

GUERNSEY STATUTORY INSTRUMENT

1980 - No. 21

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REP. BY 1983/9

The Post Office (Inland Post) (Amendment) (No. 2) Order, 1980

Made ... .. 16th September 1980

Laid before the States ... ..

Coming into Operation ... .. 1st October 1980

THE STATES POST OFFICE BOARD, in pursuance of the powers conferred upon it by sections thirteen, fourteen, fifteen, sixteen, eighteen, twenty, twenty-three, twenty-eight and sixty-eight of the Post Office (Guernsey) Law, 1969, as amended(a), hereby orders:-

1. The Post Office (Inland Post) Order, 1973, as amended(b), is hereby further amended as follows:-

(a) in Part IV of the Arrangement of Sections thereof the entry "37. Compensation for express packets." is repealed and the entry "37. Compensation for certain other postal packets." is substituted therefor;

(b) in Part IV of the Arrangement of Sections thereof immediately after the entry relating to section thirty-seven there is inserted the following additional entry numbered "37A" -  
"37A. Conditions as to certain other postal packets.";

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(a) Ordres en Conseil Vol. XXII, p. 128; Vol. XXIII, p. 511.

(b) S.I. 1973 No. 20; S.I. 1974 No. 40; S.I. 1975 Nos. 3 and 42; S.I. 1976 Nos. 17 and 39; S.I. 1977 No. 19; S.I. 1979 Nos 2, 9 and 21; S.I. 1980 No. 1.

Amendments to  
Inland Post  
Order of 1973.

(c) in the Schedules under the Arrangement of Sections thereof the entry "4. Express delivery services." is repealed and the entry "Express delivery service." is substituted therefor;

(d) section twenty-two thereof is repealed and the following section is substituted therefor -

"Express delivery

22. (1) There shall be charged and paid for the conveyance of an express packet conveyed in the manner specified in the first column of the Fourth Schedule to this Order the rates specified in the second column of the said Schedule. The facilities shall be subject to the limits of size and weight of the postal packets conveyed as referred to in the third column of the said Schedule, and to the further provisions contained in this Order.

(2) An express packet shall bear the word "Express" or such other words, and such lines or marks, as the Board may require.

(3) An express packet to be conveyed by special messenger shall be posted:-

(a) by being handed in at a post office to an officer of the States Post Office on duty at the counter; or

(b) (in circumstances which the Board permits that mode of posting) by being handed to an officer of the States Post Office for the time being authorised by the Board to receive such express packets otherwise than at a post office.

(4) The Board may forward a packet as an express packet although the full postage and fees chargeable thereon

are not prepaid, and if the addressee refuses to pay the amount payable in respect of the deficiency, it shall be paid by the sender. In no case shall the Board be bound to deliver any express packet not fully prepaid unless the addressee pays the amount payable thereon.

(5) All express packets shall be forwarded, conveyed, and delivered in all respects subject to the provisions of the enactments and Orders in force for the time being in relation to inland postal packets, so far as the same are applicable.";

- (e) section thirty-seven thereof is repealed and the following section is substituted therefor -

"Compensation for certain other postal packets

37. (1) Where the Board is satisfied that an article of pecuniary value enclosed in, or forming any part of, a postal packet other than a registered packet, a recorded delivery packet, a parcel posted under the Parcel Compensation Scheme or a registered newspaper, has been lost or damaged whilst in the post, the Board may pay to the person who may, in the opinion of the Board, establish a justifiable claim to compensation (having regard to the nature of the article, the care with which it was packed, and other circumstances) such sum, not exceeding twelve pounds and fifty new pence, in respect of such packet as it may think just, provided that, where the packet has been delivered and compensation is claimed for damage to all or any of its contents or for loss or abstraction of all or any of its contents, and the Board so requires, the following things are produced for the Board's inspection, in the condition as nearly as possible in which they were when the packet was delivered:

- (i) where such damage is alleged, the cover of the packet, the damaged article, its packing material, and any container in which the damaged article was enclosed;
- (ii) where such loss or abstraction is alleged, the cover of the packet.

(2) In the case of a claim for compensation on a postal packet containing cut flowers or plants which has been lost or damaged whilst in the post, compensation may be paid under subsection (1) of this section provided that, where the claim is for damage caused either by physical means or through deterioration, the contents, when posted, must have been packed in a wooden container.

(3) Compensation may not be paid under subsections (1) and (2) of this section for the loss of or the damage to a postal packet or any of its contents if:

- (i) the postal packet was redirected after delivery at the place to which it was addressed, unless the postal packet was so redirected by being posted anew and full postage was prepaid on such reposting;
- (ii) the postal packet was destroyed or otherwise dealt with or disposed of by the Board pursuant to sections sixteen, nineteen or twenty-five of the Law;
- (iii) a claim for such compensation was not received within a period of twelve months from the date of posting;
- (iv) a certificate was not obtained on the posting of the packet or cannot be produced and delivered up to the Board;
- (v) the addressee fails to provide, where required by the Board, a signed declaration that the packet has not been received by him or delivered to the address on the certificate.

(4) No compensation may be paid for the loss of or the damage to any postal packet containing:

- (a) any uncrossed postal order on which the name of the payee has not been inserted;
- (b) any cheque or dividend warrant which is uncrossed and payable to bearer;
- (c) any bearer security (including a share warrant, scrip or subscription certificate, bond or relative coupon);
- (d) any bank note or currency note, being current in the Bailiwick of Guernsey postal area or elsewhere;
- (e) any unobliterated postage or revenue stamp available for current use in the Bailiwick of Guernsey postal area or elsewhere (except a revenue stamp embossed or impressed on an instrument which has been executed);
- (f) any Social Insurance or Savings stamp;
- (g) any coupon, voucher, token, card, stamp or similar document, exchangeable (singly or with any other such document for money, goods or services);
- (h) coin;
- (i) jewellery."

(f) in Part IV thereof immediately after section thirty-seven there is inserted the following additional section numbered "37A" -

"Conditions as to certain other postal packets

37A. (1) On the posting of the packet, before any claim for compensation may be considered, a certificate of posting shall be obtained on which the fee, as specified in the Second Schedule to this Order, has been paid.

(2) The packet shall be made up in a reasonably strong cover appropriate to its contents and shall be securely tied, stitched, sealed or otherwise securely fastened.

(3) Any article contained in the packet shall be adequately packed as a protection against damage in course of transmission. In particular:

- (a) an article which is of a fragile nature shall be packed in a container of sufficient strength and shall be surrounded in that container with sufficient and suitable material to protect the article against the effects of concussion, pressure and knocks to which packets are ordinarily exposed in transmission, and the packet shall bear the words "FRAGILE WITH CARE" written conspicuously in capital letters on the face of the cover above the address;
- (b) an article which is liable to be damaged by bending shall be packed in a container of sufficient strength to prevent the article from being bent in transmission, and the packet shall bear the words "DO NOT BEND" written conspicuously in capital letters on the face of the cover above the address;
- (c) a packet containing any perishable article shall bear the word "PERISHABLE" written conspicuously in capital letters on the face of the cover above the address.

(4) The address of the person to whom the packet is to be transmitted shall be written fully and correctly on the cover thereof or on a label securely affixed or tied thereto.

(5) There shall not appear on the cover of the packet or on any label affixed or tied thereto any word, phrase or

mark indicating or conveying the impression that the packet is, or is intended to be, registered, or that a compensation fee has been, or is intended to be, paid.

(6) The packet shall not contain anything the posting of which in a postal packet is prohibited by or under any enactment or Order for the time being in force.";

(g) The Fourth Schedule thereto is repealed and the Schedule set out in the First Schedule to this Order is substituted therefor.

Citation.

2. This Order may be cited as The Post Office (Inland Post) (Amendment) (No. 2) Order, 1980.

Commencement.

3. This Order shall come into force on the day of nineteen hundred and eighty.

Dated this Sixteenth day of September nineteen hundred and eighty.

J. W. DE PUTRON  
President of the States Post Office Board  
for and on behalf of the Board

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FIRST SCHEDULE

Section one (g)

FOURTH SCHEDULE

Sections twenty-one  
and twenty-two

Express delivery service

Col. 1 Service	Col. 2 Fees	Col. 3 Limit of Size and Weight
Conveyance by special messenger of a postal packet from the office of delivery at the request of the sender.	80p for delivery on weekdays in addition to any postage, fees or other sums ordinarily payable.	As specified in the Third Schedule to this Order.