, for the words “the Post Office” are substituted the words “any universal service provider in connection with the provision of a universal postal service”; and
- (b) at the appropriate place is inserted—

““universal service provider” has the same meaning as in the Postal Services Act 2000; and references to the provision of a universal postal service shall be construed in accordance with that Act;”.

(3) After subsection (1) is inserted—

“(1A) The undertaking of a universal service provider so far as relating to the provision of a universal postal service shall be taken to be his statutory undertaking for the purposes of this Act; and references in this Act to his undertaking shall be construed accordingly.”.

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(40) [S.I. 1973/798](#).

(41) [1974 c. 40](#). The definition of “statutory undertakers” in subsection (1) was amended by section 112(4) of, and Schedule 18 to, the Electricity Act [1989 \(c. 29\)](#)., section 67(4) of, and Part I of Schedule 9 to, the Gas Act [1986 \(c. 44\)](#).) and by section 190 of, and paragraph 48 of Schedule 25 to, the Water Act [1989 \(c. 15\)](#).) There are other amendments not relevant to this Order.

(42) [1974 c. 47](#).

(43) [1975 c. 70](#). Paragraph (b) of the definition of “statutory undertaker” in section 27(1) was amended by section 67 of, paragraph 16 of Schedule 9 and Schedule 11 Part II to, the Coal Industry Act [1994 \(c. 21\)](#).) and by section 4 of, and paragraph 34(3) (b) of Schedule 2, to the Planning (Consequential Provisions) Act [1990 \(c. 11\)](#).) There are other amendments not relevant to this Order.

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*Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975*

**41.** In article 3(b) of the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975(**44**) after the words “the United Kingdom Atomic Energy Authority,” is inserted the word “or”.

*Local Government (Miscellaneous Provisions) Act 1976*

**42.**—(1) The Local Government (Miscellaneous Provisions) Act 1976(**45**) is amended as follows.

(2) In section 44(1) (interpretation etc. of Part 1)—

(a) in the definition of “statutory undertakers”, for the words “the Post Office” are substituted the words “a universal service provider in connection with the provision of a universal postal service”; and

(b) at the appropriate place is inserted—

““universal service provider” has the same meaning as in the Postal Services Act 2000; and references to the provision of a universal postal service shall be construed in accordance with that Act.”.

(3) After section 44(1) is inserted—

“(IZA) The undertaking of a universal service provider so far as relating to the provision of a universal postal service shall be taken to be his statutory undertaking for the purposes of this Part; and references in this Part to his undertaking shall be construed accordingly.”.

*Solicitors (Northern Ireland) Order 1976*

**43.**—(1) The Solicitors (Northern Ireland) Order 1976(**46**) is amended as follows.

(2) In Schedule 1, in paragraph 15 (re-direction of postal packets), in sub-paragraph (1), for the words “section 87(1) of the Post Office Act 1953” are substituted the words “section 125(1) of the Postal Services Act 2000”.

(3) In sub-paragraph (2)—

(a) for the words “Post Office”, where they first appear, are substituted the words “postal operator (as defined by section 125(1) of the Postal Services Act 2000) concerned”; and

(b) for the words “Post Office”, where they appear for the third time, are substituted the words “postal operator”.

*Credit Unions Act 1979*

**44.** In section 31(1) of the Credit Unions Act 1979(**47**) (interpretation), in the definition of “authorised bank”, at the end of paragraph (a), is inserted the word “and”.

(44) S.I. 1975/1023 to which there are amendments which are not relevant to this Order.

(45) 1976 c. 57. The definition of “statutory undertakers” in section 44(1) was amended by section 87 of, and paragraph 10(4) of Schedule 3 to the British Telecommunications Act 1981 (c. 38.), by section 109(6) of, and Schedule 7 to, the Telecommunications Act 1984 (c. 12.), by section 190(3) of, and Schedule 27 to, the Water Act 1989 (c. 15.) and section 343(2) of, and Schedule 24 to, the Highways Act 1980 (c. 66.). There are other amendments not relevant to this Order.

(46) S.I. 1976/582 (N.I. 12).

(47) 1979 c. 34. Paragraph (a) in the definition of “authorised bank” was substituted by the Banking Act 1987 (c. 22.), section 108 and paragraph 72 of Schedule 6. Paragraph (b) in that definition was repealed by the Trustee Savings Banks Act 1985 (c. 58.), section 4(3) and 7(3) and Schedule 4. Words at the end of the definition were repealed by the Act of 1987, section 108, paragraph 7(2) of Schedule 6 and Part I of Schedule 7.

*Ancient Monuments and Archaeological Areas Act 1979*

**45.** Section 61 of the Ancient Monuments and Archaeological Areas Act 1979~~(48)~~ (interpretation) is amended as follows.

(2) In subsection (1) (definitions) at the appropriate place is inserted—

““universal postal service provider” means a universal service provider within the meaning of the Postal Services Act 2000; and references to the provision of a universal postal service shall be construed in accordance with that Act.”.

(3) In subsection (2) (definition of “statutory undertakers”) for the words “the Post Office” are substituted the words “a universal postal service provider in connection with the provision of a universal postal service”.

(4) After subsection (2) is inserted—

“(2A) The undertaking of a universal postal service provider so far as relating to the provision of a universal postal service shall be taken to be his statutory undertaking for the purposes of this Act; and references in this Act to his undertaking shall be construed accordingly.”.

*Public Health (Aircraft) Regulations 1979*

**46.** In regulation 35 of the Public Health (Aircraft) Regulations 1979~~(49)~~ (saving for mails)—

(a) for the words “the Post Office” are substituted the words “a universal service provider (within the meaning of the Postal Services Act 2000) in connection with the provision of a universal postal service (within the meaning of that Act)”; and

(b) for the words from “the Post Office Act 1953” to the end of the regulation are substituted the words “the Postal Services Act 2000”.

*Public Health (Ships) Regulations 1979*

**47.** In regulation 41 of the Public Health (Ships) Regulations 1979~~(50)~~ (saving for mails)—

(a) for the words “the Post Office” are substituted the words “a universal service provider (within the meaning of the Postal Services Act 2000) in connection with the provision of a universal postal service (within the meaning of that Act)”; and

(b) for the words from “the Post Office Act 1953” to the end of the regulation are substituted the words “the Postal Services Act 2000”.

*Local Government, Planning and Land Act 1980*

**48.—**(1) The Local Government, Planning and Land Act 1980~~(51)~~ is amended as follows.

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**(48)** 1979 c. 46. Section 61(2)(b) was amended by section 83(5) of, and Part I of Schedule 6 to, the Airports Act 1986 (c. 31.), section 67 of, paragraph 22 of Schedule 9 and Part II of Schedule to, the Coal Industry Act 1994 (c. 21.), section 4 of, and paragraph 43(2) of Schedule 2 to, the Planning (Consequential Provisions) Act 1990 (c. 11.) and sections 4 and paragraph 29 of Schedule 2 to, the Planning (Consequential Provisions)(Scotland) Act 1997 (c. 11.). There are other amendments not relevant to this Order.

**(49)** S.I. 1979/1434.

**(50)** S.I. 1979/1435.

**(51)** 1980 c. 65. Section 120(3)(b) was amended by section 83(5) of, and Part I of Schedule 6 to, the Airports Act 1986 (c. 31.), section 67 of, paragraph 25(1) of Schedule 9 and Part II of Schedule 11 to, the Coal Industry Act 1994 (c. 21.), section 34 of, and Part I of Schedule 6 to, the Acquisition of Land Act 1981 (c. 67.) and section 4 of, and paragraph 31(2) of Schedule 2 to, the Planning (Consequential Provisions)(Scotland) Act 1997 (c. 11.). Section 170(1)(b) was amended by section 83(5) of, and Part I of Schedule 6 to, the Airports Act 1986, section 67 of, paragraph 25 of Schedule 9 and Part II of Schedule II to, the Coal Industry Act 1994, section 4 of, and paragraph 44(7) of Schedule 2 to, the Planning (Consequential Provisions) Act 1990 (c. 11.) and section 4 of, and paragraph 31(7)(a) of Schedule 2 to, the Planning (Consequential Provisions)(Scotland) Act 1997.

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(2) In section 120(3) (compulsory acquisition: exclusion of special parliamentary procedure), in the definition of “statutory undertakers”, for the words “the Post Office” are substituted the words “a universal service provider (within the meaning of the Postal Services Act 2000) in connection with the provision of a universal postal service (within the meaning of that Act)”.

(3) After section 141(6) (vesting by order of urban development corporation) is inserted—

“(6A) No order shall be made under this section in relation to a universal service provider (within the meaning of the Postal Services Act 2000).”.

(4) In section 170(1) (interpretation of Part XVI: statutory undertakers etc.), in paragraph (b) of the definition of “statutory undertaker”, for the words “the Post Office” are substituted the words “a universal service provider in connection with the provision of a universal postal service”.

(5) After section 170(2) is inserted—

“(2A) The undertaking of a universal service provider so far as relating to the provision of a universal postal service shall be taken to be his statutory undertaking for the purposes of this Part of this Act; and references in this Part of this Act to his undertaking shall be construed accordingly.

(2B) In subsection (1) and (2A) above “universal service provider” has the same meaning as in the Postal Services Act 2000; and references to the provision of a universal postal service shall be construed in accordance with that Act.”.

(6) In paragraph 11(7) of Schedule 28 (urban development corporations: land) for the words “the Post Office” are substituted the words “the universal service provider (within the meaning of the Postal Services Act 2000) who provides a universal postal service (within the meaning of that Act) for the area in which the land is situated”.

### *Highways Act 1980*

**49.**—(1) The Highways Act 1980(**52**) is amended as follows.

(2) In section 144(6) (power to erect flagpoles etc. on highways), in the definition of “statutory undertakers”, for the words “the Post Office” are substituted the words “any universal service provider in connection with the provision of a universal postal service”.

(3) In section 169(4) (control of scaffolding on highways) for the words “the Post Office” are substituted the words “any universal service provider in connection with the provision of a universal postal service”.

(4) In section 170(3) (control of mixing of mortar etc. on highways) for the words “the Post Office” are substituted the words “any universal service provider in connection with the provision of a universal postal service”.

(5) In section 174(5) (precautions to be taken by persons executing works in streets) for the words “the Post Office” are substituted the words “any universal service provider concerned in connection with the provision of a universal postal service”.

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(52) 1980 c. 66. Section 144(6) was amended by section 109 of, paragraph 75 of Schedule 4 and Schedule 7 to, the Telecommunications Act 1984 (c. 12.), section 190 of, and Part I of Schedule 27 to, the Water Act 1989 (c. 15.), section 168(1) and paragraph 3 of Part I of Schedule 8 of the New Roads and Street Works Act 1991 (c. 22.) and section 13(1) of, and paragraph 3(5) of Schedule 4 to, the Road Traffic (Driver Licensing and Information Systems) Act 1989 (c. 22.). Section 169(4) was amended by section 190 of, and Part I of Schedule 27 to, the Water Act 1989 (c. 15.), section 109, paragraph 76 of Schedule 4 and Part I of Schedule 7 to, the Telecommunications Act 1984 (c. 12.), section 168(1) and paragraph 4 of Part I of Schedule 8 to the New Roads and Street Works Act 1991 (c. 22.) and section 13(1) of, and paragraph 3(7) of Schedule 4 to, the Road Traffic (Driver Licensing and Information Systems) Act 1989 (c. 22.). Section 170(3) was amended by section 109 of, paragraph 76 of Schedule 4 and Part I of Schedule 7 to, the Telecommunications Act 1984 (c. 12.), section 190 of, and Part I of Schedule 27 to, the Water Act 1989 (c. 15.), and section 13(1) of, and paragraph 3(8) of Schedule 4 to, the Road Traffic (Driver Licensing and Information Systems) Act 1989 (c. 22.). There are other amendments not relevant to this Order. Section 185(3) was amended by section 190 of, and paragraph 62 of Schedule 25 to, the Water Act 1989 (c. 15.). Section 254(6) was amended by section 34 of, and paragraph 31 of Schedule 4 to, the Acquisition of Land Act 1981 (c. 67.).



(6) In section 178(5) (restriction on placing rails, beams etc. over highways) for the words “the Post Office” are substituted the words “a universal service provider in connection with the provision of a universal postal service”.

(7) In section 185 (power to install refuse or storage bins in streets)—

(a) in subsection (3)(b), after the words “sewerage undertakers,” are inserted the words “or to a universal service provider in connection with the provision of a universal postal service;”; and

(b) after subsection (3) is inserted—

“(3A) For the purposes of subsection (3) above, the undertaking of a universal service provider shall be taken to be his undertaking so far as it relates to the provision of a universal postal service.”.

(8) In section 254 (compulsory acquisition for certain purposes of rights in land belonging to local authorities etc.)—

(a) in subsection (6) for the words “the Post Office” are substituted the words “a universal service provider in connection with the provision of a universal postal service”; and

(b) after subsection (6) is inserted—

“(6A) In its application to a universal service provider, subsection (1) of this section shall be construed as if for the words “or which has been acquired, for the purposes of their undertaking, by statutory undertakers” there were substituted the words “or of a universal service provider and which, in the case of a universal service provider, is being held or used for any purpose in connection with the provision of a universal postal service”.

(9) In section 290 (supplementary provisions as to powers of entry for the purpose of survey)—

(a) in subsection (9), for the words “The Post Office” are substituted the words “A universal service provider in connection with the provision of a universal postal service;”; and

(b) after subsection (9) is inserted—

“(9A) For the purposes of subsection (9) above, the undertaking of a universal service provider shall be taken to be his undertaking so far as it relates to the provision of a universal postal service.”.

(10) In section 329(1) (further provision as to interpretation), at the appropriate place, is inserted—

““universal service provider” has the same meaning as in the Postal Services Act 2000; and references to the provision of a universal postal service shall be construed in accordance with that Act;”.

(11) In part I of Schedule 6 (procedure for making and confirming certain orders relating to footpaths and bridleways), in paragraph 3—

(a) in sub-paragraph (3) for the words “the Post Office” are substituted the words “a universal service provider in connection with the provision of a universal postal service”; and

(b) after sub-paragraph (3) is inserted—

“(3A) For the purposes of sub-paragraph (3) above the undertaking of a universal service provider shall be taken to be his undertaking so far as it relates to the provision of a universal postal service.”.

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*Forgery and Counterfeiting Act 1981*

**50.**—(1) Section 8 of the Forgery and Counterfeiting Act 1981<sup>(53)</sup> (meaning of “instrument”) is amended as follows.

(2) In subsection (1)(b) for the words “the Post Office” are substituted the words “a postal operator”.

(3) In subsection (3)—

(a) for the words “the Post Office authorise” are substituted the words “a postal operator authorises”; and

(b) for the words “the Post Office”, where they appear for the second time, are substituted the words “the postal operator concerned”.

(4) After subsection (3) is inserted—

“(3A) In this section “postal operator” has the same meaning as in the Postal Services Act 2000.”.

*New Towns Act 1981*

**51.** In section 78(1)(d) of the New Towns Act 1981<sup>(54)</sup> (meaning etc. of “appropriate Minister”) for the words “the Post Office” are substituted the words “a universal postal service provider”.

**52.**—(1) Section 79 of that Act (meaning of “statutory undertakers” and “operational land”) is amended as follows.

(2) In subsection (1)(c) for the words “the Post Office” are substituted the words “a universal postal service provider in connection with the provision of a universal postal service”.

(3) Before subsection (2) is inserted—

“(1B) The undertaking of a universal postal service provider so far as relating to the provision of a universal postal service shall be taken to be his statutory undertaking for the purposes of this Act; and references in this Act to his undertaking shall be construed accordingly.”.

(4) In subsection (3)(a) for the words “the Post Office” are substituted the words “a universal postal service provider”.

**53.** In section 80(1) of that Act (general interpretation provisions), at the appropriate place, is inserted—

““universal postal service provider” means a universal service provider within the meaning of the Postal Services Act 2000; and references to the provision of a universal postal service shall be construed in accordance with that Act;”.

*Acquisition of Land Act 1981*

**54.**—(1) The Acquisition of Land Act 1981<sup>(55)</sup> is amended as follows.

(2) In section 7(1) (interpretation), at the appropriate place, is inserted—

““universal service provider” has the same meaning as in the Postal Services Act 2000; and references to the provision of a universal postal service shall be construed in accordance with that Act.”.

(2) In section 8 (statutory undertakers)—

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<sup>(53)</sup> 1981 c. 45.

<sup>(54)</sup> 1981 c. 64.

<sup>(55)</sup> 1981 c. 67.

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- (a) in subsection (1)(c) for the words “the Post Office” are substituted the words “a universal service provider in connection with the provision of a universal postal service”; and
- (b) after subsection (1) is inserted—
  - “(1A) The undertaking of a universal service provider so far as relating to the provision of a universal postal service shall be taken to be his statutory undertaking for the purposes of this Act; and references in this Act to his undertaking shall be construed accordingly.”.

#### *Magistrates' Courts (Forms) Rules 1981*

**55.** In form 145 in Schedule 2 to the Magistrates' Courts (Forms) Rules 1981(**56**) (certificate of service by post) for the words “the Post Office” are substituted the words “name of the public post office (within the meaning of the Postal Services Act 2000)”.

#### *Civil Aviation Act 1982*

**56.**—(1) Section 105 of the Civil Aviation Act 1982(**57**) (general interpretation) is amended as follows.

- (2) In subsection (1) (general definitions)—
  - (a) in the definition of “statutory undertaker” for the words “the Post Office” are substituted the words “a universal service provider in connection with the provision of a universal postal service”; and
  - (b) at the appropriate place is inserted—
    - ““universal service provider” has the same meaning as in the Postal Services Act 2000; and references to the provision of a universal postal service shall be construed in accordance with that Act.”.
- (3) After subsection (1) is inserted—
  - “(1A) The undertaking of a universal service provider so far as relating to the provision of a universal postal service shall be taken to be his statutory undertaking for the purposes of this Act; and references in this Act to his undertaking shall be construed accordingly.”.

#### *Representation of the People Act 1983*

**57.**—(1) The Representation of the People Act 1983(**58**) is amended as follows.

- (2) In section 63(3)(d) (offence of breach of official duty) for the word “postmaster” are substituted the words “official designated by a universal postal service provider”.
- (3) In section 184(2) (service of notices) for the words “the Post Office” are substituted the words “the postal operator (within the meaning of the Postal Services Act 2000) concerned”.
- (4) In section 202(1) (general provisions as to interpretation), at the appropriate place, is inserted—
  - ““universal postal service provider” means a universal service provider (within the meaning of the Postal Services Act 2000);”.
- (5) In Part IV of Schedule 1 (parliamentary election rules), in rule 51 (return of writ)—
  - (a) in paragraph (3) for the words “the postmaster” to the end are substituted the words “an official designated for that purpose by a universal postal service provider who is providing

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(56) S.I. 1981/553.

(57) 1982 c. 16.

(58) 1983 c. 2. Section 63 was substituted by section 24 of, and paragraph 19 of Schedule 4 to, the Representation of the People Act 1985 (c. 50.). The Schedule contains many amendments not relevant to this Order.

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a universal postal service (within the meaning of the Postal Services Act 2000) for the area in which the election is being held or to his deputy, provided that the official or deputy is at that time within the area concerned.”; and

- (b) in paragraph (4) for the words “The postmaster” are substituted the words “The designated official”.
- (6) In Part V of Schedule 1, in rule 55(2)(b) (delivery of documents to Clerk of the Crown)—
  - (a) for the words “the postmaster or deputy postmaster”, where they appear for the first time, are substituted the words “the official designated by the universal postal service provider or the deputy of that official”; and
  - (b) for the words “the postmaster or deputy postmaster”, where they appear for the second time, are substituted the words “the official or deputy”.

#### *Parliamentary Writs Order 1983*

**58.**—(1) The Parliamentary Writs Order 1983(**59**) is amended as follows.

(2) In article 2 (interpretation) at the appropriate places are inserted—

““registered post service” has the same meaning as in the Postal Services Act 2000;” and

““the relevant universal postal service provider” means the universal service provider (within the meaning of the Postal Services Act 2000) responsible for conveying writs;”.

(3) In article 5 (duty to provide address to the Post Office) for the words “the Post Office”, in every place where they appear, are substituted the words “the relevant universal postal service provider”.

(4) In article 6 (parliamentary writs list) for the words “The Post Office” are substituted the words “The relevant universal postal service provider”.

(5) In article 7 (appointment of postal officials) for the words “The Post Office” are substituted the words “The relevant universal postal service provider”.

(6) In article 8 (copy of the list or alterations to it) for the words “The Post Office” are substituted the words “The relevant universal postal service provider”.

(7) In article 10 (conveyance of writ to appropriate official)—

(a) in paragraph (1) for the words “registered post” are substituted the words “the registered post service of the relevant universal postal service provider;” and

(b) in paragraph (2) for the words “the Post Office” are substituted the words “the relevant universal postal service provider”.

(8) In article 11(3) (conveyance of writ by appropriate official) for the words “registered post” are substituted the words “the registered post service of the relevant universal postal service provider”.

#### *Access to the Countryside (Northern Ireland) Order 1983*

**59.** In Article 2(2) of the Access to the Countryside (Northern Ireland) Order 1983(**60**) in the definition of “statutory undertakers” for the words “the Post Office” are substituted the words “a universal service provider (within the meaning of the Postal Services Act 2000) in connection with the provision of a universal postal service (within the meaning of that Act)”.

#### *Mental Health (Scotland) Act 1984*

**60.** In section 115 of the Mental Health (Scotland) Act 1984(**61**) (correspondence of patients)—

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(59) S.I. 1983/605.

(60) S.I. 1983/1895 (N.I. 18).

(61) 1984 c. 36.

- (a) in subsection (1) for the words “Post Office” are substituted the words “postal operator”; and
- (b) in subsection (9)—
  - (i) for the word “has” are substituted the words “and “postal operator” have”; and
  - (ii) for the words “Post Office Act 1953” are substituted the words “Postal Services Act 2000”.

#### *Building Act 1984*

**61.** In section 126 of the Building Act 1984(**62**) (interpretation), in the definition of “statutory undertakers”, after the words “public undertaking;” are inserted the words “but does not include a universal service provider (within the meaning of the Postal Services Act 2000), the Post Office company (within the meaning of Part IV of that Act) or any subsidiary or wholly-owned subsidiary (within the meanings given by section 736 of the Companies Act 1985) of the Post Office company;”.

#### *Administration of Justice Act 1985*

**62.**—(1) Paragraph 10 of Schedule 5 to the Administration of Justice Act 1985(**63**) (power of High Court to re-direct mail of licensed conveyancer) is amended as follows.

(2) In sub-paragraph (1) for the words “section 87(1) of the Post Office Act 1953” are substituted the words “section 125(1) of the Postal Services Act 2000”.

(3) In sub-paragraph (2)—

- (a) for the words “Post Office”, where they first appear, are substituted the words “postal operator (as defined by section 125(1) of the Postal Services Act 2000) concerned”; and
- (b) for the words “Post Office”, where they appear for the third time, are substituted the words “postal operator”.

#### *Housing Act 1985*

**63.** In section 448(1) of the Housing Act 1985(**64**) (recognised savings institutions) after the words “friendly societies,” is inserted the word “and”.

#### *Data Protection Tribunal Rules 1985*

**64.**—(1) The Data Protection Tribunal Rules 1985(**65**) are amended as follows.

(2) In rule 4(3) (time limit for appealing) for the words “Post Office” are substituted the words “postal operator (within the meaning given by section 125(1) of the Postal Services Act 2000) concerned”.

(3) In rule 25(2) (withdrawal of appeal) for the words “Post Office” are substituted the words “postal operator (within the meaning given by section 125(1) of the Postal Services Act 2000) concerned”.

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**(62)** 1984 c. 55. In section 126 in the definition of “statutory undertaker” the words omitted were repealed by section 67(4) of, and Schedule 9 Part I to, the Gas Act 1986 (c. 44.), section 112(4) of, and Schedule 18 to, the Electricity Act 1989 (c. 29.) and section 190 of, and Schedule 27 Part I to, the Water Act 1989 (c. 15.).

**(63)** 1985 c. 61.

**(64)** 1985 c. 68. Section 448(1) was amended by section 120 of, and paragraph 18(3) of Part I of Schedule 18 to, the Building Societies Act 1986 (c. 53.).

**(65)** S.I. 1985/1568.

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*Misuse of Drugs Regulations 1985*

**65.** In regulation 6(7)(c) of the Misuse of Drugs Regulations 1985(**66**) (general authority to supply and possess) for the words “the Post Office” are substituted the words “a postal operator (within the meaning of the Postal Services Act 2000)”.

*Postal Packets (Customs and Excise) Regulations 1986*

**66.**—(1) The Postal Packets (Customs and Excise) Regulations 1986(**67**) are amended as follows.

(2) In regulation 2—

(a) after the definition of “exporter” and “importer” are inserted—

““post office”, “postal operator” and “registered post service” have the same meaning as in the Postal Services Act 2000;

“postal packet” means a letter, parcel, packet or other article transmissible by post, conveyed by a universal service provider (within the meaning of the Postal Services Act 2000) in connection with the provision of a universal postal service (within the meaning of that Act);” and

(b) in the definition of “proper”, for the words “Post Office” are substituted the words “postal operator”.

(3) In regulation 6 after the word “except” are inserted the words “in a postal packet.”.

(4) For regulation 7 is substituted the following—

“**7.**—(1) Subject to paragraphs (2) to (6) below, every postal packet brought into the United Kingdom containing dutiable goods shall have affixed to it, or be accompanied by, a customs declaration fully stating the nature, quantity and value of the goods which it contains or of which it consists, and such other particulars as the Commissioners or the postal operator may require.

(2) The Commissioners may, at the request of the postal operator, relax the requirements of paragraph (1) above by allowing the bringing in by post into the United Kingdom of any number of postal packets accompanied by a single customs declaration containing the particulars described in paragraph (1) above if they are brought in together, sent by or on behalf of the same person and addressed to a single addressee.

(3) Subject to paragraph (5) below, every postal packet brought into the United Kingdom the value of which exceeds £270, shall in addition to the requirements contained in paragraph (1) above, bear on the outside the top portion of a green label in the prescribed form.

(4) Subject to paragraph (6) below, every postal packet brought into the United Kingdom the value of which does not exceed £270, shall either—

(a) bear on the outside a green label in the prescribed form, in which the declaration as to the description, net weight and value of the contents shall be fully and correctly completed; or

(b) bear on the outside the top portion of a green label in the prescribed form and, in addition, have attached to it a full and correct customs declaration of the kind prescribed in paragraph (1) above.

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**(66)** S.I. 1985/2066, to which there are amendments not relevant to this Order.

**(67)** S.I. 1986/260 was amended by S.I. 1986/1019 and S.I. 1992/3224.

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(5) Any postal packet falling within paragraph (3) above which contains any article of value and is brought into the United Kingdom by a registered post service, may have the customs declaration referred to in paragraph (3) above enclosed in it.

(6) Any postal packet falling within paragraph (4) above which contains any article of value and is brought into the United Kingdom by registered post service, may have the customs declaration referred to in paragraph (4)(b) above enclosed in it.”.

(5) For regulation 8 is substituted the following—

“8.—(1) Subject to paragraphs (2) to (6) below, every postal packet posted into the United Kingdom for transmission to any place outside it containing dutiable goods shall have affixed to it, or be accompanied by, a customs declaration fully stating the nature, quantity and value of the goods which it contains or of which it consists, and such other particulars as the Commissioners or the postal operator may require.

(2) The Commissioners may, at the request of the postal operator, relax the requirements of paragraph (1) above by allowing the exportation by post of any number of postal packets accompanied by a single customs declaration containing the particulars described in paragraph (1) above if they are brought in together, sent by or on behalf of the same person and addressed to a single addressee.

(3) Subject to paragraph (5) below every postal packet posted in the United Kingdom for transmission to any place outside it the value of which exceeds £270, shall bear on the outside the top portion of a green label in the prescribed form and, in addition, shall have attached to it, or, if the postal administration of the country of destination so requires, enclosed in it, a full and correct customs declaration of the kind described in paragraph (1) above.

(4) Subject to paragraph (6) below, every postal packet posted in the United Kingdom for transmission to any place outside it the value of which does not exceed £270, shall either—

(a) bear on the outside on the outside a green label in the prescribed form, in which the declaration as to the description, net weight and value of the contents shall be fully and correctly completed; or, if the sender so prefers,

(b) bear on the outside the top portion of a green label in the prescribed form and, in addition, have attached to it or, if the postal administration of the country of destination so requires, enclosed in it, a full and correct customs declaration of the kind prescribed in paragraph (1) above.

(5) Any postal packet falling within paragraph (3) above which contains any article of value and is exported by registered post service, may have the customs declaration referred to in paragraph (3) above enclosed in it if the sender so prefers.

(6) Any postal packet falling within paragraph (4) above which contains any article of value and is exported by registered post service may have the customs declaration referred to in paragraph (4)(b) above enclosed in it if the sender so prefers.”.

(6) For regulation 9(1) is substituted the following—

“9.—(1) Every mail bag containing postal packets containing or consisting of goods which are dutiable in the country of destination, brought by post into the United Kingdom or posted in the United Kingdom for transmission to any place outside it by a universal service provider (within the meaning of the Postal Services Act 2000) in connection with the provision of a universal postal service (within the meaning of that Act), shall have affixed to the bag label a green label in the prescribed form.”

(7) In regulations 11, 12 and 13 for the words “Post Office” are substituted the words “postal operator”.

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(8) In regulation 14 for the words “Post Office” are substituted the words “postal operator”.

(9) In regulation 15 for the words “Post Office”, each time they appear, are substituted the words “postal operator”.

(10) In regulation 17 for the words “Post Office” are substituted the words “postal operator”.

(11) In regulation 18 for “the Post Office Overseas Parcel Post Scheme 1982, the Post Office Overseas Letter Post Scheme 1982 or the Post Office Inland Post Scheme 1979 which are applicable thereto” are substituted the words “the Postal Services Act 2000”.

#### *Magistrates' Courts (Discontinuance of Proceedings) Rules 1986*

**67.** In rule 4 of the Magistrates' Courts (Discontinuance of Proceedings) Rules 1986(**68**) for the words “Post Office” are substituted the words “postal operator (within the meaning of the Postal Services Act 2000) concerned”.

#### **Mental Health (Northern Ireland) Order 1986**

**68.**—(1) Article 16 of the Mental Health (NI) Order 1986(**69**) (correspondence of detained patients) is amended as follows.

(2) In paragraph (1) for the words “the Post Office” are substituted the words “the postal operator concerned”.

(3) In paragraph (8)—

(a) for the words ““postal packet” has” are substituted the words ““postal packet” and “postal operator” have”; and

(b) for the words “the Post Office Act 1953” are substituted the words “the Postal Services Act 2000”.

#### *Road Vehicles (Construction and Use) Regulations 1986*

**69.** In the table in regulation 3(2) of the Road Vehicles (Construction and Use) Regulations 1986(**70**) (interpretation), in the meaning specified in column 2 for the expression “public works vehicle” specified in column 1, for the words “the Post Office” are substituted the words “a universal service provider (within the meaning of the Post Services Act 2000) in connection with the provision of a universal postal service (within the meaning of that Act)”.

#### *Insolvency Rules 1986*

**70.** In form 6.80 in Schedule 4 to the Insolvency Rules 1986(**71**) (order to Post Office)—

(a) in the title for the words “Post Office” are substituted the words “postal operator”;

(b) for the words “(as defined by section 83 of the Post Office Act 1953)” are substituted the words “(within the meaning of the Postal Services Act 2000)”;

(c) for the words “the Post Office”, where they appear for the second time, are substituted with the words “the postal operator (within the meaning of that Act) to whom this Order is addressed”; and

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(68) S.I. 1986/367.

(69) S.I. 1986/595 (N.I. 4) was amended by S.I. 1994/429 (N.I. 2).

(70) S.I. 1986/1078 was amended by regulation 3(f) of S.I. 1990/1981 and section 120 of, and paragraph 233(1) of Schedule 22 to, the Environment Act 1995 and article 2 of, and the Schedule to, S.I. 1996/252. There are other amendments not relevant to this Order.

(71) S.I. 1986/1925.



- (d) for the words “the Post Office”, where they appear for the third time, are substituted the words “the postal operator to whom this Order is addressed”.

*European Parliamentary Elections (Northern Ireland) Regulations 1986*

**71.**—(1) The European Parliamentary Elections (Northern Ireland) Regulations 1986(**72**) is amended as follows.

(2) In regulation 5(3) (application of certain provisions for Assembly elections) for the words “they apply” are substituted the words “it applies”.

(3) In Schedule 1 (application of provisions of the Representation of the People Acts), after the entry relating to section 200, insert in the left-hand column, “Section 200A (remuneration for free postal services provided under Act)”.

*Misuse of Drugs (Northern Ireland) Regulations 1986*

**72.** In regulation 6(7)(c) of the Misuse of Drugs (Northern Ireland) Regulations 1986(**73**) (general authority to supply and possess) for the words “the Post Office” are substituted the words “a postal operator (within the meaning given by section 125(1) of the Postal Services Act 2000)”.

*Housing (Scotland) Act 1987*

**73.** In section 338(1) of the Housing (Scotland) Act 1987(**74**) (interpretation) in the definition of “public undertakers” at the end there are added the words “(including a universal service provider (within the meaning of the Postal Services Act 2000) in connection with the provision of a universal postal service (within the meaning of that Act))”.

*Town and Country Planning (Determination of Appeals by Appointed Persons)(Prescribed Classes)(Scotland) Regulations 1987*

**74.** In regulation 2(1) of the Town and Country Planning (Determination of Appeals by Appointed Persons)(Prescribed Classes)(Scotland) Regulations 1987(**75**) (interpretation), in the definition of “statutory undertakers” for the words “the Post Office” are substituted the words “a universal service provider (within the meaning of the Postal Services Act 2000) in connection with the provision of a universal postal service (within the meaning of that Act)”.

*Housing Act 1988*

**75.**—(1) The Housing Act 1988(**76**) is amended as follows.

(2) After section 76(6) (vesting of land by order in housing action trust) is inserted—

“(6A) No order shall be made under this section in relation to a universal service provider (within the meaning of the Postal Services Act 2000).”.

(3) In paragraph 9(7) of Schedule 10 (housing action trusts: land) for the words “the Post Office” are substituted the words “the universal service provider (within the meaning of the Postal Services

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(72) *S.I. 1986/2250*: the citation of these Regulations was amended by sections 3(1)(b) and 3(2)(b) of the European Communities (Amendment) Act 1986 (c. 58).

(73) *S.R. 1986 No. 52*, to which there are amendments not relevant to this Order.

(74) 1987 c. 26. Section 338(1) was amended by section 112, Schedules 17 and 18 to, the Electricity Act 1989 (c. 29.).

(75) *S.I. 1987/1531*. Regulation 2(1) was amended by article 2 of, and the Schedule to, *S.I. 1996/252*.

(76) 1988 c. 50. Paragraph 4(b) of Schedule 9 was amended by section 67 of, and paragraph 37 of Schedule 9 and Part II of Schedule 11 to, the Coal Industry Act 1994 (c. 21.), section 17(2) of, and Part I of, Schedule 2 to, the British Technology Group Act 1991 (c. 66.) and section 4 of, and paragraph 79(5) of Schedule 2 to, the Planning (Consequential Provisions) Act 1990 (c. 11.).

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Act 2000) who provides a universal postal service (within the meaning of that Act) for the area in which the land is situated”.

*Social Fund Cold Weather Payments (General) Regulations 1988*

**76.** In regulation 1(2) of the Social Fund Cold Weather Payments (General) Regulations 1988(**77**) (citation, commencement and interpretation), in the definition of “postcode district”, for the words “means a Post Office postcode district” are substituted the words “shall be construed in accordance with the Postcode Address File (within the meaning given by section 116 of the Postal Services Act 2000)”.

*Consumer Protection (Code of Practice for Traders on Price Indications) Approval Order 1988*

**77.** In paragraph 2.2.4 of the Code of Practice in the Schedule to the Consumer Protection (Code of Practice for Traders on Price Indications) Approval Order 1988(**78**) (postage, packing and delivery charges) for the words “Post Office” are substituted the words “universal service provider (within the meaning of the Postal Services Act 2000)”.

*Legal Aid in Criminal and Care Proceedings (Costs) Regulations 1989*

**78.** In Part V of Schedule 3 of the Legal Aid in Criminal and Care Proceedings (Costs) Regulations 1989(**79**) (fees for advocacy in the Crown Court), in the Table of Offences—

- (a) in Class H in the first column for the words “Sending prohibited articles by post” are substituted the words “Prohibition on sending certain articles by post”;
- (b) in Class H in the second column for the words “Post Office Act 1953 section 11” are substituted the words “Postal Services Act 2000 section 85”;
- (c) in Class H in the third column “1953 c 36” is substituted by “2000 c 26”.

*Insolvency (Northern Ireland) Order 1989*

**79.** In Article 342(1) of the Insolvency (Northern Ireland) Order 1989(**80**) (re-direction of bankrupt’s letters, etc.) for the words “the Post Office”, where these words appear for the first time, are substituted the words—

- (a) “a postal operator (within the meaning given by section 125(1) of the Postal Services Act 2000)”;
- (b) for the words “Post Office Act 1953” are substituted the words “Postal Services Act 2000”.

*Town and Country Planning Act 1990*

**80.**—(1) Section 262 of the Town and Country Planning Act 1990(**81**) (meaning of statutory undertakers) is amended as follows.

(2) In subsection (3)—

- (a) for the words “subsection (5)” are substituted the words “subsections (5) to (5B)”;

(77) *S.I. 1988/1724*. The definition of “postcode district” was substituted by regulation 2(6) of *S.I. 1996/2544* and amended by regulation 2 of *S.I. 1997/2311*.

(78) *S.I. 1988/2078*.

(79) *S.I. 1989/343*. Paragraphs 22 to 24 and the Table of Offences were inserted by regulation 16 of, and the Schedule to, *S.I. 1996/2655*. There are other amendments which are not relevant to this Order.

(80) *S.I. 1989/2405 (N.I. 19)*.

(81) *1990 c. 8*. Section 262(3) was amended by section 16(1) of, and paragraph 18(2) of Schedule 4 to, the Gas Act *1995 (c. 45.)* and regulation 2 of, and Schedule 1 to, *S.I. 1996/593*. Section 263(3) was amended by sections 31 and 84 of, and paragraph 23 of Schedule 19 to, the Planning and Compensation Act *1991 (c. 34.)*. There are other amendments which are not relevant to this Order.

- (b) for the words “the Post Office” are substituted the words “any universal postal service provider in connection with the provision of a universal postal service”.
- (3) In subsection (5)(a) and (b) for the words “the Post Office” are substituted the words “a universal postal service provider in connection with the provision of a universal postal service”.

(4) Before subsection (6) is inserted—

“(5B) The undertaking of a universal postal service provider so far as relating to the provision of a universal postal service shall be taken to be his statutory undertaking for the purposes of this Act; and references in this Act to his undertaking shall be construed accordingly.”.

**81.**—(1) Section 263 of that Act (meaning of operational land) is amended as follows.

(2) Before subsection (3) is inserted—

“(2D) Subsection (1) does not apply in relation to a universal postal service provider.

(2E) Subject to subsections (3) and (4) and section 264, in this Act “operational land” means, in relation to a universal postal service provider, land—

- (a) which is used by the provider, or by a company associated with him, for any purpose in connection with the provision of a universal postal service, or
- (b) in which the provider, or a company associated with him, holds an interest for any such purpose.”.

(3) In subsection (3)—

- (a) for the words “the Post Office” are substituted the words “a universal postal service provider”; and
- (b) for the words “Post Office’s” are substituted the words “provider’s”.

(4) In subsection (4)(a)(i) for the words “the Post Office” are substituted the words “a universal postal service provider”.

**82.** In section 265(1)(c) of that Act (meaning of appropriate Minister) for the words “the Post Office” are substituted the words “a universal postal service provider”.

**83.** In section 336(1) of that Act (interpretation), at the appropriate place, is inserted—

““universal postal service provider” means a universal service provider within the meaning of the Postal Services Act 2000; and references to the provision of a universal postal service shall be construed in accordance with that Act;”.

#### *Planning (Listed Buildings and Conservation Areas) Act 1990*

**84.**—(1) Section 91 of the Planning (Listed Buildings and Conservation Areas) Act 1990(**82**) (meaning of statutory undertakers etc.) is amended as follows.

(2) In subsection (3)(b) for the words “the Post Office” are substituted the words “a universal service provider in connection with the provision of a universal postal service”.

(3) After subsection (3) is inserted—

“(3A) The undertaking of a universal service provider so far as relating to the provision of a universal postal service shall be taken to be his statutory undertaking for the purposes of this Act; and references in this Act to his undertaking shall be construed accordingly.

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(82) 1990 c. 9.

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(3B) In subsections (3) and (3A) “universal service provider” has the same meaning as in the Postal Services Act 2000; and the references to the provision of a universal postal service shall be construed in accordance with that Act”.

*Planning (Hazardous Substances) Act 1990*

**85.** In section 39(6) of the Planning (Hazardous Substances) Act 1990(**83**) (interpretation) for the words “the Post Office” are substituted the words “a universal service provider (within the meaning of the Postal Services Act 2000) in connection with the provision of a universal postal service (within the meaning of that Act)”.

*Housing (Management of Houses in Multiple Occupation) Regulations 1990*

**86.** In regulation 7(1)(c) of the Housing (Management of Houses in Multiple Occupation) Regulations 1990(**84**) (installations in common use) for the words “Post Office Act 1953” are substituted the words “Postal Services Act 2000”.

*Coal Mining Subsidence Act 1991*

**87.**—(1) Section 52(1) of the Coal Mining Subsidence Act 1991(**85**) (interpretation) is amended as follows.

(2) In the definition of “statutory undertakers”, for the words “the Post Office” are substituted the words “any universal service provider in connection with the provision of a universal postal service”.

(3) At the appropriate place is inserted—

““universal service provider” has the same meaning as in the Postal Services Act 2000; and any reference to the provision of a universal postal service shall be construed in accordance with that Act;”.

*Water Industry Act 1991*

**88.**—(1) Paragraph 1 of Schedule 13 to the Water Industry Act 1991(**86**) (protective provisions in respect of certain undertakings) is amended as follows.

(2) In sub-paragraph (5)(a) for the words “the Post Office” are substituted the words “a universal service provider (so far as it is the provider’s undertaking in relation to the provision of a universal postal service”.

(3) After sub-paragraph (5) is inserted—

“(5A) In sub-paragraph (5)(a) above “universal service provider” has the same meaning as in the Postal Services Act 2000; and the reference to the provision of a universal postal service shall be construed in accordance with that Act.”.

*Water Resources Act 1991*

**89.**—(1) Paragraph 1 of Schedule 22 to the Water Resources Act 1991(**87**) (protection for particular undertakings) is amended as follows.

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(83) 1990 c. 10. Section 39(6) was amended by section 162, and Part VII of Schedule 16 to, the Environmental Protection Act 1990 (c. 43.).

(84) S.I. 1990/830.

(85) 1991 c. 45.

(86) 1991 c. 56.

(87) 1991 c. 57.

(2) In sub-paragraph (4)(a) for the words “the Post Office” are substituted the words “a universal service provider (so far as it is his undertaking in relation to the provision of a universal postal service)”.

(3) After sub-paragraph (4) is inserted—

“(4A) In sub-paragraph (4)(a) above “universal service provider” has the same meaning as in the Postal Services Act 2000; and the reference to the provision of a universal postal service shall be construed in accordance with that Act.”.

#### *Land Drainage Act 1991*

**90.**—(1) Paragraph 1 of Schedule 6 to the Land Drainage Act 1991(**88**) (protection for particular undertakings) is amended as follows.

(2) In sub-paragraph (1)(a) for the words “the Post Office” are substituted the words “a universal service provider (so far as it is his undertaking in relation to the provision of a universal postal service)”.

(3) After sub-paragraph (1) is inserted—

“(1A) In sub-paragraph (1)(a) above “universal service provider” has the same meaning as in the Postal Services Act 2000; and the reference to the provision of a universal postal service shall be construed in accordance with that Act.”.

#### *Planning (Northern Ireland) Order 1991*

**91.** In Article 2(2) of the Planning (Northern Ireland) Order 1991(**89**) (interpretation), in the definition of “statutory undertaker”, for the words “the Post Office” are substituted the words “a universal service provider (within the meaning of the Postal Services Act 2000) in connection with the provision of a universal postal service (within the meaning of that Act)”.

#### *Insolvency Rules (Northern Ireland) 1991*

**92.** In Form 6.83 of Schedule 2 to the Insolvency Rules (Northern Ireland) 1991(**90**)—

- (a) “Title” in Form No. 6.83 for the words “Post Office” are substituted the words “postal operator”;
- (b) for the words “Post Office” where they appear are substituted the words “postal operator”;
- and
- (c) for the words “Section 83 of the Post Office Act 1953” are substituted the words “section 125(1) of the Postal Services Act 2000”.

#### *Social Security Administration Act 1992*

**93.**—(1) The Social Security Administration Act 1992(**91**) is amended as follows.

(2) In section 182A (return of social security post)—

- (a) in subsection (1) for paragraphs (a) and (b) and the word “or” between them are substituted the words “a postal operator (within the meaning of the Postal Services Act 2000)”;
- (b) in subsection (4)(b) for the words “Post Office or other person conveying them” are substituted the words “postal operator concerned”; and

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(88) 1991 c. 59.

(89) S.I. 1991/1220 (N.I. 11).

(90) S.R. 1991 No. 364.

(91) 1992 c. 5. Sections 182A and 182B are inserted by sections 20(1) and 21(1) of the Social Security Administration (Fraud) Act 1997 (c. 47.).

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- (c) in subsection (5)(b) for the words “Post Office Act 1953” are substituted the words “Postal Services Act 2000”.
- (3) In section 182B (requirement to supply information about redirection of post)—
  - (a) in subsection (1) for the words from “the Post Office” to “conveys postal packets” are substituted the words “a postal operator”;
  - (b) in subsection (2) for the words from “the Post Office” to “conveys postal packets” are substituted the words “a postal operator”;
  - (c) in subsection (7) for the words from “Post Office” to “conveying postal packets” are substituted the words “postal operator concerned”; and
  - (d) in subsection (8)—
    - (i) after the word “section” is inserted
      - ““postal operator” has the same meaning as in the Postal Services Act 2000;”;
      - and
    - (ii) for the words “Post Office Act 1953” are substituted the words “that Act”.

*Social Security Administration (Northern Ireland) Act 1992*

**94.**—(1) The Social Security Administration (Northern Ireland) Act 1992(**92**) is amended as follows.

- (2) In section 158A (return of social security post)—
  - (a) in subsection (1) for paragraphs (a) and (b) and the word “or” between them are substituted the words “a postal operator (within the meaning of the Postal Services Act 2000)”;
  - (b) in subsection (4)(b) for the words “Post Office or other person conveying them” are substituted the words “postal operator concerned”; and
  - (c) in subsection (5)(b) for the words “Post Office Act 1953” are substituted the words “Postal Services Act 2000”.
- (3) In section 158B (requirement to supply information about redirection of post)—
  - (a) in subsection (1) for the words from “the Post Office” to “conveys postal packets” are substituted the words “a postal operator”;
  - (b) in subsection (2) for the words from “the Post Office” to “conveys postal packets” are substituted the words “a postal operator”;
  - (c) in subsection (7) for the words from “Post Office” to “conveying postal packets” are substituted the words “postal operator concerned”; and
  - (d) in subsection (8)—
    - (i) after the word “section” is inserted
      - ““postal operator” has the same meaning as in the Postal Services Act 2000;”;
      - and
    - (ii) for the words “Post Office Act 1953” are substituted the words “that Act”.

*Town and Country Planning (General Permitted Development)(Scotland) Order 1992*

**95.**—(1) The Town and Country Planning (General Permitted Development)(Scotland) Order 1992(**93**) is amended as follows.

(92) 1992 c. 8. Sections 158A and 158B are inserted by sections 20(2) and 21(2) of the Social Security Administration (Fraud) Act 1997 (c. 47).

(93) S.I. 1992/223, to which there are amendments not relevant to this Order.

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(2) In article 2(1) (interpretation) in the definition of “statutory undertaker” for the words “the Post Office” are substituted the words “a universal service provider (within the meaning of the Postal Services Act 2000) in connection with the provision of a universal postal service (within the meaning of that Act)”.

(3) In paragraph 43 of Schedule 1 (development by statutory undertakers)—

- (a) for the words “Post Office” where they appear in the title are substituted the words “Universal Service Providers”; and
- (b) for the words “the Post Office” are substituted the words “a universal service provider (within the meaning of the Postal Services Act 2000) in connection with the provision of a universal postal service (within the meaning of that Act)”.

*Town and Country Planning (Control of Advertisements) Regulations 1992*

**96.**—(1) Regulation 2 of the Town and Country Planning (Control of Advertisements) Regulations 1992(**94**) (interpretation) is amended as follows.

(2) In paragraph (1) in the definition of “statutory undertaker” —

- (a) for the words “the Post Office” are substituted the words “a universal postal service provider in connection with the provision of a universal postal service”; and
- (b) after the word “and”, where it appears for the second time, are inserted the words “, subject to paragraph (1A),”.

(3) After paragraph (1) is inserted—

“(1A) The undertaking of a universal postal service provider so far as relating to the provision of a universal postal service shall be taken to be his statutory undertaking for the purposes of these regulations; and references in these regulations to his undertaking shall be construed accordingly.”.

*Transport and Works (Applications and Objections Procedure) Rules 1992*

**97.** In rule 2(1) of the Transport and Works (Applications and Objections Procedure) Rules 1992(**95**) (interpretation)—

- (a) in the definition of “statutory undertaker”, in paragraph (d) for the words “the Post Office” are substituted the words “a universal service provider in connection with the provision of a universal postal service”; and
- (b) at the appropriate place is inserted—

““universal service provider” has the same meaning as in the Postal Services Act 2000; and references to the provision of a universal postal service shall be construed in accordance with that Act;”.

*Leasehold Reform, Housing and Urban Development Act 1993*

**98.**—(1) Section 161 of the Leasehold Reform, Housing and Urban Development Act 1993(**96**) (vesting of land by order in the Urban Regeneration Agency) is amended as follows.

(2) After subsection (6) is inserted—

“(6A) No order shall be made under subsection (1) in relation to a universal service provider (within the meaning of the Postal Services Act 2000).”.

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(94) S.I. 1992/666, to which there are amendments not relevant to this Order.

(95) S.I. 1992/2902, to which there are amendments not relevant to this Order.

(96) 1993 c. 28.

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(3) In subsection (7) (definitions), in the definition of “statutory undertakers”, after the word “Shipbuilders” is inserted the word “and”.

#### *Roads (Northern Ireland) Order 1993*

**99.** In Article 2(2) of the Roads (Northern Ireland) Order 1993(**97**), in the definition of “statutory undertaker”, for sub-paragraph (a) is substituted—

“(a) a universal service producer (within the meaning of the Postal Services Act 2000) in connection with the provision of a universal postal service (within the meaning of that Act)”.

#### *Public Services Contracts Regulations 1993*

**100.**—(1) The Public Services Contracts Regulations 1993(**98**) are amended as follows.

(2) In regulation 2(1) (interpretation), at the appropriate places, are inserted—

““letter” has the same meaning as in the Postal Services Act 2000;

“postal business” means the provision of postal services in relation to letters;

“postal services” has the same meaning as in the Postal Services Act 2000;

“the Post Office company” has the same meaning as in Part IV of the Postal Services Act 2000;

“relevant subsidiary” has the same meaning as in Part IV of the Postal Services Act 2000.”.

(3) In Schedule 3 (GPA Annex 1 contracting authorities) for the words “Postal Business of the Post Office” are substituted the words “the Post Office company in connection with its postal business or a relevant subsidiary of that company in connection with the subsidiary’s postal business”.

#### *Value Added Tax 1994*

**101.** In section 96(1) of the Value Added Tax Act 1994(**99**) (interpretation) after the definition of “permanent trustee” is inserted—

““the Post Office company” has the same meaning as in Part IV of the Postal Services Act 2000;”

#### *Bail (Amendment) Act 1993 (Prescription of Prosecuting Authorities) Order 1994*

**102.** In the Schedule to the Bail (Amendment) Act 1993 (Prescription of Prosecuting Authorities) Order 1994(**100**) (prescribed prosecuting authorities) for the words “The Post Office” are substituted the words “A universal service provider (within the meaning of the Postal Services Act 2000) in connection with the provision of a universal postal service (within the meaning of that Act)”.

#### **Merchant Shipping Act 1995**

**103.** In section 30(10)(a) of the Merchant Shipping Act 1995(**101**) (payment of seamen’s wages) for the words “the Post Office” are substituted the words “the Post Office company (within the meaning of Part IV of the Postal Services Act 2000)”.

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(97) S.I. 1993/3160 (N.I. 15).

(98) S.I. 1993/3228 which was amended by S.I. 2000/2009 and to which there are other amendments not relevant to this Order.

(99) 1994 c. 23. The Act is amended by paragraph 22 of, Schedule 8 to, the Postal Services Act 2000.

(100) S.I. 1994/1438.

(101) 1995 c. 21.



### **Criminal Procedure (Scotland) Act 1995**

**104.**—(1) The Criminal Procedure (Scotland) Act 1995(**102**) is amended as follows.

(2) In section 70(3) (proceedings against bodies corporate) for the words “Post Office” are substituted the words “postal operator”.

(3) In section 150(4) (failure of accused to appear) for the words “Post Office” are substituted the words “postal operator”.

(4) In section 228(6)(b) (probation orders) for the words “Post Office” are substituted the words “postal operators”.

(5) In section 234D(3) (procedural matters relating to drug treatment and testing orders) for the words “Post Office” are substituted the words “postal operator”.

(6) In section 238(11) (community service orders) for the words “Post Office” are substituted the words “postal operator”.

(7) In section 307(1) (interpretation) the following entry is inserted at the appropriate place—  
““postal operator” has the meaning assigned to it by section 125(1) of the Postal Services Act 2000.”

### *The Prison and Young Offenders Centre Rules (Northern Ireland) 1995*

**105.** In rule 18(1) of the Prison and Young Offenders Centre Rules (Northern Ireland) 1995 (**103**)(Money and articles received at a prison) for the words “ the post office” are substituted the words “a postal operator.”

### *Public Supply Contracts Regulations 1995*

**106.**—(1) The Public Supply Contracts Regulations 1995 (**104**) are amended as follows.

(2) In regulation 2(1) (interpretation), at the appropriate places, are inserted—

““letter” has the same meaning as in the Postal Services Act 2000;

“postal business” means the postal services in relation to letters;

“postal services” has the same meaning as in the Postal Services Act 2000;

“the Post Office company” has the same meaning as in Part IV of the Postal Services Act 2000;

“relevant subsidiary” has the same meaning as in Part IV of the Postal Services Act 2000;”.

(3) In Schedule 1 (GPA annex 1 contracting authorities) for the words “Postal Business of the Post Office” are substituted the words “the Post Office company in connection with its postal business or a relevant subsidiary of that company in connection with the subsidiary’s postal business”.

### *Town and Country Planning (General Permitted Development) Order 1995*

**107.**—(1) The Town and Country Planning (General Permitted Development) Order 1995(**105**) is amended as follows.

(2) In article 1(2) (citation, commencement and interpretation) in the definition of “statutory undertaker” for the words “the Post Office” are substituted the words “ a universal service provider (within the meaning of the Postal Services Act 2000) in connection with the provision of a universal postal service (within the meaning of that Act)”.

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(102) 1995 c. 46. Section 234D was inserted by the Crime and Disorder Act 1998 (c. 37.), section 91.

(103) S.R. 1995/No. 8.

(104) S.I. 1995/201 which was amended by S.I. 2000/2009 and to which there are other amendments not relevant to this Order.

(105) S.I. 1995/418, to which there are amendments not relevant to this Order.

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- (3) In Part 17 of Schedule 2 (Development by statutory undertakers) in “Class J”—
- (a) for the words “Post Office” where they appear in the title are substituted the words “Universal Services Providers”; and
  - (b) for the words “the Post Office” are substituted the words “a universal service provider (within the meaning of the Postal Services Act 2000) in connection with the provision of a universal postal service (within the meaning of that Act)”.

*Value Added Tax Regulations 1995*

**108.** In regulation 2 of the Value Added Tax Regulations 1995 (**106**) (interpretation), at the appropriate place, is inserted—

““the Post Office” company has the same meaning as in Part IV of the Postal Services Act 2000;”.

*Public Service Vehicles (Operators' Licences) Regulations 1995*

**109.** In regulation 25 of the Public Service Vehicles (Operators' Licences) Regulations 1995 (**107**) (Post Office)—

- (a) in the title for the words “Post Office” are substituted the words “Universal Service Providers”; and
- (b) for the words “the Post Office” are substituted the words “a universal service provider (within the meaning of the Postal Services Act 2000) for any purposes in connection with the provision of a universal postal service (within the meaning of that Act)”.

*Deregulation (Model Appeal Provisions) Order 1996*

**110.** In paragraph 35(5) of the Schedule to the Deregulation (Model Appeal Provisions) Order 1996 (**108**) (model rules for appeals) for the words “Post Office” are substituted the words “postal operator (within the meaning of the Postal Services Act 2000) concerned”.

*Goods Vehicles (Licensing of Operators) (Temporary Use in Great Britain) Regulations 1996*

**111.** In paragraph 4 of Schedule 2 to the Goods Vehicles (Licensing of Operators) (Temporary Use in Great Britain) Regulations 1996 (**109**) (exemption from section 2(1) of the Act for certain goods carried by certain goods vehicles) for the words “section 87 of the Post Office Act 1953” are substituted the words “section 125(1) of the Postal Services Act 2000”.

*Town and Country Planning (Scotland) Act 1997*

**112.**—(1) Section 214 of the Town and Country Planning (Scotland) Act 1997 (**110**) (meaning of statutory undertakers) is amended as follows.

- (2) In subsection (3)—
- (a) for the words “subsection (5)” are substituted the words “subsections (5) to (5B)”; and
  - (b) for the words “the Post Office” are substituted the words “any universal postal service provider in connection with the provision of a universal postal service”.

**(106)** S.I. 1995/2518. Regulation 2 is amended by paragraph 23 of Schedule 8 to the Postal Services Act 2000.

**(107)** S.I. 1995/2908.

**(108)** S.I. 1996/1678.

**(109)** S.I. 1996/2186.

**(110)** 1997 c. 8.

(3) In subsection (5) for the words “the Post Office” are submitted the words “a universal postal service provider in connection with the provision of a universal postal service”.

(4) Before subsection (6) is inserted—

“(5B) The undertaking of a universal postal service provider so far as relating to the provision of a universal postal service shall be taken to be his statutory undertaking for the purposes of this Act; and references in this Act to his undertaking shall be construed accordingly.”.

**113.**—(1) Section 215 of that Act (meaning of operational land) is amended as follows.

(2) Before subsection (3) is inserted—

“(2D) Subsection (1) does not apply in relation to a universal postal service provider.

(2E) Subject to subsections (3) and (4) and section 216, in this Act “operational land” means, in relation to a universal postal service provider, land—

- (a) which is used by the provider, or by a company associated with him, for any purpose in connection with the provision of a universal postal service, or
- (b) in which the provider, or a company associated with him, holds an interest for any such purpose”.

(3) In subsection (3), for the words “the Post Office” are substituted the words “a universal postal service provider.”; and

(4) In subsection (5), for the words “the Post Office” are substituted the words “a universal postal service provider”.

**114.** In section 217(1)(b) of that Act (meaning of appropriate Minister) for the words “the Post Office” are substituted the words “ a universal postal service provider”.

**115.** In section 277(1) (interpretation), of that Act at the appropriate place, is inserted—

““universal postal service provider” means a universal service provider within the meaning of the Postal Services Act 2000; and references to the provision of a universal postal service shall be construed in accordance with that Act;”.

#### *Planning (Listed Buildings and Conservation Areas) (Scotlands) Act 1997*

**116.**—(1) In section 81 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997(**111**) (interpretation) is amended as follows.

(2) In subsection (3)(b) for the words “the Post Office” are substituted the words “a universal service provider in connection with the provision of a universal postal service”.

(3) After subsection (3) is inserted—

“(3A) The undertaking of a universal service provider so far as relating to the provision of a universal postal service shall be taken to be his statutory undertaking for the purposes of this Act; and references in this Act to his undertaking shall be construed accordingly.

(3B) In subsection (3) and (3A) above, “universal service provider” has the same meaning as in the Postal Services Act 2000; and references to the provision of a universal postal service shall be construed in accordance with that Act.”.

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*Planning (Hazardous Substances)(Scotland) Act 1997*

**117.** In section 38(5) of the Planning (Hazardous Substances)(Scotland) Act 1997(**112**) (interpretation) for the words “the Post Office” are substituted the words “a universal service provider (within the meaning of the Postal Services Act 2000) in connection with the provision of a universal postal service (within the meaning of that Act)”.

*Reserve Forces Appeal Tribunals Rules 1997*

**118.** In rule 35(2) of the Reserve Forces Appeal Tribunals Rules 1997(**113**) (method of sending delivering or serving documents, etc) for the words “Post Office” are substituted the words “postal operator (within the meaning of the Postal Services Act 2000) concerned”.

*Vehicle Excise Duty (Immobilisation, Removal and Disposal of Vehicles) Regulations 1997*

**119.**—(1) In regulation 4(2)(g) of the Vehicle Excise Duty (Immobilisation, Removal and Disposal of Vehicles) Regulations 1997 (**114**) (disapplication of the regulations)—

- (a) for the words from “the Post Office” to “packets” are substituted the words “a universal service provider (within the meaning of the Postal Services Act 2000)”;
- (b) after the word “packets” is inserted the words “in relation to the provision of a universal postal service (within the meaning of that Act)”;
- (c) for the words “the words “Post Office” or “Royal Mail”” are substituted the words “the name of the universal service provider concerned”.

*Regional Development Agencies Act 1998*

**120.**—(1) Section 19 of the Regional Development Agencies Act 1998 (**115**) (vesting of land by order in a regional development agency) is amended as follows.

(2) After subsection (8) is inserted—

“(8A) No order shall be made under subsection (1) in relation to a universal service provider (within the meaning of the Postal Services Act 2000).”.

(3) In subsection (10)(definitions), in the definition of “statutory undertakers”, for the words “, the Civil Aviation Authority and the Post Office” are substituted the words “and the Civil Aviation Authority”.

*Northern Ireland Act 1998*

**121.** In section 76(7)(g) of the Northern Ireland Act 1998 (**116**) (discrimination by public authorities) for the words “the Post Office” are substituted the words “a universal service provider (within the meaning of the Postal Services Act 2000) so far as carrying out functions in connection with the provision of a universal postal service (within the meaning of that Act)”.

*New Northern Ireland Assembly (Elections) Order 1998*

**122.**—(1) The New Northern Ireland Assembly (Elections) Order 1998 (**117**) is amended as follows.

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(112) 1997 c. 10.  
(113) S.I. 1997/798.  
(114) S.I. 1997/2439.  
(115) 1998 c. 45.  
(116) 1998 c. 47.  
(117) S.I. 1998/1287.

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- (2) For article 3(4) (application of certain provisions for Assembly elections) is substituted—
- “(4) Section 35(2)(h) of the Judicature (Northern Ireland) Act 1978 (**118**) shall apply in relation to an Assembly election petition as it applies in relation to a parliamentary election petition and as though the reference in that Section to the 1983 Act was a reference to that Act as applied by Schedule 1 to this Order.”.
- (3) In Schedule 1 (application with modifications of certain provisions for Assembly elections)—
- (a) in the left-hand column, after the entry in respect of section 200 of the Representation of the People Act 1983 is inserted “Section 200A (remuneration for free postal services provided under the Act)”; and
- (b) in the right-hand column opposite that entry is inserted “In subsection (3) for the words form “charged” to the end, substitute “paid by the Secretary of State”.

#### *Civil Procedure Rules 1998*

- 123.**—(1) The Civil Procedure Rules 1998 (**119**) are amended as follows.
- (2) In Schedule 1, in RSC Order 77 rule 17 (proceedings relating to postal packets) in paragraph (1) for the words “section 30(5) of the Post Office Act 1969” are substituted the words “section 92 of the Postal Services Act 2000”.
- (3) In Schedule 2, in CCR Order 49 rule 15 (Post Office Act 1969)—
- (a) for the words “Post Office Act 1969” in the heading are substituted the words “Postal Services Act 2000”;
- (b) in paragraph (1) for the words “section 30(5) of the Post Office Act 1969” are substituted the words “section 92 of the Postal Services Act 2000”; and
- (c) in paragraph (2) for the words “Post Office” are substituted the words “universal service provider”.

#### *Immigration and Asylum Act 1999*

**124.** In section 127(4) of the Immigration and Asylum Act 1999(**120**) (requirement to supply information about redirection of post) for the words “Post Office Act 1953” are substituted the words “Postal Services Act 2000”.

#### *National Lottery (Imposition of Penalties and Revocation of Licences) Procedure Regulations 1999*

**125.** In regulation 19(2) of the National Lottery (Imposition of Penalties and Revocation of Licences) Procedure Regulations 1999 (**121**) (giving of notices) for the words “Post Office” are substituted the words “postal operator (within the meaning of the Postal Services Act 2000) concerned”.

#### *Education (Registered Inspectors of Schools Appeal Tribunal and Registered Nursery Education Inspectors Appeal Tribunal) (Procedure) Regulations 1999*

**126.** In regulation 36(2) of the Education (Registered Inspectors of Schools Appeal Tribunal and Registered Nursery Education Inspectors Appeal Tribunal) (Procedure) Regulations 1999(**122**)

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(118) 1978 c. 23. Section 35(2)(h) was amended by Schedule 8 to the Representation of the People Act 1983 (c. 2.).

(119) S.I. 1998/3132 was amended by S.I. 1999/1008, S.I. 2000/221, S.I. 2000/940, S.I. 2000/1317 and S.I. 2000/2092.

(120) 1999 c. 33.

(121) S.I. 1999/137.

(122) S.I. 1999/265.

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(method of sending, delivering or serving documents, etc) for the words “Post Office” are substituted for the words “postal operator (within the meaning of the Postal Services Act 2000) concerned”.

### **Environmental Impact Assessment (Fish Farming in Marine Waters) Regulations 1999**

**127.** In regulations 8(2)(b) of the Environmental Impact Assessment (Fish Farming in Marine Waters) Regulations 1999 (**123**) (publicity where an environmental statement is submitted) for the words “Post Office” are substituted the words “public post office (within the meaning of the Postal Services Act 2000)”.

### **Environmental Impact Assessment (Fish Farming in Marine Waters) Regulations (Northern Ireland) 1999**

**128.** In regulation 8(b) of the Environmental Impact Assessment (Fish Farming in Marine Waters) Regulations (Northern Ireland) 1999 (**124**) (publicity where an environmental statement is submitted) for the words “Post Office” are substituted the words “public post office (within the meaning of the Postal Services Act 2000)”.

### **National Assembly for Wales (Representation of the People) Order 1999**

**129.**—(1) The National Assembly for Wales (Representation of the People) Order 1999(**125**) is amended as follows.

(2) In article 2(1) (interpretation), at the appropriate place, is inserted—

““universal postal service provider” means a universal service provider within the meaning of the Postal Services Act 2000.”.

(3) In article 29(3)(d) (breach of official duty) for the words “postmaster” are substituted the words “official designated by a universal postal service provider”.

(4) In paragraph (1) of article 66 (right to send election address post free)—

- (a) for “Post Office regulations” are substituted the words “such reasonable terms and conditions as the universal postal service provider concerned may specify”;
- (b) after the word “of”, where it appears for the second time, is inserted the word “any”;
- (c) after the word “postage” are inserted the words “which would otherwise be made by a universal postal service provider”; and
- (d) for the word “regulations” in sub-paragraph (a) are substituted the words “terms and conditions”.

(5) In paragraph (2) of that article—

- (a) after “any” is inserted the word “such”; and
- (b) after “postage” are inserted the words “as is mentioned in that paragraph”.

(6) In paragraphs (3) and (4) of that article for the words “the Post Office” are substituted the words “the universal postal service provider concerned”.

(7) In article 147(2) (service of notices) for the words “the Post Office” are substituted the words “the postal operator (within the meaning of the Postal Services Act 2000) concerned”.

(8) In paragraph 11(1) of Schedule 3 (delivery of postal ballot papers to post office) for the words from “the nearest” to “receipt” are substituted the words “such office or other place as may

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(123) S.I. 1999/367.

(124) S.R. 1999 No. 415.

(125) S.I. 1999/450.

be arranged with an official designated by the universal postal service provider concerned and that official shall date stamp a receipt”.

- (9) In paragraph 62(4) of Schedule 5 (delivery of documents to the Assembly)—
- (a) in sub-paragraph (a) from the words “the postmaster” to “returning officer” are substituted the words “the official designated by the universal postal service provider concerned or the deputy of that official”;
  - (b) in sub-paragraph (b) for the words “postmaster or his deputy” are substituted the words “designated official or his deputy”; and
  - (c) in sub-paragraph (d) for the words “postmaster or deputy postmaster”, in both places where they occur, are substituted the words “the designated official or his deputy”.

#### *Prison Rules 1999*

**130.** In rule 44(1) of the Prison Rules 1999 (**126**) (money and articles received by post) for the words “through the post office” are substituted the words “by post”.

#### *Scottish Parliament (Elections etc.) Order 1999*

**131.**—(1) The Scottish Parliament (Elections etc.) Order 1999 (**127**) is amended as follows.

(2) In article 2(1) (interpretation), at the appropriate place, is inserted—

““universal postal service provider” means a universal service provider within the meaning of the Postal Services Act 2000.”.

(3) In article 27 (breach of official duty) in paragraph (3)(b) for the word “postmaster” are substituted the words “official designated by a universal postal service provider”.

(4) In paragraph (1) of article 58 (right to send election address post free)—

- (a) after the word “of”, where it appears for the second time, is inserted the word “any”;
- (b) after the word “postage” are inserted the words “which would otherwise be made by a universal service provider”;
- (c) for the words “the Post Office Regulations 1987 (as applied and modified by paragraph (6) below)” are substituted the words “such reasonable terms and conditions as the universal postal service provider concerned may specify”.

(5) In paragraph (2) of that article—

- (a) after the word “any”, where it appears for the second time, is inserted the word “such”;
- (b) after the word “postage” are inserted the words “as mentioned above”.

(6) In paragraphs (3) and (4) for “the Post Office”, in both places where those words occur, there shall be substituted “the universal postal service provider concerned”;

(7) In paragraph (7), for the words “Head Postmaster, the controlling Head Postmaster for the purposes of the Post Office Regulations 1987” are substituted the words “official designated by a universal postal service provider, the controlling designated official”.

(8) In paragraph 67 of Schedule 2 (delivery of documents to the sheriff clerk)—

- (a) in sub-paragraph (3)(a) for the words “postmaster (or his deputy) of the principal post office”, are substituted the words “official designated by the universal postal service provider concerned or his deputy”;

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(126) S.I. 1999/728.

(127) S.I. 1999/787.

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(b) in sub-paragraph (3)(b) for the words “postmaster or his deputy”, are substituted the words “the designated official or his deputy”;

(c) in sub-paragraph (3)(d) for the words “postmaster or deputy postmaster”, in both places where they occur, are substituted the words “the designated official or his deputy”.

(9) In paragraph 10(1) of Schedule 4 (delivery of postal ballot papers to post office) for the words from “the nearest” to “receipt” are substituted the words “such office or other place as may be arranged with an official designated by the universal postal service provider concerned and that official shall date stamp a receipt”.

#### *European Parliamentary Elections Regulations 1999*

**132.**—(1) The European Parliamentary Elections Regulations 1999 (**128**) are amended as follows.

(2) In regulation 3(3) (application of certain provisions for European Parliamentary Elections)—

(a) for the words “they apply” are substituted the words “it applies”; and

(b) after the words “registered party's;” is inserted the word “and”.

(3) In Schedule 1 (application with modifications of provisions of the Representation of the People Acts 1983 and 1985) in the modifications to the Representation of the People Act 1983—

(a) in the entry relating to section 91, for the words “Post Office” are substituted the words “universal service provider concerned”; and

(b) at the appropriate place in the left hand column are inserted the words “Section 200A (remuneration for free postal services provided under the Act)”.

#### *Visiting Forces and International Headquarters (Application of Law) Order 1999*

**133.** In article 7(3) of the Visiting Forces and International Headquarters (Application of Law) Order 1999 (**129**) (wireless telegraphy, postal service and telecommunications systems) for the words “Section 66 of the British Telecommunications Act 1981 (which confers on the Post Office the exclusive privilege of conveying etc. letters in the United Kingdom)” are substituted the words “Section 6 of the Postal Services Act 2000 (which prohibits the conveyance of letters by a person unless he is the holder of a licence authorising him to convey letters)”.

#### *Town and Country Planning (Trees) Regulations 1999*

**134.** In paragraph 5(2) of the Order in the Schedule to the Town and Country Planning (Trees) Regulations 1999 (**130**) (form of tree preservation order) for the words “the Post Office” are substituted the words “a universal postal service provider in connection with the provision of a universal postal service”.

#### *Regulation Of Investigatory Powers Act 2000*

**135.**—(1) The Regulation of Investigatory Powers Act 2000 (**131**) is amended as follows.

(2) In section 18(12)(d) (exception from section 17: meaning of relevant offence) for the words “section 58 of The Post Office Act 1953” are substituted the words “section 83 or 84 of the Postal Services Act 2000”.

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(128) S.I. 1999/1214.

(129) S.I. 1999/1736.

(130) S.I. 1999/1892.

(131) 2000 c. 23.



(3) In section 82(3) (savings etc.) for the words “the Post Office” are substituted the words “a postal operator (within the meaning of the Postal Services Act 2000)”.

(4) In paragraph 23 of Schedule 1 (relevant authorities for purposes of certain authorisations) for the words “The Post Office” are substituted the words “A universal service provider (within the meaning of the Postal Services Act 2000) acting in connection with the provision of a universal postal service (within the meaning of that Act)”.

#### *Countryside and Rights of Way Act 2000*

**136.**—(1) Paragraph 14 of Schedule 1 to the Countryside and Rights of Way Act 2000 (**132**) (excepted land for the purposes of Part 1) is amended as follows.

(2) In the definition of “statutory undertaker”, in paragraph (e), for the words “the Post Office” are substituted the words “a universal service provider (within the meaning of the Postal Services Act 2000) in connection with the provision of a universal postal service (within the meaning of that Act)”.

(3) In the definition of “statutory undertaking”, after the words “statutory undertaker” are inserted the words “(which, in the case of a universal service provider (within the meaning of the Postal Services Act 2000), means his undertaking so far as relating to the provision of a universal postal service (within the meaning of that Act))”.

#### *Data Protection (Notification and Notification Fees) Regulations 2000*

**137.** In regulation 8(2) of the Data Protection (Notification and Notification Fees) Regulations 2000 (**133**) (date of entry in the register) for the words “Post Office” are substituted the words “postal operator (within the meaning of the Postal Services Act 2000) concerned”.

#### *Data Protection Tribunal (Enforcement Appeals) Rules 2000*

**138.**—(1) The Data Protection Tribunal (Enforcement Appeals) Rules 2000 (**134**) are amended as follows.

(2) In rule 4(3) (time limit for appealing) for the words “Post Office” are substituted the words “postal operator (within the meaning of the Postal Services Act 2000) concerned”.

(3) In rule 9(2) (withdrawal of appeal) for the words “Post Office” are substituted the words “postal operator (within the meaning of the Postal Services Act 2000) concerned”.

#### *Data Protection Tribunal (National Security Appeals) Rules 2000*

**139.**—(1) The Data Protection Tribunal (National Security Appeals) Rules 2000 (**135**) are amended as follows.

(2) In rule 5(4) (time limit for appealing) for the words “Post Office” are substituted the words “postal operator (within the meaning of the Postal Services Act 2000) concerned”.

(3) In rule 13(2) (withdrawal of appeal) for the words “Post Office” are substituted the words “postal operator (within the meaning of the Postal Services Act 2000) concerned”.

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(132) 2000 c. 37.  
(133) S.I. 2000/188.  
(134) S.I. 2000/189.  
(135) S.I. 2000/206.

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*Data Protection Tribunal (National Security Appeals) (Telecommunications) Rules 2000*

**140.**—(1) The Data Protection Tribunal (National Security Appeals) (Telecommunications) Rules 2000 (**136**) are amended as follows.

(2) In rule 5(4) (time limit for appealing) for the words “Post Office” are substituted the words “postal operator (within the meaning of the Postal Services Act 2000) concerned”.

(3) In rule 13(2) (withdrawal of appeal) for the words “Post Office” are substituted the words “postal operator (within the meaning of the Postal Services Act 2000) concerned”.

*Local Government (Best Value) Performance Indicators Order 2000*

**141.** In Schedule 7 to the Local Government (Best Value) Performance Indicators Order 2000 (**137**) (housing benefit and council tax benefit indicators), in the entry relating to indicator number 1, in paragraph (3)(a) for the words “the Post Office” are substituted the words “a postal operator (within the meaning of the Postal Services Act 2000)”.

*Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2000*

**142.**—(1) The Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2000(**138**)are amended as follows.

(2) In rule 4(1) (interpretation and notices)—

(a) in the definition of “statutory undertaker”, in paragraph (d) for the words “the Post Office” are substituted the words “a universal service provider in connection with the provision of a universal postal service”; and

(b) at the appropriate place is inserted—

““universal service provider” has the same meaning as in the Postal Services Act 2000; and references to the provision of a universal postal service shall be construed in accordance with that Act;”.

(3) In Schedule 6 (those to be served with notice of application)—

(a) in the left hand column, in paragraph 15, for the words “the Post Office” are substituted the words “a universal service provider in connection with the provision of a universal postal service and”; and

(b) in the right hand column, in paragraph 15, for the words “The Post Office” are substituted the words “Every universal service provider affected”.

*The Regulation of Investigatory Powers (Prescription of Offices, Ranks and Positions) Order 2000*

**143.** In Part I of the Schedule to the Regulation of Investigatory Powers (Prescription of Offices, Ranks and Positions) Order 2000 (**139**) (prescriptions for public authorities which are relevant public authorities for the purposes of sections 28 and 29)—

(a) for the words “The Post Office” are substituted the words “A universal service provider (within the meaning of the Postal Services Act 2000) in connection with the provision of a universal postal service (within the meaning of that Act)”; and

(b) after the words “Territorial Security Manager” are inserted the words “or a person of equivalent seniority”.

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(136) S.I. 2000/731.  
(137) S.I. 2000/896.  
(138) S.I. 2000/2190.  
(139) S.I. 2000/2417.

*The Regulation of Investigatory Powers (Authorisations Extending to Scotland) Order 2000*

144. In column 1 of the Schedule to the Regulation of Investigatory Powers (Authorisations Extending to Scotland) Order 2000 (140) for the words “The Post Office” are substituted the words “A universal service provider (within the meaning of the Postal Services Act 2000) acting in connection with the provision of a universal postal service (within the meaning of that Act)”.

## SCHEDULE 2

Article 3(2)

## REPEALS AND REVOCATIONS

<i>Reference</i>	<i>Short title or title</i>	<i>Extent of repeal or revocation</i>
1863 c. 112.	The Telegraph Act 1863.	Section 45.
1868 c. 110.	The Telegraph Act 1868.	Section 20.
1879 c. 11.	The Bankers' Books Evidence Act 1879.	In section 9(1), paragraph (d) and the word “and” immediately preceding it.
1928 c. 43.	The Agricultural Credits Act 1928.	In section 5(7) in the definition of “Bank”, the words from “or the post office” to “banking services”.
1929 c. 13.	The Agricultural Credits (Scotland) Act 1929.	In section 9(2), in the definition of “Bank”, the words from “or the post office” to “banking services”.
S.I. 1934/186.	The National Debt (Savings Bank Annuities and Insurances) Regulations 1934.	Regulation 3.
1954 c. 64.	The Transport Charges &c. (Miscellaneous Provisions) Act 1954.	Section 14(7).
1958 c. 69.	The Opencast Coal Act 1958.	In section 51(1), in the definition of “appropriate Minister”, paragraph (d).  In section 52(2), in the definition of “appropriate Minister”, paragraph (d).
1967 c. 80.	The Criminal Justice Act 1967.	In Schedule 3, in Part I the entry relating to the Telegraph Act 1863 and in Part IV the entries relating to the Telegraph Act 1863 and the Post Office Act 1953.

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<i>Reference</i>	<i>Short title or title</i>	<i>Extent of repeal or revocation</i>
1968 c. 16.	The New Towns (Scotland) Act 1968.	In section 47(1), in the definition of “appropriate Minister”, paragraph (d).
1968 c. 60.	The Theft Act 1968.	Section 33(1).  In Schedule 2, Part I.
1969 c. 48.	The Post Office Act 1969.	Sections 16 and 18.  In section 20, subsection (1)(a) and (c) and the word “and” at the end of paragraph (c), and subsection (2).  Sections 77 and 79.  In section 86(1), the definitions of “banker”, “the British Islands”, “cash on delivery service”, “foreign administration”, “harbour”, “harbour authority”, “hovercraft”, “local authority”, “mail-bag”, “national health service authority”, “statutory provision”, “telecommunication system” and “telepost service”.  Section 86(4), 88(4), 117, 118, 120, 123, 128, 133 and 137(3).  In Schedule 4, paragraphs 2 to 4, 27, 33, 36, 54, 83, 93(1)(xi), 93(1)(xiv), 93(1)(xxiii), 93(1)(xxv), 103 and 104.  Schedule 5.  In Schedule 9, paragraphs 3(5), 6, 7, 20 and 49.  Schedule 10.
1969 c. 16 (N.I.).	The Theft Act (Northern Ireland) 1969.	In Schedule 2, the entries relating to the Post Office Act 1953.
1971 c. 80.	The Banking and Financial Dealings Act 1971.	In section 2(1), paragraph (f) and the word “and” at the end of the paragraph.

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<i>Reference</i>	<i>Short title or title</i>	<i>Extent of repeal or revocation</i>
		In section 2(2), the words from “nor” to the end.
1972 c. 11.	The Superannuation Act 1972.	In Schedule 4, the entry relating to the Post Office.
		In Schedule 6, paragraphs 73 and 74.
1973 c. 65.	The Local Government (Scotland) Act 1973.	In Schedule 27, paragraph 112.
S.I. 1973/310.	The Post Office Operational Land Regulations 1973.	Regulation 2(c).
S.I. 1973/2095.	The Local Government Reorganisation (Consequential Provisions) (Northern Ireland) Order 1973.	In Schedule 1, paragraphs 6 and 8.
1974 c. 47.	The Solicitors Act 1974.	In section 87(1), in the definition of “bank”, the words from “the Post Office” to “services,”.
		In Schedule 1, in paragraph 10(2), the words from “by virtue of” to “Act 1969”.
S.I. 1974/595.	The Local Authorities etc. (Miscellaneous Provision) (No. 2) Order 1974.	Article 3(14).
S.I. 1975/1023.	The Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975.	In article 3(b), the words “or the Post Office Corporation”.
S.I. 1976/582 (N.I. 12).	The Solicitors (Northern Ireland) Order 1976.	In Schedule 1, in paragraph 15(2), the words from “by virtue of” to “Act 1969”.
1977 c. 45.	The Criminal Law Act 1977.	In Schedule 1, the entry relating to the Post Office Act 1953.
1978 c. 29.	The National Health Service (Scotland) Act 1978.	In Schedule 16, paragraph 32.
1979 c. 2.	The Customs and Excise Management Act 1979.	In Schedule 4, in paragraph 12, in Part I of the Table, the entries relating to the Post Office Act 1953 and the Post Office Act 1969.
1979 c. 34.	The Credit Unions Act 1979.	In section 31(1), in the definition of “authorised bank”, paragraph (d) and

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<i>Reference</i>	<i>Short title or title</i>	<i>Extent of repeal or revocation</i>
		the word “and” immediately preceding it.
1979 c. 43.	The Crown Agents Act 1979.	In section 8(5), in the definition of “bank”, the words from “, or the Post Office” to “banking services”.
1980 c. 43.	The Magistrates' Courts Act 1980.	In Schedule 1, paragraph 22.
1980 c. 46.	The Solicitors (Scotland) Act 1980.	Section 35(2)(d).
1980 c. 63.	The Overseas Development and Co-operation Act 1980.	In section 2(2), the words “other than the Post Office”.
		In Part I of Schedule 1, the words “The Post Office”.
1980 c. 65.	The Local Government, Planning and Land Act 1980.	In Schedule 16, paragraph 17.
1981 c. 38.	The British Telecommunications Act 1981.	Sections 58(5), 62, 70 and 77. In Schedule 3, paragraphs 51(5), (6), (7)(b) and the word “and” immediately preceding it.
1981 c. 67.	The Acquisition of Land Act 1981.	In paragraph 1 of Schedule 4, in the Table, the entry relating to the Post Office Act 1969.
S.I. 1981/1520.	The Estate Agents (Accounts) Regulations 1981.	In the Schedule, paragraph 3.
S.I. 1981/1675 (N.I. 26).	The Magistrates' Courts (Northern Ireland) Order 1981.	In Schedule 2, paragraph 14.
1982 c. 16.	The Civil Aviation Act 1982.	In section 48(7)(b), the words “the Post Office and”.
1982 c. 45.	The Civic Government (Scotland) Act 1982.	In section 123(1), the words “the Post Office and”.
1983 c. 2.	The Representation of the People Act 1983.	In Schedule 8, paragraph 11.
1983 c. 44.	The National Audit Act 1983.	In Part I of Schedule 4, the words “The Post Office”.
S.I. 1983/136	The Pneumoconiosis, Byssinosis and Miscellaneous Diseases Benefit Scheme 1983.	In article 18, the words “through the Post Office”.
1984 c. 12.	The Telecommunications Act 1984.	Section 99(2) and (3). In Schedule 4, paragraphs 4 and 14.

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<i>Reference</i>	<i>Short title or title</i>	<i>Extent of repeal or revocation</i>
1984 c. 36.	The Mental Health (Scotland) Act 1984.	In section 115(9), the words “; and the provisions of this section and section 116 of this Act shall have effect notwithstanding anything in section 56 of that Act”.
1984 c. 51.	The Inheritance Tax Act 1984.	In section 157(5), the words “or the Post Office”.
S.I. 1984/1554.	The Housing (Right to Buy) (Priority of Charges) Order 1984.	In Schedule 1, paragraph 3.
1985 c. 51.	The Local Government Act 1985.	In Schedule 13, paragraph 13(c).  In Schedule 14, paragraph 45.
1985 c. 61.	The Administration of Justice Act 1985.	In Schedule 5, in paragraph 10(2), the words from “by virtue of” to “Act 1969”.
1985 c. 68.	The Housing Act 1985.	In section 448(1), the words “the Post Office” and the word “and” immediately preceding them.
S.I. 1985/1205 (N.I. 12).	The Credit Unions (Northern Ireland) Order 1985.	In Article 2(2), in the definition of “authorised bank”, sub-paragraph (d).
S.I. 1985/1884.	The Waste Regulation and Disposal (Authorities) Order 1985.	In Schedule 3, paragraph 4(f).
S.I. 1986/260.	The Postal Packets (Customs and Excise) Regulations 1986.	In regulation 2, paragraphs (2) and (3) and the definitions of “datapost packet”, “inland post” and “letter packet”.  In regulation 6, paragraphs (a) and (b) and the word “or” between them.
S.I. 1986/595 (N.I. 4).	The Mental Health (Northern Ireland) Order 1986.	In Article 16(8), the words “and the provisions” to the end.
S.I. 1986/1456.	The Community Drivers' Hours and Recording Equipment (Exemptions and Supplementary Provisions) Regulations 1986.	In regulation 5, paragraph (1) (b) and the word “and” immediately preceding it, and paragraph (2).

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<i>Reference</i>	<i>Short title or title</i>	<i>Extent of repeal or revocation</i>
<a href="#">S.I. 1986/1883 (N.I. 15).</a>	The Criminal Justice (Northern Ireland) Order 1986.	In Schedule 3, the entry relating to the Post Office Act 1953.
<a href="#">S.I. 1986/2250.</a>	The European Parliamentary Elections (Northern Ireland) Regulations 1986.	In regulation 5(3), the words “Section 72 of the Post Office Act 1969 and”, and the words from “and as though the reference in section 72” to “Regulations” where it appears for the first time.
<a href="#">1988 c. 1.</a>	The Income and Corporation Taxes Act 1988.	Section 376(4)(d). Section 481(2)(c).
<a href="#">1988 c. 50.</a>	The Housing Act 1988.	In Schedule 9, in paragraph 4(b), the words “, the Post Office”.
<a href="#">S.I. 1989/1125.</a>	The Consumer Credit (Advertisements) Regulations 1989.	In regulation 2(3), the words from “, the Post Office” to “services”.
<a href="#">1990 c. 11.</a>	The Planning (Consequential Provisions) Act 1990.	In Schedule 2, paragraph 24(1).
<a href="#">S.I. 1990/426.</a>	The Local Authorities (Capital Finance) (Approved Investments) Regulations 1990.	In Part II of the Schedule, paragraph 23.
<a href="#">1992 c. 12.</a>	The Taxation of Chargeable Gains Act 1992.	In Schedule 10, paragraph 1.
<a href="#">1992 c. 52.</a>	The Trade Union Labour Relations (Consolidation) Act 1992.	In section 298, the definition of “post”. In section 299, the entry relating to “post”.
<a href="#">S.I. 1992/807 (N.I. 5).</a>	The Industrial Relations (Northern Ireland) Order 1992.	In Article 46, the definition of “post”.
<a href="#">S.I. 1992/3218.</a>	The Banking Coordination (Second Council Directive) Regulations 1992.	In Schedule 10, paragraph 12.
<a href="#">1993 c. 28.</a>	The Leasehold Reform, Housing and Urban Development Act 1993.	In section 161(7), in the definition of “statutory undertakers”, the words “and the Post Office”.
<a href="#">1993 c. 50.</a>	The Statute Law (Repeals) Act 1993.	In Schedule 2, paragraph 28.



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<i>Reference</i>	<i>Short title or title</i>	<i>Extent of repeal or revocation</i>
S.I. 1993/1625.	The Right to Purchase (Prescribed Persons) (Scotland) Order 1993.	In article 2, the words “the Post Office”.
1994 c. 19.	The Local Government (Wales) Act 1994.	In Schedule 16, paragraph 35.
1994 c. 39.	The Local Government etc. (Scotland) Act 1994.	In Schedule 13, paragraphs 40 and 82.
1995 c. 17.	The Health Authorities Act 1995.	In Schedule 1, paragraph 96.
1995 c. 40.	The Criminal Procedure (Consequential Provisions) (Scotland) Act 1995.	In Part I of Schedule 2, the entry relating to the Post Office Act 1953.
1995 c. 46.	The Criminal Procedure (Scotland) Act 1995.	In Schedule 5, the words “You did” to “Post Office Act 1953”.
		In Schedule 10, paragraph 3.
S.I. 1995/1980 (N.I. 12).	The Trade Union and Labour Relations (Northern Ireland) Order 1995.	In Article 2(2), the definition of “post”.
S.I. 1996/593.	The Environment Act 1995 (Consequential Amendments) Regulations 1996.	In Schedule 1, the entry relating to the Post Office Act 1969.
1997 c. 11.	The Planning (Consequential Provisions) (Scotland) Act 1997.	In Schedule 2, paragraph 19(1).
1997 c. 50.	The Police Act 1997.	In Schedule 9, paragraph 19.
S.I. 1997/817.	The Banking Act 1987 (Exempt Transactions) Regulations 1997.	In Schedule 2, the words “The Post Office”.
S.I. 1998/411.	The Police Information Technology Organisation (Additional Bodies) Order 1998.	In article 2(1), subparagraph (q).
S.I. 1998/1287.	The New Northern Ireland Assembly (Elections) Order 1998.	In Article 3(4), the words “Section 72 of the Post Office Act 1969 and”.
		Article 3(4)(b).
S.I. 1998/3132.	The Civil Procedure Rules 1998.	In Schedule 1, in RSC Order 77 rule 16 in paragraph (2B), the words “of the Post Office”.
1999 c. 29.	The Greater London Authority Act 1999.	In Schedule 29, paragraph 11.

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<i>Reference</i>	<i>Short title or title</i>	<i>Extent of repeal or revocation</i>
<a href="#">S.I. 1999/672.</a>	The National Assembly for Wales (Transfer of Functions) Order 1999.	In Schedule 1, the entry relating to the Post Office Act 1953.
<a href="#">S.I. 1999/787.</a>	The Scottish Parliament (Elections etc.) Order 1999.	In article 58(7), the words “as applied by paragraph (6) above”.  In Schedule 4, in paragraph 10(1), the words “post office” where they appear for the second time.
<a href="#">S.I. 1999/1214.</a>	The European Parliamentary Elections Regulations 1999.	In regulation 3(3), the words from “and section 72” to “election)” and the words from “and as though the reference in section 72” to “Regulations”.
<a href="#">S.I. 1999/1750.</a>	The Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 1999.	In Schedule 5, paragraph 1.
<a href="#">S.I. 1999/3132.</a>	The Consular Fees (No. 2) Order 1999.	In the Schedule, paragraphs 3(1)(b) and 3(1)(c).
<a href="#">2000 c. 23.</a>	The Regulation of Investigatory Powers Act 2000.	In section 18(12)(d), the words from “section 45” to “1868 or”.  In section 82(3), the words “(except paragraphs 1 and 2 of Schedule 4)”.  In Schedule 4, paragraphs 1 and 2.
<a href="#">S.I. 2000/90.</a>	The Health Act 1999 (Supplementary, Consequential etc. Provisions) Order 2000.	In Schedule 1, paragraph 8.
<a href="#">S.I. 2000/120.</a>	The Right to Purchase (Application Form) (Scotland) Order 2000.	In the Schedule, the words “The Post Office”.

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order makes consequential and supplementary provisions in connection with the commencement of the provisions of the Postal Services Act 2000.

Article 1 provides for citation, commencement and extent. Article 1(3) provides that the repeal of Part I of Schedule 4 to the National Audit Act 1983 will come into force on the day that the Post Office is dissolved under section 75 of the Postal Services Act 2000. Article 1(4) provides that the Order does not extend to the Isle of Man and the Channel Islands. Article 1(5) provides that subject to Article 1(4), the modifications in the Order have the same extent as the Act modified.

Article 2 provides a similar gloss in relation to references in legislation to “second class post” as exists in Schedule 8 of the Postal Services Act for “first class post”. References to “second class post” in legislation are deemed to be references to a postal service that seeks to deliver documents and other things no later than three working days after posting. The articles apply to future enactments unless the context otherwise requires. It also applies to related enactments which include enactments which apply to or operate in consequence of an enactment to which Article 2 applies.

Article 3 gives effect to Schedule 1 (amendments) and Schedule 2 (repeals).

Article 4 makes various transitional and saving provisions. Article 4(1) provides that the repeal of sections 16 (vesting in the Post Office of property rights and liabilities generally) and 18 (vesting in the Post Office of rights and liabilities under certain contracts conferring on the Crown incidental rights as to patents etc.) of the Post Office Act 1969 does not affect the rights and liabilities vested under those sections. Article 4(2) makes transitional provision for the rights and liabilities vested under section 18 of the 1969 Act and vests such rights and liabilities in the Post Office company. Article 4(3) provides that the repeal of section 133 does not affect any changes made or having effect in accordance with section 133 relating to trust deeds, rules, regulations or other instruments. Article 4(4) provides that the repeal in section 157(5) of the Inheritance Tax Act 1984 does not affect the determining of the value of an estate by reference to a point in time before 26th March 2001. Articles 4(5) to (7) provide that the exemption from Building Regulations currently enjoyed by the Post Office will continue to apply after 26th March 2001 in relation to any building work commenced before 26th March 2001 or in relation to any building for which a contract for substantive building work had been entered into before 26th March 2001 and for which, the contract stipulates that the building work will commence no later than six months after 26th March 2001. Article 4(8) provides that the modifications of the Regulation of Investigatory Powers Act 2000 in this Order do not affect the validity of any authorisation issued by the Post Office under sections 28 and 29 of the Regulation of Investigatory Powers Act before 26th March 2001. Functions in connection with such an authorisation after 26th March 2001 will be deemed to be functions of the corresponding universal service provider. Article 4(9) provides that 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 prior to 26th March 2001. Article 4(10) provides that any transitory, transitional or saving provision relating to an enactment modified by the Postal Services Act, which is made by a Commencement and Transitional Order under section 129 of the Postal Services Act 2000, shall apply, so far as relevant, to any modification in this Order which relates to such an enactment. Article 4(11) provides that no repeal of an enactment in the Order shall apply so far as that enactment is necessary for the purposes of a transfer effected by virtue of sections 4 and 10 of the British Telecommunications Act 1981 or

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section 60 of the Telecommunications Act 1984. Article 4(12) provides that any transitional or saving provision operates without prejudice to section 16 of the Interpretation Act 1978.

Article 5 makes supplementary provision. It applies the definition of Post Office company in section 62(8) of the Postal Services Act 2000 to sections 111 to 114 and 117 of that Act.

Schedule 1 makes various consequential amendments to legislative references to, inter alia, Post Office, Post Office Act 1953, Post Office Act 1969, Postmaster General and to provisions relating to statutory undertakers and statutory undertakings. Such references are not caught by the glosses in Schedule 8 to the Postal Services Act 2000.

Paragraphs 1, 2, 4, 8(2), 9(2)(b), 9(3), 33,34,37,39(3), 43(3), 50,60,62,64,65,67,68, 70(a), (c) and (d), 72, 79, 92(a) and (b), 93, 94, 104, 105, 110, 118, 125, 126 and 137 to 141 of Schedule 1 make consequential amendments by replacing references in legislative provisions to “Post Office” or “post office” and replacing them with “postal operator” within the meaning of the Postal Services Act 2000. These amendments do not restrict which postal operator can provide the postal service. However, if there is a reference to a particular postal operator, who for example, has received a document, the amendment is to the “postal operator concerned”.

Paragraph 6 of Schedule 1 amends the definition of postal packet in the Revenue Act 1898 which relies on the definition in the Post Office Protection Act 1884 and amends it to the Postal Services Act 2000.

Paragraph 7 of Schedule 1 amends the Law of Property Act 1925 by replacing references to “through the post-office” with “postal operator” where the reference in legislation refers to the postal operator and not the building. The definition of “post office” in section 125(1) of the Postal Services Act 2000 refers to the place from which postal services are provided not the operator.

Paragraphs 10, 13, 18, 20, 24, 26, 27, 28, 30(a), 31(a), 32, 35, 36, 38, 40, 42, 45 to 49, 53, 54, 57 to 59, 61, 69, 73 to 75, 77, 80, 84, 85, 87 to 90, 95 to 97, 99,102, 107, 109, 112, 117, 119, 121, 123(3)(c), 129, 135, 136 and 142 to 144 of Schedule 1 make consequential amendments by replacing references in legislative provisions to “Post Office” or “Postmaster General” with references to a universal service provider, within the meaning of the Postal Services Act 2000, in connection with the provision of a universal postal service, within the meaning of that Act. This is usually in legislation where the Post Office is a statutory undertaker and its undertaking is a statutory undertaking. This restricts the application of the legislation to the person or persons nominated to be the universal service provider and only insofar as they are carrying out activities in connection with the provision of the universal postal service.

Paragraph 14 of Schedule 1 amends the Civil Defence Act 1939 and makes it clear that a universal service provider is a public utility undertaker and his undertaking a public utility undertaking for the purposes of that Act.

Paragraph 15 of Schedule 1 inserts into the definition of “statutory undertaker” in the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 a universal service provider in connection with the provision of a universal postal service.

Paragraph 16 of Schedule 1 excludes a universal service provider and his undertaking from the definitions of “statutory undertaker” and “statutory undertaking” in the Opencast Coal Act 1958. Paragraph 61 makes similar provision for the Building Act 1984.

Paragraph 23 of Schedule 1 amends section 40(2) of the Forestry Act 1967 and inserts a new paragraph (e) which provides that land held or used by a universal service provider in connection with the provision of a universal postal service is not subject to compulsory purchase.

Paragraph 40 of Schedule 1 amends the Welsh Development Agency Act 1975. Sub-paragraph (3) clarifies that the undertaking of a universal service provider insofar as it relates to the provision of a universal postal service shall be his statutory undertaking. Similar provision is made in paragraphs 42, 45, 48, 49, 52, 54, 56, 80, 84, 96, 112 and 116.

Paragraph 49 of Schedule 1 amends the Highways Act 1980. Sub-paragraph (8) inserts a new section 254(6A) into that Act. It provides that for the purposes of section 254(1) of that Act (compulsory acquisition for certain purposes of rights in land belonging to local authorities etc.), it is only land held or used for any purpose in connection with the provision of the universal postal service and not land which has been acquired by the universal service provider for the purposes of its undertaking which is subject to section 254.

Paragraph 57 of Schedule 1 amends the Representation of the People Act 1983. It replaces the functions of the Post Office and the Head and Deputy Postmasters in relation to elections with the designated officials of a universal service provider. Similar provision is made in paragraph 129 for the National Assembly for Wales (Representation of the People) Order 1999 and in paragraph 131 for the Scottish Parliament (Elections etc.) Order 1999.

Paragraph 58 of Schedule 1 makes similar amendments to paragraph 57 in relation to the Parliamentary Writs Order 1983.

Paragraph 75 of Schedule 1 amends section 76 of the Housing Act 1988. It inserts a new subsection (6A) which prevents the Secretary of State from vesting land of a universal service provider in a housing action trust. Similar provision is made in paragraph 98, the Leasehold Reform, Housing and Urban Development Act 1993, in relation to the Urban Regeneration Agency and in paragraph 120, the Regional Development Agencies Act 1998, in relation to regional development agencies.

Paragraphs 80 to 83 of Schedule 1 amend the Town and Country Planning Act 1990. The definition of statutory undertaker is changed from the Post Office to a universal service provider. New subsections (2D) and (2E) are inserted into section 263 (definition of operational land) which define operational land for a universal service provider as land used by a universal service provider, or an associated company, in connection with the provision of a universal postal service or land in which either hold an interest in connection with the provision of a universal postal service. No equivalent subsection is inserted for determination of operational land, as was included by the Transport Act 2000, as section 265 already deals with the point. Paragraphs 112 to 116 make similar provision for Scotland.

Paragraphs 3, 11, 12, 44 and 63 of Schedule 1 make minor consequential amendments to legislative provisions relating to the authority of the Post Office to provide banking services. Such references to the Post Office are being repealed in Schedule 2 to the Order and various minor consequential amendments arise as a result.

Paragraphs 22, 39(2), 43(2), 68(3), 86, 93(3)(d), 94(3)(d), 111 and 124 of Schedule 1 make consequential amendments to references in legislation to “postal packet”. The old definition was in section 87(1) of the Post Office Act 1953. The definition is now in section 125(1) of the Postal Services Act 2000 and amendments have been made to that effect.

Paragraphs 19, 21, 30, 31, 46, 47, 60, 68, 70, 78, 79, 92, 123 and 135 of Schedule 1 make various consequential amendments to other legislative references to the Post Office Act 1953 and the Post Office Act 1969 and update them to the relevant provisions of the Postal Services Act 2000.

Paragraphs 71, 122, and 132 of Schedule 1 amend the European Parliamentary Elections (Northern Ireland) Regulations 1986, the New Northern Ireland Assembly (Elections) Order 1998 and the European Parliamentary Elections Regulations 1999 respectively. These contained references to section 72 of the Post Office Act 1969 (remuneration of the Post Office for services rendered in relation to parliamentary elections). This section has been re-enacted as section 200A of the Representation of the People Act 1983 by virtue of the Postal Services Act 2000. The amendments in these paragraphs reflect this.

Paragraphs 5, 25, 26(3), 29, 101, 103 and 108 of Schedule 1 make various consequential amendments from Post Office or Postmaster General to the Post Office company (within the meaning of Part IV of the Postal Services Act 2000). These amendments are made where the Postal Services Act 2000 envisages that certain things, for example, issuance of postal and money orders, are done by the

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Post Office company or where specific amendment has already been made in the Postal Service Act 2000, for example, to the Value Added Tax Act 1994.

Paragraphs 9(2)(a), 17 and 130 of Schedule 1 make amendments to legislation where the original wording was “sent through the post office”. These are amended to “by post”.

Paragraphs 1, 55, 127 and 128 of Schedule 1 amend references to “Post Office” to “post office” or “public post office”. This is to clarify that the reference is to the place where postal services are carried out and not to the postal operator.

Paragraph 76 of Schedule 1 amends the Social Fund Cold Weather Payments (General) Regulations 1988, It modifies the definition of “postcode district” so it is construed in accordance with the Postcode Address File.

Paragraph 66 of Schedule 1 amends the Postal Packets (Customs and Excise) Regulations 1986. The definitions have been changed to reflect the new legislation and regulations 7, 8 and 9 of the Regulations have been redrafted to update them for the new legislation.

Paragraphs 100 and 106 of Schedule 1 amend the Public Services Contracts Regulations 1993 and the Public Supply Contracts Regulations 1995 respectively. Postal business of the Post Office is currently subject to the procurement regime by the virtue of the Annex 1 of Schedule 3 to the 1993 Regulations and Annex 1 of Schedule 1 to the 1995 Regulations. The amendments mean that postal services in relation to letters carried out by the Post Office company or a relevant subsidiary are still subject to procurement rules.

Schedule 2 makes various repeals and revocations in consequence of the Postal Services Act 2000.