



# Telecommunications Act 1984

## 1984 CHAPTER 12

### PART II

#### PROVISION OF TELECOMMUNICATION SERVICES

##### *Rating of telecommunications operators*

#### **31 Rating in England and Wales**

- (1) In Schedule 3 to the Local Government Act 1974 (hereditaments to which section 19(1) of that Act applies) for paragraph 5A (hereditaments occupied by British Telecommunications by certain property used for the purposes of telecommunication services) there shall be substituted the following paragraph—

“5A Any hereditament occupied by a telecommunications operator (within the meaning of the Telecommunications Act 1984) by any such property as follows, namely, posts, wires, underground cables and ducts, telephone kiosks and other equipment being property used for the purpose of providing telecommunication services.”

- (2) Where an order made under the said section 19 applies to hereditaments occupied by a telecommunications operator by any such property as aforesaid, that operator shall be treated, for the purposes of the law relating to rating, as not being a public utility undertaking.
- (3) This section extends to England and Wales only.

#### **32 Rating in Scotland**

- (1) In paragraph 5 of Schedule 1 to the Local Government (Scotland) Act 1975 (lands and heritages to which section 6(1) of that Act applies and occupied by British Telecommunications by certain property used for the purposes of telecommunication services)—

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*Status: This is the original version (as it was originally enacted).*

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- (a) for the words " British Telecommunications " there shall be substituted the words " a telecommunications operator (within the meaning of the Telecommunications Act 1984) "; and
- (b) for the words from " not within " to " purposes of " there shall be substituted the words " , being property used for the purpose of providing " .

(2) This section extends to Scotland only.

### **33 Rating in Northern Ireland**

- (1) For the purposes of any valuation list in force on or after the appointed day the Department of Finance and Personnel for Northern Ireland (in this section referred to as " the Department ") may by order determine the aggregate amount of the net annual value of the following hereditaments occupied by a telecommunications operator for the purpose of providing telecommunication services, namely, posts, wires, underground cables and ducts, telephone kiosks and other equipment.
- (2) The Department shall, after consultation with such telecommunications operators, associations of district councils and district councils as the Department considers appropriate, make an order under subsection (1) above for the purpose of any valuation list in force on or after 1st April in a relevant year.
- (3) The aggregate amount determined under subsection (1) above shall be apportioned by the Commissioner of Valuation for Northern Ireland in the valuation list prepared by him among the districts of the district councils in such manner as the Department may by order prescribe.
- (4) An order under subsection (1) above may, if the Department thinks fit, provide, with respect to each of the years subsequent to the first with respect to which the order has effect or with respect to such of those years as may be specified in the order—
  - (a) for the aggregate amount referred to in that subsection to be re-determined in manner prescribed by the order; or
  - (b) for the apportioned parts of that amount to be varied in manner so prescribed ;
 and, where such an order includes such provision as is authorised by paragraph (a) above to be included therein the aggregate amount, as re-determined in accordance with the order, shall be apportioned among the districts of the district councils in which the hereditaments in question are situate in like manner as that amount, as determined by the order, was apportioned.
- (5) Where an order under this section includes any such provision as is authorised by subsection (4) above to be included therein it may further include provision for effecting such alterations in net annual values shown in the valuation list as are rendered requisite in consequence of an apportionment effected by virtue of that subsection or a variation effected by virtue of the order and for any incidental, supplementary or consequential matters for which it appears to the Department requisite to provide for the purposes of the order.
- (6) An order under this section shall be made by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979, which shall be subject to negative resolution within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954.
- (7) In this section " relevant year " means—
  - (a) the calendar year in which a general revaluation first comes into force;

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- (b) each successive fifth year after 1983 unless a year such as is mentioned in paragraph (a) above has occurred within the five years preceding that fifth year.
- (8) This section extends to Northern Ireland only.