

SCHEDULES

SCHEDULE 4

ADAPTATIONS OF ENACTMENTS AND ORDERS IN COUNCIL CONSEQUENTIAL ON THE ASSUMPTION BY THE NEW AUTHORITY FOR THE CONDUCT OF POSTAL AND TELEGRAPHIC BUSINESS OF FUNCTIONS EXERCISED AND PERFORMED BEFORE THE APPOINTED DAY BY THE POSTMASTER GENERAL

PART II

ADAPTATIONS OF PUBLIC GENERAL ENACTMENTS

Adaptations of Enactments relating to Telegraphs

- 4 References to the company, the Postmaster General or the Post Office in—
- (a) section 45 of the Telegraph Act 1863 (omission to transmit or deliver message ; improper divulging of message, &c.);
 - (b) section 20 of the Telegraph Act 1868 (improper disclosure or interception of message); and
 - (c) sections 8, 9 and 10 of the Telegraph Act 1878 (destruction of, or injury to, telegraphic lines ; obstruction of execution of works in connection with such lines ; mode of prosecution of offences under Telegraph Acts);
- shall, as from the appointed day, be construed as referring to the authority.
- 5 As from the appointed day, section 5(1) of the Telegraph Act 1892 (application of Acts to licensee of Postmaster General) shall have effect as if, for the words from the beginning to " specified in the licence " (where secondly occurring), there were substituted the words " The Post Office may authorise the holder of a licence granted, or having effect as if it had been granted, under section 27(1) of the Post Office Act 1969 (in this section referred to as 'a licensee') during the time and within the area specified in the authority to exercise all or any of the powers which are conferred on the Post Office by the Telegraph Acts 1863 and 1878 ".
- 6 The reference to the Postmaster General in section 2(1) of the Telegraph Act 1899 (payment of expenses of exercise of powers under telephone licence) to the Postmaster General shall, as from the appointed day, be construed as referring to the authority.
- 7 (1) Any such notice or counter-notice as follows, namely.—
- (a) a notice authorised to be given to the authority by any of the following provisions of the Telegraph Act 1863, namely, sections 14 (removal of abandoned works), 15 (removal of works in connection with alterations to streets), 21(3) (alteration of positions of telegraphs in connection with alterations to buildings), 22(3) (removal of telegraphs near dwelling-houses) and 30(1) (removal of work in order to enable building, &c, to take place);

- (b) a notice authorised by section 24 of that Act to be given to the authority objecting to intended works ;
- (c) a notice required by section 7(1) of the Telegraph Act 1878 to be given to the authority of the time and place at which work will be begun by undertakers or others ;
- (d) a notice given for the purposes of section 8 of the last-mentioned Act of the intended exercise of a right (not being a notice given in pursuance of some other Act or of an agreement);
- (e) a counter-notice authorised by section 5(2) of the Telegraph (Construction) Act 1908 to be given to the authority objecting to the lopping of a tree; and
- (f) a notice given for the purposes of section 1(2)(d) of the Telegraph (Construction) Act 1911 to the authority requiring it to remove or alter a telegraphic line constructed or maintained under the authority of that Act;

may be given by addressing it to the authority (by its name) and by sending it by post to, or leaving it at, the appropriate area office.

(2) In this paragraph " appropriate area office " means—

- (a) in the case of such a notice as is mentioned in head (a) of the foregoing sub-paragraph, the principal local telecommunications office of the authority for the area in which the works or work to which the notice relates are or is situate;
- (b) in the case of such a notice as is mentioned in head (b) of that sub-paragraph, the principal local telecommunications office of the authority for the area in which the works to which the notice relates are intended to be executed ;
- (c) in the case of such a notice as is mentioned in head (c) of that sub-paragraph, the principal local telecommunications office of the authority for the area in which the work to which the notice relates is to be done ;
- (d) in the case of such a notice as is mentioned in head (d) of that sub-paragraph, the principal local telecommunications office of the authority for the area in which the right to which the notice relates is intended to be exercised ;
- (e) in the case of such a counter-notice as is mentioned in head (e) of that sub-paragraph, the principal local telecommunications office of the authority for the area in which the tree to which the notice relates is growing; and
- (f) in the case of such a notice as is mentioned in head (f) of that sub-paragraph, the principal local telecommunications office of the authority for the area in which the line to which the notice relates (or any length thereof) is situate.