
STATUTORY INSTRUMENTS

1999 No. 2452

The Telecommunications (Licence Modification) (Mobile Public Telecommunication Operators) Regulations 1999

Modification of the relevant licences

3. The relevant licences are hereby modified as follows—
- (a) for the Table of Contents there shall be substituted
 - (i) in the case of the Dolphin Licence, the One2One Licence and the Orange Licence the Table of Contents set out in Schedule 1 hereto; and
 - (ii) in the case of the BT Cellnet Licence and the Vodafone Licence the Table of Contents set out in Schedule 1 hereto, together with the addition after condition 69 of the following—

“Part K

70. Control of Interconnection Charges;”

- (b) in paragraph 1 for the words “telecommunication systems of every description” there shall be substituted the words
“telecommunication systems specified in Annex A;”
- (c) after paragraph 1 there shall be inserted the following paragraph—

“1A. Where a Specified Public Telecommunications Operator has been granted a Licence, other than this Licence, under section 7 of the Act, authorising the Operator to run telecommunication systems and provide telecommunication services and which has not been revoked (“the Other Licence”), this Licence shall not apply to the extent that any telecommunication systems or telecommunication services otherwise authorised to be run or provided under this Licence are or could be run or provided under the Other Licence.”

- (d) for paragraphs 6 to 8 inclusive there shall be substituted the following paragraphs—

“6. For the purposes of this Licence:

- (a) the “Applicable Systems” means any or all of the telecommunication systems run by the Licensee under this Licence, unless the context otherwise requires; and
- (b) “Specified Public Telecommunications Operator” means British Telecommunications plc, Kingston Communications (Hull) PLC and such other public telecommunication operators as may be specified by the Secretary of State from time to time and described in a list kept by the Director and made available by him for inspection by the general public.

Changes to legislation: *There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Telecommunications (Licence Modification) (Mobile Public Telecommunication Operators) Regulations 1999. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

7. Where this Licence provides for any power of the Secretary of State or the Director to give any direction, notice or consent or make any specification, or of the Director to make any 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.;"

- (e) for Schedule 1 there shall be substituted Schedule 1 of the standard Schedules, subject to the amendments set out in Schedule 2 hereto;
- (f) in the case of the BT Cellnet Licence and the Vodafone Licence, after Part J in Schedule 1 there shall be inserted Part K as set out in Schedule 3 hereto;
- (g) for Schedule 2 there shall be substituted Schedule 2 of the standard Schedules, subject to the modification, that in the case of the BT Cellnet Licence, after sub-paragraph (d) of paragraph 1 there shall be inserted the following paragraphs—
 - “(dd) if either British Telecommunications plc, or Securicor Technology Investments Ltd, as the case may be, holds shares in the Licensee entitling that company to cast more than 60% of the total number of those votes which may be cast by members of the Licensee in all circumstances at all general meetings of the Licensee, and for the purpose of this sub-paragraph shares held by both British Telecommunications plc or Securicor Technology Investments Ltd, as the case may be, through a nominee shall be regarded as shares held by that body; or
 - (ddd) if the Licensee takes on lease from British Telecommunications plc all or part of the apparatus comprised in the Applicable Systems provided that this Licence may not be revoked solely on the ground that the Licensee has taken on lease all or part of the apparatus from a Subsidiary of British Telecommunications plc; or;”
- (h) for Schedule 3 there shall be substituted Schedule 3 of the standard Schedules, subject to the following amendments—
 - (i) sub-paragraph (d) of paragraph 3 shall be deleted; and
 - (ii) in paragraph 4 the definition of “Mobile Radio Tails Service” shall be deleted;
- (i) for Schedule 4 there shall be substituted Schedule 4 of the standard Schedules; and
- (j) after Schedule 4 there shall be inserted Annex A as set out in Schedule 4 hereto.

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Changes and effects yet to be applied to :

- Regulations revoked by [2003 c. 21 Sch. 19\(2\)](#)