

The Post Office (Money Order) Order, 1975

Made
Laid before the States
Coming into Operation 1st July, 1975.

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

PART I

Applications
for money
orders.

1. The following provisions shall apply to applications for money orders:-

- (a) application for the order shall be made on an approved form;
- (b) the remitter shall give all such information as to his own name and address, the name and address of the payee, and the office at which the order is to be made payable, as the Board may direct;
- (c) no money order for an amount including a fractional part of a new penny may be applied for;
- (d) the amount for which a money order is to be issued and the fee payable in respect of the order shall be pre-paid;
- (e) no money order for an amount exceeding one hundred pounds may be applied for;
- (f) the remitter shall indicate on the said form whether the money order is to be delivered to the payee at the payee's address, or is to be called for at the office of payment;
- (g) the money order telegram authorising payment at the office of payment shall, if the remitter so requires and at his expense, be repeated from office to office to ensure accuracy;

(a) Ordres en Conseil Vol. XXII, p. 128; No. XX of 1972.

- (h) there may be added to the money order telegram authorising payment a private communication from the remitter, the charge for which shall be prepaid by the remitter and the remitter may also pay the charges for a telegraphic reply to such communication;
- (i) in addition to the money order fee, the remitter shall pay the charges for the money order telegram authorising payment at the office of payment;
- (j) a certificate shall be issued to the remitter showing the amount received from him for remittance, and the fee and charges paid in respect thereof;
- (k) the charges referred to in paragraphs (i) and (j) of this section shall be those payable with respect to telegram service as determined by the States Telecommunications Board in pursuance of the provisions of section twelve of the Telecommunications (Guernsey) Law, 1972.(b)

Correction or alteration of money orders. 2.(1) After the issue of a certificate in pursuance of the provisions of paragraph (j) of section one of this Order the remitter may ask for any correction in his own name and address, and any alteration in the name and address of the payee, that he thinks fit.

(2) Any such request by the remitter shall be made by notice in writing to the proper officer of the States Post Office of the office at which application for the order was made and if the Board considers it practicable so to do, it will make such correction or alteration.

Crossing of money orders. 3.(1) A money 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 order shall be deemed to be crossed to that banker.

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

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

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

(5) Where a money 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 money 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
money orders
otherwise
than to
bankers.

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

- (a) when a money order is presented for payment the person presenting the order shall, if required, give the name of the remitter and produce evidence to the satisfaction of the proper officer of the States Post Office that he is the payee of the order or a person duly authorised by the payee to receive the amount of the order;
- (b) a receipt for the amount of the money order shall be signed by the payee or a person duly authorised to sign the same on his behalf;
- (c) when a money 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;
- (d) when a money order is made payable to a firm it shall be receipted in the name of the firm. If the 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;

- (e) the signature to the receipt for the amount of a money order shall be sufficient authority to the Board for the payment of the amount of the order if that signature purports to be the signature of the payee or of a person duly authorised to sign the same on his behalf or if the signature purports to be that of an officer of a body corporate or partner or servant of a firm as aforesaid;
- (f) if a money 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;
- (g) the payment of a money order will in all cases be subject to the possession by the proper officer of the States Post Office at the office of payment of sufficient funds for the payment thereof;
- (h) a proper officer of the States Post Office may refuse or delay payment of a money order when it appears to him necessary to do so in cases other than those mentioned in the provisions of this Order.

Payment of
money orders
to bankers.

5. The following provisions shall apply to the payment of money orders to bankers:-

- (a) money orders payable at a money order office in the Bailiwick may be presented for payment by a banker at the office of payment or at any other office at which the payment of money orders presented by a banker may, from time to time, be authorised by the Board;
- (b) if a money order is presented by a banker and has the name of such a banker written or stamped, by way of crossing or otherwise, 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, that name, code or device shall be a good receipt to the Board for the amount of the order and it shall not be necessary for the banker to give any information as to the remitter;

(c) where a money order has been presented for payment by a banker and has been paid to a banker and it is afterwards discovered that such order should not have been paid or allowed to such banker, the amount so paid or allowed may be deducted from any money which may thereafter become payable to such banker for or on account or in respect of money orders, and no objection shall be taken by any banker to such deduction.

Transfer of payment.

6.(1) The Board may direct that any money order shall be payable at any post office other than the original office of payment.

(2) The remitter, or (in the case of an order which is not crossed for payment through a bank) the payee, of a money order may direct that the order shall be payable at any money order office other than the original office of payment.

(3) In such case as is mentioned in the last preceding subsection the remitter or the payee (as the case may be) shall give notice in an approved form to the proper officer of the States Post Office at the original office of payment and shall send with the notice the original order or the certificate issued in lieu of the order.

(4) Upon receipt of the notice and the money order or certificate the Board shall arrange for payment to be made at the office indicated in the notice, the sum payable being the original amount of the order less an amount equal to the fee on the order.

Stopping payment.

7. The remitter or the payee of a money order may stop payment of the order. For this purpose the remitter or the payee shall apply in writing to such officer of the States Post Office as the Board may direct, and shall forward with the application the fee for stopping payment specified in the Schedule to this Order.

Deferment of payment.

8. The Board may, on the request of the remitter of a money order made on an approved form at the time of the application for the order, defer the payment of the order for the period (not exceeding ten days after the date of issue) specified in the request.

certificate of payment. of a money order, and on prepayment of the fee therefor specified in the Schedule to this Order, forward to the remitter an advice or certificate of the payment of the money order:

Provided that this section shall not apply to a money order payable in a country or place which does not for the time being undertake to obtain or give advices or certificates of payment.

Repayment to remitter of amount of money order.

10.(1) The Board may, if it thinks fit, at the request of the remitter of a money order made in accordance with the provisions of the next following subsection, repay the amount of the order to the remitter.

(2) In such case the remitter shall send the money order, or the certificate issued in pursuance of the provisions of paragraph (j) of section one of this Order, with a request on an approved form and the fee therefor, specified in the Schedule to this Order to such officer of the States Post Office as the Board may direct:

Provided that the Board may, if it thinks fit, repay the amount of a money order to the remitter, notwithstanding that the money order or the said certificate is not produced by him.

Loss, destruction or mutilation of money order.

11.(1) Where the Board is satisfied that a money order has been lost, destroyed, cut, defaced or mutilated before payment, it may if it thinks fit, on the application of the remitter or of the payee, and subject to payment of the fee therefor specified in the Schedule to this Order, stop the payment of such money order and cause the amount of the money order to be remitted and paid to the payee by such form of remittance as it thinks fit.

(2) The said fee for this supplemental service may be paid by the remitter or the payee (as the case may be) on making application; if not so paid the Board may deduct the amount of the said fee from the remittance to the payee.

Valid money orders.

12. After the expiration of six months from the last day of the month in which any money order is issued the money order shall be absolutely void and of no effect, and the Board shall be under no liability to pay or repay the amount of the order:

Provided that:-

- (a) although the order has become void, the Board may, if it thinks fit, on the application of the remitter or of the payee, and subject to payment of the renewal fee specified in the Schedule to this Order, either pay the amount of the order to the payee or repay the amount thereof to the remitter, by such form of remittance as it thinks fit. The said renewal fee may be paid by the remitter or the payee (as the case may be) on making the application; if not so paid the Board may deduct the amount of the said fee from the said remittance;
- (b) a money order payable elsewhere than in the Bailiwick shall be subject, in respect of the period during which the order shall be payable, to the regulations governing payment of money orders in the country of payment.

Fee

13.(1) The fee payable for a money order shall be one pound and twenty-five new pence.

(2) The fees for supplemental services in respect of money orders shall be those specified in the Schedule to this Order.

Extension of Part I.

14. The provisions of this Part of this Order shall, so far as they are applicable, extend to money orders issued in the Bailiwick and payable in the United Kingdom, the Isle of Man, the Republic of Ireland or Jersey, and to money orders issued in the United Kingdom, the Isle of Man, the Republic of Ireland or Jersey, and payable in the Bailiwick, so far as relates to the issue, payment and treatment of such orders and the provision of supplemental services in respect thereof under the authority of the Board:

Provided that for the purposes of section twelve of this Order, a money order applied for in the United Kingdom, the Isle of Man or Jersey, and payable in the Bailiwick shall become void on the expiration of six months from the last day of the month in which the order is issued and a money order applied for in the Republic of Ireland and payable in the Bailiwick shall become void on the expiration of twelve months from the last day of the month in which the order is issued.

PART II

Money order
offices.

15. The Board may authorise any officer of the States Post Office to accept applications for or to issue or pay money orders, and the provisions of this Order shall apply to any officer so authorised as though he were a proper officer of the States Post Office of a money order office.

Remission
of fees.

16. The Board may remit in whole or in part any fee payable under the provisions of this Order in such cases or classes of case as it may determine.

Discharge to
the Board.

17. The payment or repayment of the amount of a money order in accordance with the provisions of 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 money order and payment or repayment of the amount thereof, notwithstanding any forgery, fraud, mistake, loss, neglect or omission which may have been committed or have occurred in the procuring of the money order or obtaining the payment or repayment of the amount thereof or otherwise in relation thereto.

Transitional.

18.(1) In the application of the provisions of this Order to over-sea money orders and oversea telegraph money orders being ordinary and telegraph money orders issued in the Bailiwick before this Order comes into force and payable at some place outside the Bailiwick not being in the United Kingdom, the Isle of Man, the Republic of Ireland or Jersey, references to a certificate issued in pursuance of the provisions of paragraph (j) of section one of this Order shall be construed as references to the money order.

(2) The provisions of subsections (4), (5) and (6) of section three, sections four, five, six, seven, ten, eleven, twelve, subsection (2) of section thirteen, sections fifteen, sixteen and seventeen of this Order shall apply to those oversea money orders and oversea telegraph money orders issued at any place outside the Bailiwick (not being in the United Kingdom, the Isle of Man, the Republic of Ireland or Jersey) before this Order comes into force and payable in the Bailiwick.

Repeals.

19. The Post Office (Money Order) Order, 1973(c), and the Post Office (Money Order) (Amendment) Order, 1975(d) are hereby repealed.

Interpre-
tation.

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

"approved" means approved by the Board;

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

"money order" means an inland telegraph money order;

"money order office" means a post office at which money orders may be applied for or issued or paid under the directions of the Board;

"office of payment" means the post office at which a money order is made payable;

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

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

(c) S.I. 1973 No. 42

(d) S.I. 1975 No 13

(e) Orders en Conseil Vol. XXII, p. 128; No. XX of 1972

(2) Except where the context otherwise requires any reference in this Order to any enactment or Order shall be construed as including a reference to that enactment or that Order, as the case may be, as amended, repealed, replaced or revoked by or under any other enactment or by any other Order.

(3) The Interpretation (Guernsey) Law, 1948⁽¹⁾, shall apply to the interpretation of this Order as it applies to the interpretation of a Guernsey enactment.

- Application. 22. The provisions of this Order shall not apply to postal orders.
- Citation. 23. This Order may be cited as the Post Office (Money Order) Order, 1975.
- Commencement. 24. This Order shall come into force on the first day of July, nineteen hundred and seventy-five.

Dated this day of June, nineteen hundred and seventy-five.

PEPPINO SANTANGELO

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

⁽¹⁾ Ordres en Conseil Vol. XIII, p. 355

SCHEDULE

Sections nine, ten,
eleven and thirteen

Fees for supplemental services

<u>Service</u>	<u>Fee</u>
1. Stopping payment	7.5p
2. Advice or certificate of payment	7.5p
3. Repayment of money order to remitter: A fee equal to the fee specified in subsection (1) of section thirteen for a money order.	
4. Remittance to payee of the amount of a money order lost, destroyed, cut, defaced or muti- lated, including stopping payment of the original order	25p
5. Renewal of void money order	25p