



Jersey

**POSTAL SERVICES (JERSEY)
ORDER 1969**

JERSEY
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APPENDIX

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

Jersey Order in Council 21/1969

“POSTAL SERVICES (JERSEY) ORDER, 1969”

ET

**“POSTAL SERVICES (CHANNEL ISLANDS CONSEQUENTIAL PROVISIONS)
ORDER, 1969”**

ET

ACTE DE PARLEMENT

INTITULE

“POST OFFICE ACT 1969”

AVEC

ACTES DE LA COUR ROYALE

Y RELATIFS.

—————
(Enregistrés les 19 septembre et 1er octobre 1969).

A LA COUR ROYALE DE L'ILE DE JERSEY.

—————
L'An 1969, le 19e jour de septembre.
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MONSIEUR LE DEPUTE BAILLI ayant présenté à la Cour un Ordre de Sa Très Excellente Majesté en Conseil en date du 28 août 1969, transmettant pour enregistrement et publication dans l'Ile copie de certain Acte de Parlement intitulé : -

“The Post Office Act, 1969 (1969 Chapter 48)” ;

Lecture en ayant été donnée :

LA COUR, conformément aux conclusions de l'Avocat Général de la Reine, stipulant l'office de Procureur Général de la Reine, a ordonné, en execution dudit Ordre, que tant ledit Acte de Parlement que ledit Ordre le transmettant soient enregistrés sur les records de cette Ile et publiés par l'Officier au lieu ordinaire à jour de marché, afin que toutes personnes puissent en avoir connaissance.

J.E. LE CORNU,

Commis Greffier Judiciaire.

A LA COUR ROYALE DE L'ILE DE JERSEY.

—————
L'An 1969, le 1er jour d'octobre.
—————

MONSIEUR LE BAILLI ayant présenté à la Cour quatre Ordres de Sa Très Excellente Majesté en Conseil en date du 24 septembre 1969, intitulés : -

“The Postal Services (Jersey) Order, 1969” ;

“The Postal Services (Channel Islands Consequential Provisions) Order, 1969” ;

* * * * *

Lecture en ayant été donnée :

LA COUR, conformément aux conclusions de l'Avocat Général de la Reine, stipulant l'office de Procureur Général de la Reine, a ordonné que lesdits Ordres soient enregistrés sur les records de l'Ile et publiés par l'Officier au lieu ordinaire à jour de marché, afin que toutes personnes puissent en avoir connaissance.

J.E. LE CORNU,

Commis Greffier Judiciaire.

POSTAL SERVICES (JERSEY) ORDER, 1969.

At the Court at Balmoral.

Present

The Queen's Most Excellent Majesty in Council.

The 24th day of September, 1969.

WHEREAS section 2(6) of the Post Office Act, 1969 provides that anything done before the appointed day for the purposes of that Act by the Postmaster General in exercise of any power conferred on the Minister of Posts and Telecommunications by, or by virtue of, the following provisions of that Act shall be as valid and effective for all purposes as if it had been done by the last-named Minister ;

AND WHEREAS by the Post Office Act, 1969 (Appointed Day) Order, 1969 the appointed day for the purposes of that Act is 1st October, 1969 ;

AND WHEREAS an agreement has been concluded between the Postmaster General and the States of Jersey providing for the surrender by the Post Office, as regards the Bailiwick of Jersey, of the privileges conferred on the Post Office by section 3 of the Post Office Act, 1953 and the administration in that Bailiwick of postal services by, or under the authority of, the States instead of by the Post Office ;

NOW, THEREFORE, Her Majesty, in exercise of the powers conferred upon Her by section 87(1) of the Post Office Act, 1969, as read with section 88(5) thereof, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows : -

1. This Order may be cited as the Postal Services (Jersey) Order, 1969 and shall come into operation on 1st October, 1969.

2. This Order applies only to the Bailiwick of Jersey.

3. The Interpretation Act, 1889 shall apply for the purpose of the interpretation of this Order as it applies for the purpose of the interpretation of an Act of Parliament, and section 38 of that Act (effect of repeals) shall apply as if this Order were an Act of Parliament.

4. The agreement mentioned in the preamble to this Order and set out in Schedule 1 thereto shall have the force of law.

5. Sections 12, 13, 20, 23, 30, 64, 73, 79 and 84 of the Post Office Act, 1969 are hereby repealed.

6. The provisions of the Post Office Act, 1969 specified in Schedule 2 to this Order shall be amended in the manner specified in relation thereto in that Schedule.

7. The provisions of the Post Office Act, 1953, except section 65A, as inserted by paragraph 8 of Schedule 2 to the Theft Act, 1968 (fraudulent use of public telephone or telex system), and those specified in Schedule 3 to this Order, are hereby repealed and the provisions so specified shall be amended in the manner specified in relation thereto in that Schedule.

*SCHEDULE 1***(Article 4)****AGREEMENT BETWEEN THE POSTMASTER GENERAL AND THE STATES OF JERSEY**

This agreement made the fifteenth day of August, 1969 between the Right Honourable John Thomson Stonehouse M.P. Her Majesty's Postmaster General (hereinafter called "the Postmaster General") in exercise of the powers conferred on the Minister of Posts and Telecommunications by the Post Office Act, 1969 and on behalf of Her Majesty of the one part and Alfred Durrell Le Brocq Esquire Greffier of the States of Jersey (authorised by Act of the States dated 14th August 1969) of the other part.

Whereas subsection (1) of section 87 of the Post Office Act, 1969 makes provision in the event of the conclusion of an agreement between the Minister of Posts and Telecommunications and the States of Jersey for the surrender by the Post Office as regards the Bailiwick of Jersey of the privilege conferred on the Post Office by section 3 of the Post Office Act, 1953 and for the administration in that Bailiwick of postal services by or under the authority of the States instead of by the Post Office.

And whereas subsection (6) of section 2 of the Post Office Act, 1969 provides that any thing done before the appointed day under that Act by the Postmaster General in exercise of any power conferred on the Minister of Posts and Telecommunications by the following provisions of that Act shall be as valid and effective for all purposes as if it had been done by the said Minister and that any thing done before the said day to the Postmaster General by any other person in exercise of a power so conferred on him shall be as valid and effective as if it had been done to the Minister.

Now it is hereby agreed as follows :

1. This Agreement takes effect on 1st October, 1969.
2. The Post Office surrenders as regards the Bailiwick of Jersey the exclusive privilege conferred on the Post Office by section 3 of the Post Office Act, 1953 and the postal services shall be administered in the Bailiwick by or under the authority of the States of Jersey instead of by the Post Office.
3. If, in the opinion of the Minister of Posts and Telecommunications, it is requisite or expedient in the interests of national security or relations with the government of a country or territory outside the British Islands or, in relation to the Bailiwick of Jersey, in order to discharge or facilitate the discharge of an obligation of Her Majesty's Government in the United Kingdom by virtue of its being a member of an international organisation or a party to an international agreement, to attain or facilitate the attainment of any other object in view of that Government being a member or party as aforesaid, or to enable that Government to become a member or party as aforesaid, that any thing should be done or not done, the States of Jersey will do what is necessary to secure that it is done or not, as the case may be.

In witness whereof the Postmaster General has hereunto set his hand and seal and the said Alfred Durrell Le Brocq has signed these presents for and on behalf of the States of Jersey, the day and year first above written.

Signed sealed and delivered by the said John Thomson Stonehouse in the presence of : - J. M. Goose Civil Servant	}	John Stonehouse
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Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

G.P.O. Headquarters
St. Martins-le-Grand
London E.C.1.

Signed by the said Alfred Durell Le
Brocq in the presence of : -
B. W. Keeping
States' Greffe
Jersey.

} A. D. Le Brocq

SCHEDULE 2**(Article 6)****AMENDMENTS TO THE POST OFFICE ACT, 1969 IN ITS APPLICATION TO JERSEY**

1. Section 9 (general duty of the Post Office) shall apply only in relation to the power to provide and the provision of telecommunication services.
2. Section 14 (the Post Office Users' Councils) shall apply only in relation to telecommunication services.
3. Section 15 (duty of the Post Office to consult the Post Office Users' National Council about certain proposals) shall apply only in relation to proposals relating to telecommunication services.
4. In section 28 (schemes for determining charges and other terms and conditions applicable to services) in subsection (1) for the words "any of the services" there shall be substituted the words "any of the telecommunication services".
5. In section 29 (exclusion of liability of the Post Office, its officers and servants, in relation to posts and telecommunications) in subsection (1) there shall be omitted the words "Save as provided by the next following section," and in subsection (3) after the words "No person engaged" there shall be inserted the words "by or on behalf of the Post Office".
6. Section 80 (provision of information to persons holding office under the Crown) shall apply in relation to postal services as if the words "provided by the Post Office" were omitted and as if for the words "laid on the Post Office for the like purposes and in the like manner" there were substituted the words "laid on an officer of the Jersey Post Office by Her Majesty's Attorney General for Jersey for the like purposes", and anything done in relation to a postal packet in pursuance of a requirement so laid shall be deemed, for the purposes of Article 34 of the Post Office (Jersey) Law, 1969, to have been done under the authority of that Law.
7. In Schedule 9 (general transitional provisions), in paragraph 3 sub-paragraphs (1)(c) and (2), and sub-paragraph (4) so far as it relates thereto, shall be omitted.

*SCHEDULE 3***(Article 7)****AMENDMENTS TO THE POST OFFICE ACT, 1953 IN ITS APPLICATION TO JERSEY**

1. Section 50 (indemnity on account of extending Post Office accommodation) shall extend to Jersey only in relation to any telegraph office or the accommodations of the telegraphic services.
2. Section 60 (prohibition of placing injurious substances in or against post office letter boxes or telephone kiosks) shall extend to Jersey only in relation to any telephone kiosk or cabinet.
3. Section 61 (prohibition of affixing placards, notices, etc. on post office letter boxes, etc.) shall extend to Jersey only in relation to any telegraph post or other property used by or on behalf of the Post Office for telecommunication services.
4. Section 64 (prohibition of false notice as to reception of letters, etc.) shall extend to Jersey only in relation to the words “public telephone call office” or to any words, letters or marks which signify or imply or may reasonably lead the public to believe that any place is a place where the public may make telephone calls.
5. Section 65 (obstruction and molestation of officers of the Post Office) shall extend to Jersey only in relation to telecommunication services.

**POSTAL SERVICES (CHANNEL ISLANDS CONSEQUENTIAL PROVISIONS)
ORDER, 1969.**

At the Court at Balmoral.

Present

The Queen's Most Excellent Majesty in Council.

The 24th day of September, 1969.

WHEREAS section 2(6) of the Post Office Act, 1969 provides that anything done before the appointed day for the purposes of that Act by the Postmaster General in exercise of any power conferred on the Minister of Posts and Telecommunications by, or by virtue of, the following provisions of that Act shall be as valid and effective for all purposes as if it had been done by the last-named Minister ;

AND WHEREAS by the Post Office Act, 1969 (Appointed Day) Order, 1969 the appointed day for the purposes of that Act is 1st October, 1969 ;

AND WHEREAS agreements have been concluded between the Postmaster General and the States of Jersey and between the Postmaster General and the States of Guernsey providing for the surrender by the Post Office, as regards the Bailiwick of Jersey and the Bailiwick of Guernsey respectively, of the privilege conferred on the Post Office by section 3 of the Post Office Act 1953 and the administration in the respective Bailiwicks of postal services by, or under the authority of, the States instead of by the Post Office :

NOW, THEREFORE, Her Majesty, in exercise of the powers conferred upon Her by section 87(1) of the Post Office Act 1969, as read with section 88(5) thereof, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows : -

1. This Order may be cited as the Postal Services (Channel Islands Consequential Provisions) Order 1969 and shall come into operation on 1st October 1969.

2. This Order applies –

- (a) to the United Kingdom;
- (b) so far as it relates to an enactment extending to the Isle of Man, to that Isle;
- (c) so far as it relates to an enactment extending to the Channel Islands, to those Islands.

3.-(1) Any reference in this Order to any enactment shall, except so far as the context otherwise requires, be construed as a reference to that enactment as amended, and as including a reference to it as extended or applied, by or under any other enactment, including the Post Office Act 1969, or by this Order.

(2) The Interpretation Act, 1889 shall apply for the purpose of the interpretation of this Order as it applies for the purpose of the interpretation of an Act of Parliament, and section 38 of that Act (effect of repeals) shall apply as if this Order were an Act of Parliament.

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

4. Section 23 of the Post Office Act 1969⁷ (exclusive privilege of the Post Office with respect to the conveyance, etc., of letters) shall have effect as if the privilege of the Postmaster General referred to in that section had not extended to the Channel Islands at the passing of that Act.

5. In section 30 of the Post Office Act 1969⁷ (the Post Office to be subject to limited liability in respect of registered inland packets) for the definition of “inland packet” in subsection (7) there shall be substituted the following definition –

‘ “inland packet” means anything which is posted in the United Kingdom or the Isle of Man for delivery at a place in the United Kingdom or the Isle of Man to the person to whom it is addressed;’.

6. Section 69(3) of the Post Office Act 1969 (documentary evidence as to sums due for services) shall have effect, in relation to the rate at which a charge was levied in respect of a service other than a telecommunication service, as if the Channel Islands were not included in the definition of the expression “the British Islands” in section 86(1) thereof (interpretation).

7. Section 70 of the Post Office Act 1969 (provisions as to money and postal orders) and section 71 thereof (recoupment of losses on money orders wrongly paid to bankers) shall have effect as if the Channel Islands were not included in the last-mentioned definition.

8. In section 133 of the Post Office Act 1969 (power of managers of certain welfare funds to preserve their scope) –

(a) in subsection (2)(a), at the end of sub-paragraph (ii) the word “and” shall be omitted and at the end of sub-paragraph (iii) there shall be added the word “and” and the following sub-paragraph : -

“(iv) persons who, having been employed in the department of the Postmaster General, are or have been, in consequence of such an agreement as is mentioned in paragraph (b)(i) or (c)(i) of subsection (1) of section 87 of this Act and of such an Order in Council as is mentioned in that subsection, employed by the States of Jersey or by the States of Guernsey;”;

(b) in subsection (2)(b), after the words “department of the Minister” there shall be omitted the words “or, as the case may be” and after the words “Department for National Savings” there shall be inserted the words “or, as the case may be, employment by the States of Jersey or by the States of Guernsey”.

9. The following provisions shall have effect with respect to section 16 of the Post Office Act 1953⁸ (application of customs Acts to postal packets) : -

(a) In subsection (1) the words “the Channel Islands” shall be omitted and for the words “any of those islands” there shall be substituted the words “that Isle”.

(b) Paragraph 2 of Schedule 5 to the Post Office Act 1969 (which amends the said section) shall be repealed and the said section shall have effect as from 1st October 1969 as if that paragraph had not been enacted.

⁷ See Article 5 of the Postal Services (Jersey) Order, 1969.

⁸ See Article 7 of the Postal Services (Jersey) Order, 1969.

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

- (c) Subsection (1) of the said section shall have effect in its application to the Isle of Man, in relation to goods contained in postal packets to which that section applies brought into or sent out of the Isle of Man by post from or to the United Kingdom or any place outside the British postal area, as it has effect in relation to goods contained in postal packets brought into or sent out of the United Kingdom by post from or to the Isle of Man or any place outside the British postal area.
- (d) Subsection (2)(d) of the said section shall have effect as if the Bailiwick of Jersey and the Bailiwick of Guernsey were included in the expression “any other country”.
- (e) Paragraph (c) of this Article shall be construed as one with the Post Office Act 1953.

10. In section 17 of the Post Office Act 1953⁹ (power to detain postal packets containing contraband) the words “the Channel Islands” shall be omitted.

11. Section 24 of the Post Office Act 1953⁹ (arrangements with other countries as to money orders) shall have effect as if the Bailiwick of Jersey and the Bailiwick of Guernsey were included in the expression “any other country”.

12. Section 63 of the Post Office Act 1953⁹ (prohibition of fictitious stamps) shall have effect as if the Bailiwick of Jersey and the Bailiwick of Guernsey were countries outside the British postal area.

13. In section 70(2) of the Post Office Act 1953,⁹ as substituted by paragraph 10 of Schedule 2 to the Theft Act 1968 (prosecution of certain offences in any jurisdiction of British postal area) for the words “of the Isle of Man and of the Channel Islands” there shall be substituted the words “and of the Isle of Man”.

14. In section 87(1) of the Post Office Act 1953⁹ (interpretation) in the definition of “British postal area” the words “the Channel Islands” shall be omitted.

W.G.AGNEW.

⁹ See Article 7 of the Postal Services (Jersey) Order, 1969.

POST OFFICE ACT, 1969.**CHAPTER 48**

ARRANGEMENT OF SECTIONS.

PART I.

ABOLITION OF OFFICE OF MASTER OF THE POST OFFICE.

Section

1. Abolition of office of master of the Post Office.

PART II.

THE MINISTER OF POSTS AND TELECOMMUNICATIONS AND HIS FUNCTIONS.

2. The Minister of Posts and Telecommunications.
3. Transfer to the Minister of the Postmaster General's functions with respect to wireless telegraphy, and provisions consequential thereon.
4. Transfer to the Minister of the Postmaster General's functions under section 6 of the Commonwealth Telegraphs Act, 1949.
5. Transfer to the Minister of the Postmaster General's power to make orders under the Recorded Delivery Service Act, 1962.

PART III.

THE NEW AUTHORITY FOR THE CONDUCT OF POSTAL AND TELEGRAPHIC BUSINESS.

The Post Office.

6. The Post Office.

Powers and Duties of the Post Office.

7. Powers of the Post Office.
8. Furnishing of overseas aid by the Post Office.
9. General duty of the Post Office.
10. Power to promote and oppose Bills, &c.

Powers of the Minister of Posts and Telecommunications over the Post Office.

11. General ministerial control and supervision of the Post Office.
12. Power of the Minister to direct the Post Office to do work for government departments and local authorities.
13. Restriction of carrying on by the Post Office and its subsidiaries of certain activities.

The Post Office Users' Councils.

14. The Post Office Users' Councils.
15. Duty of the Post Office to consult the Post Office Users' National Council about certain proposals.

General Provisions as to Transfer to the Post Office of Property, Rights and Liabilities of the Postmaster General.

16. Vesting in the Post Office of property, rights and liabilities generally.

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

Section

17. Power of the Minister to override section 16 in case of difficulty or uncertainty.
18. Vesting in the Post Office of rights and liabilities under certain contracts conferring on the Crown incidental rights as to patents, &c.
19. Transfer of assets of the Post Office Fund and general reserve, of certain other moneys, and of certain investments.

Transfer to the Post Office of the Postmaster General's statutory Rights and Liabilities as to Mails and Telegraphs and of Rights and Liabilities, &c., of his under certain Acts authorising the Acquisition of Land or the Execution of Works.

20. Rights and liabilities as to conveyance of mails.
21. Rights and liabilities as to telegraphs.
22. Rights and liabilities, &c., arising out of Acts authorising the acquisition of land or the execution of works.

Exclusive Privilege of the Post Office with respect to the Conveyance, &c., of Letters.

23. Exclusive privilege of the Post Office with respect to the conveyance, &c., of letters.

Exclusive Privilege of the Post Office with respect to Telecommunication.

24. Exclusive privilege of the Post Office with respect to telecommunication.
25. General classes of acts not infringing the telecommunication privilege.
26. Acts relating to broadcasting not infringing the telecommunication privilege.
27. Saving for things done under licence.

Charges and other Terms and Conditions applicable to Service.

28. Schemes for determining charges and other terms and conditions applicable to services.
- Limitation of Liability.*
29. Exclusion of liability of the Post Office, its officers and servants, in relation to posts and telecommunications.
 30. The Post Office to be subject to limited liability in respect of registered inland packets.

Finance.

31. General duty of the Post Office as to finance.
32. General reserve.
33. The Post Office's commencing capital debt.
34. The Post Office to be liable in respect of loans and guarantees under section 8 of the Post Office Act, 1961.
35. The Post Office's borrowing powers.
36. Limitation of indebtedness.
37. Loans by the Minister to the Post Office.
38. Treasury guarantees.
39. Accounts of the Minister with reference to Post Office indebtedness to him.

Banking.

Section

- 40. The Post Office as banker.
- 41. The Post Office's liabilities as banker to be matched by cash and liquid assets.

The Post Office's Accounts, and Audit thereof.

- 42. The Post Office's accounts, and audit thereof.

Pensions and other Benefits.

- 43. Staff pensions.
- 44. The Post Office to pay pensions, &c., referable to the service of certain former civil servants.
- 45. Amendment of sections 12 and 13 of the Superannuation Act, 1965.
- 46. The Post Office to be liable, in certain cases, for part payment of pensions of certain former civil servants.
- 47. Making, by the Minister, in consideration of the Exchequer's being relieved of certain liabilities with respect to pensions, of payments to trustees appointed by the Post Office.
- 48. Amendment of section 6 of the Commonwealth Telegraphs Act, 1949.
- 49. Provisions as to pensions of former employees of Cable and Wireless Limited and certain other persons.
- 50. The Post Office to continue payment of the remaining pension under the Injuries in War (Compensation) Act, 1915.
- 51. Payments to the Post Office out of the National Insurance Fund and the Industrial Injuries Fund.

Rating.

- 52. Rating in England and Wales.
- 53. Rating in Scotland.
- 54. Rating in Northern Ireland.

Lands.

- 55. Compulsory purchase of land in Great Britain.
- 56. Compulsory purchase of land in Northern Ireland.
- 57. Entry, for exploratory purposes, on land in England or Wales.
- 58. Entry, for exploratory purposes, on land in Scotland.
- 59. Entry, for exploratory purposes, on land in Northern Ireland.
- 60. Application, to acquisitions of land by the Post Office by agreement, of certain statutory provisions relating to compulsory purchase.
- 61. Power to sell to the Post Office land belonging to Her Majesty in right of the Duchy of Lancaster.
- 62. Requisitions on title as to Treasury consent to dealings with land precluded.
- 63. Status of land vested in the Post Office by virtue of Part III.

Miscellaneous Matters.

- 64. Inviolability of mails.
- 65. Obligation of secrecy.
- 66. Harbour charges on mail-bags.

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

- 67. Mail-bags not to be subject to control by harbour authorities.
- 68. Abolition of exemptions from tolls.
- 69. Documentary evidence as to sums due for services.

Section

- 70. Provisions as to money and postal orders.
- 71. Recoupment of losses on money orders wrongly paid to bankers.
- 72. Remuneration of the Post Office for services rendered in relation to parliamentary elections.
- 73. Reimbursement by the Post Office of the Minister of contributions to international organisations.
- 74. Taxation of the Post Office's profits and capital gains.
- 75. Records.
- 76. Consequential adaptations of enactments.
- 77. Repair of minor statutory deficiencies.
- 78. Penalization of improper use of telecommunication services.
- 79. Amendment of law as to packets addressed to a poste restante.
- 80. Provision of information to persons holding office under the Crown.
- 81. Modification of enactments relating to wages councils.
- 82. Power of the Minister, pending transfer to the Minister of Transport from county councils of functions connected with issue of vehicle excise licences, to direct the Post Office to issue such licences.
- 83. Repeal of certain provisions of the Telegraph Act, 1868.
- 84. Exemption from postage of certain petitions and addresses, and limitation of amount of postage recoverable in respect of parliamentary proceedings.
- 85. Final accounts under the Post Office Act, 1961.
- 86. Interpretation of Part III.
- 87. Power of Her Majesty in Council to make necessary provision if the Post Office surrenders privileges as regards the Isle of Man or the Channel Islands.

Extent of Part III and related Schedules.

- 88. Extent of Part III and related Schedules.

PART IV.

CONTROL OF PROGRAMME DISTRIBUTION SYSTEMS.

- 89. Licensing of distribution systems.
- 90. Provisions as to licences under section 89.
- 91. Entry and search of premises.
- 92. Orders and regulations.

PART V.

PROVISIONS FOR SECURING THE CONTINUANCE OF THE CARRYING ON, UNDER THE AUSPICES OF A DIRECTOR OF SAVINGS IN PLACE OF THE POSTMASTER GENERAL OF CERTAIN FINANCIAL BUSINESS.

The Director of Savings.

- 93. Appointment, and functions and expenses, &c., of the Director of Savings.

Replacement of the Postmaster General by the Director of Savings for the Purposes of the Post Office Savings Bank Acts, 1954 and 1966, and Provisions consequential thereon.

- 94. The National Savings Bank.

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

95. Application of ordinary deposits.
96. Consequential amendment of section 3 of the Post Office Savings Bank Act, 1966.
- Section
97. Debit to the National Savings Bank Investment Account Fund of expenses of the Director of Savings and contributions in lieu of tax.
98. Annual statement with respect to ordinary deposits and expenses.
99. Adjustment of balances relating to ordinary deposits.
100. Annual accounts with respect to investment deposits.
101. Ultimate liability of the Consolidated Fund for repayment of deposits.
102. Certain sums to be treated as expenses incurred by the Director of Savings.
103. Amendment of section 10(1) of the Post Office Savings Bank Act, 1954.
104. Amendment of section 12(3) of the Post Office Savings Bank Act, 1954.
105. Parliamentary control of regulation-making powers under the Post Office Savings Bank Acts, 1954 and 1966.
106. Selective employment refunds referable to employment in the National Savings Bank.
107. Vesting in the Minister of Public Building and Works of the Postmaster General's interest in certain lands in Hammersmith.

Replacement of the Postmaster General by the Director of Savings for the Purposes of the National Debt Act, 1958 and the National Loans Act, 1968, and Provisions consequential thereon.

108. The stock register kept under Part I of the National Debt Act, 1958.
109. Power of the Treasury to raise money under the auspices of the Director of Savings.
110. Amendment of section 12 of the National Debt Act, 1958.
111. Power to replace lost or destroyed bonds issued by the Postmaster General or the Director of Savings.
112. Amendment of section 35 of the Finance Act, 1961.

Credits to the Post Office in respect of certain capital Expenditure incurred by the Postmaster General in Connection with annuity, savings bank and national debt Functions.

113. Credits to the Post Office in respect of certain capital expenditure incurred by the Postmaster General in connection with annuity, savings bank and national debt functions.

Extent of Part V and Schedule 6.

114. Extent of Part V and Schedule 6.

PART VI.

STAMPS AND STAMP DUTIES.

Stamps.

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

115. Use of postage stamps for revenue purposes.
116. Allowance by Commissioners of Inland Revenue for spoiled postage stamps.
- Section
117. Application of section 9 of the Stamp Act, 1891, and provisions as to proceedings thereunder relating to postage stamps.
118. Application of section 13 of the Stamp Duties Management Act, 1891 to frauds touching postage stamps, and consequential amendment of section 16 of that Act.
119. Power of the Commissioners of Inland Revenue to stamp paper for the Post Office.
120. Validity of existing stamps.
121. Amendment of the Insurance Acts as to stamps for payment of contributions.
122. Power to apply to national savings stamps provisions with respect to revenue and postage stamps.
123. Meaning of “postage” and “postage stamp”.

Stamp Duties.

124. Composition for stamp duty on the Post Office’s money orders.
125. Composition for stamp duty on foreign money orders presented to the Post Office for payment.
126. Postal orders to be exempt from stamp duty.
127. Extension of section 52 of the Finance Act, 1946.
Special Provisions with respect to Northern Ireland.
128. Application of foregoing provisions of Part VI to Northern Ireland.
129. Exemption of Act from stamp duty in Northern Ireland.

PART VII.

MISCELLANEOUS AND GENERAL.

130. Power of the Treasury to dispose of their interest in the shares of Cable and Wireless Limited.
131. Settlement of certain financial matters outstanding on the appointed day.
132. Extension of regulation-making power under section 52(2) of the Government Annuities Act, 1929.
133. Power of managers of certain welfare funds to preserve their scope.
134. Issue by local authorities in Great Britain of dog and game licences. 135.
135. Remuneration of the Post Office for issuing dog and game licences in England and Wales.
136. Expenses.
137. Cesser of obsolete, &c., enactments.
138. Transitional provisions.
139. Application to Northern Ireland.
140. Construction of references to enactments.
141. Repeals.
142. Short title.

Schedule 1 – Incidental provisions with respect to the Post Office and the members thereof.

Schedule 2 – Classes of assets to be held by the Post Office to match its debts to its banking customers.

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

- Schedule 3 – Modifications of Schedules 5 and 6 to the Roads Act (Northern Ireland) 1948 for the purposes of orders made under section 56 of this Act.
- Schedule 4 – Adaptations of enactments and Orders in Council consequential on the assumption by the new authority for the conduct of postal and telegraphic business of functions exercised and performed before the appointed day by the Postmaster General.
- Schedule 5 – Repair of minor deficiencies in certain Acts.
- Schedule 6 – Amendments of Acts consequential on section 94 of this Act.
- Schedule 7 – Settlement of financial matters outstanding on the appointed day.
- Schedule 8 – Obsolete, &c., enactments ceasing to have effect.
- Schedule 9 – General transitional provisions.
- Schedule 10 – Special transitional provisions with respect to patents for inventions and registered designs.
- Schedule 11 – Repeals and revocations.

ELIZABETH II**1969 CHAPTER 48**

An Act to abolish the office of master of the Post Office, distribute the business conducted by the holder thereof amongst authorities constituted for the purpose and make provision consequential on the abolition of that office and the distribution of the business so conducted ; to amend, replace or repeal certain provisions of the enactments relating to posts, telegraphs and savings banks ; to amend the law relating to stamp duty ; and to empower the Treasury to dispose of their interest in the shares of Cable and Wireless Limited.

[25th July, 1969].

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows : -¹⁰

PART I

ABOLITION OF OFFICE OF MASTER OF THE POST OFFICE

ABOLITION OF OFFICE OF MASTER OF THE POST OFFICE

1.-(1) On such day as Her Majesty may by Order in Council appoint for the purposes of this Act (in this Act referred to as the "appointed day"), the office of master of the Post Office shall cease to exist.

(2) The following provisions of this Act shall have effect for the purpose of distributing powers and duties, and rights and liabilities, of the person for the time being holder of the office of master of the Post Office and property used or appropriated for use for, or in connection with, the discharge of that person's functions, and of making other provision whereof the making is for the most part rendered necessary or expedient in consequence of the abolition of the office of master of the Post Office.

PART II

THE MINISTER OF POSTS AND TELECOMMUNICATIONS AND HIS FUNCTIONS

THE MINISTER OF POSTS AND TELECOMMUNICATIONS

2.-(1) It shall be lawful for Her Majesty to appoint (but so that the first appointment made shall not take effect before the appointed day) a Minister of Posts and Telecommunications who shall have –

- (a) such of the functions of the Postmaster General as are transferred to him by, or by virtue of, the following provisions of this Act; and

¹⁰ Deletions and words in brackets indicate adaptations and modifications made by the Postal Services (Jersey) Order, 1969, the Postal Services (Channel Islands Consequential Provisions) Order, 1969 and Section 88 of this Act.

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

(b) such functions as are conferred on him by those provisions.

(2) Schedule 1 to the Ministers of the Crown Act 1964 (provisions as to new Ministers and their departments) shall apply (except as provided in subsection (4) below) to the Minister of Posts and Telecommunications, and references in that Schedule to the Minister and the Ministry shall be construed accordingly.

(3) The offices of Minister of Posts and Telecommunications and of Parliamentary Secretary to the Ministry of Posts and Telecommunications shall be included –

(a) among the ministerial offices referred to in section 2 of the House of Commons Disqualification Act 1957 (maximum number of Ministers in the House of Commons); and

(b) among the offices in respect of which salaries are payable, at the annual rates of £8,500 and £3,750 respectively, under section 1 of the Ministerial Salaries Consolidation Act 1965.

(4) So much of Schedule 1 to the Ministers of the Crown Act 1964 as provides for the defraying of expenses out of moneys provided by Parliament shall not apply to expenses of the Minister of Posts and Telecommunications consisting in the making by him, in exercise of powers conferred by this Act, of a loan.

(5) Schedule 2 to the Parliamentary Commissioner Act 1967 (which specifies departments and authorities subject to investigation under that Act) shall have effect as if, after the reference to the Ministry of Overseas Development, there were inserted a reference to the Ministry of Posts and Telecommunications.

(6) In the following provisions of this Act, “the Minister” means the Minister of Posts and Telecommunications, but anything done before the appointed day by the Postmaster General in exercise of any power or duty conferred or imposed on the Minister by, or by virtue of, the following provisions of this Act shall be as valid and effective for all purposes as if it had been done by the Minister, and anything done before that day to the Postmaster General by any other person in exercise of a power so conferred on him shall be as valid and effective as if it had been done to the Minister.

(7) In consequence of subsection (3) above –

(a) in Schedule 2 to the House of Commons Disqualification Act 1957, immediately before the words “Minister of Power” there shall be inserted the words “Minister of Posts and Telecommunications” and immediately before the words “Parliamentary Secretary to the Ministry of Power” there shall be inserted the words “Parliamentary Secretary to the Ministry of Posts and Telecommunications”; and

(b) in Schedule 1 to the Ministerial Salaries Consolidation Act 1965, immediately before the entry relating to the Ministry of Power there shall be inserted the following entry –

“Minister of Posts and
Telecommunications ... £8,500”,
and immediately before the entry (under the heading
“Parliamentary Secretaries”) relating to the Ministry of
Power there shall be inserted the following entry –

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

“Ministry of Posts and
Telecommunications ... £3,750”.

TRANSFER TO THE MINISTER OF THE POSTMASTER GENERAL’S FUNCTIONS
WITH RESPECT TO WIRELESS TELEGRAPHY, AND PROVISIONS CONSEQUENTIAL
THEREON

3.-(1) The functions which, immediately before the appointed day, are vested in the Postmaster General by virtue of the following provisions, namely, –

- (a) those of the Wireless Telegraphy Act 1949¹¹ which remain in force on and after that day and those of the Wireless Telegraphy Act 1967; and
- (b) those of the Television Act 1964¹³;

shall, on that day, vest in the Minister; and, accordingly, as from that day, –

- (i) references in those provisions to the Postmaster General (except those in section 5 of the Wireless Telegraphy Act 1967), and the first reference to him in section 24(4) of the Merchant Shipping (Safety and Load Line Conventions) Act 1932¹⁴ (report of dangers to navigation) shall be construed as referring to the Minister, and references to the Postmaster General in the said section 5, the second and third references to him in the said section 24(4) and the references to him in section 9(3) of the Defamation Act 1952 (extension to broadcasting of certain defences) and of the Defamation Act (Northern Ireland) 1955 shall be construed as including references to the Minister; and
- (ii) any reference to the Postmaster General in a provision of regulations, rules or a licence under the Wireless Telegraphy Act 1949 or the Wireless Telegraphy Act 1967 which is in force at the beginning of that day shall (unless the context otherwise requires) be construed as referring to the Minister and any reference to an officer of the Post Office in any such provision shall (unless the context otherwise requires) be construed as referring to a person acting under the authority of the Minister.

(2) As from the appointed day, –

- (a) section 2(1) of the Wireless Telegraphy Act 1949¹⁵ (fees and charges for wireless telegraphy licences) shall, subject to the foregoing subsection, have effect as originally enacted, and not as amended by section 16(4) of the Post Office Act 1961 (which dispenses, in certain cases, with the requirement of the consent of the Treasury to the making of regulations under the first-mentioned section);
- (b) Schedule 1 to the Wireless Telegraphy Act 1949¹⁶ (procedure in relation to suspension and revocation of authorities to wireless personnel) shall have effect with the substitution, for paragraph 3 thereof, of the following paragraph: –

“3.-(1) There shall be paid by the Minister of Posts and Telecommunications –

- (a) the expenses, to such extent as he may determine, incurred by an advisory committee under this Schedule; and

¹¹ Tome 1951–1953, page 414.

¹³ Tome 1963–1965, page 225.

¹⁴ Tome VII, page 421.

¹⁵ Tome 1951–1953, page 416.

¹⁶ Tome 1951–1953, page 448.

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

(b) such sums as he may determine in respect of the expenses of the members of the committee.

(2) The approval of the Treasury shall be requisite to a determination under head (a) of the foregoing sub-paragraph and that of the Minister for the Civil Service to a determination under head (b) of that sub-paragraph”.

(3) The Minister shall, as from the appointed day, have power to make, in such cases or classes of cases as the Treasury may determine, refunds of sums paid under section 2(1) of the Wireless Telegraphy Act 1949¹⁷ (fees and charges for wireless telegraphy licences).

(4) A payment made in exercise of the power conferred by the last foregoing subsection shall be defrayed out of sums received under the Wireless Telegraphy Act 1949¹⁸ by the Minister.

(5) The surplus of sums received under the Wireless Telegraphy Act 1949¹⁸ by the Minister over sums paid in exercise of the power conferred by subsection (3) above shall from time to time be paid into the Consolidated Fund of the United Kingdom (hereafter in this Act referred to as the “Consolidated Fund”), and any sums received under section 11(4) of the Wireless Telegraphy Act 1967 by the Minister shall be so paid.

(6) Section 20(3) of the Wireless Telegraphy Act 1949²⁰ (power of Her Majesty in Council to extend that Act to the Isle of Man and the Channel Islands) shall have effect as if the reference to that Act included a reference to the foregoing provisions of this section, and section 36 of the Merchant Shipping (Safety and Load Line Conventions) Act 1932²¹ (application of Part I of that Act to British possessions) shall have effect as if any reference to that Part included a reference to the said provisions.

TRANSFER TO THE MINISTER OF THE POSTMASTER GENERAL’S FUNCTIONS
UNDER SECTION 6 OF THE COMMONWEALTH TELEGRAPHS ACT 1949

4. The functions which are vested in the Postmaster General by virtue of section 6 of the Commonwealth Telegraphs Act 1949 (provisions as to pensions of employees of Cable and Wireless Limited and certain other persons) shall, on the appointed day, vest in the Minister; and, accordingly, as from that day, references in that section to the Postmaster General shall be construed as referring to the Minister.

TRANSFER TO THE MINISTER OF THE POSTMASTER GENERAL’S POWER TO
MAKE ORDERS UNDER THE RECORDED DELIVERY SERVICE ACT 1962

5. The power conferred by subsection (3) of section 1 of the Recorded Delivery Service Act 1962 on the Postmaster General by order to make such amendments of enactments contained in local or private Acts as appear to him to be necessary or expedient in consequence of subsection (1) of that section shall, on the appointed day, vest in the Minister; and, accordingly, as from that day, the reference to the Postmaster General in the said subsection (3) and the reference to him in subsection (4) of that section (which lays on him a duty of consultation before making an order under subsection (3)) shall each be construed as referring to the Minister.

¹⁷ Tome 1951–1953, page 416.

¹⁸ Tome 1951–1953, page 414.

²⁰ See Tome 1951–1953, page 405.

²¹ Tome VII, page 398.

*PART III*²²THE NEW AUTHORITY FOR THE CONDUCT OF POSTAL AND TELEGRAPHIC
BUSINESS*The Post Office*

THE POST OFFICE

6.-(1) There shall be established a public authority, to be called the Post Office, which shall have such powers and duties as are conferred and imposed on it by, or by virtue of, the following provisions of this Act; so, however, that, until the appointed day, the purpose for which its powers are exercised shall be restricted to the preparation for the assumption by it of functions theretofore discharged by the Postmaster General.

(2) The Post Office shall consist of a chairman and, to a number not exceeding twelve nor falling short of –

- (a) three, as regards the period beginning with the day on which this Act is passed and ending with the day immediately preceding the appointed day; and
- (b) six, after the expiration of that period,

of other members, whether part-time or full-time.

(3) The chairman of the Post Office shall be appointed by the Minister, and the other members of the Post Office shall be appointed by the Minister after consultation with the chairman.

(4) Schedule 1 to this Act shall have effect as respects the Post Office and the members thereof.

(5) It is hereby declared that the Post Office is not to be regarded as the servant or agent of the Crown, or as enjoying any status, immunity or privileges of the Crown, or (subject to the express provisions of this Act relating to stamp duty) as exempt from any tax, duty, rate, levy or other charge whatsoever, whether general or local, and that its property is not to be regarded as property of, or property held on behalf of, the Crown.

Powers and Duties of the Post Office

POWERS OF THE POST OFFICE

7.-(1) The Post Office shall have power –

- (a) to provide postal services (including cash on delivery services) and telecommunication services;
- (b) to provide a banking service of the kind commonly known as a giro system and such other services by means of which money may be remitted (whether by means of money orders, postal orders or otherwise) as it thinks fit;
- (c) to provide data processing services; and
- (d) to perform services for Her Majesty's Government in the United Kingdom, Her Majesty's Government in Northern Ireland or the government of a country or

²² See Section 88(1)(a) of this Act.

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

territory outside the United Kingdom or for local or national health service authorities in the United Kingdom.

(2) The Post Office shall have power, for the purpose of securing the effective exercise of any of the powers conferred on it by the foregoing subsection, or in connection with or in consequence of an exercise thereof, to do anything that appears to the Post Office to be requisite, advantageous or convenient for it to do, including in particular (but without prejudice to the generality of the foregoing words) power –

- (a) to construct, manufacture, produce, purchase, take on hire or hire-purchase, install, maintain and repair anything required for the purposes of its business or of the business of a subsidiary of its;
- (b) to construct, manufacture, produce or purchase for supply to others any articles of a kind similar to any so required and to install, maintain, repair and test for others articles of such a kind;
- (c) to provide others with the services of persons employed by it for the purpose of undertaking for them tasks of a kind which, in the course of the provision or performance by it of any service falling within the foregoing subsection, are undertaken by persons so employed;
- (d) to provide, for the benefit of others, consultancy and advisory services concerning anything that it does in exercise of its powers or has power to do and facilities for the training of persons for any purpose connected with anything that it so does or has power to do;
- (e) to enter into and carry out agreements with any person for the carrying on by him, whether as its agent or otherwise, of any of the activities which itself may carry on or for the carrying on jointly by him and it of any of those activities;
- (f) to acquire land which is required by it for, or in connection with, the exercise of its powers or as to which it can reasonably be foreseen that it will be so required;
- (g) to dispose (whether absolutely or for a term of years) of any part of its undertaking or any property which in its opinion is not required by it for or in connection with the exercise of its powers, and, in particular, to dispose of an interest in, or right over, any property which, subject to the interest or right, is retained by it;
- (h) for the purposes of its business, to subscribe for or acquire any securities of an incorporated company or other body corporate, to procure its admission to membership of an incorporated company limited by guarantee and not having a share capital, to promote the formation of an incorporated company or participate in the promotion of such a company or to acquire an undertaking or part of an undertaking;
- (i) to give or lend money to, or give a guarantee for the benefit of, any person with whom it has entered into an agreement by virtue of paragraph (e) above for the purpose of enabling him to carry out the agreement and, for the purposes of its business, to give or lend money to, or give a guarantee for the benefit of, any other person for the purposes of an undertaking carried on by him or, where that person is a body corporate, an undertaking carried on by a subsidiary of its;

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

- (j) to do anything for the purpose of advancing the skill of persons employed by it or that of persons who, though not so employed, are engaging themselves, or have it in contemplation to engage themselves, in work of a kind in the case of which it has or may have a direct or indirect concern in the products thereof;
- (k) to promote (either by prosecuting it itself or by its promoting it by others) research into matters which affect, or arise out of, the carrying on of its business, or other matters which, though not such as aforesaid, are such as to which it appears to it that advantage will or may accrue to it as a consequence of research's being prosecuted into them;
- (l) to promote the doing of such work as is requisite to enable there to be turned to account –
 - (i) the results of research (whether promoted by it or not) into matters affecting, or arising out of, the carrying on of its business;
 - (ii) the results of research promoted by it into other matters;
- (m) to provide assistance (including financial assistance) to any institution or body whose activities (or any of them) are such as, in its opinion, to be of benefit to it;
- (n) to carry for hire or reward passengers in vehicles used by it for the purposes of its business;
- (o) to enter into, and carry out, agreements with persons who carry on business as carriers of goods, for the carriage by it on their behalf of goods consigned to them for carriage by them;
- (p) to provide houses, hostels and other like accommodation for persons engaged in its business;
- (q) to make loans to persons employed by it (including, in particular, loans to assist them to acquire housing accommodation) and to guarantee loans made to persons so employed (including, in particular, loans made by building societies and other bodies for housing purposes);
- (r) to promote recreational activities for, and activities conducing to the welfare of, persons who are, or have been, engaged in its business or have been officers, servants or agents of the Postmaster General and the families of such persons and to assist the promotion by others of such activities;

and may turn its resources to account so far as not required for the purposes of its business.

(3) For the avoidance of doubt, it is hereby declared that the foregoing provisions of this section relate only to the capacity of the Post Office as a statutory corporation, and nothing in those provisions shall be construed as authorising the disregard by it of any enactment or rule of law.

(4) The Post Office shall not be regarded as a common carrier in respect of any of its activities.

(5) The provisions of this section shall not be construed as limiting any power of the Post Office conferred by or under any subsequent provision of this Act.

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

(6) Nothing in this section shall be taken to confine the exercise of the powers thereby conferred on the Post Office to the British Islands.

FURNISHING OF OVERSEAS AID BY THE POST OFFICE

8. The Post Office shall have power –

- (a) to furnish any authority or person outside the United Kingdom with assistance (whether financial, technical or of any other nature) if, in its opinion, the consequences of doing so will enure for its benefit;
- (b) to enter into, and carry out, agreements with the Minister of Overseas Development whereunder it acts, at the expense of that Minister, as the instrument by means whereof technical assistance is furnished by him in exercise of the power conferred on him by section 1(1) of the Overseas Aid Act 1966.

GENERAL DUTY OF THE POST OFFICE²³

9.(1) It shall be the duty of the Post Office (consistently with any directions given to it under the following provisions of this Part of this Act) so to exercise its powers as to meet the social, industrial and commercial needs of the British Islands in regard to matters that are subserved by those powers and, in particular, to provide throughout those Islands (save in so far as the provision thereof is, in its opinion, impracticable or not reasonably practicable) such services for the conveyance of letters and such telephone services as satisfy all reasonable demands for them.

(2) In discharging the duty imposed on it by the foregoing subsection, the Post Office shall have regard –

- (a) to the desirability of improving and developing its operating systems;
- (b) to developments in the field of communications; and
- (c) to efficiency and economy.

(3) Subsection (1) above shall not be taken to preclude the Post Office from interrupting, suspending or restricting, in case of emergency, any service provided by it.

(4) Nothing in this section shall be construed as imposing upon the Post Office, either directly or indirectly, any form of duty or liability enforceable by proceedings before any court.

POWER TO PROMOTE AND OPPOSE BILLS, &C

10. The Post Office may, with the consent of the Minister, promote, and may, without any such consent, oppose, Bills in Parliament, Bills in the Parliament of Northern Ireland and orders under the Private Legislation Procedure (Scotland) Act 1936.

Powers of the Minister of Posts and Telecommunications over the Post Office

GENERAL MINISTERIAL CONTROL AND SUPERVISION OF THE POST OFFICE

²³ See paragraph 1 of the Second Schedule to the Postal Services (Jersey) Order, 1969

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

11.-(1) The Minister may, after consultation with the Post Office, give to it such directions of a general character as to the exercise by it of its powers as appear to the Minister to be requisite in the national interest.

(2) If it appears to the Minister that there is a defect in the general plans or arrangements of the Post Office for exercising any of its powers, he may, after consultation with it, give it directions of a general character for remedying the defect.

(3) Without prejudice to the foregoing provisions of this section, if it appears to the Minister to be requisite or expedient so to do –

- (a) in the interests of national security or relations with the government of a country or territory outside the British Islands; or
- (b) in order –
 - (i) to discharge, or facilitate the discharge of, an obligation binding on Her Majesty's Government in the United Kingdom by virtue of its being a member of an international organisation or a party to an international agreement;
 - (ii) to attain, or facilitate the attainment of, any other object the attainment of which is, in the Minister's opinion, requisite or expedient in view of Her Majesty's Government in the United Kingdom being a member of such an organisation or a party to such an agreement; or
 - (iii) to enable Her Majesty's Government in the United Kingdom to become a member of such an organisation or a party to such an agreement;

he may, after consultation with the Post Office, give to it directions requiring it (according to the circumstances of the case) to secure that a particular thing that it or a subsidiary of its is doing is no longer done or that a particular thing that it has power to do, but is not being done either by it or by a subsidiary of its, is so done.

(4) If it appears to the Minister that the Post Office is showing undue to, or is exercising undue discrimination against, any person or persons of any class or description in the charges or other terms and conditions applicable to services provided by it, being services which, by virtue of the following provisions of this Part of this Act, it has the exclusive privilege of providing, he may, after consultation with the Post Office, give it such directions as appear to him requisite to secure that it ceases so to do.

(5) The Post Office shall comply with directions given to it under any of the foregoing provisions of this section.

(6) The Post Office shall not disclose any directions given to it under any of the foregoing provisions of this section if the Minister notifies it that he is of opinion that it is against the interests of national security to do so.

(7) In the case of a wholly owned subsidiary of the Post Office, it shall so exercise the rights conferred on it by the holding of its interest therein as to secure that no person is appointed to be a director of the subsidiary except after previous consultation with the Minister as to his suitability for appointment.

(8) The Post Office, in carrying out any such work of development as involves substantial outlay on capital account and, if it has subsidiaries, in securing the carrying out by them of any such work, shall act in accordance with a general programme settled from time to time with the approval of the Minister.

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

(9) The Post Office shall furnish the Minister with such returns, accounts and other information with respect to its property and activities, and, if it has subsidiaries, with respect to their property and activities, as he may from time to time require.

(10) Without prejudice to the provisions of the last foregoing subsection, the Post Office shall, as soon as possible after the end of each accounting year, make to the Minister a report on the exercise and performance by it of its functions during that year (which shall include such particulars as the Minister may, after consultation with the Post Office and with the approval of the Treasury, direct with respect to its activities and those of its subsidiaries so far as consisting in the construction, manufacture or production of articles in that year), and the Minister shall lay a copy of every such report before each House of Parliament.

(11) The report made under the last foregoing subsection for any year shall set out any directions given under this section by the Minister to the Post Office during that year, except such (if any) as were the subject of notifications under subsection (6) above.

* * * * *

*The Post Office Users' Councils*THE POST OFFICE USERS' COUNCILS²⁴

14.-(1) There shall be established, in accordance with the provisions of this section, –

- (a) a users' council for the British Islands, to be called "the Post Office Users' National Council"; and
- (b) a users' council for Scotland, to be called "the Post Office Users' Council for Scotland", a users' council for Wales and Monmouthshire, to be called "the Post Office Users' Council for Wales and Monmouthshire" and a users' council for Northern Ireland, to be called "the Post Office Users' Council for Northern Ireland";

and the Post Office Users' National Council is hereafter in this section referred to as "the National Council" and the councils mentioned in paragraph (b) above are so referred to as "Country Councils".

- (2) The National Council shall consist of –
 - (a) a chairman appointed by the Minister;
 - (b) the chairmen of the Country Councils;
 - (c) such other members, not exceeding twenty-six, as the Minister may appoint after consultation with such bodies as appear to him to be representative of the interests of persons likely to be concerned with matters within the competence of the Council;
 - (d) such other members, not exceeding three, as the Minister may appoint without any such consultation;

and, in appointing members in pursuance of paragraph (c) above, the Minister shall have regard to the desirability of having members who are familiar with the special requirements and circumstances of particular parts of the British Islands.

²⁴ See paragraph 2 of the Second Schedule to the Postal Services (Jersey) Order, 1969

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

(3) Each of the Country Councils shall consist of a chairman appointed by the Minister and such other members, not exceeding twenty-four, as the Minister may appoint after consultation with the chairman and such bodies in the part of the United Kingdom for which the Council is to be or is established as appear to him to be representative of the interests of persons likely to be concerned with matters within the competence of the Council.

(4) A person appointed to be a member of a council established under this section shall hold and vacate office in accordance with the terms of his appointment; but, notwithstanding anything in those terms, he may at any time resign his office by notice in writing to the Minister.

(5) A person who has held office as a member of a council established under this section shall be eligible for reappointment.

(6) The Minister and the Post Office may each refer to the National Council, for consideration and report, any matter relating to the services provided by the Post Office.

(7) In the case of each of the Country Councils, the Minister and the Post Office may each refer to it for consideration and report a matter relating to services provided by the Post Office that affects persons in the part of the United Kingdom for which the Council is established (being persons for whom those services are provided), but does not affect others, but neither shall refer to it any other matter.

(8) It shall be the duty of each of the Country Councils –

(a) to consider –

(i) any matter relating to the services provided by the Post Office in the part of the United Kingdom for which the Council is established which is the subject of a representation (other than one appearing to the Council to be frivolous) made to the Council by, or on behalf of, a user in that part of the United Kingdom of those services ; and

(ii) any matter relating to the services so provided in that part of the United Kingdom which appears to the Council to be one to which consideration ought to be given by it notwithstanding that no representation has been made to it with respect to it ;

and, if it is of opinion that action ought to be taken with respect to any such matter, to give to the Minister, the Post Office and the National Council notice of that fact (stating whether or not the matter was the subject of a representation made to the Council) and of the action which the Council thinks ought to be taken ;

(b) to consider any matter which is referred to it under the last foregoing subsection and to report thereon to the Minister and the Post Office.

(9) It shall be the duty of the National Council –

(a) to consider –

(i) any matter relating to the services provided by the Post Office in the British Islands which is the subject of a representation (other than one appearing to the Council to be frivolous) made to the Council by or on behalf of a user of the services so provided in those Islands ; and

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

- (ii) any matter relating to the services so provided in those Islands which appears to the Council to be one to which consideration ought to be given by it notwithstanding that no representation has been made to it with respect to it ;

and, if it is of opinion that action ought to be taken with respect to any such matter, to give to the Minister and the Post Office notice of that fact (stating whether or not the matter was the subject of a representation made to the Council) and of the action which the Council thinks ought to be taken ;

- (b) to consider the subject-matter of a notice given to it in pursuance of subsection (8)(a) above by a Country Council and to transmit to the Minister, the Post Office and that Council its observations thereon ;
- (c) to consider any matter referred to it under subsection (6) above and to report thereon to the Minister and the Post Office.

(10) Where it falls to the National Council to consider a matter that affects persons in a part of the United Kingdom for which one of the Country Councils is established, being persons for whom services are provided by the Post Office, but does not affect persons elsewhere for whom services are so provided, it shall be the duty of the National Council to consult with that Country Council with respect to that matter.

(11) Every council established under this section shall meet when convened by the chairman thereof, but not less frequently than twice a year ; and, without prejudice to the discretion of the chairman to call a meeting whenever he thinks fit, he shall call a meeting when required to do so by any three members of the council.

(12) Minutes shall be kept of the proceedings at each meeting of each of the councils established under this section but, subject to that, each of those councils may determine its own quorum and procedure.

(13) It shall be the duty of each of the Country Councils to comply with a requisition made on it by the National Council for a copy of the minutes of a specified meeting of the Council.

(14) Each of the councils established under this section shall, as respects each accounting year, make to the Minister a report on the exercise and performance by the council of its functions during that year and the Minister shall lay a copy of each such report before each House of Parliament.

(15) Each of the councils established under this section shall be furnished by the Minister with such officers and staff as appear to him to be requisite for the proper discharge of its functions, and with such office accommodation and equipment, and such services, as appear to him to be so requisite.

(16) The Minister may pay such allowances and remuneration to the chairman of the National Council and the officers and staff of any of the councils established under this section as he may determine and such allowances to the members of any of those councils (other than the chairman of the National Council) as he may determine ; and may pay such expenses of any of those councils as he may determine.

(17) The Minister may pay such allowances as he may determine to members of any body recognised by him, after consultation with the National Council, to be assisting the Council to ascertain the opinion of users of services provided by the Post Office in any part of

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

the British Islands, and may pay such expenses of a body so recognised as he may determine ; but he shall not recognise a body to be assisting the National Council to ascertain the opinion of users of services so provided in any part of the United Kingdom for which one of the Country Councils is established except after consultation with that Council.

(18) Notwithstanding section 1(3) of the Post Office Act 1961, any expenses incurred by the Postmaster General in the discharge, by virtue of section 2(6) of this Act, of the duty imposed by subsection (15) above or the exercise, by virtue of the said section 2(6), of the power conferred by subsection (16) or (17) above shall be defrayed out of moneys provided by Parliament, and moneys so provided for the payment by the Postmaster General of those expenses shall be excepted from the operation of section 1(2) of the Post Office Act, 1961.

(19) The approval of the Minister for the Civil Service shall be requisite as regards the number of persons to be furnished under subsection (15) above and to a determination under subsection (16) or (17) above by the Minister relating to allowances or remuneration, and the approval of the Treasury shall be requisite to a determination under either of the last-mentioned subsections by the Minister relating to the expenses of a body.

(20) Part III of Schedule 1 to the House of Commons Disqualification Act 1957 (which specifies offices whereof the holders are disqualified under that Act) shall, in its application to the House of Commons of the United Kingdom, be amended by inserting, at the appropriate point in alphabetical order, the words "Chairman of the Post Office Users' National Council".

DUTY OF THE POST OFFICE TO CONSULT THE POST OFFICE USERS' NATIONAL COUNCIL ABOUT CERTAIN PROPOSALS²⁵

15.-(1) Before the Post Office so puts into effect any major proposals relating to any of its main services as to affect the persons for whom they are provided, it shall be incumbent on it, subject to the next following subsection, to refer the proposals to, and consult thereon with, the Post Office Users' National Council.

(2) The foregoing subsection shall not apply to proposals containing no matter other than such as is requisite to comply with a direction given by the Minister under section 11(3) or (4) or 12 of this Act or matter ancillary to matter such as is so requisite.

(3) Any question arising whether or not any proposals are major proposals or relate to a main service shall be referred to the Minister, whose decision shall be final.

(4) The validity of any action taken by the Post Office shall not be impugned on the ground that it was taken otherwise than in pursuance of proposals that had been the subject of a reference under subsection (1) above, but ought not to have been so taken.

General Provisions as to Transfer to the Post Office of Property, Rights and Liabilities of the Postmaster General

VESTING IN THE POST OFFICE OF PROPERTY, RIGHTS AND LIABILITIES
GENERALLY

16.-(1) On the appointed day, there shall vest by virtue of this section in the Post Office –

- (a) all property which, immediately before that day, is vested in the Postmaster General and held in trust for Her Majesty ;

²⁵ See paragraph 3 of the Second Schedule to the Postal Services (Jersey) Order, 1969 .

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

- (b) all works and apparatus belonging to the Postmaster General to which the enactments relating to telegraphs apply ;
 - (c) the portions of the tube laid by the Pneumatic Despatch Company, Limited, that are vested in the Postmaster General under the Post Office (Pneumatic Tubes Acquisition) Act 1922 ;
 - (d) all estates and interests in land in the Channel Islands which, immediately before that day, are vested in Her Majesty, being estates and interests in land then occupied or used, in whole or in part, by the Postmaster General or (for, or in connection with, the exercise and performance of any of the Postmaster General's functions) by an officer or servant of the Crown ;
 - (e) all property which, immediately before that day, is vested in the Crown and used, or appropriated for use, for, or in connection with, the exercise and performance of any of the Postmaster General's functions (being neither land or property falling within paragraph (b) or (c) above) ;
 - (f) all interests of the Minister of Public Building and Works in the land delineated (and coloured blue) on the plans deposited in connection with the Bill for this Act with that Minister and authenticated by the signature of the Postmaster General (being land in the City of Edinburgh which, though held by that Minister, is occupied by the Postmaster General) ;
 - (g) all rights and liabilities enjoyed by, or incumbent on, the Crown immediately before that day with reference to the functions of the Postmaster General (including, in particular, but without prejudice to the generality of the foregoing words, all rights so enjoyed, and liabilities so incumbent, that subsist by virtue of a contract entered into by the Minister of Public Building and Works on behalf of the Crown for the erection or execution of buildings or works on land in whose case an estate or interest therein vests in the Post Office by virtue of paragraph (a) above, not being land which, immediately before that day, is the subject of an agreement to which the parties are the Postmaster General, the Minister of Public Building and Works and the Post Office for the conveyance, assignment or transfer by the Post Office to that Minister of the estate or interest that so vests).
- (2) The following shall be excepted from the operation of the foregoing subsection, namely, –
- (a) chattels or corporeal moveables used, or appropriated for use, exclusively for, or in connection with, the exercise and performance by the Postmaster General of his functions under the Government Annuities Act 1929, the Post Office Savings Bank Acts 1954 and 1966, the National Debt Act 1958 or the National Loans Act 1968, not being telegraphic apparatus ;
 - (b) records within the meaning of the Public Records Act 1958;
 - (c) copyright (other than copyright in registered designs) ;
 - (d) property for whose vesting in the Post Office or the Minister of Public Building and Works provision is made by the following provisions of this Act ;
 - (e) rights and liabilities for whose vesting in the Post Office provision is so made ;

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

- (f) rights and liabilities enjoyed by, or incumbent on, the Crown referable solely to the exercise and performance by the Postmaster General of his functions under the Wireless Telegraphy Acts 1949 to 1967 (other than rights and liabilities that subsist by virtue of a contract for the supply of chattels or corporeal moveables or by virtue of such a contract to which the Minister of Public Building and Works is a party as falls within subsection (1)(g) above) ;
- (g) rights and liabilities enjoyed by, or incumbent on, the Crown referable solely to the exercise and performance by the Postmaster General of his functions under the Government Annuities Act 1929, the Post Office Savings Bank Acts 1954 and 1966, the National Debt Act 1958 or the National Loans Act 1968 (other than rights and liabilities that subsist by virtue of such a contract to which the Minister of Public Building and Works is a party as falls within subsection (1)(g) above) ;
- (h) rights and liabilities that subsist by virtue of section 46 of the Patents Act 1949 or paragraph 1 of Schedule 1 to the Registered Designs Act 1949 (Crown use of patented inventions and registered designs) ;
- (i) rights and liabilities that subsist by virtue of a contract entered into by the Controller of Her Majesty's Stationery Office on behalf of the Crown ; and
- (j) rights and liabilities that subsist under such a contract entered into on behalf of the Crown as falls within subsection (1) of section 18 of this Act (it being assumed that subsection (2) thereof had been omitted).

POWER OF THE MINISTER TO OVERRIDE SECTION 16 IN CASE OF DIFFICULTY OR UNCERTAINTY

17.-(1) If it appears to the Minister expedient so to do for the purpose of removing any difficulties or uncertainties arising out of the operation of the last foregoing section, he may by order –

- (a) direct that such property (other than land), rights or liabilities as may be specified in the order (being property, rights or liabilities which, apart from the order, would vest in the Post Office by virtue of that section or which have so vested) shall, notwithstanding that section, not so vest or, as the case may be, be deemed not to have so vested ; or
- (b) direct that such property (other than land), rights or liabilities as may be so specified (being property, rights or liabilities which, apart from the order, would not so vest or which have not so vested) shall, notwithstanding that section, so vest on the appointed day or, as the case may be, on such day as may be so specified.

(2) No order shall be made under this section by the Minister with respect to chattels or corporeal moveables after the expiration of the period of twelve months beginning with the appointed day.

(3) Where an order under this section operates to the advantage of the Post Office, the Minister may, with the consent of the Treasury, direct that the debt that will fall, or has fallen, by virtue of the following provisions of this Part of this Act, to be assumed by the Post Office to him shall be increased by a sum specified in the direction (being a sum appearing to him to represent the value of the advantage) ; and where an order under this section operates to the disadvantage of the Post Office, the Minister may, with the like consent, direct that that debt shall be reduced by a sum specified in the direction (being a sum sufficient, in his opinion, to compensate the Post Office for the disadvantage).

**VESTING IN THE POST OFFICE OF RIGHTS AND LIABILITIES UNDER CERTAIN
CONTRACTS CONFERRING ON THE CROWN INCIDENTAL RIGHTS AS TO
PATENTS, &C**

18.-(1) Where a contract entered into on behalf of the Crown by the Postmaster General contains provision conferring on the Crown (otherwise than by reference to the office of master of the Post Office and incidentally only to other matters with which the contract is principally concerned) rights in respect of a patent, invention or registered design, the rights of the Crown subsisting by virtue of the contract (other than such as subsist by virtue of that provision) and the liabilities of the Crown so subsisting (other than such, if any, as relate to payment in respect of an exercise of rights that so subsist) shall, on the appointed day, vest in the Post Office by virtue of this section but the Post Office shall –

- (a) enjoy, concurrently with the Crown and subject to the like liability (if any) as is incumbent on the Crown to make payment in respect of an exercise thereof, the Crown's rights under the contract that so subsist ; and
- (b) be liable to satisfy any unsatisfied liability of the Crown to make payment in respect of an exercise by the Postmaster General, on behalf of the Crown, of those rights.

(2) In so far as a contract provides for the terms upon which use of an invention may be made by virtue of section 46 of the Patents Act 1949 for the manufacture of articles by the department of the Postmaster General or the manufacture and supply to that department of articles by a person authorised by it or provides for the terms upon which use of a registered design may be made by virtue of paragraph 1 of Schedule 1 to the Registered Designs Act 1949 for either of these purposes, it shall be excepted from the operation of the foregoing subsection.

**TRANSFER OF ASSETS OF THE POST OFFICE FUND AND GENERAL RESERVE, OF
CERTAIN OTHER MONEYS, AND OF CERTAIN INVESTMENTS**

19.-(1) On the appointed day, the assets of the Post Office Fund and of the general reserve maintained by the Postmaster General in pursuance of section 7 of the Post Office Act 1961 shall, by virtue of this section, vest in the Post Office, and that fund and that reserve shall cease to exist.

(2) On the appointed day, there shall vest in the Post Office, by virtue of this section, –

- (a) all moneys in the hands of the Postmaster General which, though not forming part of the assets of the Post Office Fund, would, if this Act had not passed, have fallen to be paid by him into that fund ;
- (b) any right of the Postmaster General to repayment of Ways and Means advances made by him under section II (investment powers) of the Post Office Act 1961 ;
- (c) any bills or securities vested in him in consequence of an exercise of the power of investment conferred on him by that section ; and
- (d) any shares acquired by him under Part VII of this Act.

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

Transfer to the Post Office of the Postmaster General's statutory Rights and Liabilities as to Mails and Telegraphs and of Rights and Liabilities, &c., of his under certain Acts authorising the Acquisition of Land or the Execution of Works

RIGHTS AND LIABILITIES AS TO TELEGRAPHS

21.-(1) On the appointed day, the rights and liabilities which, by virtue of the provisions of the Telegraph Acts which are not repealed by this Act, are enjoyed by, and incumbent on, the Postmaster General immediately before that day shall become those of the Post Office, and it shall become subject to the restrictions imposed by those provisions to which the Postmaster General is subject immediately before that day ; and, accordingly, –

- (a) on that day, so much of section 2 of the Telegraph Act 1868 as provides that the term “the company” in the Telegraph Act 1863 shall, in addition to the meaning assigned to it in that Act, mean the Postmaster General shall cease to have effect ; and
- (b) as from that day, references in the said provisions and in section 20 of the Public Utilities Street Works Act 1950 (which extends the powers exercisable under section 21 of the Telegraph Act 1863) to the company and to the Postmaster General (except references in such of those provisions as are expressly dealt with by the following provisions of this Act and except the first two references to the company in section 30 of the Telegraph Act 1863, the first three such references in section 33 of that Act, the ninth reference to the Postmaster General in section 6 of the Telegraph Act 1878, the first reference to him in the Telegraph (Construction) Act 1911 and the first reference to him in the Telegraph (Construction) Act 1916) shall be construed as referring to the Post Office, except so far as the context excludes such a construction, and the excepted references in the said sections 30, 33 and 6 and those in the two last-mentioned Acts shall be construed as including references to the Post Office.

(2) In this section “the Telegraph Acts” means the Telegraph Act 1863, the Telegraph Act 1868, the Telegraph Act 1870, the Telegraph Act 1878, the Telegraph (Isle of Man) Act 1889, the Telegraph Act 1892, the Telegraph (Construction) Act 1908, the Telegraph (Arbitration) Act 1909, the Telegraph (Construction) Act 1911 and the Telegraph (Construction) Act 1916.

RIGHTS AND LIABILITIES, &C., ARISING OUT OF ACTS AUTHORISING THE ACQUISITION OF LAND OR THE EXECUTION OF WORKS

22. *****²⁶

Exclusive Privilege of the Post Office with respect to Telecommunication

EXCLUSIVE PRIVILEGE OF THE POST OFFICE WITH RESPECT TO TELECOMMUNICATION

24.-(1) Subject to the following provisions of this Act, as from the appointed day, the Post Office shall have throughout the British Islands, the exclusive privilege of running systems for the conveyance, through the agency of electric, magnetic, electro-magnetic, electro-chemical or electro-mechanical energy of –

²⁶ See Section 88(1)(a) of this Act.

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

- (a) speech, music and other sounds ;
- (b) visual images ;
- (c) signals serving for the impartation (whether as between persons and persons, things and things or persons and things) of any matter otherwise than in the form of sound or visual images ; and
- (d) signals serving for the actuation or control of machinery or apparatus.

(2) In the case of an infringement, in relation to a system not extending beyond the British Islands, of the privilege conferred by the foregoing subsection, the person running the system (or, if different people run different parts of it, each of them), shall be guilty of an offence and liable, –

- (a) on summary conviction, to a fine not exceeding £400 ;
- (b) on conviction on indictment, to a fine or to imprisonment for a term not exceeding two years, or to both,

and, in the case of an infringement, in relation to a system extending beyond those Islands, of that privilege, the person running the portion of the system within those Islands (or, if different people run different parts of it, each of them) shall be guilty of an offence and similarly liable.

(3) Where a body corporate is guilty of an offence under this section and that offence is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate or any person who was purporting to act in any such capacity, he, as well as the body corporate, shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

In this subsection, the expression “director”, in relation to a body corporate established by or under any enactment for the purpose of carrying on under national ownership any industry or part of an industry or undertaking, being a body corporate whose affairs are managed by its members, means a member of that body corporate.

(4) In any proceedings in respect of an offence under this section consisting in the running of a system in the case of which, at the time of the commission of the offence, different parts were run by different persons, it shall be a defence for the defendant to prove that a part of the system had been included without his knowledge and that, had it not been, the running of the system would not have constituted an infringement of the privilege conferred by subsection (1) above.

**GENERAL CLASSES OF ACTS NOT INFRINGING THE TELECOMMUNICATION
PRIVILEGE**

25.-(1) The privilege conferred by subsection (1) of the last foregoing section is not infringed by –

- (a) the running of a system in the case of which the only agency involved in the conveyance of things thereby conveyed is light and the things thereby conveyed are so conveyed as to be capable of being received or perceived by the eye and without more ;

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

- (b) the running by a person of a system in the case of which all the apparatus comprised therein is situate either –
- (i) on a single set of premises occupied by him ; or
 - (ii) in a vehicle, vessel, aircraft or hovercraft or in two or more vehicles, vessels, aircraft or hovercraft mechanically coupled together ; or
- (c) the running by a single individual of a system in the case of which –
- (i) all the apparatus comprised therein is under his control ; and
 - (ii) everything conveyed by it that falls within paragraphs (a) to (d) of the said subsection (1) is conveyed solely for domestic purposes of his.

(2) In the case of a business carried on by a person, the said privilege is not infringed by the running, for the purposes of that business, of a system with respect to which, –

- (a) in a case in which all the apparatus therein comprised is situate in the British Islands, no person except him or the Post Office is concerned in the control of the apparatus ;
- (b) in any other case, no person except him or the Post Office is concerned in the control of so much of the apparatus as is so situate ;

provided –

- (i) that nothing falling within paragraphs (a) to (d) of subsection (1) of the last foregoing section is conveyed by the system by way of rendering a service to another ;
- (ii) that, in so far as sounds or visual images are conveyed by the system, they are not conveyed for the purpose of their being heard or seen by persons other than the person carrying on that business or any servants of his engaged in the conduct thereof ;
- (iii) that in so far as such signals as are mentioned in paragraph (c) of that subsection are conveyed by the system, they are not conveyed for the purpose of imparting matter otherwise than to the person carrying on that business, any servants of his engaged in the conduct thereof or things used in the course of that business and controlled by him ; and
- (iv) that, in so far as such signals as are mentioned in paragraph (d) of that subsection are conveyed by the system, they are not conveyed for the purpose of actuating or controlling machinery or apparatus used otherwise than in the course of that business.

(3) In the case of a system in the case of which all the apparatus therein comprised is let on hire by the Post Office, the said privilege is not infringed by the running of the system by the person to whom the apparatus is let on hire ; and in the case of a system in the case of which part of the apparatus comprised therein consists of apparatus let on hire by the Post Office to a person, the said privilege is not infringed by the running by him of so much of the system as comprises the last-mentioned apparatus.

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

(4) In this section “business” includes a trade, profession or employment and includes any activity carried on by a body of persons, whether corporate or unincorporated, and “vessel” means a vessel of any description used in navigation.

**ACTS RELATING TO BROADCASTING NOT INFRINGING THE
TELECOMMUNICATION PRIVILEGE**

26.-(1) The privilege conferred by subsection (1) of section 24 of this Act is not infringed by a broadcasting authority by reason only of the transmission by it, by wireless telegraphy, of sounds or visual images from a transmitting station for general reception direct from that station, nor is it infringed by the reception of sounds or visual images transmitted, by wireless telegraphy, from a transmitting station for general reception direct from that station or through the medium of a relay service licensed under the Wireless Telegraphy Act 1949.²⁷

(2) In this section, “broadcasting authority” means a person licensed under the Wireless Telegraphy Act 1949²⁷ to broadcast programmes for general reception and “wireless telegraphy” has the same meaning as in that Act.

SAVING FOR THINGS DONE UNDER LICENCE

27.-(1) A licence may, with the consent of, or in accordance with the terms of a general authority given by, the Minister, be granted by the Post Office, either unconditionally or subject to any conditions specified in the licence, and either irrevocably or subject to revocation as therein specified, for the running of any such system falling within subsection (1) of section 24 of this Act as is specified in the licence ; and nothing done under, and in accordance with, a licence granted under this subsection shall constitute an infringement of the privilege conferred by that subsection.

(2) A licence granted under the foregoing subsection shall, unless previously revoked in accordance with any terms in that behalf contained in the licence, continue in force for such period as may be specified therein.

(3) A licence granted under subsection (1) above may be granted either to all persons, to persons of a class or to a particular person, and may include (without prejudice to the power to impose conditions conferred by that subsection) conditions requiring the rendering to the Post Office of a payment on the grant of the licence or the rendering to it of periodic payments during the currency of the licence, or both.

(4) A payment required by virtue of this section to be rendered to the Post Office may be recovered by it in any court of competent jurisdiction as if it were a simple contract debt.

(5) A licence granted under subsection (1) above (not being one expressed to be granted to a specified person) shall be published in such manner as appears to the Post Office to be appropriate for bringing it to the attention of the persons for whose benefit it will enure, and a licence expressed to be so granted must be in writing.

(6) No person shall be concerned to inquire whether the grant of a licence under subsection (1) above was, or was not, effected with the consent of, or in accordance with the terms of a general authority given by, the Minister ; and the validity of a licence granted under that subsection shall not be impugned on the ground that it was granted neither with the consent of, nor in accordance with the terms of a general authority given by, him.

²⁷ Tome 1951–1953, page 414.

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

(7) In the application of subsection (4) above to Scotland, the words “as if it were a simple contract debt” shall be omitted.

(8) Section 6(1) of this Act shall not operate so as to preclude the grant by the Post Office before the appointed day of licences under subsection (1) above.

(9) For the purposes of a licence granted under subsection (1) above, the definition of a class of persons may be framed by reference to any circumstance whatever.

Charges and other Terms and Conditions applicable to Services

SCHEMES FOR DETERMINING CHARGES AND OTHER TERMS AND CONDITIONS
APPLICABLE TO SERVICES

28.-(1) The Post Office may make, as respects [any of the telecommunication services] provided by it, a scheme for determining either or both of the following, namely, –

- (a) the charges which (save in so far as they are the subject of an agreement between it and a person availing himself of those services) are to be made by it ; and
- (b) the other terms and conditions which (save as aforesaid) are to be applicable to those services ;

but so that no provision be included in any such scheme for limiting liability of the Post Office for loss or damage or for amending the rules of law with respect to evidence.

(2) A scheme made under this section may, as respects the services to which it relates, adopt such system for the determination of the charges or other terms and conditions or (as the case may be) the charges and other terms and conditions that are to be applicable as may appear desirable and, in particular and without prejudice to the generality of the foregoing words, may, in all or any cases, leave the determination thereof to the Post Office subject to such (if any) conditions and limitations as may be provided for in the scheme.

(3) A scheme made under this section may, as respects the services to which it relates, specify the manner in which, time at which and person by whom the charges that are to be applicable are to be paid.

(4) A scheme made under this section may make different provision for different cases or classes of cases determined by, or in accordance with, the provisions of the scheme.

(5) A charge exigible by virtue of this section may be recovered by the Post Office in any court of competent jurisdiction as if it were a simple contract debt.

(6) A scheme made under this section may revoke or amend any previous scheme so made.

(7) A scheme made under this section shall come into operation on such day as is specified therein, not being earlier than the day after that on which publication of the scheme in the London, Edinburgh and Belfast Gazettes has been effected ; and conclusive evidence of a scheme so made may be given, in all courts of justice and in all legal proceedings whatsoever, by the production of a copy of any of those Gazettes purporting to contain it.

(8) In the application of subsection (5) above to Scotland, the words “as if it were a simple contract debt” shall be omitted.

Limitation of Liability

*Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969*EXCLUSION OF LIABILITY OF THE POST OFFICE, ITS OFFICERS AND SERVANTS,
IN RELATION TO POSTS AND TELECOMMUNICATIONS

29.-(1) * * * * * no proceedings in tort shall lie against the Post Office in respect of any loss or damage suffered by any person by reason of –

- (a) anything done or omitted to be done in relation to anything in the post or omission to carry out arrangements for the collection of anything to be conveyed by post ;
- (b) failure to provide, or delay in providing, a telecommunication service, apparatus associated therewith or a service ancillary thereto ;
- (c) failure, interruption, suspension or restriction of a telecommunication service or a service ancillary thereto or delay of, or fault in, communication by means of a telecommunication service; or
- (d) error in, or omission from, a directory for use in connection with a telecommunication service.

(2) No officer or servant of the Post Office or person who, not being such an officer or servant, is a sub-postmaster or telephone exchange attendant shall be subject, except at the suit of the Post Office, to any civil liability for any loss or damage in the case of which liability of the Post Office therefor is excluded by the foregoing subsection.

(3) No person engaged [by or on behalf of the Post Office] in or about the carriage of mail and no officer, servant, agent or sub-contractor of such person shall be subject except at the suit of the Post Office to any civil liability for any loss or damage in the case of which liability of the Post Office therefor is excluded by subsection (1) of this section.

(4) In the application of subsection (1) above to Scotland, the reference to proceedings in tort shall be construed in the same way as in section 43(b) of the Crown Proceedings Act 1947.

* * * * *

Finance

GENERAL DUTY OF THE POST OFFICE AS TO FINANCE

31.-(1) As from the appointed day, it shall be the duty of the Post Office so to exercise its powers as to secure that its revenues are not less than sufficient to meet all charges properly chargeable to revenue account, taking one year with another.

(2) The Post Office shall charge to revenue in every year all charges that are proper to be made to revenue, including, in particular, proper provision for the depreciation of assets and proper allocations to general reserve ; and the reference in the foregoing subsection to charges properly chargeable to revenue account shall be construed accordingly.

GENERAL RESERVE

32.-(1) Without prejudice to its power to establish specific reserves, the Post Office shall establish and maintain a general reserve.

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

(2) The management by the Post Office of its general reserve, the sums to be carried from time to time to the credit thereof, and the application of the moneys comprised therein shall (subject to the following provisions of this section) be as the Post Office may determine.

(3) None of the moneys comprised in the Post Office's general reserve shall be applied otherwise than for the purposes of the Post Office.

(4) The Minister may, with the approval of the Treasury, give to the Post Office directions as to any matter relating to the establishment or management of the Post Office's general reserve or the carrying of sums to the credit thereof or the application of the moneys comprised therein, and the Post Office shall comply with the directions.

THE POST OFFICE'S COMMENCING CAPITAL DEBT

33.-(1) The Post Office shall, on the appointed day, assume a debt due to the Minister whereof the amount shall (subject to the effect of any direction given under section 17 of this Act) be the excess of the aggregate of the following amounts: -

- (a) so much of advances made under section 9 of the Post Office Act 1961 by the Treasury to the Postmaster General as remains outstanding immediately before that day ; and
- (b) so much of the amount referred to in section 13(2) of that Act as remains outstanding immediately before that day ;

over the aggregate of –

- (i) the net book value of all chattels and corporeal moveables which, immediately before the appointed day, are used, or appropriated for use, by the Postmaster General, being chattels and corporeal moveables that do not, by virtue of section 16 of this Act, vest in the Post Office and in the provision of which the Postmaster General has incurred expenditure treated by him as capital expenditure ; and
- (ii) the aggregate of the sums of which, under the following provisions of this Act, the Post Office is entitled to credit for the purposes of this section.

(2) The rate of interest on the said debt and the date from which interest is to begin to accrue, the arrangements for paying off the principal of the said debt, and the other terms of the said debt shall be such as the Minister, with the approval of the Treasury, may from time to time determine ; and different rates and dates may be determined under this subsection with respect to different portions of the said debt.

(3) Any sums received by the Minister by way of interest on, or repayment of, the said debt shall be paid into the National Loans Fund.

(4) In this section "net book value" means, in relation to chattels and corporeal moveables, the value thereof (after deducting depreciation) as shown in the books by reference to which the final statement of accounts under section 12 of the Post Office Act 1961 is prepared.

THE POST OFFICE TO BE LIABLE IN RESPECT OF LOANS AND GUARANTEES
UNDER SECTION 8 OF THE POST OFFICE ACT 1961

34.-(1) As regards so much of any sum lent under section 8(1) of the Post Office Act 1961 by the Bank of England to the Postmaster General as is outstanding immediately before

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

the appointed day, the liability to repay it, and to pay interest thereon, shall on that day be transferred to the Post Office.

(2) If, on or after the appointed day, any sums are issued out of the Consolidated Fund in fulfilment of a guarantee given under the said section 8, the Post Office shall make to the Treasury, at such times and in such manner as the Treasury may from time to time direct, payments, of such amounts as they may so direct, in or towards repayment of the sums and payments of interest on what is outstanding for the time being in respect of the sums at such rate as they may direct.

(3) The last foregoing subsection shall, as from the appointed day, have effect in relation to sums issued as aforesaid before that day that have not been repaid before that day as it has effect in relation to sums so issued on or after that day.

THE POST OFFICE'S BORROWING POWERS

35.-(1) The Post Office may borrow temporarily, by way of overdraft or otherwise, either from the Minister or, with the consent of the Minister and the approval of the Treasury, from any other person, such sums in sterling as it may require for meeting its obligations and performing its functions.

(2) The Post Office may borrow from the Minister (otherwise than by way of temporary loan) such sums in sterling as it may require for all or any of the following purposes, namely, –

- (a) provision of money for meeting any expenses incurred by it in connection with any works the cost of which is properly chargeable to capital account ;
- (b) provision of working capital required by it ;
- (c) subscription for, or acquisition of, securities of an incorporated company or other body corporate, promotion of the formation of an incorporated company or participation in the promotion of such a company or acquisition of an undertaking or part of an undertaking ;
- (d) payment off of any part of the debt assumed by it under section 33 of this Act, repayment of any money borrowed by the Postmaster General the liability to repay which is transferred to it by the last foregoing section, payment of a sum in or towards repayment of a sum issued out of the Consolidated Fund in fulfilment of a guarantee given under section 8 of the Post Office Act 1961 and repayment of money borrowed by it ;
- (e) any other purpose for which capital moneys are properly applicable.

(3) The Post Office, with the consent of the Minister, may, from such person and on such terms as he may, with the approval of the Treasury specify, borrow, in a currency other than sterling, any sum which it has power to borrow in sterling from the Minister.

- (4) References in this section to borrowing by the Post Office do not include –
 - (a) borrowing by it from a body corporate which is its subsidiary ;
 - (b) receiving money in its capacity as the provider of any services or using money received in that capacity.

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

(5) Nothing in this section shall be taken as exempting the Post Office from the provisions of any order under section 1 of the Borrowing (Control and Guarantees) Act 1946 or section 2 of the Loans Guarantee and Borrowing Regulations Act (Northern Ireland) 1946 or from the provisions of the Exchange Control Act 1947.²⁸

(6) This section shall come into operation on the appointed day.

LIMITATION OF INDEBTEDNESS

36.-(1) The Post Office shall not have power to borrow money except in accordance with the last foregoing section.

(2) The aggregate of –

(a) the amount outstanding in respect of the principal of any money borrowed under the last foregoing section by the Post Office ; and

(b) so much as is outstanding of the debt assumed by it by virtue of section 33 of this Act ;

shall not at any time exceed £2,300 million or such greater sum, not exceeding £2,800 million, as the Minister may from time to time by order specify.

(3) An order under the last foregoing subsection shall be made by statutory instrument, and no such order shall be made unless a draft thereof has been approved by a resolution of the Commons House of Parliament.

(4) Subsection (4) of the last foregoing section shall apply for the purposes of this section as it applies for the purposes of that.

LOANS BY THE MINISTER TO THE POST OFFICE

37.-(1) The Minister may, with the approval of the Treasury, lend to the Post Office any sums which it has power to borrow under section 35(1) or (2) of this Act.

(2) Any loans which the Minister makes under this section shall be repaid to him at such times and by such methods, and interest thereon shall be paid to him at such rates and at such times, as he may, with the approval of the Treasury, from time to time direct.

(3) The Treasury may issue out of the National Loans Fund to the Minister such sums as are necessary to enable him to make loans under this section.

(4) Any sums received under subsection (2) above by the Minister shall be paid into the National Loans Fund.

TREASURY GUARANTEES

38.-(1) The Treasury may guarantee, in such manner and on such conditions as they may think fit, the repayment of the principal of, and the payment of interest on, any sums which the Post Office borrows from a person other than the Minister.

(2) Immediately after a guarantee is given under this section, the Treasury shall lay a statement of the guarantee before each House of Parliament ; and where any sum is issued for fulfilling a guarantee so given the Treasury shall, as soon as possible after the end of each financial year, beginning with that in which the sum is issued and ending with that in which all

²⁸ Tome 1946–1948, page 283.

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

liability in respect of the principal of the sum and in respect of interest thereon is finally discharged, lay before each House of Parliament a statement relating to that sum.

(3) Any sums required by the Treasury for fulfilling a guarantee under this section shall be charged on and issued out of the Consolidated Fund.

(4) If any sums are issued in fulfilment of a guarantee given under this section, the Post Office shall make to the Treasury, at such times and in such manner as the Treasury may from time to time direct, payments, of such amounts as the Treasury may so direct, in or towards repayment of the sums so issued and payments of interest on what is outstanding for the time being in respect of sums so issued at such rate as the Treasury may so direct.

(5) Any sums received under the last foregoing subsection by the Treasury shall be paid into the Consolidated Fund.

ACCOUNTS OF THE MINISTER WITH REFERENCE TO POST OFFICE
INDEBTEDNESS TO HIM

39. The Minister shall, as respects each financial year, prepare in such form and manner as the Treasury may direct, an account of sums received by him as mentioned in section 33(3) of this Act, of sums received by him under subsection (2) of section 37 of this Act and of sums issued to him under subsection (3) of that section and of the disposal by him of those sums respectively, and send it to the Comptroller and Auditor General not later than the end of November following the year ; and the Comptroller and Auditor General shall examine, certify and report on the account and lay copies of it, together with his report, before each House of Parliament.

Banking

THE POST OFFICE AS BANKER

40. So far as regards the provision by it, in exercise of the power conferred on it by virtue of section 7(1)(b) of this Act, of a banking service, the Post Office shall be deemed for all purposes to be a bank and a banker and to be carrying on the business of banking and a banking undertaking, but shall not be required to furnish to the Commissioners of Inland Revenue any returns under the provisions of section 21 of the Bank Charter Act 1844 or section 13 of the Bank Notes (Scotland) Act 1845.

THE POST OFFICE'S LIABILITIES AS BANKER TO BE MATCHED BY CASH AND
LIQUID ASSETS

41. So long as the Post Office provides, in exercise of the power conferred on it by virtue of section 7(1)(b) of this Act, a banking service, it shall be its duty to secure that, at every point of time in any period, –

- (a) such proportion of the aggregate of the sums owed at that point of time by it to persons in the capacity of customers of its with reference to that service as has previously been determined, in relation to that period, by it with the approval of the Treasury, is matched by assets of its of one or more of the classes specified in Part I of Schedule 2 to this Act ; and
- (b) the residue of that aggregate is matched by assets of its of one or more of the classes specified in Part II of that Schedule.

The Post Office's Accounts, and Audit thereof

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

THE POST OFFICE'S ACCOUNTS, AND AUDIT THEREOF

42.-(1) The Post Office shall keep proper accounts and other records and shall prepare in respect of each accounting year a statement of accounts in such form as the Minister, with the approval of the Treasury, may direct, being a form which shall conform to the best commercial standards.

(2) The accounts of the Post Office shall be audited by auditors appointed by the Minister after consultation with it, and a person shall not be qualified to be so appointed unless he is a member of one or more of the following bodies –

the Institute of Chartered Accountants in England and Wales ;

the Institute of Chartered Accountants of Scotland ;

the Association of Certified and Corporate Accountants ;

the Institute of Chartered Accountants in Ireland ;

any other body of accountants established in the United Kingdom and for the time being recognised for the purposes of section 161(1)(a) of the Companies Act 1948 by the Board of Trade ;

but a Scottish firm may be so appointed if each of the partners is qualified to be so appointed.

(3) So soon as the accounts of the Post Office have been audited, it shall send to the Minister a copy of the statement thereof together with a copy of any report made by the auditors on the statement, and the Minister shall lay them before each House of Parliament.

Pensions and other Benefits

STAFF PENSIONS

43.-(1) The Post Office shall, in the case of such persons engaged in its business as may be determined by it with the approval of the Minister (not being members of the Post Office), pay such pensions, allowances or gratuities to or in respect of them as may be so determined, make such payments towards the provision of such pensions, allowances or gratuities as may be so determined or provide and maintain such schemes (whether contributory or not) for the payment of such pensions, allowances or gratuities as may be so determined.

(2) Where a participant in such a scheme as aforesaid becomes a member of the Post Office, he may be treated for the purposes of the scheme as if his service as a member of the Post Office were service as a person engaged in its business otherwise than as such a member, and his rights under the scheme shall not be affected by paragraph 4(1)(b) of Schedule 1 to this Act.

THE POST OFFICE TO PAY PENSIONS, &C., REFERABLE TO THE SERVICE OF CERTAIN FORMER CIVIL SERVANTS

44.-(1) Subject to the provisions of this section, the following shall, instead of being paid out of moneys provided by Parliament, be paid by the Post Office, that is to say : -

(a) any sum that falls to be paid in respect of a period beginning on or after the appointed day by way of allowance or pension under the Superannuation Act 1965 referable to the service of a person who –

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

- (i) ceased to be a civil servant before that day ; and
 - (ii) immediately before he so ceased, was employed in the department of the Postmaster General otherwise than wholly in connection with the discharge of the Postmaster General's functions under the following enactments (or any of them), that is to say, the Government Annuities Act 1929, the Post Office Savings Bank Act 1954, the National Debt Act 1958, the Post Office Savings Bank Act 1966 and the National Loans Act 1968 ;
- (b) any additional allowance or gratuity under the Superannuation Act 1965 that falls to be paid on or after the appointed day, being an allowance or gratuity referable to the service of any such person ; and
- (c) any sum that falls to be so paid under that Act to any such person by way of return (with or without interest) of periodical contributions.
- (2) Where, in the case of such a person as aforesaid, the following conditions are satisfied, namely, –
- (a) that, after he ceased to be a civil servant, but before the appointed day, he began to serve in a department other than that of the Postmaster General in an unestablished capacity; and
 - (b) that his service in that department continued after the beginning of the appointed day;

the foregoing subsection shall not apply to so much of any payment by way of a superannuation or additional allowance granted under the Superannuation Act 1965 to him or of a pension granted under that Act in respect of his service (being a pension the annual rate of which is determined by reference to the rate of his superannuation allowance) as is attributable to –

- (i) a completed year of service which begins on or after the appointed day ; or
- (ii) a completed year of service which begins before, and ends after, that day, being a year in the case of which more than one hundred and eighty-two of the days therein comprised fall after the day immediately preceding that day.

AMENDMENT OF SECTIONS 12 AND 13 OF THE SUPERANNUATION ACT 1965

45.-(1) Section 12 of the Superannuation Act 1965 (cessation or reduction of superannuation allowance in re-employment) shall apply in the case of any such person as is therein mentioned who is appointed to fill an office in the Post Office immediately upon his ceasing to serve in the department of the Postmaster General as in the case of a person appointed to fill an office in a public department.

(2) For the purposes of section 13 of the Superannuation Act 1965 (additions to allowances in certain cases of unestablished employment after retirement), service in the Post Office that immediately follows service in the department of the Postmaster General shall be treated as service in the civil service in an unestablished capacity.

THE POST OFFICE TO BE LIABLE, IN CERTAIN CASES, FOR PART PAYMENT OF
PENSIONS OF FORMER CIVIL SERVANTS

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

46. Where, in the case of a person who has ceased to be a civil servant, the following conditions are satisfied, namely, –

- (a) that, immediately before he so ceased, he was employed elsewhere than in the department of the Postmaster General ;
- (b) that, after he so ceased, but before the appointed day, he began to serve in that department in an unestablished capacity and continued to serve therein until the appointed day ; and
- (c) that, on the appointed day, he began a period of service in the Post Office ;

so much of any payment by way of a superannuation or additional allowance granted under the Superannuation Act 1965 to him or of a pension granted under that Act in respect of his service (being a pension the annual rate of which is determined by reference to the rate of his superannuation allowance) as is attributable to –

- (i) a completed year of service which begins on or after the appointed day ; or
- (ii) a completed year of service which begins before, and ends after, that day, being a year in the case of which more than one hundred and eighty-two of the days therein comprised fall after the day immediately preceding that day ;

shall, instead of being paid out of moneys provided by Parliament, be paid by the Post Office.

MAKING, BY THE MINISTER, IN CONSIDERATION OF THE EXCHEQUER'S BEING
RELIEVED OF CERTAIN LIABILITIES WITH RESPECT TO PENSIONS, OF
PAYMENTS TO TRUSTEES APPOINTED BY THE POST OFFICE

47.-(1) In consideration of the fact that, after the beginning of the appointed day, the Exchequer will, by virtue of the foregoing provisions of this Part of this Act, be relieved of liabilities in respect of the provision of pensions, gratuities and other like benefits to, and in respect of, certain persons, the following provisions of this section shall have effect.

(2) It shall be assumed that, on the appointed day, the Minister is the holder of an amount of 2½% Consolidated Stock equal in nominal value to such sum (not being less than £1,000 million nor more than £1,500 million) as he may determine for the purposes of this section (which amount is hereafter in this section referred to as the "assumed amount of stock") ; and trustees appointed by the Post Office for the purposes of this section (hereafter in this section referred to as "the trustees") –

- (a) shall, subject to the following provisions of this section, be entitled to receive from him, in accordance with those provisions, quarterly payments (hereafter in this section referred to as "capital payments") which shall severally be taken to represent the proceeds of assumed sales of portions of the assumed amount of stock and shall continue to be made until, by the operation of this section, the assumed amount of stock has been exhausted, and
- (b) shall also, subject as aforesaid, be entitled to receive from him, in accordance with the said provisions, quarterly payments (hereafter in this section referred to as "interest payments") of which the first shall be taken to represent interest on the assumed amount of stock and each subsequent one shall be taken to represent interest on the residue of the assumed amount of stock remaining on the immediately preceding day on which an interest payment was payable.

(3) Capital and interest payments shall be payable on the same days as those on which dividends are payable in respect of 2½% Consolidated Stock, that is to say, 5th January,

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

5th April, 5th July and 5th October (which days are hereafter in this section referred to as “pay-days”), the first of those payments being payable on the first pay-day following the appointed day.

(4) Subject to the next following subsection, the aggregate of the sums that the trustees are, by virtue of this section, entitled to receive on a pay-day shall be £11,250,000.

(5) Capital payments may be reduced or withheld by the Minister in not more than five financial years (but so that none be reduced or withheld unless, beforehand, the Post Office has been notified by him of the intended reduction or withholding and the reduction or withholding has been approved by resolution of the Commons House of Parliament), subject, however, to this qualification, that if the Minister avails himself of the benefit of this subsection in two successive financial years it shall not be open to him to avail himself of it in the financial year next following.

(6) For the purpose of computing the amount of the first interest payment, it shall be assumed that interest on the assumed amount of stock begins to accrue on the appointed day and accrues from day to day.

(7) Each interest payment subsequent to the first shall be equal to that which would be payable by way of dividend on an actual holding of 2½% Consolidated Stock equal to so much of the assumed amount of stock as was outstanding on the day on which the immediately preceding interest payment was payable.

(8) If, in the case of a pay-day on which a capital payment is payable, the residue of the assumed amount of stock that remained on the immediately preceding pay-day is of an amount such that the proceeds of an assumed sale thereof for the purpose of computing the amount of that payment amount to a sum less than that which, apart from this subsection, the trustees are entitled to receive by way thereof, the requirements of this section shall be deemed to be complied with by the payment by the Minister to the trustees of an amount equal to those proceeds and of the interest payment payable on the first-mentioned pay-day.

(9) For the purposes of this section, an assumed sale of a portion of the assumed amount of stock shall be assumed to take place on the last day before the payment representing the proceeds of the sale is due on which bargains in 2½% Consolidated Stock, other than bargains at special prices, were recorded on the London Stock Exchange, and at a price half way between the highest and lowest prices at which bargains in that stock, other than bargains at special prices, were recorded on that Exchange on that day.

(10) Trustees appointed by the Post Office for the purposes of this section shall hold moneys received by them thereunder, and any sums accruing by reason of the investment by them of any moneys so received, upon such trusts as may be declared by the Post Office for the purposes of this section, being trusts the objects of which consist in the payment, or the making of provision for the payment of, pensions, allowances and gratuities to, and in respect of, persons with respect to whom determinations made under section 43 of this Act are in force and in the reimbursement of the Post Office sums paid under section 44 or 46 of this Act.

(11) Section 6(1) of this Act shall not operate so as to preclude the appointment of trustees or the declaration of trusts by the Post Office for the purposes of this section before the appointed day.

AMENDMENT OF SECTION 6 OF THE COMMONWEALTH TELEGRAPHS ACT 1949

48. Subsection (2) of section 6 of the Commonwealth Telegraphs Act 1949 (which provides for the making of regulations with respect to the payment of pensions to, or in

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

respect of, employees of Cable and Wireless Limited) shall have effect as if, in paragraph (c) and sub-paragraphs (d)(iv), (v) and (vi), references which, by virtue of section 4 of this Act, are to be construed as referring to the Minister included references to the Post Office.

PROVISIONS AS TO PENSIONS OF FORMER EMPLOYEES OF CABLE AND WIRELESS LIMITED AND CERTAIN OTHER PERSONS

49.-(1) The Minister may, by statutory instrument (which shall be subject to annulment in pursuance of a resolution of either House of Parliament) make, with the consent of the Minister for the Civil Service, such regulations with respect to the payment of pensions to, or in respect of, persons who, at the passing of this Act are serving in the department of the Postmaster General, being –

- (a) persons who have pension rights under any of the following schemes, that is to say, the existing pension commonly known as the Cable and Wireless Pension Fund (being a scheme subsisting by virtue of regulations made under section 6 of the Commonwealth Telegraphs Act 1949) and the scheme for the payment of pensions commonly known as the Cable and Wireless Staff Dependants' Fund (being a scheme so subsisting) ; or
- (b) persons, other than as aforesaid, who have been in the employment of Cable and Wireless Limited ;

as appear to him to be requisite for securing that they, and persons claiming in right of them, are not adversely affected in the matter of pension rights by reason only that, in consequence of this Act, they cease to serve in that department.

(2) Subsections (2) to (4), (7) and (8) of the said section 6 shall apply for the purposes of this section as if references to that section and subsection (1) thereof included references to the foregoing subsection, as if, for references to the existing pension schemes (except in subsection (8)), there were substituted references to the schemes mentioned in subsection (1)(a) above, and as if, in subsection (7), for the reference to 1st January 1947 there were substituted a reference to the day on which this Act passes ; and subsection (5) of that section shall, in its application to subsection (2)(a), as applied by this section, have effect as if, for the references to the purposes of any of the existing pension schemes, there were substituted a reference to the purposes of any of the schemes so mentioned.

(3) Regulations under this section may amend or revoke provisions of regulations under the said section 6.

THE POST OFFICE TO CONTINUE PAYMENT OF THE REMAINING PENSIONS UNDER THE INJURIES IN WAR (COMPENSATION) ACT 1915

50. If the sole remaining pension which, on 31st October 1968, is in course of payment under the Injuries in War (Compensation) Act 1915 at the expense of the Postmaster General is still in course of payment immediately before the appointed day, it shall, as from that day, be, by virtue of this section, payable by the Post Office at the annual rate at which it is payable immediately before that day.

PAYMENTS TO THE POST OFFICE OUT OF THE NATIONAL INSURANCE FUND AND THE INDUSTRIAL INJURIES FUND

51.-(1) The Secretary of State, with the consent of the Treasury, may from time to time make to the Post Office, out of the National Insurance Fund, such payments as are necessary to secure that, from year to year, it receives the aggregate of the sums that might, in the estimation of the Government Actuary (after consultation with the Secretary of State and the Post Office), have been paid to members, officers and servants of the Post Office under the

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

National Insurance Act 1965 by way of sickness benefit and maternity benefit consisting in maternity allowance had they not, under agreements entered into by them with the Post Office, undertaken to refrain from claiming those benefits in consideration, while entitled to claim them, of their drawing unabated sick pay.

(2) The Secretary of State, with the consent of the Treasury, may from time to time make to the Post Office, out of the Industrial Injuries Fund, such payments as are necessary to secure that, from year to year, it receives the aggregate of the sums that might, in the estimation of the Government Actuary (after consultation with the Secretary of State and the Post Office) have been paid to members, officers and servants of the Post Office under the National Insurance (Industrial Injuries) Act 1965 by way of injury benefit had they not, under agreements entered into by them with the Post Office, undertaken to refrain from claiming it in consideration, while entitled to claim it, of their drawing unabated sick pay.

- (3) In the application of this section to Northern Ireland –
- (a) for the references to the Secretary of State there shall be substituted references to the Ministry of Health and Social Services for Northern Ireland ;
 - (b) for the references to the Treasury there shall be substituted references to the Ministry of Finance for Northern Ireland ;
 - (c) for the references to the National Insurance Fund and the Industrial Injuries Fund there shall be substituted respectively references to the Northern Ireland National Insurance Fund and the Northern Ireland Industrial Injuries Fund ; and
 - (d) for the references to the National Insurance Act 1965 and the National Insurance (Industrial Injuries) Act 1965 there shall be substituted respectively references to the National Insurance Act (Northern Ireland) 1966 and the National Insurance (Industrial Injuries) Act (Northern Ireland) 1966.

Rating

52.–54. * * * * *

Lands

55.–61. * * * * *

**REQUISITIONS ON TITLE AS TO TREASURY CONSENT TO DEALINGS WITH LAND
PRECLUDED**

62. A person dealing with the Post Office in respect of land shall not be bound or entitled to inquire whether the consent of the Treasury to any previous dealing with the land was requisite or whether, if it was, it was given.

STATUS OF LAND VESTED IN THE POST OFFICE BY VIRTUE OF PART III

63. Land vested in the Post Office by virtue of this Part of this Act shall be deemed for all purposes to have been acquired by it for the purposes of its undertaking.

Miscellaneous Matters

²⁹ Sections deleted refer to ratings in England, Wales, Scotland and Northern Ireland – see Section 88(1)(a) of this Act.

³⁰ Sections deleted refer to compulsory purchase of and entry on land in England, Wales, Scotland and Northern Ireland and to the power to sell to the Post Office land belonging to Her Majesty in right of the Duchy of Lancaster – see Section 88(1)(a) of this Act.

* * * * *

OBLIGATION OF SECRECY

65.-(1) Information obtained by a person in the course of the provision for another, by virtue of this Part of this Act, of data processing services or services connected therewith shall not, without the consent of that other, be disclosed by the first-mentioned person except for the purpose of performing his duties in relation to those services or in such cases as may be required by law.

(2) A person who discloses information in contravention of the foregoing subsection shall be liable –

- (a) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine, or to both;
- (b) on summary conviction, to a fine not exceeding £400.

HARBOUR CHARGES ON MAIL-BAGS

66.-(1) Any statutory provision made with respect to a harbour authority shall, on the appointed day, cease to have effect in so far as it exempts mail-bags or any description thereof from charges.

(2) No charge imposed by a harbour authority in respect of goods brought into, taken out of, or carried through a harbour which, in the exercise and performance of statutory powers and duties, they are engaged in improving, maintaining or managing shall apply to goods contained in –

- (a) mail-bags carried by the Post Office or consigned by it to another for carriage (whether to a foreign administration or not) or by a foreign administration to it for carriage; or
- (b) mail-bags consigned by one foreign administration to another, being mail-bags which, when in the United Kingdom, are in the charge of the Post Office.

(3) Charges in respect of mail-bags and their contents exigible by a harbour authority at a harbour which, in the exercise and performance of statutory powers and duties, they are engaged in improving, maintaining or managing (being mail-bags carried or consigned as aforesaid) shall, notwithstanding anything in any statutory provision made with respect to the authority, not be payable before the expiration of the period of eight weeks beginning with the day on which the bags are brought within the limits of the harbour, and shall be recoverable by means of proceedings instituted in that behalf in any court of competent jurisdiction to the exclusion of any other means.

(4) In this section, except in its application to Northern Ireland or the Isle of Man, references to a harbour which, in the exercise and performance of statutory powers and duties, a harbour authority are engaged in improving, maintaining or managing shall be construed in like manner as if they were contained in the Harbours Act 1964.

(5) In the application of this section to Northern Ireland, references to a harbour which, in the exercise and performance of statutory powers and duties, a harbour authority are engaged in improving, maintaining or managing shall be construed as references to a harbour which is being improved, maintained or managed by such an authority in the exercise of powers conferred by a statutory provision, in the performance of duties imposed by a statutory provision or in the exercise and performance of powers conferred and duties imposed by a statutory provision.

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

(6) In the application of this section to the Isle of Man, references to a harbour which, in the exercise and performance of statutory powers and duties, a harbour authority are engaged in improving, maintaining or managing shall be construed as referring to a harbour vested in the Isle of Man Harbour Board.

MAIL-BAGS NOT TO BE SUBJECT TO CONTROL BY HARBOUR AUTHORITIES

67. Nothing in a statutory provision made (whether before or after this Act) with respect to a harbour authority shall extend to regulate or subject to control –

- (a) mail-bags carried by the Post Office or consigned by it to another for carriage (whether to a foreign administration or not) or by a foreign administration to it for carriage; or
- (b) mail-bags consigned by one foreign administration to another, being mail-bags which, when in the United Kingdom, are in the charge of the Post Office.

ABOLITION OF EXEMPTIONS FROM TOLLS³¹

68. On the appointed day, the following shall cease to have effect, namely, –

- (a) section 77 of the Post Office Act 1953 (exemption from toll); and
- (b) any other statutory provision, in so far as (apart from this section) it would operate to exempt from a toll a person engaged in the business of the Post Office or an animal or vehicle used for the purposes of that business, or a mail-bag (within the meaning of the Post Office Act 1953) or person in charge thereof.

DOCUMENTARY EVIDENCE AS TO SUMS DUE FOR SERVICES³²

69.-(1) A certificate of the Post Office that a specified sum is due to it from a specified person under provisions of a scheme made under section 28 of this Act with respect to telecommunication services shall, in any proceedings instituted by it against him or his personal representatives or against it by him or his personal representatives, be evidence (and, in Scotland, sufficient evidence) of that fact.

(2) A certificate of the Post Office that a specified sum is due to it from a specified person under an agreement with respect to telecommunication services provided by it shall (subject to any term of the agreement to the contrary), in any proceedings instituted by it against him or his personal representatives or against it by him or his personal representatives, be evidence (and, in Scotland, sufficient evidence) of that fact.

(3) In any proceedings instituted by or against the Post Office to which the rate at which a charge was levied at any time, in respect of a service, by an authority outside the British Islands is material, a certificate of the Post Office that the charge was levied at that rate at that time in respect of that service by that authority shall be conclusive evidence of that fact.

PROVISIONS AS TO MONEY AND POSTAL ORDERS³³

70.-(1) Where, in the British Islands, a money or postal order issued by the Post Office is presented for payment by a banker to whom it has been delivered for collection, payment of it to him discharges it.

³¹ See Article 7 of the Postal Services (Jersey) Order, 1969.

³² See Article 6 of the Postal Services (Channel Islands Consequential Provisions) Order, 1969.

³³ See Article 7 of the Postal Services (Channel Islands Consequential Provisions) Order, 1969.

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

- (2) Where, in the British Islands, –
- (a) an uncrossed money or postal order issued by the Post Office, being an order expressed to be payable to a person specified or described therein and being, or purporting to be, signed by him or on his behalf; or
- (b) an uncrossed postal order so issued, being an order not expressed to be payable to such a person;

is presented for payment otherwise than by a banker to whom it has been delivered for collection, payment of the order to the person by whom it is presented discharges it.

(3) A money or postal order issued by the Post Office is discharged by the payment thereof outside the British Islands in accordance with arrangements in that behalf made by the Post Office.

(4) Where a money or postal order issued by a foreign administration is paid by the Post Office to a banker to whom it has been delivered for collection on behalf of a person other than the true owner of the order, the Post Office shall not be liable to the true owner of the order by reason of having paid it to that banker.

- (5) Where –
- (a) an uncrossed money or postal order issued by a foreign administration, being an order expressed to be payable to a person specified or described therein and purporting to be signed by him or on his behalf; or
- (b) an uncrossed postal order so issued, being an order not expressed to be payable to such a person;

is presented to the Post Office for payment otherwise than by a banker to whom it has been delivered for collection or the true owner of the order, payment of the order by the Post Office to the person presenting it shall not render the Post Office liable to the true owner of the order.

(6) No proceedings shall lie against the Post Office for loss or damage due to refusal by it to pay, or delay by it in paying, a money or postal order issued by it or a foreign administration.

(7) A scheme made under section 28 of this Act may provide that a money or postal order issued by the Post Office or a foreign administration will not, after the expiration of a specified period, be paid by the Post Office except on satisfaction of specified conditions.

(8) References in this section (except that in subsection (3)) to a money order issued by the Post Office shall be construed as including references to an order issued by it in pursuance of such an arrangement as is mentioned in section 24 of the Post Office Act 1953 (arrangements with other countries as to transmission of small sums through post offices), being an order which is for the payment of money in the British Islands and corresponds to a money order issued by the Post Office.

RECOUPMENT OF LOSSES ON MONEY ORDERS WRONGLY PAID TO BANKERS³⁴

71.-(1) Where, after payment by the Post Office to a banker to whom it has been delivered for collection of a money order issued by the Post Office or a foreign administration, it is found that it ought not to have been paid, the sum paid may be deducted from sums

³⁴ See Article 7 of the Postal Services (Channel Islands Consequential Provisions) Order, 1969.

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

subsequently falling to be paid by the Post Office to that banker by way of payment of money orders so issued that have been delivered to him for collection.

(2) References in this section to a money order issued by the Post Office shall be construed as including references to an order issued by it in pursuance of such an arrangement as is mentioned in section 24 of the Post Office Act 1953, being an order which is for the payment of money in the British Islands and corresponds to a money order issued by the Post Office.

REMUNERATION OF THE POST OFFICE FOR SERVICES RENDERED IN RELATION TO PARLIAMENTARY ELECTIONS

72.-(1) In the case of a postal or telegraphic service rendered by the Post Office in pursuance of the Representation of the People Act 1949 without charge, the Post Office shall be entitled to be remunerated for having rendered it at the rate for the time being fixed in relation thereto by virtue of section 28 of this Act.

(2) A sum which, by virtue of the foregoing subsection, the Post Office is entitled to receive shall be charged on, and issued out of, the Consolidated Fund.

* * * * *

TAXATION OF THE POST OFFICE'S PROFITS AND CAPITAL GAINS

74.-(1) In the case of the Post Office, section 61 of the Finance Act 1965 (company reconstructions without change of ownership) shall, as from the appointed day, apply, so far as applicable, as if the Postmaster General had been a company and the condition mentioned in subsection (1)(a) were satisfied.

(2) Part III of the Finance Act 1965 (capital gains) shall apply in relation to a disposal by the Post Office of an asset acquired by virtue of this Part of this Act as if the acquisition or provision of the asset by the Crown had been the acquisition or provision of it by the Post Office.

RECORDS

75.-(1) The Public Records Act 1958 shall, as from the appointed day, have effect as if the Post Office were included amongst the bodies and establishments set out in Part II of the Table at the end of paragraph 3 of Schedule 1 to that Act.

(2) The Minister shall have power by order to vest in the Post Office the property in such records of the department of the Postmaster General as may be specified in or described by the order, and to give to the Post Office, with respect to records in the case of which the property therein has been vested in the Post Office by an order under this subsection, such directions as he thinks fit for securing that they are available to the Crown for inspection and copying.

CONSEQUENTIAL ADAPTATIONS OF ENACTMENTS³⁵

76. The provisions of Schedule 4 to this Act shall have effect for adapting the provisions of the enactments and Orders in Council therein mentioned in consequence of the assumption by the Post Office of functions which, before the appointed day, are exercised and performed by the Postmaster General.

³⁵ See Section 88(2) of this Act.

*Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969*REPAIR OF MINOR STATUTORY DEFICIENCIES³⁶

77. The provisions of Schedule 5 of this Act shall have effect for repairing minor deficiencies in the Telegraph Act 1863, the Telegraph Act 1868, the Post Office (Protection) Act 1884 and the Post Office Act 1953.

PENALIZATION OF IMPROPER USE OF TELECOMMUNICATION SERVICES

78. A person who –

- (a) sends, by means of a public telecommunication service, a message or other matter that is grossly offensive or of an indecent, obscene or menacing character ; or
- (b) for the purpose of causing annoyance, inconvenience or needless anxiety to another, sends by those means a message that he knows to be false or persistently makes use for that purpose of public telecommunication services ;

shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding £50.

* * * * *

PROVISION OF INFORMATION TO PERSONS HOLDING OFFICE UNDER THE CROWN³⁷

80. A requirement to do what is necessary to inform designated persons holding office under the Crown concerning matters and things transmitted or in course of transmission by means of postal or telecommunication services * * * * * may be [laid on an officer of the Jersey Post Office by Her Majesty's Attorney General for Jersey for the like purposes] as, at the passing of this Act, a requirement may be laid on the Postmaster General to do what is necessary to inform such persons concerning matters and things transmitted or in course of transmission by means of such services provided by him.

MODIFICATION OF ENACTMENTS RELATING TO WAGES COUNCILS

81.(1) There shall be excluded from the workers in relation to whom the Road Haulage Wages Council and any wages council established under Part I of the Wages Councils Act 1959 may operate any persons employed by the Post Office on road haulage work within the meaning of the Road Haulage Wages Act 1938 ; and there shall be excluded from the workers in relation to whom the Road Haulage Wages Council (Northern Ireland) and any wages council established under the Wages Councils Act (Northern Ireland) 1945 may operate any persons employed by the Post Office on road haulage work within the meaning of paragraph 1 of the Schedule to the Road Haulage Wages Council (Northern Ireland) (Variation) Order 1952.

(2) Part II of the Road Haulage Wages Act 1938 (provisions with respect to the remuneration of workers employed by private carriers in connection with the mechanical transport of goods by road) shall not apply to work done by a person employed by the Post Office.

(3) For the purposes of any wages regulation order in force under Part II of the Wages Councils Act 1959 on the appointed day, vehicles which are being used by the Post Office by persons employed by it, being vehicles which are specified in licences, shall be deemed to be vehicles not specified in any licence, and so much of section 94(10) of the

³⁶ See Section 88(4) of this Act.

³⁷ See paragraph 6 of the Second Schedule to the Postal Services (Jersey) Order, 1969.

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

Transport Act 1968 as requires vehicles not specified in an A licence or a B licence to be treated as so specified if used wholly or mainly for a purpose for which, but for section 93 of that Act, an A licence or a B licence would be required shall not apply to vehicles that are being used by the Post Office by persons employed by it.

**POWER OF THE MINISTER, PENDING TRANSFER TO THE MINISTER OF
TRANSPORT FROM COUNTY COUNCILS OF FUNCTIONS CONNECTED WITH ISSUE
OF VEHICLE EXCISE LICENCES, TO DIRECT THE POST OFFICE TO ISSUE SUCH
LICENCES**

82.-(1) The Minister may, at the request of a county council and after consultation with the Post Office, give to the Post Office a direction that, during such period as may be specified in the direction (which shall not begin before the appointed day nor end after the day immediately preceding the transfer date), it shall, in normal business hours, issue on behalf of the council licences under the Vehicles (Excise) Act 1962.

(2) Subsections (4), (5) and (6) of section 12 of this Act shall apply for the purposes of the foregoing subsection as if any reference in those subsections to subsection (2) of that section included a reference to the foregoing subsection.

(3) In consideration of its complying with a direction given under this section with reference to a county council, the Post Office shall be entitled to receive payment from that council (of an amount to be determined, in the event of a dispute's arising as to the amount thereof, by the Minister).

(4) In this section the expression "county council" shall be construed in like manner as if it were contained in the Vehicles (Excise) Act 1962 and "the transfer date" means the date which, by virtue of subsection (2) of section 1 of the Vehicle and Driving Licences Act 1969, is appointed by the Minister of Transport for the purposes of subsection (1) of that section.

REPEAL OF CERTAIN PROVISIONS OF THE TELEGRAPH ACT 1868

83. The following provisions of the Telegraph Act 1868 shall cease to have effect on the appointed day, namely, –

- (a) section 9(6)(g) (the effect of which is to require the transmission, free of charge, of business telegrams sent by the successors to certain railway undertakers) ;
- (b) section 9(7) (the effect of which is to enable the said successors to be required to transmit the telegrams of others by means of lines controlled by them) ;
- (c) section 9(8) (the effect of which, as read with section 5 of the Telegraph Act 1869, is to enable the said successors to work, without infringement of the exclusive privilege conferred by section 4 of that Act, telegraphs erected under arrangements made by them with certain traders) ; and
- (d) section 12 (the effect of which is to subject part of the British Waterways Board's canal system to a way-leave for telegraphs and to require the transmission, free of charge, of certain telegrams sent by that Board).

* * * * *

FINAL ACCOUNTS UNDER THE POST OFFICE ACT 1961

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

85.-(1) The following provisions shall have effect in relation to the financial year ending 31st March next before the appointed day : -

- (a) the duties imposed by section 12 of the Post Office Act 1961 on the Postmaster General to prepare, in respect of each financial year, a statement of accounts and a report on the business of the Post Office, shall, if not discharged by him before the appointed day, be discharged instead by the Post Office ;
- (b) the duty imposed by that section on him to lay before Parliament copies of that report having annexed thereto copies of the statement of accounts and of the Comptroller and Auditor General's report thereon shall, if not discharged by the Postmaster General before the appointed day, be discharged instead by the Minister ;
- (c) the statement of accounts in respect of that year and the copy of the Comptroller and Auditor General's report thereon shall, if not returned by him to the Postmaster General before the appointed day, be returned to the Post Office ; and
- (d) the Post Office shall transmit to the Minister copies of any document prepared by, or returned to, it in pursuance of this subsection.

(2) If the appointed day is other than a 1st April, the said section 12 and the last foregoing subsection shall have effect in relation to the period beginning with the immediately preceding 1st April and ending with the day immediately preceding the appointed day as they apply with respect to the financial year mentioned in that subsection, subject, however, -

- (a) in the case of that section, to the modification that anything required to be done before the end of a specified month shall be done as soon as possible ; and
- (b) in the case of that subsection, to the omission of any such words as render conditional a duty thereby imposed.

INTERPRETATION OF PART III

86.-(1) In this Part of this Act, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say : -

“accounting year” means the period beginning with the appointed day and ending with 31st March next following or any subsequent period of twelve months beginning with the end of a previous accounting year ;

“banker” includes a body of persons, whether incorporated or not, who carry on the business of banking ;

“the British Islands” means the United Kingdom, the Isle of Man and the Channel Islands ;

“cash on delivery service” means a service whereby the Post Office or a foreign administration collects or secures the collection of a sum of money on the delivery of anything consigned for conveyance by post and remits it to the sender thereof ;

“foreign administration” means a postal administration other than the Post Office ;

“harbour”, except in relation to Northern Ireland or the Isle of Man, has the same meaning as in the Harbours Act 1964, in relation to Northern Ireland, means any harbour, whether natural or artificial, and any port, haven or estuary, and includes a dock and a wharf, quay, pier, jetty or other place at which seagoing ships (including

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

hovercraft) can ship or unship goods or embark or disembark passengers and, in relation to the Isle of Man, has the meaning assigned to it by section 1 of the Harbours (Isle of Man) Act 1961 (of Tynwald) ;

“harbour authority”, except in relation to Northern Ireland or the Isle of Man, has the same meaning as in the Harbours Act 1964, in relation to Northern Ireland, means any person in whom are vested, by any statutory provision, the powers of improving, maintaining or managing a harbour and, in relation to the Isle of Man, means the Isle of Man Harbour Board ;

“hovercraft” has the same meaning as in the Hovercraft Act 1968 ;

“land” includes any interest in land and any right over land ;

“local authority”, –

- (a) in relation to England and Wales, means the council of a county, county borough or county district, the Greater London Council, the council of a London borough or the Common Council of the City of London ;
- (b) in relation to Scotland, means a county council or a town council ;
- (c) in relation to Northern Ireland, means the council of a county, county borough or county district or a joint board constituted under the Public Health Acts (Northern Ireland) 1878 to 1966 or section 7(1) of the Water Supplies and Sewerage Act (Northern Ireland) 1945 ;

“mail-bag” includes any container in which articles are enclosed by the Post Office or a foreign administration for the purpose of the conveyance thereof by post ;

“national health service authority” –

- (a) in relation to England and Wales, means a regional hospital board, board of governors of a teaching hospital or hospital management committee established under Part II of the National Health Service Act 1946 or an executive council established under section 31 of that Act ;
- (b) in relation to Scotland, means a regional hospital board or board of management established under Part II of the National Health Service (Scotland) Act 1947 or an executive council established under section 32 of that Act ;
- (c) in relation to Northern Ireland, means the Northern Ireland General Health Services Board, the Northern Ireland Hospitals Authority, a hospital management committee established under Part III of the Health Services Act (Northern Ireland) 1948 or a special care management committee established under Part I of the Mental Health Act (Northern Ireland) 1961 ;

“statutory provision”, except in relation to Northern Ireland or the Isle of Man, has the same meaning as in section 57(1) of the Harbours Act 1964, in relation to Northern Ireland, has the same meaning as in section (1) of the Interpretation Act (Northern Ireland) 1954 and, in relation to the Isle of Man, means an Act of Tynwald.

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

(2) Any reference in this Part of this Act to a subsidiary shall be construed in accordance with section 154 of the Companies Act 1948 and any reference therein to a wholly owned subsidiary shall be construed in accordance with section 150(4) of that Act.

(3) Any reference in this Part of this Act to data processing shall be construed as including a reference to the storage and retrieval of information.

(4) Nothing in this Part of this Act shall be taken to restrict the construction of references to the Post Office's business so as to exclude the performance of services which, by virtue of section 7(1)(d) of this Act, it has power to perform.

POWER OF HER MAJESTY IN COUNCIL TO MAKE NECESSARY PROVISION IF THE
POST OFFICE SURRENDERS PRIVILEGES AS REGARDS THE ISLE OF MAN OR THE
CHANNEL ISLANDS

87.-(1) In the event of the conclusion of any such agreement as follows, namely, –

- (a) an agreement between the Minister and the Government of the Isle of Man providing for either or both of the following, namely, –
 - (i) the surrender by the Post Office, as regards that Isle, of the privilege conferred on the Post Office by section 3 of the Post Office Act 1953 and the administration in that Isle of postal services by, or under the authority of, that government instead of by the Post Office ;
 - (ii) the surrender by the Post Office, as regards that Isle, of the privilege conferred on the Post Office by section 24 of this Act and the administration in that Isle of telecommunication services by, or under the authority of, that government instead of by the Post Office ;
- (b) an agreement between the Minister and the States of Jersey providing for either or both of the following, namely, –
 - (i) the surrender by the Post Office, as regards the Bailiwick of Jersey, of the privilege conferred on the Post Office by the said section 3 and the administration in that Bailiwick of postal services by, or under the authority of, the States instead of by the Post Office;
 - (ii) the surrender by the Post Office, as regards that Bailiwick, of the privileges conferred on the Post Office by the said section 24 and the administration in that Bailiwick by, or under the authority of, the States instead of by the Post Office of such telecommunication services as are being administered there by the Post Office; or
- (c) an agreement between the Minister and the States of Guernsey providing for either or both of the following, namely, –
 - (i) the surrender by the Post Office, as regards the Bailiwick of Guernsey, of the privilege conferred on the Post Office by the said section 3 and the administration in that Bailiwick of postal services by, or under the authority of, the States instead of by the Post Office;
 - (ii) the surrender by the Post Office, as regards that Bailiwick, of the privilege conferred on the Post Office by the said section 24 and the administration in that Bailiwick by, or under the authority of, the States instead of by the Post Office of such telecommunication services as are being administered there by the Post Office;

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

Her Majesty may by Order in Council make such provision as it appears to Her requisite or expedient to make in order to enable effect to be given to the agreement or in consequence of the conclusion thereof, including in particular, provision for the amendment or repeal of enactments (including enactments contained in this Act) or other instruments.

(2) The power conferred by the foregoing subsection on Her Majesty to make an Order in Council shall include power, exercisable in like manner, to vary or revoke an Order in Council made in exercise of that power.

EXTENT OF PART III AND RELATED SCHEDULES

88.-(1) The following shall extend to the Isle of Man and the Channel Islands, namely, –

(a) this Part of this Act, except sections 76 and 77 and any provision which, by its terms, is limited in its operation to a part of the United Kingdom; and

(b) Schedules 1 and 2 to this Act.

(2) Section 76 of, and Schedule 4 to, this Act shall –

(a) in their application to an enactment that is expressed (either in the Act containing it or in another Act, and either directly or indirectly) to extend to the Isle of Man, extend to that Isle; and

(b) in their application to an enactment that is so expressed to extend to the Channel Islands, extend to those Islands.

(3) Section 67(1) of the Civil Aviation Act 1949 (power of Her Majesty in Council by Order to direct that any of the provisions of that Act shall extend to any of the Channel Islands and to the Isle of Man) shall have effect as if the reference to any of the provisions of that Act included a reference to section 76 of, and Schedule 4 to, this Act so far as relating to that Act.

(4) Section 77 of, and Schedule 5 to, this Act –

(a) shall, except so far as relating to the Post Office (Protection) Act 1884, extend to the Isle of Man; and

(b) shall, except so far as relating to that Act and the Telegraph Act 1863, extend to the Channel Islands.

(5) Subsections (1), (2) and (4) above shall have effect subject to the provisions of any Order in Council made under the last foregoing section.

(6) Sections 24(2) and 65(2) of this Act shall, in their application to the Isle of Man, have effect with the substitution, for the references to indictment, of references to information.

PART IV

CONTROL OF PROGRAMME DISTRIBUTION SYSTEMS

LICENSING OF DISTRIBUTION SYSTEMS

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

89.-(1) Subject to the provisions of this section and to any exceptions for which provision may be made by order of the Minister, it shall not, as from the appointed day, be lawful, except under, and in accordance with, a written licence in that behalf granted by him, for a system to be run for –

- (a) the distribution in the United Kingdom, through the agency of energy of any of the kinds specified in subsection (2) below, of a programme of matter serving, by means of sounds or visual images (or both), to inform persons of anything or to educate or entertain them; or
- (b) the conveyance, through the agency of energy of any of the said kinds, of any such programme as aforesaid to a place in the United Kingdom to which members of the public have access (whether on payment or not), for the purpose of its being presented there to members of the public.

(2) The said kinds of energy are electric, magnetic, electromagnetic, electro-chemical and electro-mechanical.

(3) In the event of a contravention of this section in relation to a system, the person running it (or, if different parts of it are run by different persons, each of them) shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding £400.

(4) This section shall not apply to the Post Office, the British Broadcasting Corporation or the Independent Television Authority.

(5) Where a body corporate is guilty of an offence under this section and that offence is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate or any person who was purporting to act in any such capacity, he, as well as the body corporate, shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

In this section, the expression “director”, in relation to a body corporate established by or under an enactment for the purpose of carrying on under national ownership an industry or part of an industry or undertaking, being a body corporate whose affairs are managed by the members thereof, means a member of that body corporate.

(6) Without prejudice to subsection (3) of this section, compliance with subsection (1) thereof shall be enforceable by civil proceedings by the Crown for an injunction or for any other appropriate relief.

(7) The prohibition imposed by this section shall not extend to the doing of anything by the sole means of apparatus for wireless telegraphy (within the meaning of the Wireless Telegraphy Act 1949).

(8) In the application of subsection (6) above to Scotland, for the words “civil proceedings by the Crown for an injunction”, there shall be substituted the words “civil proceedings by the Lord Advocate for an interdict”.

PROVISIONS AS TO LICENCES UNDER SECTION 89

90.-(1) A licence granted under the last foregoing section may be issued subject to such terms, provisions and limitations as the Minister may think fit.

(2) A licence so granted shall, unless previously revoked by the Minister, continue in force for such period as may be specified in the licence.

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

(3) A licence so granted may be revoked, or the terms, provisions or limitations thereof varied, by a notice in writing of the Minister served on the holder of the licence or by a general notice applicable to licences of the class to which the licence in question belongs published in such manner as may be specified in the licence.

(4) On the issue or renewal of a licence so granted, and, where the regulations under this section so provide, at such times thereafter as may be prescribed by the regulations, there shall be paid to the Minister by the person to whom the licence is issued such sums as may be prescribed by regulations to be made by the Minister with the consent of the Treasury; but this provision shall be subject to the qualification that the regulations thereunder may contain provisions authorising, in such cases as are not otherwise dealt with under the regulations, the charge by the Minister of such sums, whether on the issue or renewal of the licence or subsequently, as may in the particular case appear to him to be proper.

(5) Different provision may be made by regulations under the last foregoing subsection in relation to different licences, according to the nature, terms, provisions, limitations and duration thereof.

(6) A payment required by virtue of this section to be rendered to the Minister may be recovered by him in any court of competent jurisdiction as if it were a simple contract debt.

(7) The Minister shall have power to make, in such cases or classes of cases as the Treasury may determine, refunds of sums received by him under subsection (4) above.

(8) A payment made in exercise of the power conferred by the last foregoing subsection shall be defrayed out of sums received by the Minister under subsection (4) above.

(9) The surplus of sums received under subsection (4) above over sums paid in exercise of the power conferred by subsection (7) above shall from time to time be paid into the Consolidated Fund.

(10) In the application of subsection (6) above to Scotland, the words "as if it were a simple contract debt" shall be omitted.

ENTRY AND SEARCH OF PREMISES

91.-(1) If, in England, Wales or Northern Ireland, a justice of the peace, or, in Scotland, the sheriff, is satisfied by information on oath that there is reasonable ground for suspecting that an offence under section 89 of this Act has been, or is being, committed, and that evidence of the commission of the offence is to be found on any premises specified in the information, he may grant a search warrant authorising any person or persons authorised in that behalf by the Minister and named in the warrant, with or without any constables, to enter, at any time within one month from the date of the warrant, the premises specified in the information and to search the premises and examine and test any apparatus found thereon.

(2) Where, under this section, a person has a right to examine any apparatus on any premises, it shall be the duty of any person who is on the premises to give him any such assistance as he may reasonably require in the examination or testing of the apparatus.

(3) A person who –

(a) obstructs a person in the exercise of powers conferred on him under this section;
or

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

- (b) fails or refuses to give to a person any assistance which he is, under this section, under a duty to give to him;

shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding £400, and a person who discloses, otherwise than for the purposes of this Part of this Act or of a report of proceedings thereunder, any information obtained by means of an exercise of powers conferred by this section, being information relating to a manufacturing process or trade secret, shall be guilty of an offence and liable –

- (i) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine, or to both;
- (ii) on summary conviction, to a fine not exceeding £400.

ORDERS AND REGULATIONS

92.-(1) The power conferred by section 89 of this Act on the Minister to make an order and the power conferred on him by section 90 of this Act to make regulations shall be exercisable by statutory instrument.

(2) A statutory instrument by which either of the aforesaid powers is exercised shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(3) The power conferred by section 89 of this Act on the Minister to make an order shall include power, exercisable in like manner, to vary or revoke an order made in exercise of that power.

PART V

PROVISIONS FOR SECURING THE CONTINUANCE OF THE CARRYING ON, UNDER THE AUSPICES OF A DIRECTOR OF SAVINGS IN PLACE OF THE POSTMASTER GENERAL, OF CERTAIN FINANCIAL BUSINESS

The Director of Savings

APPOINTMENT, AND FUNCTIONS AND EXPENSES, &C., OF THE DIRECTOR OF SAVINGS

93.-(1) The Treasury may appoint (but so that the first appointment made shall not take effect before the appointed day) a person to be Director of Savings who shall have such functions as are conferred on him by, or by virtue of, the following provisions of this Act.

(2) The expenses of the Director of Savings shall, unless required by some provision of this Act to be borne in some other manner, be defrayed out of moneys provided by Parliament.

(3) Schedule 2 to the Parliamentary Commissioner Act 1967 shall have effect as if, after the reference to the National Debt Office, there were inserted a reference to the Department for National Savings.

(4) For the purposes of the Criminal Evidence Act 1965 and the Criminal Evidence Act (Northern Ireland) 1965 (which make certain trade or business records admissible as evidence in criminal proceedings) the expression “business” shall include the activities of the Director of Savings.

Replacement of the Postmaster General by the Director of Savings for the Purposes of the Post Office Savings Bank Acts 1954 and 1966, and Provisions consequential thereon

THE NATIONAL SAVINGS BANK

94.-(1) On the appointed day, section 1 of the Post Office Savings Bank Act 1954 (which empowers the Postmaster General to authorise his officers, or others, to receive and repay deposits) shall cease to have effect; but, as from the beginning of that day, the establishment which exists in consequence of the enactment of that section shall, by the name of the National Savings Bank, continue in existence for the receipt and repayment of deposits, and its business shall be carried on by the Director of Savings.

(2) Accordingly, as from the appointed day, in the Post Office Savings Bank Acts 1954 and 1966 and in the following provisions of this Act the expression “deposit” (when used as a noun) shall be taken to refer to a deposit with the National Savings Bank and the expression “depositor” shall (save in so far as the context otherwise requires) be construed accordingly, and –

- (a) the provisions of the Post Office Savings Bank Act 1954 specified in column 1 of Part I of Schedule 6 to this Act shall have effect subject to the amendments respectively specified in relation thereto in column 2 of that Act;
- (b) the provisions of the Post Office Savings Bank Act 1966 specified in column 1 of Part II of that Schedule shall have effect subject to the amendments respectively specified in relation thereto in column 2 of that Part;
- (c) the enactments specified in column 1 of Part III of that Schedule shall have effect subject to the amendments respectively specified in relation thereto in column 2 of that Part; and
- (d) any reference to the Postmaster General in a nomination executed under regulations made, or having effect as if made, under section 2 of the Post Office Savings Bank Act 1954 shall be construed as referring to the Director of Savings.

(3) The amendment of section 27 of the Crown Proceedings Act 1947 effected by virtue of subsection (2)(c) above is an amendment of that section as well in its application to the Crown in right of Her Majesty’s Government in Northern Ireland as in its application to the Crown in right of Her Majesty’s Government in the United Kingdom.

(4) Without prejudice to the operation of section 37 of the Interpretation Act 1889 (which relates to the exercise of statutory powers between the passing and commencement of an Act), the power conferred by section 2 of the Post Office Savings Bank Act 1954, as amended by Schedule 6 to this Act, and that conferred by section 2 of the Post Office Savings Bank Act 1966, as so amended, may be each exercised at any time after the passing of this Act as if so much of that Schedule as amends those sections had come into operation on the passing of this Act, but so that regulations made in exercise of the power conferred by the one section or the other, as so amended, shall not come into operation before the appointed day.

APPLICATION OF ORDINARY DEPOSITS

95.-(1) For section 16 of the Post Office Savings Bank Act 1954 (repayment of sums withdrawn by depositors, payment of expenses and investment of funds), there shall be substituted the following section: -

“(1) There shall be paid out of ordinary deposits –

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

- (a) all sums referable to such deposits that are withdrawn by or on behalf of depositors;
- (b) such sums as the Treasury may from time to time determine to be equal to those expended by the Director of Savings in the execution of this Act; and
- (c) the expenses incurred by the Commissioners in the execution of this Act.

(2) The balance of ordinary deposits remaining after the repayment thereof of sums withdrawn by depositors shall, at such intervals as the Treasury may direct, be ascertained and paid to the Commissioners who shall, after deducting therefrom –

- (a) such sums as are mentioned in subsection (1)(b) above; and
- (b) such sums as are necessary to defray the expenses incurred by them in the execution of this Act;

invest it.

(3) Sums deducted by the Commissioners in pursuance of subsection (2)(a) above shall be paid into the Consolidated Fund of the United Kingdom.”

(2) This section shall come into operation on the appointed day.

CONSEQUENTIAL AMENDMENT OF SECTION 3 OF THE POST OFFICE SAVINGS
BANK ACT 1966

96. As from the appointed day, section 3 of the Post Office Savings Bank Act 1966 (which requires a separate account to be kept for the purposes of that Act) shall have effect with the substitution, for subsections (1) and (2) thereof, of the following subsections: -

“(1) The Director of Savings shall keep a separate account of all sums received or paid with respect to investment deposits.

(2) The said account shall be known as the National Savings Bank Investment Account Fund and is in this Act referred to as ‘the Fund’ ”,

and with the substitution, for the reference, in subsection (3)(b), to the Postmaster General, of a reference to the Treasury.

DEBIT TO THE NATIONAL SAVINGS BANK INVESTMENT ACCOUNT FUND OF
EXPENSES OF THE DIRECTOR OF SAVINGS AND CONTRIBUTIONS IN LIEU OF
TAX

97.-(1) There shall be included amongst the sums to be debited from time to time to the National Savings Bank Investment Account Fund –

- (a) such sums as the Treasury may determine to be equal to those expended by the Director of Savings in connection with investment deposits ; and
- (b) such sums as may be necessary to secure that, year by year, there is contributed to the Exchequers of the United Kingdom and Northern Ireland as nearly as may be what would be contributed thereto in respect of the National Savings Bank by way of corporation tax if that bank were a savings bank certified under the Trustee Savings Banks Act 1954, section 439(1) of the Income Tax Act 1952 (exemption of trustee savings banks’ income from tax in respect of interest and

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

dividends arising from investments with the National Debt Commissioners) had not been enacted and the business of that bank were confined to activities concerned with investment deposits.

(2) Sums debited by virtue of paragraph (a) or (b) of the foregoing subsection shall be paid into the Consolidated Fund, and those debited by virtue of paragraph (b) shall be treated, for the purposes of subsection (2) of section 22 of the Government of Ireland Act 1920 (annual determination by Joint Exchequer Board of what part of the proceeds of the reserved taxes is properly attributable to Northern Ireland), as being proceeds of the duties and taxes referred to in subsection (1) of that section.

(3) This section shall come into operation on the appointed day.

ANNUAL STATEMENT WITH RESPECT TO ORDINARY DEPOSITS AND EXPENSES

98.-(1) The Director of Savings and the National Debt Commissioners shall, as respects the year in which the appointed day falls and each subsequent year, prepare a statement showing –

- (a) the aggregate of the sums received and repaid during the year in respect of ordinary deposits ;
- (b) the aggregate of the sums paid or credited during the year by way of interest on ordinary deposits ;
- (c) the aggregate liabilities, as at the end of the year, so far as regards ordinary deposits ;
- (d) the nominal value and the description, as at the end of the year, of the investments held by the Commissioners which have been made under section 16 of the Post Office Savings Bank Act 1954 ;
- (e) the aggregate of the sums that accrued during the year by way of interest on investments made under that section by the Commissioners ; and
- (f) the amount of the expenses incurred during that year in the execution of that Act ;

and shall, before the end of May next following, transmit it to the Comptroller and Auditor General who shall examine, certify and report on it and lay copies of it, together with copies of his report on it, before Parliament.

(2) No accounts or statements shall be made out or prepared under the Post Office Savings Bank Act 1954 as respects the year in which the appointed day falls or any subsequent year ; and anything which, in the first-mentioned year, falls, by virtue of section 15 or 20 of that Act (annual account of ordinary deposits to be laid before Parliament, and annual account of liabilities with respect to such deposits to be so laid), to be done by the Postmaster General shall, if not done before that day, be done instead by the Treasury.

(3) In this section “year” means a period of twelve months ending 31st December.

ADJUSTMENT OF BALANCES RELATING TO ORDINARY DEPOSITS

99 -(1) If, in the year in which the appointed day falls or any subsequent year, the aggregate of the sums that accrued by way of interest on investments made under section 16 of

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

the Post Office Savings Bank Act 1954 by the National Debt Commissioners, after deduction of any sum required by the Treasury to be set aside to provide for depreciation in the value of investments so made, exceeds the aggregate of –

- (a) the aggregate of the sums paid or credited during the year by way of interest on ordinary deposits ; and
- (b) the amount of the expenses incurred during that year in the execution of that Act ;

the excess shall be paid into the Consolidated Fund ; and if in any such year as aforesaid the aggregate of the sums that accrued as aforesaid, after deduction of any sum required by the Treasury to be set aside as aforesaid, falls short of the second-mentioned aggregate, the deficiency shall be made good out of that fund.

- (2) In this section, “year” means a period of twelve months ending 31st December.

ANNUAL ACCOUNTS WITH RESPECT TO INVESTMENT DEPOSITS

100.-(1) Anything which, in the year in which the appointed day falls, by virtue of section 5 (preparation and audit of accounts) of the Post Office Savings Bank Act 1966, to be done by or to the Postmaster General shall, if not done before that day, be done instead by or to the Treasury.

- (2) The following requirements shall, as respects the year in which the appointed day falls and each subsequent year, have effect in place of those of the said section 5, namely,

- (a) the Director of Savings and the National Debt Commissioners shall prepare, for the year, a statement of accounts of the National Savings Bank Investment Account Fund ;
- (b) the statement of accounts for each year shall, before the end of May next following the expiration of the year, be transmitted to the Comptroller and Auditor General who shall examine, certify and report on it and lay copies of it, together with copies of his report on it, before Parliament.

- (3) In this section “year” means a period of twelve months ending 31st December.

ULTIMATE LIABILITY OF THE CONSOLIDATED FUND FOR REPAYMENT OF DEPOSITS

101. If at any time claims in respect of ordinary or investment deposits cannot be met, the Treasury shall provide the Postmaster General or the Director of Savings with such sum out of the Consolidated Fund as is necessary to meet them.

CERTAIN SUMS TO BE TREATED AS EXPENSES INCURRED BY THE DIRECTOR OF SAVINGS

102.-(1) As from the appointed day, section 22(1) of the Post Office Savings Bank Act 1954 (which provides that certain sums are to be deemed to be included amongst the expenses incurred in the execution of that Act by the National Debt Commissioners and, before the passing of the Post Office Act 1961, also provided that certain sums were to be deemed to be included amongst the expenses so incurred by the Postmaster General), shall have effect with the substitution, for the words “the Commissioners” (except where occurring in paragraph (c)), of the words “the Director of Savings and the Commissioners respectively” and with the addition, at the end thereof, of the following paragraph : -

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

“(e) any capital expenditure incurred in providing premises or equipment wholly used for the purposes of this Act by the Director of Savings, and such part of any partly used as aforesaid as was, in the opinion of the Treasury, incurred for those purposes”.

(2) As from the appointed day, section 22(2) of the Post Office Savings Bank Act 1954 shall have effect with the omission of the words “by the Commissioners”, with the insertion, after the word “premises” (where first occurring) of the words “or equipment” and with the substitution, for the words “the premises or of that part of the premises which was used for the said purposes”, of the words “the premises or equipment or, in the case of premises or equipment partly used for the said purposes, such proportion of that sum as the Treasury determine to be appropriate having regard to the extent to which the premises or equipment were so used”.

AMENDMENT OF SECTION 10(1) OF THE POST OFFICE SAVINGS BANK ACT 1954

103. Section 10(1) of the Post Office Savings Bank Act 1954 (secrecy) shall not prevent the disclosure by a person authorised for the purpose by the Director of Savings of information to any person in connection with an offence committed with reference to the account of a depositor or for the purpose of ascertaining whether or not an offence has been so committed.

AMENDMENT OF SECTION 12(3) OF THE POST OFFICE SAVINGS BANK ACT 1954

104. In subsection (3) of section 12 of the Post Office Savings Bank Act 1954 (which requires the necessary financial adjustment to be made in the books of the National Debt Commissioners in consequence of a depositor in a trustee savings bank having transferred the amount due to him from that bank to a post office savings bank), for the words from “from the account of the first-mentioned savings bank” onwards, there shall be substituted the words “from the account of the trustee savings bank in question to that kept for the purposes of this Act”.

PARLIAMENTARY CONTROL OF REGULATION-MAKING POWERS UNDER THE POST OFFICE SAVINGS BANK ACTS 1954 AND 1966

105. A statutory instrument containing regulations under the Post Office Savings Bank Act 1954 or the Post Office Savings Bank Act 1966 (not being an instrument whereof a draft has been laid before Parliament before the passing of this Act) shall be subject to annulment in pursuance of a resolution of either House of Parliament.

SELECTIVE EMPLOYMENT REFUNDS REFERABLE TO EMPLOYMENT IN THE NATIONAL SAVINGS BANK

106. A payment which, if this Act had not passed, would have fallen to be made under section 25 of the Finance Act 1967 or section 52(3) of the Finance Act 1968 (refunds of selective employment tax) to the Postmaster General on or after the appointed day shall be made instead to the Post Office ; and no payment shall be made under either of those sections on or after that day in respect of a person in respect of a week in which he was employed in the National Savings Bank and for which a payment of selective employment tax was paid in respect of him by someone other than the Postmaster General.

VESTING IN THE MINISTER OF PUBLIC BUILDING AND WORKS OF THE POSTMASTER GENERAL'S INTEREST IN CERTAIN LANDS IN HAMMERSMITH

107.-(1) On the appointed day, the land delineated (and coloured pink) on the plans deposited in connection with the Bill for this Act with the Minister of Public Building and

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

Works and authenticated by the signature of the Postmaster General (being land in the London borough of Hammersmith held by the Postmaster General and appropriated to the exercise and performance of his functions under the Post Office Savings Bank Acts 1954 and 1966) shall, by virtue of this subsection, vest in the Minister of Public Building and Works and shall be taken by him as land necessary for the public service and held by him for all the estate and interest for which it was previously held by the Postmaster General.

(2) The Postmaster General may by order provide that the foregoing subsection shall operate –

- (a) to annex to the said land such easements or other rights over contiguous land which, immediately before the appointed day, may be vested in him for an estate in fee simple, as may be specified in the order ; or
- (b) to annex to the last-mentioned land such easements or other rights over the first-mentioned land as may be so specified ;

or to do both of those things.

Replacement of the Postmaster General by the Director of Savings for the Purposes of the National Debt Act, 1958 and the National Loans Act, 1968, and Provisions consequential thereon

THE STOCK REGISTER KEPT UNDER PART I OF THE NATIONAL DEBT ACT 1958

108.-(1) The register of government stock which exists by virtue of section 1(1) of the National Debt Act 1958 shall, instead of being known as the Post Office register, be known as the National Savings Stock Register and (except for such parts thereof as are kept by trustees of trustee savings banks) shall be kept by the Director of Savings ; and, accordingly, –

- (a) in section 48 of the Finance (No. 2) Act 1915 (procedure on death of a person entitled to government stock), for the words “the Postmaster General” there shall be substituted the words “the Director of Savings” ;
- (b) in sections 66 (transfer of government stock on authority of order of a court) and 67 (indemnity on transfer of government stock) of the Finance Act 1916, for the words “the Postmaster General” there shall be substituted the words “the Director of Savings” ;
- (c) in Schedule 3 to the Finance Act 1921 (provisions for carrying out redemption of government stock), for the words “the Post Office Register” (wherever occurring) there shall be substituted the words “the National Savings Stock Register”, for the words “the Postmaster General” (wherever occurring) there shall be substituted the words “the Director of Savings” and for the words “at the General Post Office” there shall be substituted the words “by the Director of Savings” ;
- (d) in section 47(4)(c) of the Finance Act 1942 (transfer and registration of government stock), for the words “the Post Office register established under the War Loan (Supplemental Provisions) Act 1915”, there shall be substituted the words “the National Savings Stock Register” ;
- (e) in sections 17(4) and 19 of the National Debt Act 1958 (preservation of effect of certain certificates of investment in government stock, and extension to the Isle of Man and the Channel Islands of the provisions of that Act relating to the Post Office register), for the words “the Post Office register”, there shall be substituted the words “the National Savings Stock Register” ;

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

- (f) in section 1(4)(c) of the Stock Transfer Act 1963 (simplified transfer of securities), for the words “the Post Office register” there shall be substituted the words “the National Savings Stock Register” ; and
- (g) any reference to the Postmaster General in a nomination executed under regulations made, or having effect as if made, under section 2 of the National Debt Act 1958 shall be construed as referring to the Director of Savings.

(2) For the purposes of section 2 of the said Act of 1958 (power to make regulations with respect to the register referred to in the foregoing subsection), the appropriate authority shall, instead of being (as prescribed by subsection (3) of that section) the Treasury in conjunction with the Postmaster General and, in the case of regulations relating to the National Debt Commissioners, those Commissioners, be, except in the case of regulations relating to those Commissioners, the Treasury, and, in the said excepted case, the Treasury in conjunction with those Commissioners ; and in subsection (2)(b) of that section, for the reference to issue through the Post Office of bearer bonds, there shall be substituted a reference to issue by the Director of Savings of such bonds.

(3) Sections 4 (disputes between the Postmaster General or the trustees of a savings bank and stockholders) and 5 (transfer to the register referred to in subsection (1) above of holdings in names of deceased persons) of the said Act of 1958 shall have effect with the substitution, for references to the Postmaster General, of references to the Director of Savings.

(4) For the purposes of section 6 of the said Act of 1958 (acceptance of probate issued in Isle of Man or Channel Islands), the appropriate authority, in relation to stock registered otherwise than in a part of the register referred to in subsection (1) above kept by the trustees of a trustee savings bank shall, instead of being (as prescribed by subsection (3) of that section) the Postmaster General, be the Director of Savings.

(5) This section shall come into operation on the appointed day ; but, without prejudice to section 37 of the Interpretation Act 1889, the power conferred by section 2 of the National Debt Act 1958, as amended by subsection (2) above, may be exercised at any time after the passing of this Act as if that subsection had come into operation on the passing of this Act, but so that regulations made in exercise of it shall not come into operation before that day.

**POWER OF THE TREASURY TO RAISE MONEY UNDER THE AUSPICES OF THE
DIRECTOR OF SAVINGS**

109. The power conferred by section 12 of the National Loans Act 1968 on the Treasury to raise money shall extend to raising money under the auspices of the Director of Savings and, in particular, by the issue, under his auspices, of national savings certificates ; and, accordingly, as from the appointed day, references in sections 191(1) (interest on United Kingdom savings certificates to be exempt from tax) and 193(4) (interest on certain Ulster, colonial and other savings certificates issued to local residents to be exempt from tax) of the Income Tax Act 1952 to savings certificates issued by the Treasury through the Post Office shall be construed as including references to savings certificates issued by the Treasury under the auspices of the Director of Savings.

AMENDMENT OF SECTION 12 OF THE NATIONAL DEBT ACT 1958

110.-(1) The power conferred by subsection (1) of section 12 of the National Debt Act 1958 on the Treasury to make regulations with respect to the manner in which and the conditions under which, among other things, money authorised to be raised under the National Loans Act 1939 or the National Loans Act 1968 may be raised through the Post Office shall include power to make regulations with respect to the manner in which and the conditions

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

under which money authorised to be raised under the last-mentioned Act may be raised under the auspices of the Director of Savings.

(2) In subsection (2)(a) of the said section 12, for the words “apply any provision of any Act (including this Act) relating to the Post Office, to savings banks, to the Post Office register or to any other matter under the administration of the Postmaster General”, there shall be substituted the words “apply any provision of any Act (including this Act) relating to savings banks or the National Savings Stock Register”.

(3) This section shall come into operation on the appointed day ; but, without prejudice to section 37 of the Interpretation Act 1889, the power conferred by section 12 of the National Debt Act 1958, as amended by this section, may be exercised at any time after the passing of this Act as if this section had come into operation on the passing of this Act, but so that regulations made in exercise of it shall not come into operation before that day.

**POWER TO REPLACE LOST OR DESTROYED BONDS ISSUED BY THE
POSTMASTER GENERAL OR THE DIRECTOR OF SAVINGS**

111.-(1) Where the Director of Savings is satisfied that a bond to bearer issued on behalf of the Treasury by him or by the Postmaster General, or a coupon of any such bond, has been lost or destroyed, he may, if he thinks fit, and on such conditions as he thinks fit, but subject to any general directions of the Treasury, issue a new bond or coupon on receiving indemnity to his satisfaction against the claims of all persons deriving title under the bond or coupon lost or destroyed.

(2) This section shall come into operation on the appointed day and have effect in place of section 13 of the National Debt Act 1958.

AMENDMENT OF SECTION 35 OF THE FINANCE ACT 1961

112. As from the appointed day, section 35 of the Finance Act 1961 (national savings stamps and gift tokens) shall have effect as if, in subsection (1), after the words “the Postmaster General”, there were inserted the words “or the Director of Savings” and as if, in subsection (5), for the words “payable out of the Post Office Fund in respect of those stamps or tokens”, there were substituted the words “payable in respect of the exchange or encashment of those stamps or tokens”.

*Credits to the Post Office in respect of certain capital Expenditure incurred by the Postmaster
General in Connection with annuity, savings bank and national debt Functions*

**CREDITS TO THE POST OFFICE IN RESPECT OF CERTAIN CAPITAL EXPENDITURE
INCURRED BY THE POSTMASTER GENERAL IN CONNECTION WITH ANNUITY,
SAVINGS BANK AND NATIONAL DEBT FUNCTIONS**

113.-(1) The Post Office shall, for the purposes of section 33 of this Act, be entitled to credit of –

- (a) the sum certified by the Minister to be the net book value of buildings erected at the expense of the Postmaster General on the land mentioned in section 107(1) of this Act, being buildings in the case of which expenditure incurred by him after 9th July 1952 with reference to the erection thereof was treated by him as capital expenditure ;
- (b) the sum so certified to be the net book value of works executed at the expense of the Postmaster General on that land, being works in the case of which expenditure so incurred with reference to the execution thereof was so treated ;
and

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

- (c) the sum so certified to be the net book value of apparatus installed by the Postmaster General on that land, being apparatus in the case of which expenditure so incurred in the provision and installation thereof was so treated, but not being telegraphic apparatus.
- (2) The Post Office shall, for the purposes of section 33 of this Act, be entitled to credit of –
- (a) the sum certified by the Minister to be the net book value of every such parcel of land as follows, namely, –
- (i) every parcel in the case of which an estate or interest subsisting therein of the Postmaster General is, after the passing of this Act, conveyed, assigned or transferred by him to the Minister of Public Building and Works (being a parcel the whole or part of which is occupied, or is intended to be occupied, by the Postmaster General in connection with the exercise and performance of his functions under the Government Annuities Act 1929, the Post Office Savings Bank Acts 1954 and 1966, the National Debt Act 1958 or the National Loans Act 1968) ; and
- (ii) every parcel in the case of which an estate or interest subsisting therein of the Postmaster General vests in the Post Office by virtue of this Act (being a parcel which, immediately before the appointed day, is the subject of an agreement, to which the parties are the Postmaster General, the Minister of Public Building and Works and the Post Office for the conveyance, assignment or transfer by the Post Office to that Minister of the estate or interest that so vests) ;
- (b) the sum so certified to be the net book value of buildings erected, on any such parcel as aforesaid, at the expense of the Postmaster General, being buildings in the case of which the expenditure of the Postmaster General with reference to the erection thereof was treated by him as capital expenditure ; and
- (c) the sum so certified to be the net book value of works executed, at his expense, on any such parcel as aforesaid, being works in the case of which the expenditure of the Postmaster General with reference to the execution thereof was so treated.
- (3) The Post Office shall, for the purposes of section 33 of this Act, be entitled to credit of –
- (a) the sum certified by the Minister to be the net book value of every building erected at the expense of the Postmaster General on land in England in which –
- (i) the Minister of Public Building and Works has an estate or interest immediately before the appointed day ; but
- (ii) the Postmaster General does not then have, and never previously had, an estate or interest ;
- being a building in the case of which the expenditure of the Postmaster General with reference to the erection thereof was treated by him as capital expenditure ; and

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

- (b) the sum so certified to be the net book value of works executed at the expense of the Postmaster General on every parcel of such land as aforesaid, being works in the case of which the expenditure of the Postmaster General with reference to the execution thereof was so treated.

(4) In this section “building” includes part of a building and “net book value” means, in relation to land, buildings, works or apparatus, the value thereof (after deducting depreciation) as shown in the books by reference to which the final statement of accounts under section 12 of the Post Office Act 1961 is prepared.

Extent of Part V and Schedule 6

EXTENT OF PART V AND SCHEDULE 6

114. This Part of this Act and Schedule 6 thereto shall extend to the Isle of Man and the Channel Islands.

PART VI

STAMPS AND STAMP DUTIES

Stamps

USE OF POSTAGE STAMPS FOR REVENUE PURPOSES

115.(1) Any stamp duty which is required or permitted by law to be denoted by adhesive stamps not appropriated by any word or words on the face of them to any particular description of instrument may be denoted by adhesive postage stamps.

(2) The Post Office shall pay to the Commissioners of Inland Revenue such sums at such times as, in default of agreement between it and them, may be determined by the Treasury to be requisite to secure that, year by year, the Commissioners receive as nearly as may be the difference between the sums received by the Post Office that are attributable to the operation of the foregoing subsection as regards stamp duties chargeable in Great Britain and the sums requisite to remunerate it for having prepared and issued adhesive postage stamps by which duties so chargeable have been denoted.

(3) This section shall come into operation on the appointed day, and subsection (1) thereof shall have effect in place of section 7 of the Stamp Act 1891.

ALLOWANCE BY COMMISSIONERS OF INLAND REVENUE FOR SPOILED
POSTAGE STAMPS

116.(1) Sections 9 and 10 of the Stamp Duties Management Act 1891 (allowance to be made by the Commissioners of Inland Revenue for spoiled stamps, and allowances to be so made for misused stamps) shall apply to adhesive postage stamps as they apply to other stamps, but subject, in the case of section 9, to the qualification that allowance is not to be made by virtue of this section for stamps not appearing to the Commissioners to have been intended to be used for denoting a duty or fee ; and the second and third references to stamps in section 11 of that Act (how allowance is to be made) shall, for the purpose of its operation in relation to allowance made by virtue of this section, be construed as referring to adhesive postage stamps.

(2) This section shall come into operation on the appointed day.

APPLICATION OF SECTION 9 OF THE STAMP ACT 1891, AND PROVISIONS AS TO
PROCEEDINGS THEREUNDER RELATING TO POSTAGE STAMPS

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

117.-(1) As from the appointed day, section 9 of the Stamp Act 1891 (penalty for frauds in relation to adhesive stamps) shall have effect as if references therein to such stamps included references to adhesive postage stamps.

(2) The following enactments making provision with respect to the institution of, and otherwise in relation to, proceedings for the recovery of fines under the Acts relating to inland revenue, namely, sections 21, 22 and 35 of the Inland Revenue Regulation Act 1890, section 121 of the Stamp Act 1891 and section 7(5) of the Revenue Act 1898, shall not apply to proceedings in respect of an offence under section 9 of the Stamp Act 1891 committed on or after the appointed day in relation to a postage stamp, but any such proceedings shall be summary ones.

APPLICATION OF SECTION 13 OF THE STAMP DUTIES MANAGEMENT ACT 1891
TO FRAUDS TOUCHING POSTAGE STAMPS, AND CONSEQUENTIAL AMENDMENT
OF SECTION 16 OF THAT ACT

118.-(1) The definitions of “die” and “stamp” in section 27 of the Stamp Duties Management Act 1891 shall, for the purposes of the application thereof, on and after the appointed day, to section 13 of that Act (offences in relation to dies and stamps), have effect as if the reference to the Commissioners of Inland Revenue included a reference to the Post Office and as if references to any duty included references to postage.

(2) Matters or things seized under the authority of a warrant issued under section 16 of the said Act of 1891 on or after the appointed day shall, if they relate to postage, be delivered to the Post Office instead of to the Commissioners of Inland Revenue.

POWER OF THE COMMISSIONERS OF INLAND REVENUE TO STAMP PAPER FOR
THE POST OFFICE

119 The Commissioners of Inland Revenue may make arrangements with the Post Office whereunder they, in consideration of the making to them by it of such payments as may be agreed between them and it with the approval of the Treasury, stamp paper sent to them for the purpose of its being stamped for use as postcards or reply-postcards or covers or envelopes of postal packets with stamps denoting the appropriate postage.

VALIDITY OF EXISTING STAMPS

120. Stamps current immediately before the appointed day for denoting duties of postage (whether or not they denote also other duties) shall be deemed for all purposes to be postage stamps.

AMENDMENT OF THE INSURANCE ACTS AS TO STAMPS FOR PAYMENT OF
CONTRIBUTIONS

121.-(1) Section 14 of the National Insurance Act 1965 shall have effect with the substitution, for subsection (2) thereof (which, amongst other things, makes provision for the preparation, issue and sale, under the auspices of the Postmaster General, of adhesive stamps by means of which contributions under that Act are payable), of the following subsection : -

“(2) Where, under regulations made by virtue of subsection (1) of this section, contributions under this Act, with or without contributions under the Industrial Injuries Act, are payable by means of adhesive stamps, the Secretary of State may, with the consent of the Treasury, arrange for the preparation and sale of those stamps (hereafter in this Act referred to as ‘insurance stamps’) and may by regulations provide for applying, with the necessary modifications as respects those

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

stamps, all or any of the provisions of the Stamp Duties Management Act 1891, section 9 of the Stamp Act 1891 and section 63 of the Post Office Act 1953” ;

and the reference in section 67(2) of the National Insurance (Industrial Injuries) Act 1965 (which applies section 14 (2) of the first-mentioned Act to insurance stamps within the meaning of the last-mentioned Act) to subsection (2) of the said section 14 shall be construed as referring to the subsection substituted therefor by this subsection.

(2) The foregoing subsection shall come into operation on the appointed day ; but, without prejudice to section 37 of the Interpretation Act 1889, the powers conferred by virtue of that subsection may be exercised at any time after the passing of this Act as if that subsection had come into operation on the passing of this Act, but so that any stamps prepared or regulations made in exercise of the powers shall not be sold or come into operation, as the case may be, before that day.

POWER TO APPLY TO NATIONAL SAVINGS STAMPS PROVISIONS WITH RESPECT TO REVENUE AND POSTAGE STAMPS

122.-(1) The Treasury may, by statutory instrument (which shall be laid before Parliament), make regulations for applying to national savings stamps, with the necessary modifications, all or any of the provisions of the Stamp Duties Management Act 1891, section 9 of the Stamp Act 1891 and section 63 of the Post Office Act 1953.

(2) In this section “national savings stamp” has the meaning assigned to it by section 35(1) of the Finance Act 1961.

MEANING OF “POSTAGE” AND “POSTAGE STAMP”

123. In the foregoing provisions of this Part of this Act, “postage” (except in the expression “duties of postage”), means postage chargeable by the Post Office, and “postage stamp” shall be construed accordingly.

Stamp Duties

COMPOSITION FOR STAMP DUTY ON THE POST OFFICE’S MONEY ORDERS

124.-(1) The Commissioners of Inland Revenue may enter into an agreement with the Post Office for the composition, in accordance with the following provisions of this section, of the stamp duty chargeable in Great Britain under the heading beginning “Bill of Exchange or promissory note of any kind whatsoever” in Schedule 1 to the Stamp Act 1891 on money orders issued by it.

(2) Such an agreement shall require the Post Office to deliver to the Commissioners of Inland Revenue periodical accounts of the orders issued by it and may contain such other terms and conditions as the Commissioners think proper.

(3) Where such an agreement has been made, a money order issued by the Post Office bearing such indication of the payment of stamp duty as the Commissioners of Inland Revenue may require shall not be chargeable with stamp duty, but the Post Office shall pay to the Commissioners, on the delivery of any account under the agreement, such sums as would, but for the provisions of this section, have been chargeable by way of stamp duty in Great Britain on money orders issued by it during the period to which the account relates.

(4) Where the Post Office makes default in delivering an account required by such an agreement or in paying the duty payable on the delivery of any such account, it shall be liable to a fine not exceeding £50 for each day during which the default continues and shall

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

also be liable to pay to Her Majesty in addition to the duty, interest thereon at the rate of five per cent. per annum from the date when the default begins.

(5) References in this section to money orders issued by the Post Office shall be construed as including references to orders issued by it in pursuance of such an arrangement as is mentioned in section 24 of the Post Office Act 1953, being orders corresponding to money orders issued by the Post Office.

COMPOSITION FOR STAMP DUTY ON FOREIGN MONEY ORDERS PRESENTED TO
THE POST OFFICE FOR PAYMENT

125. So far as regards the provision by it of services by means of which money may be remitted by means of money orders, the Post Office shall be deemed to be a banker for the purposes of section 31 of the Finance Act 1967 (composition by bankers of stamp duty chargeable on foreign bills of exchange presented to them for payment).

POSTAL ORDERS TO BE EXEMPT FROM STAMP DUTY

126. Stamp duty shall not be chargeable on a postal order (whether issued by the Post Office or another postal administration) or on a note, memorandum or writing whereby a postal order (whether issued by the Post Office or another postal administration) is acknowledged to have been paid.

EXTENSION OF SECTION 52 OF THE FINANCE ACT 1946

127. For the purposes of section 52 of the Finance Act 1946 (which exempts from stamp duty certain documents connected with nationalisation schemes) any vesting of property in the Post Office after the appointed day effected by virtue of an order under section 17 of this Act shall be deemed to be part of the initial putting into force of such a scheme.

Special Provisions with respect to Northern Ireland

APPLICATION OF FOREGOING PROVISIONS OF PART VI TO NORTHERN IRELAND

128. * * * * *

EXEMPTION OF ACT FROM STAMP DUTY IN NORTHERN IRELAND

129. * * * * *

PART VII

MISCELLANEOUS AND GENERAL

POWER OF THE TREASURY TO DISPOSE OF THEIR INTEREST IN THE SHARES OF
CABLE AND WIRELESS LIMITED

130.-(1) The Treasury may dispose, before the appointed day to the Postmaster General or on or after that day to the Post Office, of their interest in the shares of Cable and Wireless Limited in consideration of such sum as they may fix (to be paid, if the disposition is to the Postmaster General, out of the Post Office Fund) ; and sections 1(1) of the Imperial Telegraphs Act 1938 and 3(5) of the Cable and Wireless Act 1946 (which require the payment into the Exchequer of dividends paid on the said shares) shall not apply to dividends so paid after the disposition.

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

(2) The sum received by the Treasury in consideration of the disposition of their interest in the said shares shall be paid into the Consolidated Fund.

SETTLEMENT OF CERTAIN FINANCIAL MATTERS OUTSTANDING ON THE
APPOINTED DAY

131.-(1) The provisions of Schedule 7 to this Act shall have effect for the purpose of securing the settlement on, or as soon as practicable after, the appointed day of outstanding financial matters with which the Postmaster General is concerned and of making provision consequential on the settlement of such of those matters as are connected with the exercise and performance by him of functions under the National Health Service Contributions Act 1965 and the Redundancy Payments Act 1965.

(2) Section 22(2) of the National Loans Act 1968 (construction of references in that Act to the charge of payments on the National Loans Fund with recourse to the Consolidated Fund) shall have effect as if the first reference to that Act included a reference to Schedule 7 to this Act.

EXTENSION OF REGULATION-MAKING POWER UNDER SECTION 52(2) OF THE
GOVERNMENT ANNUITIES ACT 1929

132.-(1) In section 52(2) of the Government Annuities Act 1929 (which empowers the National Debt Commissioners, with the concurrence of the Treasury, to make regulations for carrying out the provisions of Part II of that Act so far as regards any annuities or insurances granted by the Commissioners, either directly or through any parochial or other society, and so far as the trustees of savings banks are concerned), the words from “so far as regards” to “concerned” shall cease to have effect on the appointed day.

(2) Without prejudice to section 37 of the Interpretation Act 1889, the power to make regulations under the said section 52(2), in so far as it is conferred by virtue of the foregoing subsection, may be exercised at any time after the passing of this Act as if that subsection had come into operation on the passing of this Act, but so that regulations made by virtue of that subsection shall not come into operation before the appointed day.

(3) This section shall extend to the Isle of Man and the Channel Islands.

POWER OF MANAGERS OF CERTAIN WELFARE FUNDS TO PRESERVE THEIR
SCOPE

133.-(1) A fund to which this section applies is one (whether described by the addition thereto of the attribute “welfare”, “benevolent” or “mutual aid” or by the addition thereto of any other attribute) the objects of which consist in, or include, the provision for persons who are, or have been, employed in the department of the Postmaster General, or for such persons of any class or description, or for the relatives or dependants of persons who are, or have been, so employed or of such persons of any class or description, of benefits in case of need, sickness or distress, and a society or organisation to which this section applies is one (however described) the objects of which are similar; and, in this section, “managers” in relation to a fund, society or organisation, means the trustees, committee or other persons entrusted with its management.

(2) The provisions of the trust deed, rules, regulations or other instrument constituting or regulating a fund, society or organisation to which this section applies may, by resolution of the managers of the fund, society or organisation, be altered –

(a) so as to permit persons of any of the following descriptions, namely, –

(i) officers or servants of the Post Office (past or present);

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

- (ii) persons who, having been employed in the department of the Postmaster General, are or have been, in consequence of this Act, employed in the department of the Minister; * * *
- (iii) persons who, having been employed in the department of the Postmaster General, are or have been, in consequence of this Act, employed in the Department for National Savings; [and
- (iv) persons who, having been employed in the department of the Postmaster General, are or have been, in consequence of such an agreement as is mentioned in paragraph (b)(i) or (c)(i) of subsection (1) of section 87 of this Act and of such an Order in Council as is mentioned in that subsection, employed by the States of Jersey or by the States of Guernsey;]

or persons who are members of a class of persons of any of those descriptions, to become members of, or subscribers to, the fund, society or organisation;

- (b) so as, in the case of persons of the said descriptions or persons who are members of a class of persons of any of those descriptions, to entitle them and persons claiming in right of them (subject to such, if any, terms and conditions as may be specified in the resolution) to receive benefits from the fund, society or organisation if, and to the extent that, they would be entitled to receive benefits therefrom if employment by the Post Office, employment in the department of the Minister * * * *, employment in the Department for National Savings [or, as the case may be, employment by the States of Jersey or by the States of Guernsey] were employment in the department of the Postmaster General;

but so that no alteration be made that alters the character of the fund, society or organisation.

(3) If a resolution of the managers of a fund, society or organisation to which this section applies so provides, any reference in the trust deed, rules, regulations or other instrument constituting or regulating the fund, society or organisation to the Postmaster General or his department (not being a reference in a context referring, in whatever terms, to persons employed in that department or persons so employed of a specified description) shall be construed as referring (or, if the context so requires, as including a reference) to the Post Office, and any reference in that instrument, in whatever terms, to persons so employed or persons so employed of a specified description shall be construed as referring (or, if the context so requires, as including a reference) to officers and servants of the Post Office or, as the case may be, to officers and servants thereof of a corresponding description.

(4) For the purposes of a resolution deriving validity from this section, the definition of a class of persons may be framed by reference to any circumstances whatsoever.

ISSUE BY LOCAL AUTHORITIES IN GREAT BRITAIN OF DOG AND GAME
LICENCES

134. * * * * *

REMUNERATION OF THE POST OFFICE FOR ISSUING DOG AND GAME LICENCES
IN ENGLAND AND WALES

135. * * * * *

EXPENSES

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

136. Any increase attributable to the provisions of this Act in sums which, under any other enactment (other than the Ministers of the Crown Act 1964), are defrayed out of moneys provided by Parliament shall be defrayed out of moneys so provided, and any increase so attributable in sums which under any other enactment are defrayed out of the Consolidated Fund or the National Loans Fund shall be defrayed out of the first- or last-mentioned fund, as the case may be.

CESSER OF OBSOLETE, &c., ENACTMENTS

137.-(1) The enactments specified in columns 1 and 2 of Part I of Schedule 8 to this Act (which, to the extent specified in column 3 of that Part, are obsolete, spent or unnecessary) shall cease to have effect to that extent on the passing of this Act; and the enactments specified in columns 1 and 2 of Part II of that Schedule (which, to the extent specified in column 3 of that Part, will, in consequence of this Act, become unnecessary or inappropriate) shall cease to have effect to that extent on the appointed day.

(2) The repeal by this section of section 4 of the Commonwealth Telegraphs Act 1949 shall not affect the title of the Postmaster General to any property vested in him by virtue of that section.

(3) The repeal by this section of section 43 of the Post Office Act 1953 and of provisions of sections 44 and 45 thereof shall not operate to annul any provision of a local Act or order requiring the performance of services in regard to the conveyance of mails; and, accordingly, any such provision shall be construed as if that repeal had not been effected.

(4) This section, and the said Schedule 8, shall extend to the Isle of Man, so far as regards any enactment specified in that Schedule that so extends, and shall extend to the Channel Islands, so far as regards any enactment so specified that so extends.

TRANSITIONAL PROVISIONS

138.-(1) The general transitional provisions contained in Schedule 9 to this Act, and the special transitional provisions with respect to patents for inventions and registered designs contained in Schedule 10 to this Act, shall have effect.

(2) This section and the said Schedules 9 and 10 shall extend to the Isle of Man, and this section and the said Schedule 9 shall extend to the Channel Islands.

APPLICATION TO NORTHERN IRELAND

139. * * * * *

CONSTRUCTION OF REFERENCES TO ENACTMENTS

140.-(1) Any reference in this Act to any other enactment shall, except so far as the context otherwise requires, be construed as a reference to that enactment as amended, and including a reference thereto as extended or applied, by or under any other enactment, including this Act.

(2) Any reference in an Act passed before the passing of this Act to an enactment which is amended by this Act shall, unless the contrary intention appears, be construed, as from the day on which the amendment takes effect, as referring to that enactment as so amended.

REPEALS

141.-(1) The enactments specified in columns 1 and 2 of Part I of Schedule 11 to this Act shall, on the passing of this Act, be repealed to the extent specified in column 3 of that Part

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

(but subject to the provision made at the end of that Part), the enactments specified in columns 1 and 2 of Part II of that Schedule shall, on the appointed day, be repealed to the extent specified in column 3 of that Part and the Orders in Council specified in columns 1 and 2 of Part III of that Schedule shall, on that day, be revoked to the extent specified in column 3 of that Part.

(2) A reference in column 3 of Part II of Schedule 11 to this Act to an enactment shall be taken to refer as well to it as incorporated in any Act or other instrument as to it as originally enacted.

(3) This section, and Parts I and II of the said Schedule 11, shall extend to the Isle of Man, so far as regards any enactment specified in those Parts that so extends, and shall extend to the Channel Islands, so far as regards any enactment so specified that so extends.

SHORT TITLE

142. This Act may be cited as the Post Office Act 1969.

*SCHEDULES**SCHEDULE I*

(Sections 6, 43 and 88)

INCIDENTAL PROVISIONS WITH RESPECT TO THE POST OFFICE AND THE MEMBERS THEREOF*Status*

1. The Post Office shall be a body corporate having perpetual succession and a common seal.

Members

2.-(1) A member of the Post Office shall hold and vacate his office in accordance with the terms of his appointment and shall, on ceasing to be a member, be eligible for re-appointment.

(2) As soon as possible after appointing a person to be a member of the Post Office, the Minister shall lay before each House of Parliament a statement of the term for which he has been appointed.

(3) A member may at any time by notice in writing to the Minister resign his office.

3.-(1) Before appointing a person to be a member of the Post Office the Minister shall satisfy himself that that person will have no such financial or other interest as is likely to affect prejudicially the exercise and performance by him of his functions as a member of the Post Office, and the Minister shall also satisfy himself from time to time with respect to every member of the Post Office that he has no such interest; and a person who is, or whom the Minister proposes to appoint to be, a member of the Post Office shall, whenever requested by the Minister so to do, furnish to him such information as the Minister considers necessary for the performance by the Minister of his duties under this paragraph.

(2) A member of the Post Office who is in any way directly or indirectly interested in a contract made or proposed to be made by the Post Office, or in a contract made or proposed to be made by a subsidiary of the Post Office which is brought for consideration by the Post Office, shall disclose the nature of his interest at a meeting of the Post Office; and the disclosure shall be recorded in the minutes of the Post Office, and the member shall not take any part in any deliberation or decision of the Post Office with respect to that contract.

(3) For the purposes of the last foregoing sub-paragraph, a general notice given at a meeting of the Post Office by a member thereof to the effect that he is a member of a specified company or firm and is to be regarded as interested in any contract which may, after the date of the notice, be made with the company or firm, shall be regarded as a sufficient disclosure of his interest in relation to any contract so made or proposed to be so made.

(4) A member of the Post Office need not attend in person at a meeting of the Post Office in order to make a disclosure which he is required to make under this paragraph if he takes reasonable steps to secure that the disclosure is made by a notice which is brought up and read at the meeting.

4.-(1) The Post Office –

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

- (a) shall pay to the members thereof such salaries or fees, and such allowances, as the Minister may determine; and
- (b) as regards any member in whose case the Minister may so determine, shall pay such pension, allowance or gratuity to or in respect of him or make such payments towards the provision of such a pension, allowance or gratuity as may be so determined;

and, if a person ceases to be a member of the Post Office and it appears to the Minister that there are special circumstances which make it right that that person should receive compensation, the Minister may require the Post Office to pay to that person a sum of such amount as the Minister may determine.

(2) The Minister shall, as soon as possible after the first appointment of a person as a member of the Post Office, lay before each House of Parliament a statement of the salary or fees and of the allowances that are or will be payable under this paragraph to him; and if a subsequent determination by him under this paragraph involves a departure from the terms of that statement, or if a determination by him under this paragraph relates to the payment of, or to payment towards the provision of, a pension, allowance or gratuity to, or in respect of, a member of the Post Office, the Minister shall, as soon as possible after the determination, lay a statement thereof before each House of Parliament.

(3) The approval of the Minister for the Civil Service shall be requisite to a determination under this paragraph by the Minister and to the imposition thereunder by him of a requirement.

5.-(1) If the Minister is satisfied that a member of the Post Office –

- (a) has been absent from meetings of the Post Office for a period longer than three consecutive months without the permission of the Post Office; or
- (b) has become bankrupt or made an arrangement with his creditors; or
- (c) is incapacitated by physical or mental illness; or
- (d) is otherwise unable or unfit to discharge the functions of a member;

the Minister may declare his office as a member of the Post Office to be vacant, and shall notify the fact in such manner as the Minister thinks fit; and thereupon the office shall become vacant.

(2) In the application of this paragraph to Scotland, for the references in head (b) of sub-paragraph (1) to a member's having become bankrupt and to a member's having made an arrangement with his creditors there shall be substituted respectively references to sequestration of a member's estate having been awarded and to a member's having made a trust deed for behoof of his creditors or a composition contract.

6. Part II of Schedule 1 to the House of Commons Disqualification Act 1957 (which specifies certain commissions, tribunals and other bodies all members of which are disqualified under that Act) shall, in its application to the House of Commons of the United Kingdom, be amended by inserting, at the appropriate point in alphabetical order, the words "The Post Office".

Proceedings

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

7. The validity of any proceedings of the Post Office shall not be affected by a vacancy amongst the members thereof or by a defect in the appointment of a member.

8. The quorum of the Post Office shall be three; and, while a member is disqualified from taking part in a decision or deliberation of the Post Office with respect to a matter, he shall be disregarded for the purpose of constituting a quorum of the Post Office for deciding, or deliberating on, that matter.

9. Subject to the foregoing provisions of this Schedule, the Post Office shall have power to regulate its own procedure.

Staff

10. The Post Office shall appoint a secretary of the Post Office and may appoint such other officers and such servants as it may determine.

11.-(1) Except so far as the Post Office is satisfied that adequate machinery exists for achieving the purposes of this paragraph, being machinery for operation at national level or local level or a level falling between those levels and appearing to the Post Office to be appropriate, it shall be the duty of the Post Office to seek consultation with any organisation appearing to it to be appropriate with a view to the conclusion between it and that organisation of such agreements as appear to the parties to be desirable with respect to the establishment and maintenance, for operation at any such level as aforesaid, of machinery for –

- (a) the settlement by negotiation of terms and conditions of employment of persons employed by the Post Office, with provision for reference to arbitration in default of such settlement in such cases as may be determined by or under the agreements ;
- (b) the promotion and encouragement of measures affecting efficiency, in any respect, in the carrying on by the Post Office of its activities, including in particular, the promotion and encouragement of the training of persons employed by the Post Office ; and
- (c) the promotion and encouragement of measures affecting the safety, health and welfare of persons so employed.

(2) The Post Office shall send to the Minister and the Secretary of State copies of any such agreement as aforesaid and of any instrument varying the terms of any such agreement.

(3) Where it falls to the Post Office to participate in the operation of machinery established under this paragraph and the operation involves discussion of a subject by other persons participating therein, the Post Office shall make available to those persons, at a reasonable time before the discussion is to take place, such information in its possession relating to the subject (other than information whose disclosure to those persons would, in the opinion of the Post Office, be undesirable in the national interest) as, after consultation with those persons, appears to the Post Office to be necessary to enable those persons to participate effectively in the discussion.

(4) Nothing in this paragraph shall be construed as prohibiting the Post Office from taking part together with other employers or organisations of employers in the establishment and maintenance of machinery for the settlement of terms and conditions of employment and the promotion and encouragement of measures affecting efficiency in the carrying on of their activities and the promotion and encouragement of measures affecting the safety, health and welfare of persons employed by them.

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

(5) In the application of sub-paragraph (2) above to Northern Ireland, for the reference to the Secretary of State there shall be substituted a reference to the Ministry of Health and Social Services for Northern Ireland.

12.-(1) Except with the Minister's consent, the Post Office shall not terminate on security grounds the employment of a person employed by it.

(2) In this paragraph, "security grounds" means grounds which are grounds for dismissal from the civil service of Her Majesty in accordance with any arrangements for the time being in force relating to dismissals from that service for reasons of national security.

Fixing of Seal and Proof of Instruments

13. The fixing of the seal of the Post Office shall be authenticated by the signature of the secretary of the Post Office or of some other person authorised, either generally or specially, by the Post Office to act for that purpose.

14. A certificate signed by the secretary of the Post Office that an instrument purporting to be made or issued by or on behalf of the Post Office was so made or issued shall be conclusive evidence of that fact.

15. Every document purporting to be an instrument made or issued by or on behalf of the Post Office and to be duly executed under the seal of the Post Office, or to be signed or executed by the secretary of the Post Office or a person authorised by the Post Office to act in that behalf shall be received in evidence and deemed, without further proof, to be so made or issued unless the contrary is shown.

*SCHEDULE 2***(Sections 41 and 88)****CLASSES OF ASSETS TO BE HELD BY THE POST OFFICE TO MATCH ITS DEBTS TO ITS BANKING CUSTOMERS***PART I***CLASSES OF ASSETS TO BE HELD TO MATCH A PROPORTION, DETERMINED UNDER SECTION 41 OF THIS ACT, OF DEBTS**

1. Cash.
2. Money held on current account by other bankers on behalf of the Post Office in its capacity as the provider, in exercise of the power conferred on it by virtue of section 7(1)(b) of this Act, of a banking service.
3. Loans repayable either on demand or not later than the expiration of the period of fourteen days beginning with the day next following that on which notice is given to the borrower requiring repayment, being loans in the case of each of which the following condition is satisfied on each day on which it is outstanding, that is to say, that it is secured on one or more of the following, namely, –
 - (a) Treasury bills and bills of Her Majesty's Government in Northern Ireland;
 - (b) accepted and transferable bills of exchange payable at a fixed period after date or sight expiring before the end of the fifth anniversary of that day;
 - (c) marketable fixed interest securities issued by Her Majesty's Government in the United Kingdom, Her Majesty's Government in Northern Ireland or the Government of the Isle of Man, being securities redeemable (otherwise than at the option of the issuer thereof) before the end of that anniversary;
 - (d) marketable fixed interest securities in the case of which the payment of interest thereon is guaranteed by Her Majesty's Government in the United Kingdom, Her Majesty's Government in Northern Ireland or the Government of the Isle of Man, being securities redeemable (otherwise than at the option of the issuer thereof) before the end of that anniversary.
4. Loans of either of the kinds mentioned in paragraph 9 of Part II of Schedule 1 to the Trustee Investments Act 1961, being loans repayable as mentioned in the last foregoing paragraph.
5. Treasury bills payable not more than ninety-one days from date and bills of Her Majesty's Government in Northern Ireland so payable.
6. Assets of such other class as may from time to time be designated for the purposes of this Part of this Schedule by the Post Office with the approval of the Treasury.

*PART II***CLASSES OF ASSETS TO BE HELD TO MATCH THE RESIDUE OF DEBTS**

7. Cash.

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

8. Money held as mentioned in paragraph 2 above.
9. Loans of the class specified in paragraph 3 above.
10. Loans of the class specified in paragraph 4 above.
11. Treasury bills and bills of Her Majesty's Government in Northern Ireland.
12. Assets of a class for the time being designated under paragraph 6 above.
13. Marketable fixed interest securities issued by Her Majesty's Government in the United Kingdom, Her Majesty's Government in Northern Ireland or the Government of the Isle of Man, being securities redeemable (otherwise than at the option of the issuer thereof) before the end of the fifth anniversary of the day on which the Post Office acquires them.
14. Marketable fixed interest securities in the case of which the payment of interest thereon is guaranteed by Her Majesty's Government in the United Kingdom, Her Majesty's Government in Northern Ireland or the Government of the Isle of Man, being securities redeemable (otherwise than at the option of the issuer thereof) before the end of the fifth anniversary of the day on which the Post Office acquires them.
15. Loans of either of the kinds mentioned in paragraph 9 of Part II of Schedule 1 to the Trustee Investments Act 1961, being loans made on terms that they will, without any demands' being made, or notices' being given, by the persons entitled to repayment, be repaid before the end of the fifth anniversary of the day on which they are made.
16. Securities of the kind mentioned in the said paragraph 9, being securities redeemable (otherwise than at the option of the issuer thereof) before the end of the fifth anniversary of the day on which the Post Office acquires them.
17. Assets of such other class as may from time to time be designated for the purposes of this Part of this Schedule by the Post Office with the approval of the Treasury.

SCHEDULE 3

**MODIFICATIONS OF SCHEDULES 5 AND 6 TO THE ROADS ACT (NORTHERN IRELAND)
1948 FOR THE PURPOSES OF ORDERS MADE UNDER SECTION 56 OF THIS ACT**

* * * * *³⁸

³⁸ See Section 88(1)(a) of this Act.

SCHEDULE 4

(Sections 76, 88 and 139)

ADAPTATIONS OF ENACTMENTS AND ORDERS IN COUNCIL CONSEQUENTIAL ON THE ASSUMPTION BY THE NEW AUTHORITY FOR THE CONDUCT OF POSTAL AND TELEGRAPHIC BUSINESS OF FUNCTIONS EXERCISED AND PERFORMED BEFORE THE APPOINTED DAY BY THE POSTMASTER GENERAL

PART I

INTERPRETATION

1. In this Schedule "the authority" means the authority established by section 6 of this Act.

PART II

ADAPTATIONS OF PUBLIC GENERAL ENACTMENTS

Adaptations of enactments relating to the Post

2.³⁹(1) With reference to any point of time after the beginning of the appointed day, any reference in the provisions of the Post Office Act 1953 (hereafter in this paragraph referred to as the "principal Act") specified in the following table to the Post Office (except in the expression "an officer of the Post Office") shall be construed as referring to the authority, and any reference in those provisions to an officer of the Post Office shall be construed as referring to a person engaged in the business of the authority.

TABLE

<i>Provision</i>	<i>Subject-matter</i>
* * * * *	
Section 65.... ..	Obstruction and molestation of officers of the Post Office.
* * * * *	

(11) references in sections 50 and 51 of the principal Act (extension of postal facilities and accommodation) to the Postmaster General shall, as from the appointed day, be construed as referring to the authority.

* * * * *

(13) With reference to any point of time after the beginning of the appointed day, the reference in section 61 of the principal Act (prohibition of affixing placards, notices, &c., on post office letter boxes, &c.) to the Postmaster General shall be construed as referring to the authority.

* * * * *

³⁹ Contents of paragraph 2 refer to the Post Office Act, 1953 which is repealed in part by Article 7 of the Postal Services (Jersey) Order, 1969.

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

3. As from the appointed day, section 1 of the Recorded Delivery Service Act 1962 shall have effect as if the reference in subsection (6) thereof (which provides that that section is not to be construed as authorising the sending by that service of anything which, under the Post Office Act 1953 or any instrument thereunder, is not allowed to be so sent) to any instrument under the Post Office Act 1953 included a reference to a scheme under section 28 of this Act, and section 1 of the Recorded Delivery Service Act (Northern Ireland) 1963 shall have effect as if the reference in subsection (5) thereof to such an instrument included a reference to such a scheme.

Adaptations of Enactments relating to Telegraphs

4. References to the company, the Postmaster General or the Post Office in –
- (a) section 45 of the Telegraph Act 1863 (omission to transmit or deliver message; improper divulging of message, &c.);
 - (b) section 20 of the Telegraph Act 1868 (improper disclosure or interception of message); and
 - (c) sections 8, 9 and 10 of the Telegraph Act 1878 (destruction of, or injury to, telegraphic lines; obstruction of execution of works in connection with such lines; mode of prosecution of offences under Telegraph Acts);

shall, as from the appointed day, be construed as referring to the authority.

5. As from the appointed day, section 5(1) of the Telegraph Act 1892 (application of Acts to licensee of Postmaster General) shall have effect as if, for the words from the beginning to “specified in the licence” (where secondly occurring), there were substituted the words “The Post Office may authorise the holder of a licence granted, or having effect as if it had been granted, under section 27(1) of the Post Office Act 1969 (in this section referred to as ‘a licensee’) during the time and within the area specified in the authority to exercise all or any of the powers which are conferred on the Post Office by the Telegraph Acts 1863 and 1878”.

6. The reference to the Postmaster General in section 2(1) of the Telegraph Act 1899 (payment of expenses of exercise of powers under telephone licence) to the Postmaster General, shall as from the appointed day, be construed as referring to the authority.

7.-(1) Any such notice or counter-notice as follows, namely, –

- (a) a notice authorised to be given to the authority by any of the following provisions of the Telegraph Act 1863, namely sections 14 (removal of abandoned works), 15 (removal of works in connection with alterations to streets), 21(3) (alteration of positions of telegraphs in connection with alterations to buildings), 22(3) (removal of telegraphs near dwelling-houses) and 30(1) (removal of work in order to enable building, &c., to take place);
- (b) a notice authorised by section 24 of that Act to be given to the authority objecting to intended works;
- (c) a notice required by section 7(1) of the Telegraph Act 1878 to be given to the authority of the time and place at which work will be begun by undertakers or others;
- (d) a notice given for the purposes of section 8 of the last-mentioned Act of the intended exercise of a right (not being a notice given in pursuance of some other Act or of an agreement);

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

- (e) a counter-notice authorised by section 5(2) of the Telegraph (Construction) Act 1908 to be given to the authority objecting to the lopping of a tree; and
- (f) a notice given for the purposes of section 1(2)(d) of the Telegraph (Construction) Act 1911 to the authority requiring it to remove or alter a telegraphic line constructed or maintained under the authority of that Act;

may be given by addressing it to the authority (by its name) and by sending it by post to, or leaving it at, the appropriate area office.

- (2) In this paragraph “appropriate area office” means –
 - (a) in the case of such a notice as is mentioned in head (a) of the foregoing sub-paragraph, the principal local telecommunications office of the authority for the area in which the works or work to which the notice relates are or is situate;
 - (b) in the case of such a notice as is mentioned in head (b) of that sub-paragraph, the principal local telecommunications office of the authority for the area in which the works to which the notice relates are intended to be executed;
 - (c) in the case of such a notice as is mentioned in head (c) of that sub-paragraph, the principal local telecommunications office of the authority for the area in which the work to which the notice relates is to be done;
 - (d) in the case of such a notice as is mentioned in head (d) of that sub-paragraph, the principal local telecommunications office of the authority for the area in which the right to which the notice relates is intended to be exercised;
 - (e) in the case of such a counter-notice as is mentioned in head (e) of that sub-paragraph, the principal local telecommunications office of the authority for the area in which the tree to which the notice relates is growing; and
 - (f) in the case of such a notice as is mentioned in head (f) of that sub-paragraph, the principal local telecommunications office of the authority for the area in which the line to which the notice relates (or any length thereof) is situate.

Adaptations of Enactments relating to the Supply of Electricity

* * * * *

10. As from the appointed day, the reference to the Postmaster General in section 62(1)(b) of the Schedule to the Electric Lighting (Clauses) Act 1899 (service of notices) shall be construed as referring to the authority.

11. As from the appointed day, references to a private generating station in section 11 of the Electricity (Supply) Act 1919 (restrictions on the establishment of new generating stations) shall be construed as including references to a generating station (within the meaning of that Act) for the generation of electricity for use wholly or mainly for the purposes of the authority’s undertaking.

12.-(1) As from the appointed day, references to the Postmaster General in section 37(9) of the Electricity (Supply) Act (Northern Ireland) 1931 (savings) shall be construed as referring to the authority.

⁴⁰ Legislation referred to in Sections 8 and 9 has not been extended to Jersey – see Section 88(2)(b) of this Act.

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

(2) As from the appointed day, references to the Postmaster General in section 41 of the said Act of 1931 (electricity supply for certain undertakings not to cause interference with telegraphic lines belonging to, or used by, the Postmaster General) shall be construed as referring to the authority.

13. As from the appointed day, references to the Postmaster General in section 40(2) to (4) of the Electricity (Supply) Act (Northern Ireland) 1948 (saving for power of certain Ministers) shall be construed as referring to the authority.

Adaptations of other Enactments

14.–20. * * * * *

21.-(1) For the purposes of section 2 of the Official Secrets Act 1911 membership of, or any office or employment under, the authority shall be deemed to be an office under Her Majesty, and a contract with the authority shall be deemed to be a contract with Her Majesty; and, as from the appointed day, any telegraph, telephone, wireless or signal station or office belonging to, or occupied by, the authority shall be a prohibited place for the purposes of that Act.

(2) * * * * *

22.–45. * * * * *

46. * * * * *

47.–57. * * * * *

58.-(1) Where the alteration of a telegraphic line of the authority is reasonably necessary for the purpose of enabling a local authority to exercise any of the powers conferred on them by Part III of the Housing Act 1957, paragraphs (1) to (8) of section 7 of the Telegraph Act 1878 (alteration of telegraphic lines in the execution of undertakings authorised by Act of Parliament) shall apply to the alteration and accordingly shall have effect, subject to any necessary modifications, as if references therein to undertakers included references to the local authority.

(2) Where, in pursuance of an order under section 64 of the Housing Act 1957, that comes into operation on or after the appointed day, a public right of way over land is extinguished and, immediately before the day on which the order comes into operation, there is under, in, on, over, along or across the land a telegraphic line of the authority's, the authority shall have the same powers in respect of the line as if the order had not come into operation; but, if a person entitled to land over which the right of way subsisted requires that the line should be altered, paragraphs (1) to (8) of the said section 7 shall apply to the alteration and accordingly shall have effect, subject to any necessary modifications, as if references therein to undertakers included references to the person by whom the alteration is required.

(3) In the proviso to section 64(3) of the Housing Act 1957, the expression "apparatus" shall, in relation to the authority, be construed generally and shall not be limited by the definition thereof in section 189(1) of that Act.

⁴¹ Legislation referred to in paragraphs 14 to 20 inclusive has not been extended to Jersey – see Section 88(2)(b) of this Act.

⁴² Sub-paragraph (2) of paragraph 21 refers to legislation which has not been extended to Jersey – see Section 88(2)(b) of this Act.

⁴³ Legislation referred to in paragraphs 22 to 45 and 47 to 57 has not been extended to Jersey – see Section 88(2)(b) of this Act.

⁴⁴ The section of the Civil Aviation Act, 1949 referred to in paragraph 46 has not been extended to Jersey – see Section 88(2)(b) of this Act.

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

(4) In this paragraph, “telegraphic line” and “alteration” have the same meanings as in the Telegraph Act 1878.

59.–94. * * * * *⁴⁵

PART III

ADAPTATIONS OF LOCAL ENACTMENTS

95.–102. * * * * *⁴⁵

PART IV

ADAPTATIONS OF ORDERS IN COUNCIL

103.–104. * * * * *⁴⁵

⁴⁵ Legislation referred to in paragraphs 59 to 104 inclusive has not been extended to Jersey – see Section 88(2)(b) of this Act.

*SCHEDULE 5***(Sections 77 and 88)****REPAIR OF MINOR DEFICIENCIES IN CERTAIN ACTS**

1.-(1) In any proceedings against a person in respect of an offence under section 45 of the Telegraph Act 1863 or section II of the Post Office (Protection) Act 1884 consisting in the improper divulging of the purport of a message or communication or an offence under section 20 of the Telegraph Act 1868 it shall be a defence to prove that the act constituting the offence was done in obedience to a warrant under the hand of a Secretary of State.

(2) Subsection (2) of section 58 of the Post Office Act 1953 (warrants in Northern Ireland and the Isle of Man) shall apply for the purposes of the foregoing sub-paragraph as it applies for the purposes of subsection (1) of that section.

2. * * * * *

3. Section 63 of the Post Office Act 1953⁴⁷ shall have effect as if, in subsection (6) thereof, for the words “any stamp for denoting a current rate of postage of any country outside the British postal area”, there were substituted the words “any current stamp for denoting a rate of postage of any country outside the British postal area”.

⁴⁶ Paragraph repealed by Article 9(b) of the Postal Services (Channel Islands Consequential Provisions) Order, 1969.

⁴⁷ Repealed by Article 7 of the Postal Services (Jersey) Order, 1969 .

*SCHEDULE 6***(Sections 94 and 114)****AMENDMENTS OF ACTS CONSEQUENTIAL ON SECTION 94 OF THIS ACT***PART 1***AMENDMENTS OF THE POST OFFICE SAVINGS BANK ACT 1954**

<i>Provision amended and Subject-matter thereof</i>	<i>Amendment</i>
Section 2 (general power to make regulations).	In subsection (1), for the words “The Postmaster General, with the consent of the Treasury, may make regulations”, there shall be substituted the words “The Treasury may make regulations”, and the words “in his department” shall be omitted ; and, in subsection (2), for the words “post office savings banks” and the words “the Postmaster General”, there shall be substituted, respectively, the words “the National Savings Bank” and the words “the Director of Savings”.
Section 4 (limit on amount of deposits).	In subsection (1), the words “by the Postmaster General” shall be repealed.
Section 6 (withdrawal).	For the words “the general authority of the Postmaster General” there shall be substituted the word “authority” ; and for the words “any Post Office where deposits are received or paid”, there shall be substituted the words “any place at which deposits can be withdrawn”.

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

- Section 7 (regulations as to deposits). In subsection (1), for the words “The power of the Postmaster General with the consent of the Treasury to make regulations”, there shall be substituted the words “The power of the Treasury to make regulations” ; in paragraphs (a), (b) and (e), for the words “a post office savings bank” and the words “any post office savings bank”, there shall be substituted the words “the, National Savings Bank” ; in paragraphs (d) and (g), for the words “the Postmaster General”, there shall be substituted the words “the Director of Savings”; for paragraph (f), there shall be substituted the following paragraph: -
- “(f) for the purpose of the payment or transfer of any sum, for authorising a person to be treated as having been domiciled in the place in which he was resident at the date of his death”;
- and, in paragraph (l), the words “the Postmaster General to treat as a depositor in a post office savings bank” shall be omitted, and, at the end of that paragraph, there shall be added the words “to be treated as a depositor”; and, in subsection (2), for the words “a post office savings bank”, there shall be substituted the words “the National Savings Bank”.
- Section 8 (settlement of disputes). In subsection (1), for the words “the Postmaster General”, there shall be substituted the words “the Director of Savings”; in subsection (2), for the words “the Postmaster General” there shall be substituted the words “the Director of Savings”; in subsection (4), for the words “books belonging to the Postmaster General”, there shall be substituted the words “books of the National Savings Bank”; and, in subsection (5), for the words “the Postmaster General”, there shall be substituted the words “the Director of Savings”.
- Section 10 (secrecy). In subsection (1), for the words “the Postmaster General”, there

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

- shall be substituted the words “the Direction of Savings”.
- Section 11 (transfer of deposits to other savings banks). In subsection (1), the words “under this Act” shall be repealed, and for the words “the Postmaster General” there shall be substituted the words “the Director of Savings”; in subsections (4) and (5), for the words “the Postmaster General”, there shall be substituted the words “the Director of Savings”; and, in subsection (6), for the words “the post office savings bank”, there shall be substituted the words “the National Savings Bank”.
- Section 12 (transfer of deposits from other savings banks). In subsection (1), for the words “a post office savings bank”, there shall be substituted the words “the National Savings Bank”; in subsection (2), for the words “to any person authorised to receive deposits under this Act”, there shall be substituted the words “at any place where the business of the National Savings Bank is transacted”, and the words “made under this Act” shall be repealed; in subsection (5), for the words “the post office savings bank”, there shall be substituted the words “the National Savings Bank”; and, in subsection (6), for the words “the Postmaster General” there shall be substituted the words “the Director of Savings”.
- Section 13 (transfer of deposits from and to overseas savings banks). In subsection (1), for the words “the Postmaster General” there shall be substituted the words “the Director of Savings”, and for the words “the post office savings bank” (in both places where they occur) there shall be substituted the words “the National Savings Bank”; in subsection (2), the reference to an arrangement’s having been made under subsection (1) shall be construed as including a reference to an arrangement’s having been made under that subsection by the Postmaster General before the appointed day, and for the words “the Postmaster General may

place any amount transferred in pursuance of those arrangements to the post office savings bank”, there shall be substituted the words “the Director of Savings may cause any amount transferred in pursuance of the arrangement to the National Savings Bank to be placed”; and, in subsection (3), for the words “Regulations made under this Act by the Postmaster General with the consent of the Treasury”, there shall be substituted the words “Regulations made under this Act by the Treasury”.

Section 14 (deposits by charitable societies, &c.).

In subsections (1) and (2), for the words “a post office savings bank”, there shall be substituted the words “the National Savings Bank”; in subsection (3), for the words “The Postmaster General” there shall be substituted the words “the Director of Savings”, and, for the words “a post office savings bank” there shall be substituted the words “the National Savings Bank”; and, in subsection (4), for the words “any obligation on the Postmaster General as respects his receiving any funds” there shall be substituted the words “any obligation on the National Savings Bank to receive funds”.

PART II

AMENDMENTS OF THE POST OFFICE SAVINGS BANK ACT 1966

Section 1 (investment deposits).

In subsection (1), for the words “received under the Post Office Savings Bank Act 1954 (in this Act referred to as ‘the principal Act’) may be so” there shall be substituted the words “may be”; in subsection (2), the words “made in a post office savings bank” shall be repealed; and, in subsection (3), after the words “The following provisions of” there shall be inserted the words “the Post Office Savings Bank Act 1954, in this Act referred to as”.

Section 2 (terms of investment deposits).

In subsection (1), for the words “as the Postmaster General may from

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

	time to time by regulations made with the consent of the Treasury prescribe” there shall be substituted the words “as the Treasury may from time to time by regulations prescribe”, and for the words “the Postmaster General” (where secondly occurring) there shall be substituted the words “the Director of Savings”; in subsection (2), the words “the Postmaster General’s” shall be omitted; and, in subsection (4), for the words “The Postmaster General” there shall be substituted the words “The Director of Savings”.
Section 4 (investment by National Debt Commissioners).	In subsection (1), for the words “the Postmaster General with the consent of the Treasury” there shall be substituted the words “the Treasury”; in subsection (2), for the words “the Postmaster General with the consent of the Treasury” there shall be substituted the words “the Treasury” and for the words “to the Postmaster General” there shall be substituted the words “to the Director of Savings”; and, in subsection (3), for the words “the Postmaster General” there shall be substituted the words “The Director of Savings”.
Section 6 (making of deposits).	For the words “the Postmaster General” there shall be substituted the words “the Treasury”.

PART III

AMENDMENTS OF OTHER ENACTMENTS

Enactments of the Parliament of the United Kingdom

<i>Provision amended and Subject-matter thereof</i>	<i>Amendment</i>
Section 9 of the Bankers’ Books Evidence Act 1879 (interpretation of “bank”, “banker” and “bankers’ books”).	For the words “any post office savings bank” there shall be substituted the words “the National Savings Bank”.
Section 2 of the Consolidated Fund (Permanent Charges Redemption) Act 1883 (power of Treasury to borrow from the National Debt Commissioners,	In subsection (1), for the words “Trustee or Post Office Savings Banks” there shall be substituted the words “trustee savings banks and the National Savings Bank”.

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

out of funds in their hands on account of trustee or post office savings banks, capital sums necessary for carrying into effect contracts made in pursuance of the Consolidated Fund (Permanent Charges Redemption) Act 1873).

Section 10 of the Savings Banks Act 1887 (issue, for specially low fee, of certificate of birth, marriage or death for purposes of Acts relating to savings banks and government annuities).

Section 141 of the Merchant Shipping Act 1894 (definition of "savings bank" for the purposes of the provisions of the Act relating to allotment notes).

Section 44 of the Friendly Societies Act 1896 (investment of funds).

Rule 172 in Schedule 1 to the Sheriff Courts (Scotland) Act 1907 (disposal of money payable to persons under legal disability).

Section 9 of the Government of Ireland Act 1920 (reserved matters).

Section 47A of the Administration of Estates Act 1925 (right of surviving spouse to have own life interest redeemed).

Section 27 of the Crown Proceedings Act 1947 (attachment of moneys payable by the Crown).

Section 46 of the Crown Proceedings Act 1947 (provisions

For the words "Post Office Savings Banks" there shall be substituted the words "the National Savings Bank".

In subsection (4)(b), for the words "a post office savings bank" there shall be substituted the words "the National Savings Bank".

In subsection (1)(a), for the words "the Post Office Savings Bank" there shall be substituted the words "the National Savings Bank".

In paragraph (f), in sub-paragraph (1), for the words "the Post Office Savings Bank" there shall be substituted the words "the National Savings Bank", and, in sub-paragraph (4), for the words "the Post Office Savings Bank" there shall be substituted the words "the Director of Savings".

In subsection (2)(b), for the words "the Post Office Savings Bank", there shall be substituted the words "the National Savings Bank".

In subsection (2), in rule 2, for the words "the purchase of an immediate life annuity from the National Debt Commissioners through the Post Office Savings Bank", there shall be substituted the words "the purchase, under the Government Annuities Act 1929, of an immediate savings bank annuity".

In subsection (1), in the proviso, in paragraph (c), for the words "the Post Office Savings Bank" there shall be substituted the words "the National Savings Bank".

In the proviso, in paragraph (c), for the words "the Post Office

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

- as to arrestment). Savings Bank” there shall be substituted the words “the National Savings Bank”.
- Section 29 of the Income Tax Act 1952 (power of surveyor of taxes to obtain information as to interest paid or credited without deduction of tax). In subsection (3), for the words “the Post Office Savings Bank”, there shall be substituted the words “the National Savings Bank” and for the words “the Postmaster General” there shall be substituted the words “the Director of Savings”.
- Section 21 of the Trustee Savings Banks Act 1954 (regulations as to deposits). In subsection (2), for the words “the post office savings bank” there shall be substituted the words “the National Savings Bank”; and, in subsection (4), for the words “the post office savings bank” there shall be substituted the words “the National Savings Bank”, for paragraph (b), there shall be substituted the following paragraph: -
“(b) for the purpose of the payment or transfer of any sum, for authorising a person to be treated as having been domiciled in the place in which he was resident at the date of his death”;
and, in paragraph (c), for the words “the Postmaster General” there shall be substituted the words “the Director of Savings”.
- Section 54 of the Trustee Savings Banks Act 1954 (trustees of a trustee savings bank who propose to close the bank to give to depositors notice of the facilities afforded by law for transfer of deposits to a post office savings bank). In subsection (3), for the words “a post office savings bank” there shall be substituted the words “the National Savings Bank”.
- Section 56 of the Trustee Savings Banks Act 1954 (procedure available on closing a bank). In subsection (3), for the words “a post office savings bank” there shall be substituted the words “the National Savings Bank”; and, in subsection (4), for the words “any post office savings bank” there shall be substituted the words “the National Savings Bank”.
- Section 38 of the Administration of Justice Act 1956 (attachment of debts). In subsection (2), for the words “the Post Office Savings Bank” there shall be substituted the words “the National Savings

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

	Bank”.
Section 9 of the Finance Act 1956 (relief from income tax on certain savings bank interest).	In subsection (1), for the words “the Post Office savings bank” there shall be substituted the words “the National Savings Bank”.
Schedule 3 to the Insurance Companies Act 1958 (rules for valuing policies and liabilities).	In paragraph 5, for the words “the purchase of a life annuity from the National Debt Commissioners through the Post Office Savings Bank” there shall be substituted the words “the purchase under the Government Annuities Act 1929 of a savings bank annuity”.
Section 143 of the County Courts Act 1959 (attachment of debts).	In subsection (2), for the words “the Post Office Savings Bank” there shall be substituted the words “the National Savings Bank”.
Section 17 of the Trustee Investments Act 1961 (extension to the Isle of Man and the Channel Islands of so much of section 16 as relates to the Post Office Savings Bank and to trustee savings banks).	In subsection (3), for the words “the Post Office Savings Bank” there shall be substituted the words “the National Savings Bank”.
Part I of Schedule 1 to the Trustee Investments Act 1961 (narrower-range investments not requiring advice).	In paragraph 2, for the words “the Post Office Savings Bank” there shall be substituted the words “the National Savings Bank”.
Section 20 of the Finance Act 1966 (exclusion from relief from income tax of interest on Post Office investment deposits).	For the words “the Post Office savings bank” there shall be substituted the words “the National Savings Bank”.

Enactments of the Parliament of Northern Ireland

* * * * *

*SCHEDULE 7***(Section 131)****SETTLEMENT OF FINANCIAL MATTERS OUTSTANDING ON THE APPOINTED DAY**

1.-(1) As soon as practicable after the appointed day, the Post Office shall pay sums equal in the aggregate to the difference between the aggregate of the sums paid by the Postmaster General in pursuance of section 2 of the Post Office Act 1961 (contributions by the Postmaster General in lieu of taxes, &c.) and what is agreed between the Treasury and the Post Office to be the aggregate of the sums which, had this Act not passed, would have been paid in pursuance of that section by the Postmaster General in respect of the period beginning with the day on which that Act came into operation and ending with the day immediately preceding the appointed day.

(2) As from the appointed day, –

(a) subsection (3) of the said section 2 (destination of payments under that section) shall have effect as if, for the reference to that section, there were substituted a reference to the foregoing sub-paragraph and, for the reference to the Postmaster General, there were substituted a reference to the Post Office; and

(b) subsection (4) of that section (apportionment of sums paid under that section between Great Britain and Northern Ireland) shall have effect as if the reference to that section included a reference to the foregoing sub-paragraph.

2.-(1) If, immediately before the appointed day, and sums of money that, by virtue of section 3(1) of the Post Office Act 1961, are subject to be paid by the Postmaster General into the Exchequer of the United Kingdom (that is to say, sums received by way of broadcast receiving licence revenue) are in his hands, the Post Office shall, on that day or as soon as practicable thereafter, pay equivalent sums to the Minister, who shall pay them into the Consolidated Fund.

(2) As soon as practicable after the appointed day, the Minister shall pay to the Post Office a sum equal to the difference between the aggregate of the sums paid, under section 3(2) of the Post Office Act 1961, into the Post Office Fund out of moneys provided by Parliament for paying the Postmaster General for discharging his functions under the Wireless Telegraphy Acts 1949 to 1967 and the Television Act 1964, in so far as broadcasting is concerned or otherwise in relation to broadcasting and the amount determined by the Minister, with the approval of the Treasury, to be the aggregate of the sums that, had this Act not passed, would have been paid, under that section, into that fund, out of moneys so provided for that purpose in respect of the period beginning with the day on which the first-mentioned Act came into operation and ending with the day immediately preceding the appointed day.

3.-(1) If, immediately before the appointed day, there are in the hands of the Postmaster General any sums of money received by him from the Secretary of State for the payment on his behalf of benefit (as defined by section 114(1) of the National Insurance Act 1965 or section 86(1) of the National Insurance (Industrial Injuries) Act 1965), allowances under the Family Allowances Act 1965 or allowances or benefit under the Industrial Injuries and Diseases (Old Cases) Act 1967 or received by him in respect of sales of insurance stamps (within the meaning of the first- or second-mentioned Act of 1965), the Post Office shall, on that day, assume a liability to pay equivalent sums to the Secretary of State; and, if immediately before that day, any sums of money are owed by the Secretary of State to the Postmaster General for the purpose of reimbursing him sums paid by him on behalf of the

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

Secretary of State by way of such benefit or allowances as aforesaid, the Secretary of State shall, on that day, assume a liability to pay to the Post Office sums equivalent to those owed.

(2) As soon as practicable after the appointed day, the Secretary of State shall pay to the Post Office a sum equal to the difference between the aggregate of the sums paid by him, the Minister of Social Security and the Minister of Pensions and National Insurance together in pursuance of subsection (2) of section 85 of the National Insurance Act 1965 (payment of the Postmaster General for work done by him in the execution of that Act and the other enactments mentioned in that subsection) to the Postmaster General and the amount agreed between him and the Post Office to be the aggregate of the sums that, had this Act not passed, would have been paid by him and those Ministers together in pursuance of that subsection to the Postmaster General in respect of the period beginning with the day on which that Act came into operation and ending with the day immediately preceding the appointed day.

(3) The payment falling to be made in pursuance of the last foregoing sub-paragraph shall be defrayed as follows, that is to say, –

- (a) so much as is attributable to work done by the Postmaster General in the execution of the National Health Service Contributions Act 1965, so much as is determined by the Treasury to be attributable to work done by him in the execution of section 28 of the Redundancy Payments Act 1965 and so much as is so determined to be attributable to work done by him in the execution of section 44 of the Finance Act 1966 (selective employment tax) shall be defrayed out of moneys provided by Parliament;
- (b) the residue shall be defrayed as part of the expenses of the Secretary of State in carrying into effect the enactments mentioned in section 85(2) of the National Insurance Act 1965;

and, for the purpose of determining what part of the residue should be attributed to each respectively of the enactments so mentioned, it shall be apportioned between them in such manner as may be determined by the Secretary of State in accordance with any directions given by the Treasury.

4.-(1) If, immediately before the appointed day, there are in the hands of the Postmaster General any sums of money received by him from the Secretary of State for the payment on his behalf of benefit (as defined by section 36(1) of the Ministry of Social Security Act 1966), the Post Office shall, on that day, assume a liability to pay equivalent sums to the Secretary of State; and if, immediately before that day, any sums of money are owed to the Postmaster General by the Secretary of State for the purpose of reimbursing him sums paid by him on behalf of the Secretary of State by way of benefit (as so defined), the Secretary of State shall, on that day, assume a liability to pay to the Post Office sums equivalent to those owed.

(2) As soon as practicable after the appointed day, the Secretary of State shall, out of moneys provided by Parliament, pay to the Post Office a sum equal to the difference between the aggregate of the sums paid by him and the Minister of Social Security together in pursuance of subsection (3) of section 19 of the Post Office Act 1961 (payment of the Postmaster General for work done by him in the execution of the Ministry of Social Security Act 1966) to the Postmaster General and the amount agreed between him and the Post Office to be the aggregate of the sums that, had this Act not passed, would have been paid by him and the Minister of Social Security together in pursuance of that subsection to the Postmaster General in respect of the period beginning with the day appointed under section 40(2)(c) of the last-mentioned Act by the Minister of Social Security and ending with the day immediately preceding the appointed day.

5.-(1) If, immediately before the appointed day, there are in the hands of the Postmaster General any sums of money received by him on behalf of a county council in

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

respect of licences issued under the Vehicles (Excise) Act 1962, the Post Office shall, on that day, assume a liability to pay equivalent sums to the council.

(2) As soon as practicable after the appointed day, the Minister of Transport shall, out of moneys provided by Parliament, pay to the Post Office a sum equal to the difference between the aggregate of the sums paid by him in pursuance of subsection (4) of section 19 of the Post Office Act 1961 (payment of the Postmaster General for work done by him in the execution of the Vehicles (Excise) Act 1962) to the Postmaster General and the amount agreed between him and the Post Office to be the aggregate of the sums that, had this Act not passed, would have been paid by him in pursuance of that subsection to the Postmaster General in respect of the period beginning with the day on which the first-mentioned Act came into operation and ending with the day immediately preceding the appointed day.

(3) In this paragraph, the expression "county council" shall be construed in like manner as if it were contained in the Vehicles (Excise) Act 1962.

6.-(1) If, immediately before the appointed day, there are in the hands of the Postmaster General any sums of money received by him on behalf of a local authority in England or Wales in respect of licences for dogs or licences to deal in, or for killing, game, the Post Office shall, –

- (a) if subsection (3) of section 35 of the local Government Act 1966 (deduction by Postmaster General, from amount of duties in respect of such licences as aforesaid received by him, of expenses incurred by him on work done in connection with issue thereof) is not in force on that day, assume a liability to pay equivalent sums to the authority;
- (b) if that subsection is in force on that day, assume a liability to pay to the authority equivalent sums less such sum as the Minister considers to be equal to that which, had this Act not passed and the first-mentioned sums been paid by the Postmaster General to the authority on that day, would, by virtue of that subsection, have been deducted by him therefrom.

(2) If, immediately before the appointed day, there are in the hands of the Postmaster General any sums of money received by him on behalf of a local authority in Scotland in respect of licences for dogs or licences for killing game, the Post Office shall pay to the authority equivalent sums, less such sum as the Minister considers to be equal to that which, had this Act not passed and the first-mentioned sums been paid by the Postmaster General to the authority on that day, would, by virtue of section 43(2) of the Local Government (Scotland) Act 1966 or of Article 4(6) of the Game Licences and Gamedealers' Licences (Scotland) Order 1967, have been deducted by him therefrom.

(3) If subsection (3) of section 35 of the Local Government Act 1966 is not in force on the appointed day, the Minister of Housing and Local Government shall, as soon as practicable thereafter, pay to the Post Office, out of moneys received by Parliament, a sum equal to the difference between the aggregate of the sums paid by him in pursuance of subsection (5) of section 19 of the Post Office Act 1961 to the Postmaster General and the amount agreed between him and the Post Office to be the aggregate of the sums that, had this Act not passed, would have been paid by him in pursuance of that subsection to the Postmaster General in respect of the period beginning with the day on which that Act came into operation and ending with the day immediately preceding the appointed day.

7.-(1) If, immediately before the appointed day, there are in the hands of the Postmaster General any sums of money received by him by way of ordinary or investment deposits or for the purpose of the repayment of such deposits or the payment of interest

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

thereon, the Post Office shall, on that day, assume a liability to pay equivalent sums to the Director of Savings.

(2) If, immediately before the appointed day, any sums of money are owed to the Postmaster General for the purpose of reimbursing him sums paid by him by way of the repayment of, or the payment of interest on, ordinary deposits, the Director of Savings shall, on that day, assume a liability to pay to the Post Office sums equivalent to the sums owed; and a payment made in or towards discharge of this liability shall be made out of ordinary deposits.

(3) If, immediately before the appointed day, any sums of money are owed to the Postmaster General for the purpose of reimbursing him sums paid by him by way of the repayment of, or the payment of interest on, investment deposits, the Director of Savings shall, on that day, assume a liability to pay to the Post Office sums equivalent to the sums owed; and a payment made in or towards discharge of this liability shall be debited to the National Savings Bank Investment Account Fund.

(4) As soon as practicable after the appointed day, the National Debt Commissioners shall pay to the Post Office a sum equal to the difference between the aggregate of the sums paid by them in pursuance of subsection (6) of section 19 of the Post Office Act 1961 (payment of the Postmaster General for work done by him in the execution of the Post Office Savings Bank Act 1954) and the amount agreed between the Treasury and the Post Office to be the aggregate of the sums that, had this Act not passed, would have been paid by the Commissioners in pursuance of that subsection to the Postmaster General in respect of the period beginning with the day on which the first-mentioned Act came into operation and ending with the day immediately preceding the appointed day; and the payment of the sum falling to be paid by virtue of the foregoing provisions of this sub-paragraph shall be treated for the purposes of section 16 of the Post Office Savings Bank Act 1954 as part of the expenses incurred by the National Debt Commissioners in the execution of that Act.

(5) As soon as practicable after the appointed day, there shall be debited to the National Savings Bank Investment Account Fund and paid to the Post Office –

- (a) a sum equal to the difference between the aggregate of the sums debited in pursuance of paragraph (a) of subsection (3) of section 3 of the Post Office Savings Bank Act 1966 (which paragraph operates to secure that the Postmaster General is paid for work done by him in connection with investment deposits) and the amount agreed between the Treasury and the Post Office to be the aggregate of the sums that, had this Act not passed, would have been debited in pursuance of that paragraph in respect of the period beginning with the day on which that Act came into operation and ending with the day immediately preceding the appointed day; and
- (b) a sum equal to the difference between the aggregate of the sums debited in pursuance of paragraph (c) of that subsection (which paragraph operates to secure that the Postmaster General is reimbursed amounts paid by him under section 2 of the Post Office Act 1961 that are attributable to the investment of deposits under the said Act of 1966) and the amount agreed between the Treasury and the Post Office to be the aggregate of the sums that, had this Act not passed, would have been debited in pursuance of that paragraph in respect of the period aforesaid.

8.-(1) If, immediately before the appointed day, there are in the hands of the Postmaster General any sums of money received by him –

- (a) in respect of purchases or sales of government stock, national savings certificates or relevant securities;

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

- (b) for the purpose of the payment on interest on, or the redemption of, government stock or relevant securities;
- (c) for the purpose of the redemption or repayment of, or the payment of interest on, national savings certificates or war savings certificates; or
- (d) for the purpose of making, in respect of relevant securities, payments other than payments of principal or interest;

the Post Office shall, on that day, assume a liability to pay equivalent sums to the Director of Savings.

(2) If, immediately before the appointed day, any sums of money are owed to the Postmaster General by the Treasury for the purpose of reimbursing him sums paid by him for any such purpose as is mentioned in sub-paragraph (1)(b), (c) or (d) above, the Director of Savings shall, on that day, assume a liability to pay to the Post Office sums equivalent to the sums owed; and a payment made in or towards the discharge of this liability shall be made out of the National Loans Fund with recourse to the Consolidated Fund.

(3) If, immediately before the appointed day, there are in the hands of the Postmaster General any sums of money remitted under section 5 of the National Debt Act 1958 by the Bank of England or Ireland, the Post Office shall, on that day or as soon as practicable thereafter, pay equivalent sums to the Director of Savings.

(4) In this paragraph –

- (a) “government stock” means stock registered in the register referred to in section 108(1) of this Act;
- (b) “national savings certificates” means the certificates issued by that name under section 59 of the Finance Act 1920, Part II of the National Debt Act 1958 or section 12 of the National Loans Act 1968;
- (c) “relevant securities” means securities (other than national savings certificates) created and issued under the National Loans Act 1939 or section 12 of the National Loans Act 1968 for the purpose of raising money through the department of the Postmaster General; and
- (d) “war savings certificates” means the certificates issued by that name under the War Loan Act 1915 or section 58 of the Finance Act 1916.

9. If, immediately before the appointed day, any sums of money that, by virtue of section 35(2) of the Finance Act 1961, are subject to be paid into the National Loans Fund are in the hands of the Postmaster General (that is to say, sums received by him from the sale of national savings stamps or gift tokens), the Post Office shall, on that day or as soon as practicable thereafter, pay equivalent sums to the Treasury who shall pay them into that fund; and, if, immediately before that day, any sums are due under the said section 35(2) to the Postmaster General by way of reimbursing him money paid by him in respect of the exchange or encashment of national savings stamps or national savings gift tokens, the Treasury shall, on that day or as soon as practicable thereafter, pay out of that fund equivalent sums to the Post Office.

10.-(1) If, immediately before the appointed day, any sum is due to the Postmaster General for reimbursing him expenses incurred by him of the kind mentioned in section 12(4)(c) or 13(4) of the National Loans Act 1968, an equivalent sum shall, on that day or as

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

soon as practicable thereafter, be paid to the Post Office out of the National Loans Fund with recourse to the Consolidated Fund.

(2) If, in any period ending with the day immediately preceding the appointed day, the Postmaster General has done without payment work for whose doing he would, but for this Act, have received payment under subsection (7) of section 16 of the National Loans Act 1968 after the beginning of that day, there shall, on that day or as soon as practicable thereafter, be paid to the Post Office out of the National Loans Fund with recourse to the Consolidated Fund such sum as may be agreed between the Treasury and the Post Office to be equal to that which, but for this Act, would have been paid under that subsection to the Postmaster General for doing that work.

11.-(1) If, immediately before the appointed day, there are in the hands of the Postmaster General any sums of money paid to him on contracts entered into under Part II of the Government Annuities Act 1929 or received by him from the National Debt Commissioners for the payment of moneys becoming due under contracts so entered into, the Post Office shall, on that day, assume a liability to pay equivalent sums to the National Debt Commissioners.

(2) If, immediately before the appointed day, any sums of money are owed by the National Debt Commissioners to the Postmaster General for the purpose of reimbursing him sums paid by him in satisfaction of payments due under contracts entered into under the said Part II, those Commissioners shall, on that day, assume a liability to pay to the Post Office sums equivalent to those owed; and the Treasury shall, for the purpose of enabling those Commissioners to make payments in or towards discharge of this liability, in so far as it is referable to contracts for the grant of immediate savings bank annuities, provide them with the necessary sums out of the National Loans Fund with recourse to the Consolidated Fund, and shall, for the purpose of enabling them to make payments in discharge of this liability, in so far as it is not so referable, provide them with the necessary sums out of the Consolidated Fund.

(3) As soon as practicable after the appointed day, the National Debt Commissioners shall pay to the Post Office, out of moneys provided by Parliament, a sum equal to the difference between the aggregate of the sums paid by them in pursuance of subsection (7) of section 19 of the Post Office Act 1961 (payment of the Postmaster General for work done by him in the execution of Part II of the Government Annuities Act 1929) and the amount agreed between the Treasury and the Post Office to be the aggregate of the sums that, had this Act not passed, would have been paid by the Commissioners in pursuance of that subsection to the Postmaster General in respect of the period beginning with the day on which the first-mentioned Act came into operation and ending with the day immediately preceding the appointed day.

12. Where, in respect of use before the appointed day of an invention by virtue of section 46 of the Patents Act 1949, a payment has fallen to be, but has not been, made by the Postmaster General, or would, if this Act had not passed, have fallen to be made by him, that payment shall be made instead by the Post Office; and if the amount of the payment has not been agreed or determined as mentioned in subsection (3) of the said section 46 before that day, it shall, in default of agreement between the Post Office and the person to whom the payment is due, be determined in like manner as it would have been determined had this Act not passed.

13. Where, in respect of use before the appointed day of a registered design by virtue of paragraph 1 of Schedule 1 to the Registered Designs Act 1949, a payment has fallen to be, but has not been, made by the Postmaster General or would, if this Act had not passed, have fallen to be made by him, that payment shall be made instead by the Post Office; and, if the amount of the payment has not been agreed or determined as mentioned in sub-paragraph (3) of the said paragraph 1 before that day, it shall, in default of agreement between the Post

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

Office and the person to whom the payment is due, be determined in like manner as it would have been determined had this Act not passed.

14. If, immediately before the appointed day, any sums of money are, by virtue of section 77 (4) of the Post Office Act 1953 (payment of tolls in Scotland and Northern Ireland), due to be paid by the Postmaster General, the Post Office shall, as soon as practicable after that day, pay such sums to the persons to whom they are due.

15.-(1) Where, under any such arrangements as are mentioned in section 41(3) of the Redundancy Payments Act 1965 (arrangements for securing payments by way of compensation for loss of employment in certain circumstances where no redundancy payment is payable) a payment –

- (a) has fallen to be, but has not been, made by the Postmaster General in respect of the termination before the appointed day of the employment of a person in the civil service in the department of the Postmaster General (whether or not in an established capacity) or in any other capacity remunerated out of the Post Office Fund; or
- (b) would, if this Act had not passed, have fallen to be made by the Postmaster General in respect of the termination, before the appointed day, of such employment as aforesaid of a person;

that payment shall be made instead by the Post Office.

(2) If, immediately before the appointed day, any sums of money are owed by the Secretary of State to the Post Office Fund under section 41(2) of the Redundancy Payments Act 1965 (which provides for the making of a payment by the Secretary of State out of the Redundancy Fund to certain authorities or funds in a case where he is satisfied that, in accordance with any provision of the Superannuation Act 1965 or with such arrangements as are referred to in the foregoing sub-paragraph, a payment has been or will be made in respect of the termination of employment of a person) in respect of sums paid by the Postmaster General in respect of the termination of the employment of persons remunerated out of the Post Office Fund, the Secretary of State shall, on that day or as soon as practicable thereafter, pay to the Post Office sums equivalent to those owed.

(3) In the case of a payment falling to be made by the Post Office –

- (a) by virtue of sub-paragraph (1) above; or
- (b) by virtue of section 44 of this Act, in respect of the termination before the appointed day of such employment of a person as is mentioned in sub-paragraph (1)(a) above,

the said section 41(2) shall have effect in relation thereto with the substitution, for the reference to the appropriate fund or authority, of a reference to the Post Office.

16.-(1) If, immediately before the appointed day, any sums of money are owed by the Ministry of Health and Social Services for Northern Ireland to the Post Office Fund under section 48(2) of the Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965 (which provides for the making of a payment by that Ministry out of the Northern Ireland Redundancy Fund to certain authorities or funds in a case where it is satisfied that, in accordance with such arrangements as are referred to in sub-paragraph (1) of the last foregoing paragraph, a payment has been or will be made in respect of the termination of employment of a person) in respect of sums paid by the Postmaster General in respect of the

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

termination of the employment of persons remunerated out of the Post Office Fund, that Ministry shall, on that day or as soon as practicable thereafter, pay to the Post Office sums equivalent to those owed.

- (2) In the case of a payment by the Post Office –
 - (a) by virtue of sub-paragraph (1) of the last foregoing paragraph; or
 - (b) by virtue of section 44 of this Act, in respect of the termination before the appointed day of such employment of a person as is mentioned in that sub-paragraph;

the said section 48(2) shall have effect in relation thereto with the substitution, for the reference to the appropriate fund or authority, of a reference to the Post Office.

17.-(1) Any payment which, if this Act had not passed, would have fallen to be made under section 3(2) of the Selective Employment Payments Act 1966 or section 4(2) of the Selective Employment Payments Act (Northern Ireland) 1966 to the Postmaster General on or after the appointed day in respect of a contribution week for which he paid selective employment tax before that day shall be made instead to the Post Office.

(2) The difference (if any) on the appointed day between the aggregate of any expenses incurred by the Postmaster General as a designated minister within the meaning of section 3 of the Selective Employment Payments Act 1966 and the aggregate of the amounts paid, by virtue of section II(2) of that Act, into the Post Office Fund out of moneys provided by Parliament shall, as soon as practicable after that day, be paid to the Post Office out of moneys so provided.

18.-(1) The Secretary of State shall, out of the moneys received by him on account of national health service contributions, set aside sums equal in the aggregate to so much of the payment falling to be made under paragraph 3(2) of this Schedule as is determined by the Treasury to be attributable to work done by the Postmaster General in the execution of section 2 of the National Health Service Contributions Act 1965, and, accordingly, section 3(3) of that Act shall have effect as if the reference therein to subsection (1) of that section included a reference to this sub-paragraph.

(2) The Secretary of State shall, out of the moneys received by him on account of redundancy fund contributions, retain sums equal in the aggregate to so much of the payment falling to be made under paragraph 3(2) of this Schedule as is determined by the Treasury to be attributable to work done by the Postmaster General in the execution of section 28 of the Redundancy Payments Act 1965, and, accordingly, section 29(5) of that Act shall have effect as if the reference therein to subsection (1) of that section included a reference to this sub-paragraph.

(3) Sums retained in pursuance of either of the foregoing sub-paragraphs by the Secretary of State shall be paid into the Consolidated Fund.

SCHEDULE 8

(Section 137)

OBSOLETE, &C., ENACTMENTS CEASING TO HAVE EFFECT

PART 1

ENACTMENTS CEASING TO HAVE EFFECT ON THE PASSING OF THIS ACT

Enactment of the Parliament of England

Enactments of the Parliament of the United Kingdom

Chapter	Title or Short Title	Extent to which Enactment is to cease to have Effect
** 26 & 27 Vict. c. 112.	*** The Telegraph Act 1863.	***** Section 2. In section 3, the definition of "the company". Section II. In section 14, the words "In the following cases", the figures (1) and (2), the words "If the company is dissolved, or ceases for six months to carry on business", the words "(in the former case)", the words "or (in the latter case) by any of the company's works", the words "or leave a notice at the last known office or place of business of the company", the words "in every such case" and the words from "The present section" onwards. Section 31. Section 44. Section 46. Section 52 and 53.
29 & 30 Vict. c. 3.	The Telegraph Amendment Act 1866.	The whole Act.
31 & 32 Vict. c. 110.	The Telegraph Act 1868.	In section 3, the definition of "any company". In section 9, paragraphs (1) and (2); in paragraph (6), the words "pay the railway company the following sums by way of compensation", sub-paragraphs (a) to (f), in sub-paragraph (g) the words "the Postmaster

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

		General shall” and in sub-paragraph (h) the words from the beginning to “provided” and paragraphs (9), (10) and (11). Section 19. In section 20, the words from “and the Postmaster General” onwards. Section 21. Section 23.
32 & 33 Vict. c.73.	The Telegraph Act 1869.	In section 3, the definition of “telegraph company”. Section 7. Sections 9 to 11. Sections 23 and 24.
41 & 42 Vict. c. 76. * *	The Telegraph Act 1878. * * *	In section 13, the words from “except that” to “this Act”. * * * * *
55 & 56 Vict. c. 59.	The Telegraph Act 1892.	Section 4(2). In section 12, the words from “The Governor” onwards.
56 & 57 Vict. c. 69. * *	The Savings Bank Act 1893. * * *	The whole Act. * * * * *
8 Edw. 7 c. 33. * *	The Telegraph (Construction) Act 1908. * * *	Section 7. * * * * *
9 Edw. 7. c. 20. * *	The Telegraph (Arbitration) Act 1909. * * *	In section 1, the words “have before the passing of this Act agreed, or hereafter”. * * * * *
12, 13 & 14. Geo.6.c. 54	The Wireless Telegraphy Act 1949. ⁴⁸	Section 8. Section 14(5) Section 16(2), so far as relating to the power conferred by section 8. Section 18.
2 & 3 Eliz. 2. c. 62. * *	The Post Office Savings Bank Act 1954. * * *	In section 4(2), paragraph (f) and the word “and” immediately preceding that paragraph. Section 23. Section 24(2). * * * * *
1965, c. 2. * *	The Administration of Justice Act 1965. * * *	In Schedule 1, the entry relating to the Telegraph Act 1869. * * * * *
1966, c. 12.	The Post Office Savings Bank Act 1966.	In section 7(3), the words “and 23”.

⁴⁸ Tome 1951–1953, pages 425, 436, 443 and 444.

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

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Enactments of the Parliament of Northern Ireland

PART II

ENACTMENTS CEASING TO HAVE EFFECT ON THE APPOINTED DAY

Enactments of the Parliament of the United Kingdom

Chapter	Title or Short Title	Extent to which Enactment is to cease to have Effect
26 & 27 Vict. c. 112.	The Telegraph Act 1863.	Sections 41 to 43. Sections 48 to 51.
33 & 34 Vict. c. 77.	The Juries Act 1870.	In the Schedule, the words “Officers of the Post Office”.
22 & 23 Geo.5. c.9.	The Merchant Shipping (Safety and Load Line Conventions) Act 1932.	In section 8, the proviso.
12, 13 & 14 Geo.6.c.54.	The Wireless Telegraphy Act 1949. ⁴⁹	Section 14(4). In section 15(4), the words from “and criminal proceedings” onwards.
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Enactment of the Parliament of Northern Ireland

⁴⁹ Tome 1951–1953, pages 436 and 440.

*SCHEDULE 9***(Section 138)****GENERAL TRANSITIONAL PROVISIONS**

1.-(1) Section 3(1) of this Act shall not affect the validity of anything done by or in relation to the Postmaster General before the appointed day, being a thing done under or by virtue of the Wireless Telegraphy Act 1949, the Television Act 1964 or the Wireless Telegraphy Act 1967; and anything which, immediately before that day, is, under or by virtue of any of those Acts, in process of being done by or in relation to him (including, in particular, any legal proceeding to which he is a party) may be continued by or in relation to the Minister.

(2) Any notice served, approval or authority given or other thing whatsoever done under or by virtue of the Wireless Telegraphy Act 1949, the Television Act 1964 or the Wireless Telegraphy Act 1967 by the Postmaster General shall, if effective at the appointed day, continue in force and have effect as if similarly served, given or done by the Minister.

2.-(1) Any agreement, and any provision in a document not being an agreement, shall, so far as may be necessary in consequence of the enactment of Part III of this Act, have effect as from the appointed day –

- (a) as if references to the Crown, the Postmaster General, the Post Office or the Minister of Public Building and Works (except in cases where they fall to be adapted by head (b) or (c) below) were (or, if the context so requires, included) references to the authority established by section 6 of this Act;
- (b) as if –
 - (i) references in general terms (however worded) to officers of the Postmaster General, to officers of the Post Office (otherwise than as defined by section 87(1) of the Post Office Act 1953), to officers of the Crown or to servants of the Postmaster General, the Post Office or the Crown were (or, if the context so requires, included) references to persons employed by the authority established by section 6 of this Act;
 - (ii) references in general terms (however worded) to officers of the Post Office as so defined were (or, if the context so requires, included) references to persons engaged in the business of the said authority;
 - (iii) references in general terms (however worded) to agents of the Postmaster General, the Post Office or the Crown were (or, if the context so requires, included) references to agents of the said authority;
 - (iv) references (however worded) to an officer of the Postmaster General or the Post Office holding a specified office were (or, if the context so requires, included) references to the person employed by the said authority who corresponds, as nearly as may be, to the first-mentioned officer; and
 - (v) references (however worded) to a servant of the Postmaster General, the Post Office or the Crown serving in a specified capacity were (or, if the context so requires, included) references to the person employed by the said authority who corresponds, as nearly as may be, to the first-mentioned servant;

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

- (c) as if references (whether express or implied and, if express, however worded) to property of the Crown or the Postmaster General or his department were (or, if the context so requires, included) references to property of the said authority and references (whether express or implied and, if express, however worded) to land or premises occupied by the Crown, the Postmaster General, his department or an officer or servant of the Crown or Postmaster General were (or, if the context so requires, included) references to land or premises occupied by the said authority;
- (d) as if any reference to the making, under a government provision, of a payment to or in respect of a person in consequence of his becoming ill, being injured or dying, were a reference to the making, to or in respect of him in consequence of his becoming ill, being injured or dying, of a payment falling to be made by virtue of a condition of his service (whether binding in law or not) providing for the making, in consequence of his becoming ill, being injured or dying, of a payment to or in respect of him.

(2) Without prejudice to the foregoing sub-paragraph, any agreement to which the Crown is a party, whether in writing or not, and whether or not of such a nature that rights and liabilities thereunder could be assigned by it, shall, as from the appointed day, have effect, so far as may be necessary for, or in consequence of, the vesting by virtue of Part III of this Act of property, rights or liabilities in the Post Office, as if the Post Office had been a party thereto.

(3) Without prejudice to sub-paragraph (1) above, where, by the operation of the said Part III, a right or liability becomes a right or liability of the Post Office, it and all other persons shall have the same rights, powers and remedies (and, in particular, the same rights, powers and remedies as to taking or resisting legal proceedings or the making or resisting of applications to any authority) for ascertaining, perfecting or enforcing it as they would have had if it had at all times been the right or liability of the Post Office; and legal proceedings or applications by or against the Crown, in so far as they relate to any property, rights or liabilities vested in the Post Office by virtue of sections 16 to 20 of this Act, or to any agreement or document which has effect in accordance with the foregoing provisions of this paragraph, shall not abate by reason of the Crown's ceasing to be interested in the subject-matter thereof but may be continued by or against the Post Office to the exclusion of the Crown.

3.-(1) Any such regulations as follows that are in force immediately before the appointed day, that is to say, –

- (a) regulations under section 11 of the Juries Act 1862;
- (b) regulations under section 22 of the Juries Act (Ireland) 1871;
- (c) * * * * *⁵⁰
- (d) regulations under the Telephone Act 1951;
- (e) regulations made, or having effect as if made, under the Telegraph Act 1962;

and are not revoked by virtue of sub-paragraph (4) below shall, with the substitution, for references to the Postmaster General, of references to the Post Office, with the omission of provisions as to evidence, deductions of money payable to bankers for or on account or in respect of money orders and limitation or exclusion of liability (except liability in respect of money orders that have become void by effluxion of time) and with any requisite modifications, have effect on and after that day as if they were provisions of schemes made

⁵⁰ See paragraph 7 of Schedule 2 to the Postal Services (Jersey) Order, 1969.

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

under section 28 of this Act and coming into operation on that day and may be revoked or amended accordingly, and any charges fixed under any such regulations as aforesaid that are not revoked by virtue of that sub-paragraph shall have effect as if fixed under schemes so made and coming into operation.

(2) * * * * *

(3) Conclusive evidence of charges fixed under regulations made under the Telephone Act 1951 or regulations made, or having effect as if made, under section 81 of the Post Office Act 1953 or under the Telegraph Act 1962 may be given in all courts of justice and in all legal proceedings by the production of a copy of the London, Edinburgh or Belfast Gazette in which they were published.

(4)⁵⁰ A scheme made under section 28 of this Act which is to come into effect on the appointed day may revoke or amend any such regulations as are referred to in sub-paragraph (1) above, and may repeal section 10(3) of the Post Office Act 1953.

(5) Any reference in an agreement or licence in force on the appointed day to a provision of any such regulations as are mentioned in sub-paragraph (1)(d) or (e) above (other than a provision relating to evidence or to limitation or exclusion of liability) shall, if during the currency of the agreement or licence that provision is revoked, be construed (unless the context otherwise requires) as referring to the corresponding provision for the time being in force of a scheme made under section 28 of this Act; and any reference in any such agreement or licence to a provision of any such regulations relating to limitation or exclusion of liability shall, as from that day, be construed in like manner as if that provision had not ceased to be in force.

(6) For the purposes of section 69 of this Act, proceedings instituted by or against the Postmaster General which are continued by or against the Post Office shall be treated as having been instituted by or against the Post Office; and the reference in subsection (1) of that section to a sum due to the Post Office under such provisions as are therein mentioned shall be taken to include a reference to a sum that, having been due to the Postmaster General under any such regulations as are mentioned in sub-paragraph (1)(d) or (e) above, has, by virtue of section 16 of this Act, become due to the Post Office.

4. Any postage or other sum payable under the Post Office Act 1953 in respect of a postal packet which has not been paid before the appointed day shall, on that day, become payable to the Post Office and be treated for the purposes of this Act as if it were exigible under a scheme made under section 28 thereof; and any proceedings instituted by the Crown for the recovery of any such sum as aforesaid that are pending on that day may be continued by the Post Office in like manner as if they had been instituted by it.

5.-(1) References in sections 70 and 71 of this Act to a money order issued by the Post Office shall include references to –

- (a) a money order issued by the Postmaster General but not paid before the appointed day; and
- (b) an order issued by him in pursuance of such an arrangement as is mentioned in section 24 of the Post Office Act 1953 (as in force immediately before the appointed day) but not so paid, being an order which is for the payment of money in the British Islands and corresponds to a money order issued by him;

and the reference in the said section 71 to payment by the Post Office shall include a reference to payment by the Postmaster General.

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

(2) References in section 70 of this Act to a postal order issued by the Post Office shall include references to a postal order issued by the Postmaster General but not paid before the appointed day.

(3) In this paragraph “the British Islands” means the United Kingdom, the Isle of Man and the Channel Islands.

6. An authorisation given under section 3(1), 61, 62 or 64 of the Post Office Act 1953 by the Postmaster General which is effective at the appointed day shall have effect as from that day as if given by the Post Office, and a declaration under section 78(1) of that Act by the Postmaster General which is so effective shall so have effect as if made by the Post Office.

7. An undertaking given under section 51(2) or (3) of the Post Office Act 1953 to the Postmaster General shall, if effective at the appointed day, have effect, as from that day, as if given to the Post Office.

8. Where, on the appointed day there are in progress any proceedings for the settlement or determination, under the Telegraph Act 1863 or the Telegraph Act 1878, of a difference, dispute, matter or question or the amount or application of compensation, being proceedings to which the Postmaster General is a party, the Post Office shall be substituted for the Postmaster General as a party to the proceedings; and where, on that day, there are in progress any proceedings under section 8 of the last-mentioned Act for the recovery by the Postmaster General of either or both of the following, namely, expenses incurred by him in making good destruction of, or injury to, a telegraphic line and a daily fine in respect of the interruption of telegraphic communication, the Post Office shall be similarly substituted.

9.-(1) This paragraph applies to the following instruments, namely, –

- (a) the agreement dated 2nd April 1962 whereto the parties are the Postmaster General and the Commercial Cable Company, Incorporated (a company incorporated under the law of the State of New York of the United States of America);
- (b) the agreement dated 1st April 1963 whereto the parties are the Postmaster General and the Compagnie Française des Câbles Télégraphiques S.A. (a company incorporated under the law of France);
- (c) the agreement dated 27th December 1965 whereto the parties are the Postmaster General and Western Union International, Incorporated (a company incorporated under the law of the State of Delaware of the United States of America); and
- (d) the licence dated 1st March 1966 whereto the parties are Her Majesty, the Crown Estate Commissioners, the Postmaster General and Det Store Nordiske Telegraf-Selskab Aktieselskab (a company incorporated under the law of the Kingdom of Denmark and commonly known in the United Kingdom, and in that licence referred to, as the Great Northern Telegraph Company Limited).

(2) Nothing done, on or after the appointed day, under and in accordance with the terms of, an instrument to which this paragraph applies, shall constitute an infringement of the privilege conferred by section 24(1) of this Act.

10.-(1) Any licence operating by way of exception from the exclusive privilege conferred by section 4 of the Telegraph Act 1869 on the Postmaster General which is effective

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

at the appointed day (not being a licence under the Wireless Telegraph Act 1949) shall, as from that day, have effect as if it had been granted under section 27(1) of this Act and –

- (a) as if references to the Crown (except in contexts referring to a Minister of the Crown) or to the Postmaster General or the Post Office (except in cases where they fall to be adapted by head (b) below) were references to the authority established by section 6 of this Act; and
- (b) as if –
 - (i) references in general terms (however worded) to officers of the Postmaster General, to officers of the Post Office (otherwise than as defined by section 87(1) of the Post Office Act 1953), or to servants of the Postmaster General or the Post Office were (or, if the context so requires, included) references to persons employed by the authority established by section 6 of this Act;
 - (ii) references in general terms (however worded) to officers of the Post Office as so defined were (or, if the context so requires, included) references to persons engaged in the business of the said authority;
 - (iii) references in general terms (however worded) to agents of the Postmaster General or the Post Office were (or, if the context so requires, included) references to agents of the said authority;
 - (iv) references (however worded) to an officer of the Postmaster General or the Post Office holding a specified office were references to the person employed by the said authority who corresponds, as nearly as may be, to the first-mentioned officer; and
 - (v) references (however worded) to a servant of the Postmaster General or the Post Office serving in a specified capacity were references to the person employed by the said authority who corresponds, as nearly as may be, to the first-mentioned servant.

(2) Any instrument issued in pursuance of a licence falling within the foregoing subparagraph, being an instrument effective at the appointed day, shall, as from that day, have effect subject to the like modifications as those provided for by heads (a) and (b) of that subparagraph in the case of the licence.

11. A notice or certificate given, request made or requirement imposed under any provision of the enactments relating to telegraphs by, to or on the Postmaster General which is effective at the appointed day shall, as from that day, have effect as if given, made or imposed by, to or on the Post Office.

12. An authority granted under section 5(1) of the Telegraph Act 1892 which is effective at the appointed day shall, as from that day, have effect as if it had been granted under that section as amended by paragraph 5 of Schedule 4 to this Act.

13. Any such council as is mentioned in the Telegraph Act 1899 which, at the beginning of the appointed day, is licensed by the Postmaster General to provide a system of public telephonic communication, shall, so long as the licence continues in force, be deemed, for the purposes of that Act, to be licensed by the Post Office so to provide.

14.-(1) A notice given under section 26 of the Electric Lighting Act 1882 by undertakers to the Postmaster General which is effective at the appointed day shall, as from that day, have effect as if given to the Post Office; any requirements made under that section by the Postmaster General which are so effective shall, as from that day, have effect as if made by

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

the Post Office; and any arbitration on a difference under that section which is in progress immediately before that day may be continued with the substitution of the Post Office for the Postmaster General as a party thereto.

(2) A requirement imposed under section 4(2) of the Electric Lighting Act 1888 by the Postmaster General which is effective at the appointed day shall, as from that day, have effect as if imposed by the Post Office.

(3) An approval given under section 10(c) of the Schedule to the Electric Lighting (Clauses) Act 1899 with the concurrence of the Postmaster General which is effective at the appointed day shall, as from that day, have effect as if given with the concurrence of the Post Office; a notice served under section 14 of that Schedule by undertakers on the Postmaster General which is so effective shall, as from that day, have effect as if served on the Post Office; a requirement imposed or approval or disapproval notified under that section by the Postmaster General which is effective at the appointed day shall, as from that day, have effect as if imposed or notified by the Post Office; and a requirement imposed under section 60 of that Schedule which is effective at the appointed day shall, as from that day, have effect as if imposed by the Post Office.

(4) Any notice given under section 20 of the Schedule to the Electric Lighting (Clauses) Act 1899 to the Postmaster General which is effective at the appointed day shall, as from that day, have effect as if given to the Post Office, any requisition served under that section by the Postmaster General which is effective at that day shall, as from that day, have effect as if served by the Post Office and any arbitration under that section which is in progress immediately before that day, being an arbitration to which the Postmaster General is a party, may be continued with the substitution of the Post Office for the Postmaster General.

15. An order under section 187 of the Bankruptcy (Scotland) Act 1913 or section 24 of the Bankruptcy Act 1914 which is effective at the appointed day shall, as from that day, have effect as if, for any reference therein to the Postmaster General, there were substituted a reference to the Post Office.

16. A notice given under section 24 of the Requisitioned Land and War Works Act 1945 by or to the Postmaster General which is effective at the appointed day shall, as from that day, have effect as if given by or to the Post Office.

17.-(1) No steps shall be taken for the enforcement of a building law with respect to works on land that vests in the Post Office by virtue of section 16 of this Act, being works begun before the appointed day, or with respect to works on land begun by the Post Office before the expiration of six months beginning with that day; nor shall any proceedings for the recovery of a fine or other penalty be brought against the Post Office for having carried out or retained any such works as aforesaid which do not comply with a building law.

(2) In the foregoing sub-paragraph, "building law" means any obligation or restriction as to the construction, nature or situation of works on land or as to any other circumstances of such works (including the use of the land) having effect by virtue of –

- (a) section 17 of the Restriction of Ribbon Development Act 1935;
- (b) an enactment contained in Part II or IV of the Public Health Act 1936 or Part II of the Public Health Act 1961 or byelaws or regulations made under an enactment so contained;
- (c) the London Building Acts 1930 to 1939 or byelaws made thereunder;

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

- (d) the Thermal Insulation (Industrial Buildings) Act 1957 or regulations made thereunder;
- (e) section 72, 73, 74, 75, 81 or 159 of the Highways Act 1959;
- (f) paragraph 13, 15 or 18 of Part III of Schedule 9 to the London Government Act 1963 or byelaws made under paragraph 6 of that Part of that Schedule; or
- (g) any enactment contained in a local Act made for purposes similar to the purposes of any of the aforesaid enactments or any byelaws made under any enactment contained in a local Act so made;

and “works” includes any building, structure, excavation or other work on land.

(3) Any reference in this paragraph to non-compliance with a building law means, in relation to any works on land, that the construction, nature or situation of the works or any other circumstances thereof (including the use of the land) are such either that the works do not comply with the building law in question or that, by virtue of that law, the rejection of plans for the works is expressly required or authorised.

(4) Any reference in this paragraph to the enforcement of a building law shall be construed as a reference to securing (whether by the doing of work on land or the requiring, by injunction or otherwise, that some other person shall do work on land) that works on land not complying with the building law in question shall either be demolished or removed or be altered so as to comply therewith.

(5) In the application of this paragraph to Scotland, the following shall be substituted for heads (a) to (g) of sub-paragraph (2): -

- “(a) an enactment contained in the Burgh Police (Scotland) Acts 1892 to 1903 or under the Public Health (Scotland) Act 1897 or byelaws made under any such enactment;
- (b) the Roads Improvement Act 1925;
- (c) section 17 of the Restriction of Ribbon Development Act 1935;
- (d) section 53 of the Water (Scotland) Act 1946;
- (e) the Thermal Insulation (Industrial Buildings) Act 1957 or regulations made thereunder;
- (f) the Building (Scotland) Act 1959 or regulations made thereunder;
- (g) the Sewerage (Scotland) Act 1968;
- (h) any enactment contained in a local Act made for purposes similar to the purposes of any of the aforesaid enactments or any byelaws made under any enactment contained in a local Act so made; or
- (i) any enactment or rule of the common law conferring powers on a dean of guild court”.

(6) In the application of this paragraph to Northern Ireland, the following shall be substituted for heads (a) to (g) of sub-paragraph (2): -

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

- “(a) section 9 of the Summary Jurisdiction (Ireland) Act 1851;
- (b) an enactment contained in the Public Health Acts (Northern Ireland) 1878 to 1967 or byelaws made under an enactment so contained;
- (c) an enactment contained in the Housing Acts (Northern Ireland) 1890 to 1967;
- (d) the Roads Improvement Act (Northern Ireland) 1928; or
- (e) any enactment contained in a local Act made for purposes similar to the purposes of any of the aforesaid enactments or any byelaws or orders made under any enactment contained in a local Act so made”.

18.-(1) Any regulations under section 79 of the Representation of the People Act 1949 which are effective at the appointed day shall, as from that day, have effect as if, for references therein to the Post Office or the Postmaster General, there were substituted references to the authority established by section 6 of this Act.

(2) Any security given under any such regulations as aforesaid which is effective at the appointed day shall, as from that day, have effect as if given to the said authority.

19.-(1) Any regulations under section 53 of the Electoral Law Act (Northern Ireland) 1962 which are effective at the appointed day shall, as from that day, have effect as if, for references therein to the Post Office or the Postmaster General, there were substituted references to the authority established by section 6 of this Act.

(2) Any security given under any such regulation as aforesaid which is effective at the appointed day shall, as from that day, have effect as if given to the said authority.

20.-(1) Nothing in Part III of this Act shall affect the validity of anything done by, or in relation to, the Postmaster General before the appointed day under or by virtue of the Public Utilities Street Works Act 1950; and anything which, immediately before that day, is in process of being done under, or by virtue of, that Act by or in relation to him (including, in particular, any legal proceedings to which he is a party) may be continued by, or in relation to, the Post Office.

(2) Any notice or direction given or other thing whatsoever done under the said Act of 1950 by the Postmaster General shall, if effective at the appointed day, continue in force and have effect as if similarly given or done by the Post Office.

21. A notice served under section 29 of the Income Tax Act 1952 (power to obtain information as to interest paid or credited without deduction of tax) on the Postmaster General before the appointed day shall, if it has not been complied with before that day, be deemed to have been served on the Director of Savings; and subsection (1) of that section shall, in its application on and after that day to the National Savings Bank, have effect as if the reference to interest paid or credited by the Director of Savings included, as regards any period before that day, a reference to interest paid or credited by the Postmaster General to depositors.

22. A notice given under section 6 of the Local Government (Miscellaneous Provisions) Act 1953 (supplementary provisions as to omnibus shelters, &c.) by the Postmaster General which is effective at the appointed day shall, as from that day, have effect as if given by the Post Office; and any proceedings for the settlement of a dispute under that section in progress at the appointed day, being proceedings to which the Postmaster General is a party, may be continued with the substitution of the Post Office for the Postmaster General.

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

23. In relation to an agreement which, on the appointed day, becomes subject to registration under Part I of the Restrictive Trade Practices Act 1956 by reason of its having effect as from that day as if the Post Office had been a party thereto, section 10 of that Act (particulars to be furnished for registration) and section 7 of the Restrictive Trade Practices Act 1968 (consequences of failure to register) shall have effect with the substitution, for references to the time within which particulars are required to be furnished under section 6 of the last-mentioned Act (time for registration of agreements), of references to the period of three months beginning with that day and the said section 6 shall not apply.

24. An order under paragraph 8 of Schedule 1 to the Solicitors Act 1957 which is effective at the appointed day shall, as from that day, have effect as if, for any reference therein to the Postmaster General, there were substituted a reference to the Post Office.

25. A notice given under section 5(4) of the Milford Haven Conservancy Act 1958 by the Milford Haven Conservancy Board to the Postmaster General which is effective at the appointed day shall, as from that day, have effect as if given to the Post Office.

26. A notice given under section 3 of the Local Government (Omnibus Shelters and Queue Barriers) (Scotland) Act 1958 by the Postmaster General which is effective at the appointed day shall, as from that day, have effect as if given by the Post Office; and any proceedings for the settlement of a dispute under that section in progress immediately before the appointed day, being proceedings to which the Postmaster General is a party, may be continued with the substitution of the Post Office for the Postmaster General.

27.-(1) Where, between the passing of this Act and the appointed day, the Postmaster General notifies a local planning authority in writing of a proposal to carry out development of land, and, before that day and the expiration of the relevant period, that authority notifies the Postmaster General in writing that it has no objection to the proposal, planning permission for the development shall be deemed to be granted by that authority on that day subject to the relevant condition as to time.

(2) Where, between the passing of this Act and the appointed day, the Postmaster General notifies a local planning authority in writing of a proposal to carry out development of land, and, before that day and the expiration of the relevant period, that authority notifies the Postmaster General in writing that it has no objection to the proposal provided that conditions specified by it in the notification are complied with (not being conditions containing a stipulation as to the time at which the development must be begun or completed), planning permission for the development shall –

- (a) except in a case in which those conditions are subsequently either modified as mentioned in the following provisions of this sub-paragraph or withdrawn as so mentioned, be deemed to be granted by that authority on the appointed day subject to those conditions and to the relevant condition as to time;
- (b) in a case in which those conditions are subsequently modified by that authority in writing with the written concurrence of the Postmaster General, be deemed to be granted by that authority on the appointed day subject to those conditions as so modified and to the relevant condition as to time;
- (c) in a case in which those conditions are withdrawn by that authority in writing addressed to the Postmaster General, be deemed to be granted by that authority on the appointed day subject to the relevant condition as to time.

(3) Where, between the passing of this Act and the appointed day, the Postmaster General notifies a local planning authority in writing of a proposal to carry out development of land, and before that day and the expiration of the relevant period, that authority notifies the Postmaster General in writing that it has no objection to the proposal provided that conditions

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

specified by it in the notification are complied with (being conditions containing a stipulation as to the time at which the development must be begun or completed), planning permission for the development shall –

- (a) except in a case in which those conditions are subsequently either modified as mentioned in the following provisions of this sub-paragraph or withdrawn as so mentioned, be deemed to be granted by that authority on the appointed day subject to those conditions;
- (b) in a case in which those conditions are subsequently modified by that authority in writing with the written concurrence of the Postmaster General (otherwise than by withdrawing the stipulation as to time), be deemed to be granted by that authority on the appointed day subject to those conditions as so modified;
- (c) in a case in which those conditions (except so far as containing the stipulation as to time) are withdrawn by that authority in writing addressed to the Postmaster General, be deemed to be granted by that authority on the appointed day subject to the condition containing that stipulation.

(4) Where, between the passing of this Act and the appointed day, the Postmaster General notifies a local planning authority in writing of a proposal to carry out development of land, and –

- (a) the relevant period expires with the day immediately preceding the appointed day or with an earlier day; and
- (b) that authority does not, before the expiration of that period, notify the Postmaster General in writing as mentioned in sub-paragraph (1), (2) or (3) above or that it objects to the proposal;

planning permission for the development shall be deemed to be granted by the authority on the appointed day subject to the relevant condition as to time.

(5) The foregoing sub-paragraphs shall, with requisite modifications, apply in a case where, before the passing of this Act, the Postmaster General has notified a local planning authority in writing of a proposal to carry out development of land (but that development has not been carried out before the appointed day) as they apply in a case where he does so between the passing of this Act and that day.

(6) Where, by virtue of sub-paragraph (2) or (3) above, planning permission for the carrying out of development of land consisting in the erection, extension or alteration of a building is deemed to be granted by a local planning authority subject to a condition that the Postmaster General should consult that authority with respect to any matters relating to the siting, design or external appearance of the building or means of access thereto, then, so far as regards any of those matters as to which, before the appointed day, the Postmaster General has not been notified by that authority in writing that it is satisfied with the way in which that matter is to be dealt with, it shall be deemed, as from that day, to be a matter in the case of which the approval of that authority to the manner in which it is to be dealt with is required under a development order and the planning permission shall be deemed to be granted subject to a condition that application for approval must be made not later than the expiration of three years beginning with that day.

(7) Parts VI and XI of the Town and Country Planning Act 1962 shall not have effect in a case in which planning permission is deemed, by virtue of this paragraph, to be granted.

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

In the application of this sub-paragraph to Scotland, for the reference to Parts VI and XI of the Town and Country Planning Act 1962 there shall be substituted a reference to the following provisions –

- (a) sections 1 and 2, Part II, sections 50, 65 and 66 of the Town and Country Planning (Scotland) Act 1954; and
- (b) section 31 of the Town and Country Planning (Scotland) Act 1959.

(8) Section 7 of the Control of Office and Industrial Development Act 1965 shall not have effect in relation to planning permission deemed, by virtue of this paragraph, to be granted.

(9) Every local planning authority shall, with respect to each case in which planning permission is deemed, by virtue of this paragraph, to be granted by it, include, in that part of the register kept by it under section 19(4) of the Town and Country Planning Act 1962 that contains entries relating to applications for planning permission that have been finally disposed of, the following particulars, namely, –

- (a) the date on which the permission is deemed to be granted;
- (b) a general description of the development to which the permission relates and of the land to be developed in accordance with the permission;
- (c) in a case in which the authority approves, in relation to the development to which the permission relates, anything which, by virtue of sub-paragraph (6) above, falls to be approved by it, the date on which it does so;
- (d) in a case in which, in consequence of the operation of that sub-paragraph, an appeal as to any matter relating to the development to which the permission relates is entertained by the Minister of Housing and Local Government or an application is referred to him, the date on which the appeal or reference is disposed of, and the decision on the appeal or reference.

In the application of this sub-paragraph to Scotland, for the references to section 19(4) of the Town and Country Planning Act 1962 and to the Minister of Housing and Local Government there shall be substituted respectively references to section 12(5) of the Town and Country Planning (Scotland) Act 1947 and to the Secretary of State.

(10) For the purposes of section 99(3) of the Land Commission Act 1967, planning permission which, by virtue of sub-paragraph (2) or (3) above, is deemed to be granted subject to approval on any matter, shall be deemed to be granted on an outline application.

(11) Section 69 of the Town and Country Planning Act 1968 and section 70 of the Town and Country Planning (Scotland) Act 1969 shall have effect in relation to the Post Office as if, at the end of paragraph (d) of subsection (3) thereof, there were added the following –

“or

- (e) deemed to be granted by virtue of paragraph 27 of Schedule 9 to the Post Office Act 1969”.

(12) In this paragraph, –

- (a) “development”, “development order”, “local planning authority” and “planning permission” have, in the application of this paragraph to England and Wales, the

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

same meanings as they have for the purposes of the Town and Country Planning Act 1962 and, in the application of this paragraph to Scotland, the same meanings as in the Town and Country Planning (Scotland) Act 1947;

- (b) “the relevant condition as to time” –
- (i) except in a case in which planning permission is, by virtue of sub-paragraph (6) above, deemed to be granted subject to a condition that application for the approval of matters must be made not later than the expiration of three years beginning with the appointed day, means a condition that the development to which the permission relates must be begun not later than the expiration of five years beginning with that day;
 - (ii) in the said excepted case, means a condition that the development must be begun not later than whichever is the later of the following dates, namely, the expiration of five years from the appointed day and the expiration of two years from the final approval of matters which are the subject of the condition subject to which planning permission is, by virtue of that sub-paragraph, deemed to be granted (or, in the case of approval on different dates, the final approval of the last such matter to be approved);
- (c) “relevant period”, in relation to a notification to a local planning authority of a proposal to carry out development, means the period of two months from the day on which the notification is received by the authority or such longer period as may, before the expiration of the first-mentioned period, be agreed in writing between the authority and the Postmaster General.

(13) For the purposes of this paragraph, development shall be taken to be begun on the earliest date on which any specified operation (as defined in section 64(3) of the Land Commission Act 1967) comprised in the development begins to be carried out.

(14) Sections 65 and 66 of the Town and Country Planning Act 1968 and sections 66 and 67 of the Town and Country Planning (Scotland) Act 1969 (which relate to the duration of planning permission) shall not apply to planning permission deemed, by virtue of this paragraph, to be granted.

(15) Subsections (3) and (5) of section 67 of the Town and Country Planning Act 1968 (which respectively define final approval of reserved matters and invalidate development carried out, and applications for approval made, out of time) shall have effect for the purposes of this paragraph with the substitution for any reference to a reserved matter of a reference to such a matter as is referred to in sub-paragraph (12)(b)(ii) above, and, for the reference to planning permission having conditions attached to it by or under provisions of section 65 or 66 of that Act, of a reference to planning permission deemed, by virtue of this paragraph, to be granted.

In the application of this sub-paragraph to Scotland, for the references to subsections (3) and (5) of section 67 of the Town and Country Planning Act 1968 and to sections 65 and 66 of that Act there shall be substituted respectively references to subsections (3) and (5) of section 68 of the Town and Country Planning (Scotland) Act 1969 and to sections 66 and 67 of that Act.

(16) For the purposes of the general application of this paragraph to Scotland, in sub-paragraphs (1), (2) and (3) the words “and the expiration of the relevant period” and sub-paragraphs (4) and (12)(c) shall be omitted.

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

(17) This paragraph does not extend to Northern Ireland.

28.-(1) Notwithstanding section 83 of the Town and Country Planning (Scotland) Act 1947 or section 199 of the Town and Country Planning Act 1962 (exercise of powers in relation to Crown land), planning permission for the development by the Post Office of land which is Crown land within the meaning of that section by reason only of the subsistence therein of an interest of the Postmaster General may be granted under either Act in pursuance of an application therefor made by the Post Office before the appointed day, and section 36 of the Town and Country Planning (Scotland) Act 1959 and section 16 of the said Act of 1962 (certificates required to accompany application) shall not apply to an application that may be granted by virtue of this sub-paragraph or to an appeal from a decision to refuse to grant planning permission in pursuance of such an application or to grant it subject to conditions.

(2) Any approval required under a development order (within the meaning of the said Act of 1947 or of the said Act of 1962) in relation to development of such land as is mentioned in the foregoing sub-paragraph, being development proposed to be carried out by the Post Office, may be granted in pursuance of an application therefor made by the Post Office before the appointed day.

29. No enforcement notice shall be served by virtue of section 72(1) of the Town and Country Planning (Scotland) Act 1947 or under paragraph 12 of Schedule 13 to the Town and Country Planning Act 1962 in respect of works carried out on land that vests in the Post Office by virtue of section 16 of this Act or in respect of use of land that so vests; and no enforcement notice shall be served under section 15 of the Town and Country Planning Act 1968 or section 15 of the Town and Country Planning (Scotland) Act 1969 in respect of development carried out before the appointed day on land that so vests.

30. Neither an interim development authority, nor, where the Minister of Development for Northern Ireland is exercising any of the functions of such an authority, that Ministry, shall take any action under section 4 of the Planning (Interim Development) Act (Northern Ireland) 1944 (enforcement of interim development control) in respect of any development carried out before the appointed day in or on land that vests in the Post Office by virtue of section 16 of this Act.

31.-(1) Subsection (2) of section 57 of the Landlord and Tenant Act 1954 (modification on grounds of public interest of rights under Part II of that Act) shall not preclude the giving, in relation to a tenancy, of a certificate under subsection (1) or (5) of that section by the Minister if, in relation to the tenancy, a notice has been given under the first-mentioned subsection by the Postmaster General; but in a case in which this paragraph applies, the Minister shall, before determining whether to give the certificate, consider any representations made in writing by the tenant to the Postmaster General within twenty-one days of the giving of the notice.

(2) A certificate given by the Postmaster General under subsection (1) or (5) of the said section 57 with respect to property in which, immediately before the appointed day, the landlord's interest belongs to him, shall not be rendered ineffective by reason of the vesting, on that day, by virtue of section 16 of this Act, of that interest in the Post Office.

32.-(1) A licensing authority to whom an application is made before the appointed day by the Post Office for an A licence or for a B licence shall not refuse the application if it is accompanied by a certificate of the Postmaster General certifying that the vehicles proposed to be used under the licence are in use by him.

(2) Section 168(2) of the Road Traffic Act 1960 (which authorises a licensing authority to attach conditions to a B licence) shall not apply to a B licence granted in pursuance of an application which, by virtue of the foregoing sub-paragraph, the authority is bound to

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

grant, but it shall be a condition of the licence that no vehicle which is for the time being an authorised vehicle shall be used for the carriage for hire or reward of goods other than –

- (a) goods consigned for carriage by post; or
- (b) goods that are the subject of an agreement between the Post Office and another person who carries on business as a carrier of goods whereunder the Post Office undertakes to carry on his behalf goods consigned to him for carriage;

and, accordingly, in relation to a B licence so granted, section 166(3) of that Act (which specifies the purposes for which a B licence entitles the holder thereof to use the authorised vehicles) shall have effect with the substitution, for paragraph (b), of the following paragraph, namely, –

“(b) for the carriage of goods for hire or reward”.

(3) This paragraph shall be construed as one with Part IV of the Road Traffic Act 1960.

33.-(1) Where a person enters the employment of the Post Office on the appointed day and, immediately before that day, was occupied in the department of the Postmaster General in employment to which this paragraph applies, then, for the purpose of ascertaining the length of the period of his employment for the purposes of sections 1 and 2 of the Contracts of Employment Act 1963, Schedule 1 to that Act shall have effect –

- (a) as if, in a case where he was so occupied otherwise than under a contract of service, employment of his to which this paragraph applies in which he was occupied otherwise than as aforesaid before the appointed day, whether or not in the department of the Postmaster General, had been employment within the meaning of the said Act of 1963, and, while he was occupied therein, he had been an employee within the meaning of that Act, but as if for paragraph 4 of that Schedule there were substituted the following paragraph: -

“4. Any week during the whole or part of which the terms of his employment normally involve employment for twenty-one hours or more weekly shall count in computing a period of employment”;

and

- (b) as if, in any case, subject to the next following sub-paragraph, the period, ending immediately before the appointed day, of employment of his to which this paragraph applies, whether or not in the department of the Postmaster General, counted as a period of employment with the Post Office (if, apart from this provision, it would not so count) and his transfer to employment with the Post Office did not break the continuity of the period of employment (if, apart from this provision, the transfer would do so).

(2) Where, before the appointed day, a person's employment to which this paragraph applies was terminated and a payment made to him in respect of the termination in accordance with the Superannuation Act 1965 or any enactment repealed by that Act, or under such arrangements as are mentioned in section 41(3) of the Redundancy Payments Act 1965, then, whether or not he was re-employed in employment to which this paragraph applies immediately following that termination, Schedule 1 to the said Act of 1963 shall have effect as if the period of his employment before that termination in employment to which this paragraph applies did not count as a period of employment with the Post Office.

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

(3) In the application of paragraph 7 of Schedule 2 to the said Act of 1963 (calculation of rates of remuneration) to a person in whose case sub-paragraph (1) above applies, references in that paragraph to a former employer and a period of employment with a former employer shall be construed in accordance with the foregoing sub-paragraphs, and the reference in that paragraph to paragraph 10 of Schedule 1 to that Act shall include a reference to head (b) of that sub-paragraph.

(4) Section 7 of the said Act of 1963 (power to vary number of weekly hours of employment necessary to qualify for rights) shall have effect as if the references therein to paragraph 4 of Schedule 1 to that Act included references to the paragraph substituted therefor by sub-paragraph (1) above and to the next following sub-paragraph.

(5) This paragraph applies to employment of a person in the civil service of the State in an established or unestablished capacity within the meaning of the Superannuation Act 1965, and to employment of a person therein in part-time service, where he gives personal service of at least twenty-one hours a week and the remuneration in respect thereof is defrayed entirely out of the Post Office Fund or moneys provided by Parliament.

34.-(1) For the purpose of computing, for the purposes of the Redundancy Payments Act 1965, a period of employment of a person in whose case sub-paragraph (1) of the last foregoing paragraph applies, any reference in that Act to Schedule 1 or 2 to the Contracts of Employment Act 1963 shall, in relation to employment of his to which the last foregoing paragraph applies, being employment before the appointed day, be construed as a reference to the said Schedule 1 or 2, as the case may be, as it has effect by virtue of the last foregoing paragraph.

(2) Where a person enters the employment of the Post Office on the appointed day and, immediately before that day, was occupied in the department of the Postmaster General in employment to which the last foregoing paragraph applies, then, for the purposes of computing a period of employment for the purposes of Schedule 1 to the said Act of 1963 as applied by the said Act of 1965, a period in which he was occupied in employment to which the last foregoing paragraph applies shall, notwithstanding the provisions of section 16(4) of the said Act of 1965 (which excludes the application of section 1 of that Act to a person in respect of certain employment) be treated as if it had been a period in respect of which section 1 of that Act had applied.

35.-(1) Where a person enters the employment of the Post Office on the appointed day and immediately before that day was occupied in the department of the Postmaster General in employment to which this paragraph applies, then, for the purpose of ascertaining the length of the period of his employment for the purposes of sections 1 and 2 of the Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965, Schedule 1 to that Act shall have effect –

- (a) as if, in a case where he was so occupied otherwise than under a contract of service, employment of his to which this paragraph applies in which he was occupied otherwise than as aforesaid before the appointed day, whether or not in the department of the Postmaster General, had been employment within the meaning of the said Act of 1965, and, while he was occupied therein, he had been an employee within the meaning of that Act, but as if, for paragraph 4 of that Schedule, there were substituted the following paragraph: -

“4. Any week during the whole or a part of which the terms of his employment normally involve employment for twenty-one hours or more weekly shall count in computing a period of employment”;

and

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

(b) as if, in any case, subject to the next following sub-paragraph, the period, ending immediately before the appointed day, of employment of his to which this paragraph applies, whether or not in the department of the Postmaster General, counted as a period of employment with the Post Office (if, apart from this provision, it would not so count) and his transfer to employment with the Post Office did not break the continuity of the period of employment (if, apart from this provision, the transfer would do so).

(2) Where, before the appointed day a person's employment to which this paragraph applies was terminated and a payment made to him in respect of the termination in accordance with the Superannuation Act 1965 or any enactment repealed by that Act, or under such arrangements as are mentioned in section 41(3) of the Redundancy Payments Act 1965, then, whether or not he was re-employed in employment to which this paragraph applies immediately following that termination, Schedule 1 to the Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965 shall have effect as if the period of his employment before that termination in employment to which this paragraph applies did not count as a period of employment with the Post Office.

(3) In the application of paragraph 7 of Schedule 2 to the Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965 (calculation of rates of remuneration) to a person in whose case sub-paragraph (1) above applies, references in that paragraph to a former employer and a period of employment with a former employer shall be construed in accordance with the foregoing sub-paragraphs, and the reference in that paragraph to paragraph 10 of Schedule 1 to that Act shall include a reference to head (b) of that sub-paragraph.

(4) Section 7 of the Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965 (power to vary number of weekly hours of employment necessary to qualify for rights) shall have effect as if the reference therein to paragraph 4 of Schedule 1 to that Act included a reference to the paragraph substituted therefor by sub-paragraph (1) above and to sub-paragraph (7) below.

(5) For the purpose of computing, for the purposes of the Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965, a period of employment of a person in whose case sub-paragraph (1) of this paragraph applies, any reference in that Act to Schedule 1 or 2 to that Act shall, in relation to employment to which this paragraph applies of his before the appointed day, be construed as a reference to the said Schedule 1 or 2, as the case may be, as it has effect by virtue of sub-paragraphs (1) to (4) above.

(6) Where a person enters the employment of the Post Office on the appointed day and, immediately before that day, was occupied in the department of the Postmaster General in employment to which this paragraph applies, then, for the purpose of computing a period of employment for the purposes of the said Schedule 1 as applied by Schedule 3 to the said Act of 1965, a period in which he was occupied in employment to which this paragraph applies shall, notwithstanding the provisions of section 26(3) of the said Act of 1965 (which excludes the application of section 11 of that Act to a person in respect of certain employment), be treated as if it had been a period in respect of which section 11 of that Act had applied.

(7) This paragraph applies to employment of a person in the civil service of the State in an established or unestablished capacity within the meaning of the Superannuation Act 1965, and to employment of a person therein in part-time service where he gives personal service of at least twenty-one hours a week and the remuneration in respect thereof is defrayed entirely out of the Post Office Fund or moneys provided by Parliament.

36.-(1) Notwithstanding paragraph 82 of Schedule 4 to this Act, the Board of Trade may, out of moneys provided by Parliament, make to the Post Office in respect of an asset

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

provided by the Postmaster General for the purposes of his business a grant of the like amount as they might have made to him under section 1 or 2 of the Industrial Development Act 1966 if this Act had not passed.

(2) For the purposes of the foregoing sub-paragraph, an asset shall not be deemed not to have been provided as therein mentioned by reason of the fact that it is delivered to the Post Office on or after the appointed day and is so delivered in fulfilment of a contract entered into before that day by the Postmaster General.

(3) Section 8 of the Industrial Development Act 1966 (conditions) shall have effect as if references therein to Part I of that Act included references to sub-paragraph (1) above.

37.-(1) Notwithstanding paragraph 82 of Schedule 4 to this Act, the Ministry of Commerce for Northern Ireland may, if the Parliament of Northern Ireland makes provision for the defrayal out of moneys provided by that Parliament of any expenses which may be incurred by that Ministry under this paragraph, make to the Post Office in respect of an asset provided by the Postmaster General for the purposes of his business a grant of the like amount as it might have made to him under section 1, 2 or 5 of the Industrial Investment (General Assistance) Act (Northern Ireland) 1966 if this Act had not passed.

(2) For the purposes of the foregoing sub-paragraph, an asset shall not be deemed not to have been provided as therein mentioned by reason of the fact that it is delivered to the Post Office on or after the appointed day and is so delivered in fulfilment of a contract entered into before that day by the Postmaster General.

(3) Sections 10 and 11 of the Industrial Investment (General Assistance) Act (Northern Ireland) 1966 (conditions and fraudulent applications) shall have effect as if references therein to that Act included references to sub-paragraph (1) above.

38. Where an interest of the Postmaster General in land vests in the Post Office by virtue of section 16 of this Act and, at a time when the interest was vested in the Postmaster General, the land fell within any of such descriptions of land as, for the purposes of section 84 of the Land Commission Act 1967, were agreed between him and the Treasury as being at that time descriptions of land which, in relation to functions of his, corresponded as nearly as may be to the descriptions of land which were operational land in relation to statutory undertakers, then, for the purposes of section 58 of that Act, the land shall be treated as if, at that time, it had been operational land of the Post Office.

39.-(1) Where –

- (a) in relation to relevant land, an act or event falling within Case C occurs between the passing of this Act and the appointed day or has occurred before the passing of this Act and occurs or occurred in circumstances in which, but for the exemptions enjoyed by the Postmaster General as mentioned in section 2(1) of the Post Office Act 1961, a credit would be, or have been, taken to have arisen from the act or event by reason of the case falling within paragraph 2 of Schedule 11 to the Land Commission Act 1967 (carry forward of credit from previous chargeable act or event); or
- (b) in relation to land in the case in which an interest therein vests in the Post Office by virtue of section 16 of this Act, an act or event falling within Case E occurs between the passing of this Act and the appointed day or has occurred before the passing of this Act, and occurs or occurred in circumstances in which, but for the exemptions aforesaid, a credit would be, or have been, taken to have arisen from the act or event by reason of the case falling within paragraph 3 of the said Schedule 11;

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

and a sum is certified by the Treasury to be the sum agreed between them and the Postmaster General or between them and the Post Office as the amount which is to be treated as subsisting or having subsisted on the appointed day in respect of the act or event by way of credit under the said Schedule 11, then paragraph 6 and Parts II and III of the said Schedule 11 shall have effect as if a credit of that amount were taken to have arisen from a previous chargeable act or event falling within such of the cases distinguished as Cases A to F in the Table in section 27(2) of the Land Commission Act 1967 as is certified by the Treasury as being the Case within which the act or event falls.

(2) For the purposes of the said Schedule 11 as it has effect in any case by virtue of the foregoing sub-paragraph the original chargeable interest and the original chargeable unit shall respectively be the interest in land, and the land, designated in that behalf by the Treasury, and the original chargeable owner shall be taken to be the Post Office.

(3) Sub-paragraph (1) above shall have effect in relation to an act or event falling within Case F as it does in relation to one falling within Case E, with the modifications that for the reference to paragraph 3 of Schedule 11 there shall be substituted a reference to any provision of regulations made under paragraph 15 of that Schedule providing for a credit's being taken to have arisen from an act or event falling within Case F, and for the reference to paragraph 6 and Parts II and III of the said Schedule 11, there shall be substituted a reference to that paragraph and those Parts as they have effect by virtue of the said paragraph 15.

(4) In sub-paragraph (1) above, "relevant land" means land in the case of which an interest therein vests in the Post Office by virtue of section 16 of this Act or land (other than as aforesaid) in which the Post Office acquires, after the appointed day, an interest, being an interest in the case of which the Postmaster General was immediately before the appointed day under an enforceable contract to purchase it or had before that day served (and had not before that day withdrawn) a notice to treat for the compulsory purchase thereof, or a tenancy which on that day the Postmaster General was under an enforceable contract to take and "Case C", "Case E" and "Case F" have the same meanings respectively as in Part III of the Land Commission Act 1967.

40.-(1) Where work begun before the passing of this Act, or between the passing of this Act and the appointed day, constitutes development for which planning permission is, by virtue of paragraph 27 of this Schedule, deemed to be granted on that day, then, notwithstanding that the work was so begun it shall, for the purposes of paragraph 21(7) of Schedule 4 to the Land Commission Act 1967 and of paragraph 7(2) of Schedule 6 to that Act be treated as if planning permission for its carrying out had been granted before it was begun.

(2) Where work falling within the foregoing sub-paragraph constitutes the carrying out of a project of material development of relevant land, other than one which is relevant for the purposes of paragraph 21 of Schedule 4 to the Land Commission Act 1967, and is uncompleted at the date which, for the purposes of that paragraph, is the relevant date in relation to the carrying out of a project of material development of that land which is relevant for those purposes, then, notwithstanding anything in sub-paragraph (6) of that paragraph, in calculating the rent referred to in paragraph 16 of that Schedule, account shall be taken of the planning permission deemed to have been granted in respect of the development constituted by the work in so far as it authorises the carrying out of the first-mentioned project.

(3) Where work falling within sub-paragraph (1) above constitutes a project of material development of relevant land, then, notwithstanding anything in sub-paragraph (1) of paragraph 7 of Schedule 6 to the Land Commission Act 1967 (but subject to paragraph 8 of that Schedule where that paragraph applies), in calculating any such value as is referred to in paragraph 6 of that Schedule account shall, if the project was begun before, but remained uncompleted at, the relevant date, be taken of the planning permission deemed to have been

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

granted in respect of the development constituted by the work in so far as it relates to the land comprised in that project ; and for that purpose sub-paragraph (3) of paragraph 7 shall apply as it applies where account of planning permission is taken by virtue of sub-paragraph (2) thereof.

(4) In this paragraph, “project of material development” has the same meaning as it has for the purposes of Part III of the Land Commission Act 1967.

41.-(1) If, in the case of a hereditament vested in the Post Office by virtue of section 16 of this Act, there is, in compliance with section 37(1) of the General Rate Act 1967, entered in the valuation list immediately before the appointed day, as representing the rateable value of the hereditament, the value upon which is computed any contribution made by the Crown in lieu of rates, then there shall be ascribed in that list to the hereditament under section 19 of that Act a net annual value equal to the value so entered.

(2) Where alterations fall to be made in a valuation list in consequence of the foregoing sub-paragraph, the valuation officer shall cause those alterations to be made therein without any proposal under section 69 of the General Rate Act 1967, and section 87 of that Act (duty of rating authority to give effect to directions as to alteration of a valuation list) shall have effect in relation to this paragraph as it does in relation to any provision of that Act.

(3) No proposal shall be made under section 69 of the General Rate Act 1967 for an alteration of the rateable value ascribed by virtue of this paragraph in a list to –

- (a) a hereditament occupied by the Post Office by any such property as follows, namely, posts, wires, underground cables and ducts, telephone kiosks and other equipment not within a building, being property used for the purposes of telecommunications services ; or
- (b) a hereditament occupied by the Post Office by the underground railway.

(4) Expressions used in this paragraph and in the General Rate Act 1967 have the same meaning in this paragraph as in that Act ; and the expression “the underground railway” means the railway constructed, and the works executed, by the Postmaster General in exercise of the powers conferred by the Post Office (London) Railway Act 1913, and the railway constructed, and the works associated therewith executed, by him in exercise of the powers conferred by the Post Office (Site and Railway) Act 1954.

(5) This paragraph extends to England and Wales only.

42.-(1) If, in the case of lands and heretages vested in the Post Office by virtue of section 16 of this Act, there is entered in the valuation roll immediately before the appointed day, as representing the rateable value of the lands and heritages, the value upon which is computed any contribution made by the Crown in lieu of rates, then the rateable value of the lands and heritages on the appointed day shall be taken to be the value so entered in the valuation roll.

(2) The rateable values of lands and heritages described in section 53(1) of this Act shall remain unaltered until an apportionment as mentioned in section 53(2) of this Act is made, and the rate to be levied by a county council on the rateable value entered in the valuation roll in respect of such lands and heritages shall be the mean of the county rate and the highest aggregate rate levied in the separately rated areas of the landward area of the county.

(3) In this paragraph “county rate” has the same meaning as in section 224(1) of the Local Government (Scotland) Act 1947 and other expressions have the same meanings as in the Local Government (Scotland) Act 1966.

(4) This paragraph extends to Scotland only.

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

43.-(1) If, in the case of a hereditament vested in the Post Office by virtue of section 16 of this Act, there is entered in the valuation lists immediately before the appointed day, as representing the net annual value of the hereditament, the amount upon which is computed any contribution made by the Crown in lieu of rates, then the net annual value of the hereditament on the appointed day shall be taken to be the amount so entered in the valuation lists.

(2) A hereditament vested in the Post Office by virtue of section 16 of this Act which, immediately before the appointed day, was, under section 2 of the Valuation (Ireland) Act 1854, distinguished as exempt from rates shall, as from that day, be deemed not to be so distinguished.

(3) The Commissioner of Valuation for Northern Ireland shall not, during the period beginning with the appointed day and ending with the 31st March next following, make any interim revision of the net annual value of any hereditament (other than any such hereditament as is mentioned in section 54(1) of this Act) vested in the Post Office by virtue of section 16 of this Act unless during that period the Post Office ceases to occupy the hereditament or there is a change in the use of the hereditament by the Post Office.

(4) In this paragraph “interim revision” means a revision under section 13 of the Local Government (Finance) Act (Northern Ireland) 1936 or section 4 of the Valuation Acts Amendment Act (Northern Ireland) 1953.

(5) This paragraph extends to Northern Ireland only.

44.-(1) If an order made by virtue of section 67 of the Town and Country Planning Act 1962 or section 29 of the Town and Country Planning Act 1968 for the acquisition by the Postmaster General of any land or rights is effective at the appointed day, proceedings for the acquisition may be continued by the Post Office as if section 55 of this Act had been in force when the order became operative, the order were one made by virtue of that section and confirmed by the Minister, and anything done by or to the Postmaster General after the order became operative had been done by or to the Post Office.

(2) If, at the appointed day, the provisions compliance with which is, by virtue of Schedule 1 to the Acquisition of Land (Authorisation Procedure) Act 1946, requisite in order for an order prepared in draft by a Minister to be made by him, are in course of being complied with with reference to an order prepared in draft by virtue of the said section 67 or the said section 29 for the acquisition by the Postmaster General of any land or rights, then, upon compliance with those provisions being completed, the order may (with any adaptations rendered requisite in consequence of the provisions of this paragraph) be made by the Minister and shall take effect as if it were an order made by the Post Office by virtue of section 55 of this Act and confirmed by him, being an order that authorised the acquisition by the Post Office of that land or, as the case may be, those rights.

(3) In the application of this paragraph to Scotland, for references to the Acquisition of Land (Authorisation Procedure) Act 1946 there shall be substituted references to the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 and for references to section 67 of the Town and Country Planning Act 1962 and to section 29 of the Town and Country Planning Act 1968 there shall be substituted respectively references to section 34 of the Town and Country Planning (Scotland) Act 1947 and to section 30 of the Town and Country Planning (Scotland) Act 1969.

45. An application by the Post Office made before the appointed day for an operator’s licence under Part V of the Transport Act 1968 shall, if accompanied by a certificate of the Postmaster General certifying that the vehicles proposed to be used under the licence are

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

in use by him, be treated for the purposes of section 94(1) of that Act as an application made by the holder of a carrier's licence in respect of the vehicles.

46.-(1) The Postmaster General shall be under obligation to provide the Post Office with such money as it requires during the period beginning with the day on which this Act is passed and ending with the day immediately preceding the appointed day ; and payments in discharge of this obligation shall be made out of the Post Office Fund.

(2) The power conferred by section 9 of the Post Office Act 1961 on the Treasury to make, out of the National Loans Fund, advances to the Postmaster General shall include power to make, out of that fund, advances to him for the purpose of enabling him to discharge the obligation imposed on him by the foregoing sub-paragraph.

47. All expenses incurred by the Post Office before the appointed day shall, for the purposes of its accounts, be treated as expenses incurred in the first accounting year ; and all sums received by the Post Office before that day shall be treated for those purposes as receipts attributable to that year.

48. The following enactments, namely, –

- (a) section 107(1) of the National Insurance Act 1965 and section 4(8)(a) of the Industrial Injuries and Diseases (Old Cases) Act 1967 (which provide that certain orders, regulations and schemes shall not be made unless a draft thereof has been laid before Parliament and approved by resolution of each House) ;
- (b) section 108 of the said Act of 1965 (which requires a preliminary draft of any regulations under that Act to be submitted to the National Insurance Advisory Committee) ; and
- (c) section 62(2) of the National Insurance (Industrial Injuries) Act 1965 (which requires any proposal to make regulations under that Act to be referred to the Industrial Injuries Advisory Council for consideration and advice);

shall not apply to any regulations or scheme contained in a statutory instrument made before the appointed day if that instrument states that it is made in consequence of this Act ; but any such regulations or scheme to which the said section 107(1) or 4(8)(a) would otherwise apply shall instead be subject to annulment in pursuance of a resolution of either House of Parliament.

49. Where works on land vested in the Post Office by virtue of this Act are executed by it so as injuriously to affect another person who would, had the works been executed by the Postmaster General, have had a right to receive from him compensation in respect of the injurious affection, that person shall have the right to receive from the Post Office compensation in respect of the injurious affection.

50.-(1) Where, on the appointed day, a matter in dispute between the Postmaster General and another stands referred, under section 8 of the Post Office Savings Bank Act 1954 to the Registrar (as defined by that Act) or to a person to whom the powers and duties under that section of the Registrar have been transferred by virtue of subsection (5) thereof, the Director of Savings shall be substituted for the Postmaster General as a party to the reference ; and an award, order or determination made under that section before that day shall, as from that day, bind the Director of Savings.

(2) Where, on the appointed day, a matter in dispute between the Postmaster General and the holder of stock stands referred, under section 4 of the National Debt Act 1958, to the Chief Registrar of friendly societies, the Assistant Registrar of friendly societies in Scotland or a deputy appointed by the Chief Registrar of friendly societies, the Director of

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

Savings shall be substituted for the Postmaster General as a party to the reference ; and an award made under that section before that day that binds the Postmaster General shall, as from that day, bind the Director of Savings.

51. An indemnity given under section 13 of the National Debt Act 1958 to the Postmaster General shall, if effective at the appointed day, have effect, as from that day, as if given to the Director of Savings.

52. Any reference to the Postmaster General in a prospectus issued with respect to securities issued under the National Loans Act 1939 or the National Loans Act 1968 shall, as from the appointed day, be construed as referring to the Director of Savings.

53. Where the Crown retains possession of any documents of title to any land any part of which is vested by virtue of section 16 of this Act in the Post Office, the Minister shall be assumed to have given to the Post Office an acknowledgement in writing of the right of the Post Office to production of those documents and to delivery of copies thereof, and, so far as relates to land in England or Wales, section 64 of the Law of Property Act 1925 shall have effect accordingly, and on the basis that the acknowledgement did not contain any such expression of contrary intention as is mentioned in that section and, so far as relates to land in Northern Ireland, section 9 of the Conveyancing Act 1881 shall have similar effect.

54. Any legal proceedings or applications pending on the appointed day by or against the Crown, being proceedings or applications instituted or made by or against the Postmaster General or his department (but not being proceedings in the case of which express provision is made by some other provision of this Act with respect to the continuance thereof) may be continued by or against the appropriate government department authorised for the purposes of the Crown Proceedings Act 1947.

SCHEDULE 10

(Section 138)

**SPECIAL TRANSITIONAL PROVISIONS WITH RESPECT TO PATENTS FOR INVENTIONS
AND REGISTERED DESIGNS**

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⁵¹ See Section 138 of this Act.

SCHEDULE 11**(Section 141)****REPEALS AND REVOCATIONS****ENACTMENTS REPEALED ON THE PASSING OF THIS ACT***PART I*

Chapter	Short Title	Extent of Repeal
**	***	*****
2 & 3 Eliz. 2. c. 62.	The Post Office Savings Bank Act 1954.	Section 19(3). In section 24(1), the words from “and a draft” onwards.
1966, c.12.	The Post Office Savings Bank Act 1966.	Section 3(4).

The above repeal of section 24(1) of the Post Office Savings Bank Act 1954 shall not render section 6(1) of the Statutory Instrument Acts 1946 inoperative as respects an instrument whereof a draft has been laid before Parliament before the passing of this Act.

*PART II***ENACTMENTS REPEALED ON THE APPOINTED DAY***Enactment of the Parliament of Great Britain*

Enactments of the Parliament of the United Kingdom

Chapter	Title or Short Title	Extent of Repeal
**	***	*****
26 & 27 Vict. c. 112.	The Telegraph Act 1863.	Section 5(2), so far as relating to service of notices on the company.
**	***	*****
31 & 32 Vict. c. 110.	The Telegraph Act 1868.	Section 22.
**	***	*****
32 & 33 Vict. c. 73.	The Telegraph Act 1869.	The whole Act.
**	***	*****
41 & 42 Vict. c. 76.	The Telegraph Act 1878.	In section 12, the words from “A notice required to be given under this Act to the Postmaster General” to “usual place of abode”.

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

**	** *	*****
47 & 48 Vict. c. 76.	The Post Office (Protection) Act 1884.	In section 11, the words “the post office, or”.
**	** *	*****
19 & 20 Geo.5. c. 29.	The Government Annuities Act 1929.	Section 51(1). In section 52, in subsection (2), the words “or by the Post-master General with the consent of the Commissioners”, and subsection (3). In section 54(4), the words “other than a post office savings bank”.
**	** *	*****
14 & 15 Geo.6. c. 52.	The Telephone Act 1951	The whole Act.
**	** *	*****
2 & 3 Eliz. 2. c. 62.	The Post Office Savings Bank Act 1954.	In section 25, the definitions of “post office savings bank” and “Post Office Savings Banks Fund”.
**	** *	*****
7 & 8 Eliz. 2. c. 6.	The National Debt Act 1958.	In section 1(1), the words “by the name of the Post Office register”. Section 13.
**	** *	*****
10 & 11 Eliz. 2. c. 14.	The Telegraph Act 1962.	The whole Act.
**	** *	*****
1964, c. 21.	The Television Act 1964. ⁵²	In section 2(6), the words “or section 5 of the Telegraph Act 1869” and the word “respectively”.
**	** *	*****
1966, c. 12.	The Post Office Savings Bank Act 1966.	Section 1(3)(c). Section 3(3)(a) and (c). Section 7(4) and (5). Section 8(1) and (3).
1966, c. 18.	The Finance Act 1966.	In section 44, in subsection (4), the words “except the Postmaster General”, and subsection (5). Section 48.
**	** *	*****
1967, c. 72.	The Wireless Telegraphy Act 1967.	Section 14(1).
1967, c. 80.	The Criminal Justice Act 1967.	In Schedule 3, the entry relating to section 66 of the Post Office Act 1953.
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⁵²

Tome 1963–1965, page 227.

Jersey Order in Council 21/1969 Postal Services (Jersey) Order, 1969

Enactments of the Parliament of Northern Ireland

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PART III

ORDERS IN COUNCIL REVOKED ON THE APPOINTED DAY

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