

*Changes to legislation: There are currently no known outstanding effects for the Telecommunications Act 1984, Paragraph 38. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 4

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### Modifications etc. (not altering text)

- C1** Definition of "telecommunications code system" in Sch. 4 applied by [Heathrow Express Railway Act 1991 \(c. vii\)](#), **ss. 16(5)**, 17(2)
- C1** Definition of "telecommunications code system" in Sch. 4 para. 1(1) applied (E.W.) (1.12.1991) by [Water Resources Act 1991 \(c. 57, SIF 130\)](#), **ss. 178, 225(2)**, **Sch. 22 para. 1(4)(c)**.
- C1** Definition of "telecommunications code system" in Sch. 4 para. 1(1) applied (E.W.) (1.12.1991) by [Water Industry Act 1991 \(c. 56, SIF 130\)](#), **ss. 183, 223(2)**, **Sch. 13 para. 1(5)(c)**
- C1** Definition of "telecommunications code system" in Sch. 4 applied by [Strathclyde Regional Council Order Confirmation Act 1991 \(c. xx, SIF 200\)](#), s. 1, Sch. Pt. IV s. 11(2).

#### *The <sup>M1</sup>Opencast Coal Act 1958*

##### Marginal Citations

- M1** [1958 c. 69](#).

- 38 (1) Section 45 of the Opencast Coal Act 1958 (provisions as to telegraphic lines) shall be amended in accordance with the following provisions of this paragraph.
- (2) In subsection (1) (prohibition on interference with telegraphic lines), for the words from "telegraphic line" onwards there shall be substituted the words "telecommunication apparatus kept installed for the purposes of a telecommunications code system or include any right or power to require any such apparatus to be altered".
- (3) For subsection (2) (application of section 7 of the Telegraph Act 1878 to authorised operations) there shall be substituted the following subsection:—
- “(2) Where an authorisation has been granted under section 1 of this Act, paragraph 23 of the telecommunications code (which provides a procedure for certain cases where works involve the alteration of telecommunication apparatus) shall apply to the Board for the purposes of any authorised operations.”.
- (4) In subsection (3) (powers in relation to telegraphic lines where public right of way suspended), for the words from "telegraphic line" to "that line" there shall be substituted the words "telecommunication apparatus kept installed for the purposes of a telecommunications code system, the operator of that system shall have the same rights in respect of that apparatus".

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(5) For subsection (4) (meaning of “telegraphic line” and “alter”) there shall be substituted the following subsection:—

“(4) Paragraph 1(2) of the telecommunications code (alteration of apparatus to include moving, removal or replacement of apparatus) shall apply for the purposes of subsection (1) above as it applies for the purposes of that code.”.

**Changes to legislation:**

There are currently no known outstanding effects for the Telecommunications Act 1984, Paragraph 38.