
STATUTORY INSTRUMENTS

1999 No. 2453

The Telecommunications (Licence Modification) (British Telecommunications plc) Regulations 1999

Citation and commencement

1. These Regulations may be cited as the Telecommunications (Licence Modification) (British Telecommunications plc) Regulations 1999 and shall come into force on 27th September 1999.

Interpretation

2. In these Regulations—

“the 1984 Act” means the Telecommunications Act 1984 ^{M1};

“BT” means British Telecommunications plc;

“the BT licence” means the licence granted by the Secretary of State under section 7 of the 1984 Act to British Telecommunications on 22nd June 1984 to run the telecommunication systems referred to in Annex A thereof, in relation to which BT became the licensee as the nominated successor company on the transfer date ^{M2};

“the former licence” means the BT licence in the form it was in immediately before the coming into force of these Regulations;

“the modified licence” means the BT licence as amended by these Regulations; and

“the standard Schedules” means the Schedules to the Telecommunications (Licence Modification) (Standard Schedules) Regulations 1999 ^{M3}.

Marginal Citations

M1 1984 c.12 as amended by the [Telecommunications \(Licensing \) Regulations 1997 \(S.I.1997/2930\)](#).

There are other amendments to [1984 c.12](#) which are not relevant to these Regulations.

M2 The transfer date appointed under section 60 of [1984 c.12](#) was 6th August 1984 ([S.I. 1984/876, article 5](#)).

M3 [S.I. 1999/2450](#).

Modification of the BT licence

3. The BT licence shall be amended as follows:

- (a) for the Table of Contents there shall be substituted the Table of Contents set out in Schedule 1 hereto;
- (b) after paragraph 3 there shall be inserted the following paragraphs—

“Interpretation

4. The Interpretation Act 1978 shall apply for the purpose of interpreting this Licence as if it were an Act of Parliament. In this Licence, except as hereinafter provided or unless

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the context otherwise requires, words or expressions shall have the meaning assigned to them and otherwise any word or expression shall have the same meaning as it has in the Act. For the purpose of interpreting this Licence, headings and titles shall be disregarded.

5. In this Licence, "Licence" means a licence granted or having effect as if granted under section 7 of the Act.

6. For the purposes of this Licence the "Applicable Systems" means any or all of the telecommunication systems run by the Licensee under this Licence unless the context otherwise requires.

7. Where this Licence provides for any power of the Secretary of State or the Director to give any direction, notice or consent or for the Director to make any specification, designation or determination, it implies, unless a contrary intention appears, a power exercisable in the same manner and subject to the same conditions or limitations, to revoke, amend or give or make again any such direction, notice, consent, specification, designation or determination; and any reference however expressed to the Director making any determination or giving any direction or consent about any matter shall be construed as making such determination or giving such direction or consent after consultation with the Licensee and where appropriate with any other person who may have a relevant interest in the matter to which the determination, direction or consent relates.

8. Any notification which is required to be given under this Licence by the Secretary of State or the Director shall be satisfied by serving the document by post on the Licensee at the Licensee's registered office.";

- (c) for Schedule 1 there shall be substituted Schedule 1 of the standard Schedules, subject to the amendments set out in Schedule 2 hereto;
- (d) for Schedule 2 there shall be substituted Schedule 2 of the standard Schedules;
- (e) for Schedule 3 there shall be substituted Schedule 3 of the standard Schedules, subject to the following amendment—

in paragraph 3, in paragraph (ii) of sub-paragraph (b) the words—

"if it provides any Conditional Access Services to another person by means of telecommunication systems run under another licence but which could also come within the description of the Applicable Systems authorised to be run by this Licence"

shall be deleted;

- (f) for Schedule 4 there shall be substituted Schedule 4 of the standard Schedules; and
- (g) for Annex A there shall be substituted Annex A as set out in Schedule 3 hereto.

Transitional provisions

4.—(1) So far as anything done or treated as done under or for the purposes of any provision of the former licence could have been done under or for the purposes of the corresponding provision of the modified licence, it shall have effect as if done under or for the purposes of the corresponding provision; and any direction, notice, consent, specification, designation or determination or other decision made or having effect under any provision of the former licence shall be treated for all purposes as made and having effect under the corresponding provision.

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(2) Where any period of time specified in a provision of the former licence is current immediately before the coming into force of these Regulations, the corresponding provision of the modified licence shall have effect as if that period of time—

- (a) ran from the date or event from which it was running immediately before the coming into force of these Regulations, and
- (b) expired whenever it would have expired if the former licence had not been modified;

and any rights, liabilities, obligations or requirements dependent on the beginning, duration or end of such a period as mentioned above shall be under the modified licence as they were or would have been under the former licence.

Patricia Hewitt
Minister of State for Small Business and E.
Commerce,
Department of Trade and Industry

3rd September 1999

Changes to legislation:

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Changes and effects yet to be applied to :

- Sch. 2 para. 1(vii) word substituted by S.I. 2000/1713 reg. 2(2)(a)(ii)
- Sch. 2 para. 12 words added by S.I. 2000/1713 reg. 2(2)(c)(i)
- Sch. 2 para. 1(vii) words inserted by S.I. 2000/1713 reg. 2(2)(a)(iv)
- Sch. 2 para. 1(iii) words substituted by S.I. 2000/1713 reg. 2(2)(a)(i)
- Sch. 2 para. 1(vii) words substituted by S.I. 2000/1713 reg. 2(2)(a)(iii)
- Sch. 2 para. 1(vii) words substituted by S.I. 2000/1713 reg. 2(2)(a)(v)
- Sch. 2 para. 7(vi) words substituted by S.I. 2000/1713 reg. 2(2)(b)
- Sch. 2 para. 12 words substituted by S.I. 2000/1713 reg. 2(2)(c)(ii)
- Sch. 2 para. 12 words substituted by S.I. 2000/1713 reg. 2(2)(c)(iii)(aa)-(dd)
- Regulations revoked by 2003 c. 21 Sch. 19(2)