



# British Telecommunications Act 1981

## 1981 CHAPTER 38

An Act to establish a public corporation to be called British Telecommunications; to make provision with respect to its functions and to transfer to it certain property, rights and liabilities of the Post Office; to make further provision with respect to the Post Office; to provide for dealings by the Treasury in the shares of Cable and Wireless Limited; to amend the Telegraphs Acts; and for connected purposes. [27th July 1981]

### Modifications etc. (not altering text)

C1 Act excluded by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), s. 109, [Sch. 5 para. 12\(4\)](#)

### Commencement Information

II Act partly in force at Royal Assent; Act wholly in force on 1.10.1981 (day appointed under s. 1(2) (now repealed)) by [S.I. 1981/1274](#).

## PART I

### NEW CORPORATION FOR THE PROVISION OF TELECOMMUNICATION AND DATA PROCESSING SERVICES

#### *The Corporation*

## 1 The Corporation.

- <sup>F1</sup>(1) .....
- <sup>F2</sup>(2) .....
- <sup>F1</sup>(3) .....
- <sup>F1</sup>(4) .....
- <sup>F1</sup>(5) .....

**Changes to legislation:** There are currently no known outstanding effects for the British Telecommunications Act 1981. (See end of Document for details)

<sup>F1</sup>(6) .....

#### Textual Amendments

- F1** [S. 1\(1\)\(3\)-\(6\)](#) repealed (6.9.1994) by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), ss. 109(6), 110(4), [Sch. 7 Pt. III](#); S.I. 1994/2162
- F2** [S. 1\(2\)](#) repealed by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), s. 109, [Sch. 7 Pt. II](#)

### *Powers and duties of the Corporation*

**2** ..... <sup>F3</sup>

#### Textual Amendments

- F3** [S. 2](#) repealed by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), s. 109, [Sch. 7 Pt. II](#)

**3** ..... <sup>F4</sup>

#### Textual Amendments

- F4** [S. 3](#) repealed by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), s. 109, [Sch. 7 Pt. I](#)

**4, 5.** ..... <sup>F5</sup>

#### Textual Amendments

- F5** [Ss. 4, 5, 6\(1\)](#) repealed by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), s. 109, [Sch. 7 Pt. II](#)

### *Powers of the Secretary of State over the Corporation*

## **6 General control and supervision by the Secretary of State.**

(1) ..... <sup>F6</sup>

(2) ..... <sup>F7</sup>

(3) ..... <sup>F8</sup>

(4) ..... <sup>F9</sup>

(6) ..... <sup>F10</sup>

(12) ..... <sup>F11</sup>

(13) ..... <sup>F12</sup>

**Changes to legislation:** There are currently no known outstanding effects for the British Telecommunications Act 1981. (See end of Document for details)

#### Textual Amendments

- F6** Ss. 4, 5, 6(1) repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. II**
- F7** S. 6(2) repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. I**
- F8** S. 6(3) repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. II**
- F9** S. 6(4)(5) repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. I**
- F10** S. 6(6)–(11) repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. II**
- F11** S. 6(12) repealed (with saving) by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, Sch. 5 para. 40(1), **Sch. 7 Pt. II**
- F12** Ss. 6(13), 7, 8. repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. II**

7, 8. .... **F13**

#### Textual Amendments

- F13** Ss. 6(13), 7, 8. repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. II**

#### *Users' Councils*

9 ..... **F14**

#### Textual Amendments

- F14** S. 9 repealed and superseded by Telecommunications Act 1984 (c. 12, SIF 96), ss. 49(4), 54, 109, **Sch. 7 Pt. I**

#### *Transfers of property, rights and liabilities*

### 10 Transfers of property, rights and liabilities

- (1) Before the appointed day the Post Office shall take steps to separate from the remainder of its undertaking the part thereof concerned with the provision of telecommunication and data processing services (that is to say, the part thereof which is under the management and control of the deputy chairman who has special responsibility for telecommunication and data processing services).
- (2) Subject to the following provisions of this section, on the appointed day there shall be transferred from the Post Office to, and by virtue of this Act vested in, the Corporation all the property, rights and liabilities which, immediately before that day, were comprised in the part of the Post Office's undertaking mentioned in subsection (1).
- (3) At any time before the appointed day the Post Office and the Corporation may agree in writing that subsection (2) shall not have effect in relation to any property, rights and liabilities specified in the agreement.
- (4) At any time before the expiration of twelve months beginning with the appointed day the Post Office and the Corporation may agree in writing that, as from such date, not

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earlier than the appointed day, as may be specified in or determined by or under the agreement and in such circumstances (if any) as may be so specified—

- (a) there shall be transferred from the Post Office to, and vested in, the Corporation any property, rights and liabilities specified in the agreement; or
  - (b) there shall be transferred from the Corporation to, and vested in, the Post Office any property, rights and liabilities so specified.
- (5) No agreement under subsection (3) or (4) shall have effect in relation to rights and liabilities under a contract of employment unless the employee concerned is a party to the agreement.
- (6) Subject to subsection (7), in the case of any agreement under subsection (4) the property, rights and liabilities in question shall on the date of the coming into force of the agreement be transferred, and by virtue of the agreement vest, in accordance with the agreement.
- (7) Schedule 2 shall apply to any transfer under subsection (2) or (6) subject, in the case of a transfer under subsection (6), to any reference in that Schedule to a vesting by virtue of this Act being construed as a reference to a vesting by virtue of the agreement in question; and those subsections shall have effect subject to the provisions of that Schedule.
- (8) Any reference in this Act to a transfer by this Act includes a reference to a transfer under subsection (6).

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

**C2** S. 10 modified by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), s. 109, **Sch. 5 para. 41**

11— ..... **F15**  
 20.

**Textual Amendments**

**F15** Ss. 11–21 repealed by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), s. 109, **Sch. 7 Pt. I**

*Charges and other terms and conditions applicable to services*

21 ..... **F16**

**Textual Amendments**

**F16** Ss. 11–21 repealed by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), s. 109, **Sch. 7 Pt. I**

22 ..... **F17**

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#### Textual Amendments

- F17** S. 22 repealed (with saving) by [Telecommunications Act 1984](#) (c. 12, SIF 96), s. 109, Sch. 5 para. 13, [Sch. 7 Pt. I](#)

### *Limitation of liability*

**23** ..... **F18**

#### Textual Amendments

- F18** S. 23 repealed (with saving) by [Telecommunications Act 1984](#) (c. 12, SIF 96), s. 109, Sch. 5 para. 14, [Sch. 7 Pt. I](#)

### *Finance*

**24— General duty of the Corporation as to finance.**

**27.** ..... **F19**

#### Textual Amendments

- F19** Ss. 24–28(1) repealed by [Telecommunications Act 1984](#) (c. 12, SIF 96), [Sch. 7 Pt. II](#)

**28**  
 (1) ..... **F20**  
 (2) ..... **F21**

#### Textual Amendments

- F20** Ss. 24–28(1) repealed by [Telecommunications Act 1984](#) (c. 12, SIF 96), [Sch. 7 Pt. II](#)  
**F21** S. 28(2)–(4) repealed (with saving) by [Telecommunications Act 1984](#) (c. 12, SIF 96), Sch. 5 para. 42, [Sch. 7 Pt. II](#)

**29, 30.** ..... **F22**

#### Textual Amendments

- F22** Ss. 29, 30 repealed by [Telecommunications Act 1984](#) (c. 12, SIF 96), s. 109, [Sch. 7 Pt. II](#)