

## SCHEDULES

### SCHEDULE 4

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### *General adaptations of local enactments*

- 89 (1) A provision to which this paragraph applies which refers to the rights and powers of British Telecommunications under a provision of any enactment relating to telegraphs shall have effect with the substitution for that reference of a reference to any rights conferred by or in accordance with the telecommunications code on the operator of a telecommunications code system.
- (2) A provision to which this paragraph applies that operates to afford protection or confer a benefit on British Telecommunications with reference to—
- (a) telegraphic lines of, or used by, British Telecommunications or such telegraphic lines of any description specified in that provision, or
  - (b) accommodation for such telegraphic lines or telegraphic lines of any such description, or
  - (c) communication by means of such telegraphic lines or telegraphic lines of any such description,
- shall be construed in accordance with sub-paragraph (3) below.
- (3) That provision shall be construed as if—
- (a) any application (whether or not with modifications) by that provision of section 7 of the Telegraph Act 1878 (which before being repealed by this Act contained provision broadly corresponding to paragraph 23 of the telecommunications code) in relation to any works carried out by any person were an application (without modification) of the said paragraph to that person for the purposes of those works; and
  - (b) subject to that, it in all respects (subject to the like incidents) afforded the like protection to, or conferred the like benefit on, the operator of any telecommunications code system in relation, as the case may be, to—
    - (i) telecommunication apparatus kept installed for the purposes of a telecommunications code system or such apparatus of the description in question, or
    - (ii) accommodation for such apparatus or such apparatus of that description, or
    - (iii) the service provided by any such system.
- (4) The provisions to which this paragraph applies are those of a local Act passed in the same Session as this Act, or in a previous Session, those of an order confirmed by an Act so passed and those of a scheme or order made before the passing of this Act under any Act (whether public general or local).
- (5) This paragraph shall not preclude the making, in relation to any provision to which it applies, of any order under section 109(2) or (3) of this Act which is capable, apart

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

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from the provisions of this paragraph, of being made in relation to that provision ;  
and this paragraph shall not apply to any provision in relation to which such an order  
is made, except to the extent provided for in the order.

- (6) In this paragraph " telegraphic line" means any apparatus (howsoever described)  
which is a telegraphic line within the meaning of the Telegraph Act 1878.