



Postal Services Act 2000

2000 CHAPTER 26

PART VII

MISCELLANEOUS AND SUPPLEMENTARY

Inviolability of mails etc.

104 Inviolability of mails.

- (1) Subsection (2) applies to—
- (a) a postal packet,
 - (b) anything contained in a postal packet, and
 - (c) a mail-bag containing a postal packet,
- which is not the property of the Crown but which is in the course of transmission by post.
- (2) Anything to which this subsection applies shall have the same immunity from—
- (a) examination, or seizure or detention, under a relevant power conferred by virtue of this Act or any other enactment,
 - (b) seizure under distress or in execution,
 - [^{F1}(ba) in England and Wales, being taken control of under Schedule 12 to the Tribunals, Courts and Enforcement Act 2007,]
 - (c) in Scotland, any diligence, and
 - (d) retention by virtue of a lien,
- as it would have if it were the property of the Crown.
- (3) In subsection (2) “relevant power” means any power other than—
- ^{F2}(a)
 - ^{F2}(b)
 - [^{F3}(ba) a power conferred by section 104A,]

Changes to legislation: There are currently no known outstanding effects for the Postal Services Act 2000, Section 104. (See end of Document for details)

- (c) a power conferred by an enactment relating to customs or excise in its application, by virtue of section 105 or any regulations made under that section, to goods contained in postal packets, ^{F4}...
- (d) a power conferred by section 106 or 107^{F5, F6}...
- (e) a power conferred by paragraph 9 of Schedule 7 to the Terrorism Act 2000 (port and border controls).]
[^{F7}, or]
- [^{F7}(f) a power conferred by paragraph 9 of Schedule 3 to the Counter-Terrorism and Border Security Act 2019 (border security).]

(4) The Secretary of State may by order modify subsection (3).

Textual Amendments

- F1** S. 104(2)(ba) inserted (6.4.2014) by Tribunals, Courts and Enforcement Act 2007 (c. 15), s. 148, **Sch. 13 para. 138** (with s. 89); S.I. 2014/768, art. 2(1)(b)
- F2** S. 104(3)(a)(b) omitted (1.10.2011) by virtue of Postal Services Act 2011 (c. 5), s. 93(2)(3), **Sch. 12 para. 34(a)**; S.I. 2011/2329, art. 3; S.I. 2011/2329, art. 3
- F3** S. 104(3)(ba) inserted (1.10.2011) by Postal Services Act 2011 (c. 5), s. 93(2)(3), **Sch. 12 para. 34(b)**; S.I. 2011/2329, art. 3
- F4** Word in s. 104(3)(c) omitted (12.2.2015) by virtue of Counter-Terrorism and Security Act 2015 (c. 6), s. 52(5), **Sch. 8 para. 3(2)**
- F5** S. 104(3)(e) and word inserted (12.2.2015) by Counter-Terrorism and Security Act 2015 (c. 6), s. 52(5), **Sch. 8 para. 3(3)**
- F6** Word in s. 104(3)(d) omitted (13.8.2020) by virtue of Counter-Terrorism and Border Security Act 2019 (c. 3), s. 27(2)(d), **Sch. 4 para. 25(a)**; S.I. 2020/792, reg. 2(i)
- F7** S. 104(3)(f) and word inserted (13.8.2020) by Counter-Terrorism and Border Security Act 2019 (c. 3), s. 27(2)(d), **Sch. 4 para. 25(b)**; S.I. 2020/792, reg. 2(i)

Modifications etc. (not altering text)

- C1** S. 104(1)-(3) applied (22.3.2001) by S.I. 2001/1148, **art. 28** (with art. 34)

Commencement Information

- I1** S. 104 wholly in force at 26.3.2001, see s. 130 and S.I. 2001/1148, **art. 2, Sch.** (subject to arts. 3-42)

Changes to legislation:

There are currently no known outstanding effects for the Postal Services Act 2000, Section 104.