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STATUTORY INSTRUMENTS

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**2003 No. 1542**

**POSTAL SERVICES**

**The Postal Services Act 2000 (Consequential Modifications to Local Enactments) Order 2003**

<i>Made</i>	- - - -	<i>10th June 2003</i>
<i>Laid before Parliament</i>		<i>12th June 2003</i>
<i>Coming into force</i>	- -	<i>10th July 2003</i>

The Secretary of State, in exercise of the powers conferred upon her by sections 122(2) and 128(1) of the Postal Services Act 2000<sup>(1)</sup>, hereby makes the following Order:

**Citation, commencement and extent**

1.—(1) This Order may be cited as the Postal Services Act 2000 (Consequential Modifications to Local Enactments) Order 2003 and shall come into force on 10th July 2003.

(2) Any modification by this Order of an enactment has the same extent as the enactment modified.

**Modifications of Post Office Extension Act and Post Office Railway Acts**

2.—(1) Any provision of the Post Office Extension Act 1865<sup>(2)</sup>, the Post Office (London) Railway Act 1913<sup>(3)</sup> and the Post Office (Site and Railway) Act 1954<sup>(4)</sup> which was in force immediately before the day on which this Order comes into force and contained references to the Post Office shall (including references which have effect as such references), so far as necessary for preserving its effect on and after that day, have effect as if those references were references to the Post Office company.

(2) Subject to paragraph (3), any function exercisable by the Post Office company by virtue of paragraph (1) shall be exercisable concurrently by any relevant subsidiary of the Post Office company; and references which have effect by virtue of paragraph (1) as references to the Post Office company shall be construed accordingly.

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(1) 2000 c. 26.

(2) 1865 c. 87 (28 and 29 Vict.) as amended by section 22 of the Post Office Act 1969 (c. 48.).

(3) 1913 c. cxvi (3 and 4 Geo. 5) as amended by section 22 of the Post Office Act 1969 (c. 48.).

(4) 1954 c. xxix (2 and 3 Eliz. 2) as amended by section 22 of the Post Office Act 1969 (c. 48.).

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(3) Anything which by virtue of this paragraph must be done by or in relation to the Post Office company and any relevant subsidiary of the Post Office company shall, so far as the context permits, be taken as so done if it is done by or in relation to any of them.

(4) In the Acts to which this article applies references to the purpose or purposes of the Post Office shall be construed as references to the purpose or purposes of the businesses of the Post Office company and any relevant subsidiary so far as those businesses relate to the provision of postal services.

(5) In this article “the Post Office company” and “relevant subsidiary” have the same meanings as in Part IV of the Postal Services Act 2000.

**Other modifications of enactments**

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

(2) The repeals specified in Schedule 2 to this Order shall have effect.

*Stephen Timms,*  
Minister of State for E-Commerce and  
Competitiveness,  
Department of Trade and Industry

10th June 2003

SCHEDULE 1

Article 3(1)

AMENDMENTS

**Nottingham Park Estate Act 1990**

1.—(1) In section 14 of the Nottingham Park Estate Act 1990<sup>(5)</sup> (stopping up of roads and traffic regulation) for the words “the Post Office” substitute the words “any relevant universal service provider”.

(2) After subsection (15) of that section insert—

“(16) In this section “any relevant universal service provider” means a universal service provider (within the meaning of the Postal Services Act 2000) which provides a universal postal service (within the meaning of that Act) for the Park.”.

**Scottish Borders Council (Jim Clark Memorial Rally) Order Confirmation Act 1996**

2.—(1) The Scottish Borders Council (Jim Clark Memorial Rally) Order Confirmation Act 1996<sup>(6)</sup> is amended as follows.

(2) In section 2 (interpretation) at the appropriate place insert—

““universal service provider” has the meaning given by the Postal Services Act 2000; and

“the universal service provider concerned” means the universal service provider likely to be affected, in the provision of a universal postal service (within the meaning of the Postal Services Act 2000), by the closure of any public road under this Act.”.

(3) In section 12 (for protection of Post Office), for the words “the Post Office”, where they appear for the first time, substitute the words “a universal service provider” and, where they appear thereafter, substitute the words “the universal service provider concerned”.

SCHEDULE 2

Article 3(2)

REPEALS

<i>Reference</i>	<i>Short title or title</i>	<i>Extent of repeal</i>
1886 c. li.	Post Office (Sites) Act 1886.	The whole Act.
1876 c. iii.	Manchester Post Office Act 1876.	The whole Act.
1889 c. ccix.	Post Office (Sites) Act 1889.	The whole Act.
1893 c. xxxii.	Post Office (Sites) Act 1893.	The whole Act.
1897 c. clxvi.	Post Office (Sites) Act 1897.	The whole Act.
1900 c. ccvi.	Post Office (Sites) Act 1900.	The whole Act.
1902 c. cxciv.	Post Office (Sites) Act 1902.	The whole Act.
1903 c. clvi.	Post Office (Sites) Act 1903.	The whole Act.
1904 c. clviii.	Post Office (Sites) Act 1904.	The whole Act.

(5) 1990 c. xiv.

(6) 1996 c. xii.

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<i>Reference</i>	<i>Short title or title</i>	<i>Extent of repeal</i>
1906 c. cxviii.	Post Office (Sites) Act 1906.	The whole Act.
1907 c. cxxxii.	Post Office (Sites) Act 1907.	The whole Act.
1908 c. clxi.	Post Office (Sites) Act 1908.	The whole Act.
1926 c. lii.	Post Office (Sites) Act 1926.	The whole Act.
1927 c. xxxi.	Post Office (Sites) Act 1927.	The whole Act.
1930 c. cixxix.	Bristol Cattle Market Act 1930.	In section 20, the reference to the Post Office.
1934 c. xxvii.	Post Office (Sites) Act 1934.	The whole Act.
1936 c. xliii.	Post Office (Sites) Act 1936.	The whole Act.
1950 c. v.	City of London (Various Powers) Act 1950.	In the proviso to section 18, the words after “continue to be payable”.
		In Schedule 1, the entries relating to the Post Office.
1996 c. xii.	Scottish Borders Council (Jim Clark Memorial Rally) Order Confirmation Act 1996.	In section 2, the word “and” immediately after the entry relating to “telecommunications code system”.

## EXPLANATORY NOTE

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

This Order makes supplemental, incidental and consequential provision in relation to local enactments in connection with the commencement of the provisions of the Postal Services Act 2000.

Article 1 provides for citation, commencement and extent. Article 1(2) provides that the modifications in the Order have the same extent as the enactment modified.

Article 2 provides that references to the Post Office in the Post Office Extension Act 1865, the Post Office (London) Railway Act 1913 and the Post Office (Site and Railway) Act 1954 are to have effect as if they were references to the Post Office company and its relevant subsidiaries.

Article 3 gives effect to the modifications specified in Schedules 1 (amendments) and 2 (repeals).

Schedule 1 makes various consequential amendments.

Schedule 2 makes various repeals.