



Telecommunications Act 1984

1984 CHAPTER 12

PART V

TRANSFER OF UNDERTAKING OF BRITISH TELECOMMUNICATIONS

*Vesting of property etc. of British Telecommunications
in a company nominated by the Secretary of State*

60 Vesting of property etc. of British Telecommunications in a company nominated by the Secretary of State.

- [^{F1}(1) On such day as the Secretary of State may by order appoint for the purposes of this Part (in this Act referred to as “the transfer date”), all the property, rights and liabilities (other than the excepted liabilities) to which British Telecommunications was entitled or subject immediately before that date shall (subject to the following provisions of this section) become by virtue of this section property, rights and liabilities of a company nominated for the purposes of this section by the Secretary of State (in this Act referred to as “the successor company”).
- (2) In this Act “the excepted liabilities” means the liabilities which subsist by virtue of a deed of covenant dated 22nd November 1978 and made between the Post Office and the then trustees of the Post Office Staff Superannuation Scheme.
- (3) The Secretary of State may, after consulting British Telecommunications, by order nominate for the purposes of this section any company formed and registered under the [^{F2M1}Companies Act 1985 or the enactments thereby replaced]; but on the transfer date the company in question must be a company limited by shares which is wholly owned by the Crown.
- (4) References in this Act to property, rights and liabilities of British Telecommunications are references to all such property, rights and liabilities, whether or not capable of being transferred or assigned by British Telecommunications.
- (5) It is hereby declared for the avoidance of doubt that—

Status: Point in time view as at 26/05/2011.

Changes to legislation: Telecommunications Act 1984, Cross Heading: Vesting of property etc. of British Telecommunications in a company nominated by the Secretary of State is up to date with all changes known to be in force on or before 15 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (a) any reference in this Act to property of British Telecommunications is a reference to property of British Telecommunications whether situated in the United Kingdom or elsewhere; and
- (b) any such reference to rights or liabilities of British Telecommunications is a reference to rights to which British Telecommunications is entitled, or (as the case may be) liabilities to which British Telecommunications is subject, whether under the law of the United Kingdom or of any part of the United Kingdom or under the law of any country or territory outside the United Kingdom.
- (6) In the ^{M2}House of Commons Disqualification Act 1975 in Part III of Schedule 1 (other disqualifying offices) there shall be inserted (at the appropriate place in alphabetical order) the following entry—
- “Director of the successor company within the meaning of Part V of the Telecommunications Act 1984, being a director nominated or appointed by a Minister of the Crown or by a person acting on behalf of the Crown”;
- and the like insertion shall be made in Part III of Schedule 1 to the ^{M3}Northern Ireland Assembly Disqualification Act 1975.]

Textual Amendments

- F1** S. 60 repealed (25.7.2003 for specified purposes, 29.12.2003 otherwise) by [Communications Act 2003](#) (c. 21), ss. 398(2)(a), 406, 408, 411, [Sch. 19\(1\)](#) (with [Sch. 18](#), [Sch. 19\(1\)](#) Note 1); S.I. 2003/1900, arts. 1(2), [2\(1\)](#), 3(1), [Sch. 1](#) (with art. 3(2) (as amended (8.12.2003) by S.I. 2003/3142, art. 1(3))); S.I. 2003/3142, [art. 3](#), [Sch. 1](#) (with art. 11)
- F2** Words substituted by [Companies Consolidation \(Consequential Provisions\) Act 1985](#) (c. 9, SIF 27), s. 30, [Sch. 2](#)

Marginal Citations

- M1** 1985 c. 6.
M2 1975 c. 24.
M3 1975 c. 25.

61 Initial Government holding in the successor company.

- (1) [^{F3}As a consequence of the vesting in the successor company by virtue of section 60 above of property, rights and liabilities of British Telecommunications, the successor company shall issue such securities of the company as the Secretary of State may from time to time direct—
- (a) to the Secretary of State; or
- (b) to any person entitled to require the issue of the securities following their initial allotment to the Secretary of State.]
- (2) [^{F3}The Secretary of State shall not give a direction under subsection (1) above at a time when the successor company has ceased to be wholly owned by the Crown.]
- (3) [^{F3}Securities required to be issued in pursuance of this section shall be issued or allotted at such time or times and on such terms (as to allotment) as the Secretary of State may direct.]
- (4) [^{F3}Shares issued in pursuance of this section—

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- (a) shall be of such nominal value as the Secretary of State may direct; and
 - (b) shall be issued as fully paid and treated for the purposes of the [^{F4}Companies Act 1985] as if they had been paid up by virtue of the payment to the successor company of their nominal value in cash.]
- (5) [^{F3}The Secretary of State may not exercise any power conferred on him by this section, or dispose of any securities issued or of any rights to securities initially allotted to him in pursuance of this section, without the consent of the Treasury.]
- (6) [^{F3}Any dividends or other sums received by [^{F5}the Treasury or] the Secretary of State in right of or on the disposal of any securities or rights acquired by virtue of this section shall be paid into the Consolidated Fund.]
- (7) ^{F6}

Textual Amendments

- F3** S. 60(1)-(6) repealed (25.7.2003 for specified purposes, 29.12.2003 for further specified purposes) by Communications Act 2003 (c. 21), ss. 398(2)(b), 406, 408, 411, **Sch. 19(1)** (with Sch. 18, Sch. 19(1) Note 1); S.I. 2003/1900, arts. 1(2), **2(1)**, 3(1), Sch. 1 (with art. 3(2) (as amended (8.12.2003) by S.I. 2003/3142, art. 1(3))); S.I. 2003/3142, **art. 3(2)** (with art. 11)
- F4** Words substituted by Companies Consolidation (Consequential Provisions) Act 1985 (c. 9, SIF 27), s. 30, **Sch. 2**
- F5** Words inserted by S.I. 1986/2237, art. 3(1), **Sch. 2 para. 2**
- F6** S. 61(7) repealed by Finance Act 1988 (c. 39, SIF 114), s. 148, **Sch. 14 Pt. XI**

62 Conversion of certain loans transferred to the successor company.

- [^{F7}(1) The Secretary of State may by order extinguish all or any liabilities of the successor company to the Secretary of State in respect of the principal of such transferred loans as may be specified in the order; and the assets of the National Loans fund shall accordingly be reduced by amounts corresponding to any liabilities so extinguished.
- (2) As a consequence of the extinguishment by an order under subsection (1) above of any such liabilities, the successor company shall issue such debentures of the company as the Secretary of State may direct—
- (a) to the Secretary of State; or
 - (b) to any person entitled to require the issue of the debentures following their initial allotment to the Secretary of State.
- (3) The Secretary of State shall not make an order or give a direction under this section at a time when the successor company has ceased to be wholly owned by the Crown.
- (4) Except as may be agreed between the Secretary of State and the successor company—
- (a) the aggregate of the principal sums payable under debentures issued in pursuance of this section shall be equal to the aggregate of the sums the liability to repay which is extinguished by the order; and
 - (b) the terms as to the payment of the principal sums so payable, and as to the payment of interest thereon, shall be the same as the corresponding terms of the transferred loans specified in the order.

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- (5) For the purposes of subsection (4) above any express or implied terms of a transferred loan shall be disregarded in so far as they relate to the early discharge of liabilities to make repayments of principal and payments of interest.
- (6) Subsection (3) and subsections (5) to (7) of section 61 above shall apply for the purposes of this section as they apply for the purposes of that section.
- (7) For the avoidance of doubt it is hereby declared that the principal sums payable under debentures issued in pursuance of this section are to be regarded as money lent for the purposes of [F8 section 400(9) of the Income and Corporation Taxes Act 1988] (write-off of government investment: restriction of tax losses).
- (8) In this section “transferred loan” means any sum borrowed or treated as borrowed by British Telecommunications the liability to repay which vests in the successor company by virtue of section 60 above.]

Textual Amendments

- F7** S. 62 repealed (25.7.2003 for specified purposes, 29.12.2003 otherwise) by [Communications Act 2003](#) (c. 21), ss. 398(2)(c), 406, 408, 411, [Sch. 19\(1\)](#) (with [Sch. 18](#), [Sch. 19\(1\)](#) Note 1); S.I. 2003/1900, arts. 1(2), [2\(1\)](#), 3(1), [Sch. 1](#) (with [art. 3\(2\)](#) (as amended (8.12.2003) by S.I. 2003/3142, [art. 1\(3\)](#))); S.I. 2003/3142, [art. 3](#), [Sch. 1](#) (with [art. 11](#))
- F8** Words substituted by [Income and Corporation Taxes Act 1988](#) (c. 1, SIF 63:1), s. 844, [Sch. 29 para. 32](#), [Sch. 30 para. 6\(1\)](#)

63 Government investment in securities of the successor company.

- (1) [F9[F10The Treasury or, with the consent of the Treasury, the Secretary of State may at any time], acquire—
 - (a) securities of the successor company or of any subsidiary of the successor company; or
 - (b) rights to subscribe for any such securities.]
- (2) [F9The Secretary of State may not dispose of any securities or rights acquired under this section without the consent of the Treasury.]
- (3) [F9Any expenses incurred by [F11the Treasury or] the Secretary of State in consequence of the provisions of this section shall be paid out of money provided by Parliament.]
- (4) [F9Any dividends or other sums received by [F12the Treasury or] the Secretary of State in right of, or on the disposal of, any securities or rights acquired under this section shall be paid into the Consolidated Fund.]
- (5) F13

Textual Amendments

- F9** S. 63(1)-(4) repealed (25.7.2003 for specified purposes, 29.12.2003 otherwise) by [Communications Act 2003](#) (c. 21), ss. 398(2)(d), 406, 408, 411, [Sch. 19\(1\)](#) (with [Sch. 18](#), [Sch. 19\(1\)](#) Notes 1, 2); S.I. 2003/1900, arts. 1(2), [2\(1\)](#), 3(1), [Sch. 1](#) (with [art. 3\(2\)](#) (as amended (8.12.2003) by S.I. 2003/3142, [art. 1\(3\)](#))); S.I. 2003/3142, [art. 3](#), [Sch. 1](#) (with [art. 11](#))
- F10** Words substituted by S.I. 1986/2237, [art. 3\(1\)](#), [Sch. 2 para. 3\(1\)](#)
- F11** Words inserted by S.I. 1986/2237, [art. 3\(1\)](#), [Sch. 2 para. 3\(2\)](#)

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- F12** Words inserted by S.I. 1986/2237, art. 3(1), **Sch. 2 para. 3(3)**
F13 S. 63(5) repealed by Finance Act 1988 (c. 39, SIF 114), s. 148, **Sch. 14 Pt. XI**

Modifications etc. (not altering text)

- C1** Certain functions transferred by S.I. 1986/2237, **arts. 2(2)(a), 3(3)**

64 Exercise of Secretary of State’s functions through nominees.

[^{F14}(1) The Secretary of State may with the consent of the Treasury appoint such person or persons as he thinks fit to act as his nominees for the purposes of section 61, 62 or 63 above [^{F15}and the Treasury may appoint such person or persons as they think fit to act as their nominees for the purposes of section 63 above]; and—

- (a) securities of the successor company may be issued under section 61 or 62 above to any nominee of the Secretary of State appointed for the purposes of that section or to any person entitled to require the issue of the securities following their initial allotment to any such nominee; and
(b) any [^{F16}nominee of the Treasury or the Secretary of State] appointed for the purposes of section 63 above may acquire securities or rights in accordance with that section,

in accordance with directions given from time to time [^{F17}by the Treasury or] by the Secretary of State with the consent of the Treasury.

(2) Any person holding any securities or rights as a nominee of [^{F18}the Treasury or] the Secretary of State by virtue of subsection (1) above shall hold and deal with them (or any of them) on such terms and in such manner as [^{F19}the Treasury or the Secretary of State with the consent of the Treasury may direct].]

Textual Amendments

- F14** Ss. 64–67 repealed (25.7.2003 for specified purposes, 29.12.2003 otherwise) by Communications Act 2003 (c. 21), ss. 398(2)(e), 406, 408, 411, **Sch. 19(1)** (with Sch. 18, Sch. 19(1) Note 1); S.I. 2003/1900, arts. 1(2), **2(1)**, 3(1), Sch. 1 (with art. 3(2) (as amended (8.12.2003) by S.I. 2003/3142, art. 1(3))); S.I. 2003/3142, **art. 3**, Sch. 1 (with art. 11)
F15 Words inserted by S.I. 1986/2237, art. 3(1), **Sch. 2 para. 4(1)**
F16 Words substituted by S.I. 1986/2237, art. 3(1), **Sch. 2 para. 4(1)**
F17 Words inserted by S.I. 1986/2237, art. 3(1), **Sch. 2 para. 4(1)**
F18 Words inserted by S.I. 1986/2237, art. 3(1), **Sch. 2 para. 4(2)**
F19 Words substituted by S.I. 1986/2237, art. 3(1), **Sch. 2 para. 4(2)**

Modifications etc. (not altering text)

- C2** Certain functions transferred by S.I. 1986/2237, **arts. 2(2)(a), 3(3)**

65 Target investment limit for Government shareholding.

[^{F20}(1) As soon as the successor company ceases to be wholly owned by the Crown, the Secretary of State shall by order fix a target investment limit in relation to the shares for the time being held in that company by [^{F21}the Treasury or the Secretary of State or their or his nominee] by virtue of any provision of this Part (in this section referred to as “the Government shareholding”).

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- (2) The target investment limit shall be expressed as a proportion of the voting rights which are exercisable in all circumstances at general meetings of the successor company (in this section referred to as “the ordinary voting rights”).
- (3) The first target investment limit fixed under this section shall be equal to the proportion of the ordinary voting rights which is carried by the Government shareholding at the time when the order fixing the limit is made.
- (4) [^{F22}The Treasury or the Secretary of State] may from time to time by order fix a new target investment limit in place of the one previously in force under this section; but—
- (a) any new limit must be lower than the one it replaces; and
 - (b) an order under this section may only be revoked by an order fixing a new limit.
- (5) It shall be the duty of [^{F23}the Treasury and of] the Secretary of State so to exercise—
- (a) [^{F24}their] powers under section 63 above and [^{F24}their] power to dispose of any shares held by [^{F25}them] by virtue of any provision of this Part; and
 - (b) [^{F24}their] power to give directions to [^{F24}their] nominees,
- as to secure that the Government shareholding does not carry a proportion of the ordinary voting rights exceeding any target investment limit for the time being in force under this section.
- (6) Notwithstanding subsection (5) above, [^{F26}the Treasury or the Secretary of State] may take up, or direct any nominee of the Treasury or the Secretary of State] to take up, any rights for the time being available to [^{F27}the Treasury or the Secretary of State], or to that nominee, as an existing holder of shares or other securities of the successor company or of any subsidiary of the successor company; but if as a result the ordinary voting rights carried by the Government shareholding at any time exceeds the target investment limit it shall be the duty of [^{F28}the Treasury or, as the case may be,] the Secretary of State to comply with subsection (5) as soon after that time as is reasonably practicable.
- (7) For the purposes of this section the temporary suspension of any of the ordinary voting rights shall be disregarded.]

Textual Amendments

- F20** Ss. 64–67 repealed (25.7.2003 for specified purposes, 29.12.2003 otherwise) by [Communications Act 2003 \(c. 21\)](#), ss. 398(2)(e), 406, 408, 411, [Sch. 19\(1\)](#) (with [Sch. 18](#), [Sch. 19\(1\) Note 1](#)); S.I. 2003/1900, arts. 1(2), [2\(1\)](#), 3(1), [Sch. 1](#) (with art. 3(2) (as amended (8.12.2003) by S.I. 2003/3142, art. 1(3))); S.I. 2003/3142, [art. 3](#), [Sch. 1](#) (with art. 11)
- F21** Words substituted by S.I. 1986/2237, art. 3(1), [Sch. 2 para. 5\(1\)](#)
- F22** Words substituted by S.I. 1986/2237, art. 3(1), [Sch. 2 para. 5\(2\)](#)
- F23** Words inserted by S.I. 1986/2237, art. 3(1), [Sch. 2 para. 5\(3\)](#)
- F24** Word substituted by S.I. 1986/2237, art. 3(1), [Sch. 2 para. 5\(3\)](#)
- F25** Word substituted by S.I. 1986/2237, art. 3(1), [Sch. 2 para. 5\(3\)](#)
- F26** Words substituted by S.I. 1986/2237, art. 3(1), [Sch. 2 para. 5\(4\)](#)
- F27** Words substituted by S.I. 1986/2237, art. 3(1), [Sch. 2 para. 5\(4\)](#)
- F28** Words inserted by S.I. 1986/2237, art. 3(1), [Sch. 2 para. 5\(4\)](#)

Modifications etc. (not altering text)

- C3** Certain functions transferred by S.I. 1986/2237, [arts. 2\(2\)\(a\)](#), 3(3)

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66 Financial structure of the successor company.

- [^{F29}(1) If the Secretary of State so directs at any time before the successor company ceases to be wholly owned by the Crown, such sum (not exceeding the accumulated realised profits of British Telecommunications) as may be specified in the direction shall be carried by the successor company to a reserve (in this section referred to as “the statutory reserve”).
- (2) The statutory reserve may only be applied by the successor company in paying up unissued shares of the company to be allotted to members of the company as fully paid bonus shares.
- (3) Notwithstanding subsection (2) above, the statutory reserve shall not count as an undistributable reserve of the successor company for the purposes of [^{F30}section 264(3)(d) of the Companies Act 1985]; but for the purpose of determining under that section whether the successor company may make a distribution at any time any amount for the time being standing to the credit of the statutory reserve shall be treated for the purposes of [^{F30}section 264(3)(c)] as if it were unrealised profits of the company.
- (4) For the purposes of any statutory accounts of the successor company—
- (a) the vesting effected by virtue of section 60 above shall be taken to have been a vesting of all the property, rights and liabilities (other than the excepted liabilities) to which British Telecommunications was entitled or subject immediately before the end of the last complete accounting year of British Telecommunications ending before the transfer date and to have been effected immediately after the end of that year; and
 - (b) the value of any asset and the amount of any liability of British Telecommunications taken to have been vested in the successor company by virtue of paragraph (a) above shall be taken to be the value or (as the case may be) the amount assigned to that asset or liability for the purposes of the corresponding statement of accounts prepared by British Telecommunications in respect of that year.
- (5) For the purposes of any statutory accounts of the successor company the amount to be included in respect of any item shall be determined as if anything done by British Telecommunications (whether by way of acquiring, revaluing or disposing of any asset or incurring, revaluing or discharging any liability, or by carrying any amount to any provision or reserve, or otherwise) had been done by the successor company.

Accordingly (but without prejudice to the generality of the preceding provision) the amount to be included from time to time in any reserves of the successor company as representing its accumulated realised profits shall be determined as if any profits realised and retained by British Telecommunications had been realised and retained by the successor company.

- (6) References in this section to the statutory accounts of the successor company are references to any accounts prepared by the successor company for the purposes of any provision of the [^{F31}Companies Act 1985] (including group accounts); and in this section “complete accounting year” means an accounting year ending with 31st March.]

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Textual Amendments

- F29** Ss. 64–67 repealed (25.7.2003 for specified purposes, 29.12.2003 otherwise) by [Communications Act 2003](#) (c. 21), ss. 398(2)(e), 406, 408, 411, [Sch. 19\(1\)](#) (with [Sch. 18](#), [Sch. 19\(1\)](#) Note 1); S.I. 2003/1900, arts. 1(2), [2\(1\)](#), 3(1), [Sch. 1](#) (with [art. 3\(2\)](#)) (as amended (8.12.2003) by S.I. 2003/3142, [art. 1\(3\)](#)); S.I. 2003/3142, [art. 3](#), [Sch. 1](#) (with [art. 11](#))
- F30** Words substituted by [Companies Consolidation \(Consequential Provisions\) Act 1985](#) (c. 9, SIF 27), s. 30, [Sch. 2](#)
- F31** Words substituted by [Companies Consolidation \(Consequential Provisions\) Act 1985](#) (c. 9, SIF 27), s. 30, [Sch. 2](#)

67 Temporary restrictions on successor company’s borrowings etc.

- ^{F32}(1) If articles of association of the successor company confer on the Secretary of State powers exercisable with the consent of the Treasury for, or in connection with, restricting the sums of money which may be borrowed or raised by the group during any period, those powers shall be exercisable in the national interest notwithstanding any rule of law and the provisions of any enactment.
- (2) For the purposes of this section any alteration of the articles of association of the successor company which—
- (a) has the effect of conferring or extending any such power as is mentioned in subsection (1) above; and
 - (b) is made at a time when that company has ceased to be wholly owned by the Crown,
- shall be disregarded.
- (3) In this section “group” means the successor company and all of its subsidiaries taken together.]

Textual Amendments

- F32** Ss. 64–67 repealed (25.7.2003 for specified purposes, 29.12.2003 otherwise) by [Communications Act 2003](#) (c. 21), ss. 398(2)(e), 406, 408, 411, [Sch. 19\(1\)](#) (with [Sch. 18](#), [Sch. 19\(1\)](#) Note 1); S.I. 2003/1900, arts. 1(2), [2\(1\)](#), 3(1), [Sch. 1](#) (with [art. 3\(2\)](#)) (as amended (8.12.2003) by S.I. 2003/3142, [art. 1\(3\)](#)); S.I. 2003/3142, [art. 3](#), [Sch. 1](#) (with [art. 11](#))

68 Liability of Secretary of State in respect of liabilities vesting in successor company.

- (1) This section applies where—
- (a) a resolution has been passed, in accordance with the ^{F33}[Insolvency Act 1986], for the voluntary winding up of the successor company, otherwise than merely for the purpose of reconstruction or amalgamation with another company; or
 - (b) without any such resolution having been passed beforehand, an order has been made for the winding up of the successor company by the court under that Act.
- (2) The Secretary of State shall become liable on the commencement of the winding up to discharge any outstanding liability of the successor company ^{F34}[for the payment of pensions] which vested in that company by virtue of section 60 above.

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- (3) Any sums required by the Secretary of State for discharging any liability imposed on him by this section shall be paid out of money provided by Parliament.
- (4) Where the Secretary of State makes a payment to any person in discharge of what appears to him to be a liability imposed on him by this section, he shall thereupon become a creditor of the successor company to the extent of the amount paid, his claim being treated for the purposes of the winding up as a claim in respect of the original liability.
- (5) Any sums received by the Secretary of State in respect of any claim made by virtue of subsection (4) above in the winding up of the successor company shall be paid into the Consolidated Fund.
- (6) The reference in subsection (2) above to the commencement of the winding up is a reference—
 - (a) in a case within subsection (1)(a) above, to the passing of the resolution; and
 - (b) in a case within subsection (1)(b) above, to the making of the order.

Textual Amendments

- F33** Words substituted by virtue of [Companies Consolidation \(Consequential Provisions\) Act 1985 \(c. 9, SIF 27\)](#), s. 30, [Sch. 2](#) and [Insolvency Act 1986 \(c. 45, SIF 66\)](#), s. 439(2), [Sch. 14](#)
- F34** Words in s. 68(2) inserted (25.7.2003 for specified purposes, 29.12.2003 for further specified purposes) by [Communications Act 2003](#), {ss. 398(3)}, 406, 408, 411 (with Sch. 18); [S.I. 2003/1900](#), arts. 1(2), [2\(1\)](#), 3(1), [Sch. 1](#) (with art. 3(2) (as amended (8.12.2003) by [S.I. 2003/3142](#), art. 1(3))); [S.I. 2003/3142](#), [art. 3\(2\)](#) (with art. 11)

69 Dissolution of British Telecommunications.

- [^{F35}(1) British Telecommunications shall continue in existence after the transfer date until it is dissolved in accordance with subsection (2) below; and the period of its continued existence after the transfer date is in this Act referred to as “the transitional period”.
- (2) The Secretary of State may by order, after consulting British Telecommunications and the successor company, dissolve British Telecommunications on a day specified in the order, as soon as he is satisfied that nothing further remains to be done by British Telecommunications under Schedule 5 to this Act.
 - (3) During the transitional period section 1(4) of the 1981 Act (composition of British Telecommunications) shall have effect as if for the word “six” there were substituted the word “ one ” and paragraph 9 of Schedule 1 to that Act (quorum of British Telecommunications) shall have effect as if after the word “three” there were inserted the words “ or the number of its members, whichever is the less ”.]

Textual Amendments

- F35** Ss. 69-71 repealed (25.7.2003 for specified purposes, 29.12.2003 otherwise) by [Communications Act 2003 \(c. 21\)](#), ss. 398(2)(f), 406, 408, 411, [Sch. 19\(1\)](#) (with Sch. 18, [Sch. 19\(1\)](#) Note 1); [S.I. 2003/1900](#), arts. 1(2), [2\(1\)](#), 3(1), [Sch. 1](#) (with art. 3(2) (as amended (8.12.2003) by [S.I. 2003/3142](#), art. 1(3))); [S.I. 2003/3142](#), [art. 3](#), [Sch. 1](#) (with art. 11)

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