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## STATUTORY INSTRUMENTS

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# 2000 No. 1714

## The Telecommunications (Licence Modification) (Mobile Data Operator Licences) Regulations 2000

### Citation and commencement

1. These Regulations may be cited as the Telecommunications (Licence Modification) (Mobile Data Operator Licences) Regulations 2000 and shall come into force on 21st July 2000.

### Interpretation

2. In these Regulations—

“the 1984 Act” means the Telecommunications Act 1984 <sup>M1</sup>;

“the Cognito licence” means the licence granted by the Secretary of State under section 7 of the 1984 Act to Cognito Limited on 12 October 1992;

“the D.I.C.E. licence” means the licence granted by the Secretary of State under section 7 of the 1984 Act to D.I.C.E. Ltd on 4 June 1992;

“the former licences” means the relevant licences in the form they were in immediately before the coming into force of these Regulations;

“the Hutchison Mobile licence” means the licence granted by the Secretary of State under section 7 of the 1984 Act to Hutchison Mobile Data (UK) Limited on 18 February 1992;

“the modified licences” means the relevant licences as amended by these Regulations;

“the Ram Mobile licence” means the licence granted by the Secretary of State under section 7 of the 1984 Act to Ram Mobile Data Limited on 18 February 1992;

“the relevant licences” means the Cognito licence, the D.I.C.E. licence, the Hutchison Mobile licence, the Ram Mobile licence and the Securicor licence; and

“the Securicor licence” means the licence granted by the Secretary of State under section 7 of the 1984 Act to Securicor Datatrak Limited on 14 August 1996.

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### Marginal Citations

**M1** 1984 c.12, as amended by the [Telecommunications \(Licensing\) Regulations 1997 \(S.I. 1997/2930\)](#). There are other amendments to [1984 c.12](#) which are not relevant to these Regulations.

### Modification of the relevant licences

3. The relevant licences are hereby modified as follows—

- (a) for the Table of Contents there shall be substituted the Table of Contents set out in Schedule 1 hereto;
- (b) in the case of the Cognito licence, the D.I.C.E. licence, the Hutchison Mobile licence and the Ram Mobile licence:

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**Changes to legislation:** *There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Telecommunications (Licence Modification) (Mobile Data Operator Licences) Regulations 2000. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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- (i) in paragraph 1 the words “for the period specified in paragraph 2” shall be deleted;
- (ii) in paragraph 2 after the word “duration” there shall be added the words “ in the first instance but, without prejudice to Schedule 2 to this Licence, shall be subject to revocation thereafter on ten years’ notice in writing of such revocation and such notice shall accordingly not be given before the end of the fifteenth year after the granting of the Licence.”; and
- (iii) for paragraphs 3 to 5 inclusive there shall be substituted the following paragraphs—

### **“Interpretation**

**3.** The Interpretation Act 1978 shall apply for the purposes of interpreting this Licence as if it were an Act of Parliament. In this Licence, except as hereinafter provided or unless the context otherwise requires, words or expressions shall have the meaning assigned to them and otherwise any word or expression shall have the same meaning as it has in the Act. For the purposes of interpreting this Licence, headings and titles shall be disregarded.

**4.** In this Licence, ‘Licence’ means a licence granted or having effect as if granted under section 7 of the Act.

**5.** For the purposes of this Licence the ‘Applicable Systems’ means any or all of the telecommunication systems run by the Licensee under this Licence unless the context otherwise requires.

**6.** Where this Licence provides for any power of the Secretary of State or the Director to give any direction, notice or consent or make any specification, or of the Director to make any designation or determination, it implies, unless the contrary intention appears, a power, exercisable in the same manner and subject to the same conditions or limitations, to revoke, amend or give or make again any such direction, notice, consent, specification, designation or determination; and any reference however expressed to the Director making any determination or giving any direction or consent about any matter shall be construed as making such determination or giving such direction or consent after consultation with the Licensee and where appropriate with any other person who may have a relevant interest in the matter to which the determination, direction or consent relates.

**7.** Any notification which is required to be given under this Licence by the Secretary of State or the Director shall be satisfied by serving the document by post on the Licensee at the Licensee’s registered office.”;

- (c) in the case of the Securicor licence, for paragraph 6 there shall be substituted paragraph 6 as set out in sub-paragraph (b)(iii) above;
- (d) for Schedule 1 there shall be substituted Schedule 1 as set out in Schedule 2 hereto;
- (e) for Schedule 2 there shall be substituted Schedule 2 as set out in Schedule 3 hereto;
- (f) for Schedule 3 there shall be substituted Schedule 3 as set out in Schedule 4 hereto; and
- (g) for Annex A there shall be substituted Annex A as set out in Schedule 5 hereto.

### **Transitional provisions**

4.—(1) So far as anything done or treated as done under or for the purposes of any provision of the former licences could have been done under or for the purposes of the corresponding provision of the modified licences, it shall have effect as if done under or for the purposes of the corresponding provision; and any direction, notice, consent, specification, designation or determination or other decision made or having effect under any provision of the former licences shall be treated for all purposes as made and having effect under the corresponding provision.

(2) Where any period of time specified in a provision of the former licences is current immediately before the coming into force of these Regulations, the corresponding provision of the modified licences shall have effect as if that period of time—

(a) ran from the date or event from which it was running immediately before the coming into force of these Regulations, and

(b) expired whenever it would have expired if the former licences had not been modified;

and any rights, liabilities, obligations or requirements dependent on the beginning, duration or end of such a period as mentioned above shall be under the modified licences as they were or would have been under the former licences.

*Patricia Hewitt,*  
Minister of State for Small Business and E.  
Commerce,  
Department of Trade and Industry

28th June 2000

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Telecommunications (Licence Modification) (Mobile Data Operator Licences) Regulations 2000. Any changes that have already been made by the team appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to :**

- Regulations revoked by [2003 c. 21 Sch. 19\(2\)](#)