

1972 No. 37

The Post Office (Inland Post) (Amendment) Order, 1972

Made 2 September, 1972

Came into Operation 4 September, 1972

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

1. The Post Office (Inland Post) Order, 1969, as amended(b), is hereby further amended as follows:-

(a) in section fourteen thereof:-

(i) in subsection (1) the words "or parcel" are hereby repealed;

(ii) subsection (3) is hereby repealed;

(b) in section fifteen thereof the word and figure "Part III" are hereby repealed and the word and figure "Part II" are hereby substituted therefor;

(c) subsection (1) of section eighteen thereof is hereby repealed and the following subsection is hereby substituted therefor:-

" (1) The maximum amount which shall be available for compensating persons aggrieved by the loss of or damage to a registered letter (including a letter which has been registered compulsorily under the provisions of section seventeen of this Order) and its contents shall be the amount specified in the second column of Part I of the Second Schedule to this Order opposite the amount of the registration fee paid or charged in respect of the registered letter packet.";

(a) XIV of 1969; Ordinance No. XXX of 1969.

(b) S.I. No. 24 of 1969.

- (d) sections nineteen and twenty thereof are hereby repealed;
- (e) the following new sections shall be inserted immediately after section eighteen thereof:-

"Parcel Compensation Scheme

19.(1) The provisions of this section, section twenty and section twenty A shall apply to parcels posted under the Parcel Compensation Scheme (hereinafter referred to as "the Scheme").

(2) There shall be charged and paid in respect of parcels posted under the Scheme in addition to postage one of the compensation fees specified in the first column of Part I of the Fifth Schedule to this Order.

(3) Compensation shall not be paid under the provisions of section twenty A for the loss of any parcel containing any of the articles which are set out in Part II of the Fifth Schedule to this Order.

Conditions as to the Parcel Compensation Scheme

20. The conditions set out in Part III of the Fifth Schedule to this Order shall be complied with in relation to parcels which are posted under the Scheme.

Compensation under the Parcel Compensation Scheme

20A.(1) The maximum amount which shall be available for compensating persons aggrieved by the loss of or damage to a parcel and its contents posted under the Scheme shall be the amount specified in the second column of Part I of the Fifth Schedule to this Order opposite the amount of the compensation fee paid in respect of the parcel.

(2) For the purposes of this section any fee payable under the provisions of section forty-two of the Ordinance on redirection of the parcel shall be disregarded.

Compensation for parcels

20B.(1) Compensation for parcels which are not posted under the Scheme will not normally be paid for the loss of or damage to such a parcel.

(2) If any article of pecuniary value enclosed in, or forming part of such a parcel as aforesaid be lost or damaged whilst in the custody of the Board, the Board may pay to any 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 five pounds, in respect of such parcel as it may think just.

Compensation for express packets

20C.(1) Compensation will not normally be paid for the loss of or damage to an express packet which is unregistered or which is not posted under the Scheme.

(2) If an article of pecuniary value enclosed in, or forming any part of such an express packet, which is conveyed by special messenger, be lost or damaged whilst in the custody of the Board, 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 five pounds, in respect of such packet as it may think just.";

- (f) in subsection (1) of section thirty-two thereof, in the definition of the expression "the minimum registration fee" the words "or Part II" are hereby repealed;
- (g) in section fifteen thereof as substituted by paragraph (c) of subsection (2) of section thirty-four thereof for the purposes of the application of the provisions

of this Order to postal packets transmitted to and from the Republic of Ireland, the word and figure "Part III" are hereby repealed and the word and figure "Part II" are hereby substituted therefor;

- (h) section eighteen thereof as substituted by paragraph (d) of subsection (2) of section thirty-four thereof for the purposes of the application of the provisions of this Order to postal packets transmitted to and from the Republic of Ireland is hereby amended as follows:-
 - (i) in the Proviso to subsection (1) thereof the words and figure "or Part II" are hereby repealed;
 - (ii) subsection (2) thereof is hereby repealed;
- (i) in paragraph (f) of subsection (2) of section thirty-four thereof the words "under the Parcel Compensation Scheme" shall be inserted immediately after the words "a parcel transmitted";
- (j) in subsection (2) of section thirty-four thereof for the purposes of the application of the provisions of this Order to postal packets transmitted to and from the Republic of Ireland the following additional paragraphs shall be inserted immediately after paragraph (f):-
 - "(g) for section twenty of this Order there shall be substituted the following section:-

20. The conditions set out in Part III of the of the Fifth Schedule to this Order shall be complied with in relation to parcels posted in the Bailiwick for transmission under the Scheme to an addressee in the Republic of Ireland."
 - (h) for section twenty A of this Order there shall be substituted the following section:-

20A.(1) If any article of pecuniary value enclosed in, or forming part of a parcel posted under the Scheme be lost or damaged whilst in the custody of the Board, the Board may pay to any 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 as it may think just:

Provided that if the fee paid in respect of the parcel so lost or damaged as aforesaid is the minimum compensation fee or one of the higher compensation fees specified in the first column of Part I of the Fifth Schedule to this Order (any of which higher compensation fees may be paid by the sender) the sum paid by way of compensation shall not exceed the sum specified in the second column of the said Schedule opposite the amount of the compensation fee paid.

(2) The compensation payable in respect of a parcel shall be in substitution for, and not in addition to, any compensation which would have been payable under this Order if the parcel had not been posted under the Scheme.";

- (k) the Second Schedule thereof is hereby amended as follows:-
- (i) Part II is hereby repealed,
 - (ii) Part III is hereby re-numbered "Part II";
- (l) the First Schedule to this Order shall be inserted immediately after the Fourth Schedule thereto.

2. Sections five, seven, twelve and thirteen of the Post Office (Inland Post) (Amendment) Order, 1971(c), are hereby repealed.

3. This Order may be cited as the Post Office (Inland Post) (Amendment) Order, 1972.

4. This Order shall come into force on the fourth day of September, nineteen hundred and seventy-two.

(Peppino Santangelo)
President of the States Post Office Board,
for and on behalf of the Board.

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FIFTH SCHEDULESection nineteen
twenty and twenty APART IParcel compensation fee and maximum compensation

Column 1	Column 2
Compensation fee (in addition to postage)	Maximum compensation (payable according to fee paid or charged)
£	£
0.05	10
0.10	50
0.20	100

PART IIArticles for loss of, or damage to, which no
compensation may be paid:-

- (a) any uncrossed postal order in 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 or elsewhere;
- (e) any unobliterated postage or revenue stamp available for current use in the Bailiwick or elsewhere (except a revenue stamp embossed or impressed on an instrument which has been executed);
- (f) any National 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.

PART III

Conditions which must be complied with

1. The sender of the parcel shall write on the prescribed form the name of the addressee and the address thereof, and on the posting of the parcel the person handing over the parcel shall obtain on that form a certificate of posting on which the amount of the compensation fee paid in accordance with subsection (2) of section nineteen of this Order, or the amount of the compensation fee charged to the sender.
2. The parcel 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 parcel 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 postal packets are ordinarily exposed in transmission, and the parcel 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 parcel shall bear the words "DO NOT BEND" written conspicuously in capital letters on the face of the cover above the address;
 - (c) a parcel 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 parcel 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 parcel or on any label affixed or tied thereto any word, phrase or mark indicating or conveying the impression that the parcel is, or is intended to be registered, or that a compensation fee has been, or is intended to be, paid.

6. The parcel shall not contain anything the posting of which in a postal packet is prohibited by or under any enactment or this Order. "