



Telecommunications Act 1984

CHAPTER 12

TELECOMMUNICATIONS ACT 1984

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- 36 Compulsory purchase of land in Northern Ireland.
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- 38 Entry, for exploratory purposes, on land in Scotland.
- 39 Entry, for exploratory purposes, on land in Northern Ireland.
- 40 Acquisition of land by agreement.
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- 42 Fraudulent use of telecommunication system.
- 42A Possession or supply of anything for fraudulent purpose in connection with use of telecommunication system.
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- 109 Amendments, transitional provisions and repeals.
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SCHEDULES

SCHEDULE 1 — Director General of Telecommunications

- 1 There shall be paid to the Director such remuneration, and...
- 2 In the case of any such holder of the office...
- 3 If, when any person ceases to hold office as the...
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- 5 In the House of Commons Disqualification Act 1975 in Part...
- 6 The Director shall have an official seal for the authentication...
- 7 The Documentary Evidence Act 1868 shall have effect as if...
- 8 Anything authorised or required by or under this Act or...

SCHEDULE 2 — The Telecommunications Code

Arrangement of paragraphs

Interpretation of code

- 1 (1) In this code, except in so far as the...

Agreement required to confer right to execute works etc.

- 2 (1) The agreement in writing of the occupier for the...

Agreement required for obstructing access etc.

- 3 (1) A right conferred in accordance with paragraph 2 above...

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Effect of rights and compensation

- 4 (1) Anything done by the operator in exercise of a...

Power to dispense with the need for required agreement

- 5 (1) Where the operator requires any person to agree for...

Acquisition of rights in respect of apparatus already installed

- 6 (1) The following provisions of this paragraph apply where the...

Court to fix financial terms where agreement dispensed with

- 7 (1) The terms and conditions specified by virtue of sub-paragraph...

Notices and applications by potential subscribers

- 8 (1) Where— (a) it is reasonably necessary for the agreement...

Street works

- 9 (1) The operator shall, for the statutory purposes, have the...

Power to fly lines

- 10 (1) Subject to paragraph 3 above and the following provisions...

Tidal waters etc.

- 11 (1) Subject to paragraph 3 above and the following provisions...

Linear obstacles

- 12 (1) Subject to the following provisions of this code, the...

Arbitration in relation to linear obstacles

- 13 (1) Any objection or question which, in accordance with paragraph...

Alteration of apparatus crossing a linear obstacle

- 14 (1) Without prejudice to the following provisions of this code,...

Use of certain conduits

- 15 (1) Nothing in the preceding provisions of this code shall...

Compensation for injurious affection to neighbouring land etc.

- 16 (1) Where a right conferred by or in accordance with...

Objections to overhead apparatus

- 17 (1) This paragraph applies where the operator has completed the...

Obligation to affix notices to overhead apparatus

- 18 (1) Where the operator has for the purposes of the...

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Tree lopping

19 (1) Where any tree overhangs any streetroad and, in doing...

Power to require alteration of apparatus

20 (1) Where any electronic communications apparatus is kept installed on,...

Restriction on right to require the removal of apparatus

21 (1) Where any person is for the time being entitled...

Abandonment of apparatus

22 Without prejudice to the preceding provisions of this code, where...

Undertaker's works

23 (1) The following provisions of this paragraph apply where a...

Notices under code

24 (1) Any notice required to be given by the operator...

Appeals in Northern Ireland

25 Article 60 of the County Courts (Northern Ireland) Order 1980...

Application to the Crown

26 (1) This code shall apply in relation to land in...

Savings for and exclusion of certain remedies etc.

27 (1) Except in so far as provision is otherwise made...

Application of code to existing systems

28 (1) Subject to the following provisions of this paragraph, references...

Effect of agreements concerning sharing of apparatus

29 (1) This paragraph applies where— (a) this code has been...

SCHEDULE 3 — Penalties and Mode of Trial under the Wireless Telegraphy Act 1949

1 The following subsections shall be substituted for subsection (1) of...

2

3 The following provisions shall not apply where a person is...

SCHEDULE 4 — Minor and Consequential Amendments

Interpretation

1 (1) In this Schedule and in any enactment amended by...

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General

2 A requirement to do what is necessary to inform designated...

Enactments relating to statutory undertakers, etc.

3 (1) The references to British Telecommunications in the following enactments...

The Telegraph Acts 1863 and 1868

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The Foreign Enlistment Act 1870

5 In section 30 of the Foreign Enlistment Act 1870 (interpretation),...

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The Military Tramways Act 1887

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The Telegraph Act 1899

10 In section 2(1) of the Telegraph Act 1899 (supplemental provision)...

The Official Secrets Act 1911

12 (1) (2) Any telecommunications station or office belonging to, or...

The Official Secrets Act 1920

14

The Law of Property Act 1925

16 In subsection (4) of section 194 of the Law of...

The Roads Improvement Act 1925

17 (1) For subsection (6) of section 1 of the Roads...

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The Public Health Act 1925

18 In section 10 of the Public Health Act 1925 (under...

The Bridges Act 1929

19 For section 13 of the Bridges Act 1929 (which applies...

The Civil Defence Act (Northern Ireland) 1939

21 For section 71 of the Civil Defence Act (Northern Ireland)...

The Water Act 1945

22 (1) The Water Act 1945 shall be amended in accordance...

The Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947

23 In section 3 of the Acquisition of Land (Authorisation Procedure)...

The Roads Act (Northern Ireland) 1948

25 For subsections (1) and (2) of section 41 of the...

The Special Roads Act 1949

26 (1) For section 20 of the Special Roads Act 1949...

The Coast Protection Act 1949

27 In section 47 of the Coast Protection Act 1949, for...

The National Parks and Access to the Countryside Act 1949

28 (1) In the proviso to section 20(2) of the National...

The Public Utilities Street Works Act 1950

29 (1) The Public Utilities Street Works Act 1950 shall be...

The Local Government (Miscellaneous Provisions) Act 1953

31 In section 6 of the Local Government (Miscellaneous Provisions) Act...

The Lough Neagh and Lower Bann Drainage and Navigation Act (Northern Ireland) 1955

33 For subsection (2) of section 17 of the Lough Neagh...

The Housing Act 1957

35 (1) After section 74 of the Housing Act 1957, in...

The Land Drainage (Scotland) Act 1958

36 (1) For section 17 of the Land Drainage (Scotland) Act...

The Local Government (Omnibus Shelters and Queue Barriers) (Scotland) Act 1958

37 In section 3 of the Local Government (Omnibus Shelters and...

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The Opencast Coal Act 1958

38 (1) Section 45 of the Opencast Coal Act 1958 (provisions...

The Flood Prevention (Scotland) Act 1961

39 (1) The Flood Prevention (Scotland) Act 1961 shall be amended...

The Public Health Act 1961

40 In section 29B(3) of the Public Health Act 1961 (which...

The Pipe-lines Act 1962

41 In section 40 of the Pipe-lines Act 1962 (avoidance of...

The Water Resources Act 1963

42 (1) In section 67 of the Water Resources Act 1963...

The Harbours Act 1964

43 For section 53 of the Harbours Act 1964 (saving for...

The New Towns Act (Northern Ireland) 1965

44 (1) In section 25 of the New Towns Act (Northern...

The Housing (Scotland) Act 1966

45 After section 57 of the Housing (Scotland) Act 1966, in...

The Countryside (Scotland) Act 1967

46 (1) In section 11(5)(f) of the Countryside (Scotland) Act 1967...

The New Towns (Scotland) Act 1968

47 (1) The New Towns (Scotland) Act 1968 shall be amended...

The Countryside Act 1968

48 (1) In subsections (4) and (12) of section 41 of...

The Sewerage (Scotland) Act 1968

49 In section 22(1) of the Sewerage (Scotland) Act 1968 (Part...

The Post Office Act 1969

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The Roads (Scotland) Act 1970

51 (1) The Roads (Scotland) Act 1970 shall be amended in...

The Harbours Act (Northern Ireland) 1970

52 For section 37 of the Harbours Act (Northern Ireland) 1970...

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- 54 *The Town and Country Planning (Scotland) Act 1972*
.....
- 55 *The Electricity Supply (Northern Ireland) Order 1972*
(1) The Electricity Supply (Northern Ireland) Order 1972 shall be...
- 56 *The Planning (Northern Ireland) Order 1972*
(1) The power to make a development order under Article...
- 57 *The Fair Trading Act 1973*
(1) The Director General of Fair Trading shall consult with...
- 58 *The Drainage (Northern Ireland) Order 1973*
(1) For paragraph 3 of Schedule 9 to the Drainage...
- 59 *The Water and Sewerage Services (Northern Ireland) Order 1973*
In article 58 of the Water and Sewerage Services (Northern...
- 60 *The Consumer Credit Act 1974*
(1) In section 16(6) of the Consumer Credit Act 1974...
- 61 *The Housing (Scotland) Act 1974*
(1) After section 36 of the Housing (Scotland) Act 1974,...
- 63 *The Scottish Development Agency Act 1975*
For subsection (8) of section 10 of the Scottish Development...
- 65 *The Restrictive Trade Practices Act 1976*
In section 41(1)(a) of the Restrictive Trade Practices Act 1976...
- 66 *The Land Drainage Act 1976*
(1) In section 23(4) of the Land Drainage Act 1976...
- 67 *The Development of Rural Wales Act 1976*
.....
- 68 *The Gas (Northern Ireland) Order 1977*
.....
- 69 *The Rates (Northern Ireland) Order 1977*
.....
- 71 *The Land Registration (Scotland) Act 1979*
In section 28(1) of the Land Registration (Scotland) Act 1979...

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The Estate Agents Act 1979

72 In section 10(3)(a) of the Estate Agents Act 1979 (exceptions...

The Competition Act 1980

73 (1) In subsection (2)(a) of section 19 of the 1980...

The Water (Scotland) Act 1980

74 (1) Schedule 4 to the Water (Scotland) Act 1980 (provisions...

The Local Government, Planning and Land Act 1980

75 (1) Schedule 28 to the Local Government, Planning and Land...

The Highways Act 1980

76 (1) The Highways Act 1980 shall be amended in accordance...

The Roads (Northern Ireland) Order 1980

77

The British Telecommunications Act 1981

78

The New Towns Act 1981

79 (1) The New Towns Act 1981 shall be amended in...

The Acquisition of Land Act 1981

80 (1) At the end of section 28 of the Acquisition...

The Broadcasting Act 1981

81 In section 3 of the Broadcasting Act 1981 (powers of...

The Housing (Northern Ireland) Order 1981

82 (1) After Article 159 of the Housing (Northern Ireland) Order...

The Planning Blight (Compensation) (Northern Ireland) Order 1981

83 In Article 2(2) of the Planning Blight (Compensation) (Northern Ireland)...

The Civil Aviation Act 1982

84 In section 48(7)(b) of the Civil Aviation Act 1982 (by...

The Cinematograph (Amendment) Act 1982

85 In section 1 of the Cinematograph (Amendment) Act 1982 (extension...

Enactments relating to London

86 (1) In the London Overground Wires etc. Act 1933—

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Enactments relating to call boxes

87 (1) The enactments specified in the following Table (which penalise...

The London Building Acts and enactments relating to highways, etc.

88 (1) Nothing in— (a) the London Building Acts 1930 to...

General adaptations of local enactments

89 (1) A provision to which this paragraph applies which refers...

Saving in respect of offences under section 5

90 Nothing in a local Act passed after but in the...

SCHEDULE 5 — General Transitional Provisions and Savings

Part I — PROVISIONS AND SAVINGS COMING INTO FORCE ON APPOINTED DAY

- 1 (1) Subject to the following provisions of this paragraph, a...
- 2 (1) An approval issued under section 16(2) of the 1981...
- 3 (1) An order made under section 17 of the 1981...
- 4 An order made, or having effect as if made, by...
- 5 A compulsory purchase order made under section 38 or 39...
- 6 An application for a vesting order made under section 40...
- 7 An authorisation given by British Telecommunications under section 41, 42...
- 8 (1) An order made under section 89 of the Post...
- 9 An undertaking given, or having effect as if given, under...
- 10 A direction given, or having effect as if given, under...
- 11 Nothing done, on or after the appointed day, under, and...
- 12 (1) Where immediately before the appointed day British Telecommunications—
- 13 Nothing in this Act shall affect the operation of section...
- 14 Nothing in this Act shall affect the operation of section...
- 15 Nothing in this Act shall affect the operation of section...
- 16 Subject to paragraph 4 above and paragraph 26 below, nothing...
- 17 Nothing in this Act shall affect the operation of section...
- 18 Subject to paragraph 49 below, nothing in this Act shall...
- 19 Subject to paragraph 50 below, nothing in this Act shall...

Part II — PROVISIONS AND SAVINGS COMING INTO FORCE ON TRANSFER DATE

- 20 A licence granted under section 7 of this Act to...
- 21 An order made under section 9(1) of this Act which...
- 22 An approval given under section 20(1) of this Act which...
- 23 An approval given, or having effect as if given, under...
- 24 An approval given under section 24(1) of this Act which...
- 25 A recognition given under section 27(1) of this Act which...
- 26 An order made, or having effect as if made, under...
- 27 A compulsory purchase order made, or having effect as if...
- 28 An application for a vesting order made, or having effect...
- 29 An authorisation given, or having effect as if given, by...
- 30 An order made under section 57 of this Act which...
- 31 A licence granted under section 58 of this Act to...
- 32 An undertaking given, or having effect as if given, to...

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- 33 A direction given, or having effect as if given, to...
- 34 (1) For the purposes of authorising the making, in relation...
- 35 Where immediately before the transfer date there is in force...
- 36 (1) Except as otherwise provided by the foregoing provisions of...
- 37 (1) It is hereby declared for the avoidance of doubt...
- 38 (1) It shall be the duty of British Telecommunications and...
- 39 (1) During the transitional period it shall be the duty...
- 40 (1) Notwithstanding the repeal of subsection (12) of section 6...
- 41 For the purpose of enabling anything which, on the transfer...
- 42 (1) Subject to sub-paragraph (2) below, nothing in this Act...
- 43 Nothing in this Act shall affect the operation of any...
- 44 Nothing in this Act shall affect the operation of section...
- 45 Where by virtue of anything done before the transfer date,...
- 46 (1) Section 6(2) of the Commonwealth Telegraph Act 1949 shall...
- 47 (1) Nothing in this Act shall affect the validity of...
- 48 (1) Where an asset, or the right to receive an...
- 49 An order under section 19 of the Local Government Act...
- 50 An order under section 6 of the Local Government (Scotland)...
- 51 (1) Where a distribution is proposed to be declared during...

SCHEDULE 6 —

- 1 (1) For the purpose of making, in relation to agreements...
- 2 Any reference to an agreement to which Schedule 5 applies...
- 3 Except in a case where it falls to be modified...
- 4 The reference in paragraph 4 of Schedule 5 to paragraph...
- 5 The excepted case stated in paragraph 6 of Schedule 5...
- 6 (1) The reference in paragraph 8(2) of Schedule 5 to...
- 7 (1) The reference in paragraph 9(1) of Schedule 5 to...
- 8 The third reference in paragraph 10(2) of Schedule 5 to...
- 9 The reference in paragraph 14 of Schedule 5 to paragraph...
- 10 The excepted case stated in paragraph 16 of Schedule 5...
- 11 (1) The reference in paragraph 18(1) of Schedule 5 to...
- 12 (1) The reference in paragraph 19(1) of Schedule 5 to...
- 13 The first and third references in paragraph 20(2) of Schedule...
- 14 Nothing in this Schedule shall affect the operation of Schedule...

SCHEDULE 7 — Repeals

- Part I — REPEALS COMING INTO FORCE ON APPOINTED DAY
- Part II — REPEALS COMING INTO FORCE ON TRANSFER DATE
- Part III — REPEALS COMING INTO FORCE ON DISSOLUTION OF BRITISH
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- Part IV — WIRELESS TELEGRAPHY REPEALS

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