

Am'd 25/2/83

1983 - No. 7

The Post Office (Postal Order) Order, 1983

Made 24th February, 1983
Laid before the States 1983
Coming into Operation 5th April, 1983

THE STATES POST OFFICE BOARD, in exercise of the powers conferred upon it by sections twenty-nine, thirty, thirty-three and sixty-eight of the Post Office (Guernsey) Law, 1969, as amended (a), hereby orders:-

PART 1

Issue and amount of postal orders

1. (1) Postal orders may be issued for the denominations as specified in the Schedule to this Order.

(2) The value of a postal order may be increased by affixing postage stamps not exceeding two in number and not exceeding a total of 4.5p in value:

Provided that no payment shall be made by or on behalf of the Board in respect of:-

- (a) a stamp not affixed in the space provided for the purpose on the postal order; or
- (b) a stamp which is not a stamp for the time being authorised or required to be used for the purpose of the States Post Office; or
- (c) a stamp which has been cut out of any postal packet, document, instrument, envelope or other cover, or which is perforated with initials or marks.

Poundage

2. The poundage payable for postal orders shall be at the rates specified in the Schedule to this Order.

Prepayment

3. The amount for which a postal order is to be issued and all poundage payable in respect of the said postal order shall be prepaid.

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

Name of payee and office of payment

4. (1) The blanks in a postal order for the name of the payee and for the name of the post office at which the postal order is to be paid may be filled in before or after issue.

(2) If the blanks are not filled in before issue, the person to whom the postal order is issued shall, before parting with it, fill in the name of the payee (whether or not the postal order is crossed with a view to payment through a banker), and may fill in the name of the post office at which the postal order is to be paid.

(3) Notwithstanding anything in subsection (2) of this section, if the blank space in a postal order for the name of the payee has not been filled in the person presenting the postal order for payment, or in the case of a crossed postal order the customer on whose behalf the banker presents it for payment, shall for the purpose of this Order be deemed to be the payee.

(4) No alteration shall be made in the name of the payee, or of the post office at which the postal order is to be paid, when once filled in, except by the direction of the Board.

Crossing of postal orders

5. (1) A postal order may be crossed generally by the addition on its face of the words "and Company" or any abbreviation thereof, between two parallel transverse lines, or of two parallel transverse lines simply, or it may be crossed specially by the addition on its face of the name of a banker, in which case the postal order shall be deemed to be crossed to that banker.

(2) A postal order which is crossed generally may be crossed specially.

(3) A banker to whom a postal order is crossed may again cross it specially to another banker as his agent for collection.

(4) Where a postal order is crossed generally, it shall not be paid except to a banker.

(5) Where a postal order is crossed specially, it shall not be paid except to the banker to whom it is crossed, or to his agent for collection.

(6) Where a postal order is crossed specially to more than one banker, except when crossed to an agent for the purpose of collection, payment thereof shall be refused.

Payment of postal orders otherwise than to bankers

6. The following provisions shall apply to the payment of postal orders otherwise than to bankers:-

- (a) the receipt at the foot of the order shall be signed by the payee;
- (b) when a postal order is made payable to a body corporate, the receipt may be given by means of a stamp of the name of the body corporate, to which is appended the signature of an officer of the body corporate together with a description of his office;
- (c) when a postal order is made payable to a firm it shall be receipted in the name of the firm. If the postal order is payable to a firm not trading under a personal name the name of the firm shall be written or stamped in the space for the receipt, the signature of a partner or servant of the firm, with a description of his office in the firm, being appended thereto;
- (d) the proper officer of the States Post Office shall ascertain that the receipt for the amount of the postal order is signed, and may refuse payment until he is satisfied that it is signed by or under the authority of the person appearing to be the payee;
- (e) the proper officer of the States Post Office may also, if the receipt is not signed in his presence, take reasonable means to satisfy himself that the person presenting the postal order is either the payee or his agent;
- (f) the proper officer of the States Post Office may also require the person presenting the postal order to sign his name on the postal order before payment is made although the receipt has been already signed;
- (g) nevertheless, the signature to the receipt shall in all cases be a sufficient authority to the Board for the payment of the postal order, if that signature purports to be the signature of the payee or if the signature purports to be that of an officer of a body corporate or partner or servant of a firm as aforesaid;
- (h) if a postal order presented for payment has any erasure or alteration, or is cut, defaced or mutilated, the proper officer of the States Post Office may refuse payment;

- (i) the proper officer of the States Post Office may refuse or delay the payment of a postal order when it appears to him necessary to do so in cases other than those mentioned in this Order.

Payment of postal orders to bankers

7. The following provisions shall apply to the payment of postal orders to bankers:-

- (a) if a postal order which is crossed generally is presented for payment by any banker and has the name of such banker written or stamped upon the face thereof, or bears a code or device of such banker, being a code or device in terms and of a type, design and size and in a position approved by the Board that name, code or device may be accepted as a sufficient receipt for the amount of the postal order, and the postal order may be paid without any other receipt;
- (b) if a postal order which is crossed specially is presented for payment by the banker to whom it is crossed, and bears the name, code or device of such banker as mentioned in the provisions of paragraph (a) of this section, the name, code or device may be accepted as a sufficient receipt for the amount of the postal order and the postal order may be paid without any other receipt:

Provided that where the postal order is crossed specially to a second banker as agent for collection, the name, code or device of such second banker appearing on the order as mentioned in the provisions of paragraph (a) of this section may be accepted as a receipt under the provisions of this order;

- (c) a postal order which is crossed generally or specially, if presented for payment by a banker, may be paid at any post office in the Bailiwick, notwithstanding that the order has been filled in with the name of some particular post office;
- (d) a postal order presented by a banker for payment shall not (in the absence of an express arrangement between such banker and the Board to the contrary) be paid until such postal order has been examined by such officer of the States Post Office as the Board may from time to time direct.

Payment of postal orders after expiration of six months from last day of month of issue.

6. If the Board pays a postal order after the expiration of six months after the last day of the month in which the postal order was issued it may charge a commission equal to the amount of the original poundage.

Application of Part 1

9. (1) Subject to the succeeding provisions of this section, this Part shall apply to the issue, payment and treatment of postal orders within the Bailiwick.

(2) In relation to postal orders issued at any post office under the charge of the postal administration of a country outside the Bailiwick, being a post office where postal orders are issued under such an arrangement as mentioned in section thirty-three of the Law, the following subsection shall be substituted for subsection (2) of section one of this Order:-

"(2) The value of a postal order may be increased by affixing, in the space provided for the purpose, postage stamps not exceeding two in number and not exceeding a total of 4.5p in value or the equivalent in the currency of the country in which the postal order is issued. Any such stamp may either be a stamp authorised or required to be used for the purpose of the States Post Office or, if the postal administration of the country in which the postal order is issued so allows, a current stamp for denoting a rate of postage of that country, but no other stamps may be used. If a stamp is affixed in contravention of the provisions of this subsection no payment shall be made by or on behalf of the Board in respect of that stamp."

(3) The provisions of this Part relating to the payment of postal orders shall apply to the payment under the authority of the Board of British and Jersey postal orders: Provided that:-

(a) no payment shall be made by or on behalf of the Board in respect of a stamp affixed to a British or a Jersey postal order, as the case may be, for the purpose of increasing its value unless:-

(i) the stamp is either a stamp authorised or required to be used for the purpose of the States Post Office or a stamp issued by the postal administration in the United Kingdom, the Isle of Man or Jersey, as the case may be, and authorised to be used by that administration; and

- (ii) the stamps affixed to any such postal order do not exceed two in number and do not exceed a total of 4.5p in value;
- (b) the provision of section eight shall not apply to British postal orders or Jersey postal orders and in lieu thereof the period within which such orders may be paid and the conditions on which they may be paid after the expiry of any period shall be such as may be provided for in the enactments for the time being in force in the United Kingdom, the Isle of Man or Jersey relating to such orders.

PART II

Issue and payment of postal orders

10. The Board may authorise any officer of the States Post Office to issue or pay postal orders, and the provisions of this Order shall apply to any such person so authorised as though he were a proper officer of the States Post Office.

Remission of poundage

11. The Board may remit in whole or in part any poundage payable under this Order in such cases or classes of case as it may determine.

Discharge to the Board

12. The payment of a postal order, a British or a Jersey postal order, as the case may be, in accordance with this Order to whomsoever made shall discharge the States and every proper officer of the States Post Office from all liability whatsoever in respect of that postal order and payment thereof notwithstanding any forgery, fraud, mistake, loss, neglect or omission which may have been committed or have occurred in the procuring of the order or obtaining the payment thereof or otherwise in relation thereto.

PART III

Interpretation

13. (1) In this Order, unless the context otherwise requires, the following expressions have the meaning respectively assigned to them:-

"British postal order" means an order similar to a postal order issued by the postal administration in the United Kingdom;

"Jersey postal order" means an order similar to a postal order issued by the postal administration of Jersey;

"the Law" means the Post Office (Guernsey) Law, 1969;

"the payee" means the person entitled to receive the amount of a postal order, or of a British postal order or of a Jersey postal order, as the case may be;

"postal order" means a money order issued in pursuance of section thirty of the Law, of that section as applied by section thirty-three of the Law, as a postal order in such special form as may, from time to time, be approved by the Board;

"proper officer of the States Post Office" means any officer of the States Post Office in charge of or transacting business with reference to orders at a post office;

and other expressions have the same meanings as in the Law.

(2) Any reference in this Order to any other enactment or Order shall, except where the context otherwise requires, be construed as including a reference to that enactment or Order as amended, repealed or replaced, extended or applied by or under any other enactment or Order including this Order.

(3) The Interpretation (Guernsey) Law, 1948 (b), shall apply to the interpretation of this Order as it applies to the interpretation of a Guernsey enactment.

Repeals

14. The Post Office (Postal Order) Order, 1969 (c) and the Post Office (Postal Order) (Amendment) (No. 2) Order, 1982 (d), are hereby repealed.

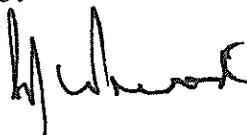
Citation

15. This Order may be cited as the Post Office (Postal Order) Order, 1983.

Commencement

16. This Order shall come into force on the fifth day of April, nineteen hundred and eighty-three.

Dated this twenty-fourth day of February, nineteen hundred and eighty-three.



President of the States Post Office Board
for and on behalf of the Board.

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- (b) Ordres en Conseil Vol. XI11, p. 355.
 - (c) S.I. 1969 No. 22.
 - (d) S.I. 1982 No. 15.

SCHEDULE Sections one and two

POSTAL ORDERS AND POUNDAGE PAYABLE

COL. 1 Denominations available	COL. 2 Poundage (Payable per postal order)
25p and thereafter in multiples of 5p up to 50p (inclusive) thereafter 60p 70p 75p 80p 90p £1	20p
£2 and thereafter in multiples of £1 up to £10 (maximum)	30p