
EXPLANATORY NOTE

(This note is not part of the Regulations)

Under section 64(3) of the Local Government Finance Act 1988, the Secretary of State may make regulations which provide that anything which would (apart from the regulations) be more than one hereditament shall be treated as one hereditament.

By virtue of section 65(4) of that Act, regulations made under section 64(3) may include rules for ascertaining whether the hereditament shall be treated as occupied and who shall be treated as the owner or occupier.

These powers are now vested in the National Assembly for Wales.

These Regulations provide that telecommunications apparatus which is attached to or situated on a telecommunications hereditament and which would otherwise constitute one or more separate hereditaments shall be treated as a single hereditament with the telecommunications hereditament.

Subject to specified exceptions, that single hereditament shall be treated as being in the occupation or ownership of the person who is entitled to receive payment for the use of any part of the site by an operator of telecommunications apparatus.