

ORDINANCE
OF THE STATES OF DELIBERATION

ENTITLED

The Post Office (Postal Order) Ordinance, 1969 *

[CONSOLIDATED TEXT]

NOTE

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* Recueil d'Ordonnances Tome XVI, p. 126; as amended by the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989 (Ordres en Conseil Vol. XXXI, p. 278); the Post Office (Bailiwick of Guernsey) Law, 2001 (No. XV of 2001, Ordres en Conseil Vol. XLI, p. 515); the Post Office (Postal Order) (Amendment) Ordinance, 1983 (Recueil d'Ordonnances Tome XXII, p. 426). See also the Police Force (Bailiwick of Guernsey) Law, 1986 (Ordres en Conseil Vol. XXIX, p. 207); the Magistrate's Court and Miscellaneous Reforms (Guernsey) Law, 1996 (No. IX of 1996, Ordres en Conseil Vol. XXXVI, p. 639).

**ORDINANCE
OF THE STATES OF DELIBERATION**

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ARRANGEMENT OF SECTIONS

1. Adaptation of enactment.
- 1A. Interpretation.
2. Citation, construction and commencement.

SCHEDULE The Stamp Duties Management Act, 1891.

(Made on 24th September, 1969.)

The Post Office (Postal Order) Ordinance, 1969

THE STATES, in exercise of the powers conferred upon them by subsection (4) of section thirty of the Post Office (Guernsey) Law, 1969 and of all other powers enabling them in that behalf, hereby order: –

Adaptation of enactment.

1. The provisions of the Stamp Duties Management Act, 1891, as amended, as set out and adapted in the Schedule to this Ordinance, shall apply as respects postal orders issued in pursuance of the Post Office (Guernsey) Law, 1969.

NOTE

The Post Office (Guernsey) Law, 1969 has since been repealed by the Post Office (Bailiwick of Guernsey) Law, 2001, section 47, Schedule 2, Part I, paragraph 1, with effect from 1st October, 2001, subject to the transitional provisions in section 46 of, and Schedule 1 to, the 2001 Law.

[Interpretation.

1A. (1) Any reference in this Ordinance to any other enactment shall, except where the context otherwise requires, be construed as including a reference to that enactment as amended, repealed or replaced, extended or applied by or under any other enactment including this Ordinance.

(2) In this section the expression "**enactment**" includes any order, rule or regulation made in pursuance of any enactment.]

NOTE

Section 1A was inserted by the Post Office (Postal Order) (Amendment)

Ordinance, 1983, section 1, with effect from 27th January, 1983.

Citation, construction and commencement.

2. (1) This Ordinance may be cited as the Post Office (Postal Order) Ordinance, 1969.

(2) The Interpretation (Guernsey) Law, 1948, shall apply to the interpretation of this Ordinance throughout the Bailiwick.

(3) This Ordinance shall come into force on the first day of October, nineteen hundred and sixty-nine.

NOTE

The Interpretation (Guernsey) Law, 1948 has since been repealed by the Interpretation and Standard Provisions (Bailiwick of Guernsey) Law, 2016, section 28(a), with effect from 1st October, 2018.

SCHEDULE Section one
THE STAMP DUTIES MANAGEMENT ACT, 1891

Section of Act	Subject-matter	Adapted provisions
4	Penalty for unauthorised dealing in stamps, etc.	(1) If any person other than a proper officer of the States Post Office [or a person engaged by a universal postal services provider], deals in any manner in postal orders, he shall for every such offence incur a fine of [level 1 on the uniform scale]. (2) If any such person has, or puts upon his premises either in the inside or on the outside thereof, or upon any board or any material whatever exposed to public view, and whether the same be affixed to his premises or not, any letters importing or intending to import that he deals in postal orders, he shall incur a fine of [level 1 on the uniform scale].
6	Penalty for hawking stamps.	(1) If any person hawks or carries

9	Procedure for obtaining allowance.	<p>about for sale or exchange any postal orders, he shall, in addition to any other fine or penalty to which he may be liable, incur a fine of [level 1 on the uniform scale].</p> <p>(3) All postal orders which are found in the possession of the offender shall be forfeited, and shall be delivered to the Board to be disposed of as it thinks fit.</p>
11	Allowance, how to be made.	<p>The Board may, upon the production of such evidence as it may require and subject to such conditions as it may think fit, make allowance for postal orders spoiled in the case hereinafter mentioned (that is to say) –</p> <p style="text-align: center;">* * *</p> <p>(2) Any postal order which has been inadvertently and undesignedly spoiled or rendered unfit for use.</p> <p>In any case in which allowance is made for spoiled or misused postal orders, the Board may give in lieu thereof other postal orders of the same denomination</p>

12	Stamps not wanted may be repurchased.	<p>and value, or if required and it thinks proper, postal orders, of any other denomination to the same amount in value, or in its discretion, the same value in money, deducting therefrom the discount allowed on the purchase of postal orders of the like description.</p> <p>When any person is possessed of a postal order which has not been spoiled or rendered unfit or useless for the purpose intended, but for which he has no immediate use, the Board may, if it thinks fit, repay to him the value of the postal order in money, deducting the proper discount, upon his delivering up the postal order to be cancelled.</p>
13	Certain offences in relation to stamps.	<p>Every person who does, or causes or procures to be done, or knowingly aids, abets or assists in doing any of the acts following, that is to say –</p> <ul style="list-style-type: none"><li data-bbox="882 1552 1348 1637">(1) Forges a die or postal order;<li data-bbox="882 1715 1348 1861">(2) Prints or makes an impression upon any material with a forged die;

		<p>(3) Fraudulently prints or makes an impression upon any material from a genuine die;</p> <p>* * *</p> <p>(5) Fraudulently mutilates any postal order, with intent that any use should be made of any part of such postal order;</p> <p>* * *</p> <p>* * *</p> <p>(8) Knowingly sells or exposes for sale or utters or uses any forged postal order or any postal order which has been fraudulently printed or impressed from a genuine die;</p> <p>(9) Knowingly, and without lawful excuse (the proof whereof shall lie on the person accused) has in his possession any forged die</p>
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16	Proceedings for detection of forged dies, etc.	<p>or postal order or any postal order which has been fraudulently printed or impressed from a genuine die, or any postal order which has been fraudulently mutilated,</p> <p>shall be guilty of an offence and shall, on conviction, be liable to imprisonment for a term not exceeding fourteen years.</p> <p>If the Bailiff is satisfied by information on oath given by an officer of police and in relation to Guernsey, being of a rank not lower than that of inspector, that there is just cause to suspect any person of being guilty of any of the offences aforesaid, the Bailiff may, by warrant under his hand, cause every house, room, shop, building or place belonging to or occupied by the suspected person, or where he is suspected of being or having been in any way engaged or concerned in the commission of any such offence, or of secreting any machinery, implements or utensils applicable to the commission of any such offence, to be searched, and if upon such search any of the said several matters and things are found, the same may be seized</p>
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17	Proceedings for detection of stamps stolen or obtained fraudulently.	<p>and carried away and shall afterwards be delivered to the Board.</p> <p>(1) In any case where any postal orders are known or supposed to be concealed or deposited, the Bailiff may, upon reasonable suspicion that the same have been stolen or fraudulently obtained, issue a warrant for the seizure thereof, and for apprehending and bringing before the Magistrate's Court or the Court of Alderney or the Court of the Seneschal of Sark, as the case may be, the person in whose possession or custody the postal orders may be found, to be dealt with according to law.</p> <p>(2) If the person does not satisfactorily account for the possession of the postal orders, or it does not appear that the same were purchased by him from the Board, the postal orders shall be forfeited and shall be delivered over to the Board.</p> <p>(3) Provided that if at any time within six months after the delivery any person makes out to the</p>
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		<p>satisfaction of the Board that any postal orders so forfeited were stolen or otherwise fraudulently obtained from him, and that the same were purchased by him from the Board, such postal orders may be delivered up to him.</p>
19	Mode of proceeding where stamps are seized.	<p>Where postal orders are seized under a warrant, the officer of police authorised by the warrant shall, if required, give to the person in whose custody or possession the postal orders are found an acknowledgement of the number, particulars and amount of the postal orders, and permit the postal orders to be marked before the removal thereof.</p>
20	As to defacement of adhesive stamps.	<p>Every person who by any writing in any manner defaces any postal order before it is used shall incur a penalty of [level 1 on the uniform scale]:</p> <p>Provided that any person may, with the express sanction of the Board and in conformity with the conditions which the Board may impose, write upon or otherwise appropriate a postal order before it is used for the purpose of identification thereof.</p>

27	Definitions.	<p>In this Act, unless the context otherwise requires –</p> <p>The expression "Bailiff" means –</p> <ul style="list-style-type: none">(a) in relation to Guernsey, Herm and Jethou, the Bailiff, a Lieutenant-Bailiff or the Juge Délégué,(b) in relation to Alderney, the Chairman of the Court of Alderney,(c) in relation to Sark, the Seneschal of Sark, <p>The expression "the Board" means the States Post Office Board [or a universal postal services provider].</p> <p style="text-align: center;">* * *</p> <p>The expression "material" includes every sort of material upon which words or figures can be expressed.</p> <p style="text-align: center;">* * *</p>
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		<p>The expression "die" includes any plate, type, tool or implement whatever used under the direction of the Board for expressing or denoting any amount of money, or the fact that any amount of money has been paid, and also any part of any such plate, type, tool or implement.</p> <p>The expressions "forged" and "forged" include counterfeit and counterfeited.</p> <p style="text-align: center;">* * *</p> <p style="text-align: center;">* * *</p> <p>The expression "officer of police" means –</p> <p>(a) in relation to Guernsey, Herm and Jethou, a member of the salaried police force of the Island of Guernsey and, within the limits of his jurisdiction, a member of the special constabulary of the Island of Guernsey,</p> <p>(b) in relation to Alderney, a</p>
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		<p>member of the said police force and a member of any police force which may be established by the States of Alderney, and</p> <p>(c) in relation to Sark, the Constable, the Vingtenier and a member of the said police force of Guernsey,</p> <p>The expression "postal order" has the meaning assigned to it by subsection (1) of section thirty of the Post Office (Guernsey) Law, 1969.</p> <p>The expression "proper officer of the States Post Office" has the meaning assigned to it by the Post Office (Postal Order) Order, 1969.</p>
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NOTES

In the Schedule,

the words in the first and sixth pairs of square brackets in the third column were inserted by the Post Office (Bailiwick of Guernsey) Law, 2001, section 46, Schedule 1, respectively paragraph 2(2)(a)(i) and paragraph 2(2)(a)(ii), with effect from 1st October, 2001;

the words and figures in the second, third, fourth and fifth pairs of square brackets in the third column were substituted by the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989, section 2(2), with effect from 1st

July, 1989.

In accordance with the provisions of the Magistrate's Court and Miscellaneous Reforms (Guernsey) Law, 1996, section 6, and with reference to the penalty prescribed for the offences in section 13 of the 1891 Act, as applied to Guernsey, a court, instead of or in addition to any other punishment which may lawfully be imposed, may fine the offender for such offence.

In accordance with the provisions of the Police Force (Bailiwick of Guernsey) Law, 1986, section 2(2), with effect from 19th August, 1986, the reference herein to a member of the salaried police force of the Island of Guernsey shall include a reference to a member of a force present in the Island by virtue of an agreement made under section 1 of the 1986 Law.

The Post Office (Guernsey) Law, 1969 has since been repealed by the Post Office (Bailiwick of Guernsey) Law, 2001, section 47, Schedule 2, Part I, paragraph 1, with effect from 1st October, 2001, subject to the transitional provisions in section 46 of, and Schedule 1 to, the 2001 Law.

The Post Office (Postal Order) Order, 1969 has since been revoked by the Post Office (Postal Order) Order, 1983, section 14, with effect from 5th April, 1983. The Post Office (Postal Order) Order, 1983 has since been revoked by the Post Office (Postal Orders) Order, 1993, section 14, Schedule 2, with effect from 5th April, 1993. The Post Office (Postal Orders) Order, 1993 has since been revoked by the Guernsey Post Ltd (Inland and Overseas Letter and Parcel Post) Scheme, 2018, section 17(b)(iv), with effect from 3rd April, 2018.
