

The Post Office (Money Order) Order,
1973

Made	...	...	...	...	...	...	7th September, 1973
Laid before the States	...	...	...	...	...	...	, 1973
Coming into Operation	...	...	...	...	...	...	10th September, 1973

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, hereby orders:-

PART I

Applications for and issue of money orders

1. The following provisions shall apply to applications for and the issue of ordinary 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 inland money order may be issued as an ordinary money order;
- (d) no oversea money order for an amount exceeding fifty pounds or such lesser sum as may be specified in the relative money order arrangement may be applied for;
- (e) no money order for an amount including a fractional part of a new penny may be applied for;
- (f) the amount for which a money order is to be issued and the fee payable in respect of the order shall be pre-paid;
- (g) on an application for an oversea money order there shall be issued to the remitter a certificate showing thereon the amount received for remittance and that the fee has been paid in respect of the order;
- (h) every person requiring an oversea money order payable in any country or place outside the scheduled territories shall make and sign on an approved form a declaration stating the purpose for which such oversea money order is required; and the amount shall not be advised abroad for payment unless the Board confirm that it may be remitted.

Applications for telegraph money orders

2. The provisions of the last preceding section except paragraphs (c) and (g) thereof and the succeeding provisions of this section shall apply to applications for telegraph money orders:-

- (a) no telegraph money order for an amount exceeding fifty pounds may be applied for;

- 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;
- (d) except in the case of a letter telegram authorising the payment of an oversea money order, 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;
 - (e) 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;
 - (f) in addition to the money order fee, the remitter shall repay the charges for the money order telegram authorising payment at the office of payment;
 - (g) 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;
 - (h) the charges referred to in paragraphs(e) and (f) 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.

Correction or alteration of money orders

3.(1) After the issue of a certificate in pursuance of the provisions of paragraph (g) of section one or paragraph (g) of section two 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

4.(1) An inland 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) An inland money order which is crossed generally may be crossed specially.

(3) A banker to whom an inland 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 an inland 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.

(7) The remitter of an oversea money order may require the money order to be crossed for payment to a banker if the relative money order arrangement so provides.

Payment of money orders otherwise than to bankers

5. 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

6. 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

7.(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 an inland money order, or the remitter of an oversea 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, or in the case of an oversea money order, to such officer of the States Post Office as the Board may direct, 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

8. The remitter or the payee of an inland money order or the remitter of an oversea 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 Second Schedule to this Order.

Deferment of payment

9. The Board may, on the request of the remitter of an inland 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.

Advice or certificate of payment

10. The Board may, if it thinks fit, at the request of the remitter of a money order, and on prepayment of the fee therefor specified in the Second 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

11.(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 (g) of section one or paragraph (g) of section two of this Order, with a request on an approved form and the fee therefor, specified in the Second 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

12.(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 Second 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) This supplemental service may be provided in respect of (a) inland money orders (b) oversea money orders (except where under the relative money order arrangement the instrument by which payment is effected to the payee is prepared by the government or postal administration of some place outside the Bailiwick).

(3) 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

13. 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 Second 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.

Fees

14.(1) The fees payable for money orders shall be at the rates specified in the First Schedule to this Order.

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

Extension of Part I

15.(1) The provisions of this Part of this Order relating to inland money orders 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 thirteen 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.

(2) The provisions of subsections (4), (5) and (6) of section four, and the provisions of sections five, six, seven, eight, and thirteen and the provisions of subsection (2) of section fourteen of this Order, shall extend to money orders issued or applied for at any place outside the Bailiwick (not being in the United Kingdom, the Isle of Man, the Republic of Ireland or Jersey) and payable in the Bailiwick, as they respectively apply to inland money orders:

Provided that for this purpose:--

- (a) except as provided for in the provisions of sections five and six of this Order, references to the remitter in the said provisions shall be omitted;
- (b) the sum payable under subsection (4) of section seven of this Order in respect of a money order the payment whereof is transferred to another office under subsection (2) of that section shall be the amount for which the money order was originally issued less an amount equal to the fee which would have been payable on the money order if it had been issued as an inland money order;
- (c) for the purpose of section thirteen of this Order the money order shall become void on the expiration of the period of validity specified in the relative money order arrangement.

PART II

Money order offices

16. 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

17. 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

18. 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

19. In the application of the provisions of this Order to inland money orders, being ordinary money orders issued before this Order comes into force, references to a certificate issued in pursuance of the provisions of paragraph (g) of section two of this Order shall be construed as references to the money order.

Repeals

20. The Post Office (Money Order) Order, 1969, and the Post Office (Money Order) (Amendment) Order, 1971, are hereby repealed.

Interpretation

21.(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;

"inland money order" means a money order applied for, issued and payable at a money order office in the Bailiwick;

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

"money order arrangement" means such an arrangement with another country as is referred to in section thirty-three of the Law;

"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;

"ordinary money order" means a money order other than a telegraph money order;

"oversea money order" means a money order applied for at a money order office in the Bailiwick and payable at some place outside the Bailiwick not being in the United Kingdom, the Isle of Man, the Republic of Ireland or Jersey;

"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;

"the scheduled territories" means the territories from time to time specified in the First Schedule to the Exchange Control Act, 1947, as extended to the Bailiwick by the Exchange Control (Channel Islands) Order, 1947, but does not include the Bailiwick;

"telegraph money order" means a money order the particulars of which are transmitted to the office of payment by telegraph;

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

(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, 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, 1973.

Commencement

24. This Order shall come into force on the tenth day of September, nineteen hundred and seventy-three.

Dated this seventh day of September, nineteen hundred and seventy-three.

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

FIRST SCHEDULE

Section fourteen

Fees on issue of money order

<u>Description of money order</u>	<u>Fee</u>
1. Inland telegraph money order	50 p (exclusive of the charge for the telegram)
2. Oversea ordinary money order	60 p
3. Oversea telegraph money order	50 p (exclusive of the charge for the telegram)

SECOND SCHEDULE

Sections ten, eleven, twelve and fourteen

Fees for supplemental services

<u>Service</u>	<u>Fee</u>
1. Stopping payment	7.5 p
2. Advice or certificate of payment	7.5 p
3. Repayment of any description of money order to remitter: A fee equal to the fee specified in the First Schedule, item 1, for a money order, according to the amount of the order.	
4. Remittance to payee of the amount of a money order lost, destroyed, cut, defaced or mutilated, including stopping payment of the original order	25 p
5. Renewal of void money order	25 p