



# Post Office Act 1908

1908 CHAPTER 48 8 Edw 7

## *DUTIES OF POSTAGE*

### **1 Postal packets subject to charge**

Subject to the provisions of this Act, there shall be charged by the Postmaster-General for the use of His Majesty the King on all postal packets which are conveyed or delivered for conveyance by post under the authority of the Postmaster-General such postage and other sums as may be fixed in manner provided by this Act.

### **2 Power of Treasury to fix rates of postage**

- (1) The Treasury may, by warrant, fix the rates of postage and other sums to be charged in respect of postal packets under this Act, and regulate the scale of weights and the circumstances according to which those rates and sums are to be charged, and the power of the Postmaster-General, with or without the consent of the Treasury, to remit any such rates or sums : Provided that—
  - (a) The lowest rate of postage in the British Islands for an inland letter shall not be less than one penny ; and
  - (b) The highest rate of postage in the British Islands when prepaid—
    - (i) for an inland post card shall not exceed one halfpenny; or, if it is a reply post card (that is to say, a post card of such a description that the person receiving it through the post can, without further payment, again transmit the same or part thereof through the post), double that sum ; and
    - (ii) for an inland book packet shall not exceed one halfpenny for every two ounces in weight, or for any fractional part of two ounces over and above the first or any additional two ounces ; and
    - (iii) for each inland registered newspaper, whether with or without a supplement or supplements, and whether single or in a packet of two or more, shall not exceed one halfpenny; but

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- (iv) for an inland packet of two or more registered newspapers, with or without a supplement or supplements, shall not exceed the prepaid postage for an inland book packet of the same weight; and
  - (c) The highest rate of prepaid postage on a single newspaper sent by post between the British Islands and places out of the British Islands or between places out of the British Islands whether through the British Islands or not, shall not exceed threepence, exclusive of any additional charge made by any British possession or any foreign country :
  - (d) A warrant under this section may fix special rates for postal packets consisting of books and papers impressed for the use of the blind, and may specify any special conditions and regulations in respect of the transmission by post of such packets.
- (2) Where an inland letter or packet (other than votes or parliamentary proceedings) in the British Islands is not prepaid, or is insufficiently prepaid, the postage charged on the letter or packet shall, subject to any warrant of the Treasury under this Act, be double the amount, if the letter or packet is not prepaid, of the postage otherwise chargeable thereon, and, if it is insufficiently prepaid, of the deficiency.
- (3) Post Office regulations may determine—
- (a) what circulars or what commercial, legal, and other similar documents; and
  - (b) what marks or indications referring to the contents of a registered newspaper, when written or printed on the newspaper or on the cover thereof,
- shall not be charged with postage as letters.
- (4) Post Office regulations may make provisions respecting the re-direction of postal packets, and the transmission of postal packets so re-directed, either free of charge or subject to such postage as may be specified in the regulations.

### **3 Payment of postage by addressee or sender**

- (1) Where the postage or any other sum chargeable on any postal packet is not prepaid by the sender or is insufficiently prepaid, the postage or sum, or the deficiency, as the case may be, shall be paid by the person to whom the postal packet is addressed (in this Act styled the addressee) on the delivery thereof to him; or, if the postal packet is refused, or the addressee is dead or cannot be found, by the sender.
- (2) Where the postage or any other sum chargeable on a postal packet has not been prepaid or has been insufficiently prepaid by the sender, and the addressee on receiving the packet and paying the postage or other sum, or the deficiency, as the case may be, desires to reject it, and to compel the sender thereof to pay the postage or other sum, or the deficiency, as the case may be, the Postmaster-General, on the application of the addressee, and subject to Post Office regulations, may charge the postage or other sum, or the deficiency, as the case may be, to the sender, with the additional postage of returning the packet to him, and in every such case the sender of the postal packet shall pay the postage or other sum chargeable on sending the packet, or the deficiency, as the case may be, and also the postage of returning the packet, and on the payment thereof by the sender the amount paid in respect of postage by the addressee shall be repaid to him by the Postmaster-General.
- (3) Provided that nothing in this section shall release the addressee from his liability to pay the postage or other sum chargeable on a packet or any deficiency thereon on the delivery thereof to him.

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#### **4 Power of Treasury to carry into effect postal arrangements with foreign states**

Where an arrangement has, either before or after the passing of this Act, been made by His Majesty with any foreign state with respect to the conveyance by post of any postal packets between the British Islands and places out of the British Islands, or between places out of the British Islands whether through the British Islands or not, the Treasury may, by warrant, make such regulations as may seem to them necessary for carrying the arrangement into effect, and may make provisions as to the charges for the transit of postal packets, single or in bulk, and the scale of weights to be adopted, and the accounting for and paying over to any foreign state of any money received by the Postmaster-General.

#### **5 Postage on petitions and addresses to His Majesty or to Parliament, and on votes and parliamentary proceedings**

- (1) Petitions and addresses forwarded to His Majesty by post shall be exempt from postage.
- (2) Members of each House of Parliament may receive by post petitions and addresses to His Majesty, and petitions addressed to either House of Parliament, not exceeding thirty-two ounces in weight, exempt from postage, provided those petitions and addresses are sent without covers, or in covers open at the sides.
- (3) Where in the British Islands any votes or parliamentary proceedings are sent by post addressed to places in the British Islands and are not prepaid, or are insufficiently prepaid, the postage charged on them shall, subject to any warrant of the Treasury under this Act, be, if they have not been prepaid, the postage which would otherwise be chargeable on them, and, if they have been insufficiently prepaid, the deficiency in the postage.

#### **6 Exemption of letters of seamen and soldiers**

- (1) Any of the privileged persons herein-after mentioned may send and receive letters, not exceeding half an ounce in weight, by post, or by private ships between the British Islands and places beyond the seas, on their own private concerns, at a postage of one penny for each letter when prepaid, subject in the case of letters sent by private ship to the payment of the gratuities payable to the master of the ship.
- (2) The enjoyment of the privilege shall be subject to the following provisions :—
  - (a) The postage of any such letters sent by a privileged person (unless sent from parts beyond the sea) must be duly prepaid on the letter being posted :
  - (b) In the case of letters sent by a privileged person the name of the writer and his class or description in the vessel, regiment, corps, or detachment, to which he belongs must appear with the direction on the letter, and the name of the vessel, regiment, corps, or detachment, to which the privileged person belongs, and the signature of the officer commanding it, must be written on the letter by the said officer in his own handwriting :
  - (c) The postage on any such letter to be received by a privileged person (unless sent from parts beyond the sea) must have been duly prepaid on the letter being posted:
  - (d) Any such letter to be received by a privileged person must be directed to that person, and the vessel, regiment, corps, or detachment to which he belongs must be specified in the direction :

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- (e) Any such letter to be received by a privileged person must not be delivered to any person except the privileged person to whom it is addressed, or to some person authorised in writing to receive the letter by the officer in command :
  - (f) Where any such letters are sent or received by privileged persons from parts beyond the seas and the postage of one penny is not prepaid, every such letter shall be charged to the party receiving the letter with the postage of twopence.
- (3) A Treasury warrant under this Act with respect to rates of postage shall, if necessary provide for the delivery of letters of privileged persons on their own private affairs (not exceeding, in the case of privileged persons, other than such commissioned and warrant officers and midshipmen and master's mates as are herein-after mentioned, half an ounce in weight) free from any postage in respect of re-direction.
- (4) The privileged persons for the purpose of this section shall be the following persons, whilst actually employed in His Majesty's service whether at home or abroad ; namely,

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For all purposes every non-commissioned officer (not being a warrant officer) every band-master, school-master, and soldier in any of His Majesty's regular forces within the meaning of the Army Act, any special reservists within the meaning of Part III. of the Territorial and Reserve Forces Act, 1907, every seaman in His Majesty's navy or Indian marine service, and as regards re-direction every officer commissioned or not in the said regular forces, every commissioned officer in the special reserve of officers, and every non-commissioned officer in any body of special reservists, and every officer, commissioned or not, in the said navy or marine service, and every midshipman and master's mate in His Majesty's navy.

- (5) If any commanding officer authorised to write his name and the name of the vessel, regiment, corps, or detachment commanded by him on the letter of a privileged person under this section wilfully writes his name upon a letter that is not from and on the private concerns only of a privileged person, he shall for each offence be liable on summary conviction to a fine not exceeding five pounds.
- (6) If any person—
- (a) not having at the time the command of any vessel, regiment, corps, or detachment, to which a privileged person belongs, writes his name upon a letter in order that it may be sent at a lower rate of postage than by law established ; or
  - (b) procures a privileged person to obtain the signature of his commanding officer upon a letter which is not from that privileged person and upon his private concerns only, in order to avoid the payment of the postage by law established ; or
  - (c) wilfully addresses a letter to a privileged person which is intended for another person or concerns the affairs of another person with intent to evade the payment of the postage by law established ;
- he shall for each offence be liable on summary conviction to a fine not exceeding five pounds.
- (7) If any privileged person obtains the signature of his commanding officer upon a letter which is not from that person and upon his private concerns only in order to avoid the payment of the postage by law established, he shall for each offence be liable on summary conviction to a fine not exceeding five pounds.

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## **7 Recovery of postage**

- (1) All postage and other sums payable under this Act in respect of postal packets may be recovered in like manner as any duties granted to His Majesty by any Act relating to His Majesty's revenue are recoverable by law, and in the Channel Islands and Isle of Man as a debt due to the Crown.
- (2) Where any sum not exceeding twenty pounds is due from any person for postage or in respect of postal packets, that sum may be recovered in the United Kingdom summarily as a civil debt.
- (3) Where any sum not exceeding fifty pounds is due from any person for postage or in respect of postal packets, it may be recovered in Ireland, without prejudice to any other mode of recovery, in the civil bill court.

## **8 Post Office mark evidence of refusal, &c**

In any proceeding for the recovery of postage or other sums in respect of postal packets—

- (1) the production of any postal packet in respect of which any such postage or sum is sought to be recovered, having thereupon a Post Office stamp denoting that the packet has been refused or rejected, or that the addressee was dead or could not be found, shall be prima facie evidence of the fact denoted ; and
- (2) the person from whom any postal packet in respect of which any such postage or sum is sought to be recovered purports to have come shall, until the contrary is proved, be deemed to be the sender of the packet.

## **9 Official mark to be evidence of amount of postage**

The official mark of any sum on any postal packet as due to the Post Office, British, colonial, or foreign, in respect of that packet, shall in every British court, whether within or without the United Kingdom, be received as evidence of the liability of the packet to the sum so marked, and the sum shall be recoverable in any such court as postage due to His Majesty.

## **10 Provision for stamps**

All duties of postage and other sums in respect of postal packets payable in pursuance of this Act, or any warrant or regulations made under this Act, shall be chargeable as stamp duties, and all enactments relating to stamp duties shall apply accordingly.

## **11 Stamping paper for envelopes, &c. provided by private persons**

The Commissioners of Inland Revenue may, under regulations made or sanctioned by the Treasury, stamp any paper sent to them for the purpose of being stamped as covers or envelopes of letters or packets with stamps denoting the several rates of postage on payment of the amount of the stamps required to be impressed on the paper, and (unless the amount exceeds ten pounds) upon payment of such fee in addition as the Treasury may direct.