



Post Office Act 1969

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]

Extent Information

E1 Act: This Act extends to the U.K. but see s. 88

Modifications etc. (not altering text)

C1 Act amended (1.4.1996) by [S.I. 1996/593, reg. 2, Sch. 1](#)

C2 1.10.1969 appointed by [S.I. 1969/1066](#) as the day which in the repealed s. 1(1) of the Act is specified as being referred to in the Act as the “appointed day”

C3 Act explained by [British Telecommunications Act 1981 \(c. 38\), s. 66\(6\)](#)

Commencement Information

I1 Act wholly in force at Royal Assent

PART I

1 **F1**

Textual Amendments

F1 [S. 1](#) repealed by [British Telecommunications Act 1981 \(c. 38\), Sch. 6 Pt. 1](#)

Status: Point in time view as at 12/11/2003.

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PART II

THE MINISTER OF POSTS AND TELECOMMUNICATIONS AND HIS FUNCTIONS

2 The Minister of Posts and Telecommunications.

- (1) ^{F2}
- (6) In the following provisions of this Act, “the Minister” means [^{F3}the Secretary of State]
...
- (7) ^{F2}

| | |
|---|---|
| Textual Amendments | |
| F2 | S. 2(1)–(5)(7) repealed by S.I. 1974/691, Sch. |
| F3 | Words substituted by virtue of S.I. 1974/691, arts. 2, 3(3) |
| Modifications etc. (not altering text) | |
| C4 | Unreliable marginal note |

3 Transfer to the Minister of the Postmaster General’s functions with respect to wireless telegraphy, and provisions consequential thereon.

- (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 ^{M1}Wireless Telegraphy Act 1949 which remain in force on and after that day and those of the Wireless Telegraphy Act 1967; ^{F4}
 - (b) ^{F4}
 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 ^{M2}Wireless Telegraphy Act 1967), ^{F5} . . . 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 ^{M3}Defamation Act 1952 (extension to broadcasting of certain defences) and of the ^{M4}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 ^{M5}Wireless Telegraphy Act 1949 or the ^{M6}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.

- ^{F6}(2)
- ^{F6}(3)
- ^{F6}(4)
- ^{F6}(5)

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- (6) Section 20(3) of the ^{M7}Wireless Telegraphy Act 1949 (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, ^{F7} . . .

Textual Amendments

- F4** Word and s. 3(1)(b) repealed by [Independent Broadcasting Authority Act 1973 \(c. 19\)](#), **Sch. 3 Pt. I**
- F5** Words in s. 3(1)(b)(i) repealed (1.1.1996) by [1995 c. 21](#), ss. 314(1), 316(2), **Sch. 12** (with s. 312(1), [Sch. 14 para. 1](#))
- F6** [S. 3\(2\)-\(5\)](#) repealed (18.6.1998) by [1998 c. 6](#), ss. 7, 10(2), **Sch. 2 Pt. I**
- F7** Words in s. 3(6) repealed (1.1.1996) by [1995 c. 21](#), ss. 314(1), 316(2), **Sch. 12** (with s. 312(1), [Sch. 14 para. 1](#))

Marginal Citations

- M1** [1949 c. 54](#).
- M2** [1967 c. 72](#).
- M3** [1952 c. 66](#).
- M4** [1955 c. 11 \(N.I.\)](#)
- M5** [1949 c. 54](#)
- M6** [1967 c. 72](#).
- M7** [1949 c. 54](#).

4 **Transfer to the Minister of the Postmaster General’s functions under section 6 of the Commonwealth Telegraphs Act 1949.**

The functions which are vested in the Postmaster General by virtue of section 6 of the ^{M8}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.

Marginal Citations

- M8** [1949 c. 39](#).

5 **Transfer to the Minister of the Postmaster General’s power to make orders under the Recorded Delivery Service Act 1962.**

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.

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PART III

THE NEW AUTHORITY FOR THE CONDUCT OF POSTAL AND TELEGRAPHIC BUSINESS

Modifications etc. (not altering text)

C5 Pt. III (ss. 6–88) amended by Local Government Act 1985 (c. 51, SIF 81:1), s. 57(7), Sch. 13 para. 13(c)

The Post Office

6 The Post Office.

- (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; ^{F8} . . .
- (2) The Post Office shall consist of a chairman and, to a number not exceeding [^{F9}nineteen] nor falling short of—
 - (a) ^{F10}
 - (b) six, ^{F8}
 of other members, whether part-time or full-time.
- (2A)
- ^{F11}(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 privilege 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.

Textual Amendments

- F8 Words repealed by British Telecommunications Act 1981 (c. 38), Sch. 6 Pt. I
- F9 Word substituted by Post Office Act 1977 (c. 44), s. 1(1)
- F10 S. 6(2)(a) repealed by British Telecommunications Act 1981 (c. 38), Sch. 6 Pt. I
- F11 S. 6(2A) repealed by British Telecommunications Act 1981 (c. 38), Sch. 6 Pt. I

Powers and Duties of the Post Office

^{F12}7

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Textual Amendments

F12 S. 7 repealed (26.3.2001) by 2000 c. 26, s. 127(6), **Sch. 9**; S.I. 2001/1148, art. 2, **Sch.** (subject to arts. 3-42 of the said S.I.)

F13 **8**

Textual Amendments

F13 S. 8 repealed (26.3.2001) by 2000 c. 26, s. 127(6), **Sch. 9**; S.I. 2001/1148, art. 2, **Sch.** (subject to arts. 3-42 of the said S.I.)

9 **F14**

Textual Amendments

F14 Ss. 9, 11(7) repealed by **British Telecommunications Act 1981 (c. 38)**, **Sch. 6 Pt. II**

F15 **10**

Textual Amendments

F15 S. 10 repealed (26.3.2001) by 2000 c. 26, s. 127(6), **Sch. 9**; S.I. 2001/1148, art. 2, **Sch.** (subject to arts. 3-42 of the said S.I.)

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

F16 **11**

Textual Amendments

F16 S. 11 repealed (26.3.2001) by 2000 c. 26, s. 127(6), **Sch. 9**; S.I. 2001/1148, art. 2, **Sch.** (subject to arts. 3-42 of the said S.I.)

F17 **12**

Textual Amendments

F17 S. 12 repealed (26.3.2001) by 2000 c. 26, s. 127(6), **Sch. 9**; S.I. 2001/1148, art. 2, **Sch.** (subject to arts. 3-42)

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13 F18

Textual Amendments
F18 S. 13 repealed by [British Telecommunications Act 1981 \(c. 38\)](#), [Sch. 6 Pt. II](#)

The Post Office Users' Councils

F19 14

Textual Amendments
F19 S. 14 repealed (1.1.2001) by 2000 c. 26, s. 127(6), [Sch. 9](#); S.I. 2000/2957, art. 2(2), [Sch. 2](#) Table

F20 15

Textual Amendments
F20 S. 15 repealed (1.1.2001) by 2000 c. 26, s. 127(6), [Sch. 9](#); S.I. 2000/2957, art. 2(2), [Sch. 2](#) Table

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

F21 16

Textual Amendments
F21 S. 16 repealed (26.3.2001) by S.I. 2001/1149, art. 3(2), [Sch. 2](#) (with arts. 1(3), 4(1)(11))

17 F22

Textual Amendments
F22 Ss. 17, 19 repealed by [British Telecommunications Act 1981 \(c. 38\)](#), [Sch. 6 Pt. I](#)

F23 18

Textual Amendments
F23 S. 18 repealed (26.3.2001) by S.I. 2001/1149, art. 3(2), [Sch. 2](#) (with arts. 1(3), 4(1)(2)(11))

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19 F24

Textual Amendments

F24 Ss. 17, 19 repealed by [British Telecommunications Act 1981 \(c. 38\)](#), [Sch. 6 Pt. I](#)

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.

(1) On the appointed day—

^{F25}(a)

[^{F26}(b) the rights which, by virtue of sections 33, 34, 36(1) and 42 of the principal Act (which contain provisions enabling him to compel railway undertakers to undertake the conveyance of mail-bags by train and by ships which are owned or worked by them or in the case of which they are parties to arrangements for the use, maintenance or working thereof) he enjoys immediately before that day and the countervailing obligations with respect to payment of remuneration for services performed which, immediately before that day, are, by virtue of sections 35 and 36(2) of the principal Act, incumbent on him shall become those of the Post Office;]

^{F25}(c)

[^{F26}(d) the obligation to him which, by virtue of subsection (1) of section 38 of the principal Act, is, immediately before that day, incumbent on railway undertakers to perform services with respect to the conveyance of mail-bags and the other matters mentioned in that subsection and the right which, by virtue of subsection (2) of that section, they enjoy, immediately before that day, to receive from him remuneration for services performed shall respectively become an obligation to the Post Office and a right against it.]

^{F27}(2)

Textual Amendments

F25 S. 20(1)(a)(c) and word “and” at the end of para. (c) repealed (26.3.2001) by [S.I. 2001/1149](#), [art. 3\(2\)](#), [Sch. 2](#) (with [arts. 1\(3\)](#), [4\(11\)](#))

F26 S. 20(1)(b)(d) repealed (1.4.1994) by [1993 c. 43](#), [ss. 152\(3\)](#), [Sch. 14](#); [S.I. 1994/571](#), [art. 5](#)

F27 S. 20(2) repealed (26.3.2001) by [S.I. 2001/1149](#), [art. 3\(2\)](#), [Sch. 2](#) (with [art. 4\(11\)](#))

21 F28

Textual Amendments

F28 S. 21 repealed by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), [s. 109](#), [Sch. 7 Pt. I](#)

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22 Rights and liabilities, &c., arising out of Acts authorising the acquisition of land or the execution of works.

- (1) Any provision of the Sites Acts, the ^{M9}Post Office Extension Act 1865, the ^{M10}Manchester Post Office Act 1876, the ^{M11}Post Office (London) Railway Act 1913, the ^{M12}Post Office (Site and Railway) Act 1954, the ^{M13}Post Office Works Act 1959 or the ^{M14}Post Office Subway Act 1966 which is in force immediately before the appointed day and contains references to the Postmaster General shall, so far as necessary for preserving its effect on and after that day, have effect as from that day as if those references were references to the Post Office.
- (2) As from the appointed day, any rights or powers vested in, or exercisable by, the Post Office under the enactments relating to telegraphs in respect of works of any kind whatsoever executed under those enactments shall extend to, and may be exercised by it in respect of, the portions of the tube constructed by the Pneumatic Despatch Company, Limited, that vest in the Post Office by virtue of section 16 of this Act.
- (3) Section 20 of the ^{M15}Bristol Cattle Market Act 1930 (which empowers the Postmaster General, amongst others, to enter into and carry out agreements with reference to any of the matters referred to in that Act or the agreements mentioned in that section) shall, as from the appointed day, have effect with the substitution, for the reference to the Postmaster General, of a reference to the Post Office.
- (4) Section 16 of the ^{M16}City of London (Various Powers) Act 1950 (which provides for the continuance of the making, by the Postmaster General, the Mayor and commonalty and citizens of the city of London acting by the common council and the Mercers' Company of certain periodic payments to the incumbents and clerks of certain benefices in the city, being payments originally required to be made under enactments repealed by that Act) shall, as from the appointed day, have effect as if, in Schedule 1 to that Act, for references to the Postmaster General, there were substituted references to the Post Office; and the rights of indemnity in favour of the Postmaster General that are saved by the proviso to section 18 of that Act shall, as from that day, enure for the benefit of the Post Office and the charges on property to secure the payment of money payable to the Postmaster General in respect of indemnities so saved which are themselves also saved by that proviso shall, as from that day, have effect accordingly.
- (5) The reference in subsection (1) above to the Sites Acts is a reference to the Acts passed during the years 1885 to 1938 (both inclusive) the short title of each of which consists of the words "The Post Office (Sites) Act" followed by the year in which it was passed.

Modifications etc. (not altering text)

- C6** The text of ss. 20(2), 22(3) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

- M9** 1865 c. 87.
M10 1876 c. iii.
M11 1913 c. cxvi.
M12 1954 c. xxix.
M13 1959 c. 43.
M14 1966 c. 25.
M15 1930 c. clxxix.

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M16 1950 c. v.

23— **F29**
27.

Textual Amendments

F29 Ss. 23–27 repealed by [British Telecommunications Act 1981 \(c. 38\)](#), **Sch. 6 Pt. II**

Charges and other Terms and Conditions applicable to Services

F30 **28**

Textual Amendments

F30 [S. 28](#) repealed (26.3.2001) by [2000 c. 26, s. 127\(6\)](#), **Sch. 9**; [S.I. 2001/1148, art. 2](#), **Sch.** (subject to arts. 3-42 of the said S.I.)

Limitation of Liability

F31 **29**

Textual Amendments

F31 [S. 29](#) repealed (26.3.2001) by [2000 c. 26, s. 127\(6\)](#), **Sch. 9**; [S.I. 2001/1148, art. 2](#), **Sch.** (subject to arts. 3-42 of the said S.I.)

F32 **30**

Textual Amendments

F32 [S. 30](#) repealed (26.3.2001) by [2000 c. 26, s. 127\(6\)](#), **Sch. 9**; [S.I. 2001/1148, art. 2](#), **Sch.** (subject to arts. 3-42 of the said S.I.)

Finance

31, 32. **F33**

Textual Amendments

F33 Ss. 31, 32, 34 repealed by [British Telecommunications Act 1981 \(c. 38\)](#), **Sch. 6 Pt. I**

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^{F34}**33**

Textual Amendments
F34 S. 33 repealed (26.3.2001) by 2000 c. 26, s. 127(6), **Sch. 9**; S.I. 2000/2957, art. 2(3), **Sch. 3**.

34^{F35}

Textual Amendments
F35 Ss. 31, 32, 34 repealed by British Telecommunications Act 1981 (c. 38), **Sch. 6 Pt. I**

35, 36.^{F36}

Textual Amendments
F36 Ss. 35, 36, 42 repealed by British Telecommunications Act 1981 (c. 38), **Sch. 6 Pt. II**

^{F37}**37**

Textual Amendments
F37 S. 37 repealed (26.3.2001) by 2000 c. 26, s. 127(6), **Sch. 9**; S.I. 2001/1148, art. 2, **Sch.** (subject to arts. 3-42 of the said S.I.)

^{F38}**38**

Textual Amendments
F38 S.38 repealed (26.3.2001) by 2000 c. 26, s. 127(6), **Sch. 9**; S.I. 2001/1148, art. 2, **Sch.** (subject to arts. 3-42 of the said S.I.)

^{F39}**39**

Textual Amendments
F39 S. 39 repealed (26.3.2001) by 2000 c. 26, s. 127(6), **Sch. 9**; S.I. 2001/1148, art. 2, **Sch.** (subject to arts. 3-42 of the said S.I.)

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Banking

^{F40}**40**

Textual Amendments

F40 S. 40 repealed (26.3.2001) by 2000 c. 26, s. 127(6), **Sch. 9**; S.I. 2000/2957, art. 2(3), **Sch. 3**

^{F41}**41**

Textual Amendments

F41 S. 41 repealed (26.3.2001) by 2000 c. 26, s. 127(6), **Sch. 9**; S.I. 2000/2957, art. 2(3), **Sch. 3**

42^{F42}

Textual Amendments

F42 Ss. 35, 36, 42 repealed by British Telecommunications Act 1981 (c. 38), **Sch. 6 Pt. II**

Pensions and other Benefits

^{F43}**43**

Textual Amendments

F43 S. 43 repealed (26.3.2001) by 2000 c. 26, s. 127(6), **Sch. 9**; S.I. 2000/2957, art. 2(3), **Sch. 3** Table

^{F44}**44**

Textual Amendments

F44 S. 44 repealed (26.3.2001) by 2000 c. 26, s. 127(6), **Sch. 9**; S.I. 2000/2957, art. 2(3), **Sch. 3** Table

45^{F45}

Textual Amendments

F45 S. 45 repealed by Superannuation Act 1972 (c. 11), ss. 2(12), 29(4), Sch. 2, **8**

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F⁴⁶ 46

Textual Amendments

F46 S. 46 repealed (26.3.2001) by 2000 c. 26, s. 127(6), **Sch. 9**; S.I. 2000/2957, art. 2(3), **Sch. 3** Table

F⁴⁷ 47

Textual Amendments

F47 S. 47 repealed (26.3.2001) by 2000 c. 26, s. 127(6), **Sch. 9**; S.I. 2000/2957, art. 2(3), **Sch. 3** Table

F⁴⁸ 48

Textual Amendments

F48 S. 48 repealed (26.3.2001) by 2000 c. 26, s. 127(6), **Sch. 9**; S.I. 2000/2957, art. 2(3), **Sch. 3** Table

49 Provisions as to pensions of former employees of Cable and Wireless Limited and certain other persons.

(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 [^{F49}the Treasury], 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 schemes, the scheme for the payment of pensions commonly known as the Cable and Wireless Pension Fund (being a scheme subsisting by virtue of regulations made under section 6 of the ^{M17}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

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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.

Textual Amendments

F49 Words substituted by virtue of S.I. 1981/1670, **arts. 2** (c), 3(5)

Modifications etc. (not altering text)

C7 S. 49 extended by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 5 para. 46(2)**

Marginal Citations

M17 1949 c. 39.

50 **F50**

Textual Amendments

F50 S. 50 repealed by British Telecommunications Act 1981 (c. 38), **Sch. 6 Pt. I**

51 **F51**

Textual Amendments

F51 S. 51 repealed by National Insurance and Supplementary Benefit Act 1973 (c. 42), **Sch. 7**

52^{F52} **Rating**

53^{F53}

54^{F54}

Textual Amendments

F52 S. 52 repealed (E.W.) by S.I. 1990/776, art. 3(1)(2), **Sch. 1** and s. 52(2)(3) repealed by S.I. 1976/206, **art. 7(b)(ii)**

F53 S. 53 repealed by S.I. 1978/1173, **Sch.**

F54 S. 54 repealed by British Telecommunications Act 1981 (c. 38), **Sch. 6 Pt. II**

Lands

55^{F55}

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Textual Amendments

F55 S. 55 repealed (26.3.2001) by 2000 c. 26, s. 127(6), **Sch. 9**; S.I. 2000/2957, art. 2(3), **Sch. 3** Table

^{F56}**56**

Textual Amendments

F56 S. 56 repealed (26.3.2001) by 2000 c. 26, s. 127(6), **Sch. 9**; S.I. 2000/2957, art. 2(3), **Sch. 3** Table

^{F57}**57**

Textual Amendments

F57 S. 57 repealed (26.3.2001) by 2000 c. 26, s. 127(6), **Sch. 9**; S.I. 2000/2957, art. 2(3), **Sch. 3** Table

^{F58}**58**

Textual Amendments

F58 S. 59 repealed (26.3.2001) by 2000 c. 26, s. 127(6), **Sch. 9**; S.I. 2000/2957, art. 2(3), **Sch. 3** Table

^{F59}**59**

Textual Amendments

F59 S. 59 repealed (26.3.2001) by 2000 c. 26, s. 127(6), **Sch. 9**; S.I. 2000/2957, art. 2(3), **Sch. 3** Table

^{F60}**60**

Textual Amendments

F60 S. 60 repealed (26.3.2001) by 2000 c. 26, s. 127(6), **Sch. 9**; S.I. 2000/2957, art. 2(3), **Sch. 3** Table

^{F61}**61**

Textual Amendments

F61 S. 61 repealed (26.3.2001) by 2000 c. 26, s. 127(6), **Sch. 9**; S.I. 2000/2957, art. 2(3), **Sch. 3** Table

Status: Point in time view as at 12/11/2003.

Changes to legislation: Post Office Act 1969 is up to date with all changes known to be in force on or before 17 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

F62 **62**

Textual Amendments

F62 S. 26 repealed (26.3.2001) by 2000 c. 26, s. 127(6), Sch. 9; S.I. 2000/2957, art. 2(3), Sch. 3 Table

F63 **63**

Textual Amendments

F63 S. 63 repealed (26.3.2001) by 2000 c. 26, s. 127(6), Sch. 9; S.I. 2000/2957, art. 2(3), Sch. 3 Table

Miscellaneous Matters

F64 **64**

Textual Amendments

F64 S. 64 repealed (26.3.2001) by 2000 c. 26, s. 127(6), Sch. 9; S.I. 2001/1148, art. 2, Sch. (with art. 34)

65 F65

Textual Amendments

F65 S. 65 repealed with saving by British Telecommunications Act 1981 (c. 38), s. 89(4), Sch. 6 Pt. II

F66 **66**

Textual Amendments

F66 S. 66 repealed (26.3.2001) by 2000 c. 26, s. 127(6), Sch. 9; S.I. 2000/2957, art. 2(3), Sch. 3 Table

F67 **67**

Textual Amendments

F67 S. 67 repealed (26.3.2001) by 2000 c. 26, s. 127(6), Sch. 9; S.I. 2000/2957, art. 2(3), Sch. 3 Table

68 F68

Status: Point in time view as at 12/11/2003.

Changes to legislation: Post Office Act 1969 is up to date with all changes known to be in force on or before 17 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

F68 S. 68 repealed by [British Telecommunications Act 1981 \(c. 38\)](#), **Sch. 6 Pt. I**

F69⁶⁹

Textual Amendments

F69 S. 69 repealed (26.3.2001) by [2000 c. 26, s. 127\(6\)](#), **Sch. 9**; S.I. 2001/1148, art. 2, **Sch.** (subject to arts. 3-42 of the said S.I.)

F70⁷⁰

Textual Amendments

F70 S. 70 repealed (26.3.2001) by [2000 c. 26, s. 127\(6\)](#), **Sch. 9**; S.I. 2001/1148, art. 2, **Sch.** (subject to arts. 3-42 of the said S.I.)

F71⁷¹

Textual Amendments

F71 S. 71 repealed (26.3.2001) by [2000 c. 26, s. 127\(6\)](#), **Sch. 9**; S.I. 2001/1148, art. 2, **Sch.** (subject to arts. 3-42 of the said S.I.)

F72⁷²

Textual Amendments

F72 S. 72 repealed (26.3.2001) by [2000 c. 26, s. 127\(6\)](#), **Sch. 9**; S.I. 2000/2957, art. 2(3), **Sch. 3**

F73⁷³

Textual Amendments

F73 S. 73 repealed (26.3.2001) by [2000 c. 26, s. 127\(6\)](#), **Sch. 9**; S.I. 2000/2957, art. 2(3), **Sch. 3**

74 Taxation of the Post Office’s profits and capital gains.

(1) **F74**^{F74}

Status: Point in time view as at 12/11/2003.

Changes to legislation: Post Office Act 1969 is up to date with all changes known to be in force on or before 17 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (2) ^{F75}The ^{F76M18}Taxation of Chargeable Gains Act 1992] 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.

Textual Amendments

- F74** S. 74(1) repealed by British Telecommunications Act 1981, (c. 38), Sch. 6 Pt. I
F75 Words in s. 74(2) substituted by Capital Gains Tax Act 1979 (c. 14), Sch. 7 para. 8(b) Table Pt. II
F76 Words in s. 74(2) substituted (6.3.1992 with effect as mentioned in s. 289(1)(2) of the substituting Act) by virtue of Taxation of Chargeable Gains Act 1992 (c. 12), ss. 289, 290, Sch. 10 para.1 (with ss. 60, 101(1), 201(3))

Marginal Citations

- M18** 1992 c. 12

75 Records.

- (1) The ^{M19}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.

^{F77}(2)

Textual Amendments

- F77** S. 75(2) repealed (26.3.2001) by 2000 c. 26, s. 127(6), Sch. 9; S.I. 2001/1148, art. 2, Sch. (subject to arts. 3-42 of the said S.I.)

Marginal Citations

- M19** 1958 c. 51.

76 Consequential adaptations of enactments.

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.

^{F78}77

Textual Amendments

- F78** S. 77 repealed (26.3.2001) by S.I. 2001/1149, art. 3(2), Sch. 2 (with arts. 1(3), 4(11))

78 ^{F79}

Status: Point in time view as at 12/11/2003.

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Textual Amendments

F79 S. 78 repealed by [British Telecommunications Act 1981 \(c. 38\)](#), [Sch. 6 Pt. II](#)

^{F80}**79**

Textual Amendments

F80 S. 79 repealed (26.3.2001) by [S.I. 2001/1149](#), art. 3(2), [Sch. 2](#) (with arts. 1(3), 4(11))

^{F81}**80**

Textual Amendments

F81 S. 80 repealed (except in so far as it extends to the Bailiwick of Guernsey) (26.3.2001) by [2000 c. 26](#), s. 127(6), [Sch. 9](#); [S.I. 2001/1148](#), art. 2, [Sch.](#) (with art. 34)

^{F82}**81**

Textual Amendments

F82 S. 81 repealed (26.3.2001) by [2000 c. 26](#), s. 127(6), [Sch. 9](#); [S.I. 2001/1148](#), art. 2, [Sch.](#) (subject to arts. 3-42 of the said S.I.)

82 ^{F83}

Textual Amendments

F83 Ss. 82, 85 repealed by [British Telecommunications Act 1981 \(c. 38\)](#), [Sch. 6 Pt. I](#)

83 ^{F84}

Textual Amendments

F84 S. 83 repealed by [British Telecommunications Act 1981 \(c. 38, SIF 96\)](#), [Sch. 6 Pt. I](#) and expressed to be repealed by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), s. 109, [Sch. 7 Pt. I](#)

^{F85}**84**

Status: Point in time view as at 12/11/2003.

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Textual Amendments

F85 S. 84 repealed (26.3.2001) by 2000 c. 26, s. 127(6), **Sch. 9**; S.I. 2000/2957, art. 2(3), **Sch. 3** Table

85 **F86**

Textual Amendments

F86 Ss. 82, 85 repealed by British Telecommunications Act 1981 (c. 38), **Sch. 6 Pt. I**

86 Interpretation of Part III.

(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:—

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

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(2) Any reference in this Part of this Act to a subsidiary shall be construed in accordance with [^{F101}section 736 of the Companies Act 1985] and any reference therein to a wholly owned subsidiary shall be construed in accordance with [^{F101}section [^{F102}736]] of that Act.

(3)

F103F104(4)

Textual Amendments

F87 Words in s. 86(1) repealed (12.11.2003) by The Postal Services Act 2000 (Consequential Modifications) Order 2003 (S.I. 2003/2908), art. 1(2), **Sch. 2**

F88 S. 86(1): definition of “banker” repealed (26.3.2001) by S.I. 2001/1149, art. 3(2), **Sch. 2** (with art. 4(11))

F89 S. 86(1): definition of “the British Islands” repealed (26.3.2001) by S.I. 2001/1149, art. 3(2), **Sch. 2** (with art. 4(11))

Status: Point in time view as at 12/11/2003.

Changes to legislation: Post Office Act 1969 is up to date with all changes known to be in force on or before 17 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- F90** S. 86(1): definition of “cash on delivery service” repealed (26.3.2001) by [S.I. 2001/1149](#), art. 3(2), [Sch. 2](#) (with art. 4(11))
- F91** S. 86(1): definition of “foreign administration” repealed (26.3.2001) by [S.I. 2001/1149](#), art. 3(2), [Sch. 2](#) (with art. 4(11))
- F92** S. 86(1): definition of “harbour” repealed (26.3.2001) by [S.I. 2001/1149](#), art. 3(2), [Sch. 2](#) (with art. 4(11))
- F93** S. 86(1): definition of “harbour authority” repealed (26.3.2001) by [S.I. 2001/1149](#), art. 3(2), [Sch. 2](#) (with art. 4(11))
- F94** S. 86(1): definition of “hovercraft” repealed (26.3.2001) by [S.I. 2001/1149](#), art. 3(2), [Sch. 2](#) (with art. 4(11))
- F95** S. 86(1): definition of “local authority” repealed (26.3.2001) by [S.I. 2001/1149](#), art. 3(2), [Sch. 2](#) (with art. 4(11))
- F96** S. 86(1): definition of “mail-bag” repealed (26.3.2001) by [S.I. 2001/1149](#), art. 3(2), [Sch. 2](#) (with art. 4(11))
- F97** S. 86(1): definition of “national health service authority” repealed (26.3.2001) by [S.I. 2001/1149](#), art. 3(2), [Sch. 2](#) (with art. 4(11))
- F98** S. 86(1): definition of “statutory provision” repealed (26.3.2001) by [S.I. 2001/1149](#), art. 3(2), [Sch. 2](#) (with art. 4(11))
- F99** S. 86(1): definition of “telecommunication system” repealed (26.3.2001) by [S.I. 2001/1149](#), art. 3(2), [Sch. 2](#) (with art. 4(11))
- F100** S. 86(1): definition of “telepost service” repealed (26.3.2001) by [S.I. 2001/1149](#), art. 3(2), [Sch. 2](#) (with art. 4(11))
- F101** Words substituted by [Companies Consolidation \(Consequential Provisions\) Act 1985](#) (c. 9, SIF 27), s. 30, [Sch. 2](#)
- F102** “736” substituted by [Companies Act 1989](#) (c. 40, SIF 27), s. 144(4), [Sch. 18 para. 8](#)
- F103** S. 86(3) repealed by [British Telecommunications Act 1981](#) (c. 38), [Sch. 6 Pt. II](#)
- F104** S. 86(4) repealed (26.3.2001) by [S.I. 2001/1149](#), art. 3(2), [Sch. 2](#) (with art. 4(11))

Modifications etc. (not altering text)

- C8** S. 86(1): by s. 84(2)(a) of the [Local Government Act 1985](#) it is provided that until 1.4.1986 references to the Inner London Education Authority in any amendment made by Sch. 14 to the said Act shall be construed as references to the Inner London Interim Education Authority
- C9** S. 86(1) extended (E.W.) by [S.I. 1985/1884](#), art. 4(f)
- C10** S. 86(1) amended by [S.I. 1987/2110](#), art. 8(c)

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.

- (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 ^{F105}section 66(1) of the [British Telecommunications Act 1981](#) and the administration in that Isle of postal services by, or under the authority of, that government instead of by the Post Office;
- (ii)
- ^{F106}(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 ^{F105}the said

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section 66(1)] and the administration in that Bailiwick of postal services by, or under the authority of, the States instead of by the Post Office;

(ii)

^{F107}(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 [^{F105}the said section 66(1)] and the administration in that Bailiwick of postal services by, or under the authority of, the States instead of by the Post Office;

(ii)

^{F108}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.

Textual Amendments

F105 Words substituted by [British Telecommunications Act 1981 \(c. 38\) Sch. 3 para. 51\(8\)](#)

F106 [S. 87\(1\)\(a\)\(ii\)](#) repealed by [British Telecommunications Act 1981 \(c. 38\)](#), [Sch. 6 Pt. II](#)

F107 [S. 87\(1\)\(b\)\(ii\)](#) repealed by [British Telecommunications Act 1981 \(c. 38\)](#), [Sch. 6 Pt. II](#)

F108 [S. 87\(1\)\(c\)\(ii\)](#) repealed by [British Telecommunications Act 1981 \(c. 38\)](#), [Sch. 6 Pt. II](#)

Extent of Part III and related Schedules

88 Extent of Part III and related Schedules.

(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)

^{F109F110}(4)

(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.

Status: Point in time view as at 12/11/2003.

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(6^{F111})

Textual Amendments

- F109** S. 88(3) repealed by [Civil Aviation \(Amendment\) Act 1982 \(c. 1\)](#), **Sch. 2**
- F110** S. 88(4) repealed (26.3.2001) by [S.I. 2001/1149](#), art. 3(2), **Sch. 2** (with art. 4(11))
- F111** S. 88(6) repealed by [British Telecommunications Act 1981 \(c. 38\)](#), **Sch. 6 Pt. II**

PART IV

89— ^{F112}
92.

Textual Amendments

- F112** Pt. IV (ss. 89–92) repealed by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), s. 109, **Sch. 7 Pt. I**

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.

- (1) ^{F113}
- (3) ^{F114}
- (4) ^{F115}

Textual Amendments

- F113** S. 93(1)(2) repealed by [National Debt Act 1972 \(c. 65\)](#), s. 17, **Sch.**
- F114** S. 93(3) repealed by [Parliamentary and Health Service Commissioners Act 1987 \(c. 39, SIF 89\)](#), s. 10, **Sch. 2**
- F115** S. 93(4) repealed by [S.I. 1988/1847 \(N.I. 17\)](#), art. 16(2), **Sch. 3 Pt. II**; and expressed to be repealed (S.) (1.10.1993) by [1993 c. 9, s. 47\(3\)](#), **Sch. 7 Pt. I** (with Sch. 6 paras. 1, 2); [S.I. 1993/2050](#), **art. 3(4)** (with art. 4).

Status: Point in time view as at 12/11/2003.

Changes to legislation: Post Office Act 1969 is up to date with all changes known to be in force on or before 17 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

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.

- (1) ^{F116}
- (2) ^{F117}, as from the appointed day, ^{F117} and—
 - (a) ^{F117}
 - (c) ^{F117}
 - (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 ^{M20}Post Office Savings Bank Act 1954 shall be construed as referring to the Director of Savings.
- (3) The amendment of section 27 of the ^{M21}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) ^{F116}

Textual Amendments
F116 Ss. 94(1)(4), 95–105 repealed by National Savings Bank Act 1971 (c. 29), **Sch. 2**
F117 Words and s. 94(2)(a)(b) repealed by National Savings Bank Act 1971 (c. 29), **Sch. 2**

Marginal Citations
M20 1954 c. 62.
M21 1947 c. 44.

95— ^{F118}
105.

Textual Amendments
F118 Ss. 94(1)(4), 95–105 repealed by National Savings Bank Act 1971 (c. 29), **Sch. 2**

106, ^{F119}
107.

Textual Amendments
F119 Ss. 106, 107 repealed by British Telecommunications Act 1981 (c. 38), **Sch. 6 Pt. I**

Status: Point in time view as at 12/11/2003.

Changes to legislation: Post Office Act 1969 is up to date with all changes known to be in force on or before 17 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

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.

- (1)^{F120}(a) in section 48 of the ^{M22}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 ^{M23}Finance Act 1916, for the words “the Postmaster General” there shall be substituted the words “the Director of Savings” ;
 - (c) ^{F121}
 - (d) in section 47(4)(c) of the ^{M24}Finance Act 1942 (transfer and registration of government stock), for the words “the Post Office register established under the ^{M25}War Loan (Supplemental Provisions) Act 1915”, there shall be substituted the words “the National Savings Stock Register”;
 - (e) ^{F122}
 - (f) in section 1(4)(c) of the ^{M26}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 ^{M27}National Debt Act 1958 shall be construed as referring to the Director of Savings.
- (2) ^{F123}

Textual Amendments

F120 Words repealed by [National Debt Act 1972 \(c. 65\), s. 17, Sch.](#)

F121 [S. 108\(1\)\(c\)](#) repealed by [Finance Act 1981 \(c. 26, SIF 96\), s. 187, Sch. 17 Pt. XII](#) and expressed to be repealed (20.7.1998) by [S.I. 1998/1446, 30\(2\), Sch. 2 Pt. I](#)

F122 [S. 108 \(1\)\(e\)](#) repealed by [National Debt Act 1972 \(c. 65\), s. 17, Sch.](#)

F123 [Ss. 108\(2\)–\(5\), 110–112](#) repealed by [National Debt Act 1972 \(c. 65\), s. 17, Sch.](#)

Modifications etc. (not altering text)

C11 The text of [s. 108\(1\)\(a\)\(b\)\(d\)\(f\)](#) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M22 [1915 c. 89.](#)

M23 [1916 c. 24.](#)

M24 [1942 c. 21.](#)

M25 [1915 c. 93.](#)

M26 [1963 c. 18.](#)

M27 [1958 c. 6 \(7 & 8 Eliz. 2\).](#)

Status: Point in time view as at 12/11/2003.

Changes to legislation: Post Office Act 1969 is up to date with all changes known to be in force on or before 17 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

109 Power of the Treasury to raise money under the auspices of the Director of Savings.

The power conferred by section 12 of the ^{M28}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; ^{F124}

Textual Amendments

F124 Words repealed by [Income and Corporation Taxes Act 1970 \(c. 10\)](#), ss. 537(1), 539, [Sch. 16](#)

Marginal Citations

M28 [1968 c. 13](#).

110— ^{F125}
112.

Textual Amendments

F125 [Ss. 108\(2\)–\(5\), 110–112](#) repealed by [National Debt Act 1972 \(c. 65\)](#), s. 17, [Sch.](#)

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

^{F126}**113**

Textual Amendments

F126 [S. 113](#) repealed (U.K. & Isle of Man)(19.11.1998) by [1998 c. 43](#), s. 1(1), [Sch. 1 Pt. X](#) Group 5

Extent of Part V and Schedule 6

114 Extent of Part V and Schedule 6.

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

115, ^{F127}
116.

Status: Point in time view as at 12/11/2003.

Changes to legislation: Post Office Act 1969 is up to date with all changes known to be in force on or before 17 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

F127 Ss. 115, 116 repealed by Statute Law (Repeals) Act 1976 (c. 16), **Sch. 1 Pt. XVIII**

F128 **117**

Textual Amendments

F128 S. 117 repealed (26.3.2001) by S.I. 2001/1149, art. 3(2), **Sch. 2** (with arts. 1(3), 4(11))

F129 **118**

Textual Amendments

F129 S. 118 repealed (26.3.2001) by S.I. 2001/1149, art. 3(2), **Sch. 2** (with arts. 1(3), 4(11))

F130 **119**

Textual Amendments

F130 S. 119 repealed (26.3.2001) by 2000 c. 26, s. 127(6), **Sch. 9**; S.I. 2000/2957, art. 2(3), **Sch. 3 Table**

F131 **120**

Textual Amendments

F131 S. 120 repealed (26.3.2001) by S.I. 2001/1149, art. 3(2), **Sch. 2** (with arts. 1(3), 4(11))

121 **F132**

Textual Amendments

F132 S. 121 repealed by Social Security Act 1973 (c. 38), **Sch. 28 Pt. I**

Modifications etc. (not altering text)

C12 S. 121: power to continue conferred (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 5, 7(2), **Sch. 3 para.15**

122 **F133**

Status: Point in time view as at 12/11/2003.

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Textual Amendments

F133 S. 122 repealed by [National Debt Act 1972 \(c. 65\)](#), s. 17, [Sch.](#)

^{F134}123

Textual Amendments

F134 S. 123 repealed (26.3.2001) by [S.I. 2001/1149](#), art. 3(2), [Sch. 2](#) (with arts. 1(3), 4(11))

124— ^{F135}
126.

Textual Amendments

F135 Ss. 124–126 repealed by [Finance Act 1970 \(c. 24\)](#), [Sch. 8 Pt. V](#) and [Finance Act \(Northern Ireland\) 1970 \(c. 21\)](#), [Sch. 3 Pt. III](#)

127 ^{F136}

Textual Amendments

F136 Ss.127, 130, 131 repealed by [British Telecommunications Act 1981 \(c. 38\)](#), [Sch. 6 Pt. I](#)

Special Provisions with respect to Northern Ireland

^{F137}128

Textual Amendments

F137 S. 128 repealed (26.3.2001) by [S.I. 2001/1149](#), art. 3(2), [Sch. 2](#) (with arts. 1(3), 4(11))

^{F138}129

Textual Amendments

F138 S. 129 repealed (26.3.2001) by [2000 c. 26](#), s. 127(6), [Sch. 9](#); [S.I. 2000/2957](#), art. 2(3), [Sch. 3](#) Table

Status: Point in time view as at 12/11/2003.

Changes to legislation: Post Office Act 1969 is up to date with all changes known to be in force on or before 17 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

PART VII

MISCELLANEOUS AND GENERAL

130, ^{F139}
131.

Textual Amendments

F139 Ss.127, 130, 131 repealed by [British Telecommunications Act 1981 \(c. 38\)](#), [Sch. 6 Pt. I](#)

132 Extension of regulation-making power under section 52(2) of the Government Annuities Act 1929.

- (1) In section 52(2) of the ^{M29}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 [^{F140}section 13 of the ^{M30}Interpretation Act 1978], 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.

Textual Amendments

F140 Words substituted by virtue of [Interpretation Act 1978 \(c. 30\)](#), [s. 25\(2\)](#)

Modifications etc. (not altering text)

C13 The text of ss. 132(1), 137(1)(2), 141(1) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M29 1929 c. 29.

M30 1978 c. 30.

^{F141}**133**

Textual Amendments

F141 S. 133 repealed (26.3.2001) by [S.I. 2001/1149](#), art. 3(2), [Sch. 2](#) (with arts. 1(3), 4(3)(11))

Status: Point in time view as at 12/11/2003.

Changes to legislation: Post Office Act 1969 is up to date with all changes known to be in force on or before 17 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

134 Issue by local authorities in Great Britain of dog and game licences.

- (1) As from the appointed day, licences [^{F142}for dogs] shall be issued [^{F142}in Great Britain] by the councils having power to levy the duties [^{F142}thereon and so,] in England and Wales, [^{F142}shall licences] for dealing in, or killing, game.
- (2) A council [^{F143}in Great Britain] having power to levy the duties on any such licences as aforesaid may employ persons to act as its agents for the purpose of the issue of the licences and may pay to persons employed so to act such reasonable remuneration as it thinks fit.

Textual Amendments

F142 Words repealed (E.W.S.) by [Local Government Act 1988 \(c. 9, SIF 81:1, 2\)](#), s. 41, [Sch. 7 Pt. IV](#)

F143 Words repealed (E.W.S.) by [Local Government Act 1988 \(c. 9, SIF 81:1, 2\)](#), s. 41, [Sch. 7 Pt. IV](#)

135 Remuneration of the Post Office for issuing dog and game licences in England and Wales.

- (1) Any sums falling to be paid by the [^{F144}Secretary of State] to [^{F145}the Post Office company] in pursuance of any agreement to which he, it and a council in England or Wales are parties, being—
 - (a) an agreement providing for the issue by [^{F145}the Post Office company], on behalf of the council, of licences of all or any of the following kinds, namely, [^{F146}licences for dogs,] licences for dealing in game and licences for killing game, and the payment by that Minister to [^{F145}the Post Office company] of sums in consideration of its issuing the licences; ^{F147} . . .
 - ^{F147}(b)
shall be paid out of moneys provided by Parliament.

[^{F148}(1A) In subsection (1) above “the Post Office company” has the same meaning as in Part IV of the Postal Services Act 2000.]

(2)

^{F149}(3)

Textual Amendments

F144 Words substituted by virtue of [S.I. 1970/1681, arts. 2, 6\(3\)](#)

F145 Words in s. 135(1) substituted (26.3.2001) by 2000 c. 26, s. 127(4), [Sch. 8, Pt. II para. 11](#); [S.I. 2000/2957, art. 2\(3\)](#), [Sch. 3](#) (as substituted by [S.I. 2001/1148, art. 43](#))

F146 Words repealed (E.W.S.) by [Local Government Act 1988 \(c. 9, SIF 81:1, 2\)](#), s. 41, [Sch. 7 Pt. IV](#)

F147 [S. 135\(1\)\(b\)](#) and word “or” immediately preceding it repealed (26.3.2001) by 2000 c. 26, s. 127(6), [Sch. 9](#); [S.I. 2000/2957, art. 2\(3\)](#), [Sch. 3 Table](#)

F148 [S. 135\(1A\)](#) inserted (26.3.2001) by [S.I. 2001/1149, art. 3\(1\)](#), [Sch. 1 para. 26\(2\)](#) (with arts 1(3). 4(11))

F149 [S. 135\(2\)\(3\)](#) repealed (26.3.2001) by 2000 c. 26, s. 127(6), [Sch. 9](#); [S.I. 2000/2957, art. 2\(3\)](#), [Sch. 3 Table](#)

Status: Point in time view as at 12/11/2003.

Changes to legislation: Post Office Act 1969 is up to date with all changes known to be in force on or before 17 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

136 Expenses.

Any increase attributable to the provisions of this Act in sums which, under any other enactment (other than the Ministers of the ^{M31}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.

Marginal Citations

M31 1964 c. 98.

137 Cesser of obsolete, &c. enactments.

- F150**(1)
- F150**(2)
- F151**(3)
- F152**(4)

Textual Amendments

- F150** S. 137(1)(2) repealed (12.11.2003) by The Postal Services Act 2000 (Consequential Modifications) Order 2003 (S.I. 2003/2908), art. 1(2), **Sch. 2** (with art. 4(3))
- F151** S. 137(3) repealed (26.3.2001) by S.I. 2001/1149, art. 3(2), **Sch. 2** (with arts. 1(3), 4(11))
- F152** S. 137(4) repealed (12.11.2003) by The Postal Services Act 2000 (Consequential Modifications) Order 2003 (S.I. 2003/2908), art. 1(2), **Sch. 2** (with art. 4(3))

Modifications etc. (not altering text)

- C14** The text of ss. 132(1), 137(1)(2), 141(1) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

138 Transitional provisions.

- (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.

139 Application to Northern Ireland.

- (1) In the application of this ^{M32}Act to Northern Ireland—
 - (a) any reference to an enactment of the Parliament of Northern Ireland (except a reference to Schedule 5 or 6 to the Roads Act (Northern Ireland) 1948) or to an enactment which that Parliament has power to amend—

Status: Point in time view as at 12/11/2003.

Changes to legislation: Post Office Act 1969 is up to date with all changes known to be in force on or before 17 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (i) shall, except in Schedule 4 to this Act, be construed as including a reference to any enactment of the Parliament of Northern Ireland passed after this Act and re-enacting the said enactment with or without modification;
 - (ii) shall, except so far as the context otherwise requires, be construed as a reference to that enactment as amended by any enactment, whether passed before or after this Act, and including a reference thereto as extended or applied by or under any other enactment, including this Act;
- (b) “Act” and “enactment” (except in subsection (1) of the next following section) respectively include an Act and an enactment of the Parliament of Northern Ireland.
- (2) ^{F153}
- (3) ^{F154}, regulations made by the [^{F155}Secretary of State] under the ^{M33}Civil Defence Act (Northern Ireland) 1950 may apply to [^{F156}a universal service provider (within the meaning of the Postal Services Act 2000) in connection with the provision of a universal postal service (within the meaning of that Act)] such of the provisions of the ^{M34}Civil Defence Act (Northern Ireland) 1939 (except section 7(4) thereof) relating to public utility undertakers as may be specified in the regulations and may specify the [^{F155}Secretary of State] as the appropriate department in relation to [^{F156}a universal service provider (within the meaning of the Postal Services Act 2000) in connection with the provision of a universal postal service (within the meaning of that Act)] for the purpose of the application of any provisions so specified to [^{F156}a universal service provider (within the meaning of the Postal Services Act 2000) in connection with the provision of a universal postal service (within the meaning of that Act)] .
- (4) ^{F157}

Textual Amendments

- F153** S. 139(2) repealed by [Northern Ireland Constitution Act 1973 \(c. 36\)](#), **Sch. 6 Pt. I**
- F154** Words repealed by [S.I. 1973/2163](#), **Sch. 6**
- F155** Words substituted by [S.I. 1973/2163](#), **Sch. 5 para. 20(b)**
- F156** Words in s. 139(3) substituted (12.11.2003) by [The Postal Services Act 2000 \(Consequential Modifications\) Order 2003 \(S.I. 2003/2908\)](#), art. 1(2), **Sch. 1 para. 3**
- F157** S. 139(4) repealed by [Northern Ireland Constitution Act 1973 \(c. 36\)](#), **Sch. 6 Pt. II**

Modifications etc. (not altering text)

- C15** References to Acts or enactments of the Parliament of Northern Ireland to be construed as including references to Measures of the Northern Ireland Assembly: [Northern Ireland Constitution Act 1973 \(c. 36\)](#), **Sch. 5 para. 1(1)(2)**

Marginal Citations

- M32** 1948 c. 28 (N.I.)
- M33** 1950 c. 11 (N.I.)
- M34** 1939 c. 15 (N.I.)

Status: Point in time view as at 12/11/2003.

Changes to legislation: Post Office Act 1969 is up to date with all changes known to be in force on or before 17 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

140 Construction of references to enactments.

- (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.

^{F158}**141 Repeals.**

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| <p>.....</p> <p>Textual Amendments</p> <p>F158 S. 141 repealed (12.11.2003) by The Postal Services Act 2000 (Consequential Modifications) Order 2003 (S.I. 2003/2908), art. 1(2), Sch. 2 (with art. 4(3))</p> |
|---|

142 Short title.

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

Status: Point in time view as at 12/11/2003.

Changes to legislation: Post Office Act 1969 is up to date with all changes known to be in force on or before 17 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 1

Sections 6, 43, 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) ^{F159}
- (3) A member may at any time by notice in writing to the Minister resign his office.

Textual Amendments

F159 Sch. 1 paras. 2(2), 4(2) repealed by [British Telecommunications Act 1981 \(c. 38\)](#), **Sch. 6 Pt. I**

- 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 up 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.

Status: Point in time view as at 12/11/2003.

Changes to legislation: Post Office Act 1969 is up to date with all changes known to be in force on or before 17 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

(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—

- (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) F160

(3) The approval of [^{F161}the Treasury] shall be requisite to a determination under this paragraph by the Minister and to the imposition thereunder by him of a requirement.

Textual Amendments

F160 Sch. 1 paras. 2(2), 4(2) repealed by [British Telecommunications Act 1981 \(c. 38\)](#), **Sch. 6 Pt. I**

F161 Words substituted by virtue of [S.I. 1981/1670](#), **arts. 2(1)(a), 3(5)**

Modifications etc. (not altering text)

C16 Sch. 1 para. 4 modified ([22.3.2001](#)) by [S.I. 2001/1148](#), **art. 18** (with [art. 34](#))

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 F162

Status: Point in time view as at 12/11/2003.

Changes to legislation: Post Office Act 1969 is up to date with all changes known to be in force on or before 17 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

F162 Sch. 1 para. 6 repealed by [House of Commons Disqualification Act 1975 \(c. 24\)](#), [Sch. 3](#)

Proceedings

- 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) **F163**

(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.

(5) **F163**

Status: Point in time view as at 12/11/2003.

Changes to legislation: Post Office Act 1969 is up to date with all changes known to be in force on or before 17 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

F163 Sch. 1 para. 11(2)(3)(5) repealed by [British Telecommunications Act 1981 \(c. 38\)](#), **Sch. 6 Pt. I**

- 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.

F164SCHEDULE 2

Sections 41, 88.

Textual Amendments

F164 Sch. 2 repealed (26.3.2001) by [2000 c. 26, s. 127\(6\)](#), **Sch. 9**; [S.I. 2000/2957, art. 2\(3\)](#), **Sch. 3** Table

F165SCHEDULE 3

Section 56.

Textual Amendments

F165 Sch. 3 repealed (26.3.2001) by [2000 c. 26, s. 127\(6\)](#), **Sch. 9**; [S.I. 2000/2957, art. 2\(3\)](#), **Sch. 3** Table

Marginal Citations

M37 [1948 c. 28 \(N.I.\)](#)

Status: Point in time view as at 12/11/2003.

Changes to legislation: Post Office Act 1969 is up to date with all changes known to be in force on or before 17 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULE 4

Sections 76, 88, 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

F166²

Textual Amendments
F166 Sch. 4 para. 2 repealed (26.3.2001) by S.I. 2001/1149, art. 3(2), Sch. 2 (with arts. 1(3), 4(11))

F167³

Textual Amendments
F167 Sch. 4 para. 3 repealed (26.3.2001) by S.I. 2001/1149, art. 3(2), Sch. 2 (with arts. 1(3), 4(11))

Adaptations of Enactments relating to Telegraphs

4 F168

Textual Amendments
F168 Sch. 4 para. 4 repealed by Statute Law (Repeals) Act 1986 (c. 12), s. 1(1), Sch. 1 Pt. I

5, 6. F169

Textual Amendments
F169 Sch. 4 paras. 5, 6, 8, 10, 16–19 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, Sch. 7 Pt. I

7 F170

Status: Point in time view as at 12/11/2003.

Changes to legislation: Post Office Act 1969 is up to date with all changes known to be in force on or before 17 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

F170 Sch. 4 paras. 7, 9 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. I**

Adaptations of Enactments relating to the Supply of Electricity

8 **F171**

Textual Amendments

F171 Sch. 4 paras. 5, 6, 8, 10, 16–19 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. I**

9 **F172**

Textual Amendments

F172 Sch. 4 paras. 7, 9 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. I**

10 **F173**

Textual Amendments

F173 Sch. 4 paras. 5, 6, 8, 10, 16–19 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. I**

[^{F174}11 As from the appointed day, references to a private generating station in section 11 of the ^{M38}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.]

Textual Amendments

F174 Sch. 4 para. 11 repealed (E.W.S.) by Energy Act 1983 (c. 25, SIF 44:1), **Sch. 4 Pt. I**

Marginal Citations

M38 1919 c. 100.

12, 13 **F175**

Textual Amendments

F175 Sch. 4 paras. 12, 13 repealed by Electricity (Northern Ireland) Order 1972 and S.I. 1972/1072 (N.I. 9), **Sch. 7**

Status: Point in time view as at 12/11/2003.

Changes to legislation: Post Office Act 1969 is up to date with all changes known to be in force on or before 17 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Adaptations of other Enactments

F176 14

Textual Amendments

F176 Sch. 4 para. 14 repealed (12.11.2003) by The Postal Services Act 2000 (Consequential Modifications) Order 2003 (S.I. 2003/2908), art. 1(2), Sch. 2 (with art. 4(3))

Modifications etc. (not altering text)

C17 The text of Sch. 4 paras. 2(8)(10)(15)(22), 14 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

15 F177

Textual Amendments

F177 Sch. 4 para. 15 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, Sch. 7 Pt. I

16—19. F178

Textual Amendments

F178 Sch. 4 paras. 5, 6, 8, 10, 16–19 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, Sch. 7 Pt. I

20 F179

Textual Amendments

F179 Sch. 4 para. 20 repealed by Statute Law (Repeals) Act 1977 (c. 18), Sch. 1 Pt. XIX

F180 21

Textual Amendments

F180 Sch. 4 para. 21 repealed (26.3.2001) by 2000 c. 26, s. 127(6), Sch. 9; S.I. 2000/2957, art. 2(3), Sch. 3 Table

22 F181

Textual Amendments

F181 Sch. 4 para. 22 repealed (S.) by Bankruptcy (Scotland) Act 1985 (c. 66, SIF 11:2), s. 75(2), Sch. 8

23 F182

Status: Point in time view as at 12/11/2003.

Changes to legislation: Post Office Act 1969 is up to date with all changes known to be in force on or before 17 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

F182 Sch. 4 para. 23 repealed (E.W.) by [Insolvency Act 1985 \(c. 65, SIF 11:1\)](#), s. 235, **Sch. 10 Pt. III**

24 **F183**

Textual Amendments

F183 Sch. 4 para. 24 repealed by [Statute Law \(Repeals\) Act 1977 \(c. 18\)](#), **Sch. 1 Pt. XIX**

25 **F184**

Textual Amendments

F184 Sch. 4 para. 25 repealed by [Northern Ireland Constitution Act 1973 \(c. 36\)](#), **Sch. 6 Pt. II**

26 **F185**

Textual Amendments

F185 Sch. 4 paras. 26, 28, 29 repealed by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), s. 109, **Sch. 7 Pt. I**

^{F186}27 **F186**

Textual Amendments

F186 Sch. 4 para. 27 repealed (26.3.2001) by [S.I. 2001/1149](#), art. 3(2), **Sch. 2** (with arts. 1(3), 4(11)) and expressed to be repealed (13.10.2003) by [Land Registration Act 2002 \(c. 9\)](#), s. 136(2), **Sch. 13** (with s. 129, [Sch. 12 para. 1](#)); [S.I. 2003/1725](#), art. 2(1)

28, 29. **F187**

Textual Amendments

F187 Sch. 4 paras. 26, 28, 29 repealed by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), s. 109, **Sch. 7 Pt. I**

^{F188}30 **F188**

Textual Amendments

F188 Sch. 4 para. 30 repealed (12.11.2003) by [The Postal Services Act 2000 \(Consequential Modifications\) Order 2003 \(S.I. 2003/2908\)](#), art. 1(2), **Sch. 2** (with art. 4(3))

Modifications etc. (not altering text)

C18 The text of Sch. 4 paras. 27, 30, 33, 54, 55, 56, 73, Sch. 5 para. 3 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

31 **F189**

Status: Point in time view as at 12/11/2003.

Changes to legislation: Post Office Act 1969 is up to date with all changes known to be in force on or before 17 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

F189 Sch. 4 para. 31 repealed by Consumer Credit Act 1974 (c. 39, SIF 60), s. 192, **Sch. 5 Pt. I**

32 **F190**

Textual Amendments

F190 Sch. 4 para. 32 repealed by Land Drainage Act 1976 (c. 70), **Sch. 8**

^{F191}33

Textual Amendments

F191 Sch. 4 para. 33 repealed (26.3.2001) by S.I. 2001/1149, arts. 1(3), 3(2), **Sch. 2** (with arts. 1(3), 4(11))

34 **F192**

Textual Amendments

F192 Sch. 4 para. 34 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. I**

35 **F193**

Textual Amendments

F193 Sch. 4 para. 35 repealed by Solicitors (Northern Ireland) Order 1976 and S.I. 1976/582 (N.I. 12), **Sch. 3**

^{F194}36

Textual Amendments

F194 Sch. 4 para. 36 repealed (26.3.2001) by S.I. 2001/1149, art. 3(2), **Sch. 2** (with arts. 1(3), 4(11))

37 **F195**

Textual Amendments

F195 Sch. 4 para. 37 repealed by Town and Country Planning (Scotland) Act 1972 (c. 52), **Sch. 23**

38 **F196**

Textual Amendments

F196 Sch. 4 paras. 38, 45 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. I**

39, 40. **F197**

Status: Point in time view as at 12/11/2003.

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Textual Amendments

F197 Sch. 4 paras. 34, 39, 40, 43 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, Sch. 7 Pt. I

F198 41

Textual Amendments

F198 Sch. 4 para. 41 repealed (4.12.1997) by S.I. 1997/2779, art. 14, Sch. 3

42 F199

Textual Amendments

F199 Sch. 4 para. 42 repealed by Town and Country Planning (Scotland) Act 1972 (c. 52), Sch. 23

43 F200

Textual Amendments

F200 Sch. 4 paras. 34, 39, 40, 43 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, Sch. 7 Pt. I

44 F201

Textual Amendments

F201 Sch. 4 para. 44 repealed by S.I. 1980/1085 (N.I. 11), Sch. 9

45 F202

Textual Amendments

F202 Sch. 4 paras. 38, 45 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, Sch. 7 Pt. I

46 F203

Textual Amendments

F203 Sch. 4 para. 46 repealed by Civil Aviation Act 1982 (c. 16), s. 109(3), Sch. 16

47 F204

Textual Amendments

F204 Sch. 4 para. 47 repealed by Representation of the People Act 1983 (c. 2, SIF 42), s. 206, Sch. 9 Pt. II

48 F205

Status: Point in time view as at 12/11/2003.

Changes to legislation: Post Office Act 1969 is up to date with all changes known to be in force on or before 17 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

F205 Sch. 4 para. 48 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. I**

49 **F206**

Textual Amendments

F206 Sch. 4 para. 49 repealed by Statute Law (Repeals) Act 1986 (c. 12), s. 1(1), **Sch. 1 Pt. VII**

50 **F207**

Textual Amendments

F207 Sch. 4 para. 50 repealed by Statute Law (Repeals) Act 1977 (c. 18), **Sch. 1 Pt. XIX**

^{F208}51

Textual Amendments

F208 Sch. 4 para. 51 repealed (1.1.1996) by 1994 c. 40, s. 81, **Sch. 17**; S.I. 1995/2835, **art. 2**

52 **F209**

Textual Amendments

F209 Sch. 4 para. 52 repealed by Drainage (Northern Ireland) Order 1973 and S.I. 1973/69 (N.I. 1), **Sch. 10**

53 **F210**

Textual Amendments

F210 Sch. 4 para. 53 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. I** and expressed to be repealed by Cable and Broadcasting Act 1984 (c. 46, SIF 96), **Sch. 6**

^{F211}54

Textual Amendments

F211 Sch. 4 para. 54 repealed (26.3.2001) by S.I. 2001/1149, art. 3(2), **Sch. 2** (with arts. 1(3), 4(11))

55 As from the appointed day, the reference to the Post Office in section 12(3)(b) of the ^{M39}Criminal Justice Act (Northern Ireland) 1953 (evidence by certificate) shall be construed as including a reference to the authority.

Status: Point in time view as at 12/11/2003.

Changes to legislation: Post Office Act 1969 is up to date with all changes known to be in force on or before 17 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Modifications etc. (not altering text)

C19 The text of Sch. 4 paras. 27, 30, 33, 54, 55, 56, 73, Sch. 5 para. 3 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M39 1953 c. 14 (N.I.).

F212 56

Textual Amendments

F212 Sch. 4 para. 56 repealed (31.7.1996) by S.I. 1996/1141, art. 32(3), **Sch. 5**; S.R. 1996/267, **art. 2**

57 **F213**

Textual Amendments

F213 Sch. 4 para. 57 repealed by Solicitors (Amendment) Act 1974 (c. 26), **Sch. 3 Pt. II**

58 **F214**

Textual Amendments

F214 Sch. 4 paras. 58, 61 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. I**

- 59 (1) Where any work proposed to be done on or after the appointed day by [^{F215}the Northern Ireland Housing Executive] in pursuance of a clearance or demolition order or a re-development scheme made by them under [^{F216}the ^{M40}Housing (Northern Ireland) Order 1981] involves, or is likely to involve, an alteration in a telegraphic line belonging to, or used by, the authority, paragraphs (1) to (8) of section 7 of the ^{M41}Telegraph Act 1878 shall apply to the alteration and accordingly shall have effect, subject to any necessary modifications, as if references therein to undertakers included references to [^{F215}the Northern Ireland Housing Executive].
- (2) Where, in pursuance of an order under section 22 of the Housing of the ^{M42}Working Classes Act 1890, section 14 of the ^{M43}Housing Act (Northern Ireland) 1961, [^{F217}Article 51 of the Housing (Northern Ireland) Order 1981] or section 25 of the ^{M44}New Towns Act (Northern Ireland) 1965, 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.

Status: Point in time view as at 12/11/2003.

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(3) In this paragraph ^{F218}“telegraphic line” and “alteration” have the same meanings as in the ^{M45}Telegraph Act 1878.

Textual Amendments

- F215** Words substituted by virtue of S.R. & O. (N.I.) 1973/256, art. 3, Sch. 2
- F216** Words substituted by [S.I. 1981/156 \(N.I.3\)](#), [Sch. 11 Pt. II](#)
- F217** Words inserted by [S.I. 1981/156 \(N.I.3\)](#), [Sch. 11 Pt. II](#)
- F218** Words repealed by S.R. & O. (N.I.) 1973/256, art. 3, Sch. 2

Marginal Citations

- M40** [S.I. 1981/156 \(N.I.3\)](#).
- M41** 1878 c. 76.
- M42** 1890 c. 70.
- M43** 1961 c. 12 (N.I.)
- M44** 1965 c. 13 (N.I.)
- M45** 1878 c. 76.

60 ^{F219}

Textual Amendments

- F219** [Sch. 4 para. 60](#) repealed by [S.I. 1973/69 \(N.I. 1\)](#), [Sch. 10](#)

61 ^{F220}

Textual Amendments

- F220** [Sch. 4 paras. 58, 61](#) repealed by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), s. 109, [Sch. 7 Pt. I](#)

62—64. ^{F221}

Textual Amendments

- F221** [Sch. 4 paras. 62–64](#) repealed by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), s. 109, [Sch. 7 Pt. I](#)

65 ^{F222}

Textual Amendments

- F222** [Sch. 4 para. 65](#) repealed by [Highways Act 1980 \(c. 66\)](#), [Sch. 25](#)

66 ^{F223}

Textual Amendments

- F223** [Sch. 4 para. 66](#) repealed by [Mental Health \(Amendment\) Act 1982 \(c. 51, SIF 85\)](#), [Sch. 4 Pt. I](#)

Status: Point in time view as at 12/11/2003.

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[^{F224}67 As from the appointed day, section 7(1) of the ^{M46}Payment of Wages Act 1960 (interpretation) shall have effect as if, for the definitions of “money order” and “postal order”, there were substituted the following definitions:—

““money order” means a money order issued by the Postmaster General or the Post Office and “postal order” means a postal order so issued”.]

Textual Amendments

F224 Sch. 4 para. 67 repealed (E.W.S.) by Wages Act 1986 (c. 48, SIF 43:2), s. 33(5), **Sch. 5 Pt. III**

Marginal Citations

M46 1960 c. 37.

68 **F225**

Textual Amendments

F225 Sch. 4 paras. 68, 72 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. I**

69 **F226**

Textual Amendments

F226 Sch. 4 para. 69 repealed by Highways Act 1980 (c. 66), **Sch. 25**

^{F227}70

Textual Amendments

F227 Sch. 4 para. 70 repealed (12.11.2003) by The Postal Services Act 2000 (Consequential Modifications) Order 2003 (S.I. 2003/2908), art. 1(2), **Sch. 2** (with art. 4(3))

Modifications etc. (not altering text)

C20 The text of Sch. 4 paras. 27, 30, 33, 54, 55, 56, 73, Sch. 5 para. 3 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

71 **F228**

Textual Amendments

F228 Sch. 4 para. 71 repealed by Town and Country Planning Act 1971 (c. 78), s. 292(2), **Sch. 25**

72 **F229**

Textual Amendments

F229 Sch. 4 paras. 68, 72 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. I**

Status: Point in time view as at 12/11/2003.

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73 As from the appointed day, the references to the Postmaster General in section 53 of the ^{M47}Electoral Law Act (Northern Ireland) 1962 (transmission of election addresses) shall be construed as referring to the authority.

Modifications etc. (not altering text)

C21 The text of Sch. 4 paras. 27, 30, 33, 54, 55, 56, 73, Sch. 5 para. 3 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M47 1962 c. 14 (N.I.).

74 **F230**

Textual Amendments

F230 Sch. 4 para. 74 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. I**

75 **F231**

Textual Amendments

F231 Sch. 4 para. 75 repealed by S.I.1980/1085 (N.I. 11), **Sch. 9**

76 **F232**

Textual Amendments

F232 Sch. 4 para. 76 repealed by Airports Authority Act 1975 (c. 78), **Sch. 6**

[^{F233}77 As from the appointed day, the reference in section 1(4) of the ^{M48}Criminal Evidence Act 1965 to the Post Office shall be construed as including a reference to the authority.]

Textual Amendments

F233 Sch. 4 para. 77 repealed (E.W.) by Police and Criminal Evidence Act 1984 (c. 60, SIF 95), **Sch. 7 Pt. III**

Modifications etc. (not altering text)

C22 The text of Sch. 4 paras. 77, 80 and 82 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M48 1965 c. 20

78 **F234**

Status: Point in time view as at 12/11/2003.

Changes to legislation: Post Office Act 1969 is up to date with all changes known to be in force on or before 17 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

F234 Sch. 4 para. 78 repealed by [British Telecommunications Act 1981 \(c. 38\)](#), **Sch. 6 Pt. II** and [New Towns Act 1981 \(c. 64\)](#), s. 81, **Sch. 13**

79 **F235**

Textual Amendments

F235 Sch. 4 para. 79 repealed by [British Telecommunications Act 1981 \(c. 38\)](#), **Sch. 6 Pt. II**

[^{F236}80 As from the appointed day, the Schedule to the ^{M49}Building Control Act 1966 (which specifies bodies in the case of which work carried out by them is exempt from control under that Act) shall have effect as if, at the end thereof, there were added a reference to the authority.]

Textual Amendments

F236 Sch. 4 para. 80 repealed (E.W.) by [Housing and Building Control Act 1984 \(c. 29, SIF 61\)](#), **Sch. 12 Pt. I**

Modifications etc. (not altering text)

C23 The text of Sch. 4 paras. 77, 80 and 82 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M49 [1966 c. 27](#).

81 **F237**

Textual Amendments

F237 Sch. 4 para. 81 repealed by [British Telecommunications Act 1981 \(c. 38\)](#), **Sch. 6 Pt. I**

^{F238}82

Textual Amendments

F238 Sch. 4 para. 82 repealed (5.11.1993) by [1993 c. 50, s. 1\(1\)](#), **Sch. 1 Pt. IX** Gp. 2.

^{F239}83

Textual Amendments

F239 Sch. 4 para. 83 repealed (26.3.2001) by [S.I. 2001/1149](#), arts. 1(3), 3(2), **Sch. 2** (with art. 4(11))

^{F240}84

Status: Point in time view as at 12/11/2003.

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Textual Amendments

F240 Sch. 4 para. 84 repealed (U.K. & Isle of Man)(19.11.1998) by 1998 c. 43, s. 1(1), **Sch. 1 Pt. IV** Group 2

85 **F241**

Textual Amendments

F241 Sch. 4 paras. 85, 86 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. I**

86 **F242**

Textual Amendments

F242 Sch. 4 para. 86 repealed by Telecommunications Act 1984 (c. 12, SIF 96), s. 109, **Sch. 7 Pt. I**

87 **F243**

Textual Amendments

F243 Sch. 4 para. 87 repealed by British Telecommunications Act 1981 (c. 38), **Sch. 6 Pt. I**

88 **F244**

Textual Amendments

F244 Sch. 4 para. 88 repealed by Transport Act 1980 (c. 34), **Sch. 9 Pt. II**

89 **F245**

Textual Amendments

F245 Sch. 4 para. 89 repealed by Planning (Consequential Provisions) Act 1990 (c. 11, SIF 123:1, 2), s. 3, **Sch. 1 Pt. I**

90 As from the appointed day, the authority shall be deemed to be a public utility undertaking for the purposes of section 1 of the ^{M50}Local Government and Roads Act (Northern Ireland) 1968.

Marginal Citations

M50 1968 c. 30 (N.I.)

F246⁹¹

Textual Amendments

F246 Sch. 4 para. 91 repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt. XV** Gp. 1

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F247 92

Textual Amendments

F247 Sch. 4 para. 92 repealed (U.K.)(27.5.1997) by 1997 c. 11, ss. 3, 6(2), Sch. 1 Pt. I (with s. 5, Sch. 3)

- 93 (1) [F248 A universal service provider (within the meaning of the Postal Services Act 2000) in connection with the provision of a universal postal service (within the meaning of the Act)] shall be deemed to be [F249 a statutory undertaker] and [F250 his undertaking so far as relating to the provision of a universal postal service] a statutory undertaking for the purposes of the following enactments, namely,—
- (i) F251
 - (v) the M51 Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947;
 - (vi) F252
 - (vii) section 4 of the M52 Requisitioned Land and War Works Act 1948;
 - [F253 (viii) the M53 Roads Act (Northern Ireland) 1948, as applied by any statutory provision passed or made before the commencement of the M54 Roads (Northern Ireland) Order 1980]
 - (ix) F254
 - (x) the National Parks and Access to the M55 Countryside Act 1949;
 - F255 (xi)
 - (xii) the M56 Landlord and Tenant Act 1954;
 - (xiii) F256
 - F257 (xiv)
 - (xv) F258
 - (xvii) section 11 of the M57 Land Compensation Act 1961;
 - (xviii) section 3(4) of the M58 Flood Prevention (Scotland) Act 1961;
 - (xix) F259
 - (xx) the M59 Pipe-lines Act 1962;
 - (xxi) section 18 of the M60 Land Compensation (Scotland) Act 1963;
 - (xxii) Schedules 3 F260 to the M61 Harbours Act 1964;
 - F261 (xxiii)
 - (xxiv) section 10(4) of the Highlands and Islands Development (Scotland) Act 1965;
 - F262 (xxv)
 - (xxvi) F263
 - (xxvii) sections 11(5)(f), 54(6) and 75(4) of, and Schedule 3 to, the M62 Countryside (Scotland) Act 1967;
 - (xxviii) the M63 New Towns (Scotland) Act 1968;
 - (xxix) F264
 - (xxx) section 22 of the M64 Sewerage (Scotland) Act 1968;
 - (xxxi)

F265

Status: Point in time view as at 12/11/2003.

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(xxxii)
F266

(xxxiii) F267

F268 (xxxiv)

[F269 (xxxv) Section 9 of the Enterprise and New Towns (Scotland) Act 1990.]

F270

(2) In the following enactments, namely,—

- (a)
F271
- (b)
F272
- (c) the ^{M65}Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947;
- (d)
F273
- (e)
F274
- (f)
F275
- (g)
F276
- (h)
F277
- (j) the ^{M66}Pipe-lines Act 1962;
- (k) Schedules 3 ^{F260} to the ^{M67}Harbours Act 1964;
- (l) ^{F278}
- (q)
F279
- (r)
F280
- (s)

^{F281}“the appropriate Minister” shall, in relation to [^{F282}a universal service provider (within the meaning of the Postal Services Act 2000)], mean the Minister.

^{F283}(3)

(4) In the following enactments, namely,—

- (a)
F284
- (b)
F285
- (c)
F286
- (d) section 13 of the ^{M68}Pipe-lines Act 1962;
- (e) the [^{F287}New Towns Act 1981]
- ^{F288}(f)

Status: Point in time view as at 12/11/2003.

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- (g) the ^{M69}New Towns (Scotland) Act 1968;
- (h) ^{F286}(i)
^{F289}
- (j) ^{F290}
- ^{F291}(k)

“operational land” shall, in relation to [^{F292}a universal service provider (within the meaning of the Postal Services Act 2000)], mean land of [^{F293}his] of any such class as may be specified in regulations made jointly by the Minister and the Minister of Housing and Local Government by statutory instrument (which shall be subject to annulment in pursuance of a resolution of either House of Parliament); and—

- (i) the definition of a class of land for the purposes of regulations made under this sub-paragraph may be framed by reference to any circumstances whatsoever; and
- (ii) if any question arises whether land of [^{F294}a universal service provider’s] falls within a class specified in regulations so made, it shall be determined by the Minister.

In the application of this sub-paragraph to Scotland, for the reference to the Minister of Housing and Local Government there shall be substituted a reference to the Secretary of State.

- (5) This paragraph shall come into operation on the appointed day.

Textual Amendments

- F248** Words in Sch. 4 para. 93(1) substituted (26.3.2001) by S.I. 2001/1149, art. 3(1), **Sch. 1 para. 26(3)(a)** (with arts. 1(3), 4(11))
- F249** Words in Sch. 4 para. 93(1) substituted (26.3.2001) by S.I. 2001/1149, art. 3(1), **Sch. 1 para. 26(3)(b)** (with arts. 1(3), 4(11))
- F250** Words in Sch. 4 para. 93(1) substituted (26.3.2001) by S.I. 2001/1149, art. 3(1), **Sch. 1 para. 26(3)(c)** (with arts. 1(3), 4(11))
- F251** Para 93(1)(i)(ii) repealed by **British Telecommunications Act 1981 (c. 38), Sch. 6 Pt. I**; para. 93(1)(iii) repealed by **Town and Country Planning (Scotland) Act 1972 (c. 52), Sch. 21 Pt. II**; para. 93(1)(iv) repealed (E.W.) by **Acquisition of Land Act 1981 (c. 67), Sch. 6 Pt. I**
- F252** Para. 93(1)(vi) repealed by **Town and Country Planning (Scotland) Act 1972 (c. 52), Sch. 21 Pt. II**
- F253** Para. 93(1)(viii) substituted by **British Telecommunications Act 1981 (c. 38), Sch. 3 para. 51(11)**
- F254** Para. 93(1)(ix) repealed by **Civil Aviation Act 1982 (c. 16), s. 109(3), Sch. 16**
- F255** Sch. 4 para. 93(1)(xi) repealed (26.3.2001) by S.I. 2001/1149, art. 3(2), **Sch. 2** (with arts. 1(3), 4(11))
- F256** Para. 93(1)(xiii) repealed by **Statute Law (Repeals) Act 1977 (c. 18), Sch. 1 Pt. XIX**
- F257** Sch. 4 para. 93(1)(xiv) repealed (26.3.2001) by S.I. 2001/1149, art. 3(2), **Sch. 2** (with arts. 1(3), 4(11))
- F258** Para. 93(1)(xv) repealed by **Highways Act 1980 (c. 66), Sch. 25**; para. 93(1)(xvi) repealed by **Town and Country Planning (Scotland) Act 1972 (c. 52), Sch. 21 Pt. II**
- F259** Para. 93(1)(xix) repealed by **Town and Country Planning Act 1971 (c. 78), Sch. 23 Pt. II**
- F260** Words repealed by **Transport Act 1981 (c. 56), Sch. 12 Pt. II**
- F261** Sch. 4 para. 93(1)(xxiii) repealed (26.3.2001) by S.I. 2001/1149, art. 3(2), **Sch. 2** (with arts. 1(3), 4(11))
- F262** Sch. 4 para. 93(1)(xxv) repealed (26.3.2001) by S.I. 2001/1149, art. 3(2), **Sch. 2** (with arts. 1(3), 4(11))
- F263** Sch. 4 para. 93(1)(xxvi) repealed (U.K. & Isle of Man)(19.11.1998) by 1998 c. 43, s. 1(1), **Sch. 1 Pt. IV Group 2**
- F264** Para. 93(1)(xxix) repealed by **British Telecommunications Act 1981 (c. 38), Sch. 6 Pt. II**

Status: Point in time view as at 12/11/2003.

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- F265** Para. 93(1)(xxxi) repealed by [Town and Country Planning Act 1971 \(c. 78\)](#), **Sch. 23 Pt. II**
- F266** Para. 93(1)(xxxii) repealed by [Town and Country Planning \(Scotland\) Act 1972 \(c. 52\)](#), **Sch. 21 Pt. II**
- F267** Sch. 4 para. 93(1)(xxxiii) repealed by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\)](#), s. 3, **Sch. 1 Pt. I**
- F268** Sch. 4 para. 93(1)(xxxiv) repealed (U.K.)(27.5.1997) by 1997 c. 11, ss. 3, 6(2), **Sch. 1 Pt. I** (with s. 5, Sch. 3)
- F269** Sch. 4 para. 93(1)(xxxv) added (E.W.S.) by [Enterprise and New Towns \(Scotland\) Act 1990 \(c. 35, SIF 64\)](#), s. 38(1), **Sch. 4 para. 3**
- F270** Words in Sch. 4 para. 93(1) repealed (U.K.)(27.5.1997) by 1997 c. 11, ss. 3, 6(2), **Sch. 1 Pt. I** (with s. 5, Sch. 3)
- F271** Para. 93(2)(a) repealed by [Town and Country Planning \(Scotland\) Act 1972 \(c. 52\)](#), **Sch. 21 Pt. II**
- F272** Para. 93(2)(b) (specifying Acquisition of Land (Authorisation Procedure) Act 1946) repealed by virtue of [Acquisition of Land Act 1981 \(c. 67\)](#), **Sch. 6 Pt. I** (expressed as repealing sub-para. (2)(iv) in para. 93)
- F273** Para. 93(2)(d) repealed by [Town and Country Planning \(Scotland\) Act 1972 \(c. 52\)](#), **Sch. 21 Pt. II**
- F274** Para. 93(2)(e) repealed by [Civil Aviation Act 1982 \(c. 16\)](#), s. 109(3), **Sch. 16**
- F275** Para. 93(2)(f) repealed by [S.I. 1976/1775](#), art. 6(2), **Sch. 4**
- F276** Para. 93(2)(g) repealed by [Highway Act 1971 \(c. 41\)](#), s. 86(2), **Sch. 12**
- F277** Para. 93(2)(h) repealed by [Town and Country Planning \(Scotland\) Act 1972 \(c. 52\)](#), **Sch. 21 Pt. II**
- F278** Paras. 93(2)(l)–(p) repealed by [S.I. 1976/1775](#), art. 6(2), **Sch. 4**
- F279** Para. 93(2)(q) repealed by [Town and Country Planning Act 1971 \(c. 78\)](#), **Sch. 23 Pt. II**
- F280** Para. 93(2)(r) repealed by [Town and Country Planning \(Scotland\) Act 1972 \(c. 52\)](#), **Sch. 21 Pt. II**
- F281** Para. 93(2)(s)(t) repealed by [S.I. 1976/1775](#), art. 6(2), **Sch. 4**
- F282** Words in Sch. 4 para. 93(2) substituted (26.3.2001) by [S.I. 2001/1149](#), art. 3(1), **Sch. 1 para. 26(4)** (with arts. 1(3), 4(11))
- F283** Sch. 4 para. 93(3) repealed (U.K. & Isle of Man)(19.11.1998) by 1998 c. 43, s. 1(1), **Sch. 1 Pt. IV Group 2**
- F284** Para. 93(4)(a) repealed by [Town and Country Planning \(Scotland\) Act 1972 \(c. 52\)](#), **Sch. 21 Pt. II**
- F285** Para. 93(4)(b) repealed by [Town and Country Planning \(Scotland\) Act 1972 \(c. 52\)](#), **Sch. 21 Pt. II**
- F286** Para. 93(4)(c)(h) repealed by [Town and Country Planning Act 1971 \(c. 78\)](#), **Sch. 23 Pt. II**
- F287** Words substituted by [New Towns Act 1981 \(c. 64\)](#), **Sch. 12 para. 5**
- F288** Sch. 4 para. 93(4)(f) repealed (U.K. & Isle of Man) by 1998 c. 43, s. 1(1), **Sch. 1 Pt. IV Group 2**
- F289** Para. 93(4)(i) repealed by [Town and Country Planning \(Scotland\) Act 1972 \(c. 52\)](#), **Sch. 21 Pt. II**
- F290** Sch. 4 para. 93(4)(j) repealed by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\)](#), s. 3, **Sch. 1 Pt. I**
- F291** Sch. 4 para. 93(4)(k) repealed (U.K.)(27.5.1997) by 1997 c. 11, ss. 3, 6(2), **Sch. 1 Pt. I** (with s. 5, Sch. 3)
- F292** Words in Sch. 4 para. 93(4) substituted (26.3.2001) by [S.I. 2001/1149](#), art. 3(1), **Sch. 1 para. 26(5)(a)** (with arts. 1(3), 4(11))
- F293** Word in Sch. 4 para. 93(4) substituted (26.3.2001) by [S.I. 2001/1149](#), art. 3(1), **Sch. 1 para. 26(3)(b)** (with arts. 1(3), 4(11))
- F294** Words in Sch. 4 para. 93(4) substituted (26.3.2001) by [S.I. 2001/1149](#), art. 3(1), **Sch. 1 para. 26(5)(c)** (with arts. 1(3), 4(11))

Modifications etc. (not altering text)

- C24** Functions of Minister of Housing and Local Government now exercisable by Secretary of State: [S.I. 1970/1681](#), **art. 2**

Marginal Citations

- M51** 1947 c. 42.
M52 1948 c. 17.
M53 1948 c. 28 (N.I.)
M54 [S.I. 1980/1085](#). (N.I.11)
M55 1949 c. 97.
M56 1954 c. 56.
M57 1961 c. 33.

Status: Point in time view as at 12/11/2003.

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| | |
|------------|-------------|
| M58 | 1961 c. 41. |
| M59 | 1962 c. 58. |
| M60 | 1963 c. 51. |
| M61 | 1964 c. 40. |
| M62 | 1967 c. 86. |
| M63 | 1968 c. 16. |
| M64 | 1968 c. 47. |
| M65 | 1947 c. 42. |
| M66 | 1962 c. 58. |
| M67 | 1964 c. 40. |
| M68 | 1962 c. 58. |
| M69 | 1968 c. 16. |

94 **F295**

Textual Amendments
F295 Sch. 4 para. 94 repealed by [British Telecommunications Act 1981 \(c. 38\)](#), **Sch. 6 Pt. I**

PART III

ADAPTATIONS OF LOCAL ENACTMENTS

95 **F296**

Textual Amendments
F296 Sch. 4 paras. 95, 97, 99, 101, 102 repealed by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), s. 109, **Sch. 7 Pt. I**

- 96 (1) Nothing in—
- (a) the London Building Acts 1930 to 1939 or byelaws thereunder; or
 - (b) a special enactment passed or made before the appointed day (including such an enactment relating to Scotland or Northern Ireland) for purposes similar to those of an enactment contained in Part V or VII of the ^{M70}Highways Act 1959 (except sections 136 to 138);
- shall affect any powers of the authority under the enactments relating to telegraphs or apply to any telegraphic lines placed or maintained by the Postmaster General or the authority by virtue of those enactments.
- (2) In this paragraph, “special enactment” has the same meaning as in the ^{M71}Highways Act 1959.

Marginal Citations
M70 1959 c. 25.
M71 1959 c. 25.

97 **F297**

Status: Point in time view as at 12/11/2003.

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Textual Amendments

F297 Sch. 4 paras. 95, 97, 99, 101, 102 repealed by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), s. 109, [Sch. 7 Pt. I](#)

98 **F298**

Textual Amendments

F298 Sch. 4 para. 98 repealed by [British Telecommunications Act 1981 \(c. 38, SIF 96\)](#), [Sch. 6 Pt. II](#) and expressed to be repealed by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), s. 109, [Sch. 7 Pt. I](#)

99 **F299**

Textual Amendments

F299 Sch. 4 paras. 95, 97, 99, 101, 102 repealed by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), s. 109, [Sch. 7 Pt. I](#)

F300 100

Textual Amendments

F300 Sch. 4 para. 100 repealed (26.3.2001) by S.I. 2001/648, art. 4(2), [Sch. 2](#)

101, 102. **F301**

Textual Amendments

F301 Sch. 4 paras. 95, 97, 99, 101, 102 repealed by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), s. 109, [Sch. 7 Pt. I](#)

PART IV

ADAPTATION OF ORDERS IN COUNCIL

F302 103

Textual Amendments

F302 Sch. 4 para. 103 repealed (26.3.2001) by S.I. 2001/1149, arts. 1(3), 3(2), [Sch. 2](#) (with art. 4(11))

F303 104

Textual Amendments

F303 Sch. 4 para. 104 repealed (26.3.2001) by S.I. 2001/1149, arts. 1(3), 3(2), [Sch. 2](#) (with art. 4(11))

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F304 SCHEDULE 5

Sections 77, 88.

Textual Amendments

F304 Sch. 5 repealed (26.3.2001) by S.I. 2001/1149, art. 3(2), Sch. 2 (with art. 4(11))

SCHEDULE 6

Sections 94, 114

AMENDMENTS OF ACTS CONSEQUENTIAL ON SECTION 94 OF THIS ACT

PARTS I AND II

PART III

AMENDMENTS OF OTHER ENACTMENTS

Modifications etc. (not altering text)

C26 The text of Sch. 6 Pt. III is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Enactments of the Parliament of the United Kingdom

| Enactment amended and Subject-matter thereof | Amendment |
|---|--|
| <p>F308 F308 Section 2 of the M74 Consolidated Fund (Permanent Charges Redemption) Act 1883 (power of Treasury to borrow from the National Debt Commissioners, out of the 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 M75 Consolidated Fund (Permanent Charges Redemption) Act 1873).</p> | <p>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”.</p> |

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| | |
|--|--|
| Section 10 of the M76 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). | For the words “Post Office Savings Banks” there shall be substituted the words “the National Savings Bank”. |
| F309 F309 Section 44 of the M77 Friendly Societies Act 1896 (investment of funds). | In subsection (1)(a), for the words “the Post Office Savings Bank” there shall be substituted the words “the National Savings Bank”. |
| Rule 172 in Schedule 1 to the M78 Sheriff Courts (Scotland) Act 1907 (disposal of money payable to persons under legal disability). | 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”. |
| F310 F310 Section 47A of the M79 Administration of Estates Act 1925 (right of surviving spouse to have own life interest redeemed). | 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 M80 Government Annuities Act 1929, of an immediate savings bank annuity”. |
| [^{F311} Section 27 of the ^{M81} Crown Proceedings Act 1947 (attachment of moneys payable by the Crown).] | [^{F311} 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”.] |
| Section 46 of the Crown Proceedings Act 1947 (provisions as to arrestment). | In the proviso, in paragraph (c), for the words “the Post Office Savings Bank” there shall be substituted the words “the National Savings Bank”. |
| [^{F311} F312F312F312F312F312F312F313]Section 38 of the ^{M82} Administration of Justice Act 1956 (attachment of debts).] | [^{F311} In subsection (2), for the words “the Post Office Savings Bank” there shall be |

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substituted the words “the National Savings Bank”.]

[^{F311F314F314F313F313}Section 143 of the ^{M83}County Courts Act 1959 (attachment of debts).]

[^{F311}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 ^{M84}

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”.

^{F314}

^{F314}

Textual Amendments

- F308** Sch. 6 Pt. III: provision repealed by [Banking Act 1979 \(c. 37, SIF 10\)](#), **Sch. 7**
- F309** Entry repealed by [Merchant Shipping Act 1970 \(c. 36\)](#), s. 100(3), **Sch. 5**
- F310** Entry repealed by [Northern Ireland Constitution Act 1973 \(c. 36\)](#), s. 41(1), **Sch. 6 pt. II**
- F311** Sch. 6 Pt. III: entries repealed (E.W.) by [Supreme Court Act 1981 \(c. 54, SIF 37\)](#), **Sch. 7**
- F312** Entry repealed by [Statute Law \(Repeals\) 1973 \(c. 39\)](#)
- F313** Entry repealed by [Insurance Companies Amendment Act 1973 \(c. 58\)](#), ss. 54(3), 56, **Sch. 2**, **Sch. 3** para. 40, **Sch. 5**
- F314** Entry repealed by [Income and Corporation Taxes Act 1970 \(c. 10\)](#), ss. 538(1), 539(1), **Sch. 16**

Marginal Citations

- M74** 1883 c. 1.
- M75** 1873 c. 57.
- M76** 1887 c. 40.
- M77** 1896 c. 25.
- M78** 1907 c. 51.
- M79** 1925 c. 23.
- M80** 1929 c. 29.
- M81** 1947 c. 44.
- M82** 1956 c. 46.
- M83** 1959 c. 22.
- M84** 1961 c. 62.

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Enactments of the Parliament of Northern Ireland

| | |
|---|--|
| Section 25 of the M85 Betting and Lotteries Act (Northern Ireland) 1957 (offences in connection with lotteries). | In subsection (4)(c), for the words “the Post Office Savings Bank” there shall be substituted the words “the National Savings Bank”. |
| Section 98 of the M86 County Courts Act (Northern Ireland) 1959 (investment of funds in court). | In subsection (2)(c), for the words “a Post Office Savings Bank” there shall be substituted the words “the National Savings Bank”. |

F315
F315

Textual Amendments

F315 Entry repealed by [Insurance Companies Amendment Act 1973 \(c. 58\)](#), ss. 54(3), 56, Sch. 2, Sch. 3 para. 40, [Sch. 5](#)

Marginal Citations

M85 1957 c. 19 (N.I.).
M86 1959 c. 25 (N.I.).

F316 SCHEDULE 7^{F316}

Textual Amendments

F316 [Sch. 7](#) repealed by [British Telecommunications Act 1981 \(c. 38\)](#), [Sch. 6 Pt. I](#)

F317 SCHEDULE 8

Section 137.

Textual Amendments

F317 [Sch. 8](#) repealed (12.11.2003) by [The Postal Services Act 2000 \(Consequential Modifications\) Order 2003 \(S.I. 2003/2908\)](#), art. 1(2), [Sch. 2](#) (with art. 4(3))

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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 ^{M87}Wireless Telegraphy Act 1949, the ^{M88}Television Act 1964 or the ^{M89}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.

Marginal Citations

M87 1949 c. 54.

M88 1964 c. 21.

M89 1967 c. 72.

- 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 ^{M90}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

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- (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;
 - (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.
- [^{F318}(4) With respect to instruments and documents executed or signed before the appointed day—
- (a) every instrument or document purporting to be executed or signed by or on behalf of the Postmaster General shall be deemed to be so executed or signed unless the contrary is shown; and
 - (b) a certificate signed before the appointed day by the Postmaster General that any instrument or document purporting to be executed or signed on his behalf was so executed or signed shall be conclusive evidence of that fact.]

Textual Amendments

F318 Para. 2(4) inserted by [British Telecommunications Act 1981 \(c. 38\)](#), s. 89(2)

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Marginal Citations

M90 1953 c. 36.

3 (1)

F319F320 (2)

(3)

F319F321 (5)

(6)^{F319}

Textual Amendments

F319 Sch. 9 paras. 3(1)(3)(4)(6), 4, 5, 8, 15, 16, 18, 19 repealed by British Telecommunications Act 1981 (c. 38), **Sch. 6 Pt. I**

F320 Sch. 9 para. 3(2) repealed (26.3.2001) by 2000 c. 26, s. 127(6), **Sch. 9**; S.I. 2001/1148, art. 2, **Sch.** (with art. 34)

F321 Sch. 9 para. 3(5) repealed (26.3.2001) by S.I. 2001/1149, art. 3(2), **Sch. 2** (with art. 4(11))

4^{F322}, 5.

Textual Amendments

F322 Sch. 9 paras. 3(1)(3)(4)(6), 4, 5, 8, 15, 16, 18, 19 repealed by British Telecommunications Act 1981 (c. 38), **Sch. 6 Pt. I**

F323 6

Textual Amendments

F323 Sch. 9 para. 6 repealed (26.3.2001) by S.I. 2001/1149, art. 3(2), **Sch. 2** (with art. 4(11))

F324 7

Textual Amendments

F324 Sch. 9 para. 7 repealed (26.3.2001) by S.I. 2001/1149, art. 3(2), **Sch. 2** (with art. 4(11))

8^{F325}

Textual Amendments

F325 Sch. 9 paras. 3(1)(3)(4)(6), 4, 5, 8, 15, 16, 18, 19 repealed by British Telecommunications Act 1981 (c. 38), **Sch. 6 Pt. I**

- 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

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- 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 Francaise 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 ^{M91}Telegraph Act 1869 on the Postmaster General which is effective at the appointed day (not being a licence under the ^{M92}Wireless Telegraphy 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 ^{M93}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.

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- (2) Any instrument issued in pursuance of a licence falling within the foregoing sub-paragraph, 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 sub-paragraph in the case of the licence.

Marginal Citations

M91 1869 c.73.

M92 1949 c. 54.

M93 1953 c. 36.

- 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 ^{M94}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.

Marginal Citations

M94 1892 c. 59.

- 13 Any such council as is mentioned in the ^{M95}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.

Marginal Citations

M95 1899 c. 38.

- ^{F326}14

Textual Amendments

F326 Sch. 9 para. 14 repealed (12.11.2003) by [The Postal Services Act 2000 \(Consequential Modifications\) Order 2003 \(S.I. 2003/2908\)](#), art. 1(2), **Sch. 2** (with art. 4(3))

- 15^{F327}, 16

Textual Amendments

F327 Sch. 9 paras. 3(1)(3)(4)(6), 4, 5, 8, 15, 16, 18, 19 repealed by [British Telecommunications Act 1981 \(c. 38\)](#), **Sch. 6 Pt. I**

- 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

Status: Point in time view as at 12/11/2003.

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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)
- (b) an enactment contained in Part II or IV of the ^{M96}Public Health Act 1936 or Part II of the ^{M97}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;
- (d) [^{F328}the ^{M98}Thermal Insulation (Industrial Buildings) Act 1957 or regulations made thereunder];
- (e) section 72, 73, 74, 75, 81 or 159 of the ^{M99}Highways Act 1959;
- (f) paragraph 13, 15 or 18 of Part III of Schedule 9 to the ^{M100}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;
- ^{F329}(c)
- (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;

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- (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):—
- “(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”

Textual Amendments
F328 Words repealed (E.W.) by S.I. 1985/1936, reg. 3(2), **Sch. 4**
F329 Sch. 9 para. 17(5)(c) repealed (8.11.1995) by 1995 C. 44, s. 1, Sch. 1 Pt. VI

Modifications etc. (not altering text)
C27 Sch. 9 para. 17(2)(a) repealed (8.11.1995) by 1995 c. 44, s. 1, **Sch. 1 Pt. VI**

Marginal Citations
M96 1936 c. 49.
M97 1961 c. 64.
M98 1957 c. 40.
M99 1959 c. 25.
M100 1963 c. 33.

18^{F330}, 19

Textual Amendments
F330 Sch. 9 paras. 3(1)(3)(4)(6), 4, 5, 8, 15, 16, 18, 19 repealed by British Telecommunications Act 1981 (c. 38), **Sch. 6 Pt. I**

^{F331}20

Textual Amendments
F331 Sch. 9 para. 20 repealed (26.3.2001) by S.I. 2001/1149, art. 3(2), **Sch. 2** (with arts. 1(3), 4(11))

21^{F332}

Status: Point in time view as at 12/11/2003.

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Textual Amendments

F332 Sch. 9 para. 21 repealed by [Income and Corporation Taxes Act 1970 \(c. 10\)](#), ss. 537(1), 539, [Sch. 16](#)

22^{F333} —
26.

Textual Amendments

F333 Sch. 9 paras. 22–26 repealed by [British Telecommunications Act 1981 \(c. 38\)](#), [Sch. 6 Pt. I](#)

- 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 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 the case in which those conditions are subsequently modified by that authority in writing with the written concurrence of the Postmaster General

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(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) [F334Part XII of the Town and Country Planning Act 1990] shall not have effect in a case in which planning permission is deemed, by virtue of this paragraph, to be granted.

F335F336 (8)

- (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 [F337section 69 of the Town and Country Planning Act 1990] 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;

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- (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 [F338Secretary of State] 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.

F335F339 (10)

F340 (11)

(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 same meanings as they have [F341for the purposes of [F342the Town and Country Planning Act 1990]] and, in the application of this paragraph to Scotland, the same meanings as in [F343the Town and Country Planning (Scotland) Act 1997].
- (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) [F344Sections 91 and 92 of the Town and Country Planning Act 1990] and [F345sections 58 and 59 of the Town and Country Planning (Scotland) Act 1997] (which relate to the duration of planning permission) shall not apply to planning permission deemed, by virtue of this paragraph, to be granted.

Status: Point in time view as at 12/11/2003.

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(15) [^{F346}Subsections (2) and (4) of section 93 of the Town and Country Planning Act 1990] (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 subparagraph (12)(b)(ii) above, and, for the reference to planning permission having conditions attached to it by or under provisions of [^{F346}sections 91 and 92 of that Act of 1990], of a reference to planning permission deemed, by virtue of this paragraph, to be granted.

^{F335}(16) For the purposes of the general application of this paragraph to Scotland, in subparagraphs (1), (2) and (3) the words “and the expiration of the relevant period” and subparagraphs (4) and (12)(c) shall be omitted.

(17) This paragraph does not extend to Northern Ireland.

Extent Information

E2 This version of this provision extends to England and Wales only; a separate version has been created for Scotland only.

Textual Amendments

F334 Words in [Sch. 9, para. 27\(7\)](#) substituted (E.W.)(25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 31(4), [Sch. 6, para. 4](#) (with s. 84(5)); S.I. 1991/2067, [art.3](#)

F335 Words repealed by [Town and Country Planning \(Scotland\) Act 1972 \(c. 52\)](#), s. 277(2), [Sch. 23](#)

F336 [Sch. 9 para. 27\(8\)](#) repealed (E.W.) by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\)](#), s. 3, [Sch. 1 Pt. II](#) and para. 27(8) expressed to be repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), [Sch. 1](#) (with s. 5, [Sch. 3](#))

F337 Words substituted (as they apply in England and Wales) by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\)](#), s. 4, [Sch. 2 para. 24\(3\)\(a\)\(ii\)](#)

F338 Words substituted (E.W.) by virtue of S.I. 1970/1681, [art. 2, 6\(3\)](#)

F339 [Sch. 9 para. 27\(10\)](#) repealed (19.11.1998) by 1998 c. 43, s. 1(1), [Sch. 1 Pt. IV Group 2](#)

F340 [Sch. 9 para. 27\(11\)](#) repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), [Sch. 1](#) (with s. 5, [Sch. 3](#))

F341 Words substituted by [Town and Country Planning Act 1971 \(c. 78\)](#), [Sch. 23 Pt. II](#)

F342 Words substituted by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\)](#), s. 4, [Sch. 2 para. 24\(3\)\(a\)\(iii\)](#)

F343 Words in [Sch. 9 para. 27\(12\)\(a\)](#) substituted (27.5.1997) by 1997 c. 11, ss. 4, 6(2), [Sch. 2 para. 19\(2\)\(a\)\(iii\)](#)

F344 Words substituted by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\)](#), s. 4, [Sch. 2 para. 24\(3\)\(a\)\(iv\)](#)

F345 Words in [Sch. 9 para. 27\(14\)](#) substituted (27.5.1997) by 1997 c. 11, ss. 4, 6(2), [Sch. 2 para. 19\(2\)\(a\)\(iv\)](#)

F346 Words substituted (as they apply in England and Wales) by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\)](#), s. 4, [Sch. 2 para. 24\(3\)\(a\)\(v\)](#)

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 ^{F367}. . . , 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.

Status: Point in time view as at 12/11/2003.

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- (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 ^{F367} . . . , 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 ^{F367} . . . , 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 (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 the 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.
- ^{F368}(4)
- (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

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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) [^{F369}Part XII of the Town and Country Planning (Scotland) Act 1997] shall not have effect in a case in which planning permission is deemed, by virtue of this paragraph, to be granted.

^{F370F371}(8)

- (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 [^{F372}section 36 of the Town and Country Planning (Scotland) Act 1997] 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 [^{F373}Secretary of State] 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.

^{F370F374}(10)

^{F375}(11)

- (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 same meanings as they have [^{F376}for the purposes of [^{F377}the Town and Country Planning Act 1990]] and, in the application of this paragraph to Scotland, the same meanings as in [^{F378}the Town and Country Planning (Scotland) Act 1997].
- (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

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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);

^{F368}(c)

- (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) [^{F379}Sections 91 and 92 of the Town and Country Planning Act 1990] and [^{F380}sections 58 and 59 of the Town and Country Planning (Scotland) Act 1997] (which relate to the duration of planning permission) shall not apply to planning permission deemed, by virtue of this paragraph, to be granted.
- (15) [^{F381}Subsections (2) and (4) of section 60 of the Town and Country Planning (Scotland) Act 1997] (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 [^{F382}sections 58 and 59 of that Act], of a reference to planning permission deemed, by virtue of this paragraph, to be granted.
- ^{F370}(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.
- (17) This paragraph does not extend to Northern Ireland.

Extent Information

- E3** This version of this provision extends to Scotland only; a separate version has been created for England and Wales only.

Textual Amendments

- F367** Words in [Sch. 9 para. 27\(1\)\(2\)\(3\)](#) omitted for purposes of general application of para. 27 to Scotland pursuant to para. 27(16)
- F368** [Sch. 9 para. 27\(4\)\(12\)\(c\)](#) omitted for purposes of general application of para. 27 to Scotland pursuant to para. 27(16)
- F369** Words in [Sch. 9 para. 27\(7\)](#) substituted (27.5.1997) by 1997 c. 11, ss. 4, 6(2), [Sch. 2 para. 19\(2\)\(a\)\(i\)](#)
- F370** Words repealed by [Town and Country Planning \(Scotland\) Act 1972 \(c. 52\)](#), s. 277(2), [Sch. 23](#)
- F371** [Sch. 9 para. 27\(8\)](#) repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), [Sch. 1](#) (with s. 5, [Sch. 3](#))
- F372** Words in [Sch. 9 para. 27\(9\)](#) substituted (27.5.1997) by 1997 c. 11, ss. 4, 6(2), [Sch. 2 para. 19\(2\)\(a\)\(ii\)](#)
- F373** Words substituted (S.) by [Town and Country Planning \(Scotland\) Act 1972 \(c. 52\)](#), [Sch. 21 Pt. II](#)
- F374** [Sch. 9 para. 27\(10\)](#) repealed (19.11.1998) by 1998 c. 43, s. 1(1), [Sch. 1 Pt. IV](#) Group 2

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- F375** Sch. 9 para. 27(11) repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), **Sch. 1** (with s. 5, Sch. 3)
- F376** Words substituted by Town and Country Planning Act 1971 (c. 78), **Sch. 23 Pt. II**
- F377** Words substituted by Planning (Consequential Provisions) Act 1990 (c. 11, SIF 123:1, 2), s. 4, **Sch. 2 para. 24(3)(a)(iii)**
- F378** Words in Sch. 9 para. 27(12)(a) substituted (27.5.1997) by 1997 c. 11, ss. 4, 6(2), **Sch. 2 para. 19(2)(a)(iii)**
- F379** Words substituted by Planning (Consequential Provisions) Act 1990 (c. 11, SIF 123:1, 2), s. 4, **Sch. 2 para. 24(3)(a)(iv)**
- F380** Words in Sch. 9 para. 27(14) substituted (27.5.1997) by 1997 c. 11, ss. 4, 6(2), **Sch. 2 para. 19(2)(a)(iv)**
- F381** Words in Sch. 9 para. 27(15) substituted (27.5.1997) by 1997 c. 11, ss. 4, 6(2), **Sch. 2 para. 19(2)(a)(v)**
- F382** Words in Sch. 9 para. 27(15) substituted (27.5.1997) by 1997 c. 11, ss. 4, 6(2), **Sch. 2 para. 19(2)(a)(v)**

- 28 (1) Notwithstanding [^{F347}section 245 of the Town and Country Planning (Scotland) Act 1997] or [^{F348}section 296 of the Town and Country Planning Act 1990] (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 [^{F347}section 35 of the Act of 1997] and [^{F348}sections 66 and 67 of the said Act of 1990] (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 [^{F349}the said Act of 1997] or of [^{F350}the said Act of 1990]) 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.

Textual Amendments

- F347** Words in Sch. 9 para. 27 substituted (U.K)(27.5.1997) by 1997 c. 11, ss. 4, 6(2), **Sch. 2 para. 19(2)(b)(i)**
- F348** Words substituted by Planning (Consequential Provisions) Act 1990 (c. 11, SIF 123:1, 2), s. 4, **Sch. 2 para. 24(3)(b)(i)**
- F349** Words in Sch. 9 para. 28(2) substituted (U.K)(27.5.1997) by 1997 c. 11, ss. 4, 6(2), **Sch. 2 para. 19(2)(b)(ii)**
- F350** Words substituted by Planning (Consequential Provisions) Act 1990 (c. 11, SIF 123:1, 2), s. 4, **Sch. 2 para. 24(3)(b)(ii)**

- 29 No enforcement notice shall be served by virtue of [^{F351}paragraph 28 of Schedule 22 to the Town and Country Planning (Scotland) Act 1972 (as it continues in effect by virtue of Schedule 3 to the Planning (Consequential Provisions)(Scotland) Act 1997)] or under [^{F352}paragraph 34 of Schedule 24 to the Town and Country Planning Act 1971 (as it continues in effect by virtue of Schedule 3 to the Planning (Consequential Provisions) Act 1990)] 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 [^{F352}section 172 of the Town and Country Planning Act 1990] or [^{F353}section 127 of the Town and Country Planning (Scotland) Act 1997] in respect of development carried out before the appointed day on land that so vests.

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Textual Amendments

- F351** Words in [Sch. 9 para. 29](#) substituted (27.5.1997) by 1997 c. 11, ss. 4, 6(2), [Sch. 2 para. 19\(2\)\(c\)](#)
- F352** Words substituted by [Planning \(Consequential Provisions\) Act 1990](#) (c. 11, SIF 123:1, 2), s. 4, [Sch. 2 para. 24\(3\)\(c\)](#)
- F353** Words in [Sch. 9 para. 29](#) substituted (27.5.1997) by 1997 c. 11, ss. 4, 6(2), [Sch. 2 para. 19\(2\)\(c\)](#)

30 Neither an interim development authority, nor, where the [^{F354}Department of Development for Northern Ireland] is exercising any of the functions of such an authority, that [^{F354}Department], shall take any action under section 4 of the ^{M101}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.

Textual Amendments

- F354** Words substituted by virtue of [Northern Ireland Constitution Act 1973](#) (c. 36), [Sch. 5 para. 8\(1\)](#)

Marginal Citations

- M101** 1944 c. 3 (N.I.)

31^{F355}, 32

Textual Amendments

- F355** [Sch. 9 paras. 31, 32](#) repealed by [British Telecommunications Act 1981](#) (c. 38), [Sch. 6 Pt. I](#)

^{F356}33

Textual Amendments

- F356** [Sch. 9 para. 33](#) repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, [Sch. 3 Pt. I](#) (with ss. 191-195, 202)

^{F357}

34

Textual Amendments

- F357** [Sch. 9 para. 34](#) repealed by [Employment Protection \(Consolidation\) Act 1978](#) (c. 44), [Sch. 17](#)

^{F358}35

Textual Amendments

- F358** [S. 35](#) repealed (24.9.1996) by [S.I. 1996/1919](#), arts. 256, 257, [Sch. 3](#) (with saving in [Sch. 2](#))

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36^{F359} —
47.

Textual Amendments

F359 Sch. 9 paras. 36–47 repealed by British Telecommunications Act 1981 (c. 38), **Sch. 6 Pt. I**

48^{F360}

Textual Amendments

F360 Sch. 9 para. 48 repealed by Social Security Act 1973 (c. 38), **Sch. 28 Pt. I**

Modifications etc. (not altering text)

C28 Sch. 9 para. 48: power to continue conferred (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 5, 7(2), **Sch. 3 Pt. II para.15**

F361⁴⁹

Textual Amendments

F361 Sch. 9 para. 49 repealed (26.3.2001) by S.I. 2001/1149, art. 3(2), **Sch. 2** (with arts. 1(3), 4(11))

50^{F362}

Textual Amendments

F362 Sch. 9 para. 50 repealed by British Telecommunications Act 1981 (c. 38), **Sch. 6 Pt. I**

51 An indemnity given under section 13 of the ^{M102}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.

Marginal Citations

M102 1958 c. 6 (7 & 8 Eliz. 2).

52 Any reference to the Postmaster General in a prospectus issued with respect to securities issued under the ^{M103}National Loans Act 1939 or the ^{M104}National Loans Act 1968 shall, as from the appointed day, be construed as referring to the Director of Savings.

Marginal Citations

M103 1939 c. 117.

M104 1968 c. 13.

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 acknowledgment in writing

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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 ^{M105}Law of Property Act 1925 shall have effect accordingly, and on the basis that the acknowledgment 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 ^{M106}Conveyancing Act 1881 shall have similar effect.

Marginal Citations

M105 1925 c. 20.

M106 1881 c. 41.

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 ^{M107}Crown Proceedings Act 1947.

Marginal Citations

M107 1947 c. 44.

^{F363}SCHEDULE 10

Section 138.

Textual Amendments

F363 Sch. 10 repealed (26.3.2001) by S.I. 2001/1149, art. 3(2), Sch. 2 (with arts. 1(3), 4(11))

^{F366}SCHEDULE 11

Section 141.

Textual Amendments

F366 Sch. 11 repealed (12.11.2003) by The Postal Services Act 2000 (Consequential Modifications) Order 2003 (S.I. 2003/2908), art. 1(2), Sch. 2 (with art. 4(3))

Status:

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