

**Changes to legislation:** There are currently no known outstanding effects for the Telecommunications Act 1984, Cross Heading: The New Towns Act (Northern Ireland) 1965. (See end of Document for details)

## SCHEDULES

### SCHEDULE 4

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### Modifications etc. (not altering text)

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

##### *The New Towns Act (Northern Ireland) 1965*

- 44 (1) In section 25 of the New Towns Act (Northern Ireland) 1965 (extinguishment of public rights of way), after subsection (9) there shall be inserted the following subsections:—
- “(9A) Where in pursuance of an order under this section a public right of way over land is extinguished and, at the beginning of the day on which the order comes into operation there is under, in, on, over, along or across the land any telecommunication apparatus kept installed for the purposes of a telecommunications code system, the operator of that system shall have the same powers in respect of that apparatus as if the order had not come into operation; but any person entitled to land over which the right of way existed shall be entitled to require the alteration of the apparatus.
- (9B) Where the Department has approved an order under this section in respect of any right of way in circumstances in which subsection (9A) applies in relation to the operator of any telecommunications code system, the Department shall send a copy of the order to the operator.
- (9C) Paragraph 1(2) of the telecommunications code (alteration of apparatus to include moving, removal, or replacement of apparatus) shall apply for the purposes of subsection (9A) as it applies for the purposes of that code.
- (9D) Paragraph 21 of the telecommunications code (restriction on removal of telecommunication apparatus) shall apply in relation to any entitlement conferred by this section to require the alteration, moving or replacement of any telecommunication apparatus as it applies in relation to an entitlement to require the removal of any such apparatus.”.
- (2) In relation to an order under section 25 of the said Act of 1965 coming into force before the appointed day, paragraph 76(2) of Schedule 3 to the 1981 Act (which

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made provision corresponding to sub-paragraph (1) above in relation to British Telecommunications) shall have effect, notwithstanding any repeal made by this Act, as it has effect immediately before the coming into force of sub-paragraph (1) above.

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