



Telecommunications Act 1984

1984 CHAPTER 12

PART II

PROVISION OF TELECOMMUNICATION SERVICES

Acquisition etc. of land by public telecommunications operators

37 Entry, for exploratory purposes, on land in England and Wales.

- [^{F1}(1) A person nominated by a public telecommunications operator and duly authorised in writing by the Secretary of State may, at any reasonable time, enter upon and survey any land in England and Wales, other than land covered by buildings or used as a garden or pleasure ground, for the purpose of ascertaining whether the land would be suitable for use by the operator for, or in connection with, the establishment or running of the operator's system.
- (2) [^{F2}Sections 324(8), 325(1) to (5), (8) and (9) of the ^{M1}Town and Country Planning Act 1990] (which contain supplementary provisions relating to the powers of entry conferred by [^{F2}section 324(1) to (7)] thereof) shall have effect in relation to the power conferred by this section as they have effect in relation to the powers conferred by [^{F2}the said section 324], subject however to the following modifications, namely—
- (a) that [^{F2}section 324(8)] (which relates to power to search and bore for the purpose of ascertaining the nature of the subsoil or the presence of minerals therein) shall so have effect as if the words “or the presence of minerals therein” were omitted; and
 - (b) that [^{F2}section 325(1)] (which requires twenty-four hours' notice to be given of an intended entry upon occupied land) shall so have effect as if for the words “twenty-four hours” there were substituted the words “ twenty-eight days ”.
- (3) Where, in an exercise of the power conferred by this section, any damage is caused to land or to chattels, the operator shall make good the damage or pay to every person interested in the land or chattels compensation in respect of the damage; and where, in consequence of an exercise of that power, any person is disturbed in his enjoyment

Changes to legislation: There are currently no known outstanding effects for the Telecommunications Act 1984, Section 37. (See end of Document for details)

of any land or chattels, the operator shall pay to that person compensation in respect of the disturbance.

- (4) [^{F3}Section 118 of the said Act of 1990] (which provides for the determination of disputes as to compensation under [^{F3}Part IV of that Act]) shall apply to any question of disputed compensation under this section.]

Textual Amendments

- F1** S. 37 repealed (25.7.2003 for specified purposes, 29.12.2003 otherwise) by [Communications Act 2003](#) (c. 21), ss. 406, 408, 411, [Sch. 19\(1\)](#) (with [Sch. 18](#), [Sch. 19\(1\)](#) Note 1); S.I. 2003/1900, arts. 1(2), [2\(1\)](#), 3(1), [Sch. 1](#) (with art. 3(2) (as amended (8.12.2003) by S.I. 2003/3142, art. 1(3))); S.I. 2003/3142, [art. 3](#), [Sch. 1](#) (with art. 11)
- F2** Words substituted by [Planning \(Consequential Provisions\) Act 1990](#) (c. 11, SIF 123:1, 2), s. 4, [Sch. 2 para. 63\(2\)\(a\)](#)
- F3** Words substituted by [Planning \(Consequential Provisions\) Act 1990](#) (c. 11, SIF 123:1, 2), s. 4, [Sch. 2 para. 63\(2\)\(b\)](#)

Marginal Citations

- M1** 1990 c. 8.

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