



British Telecommunications Act 1981

1981 CHAPTER 38

PART I

NEW CORPORATION FOR THE PROVISION OF TELECOMMUNICATION AND DATA PROCESSING SERVICES

Charges and other terms and conditions applicable to services

21 Schemes for determining charges and other terms and conditions applicable to services

- (1) Subject to subsection (2), the Corporation may make, as respects any of the services provided by it, a scheme for determining either or both of the following, namely—
 - (a) the charges which (save in so far as they are the subject of an agreement between it and a person availing himself of those services) are to be made by it; and
 - (b) the other terms and conditions which (save as aforesaid) are to be applicable to those services.
- (2) No provision shall be included in any scheme made under this section—
 - (a) for amending the rules of law with respect to evidence;
 - (b) for imposing liability on any person for loss or damage suffered by the Corporation by reason of the connection to any telecommunication system run by the Corporation of any subscriber's apparatus which is for the time being approved for the purposes of section 16; or
 - (c) for limiting any liability of the Corporation for loss or damage, other than a liability arising by virtue of section 22.
- (3) A scheme made under this section may, as respects the services to which it relates, adopt such system for the determination of the charges or other terms and conditions or (as the case may be) the charges and other terms and conditions that are to be applicable as may appear desirable and, in particular and without prejudice to the generality of the foregoing words, may, in all or any cases, leave the determination thereof to the

Corporation subject to such (if any) conditions and limitations as may be provided for in the scheme.

- (4) A scheme made under this section may, as respects the services to which it relates, specify the manner in which, time at which and person by whom the charges that are to be applicable are to be paid.
- (5) A scheme made under this section may make different provision for different cases or classes of cases determined by, or in accordance with, the provisions of the scheme.
- (6) A charge exigible by virtue of this section may be recovered by the Corporation in any court of competent jurisdiction and, except in Scotland, may be so recovered as if it were a simple contract debt.
- (7) A scheme made under this section may revoke or amend any previous scheme so made.
- (8) A scheme made under this section shall come into operation on such day as is specified therein, not being earlier than the day after that on which publication of the scheme in the London, Edinburgh and Belfast Gazettes has been effected; and conclusive evidence of a scheme so made may be given, in all courts of justice and in all legal proceedings whatsoever, by the production of a copy of any of those Gazettes purporting to contain it.