



Post Office Act 1908

1908 CHAPTER 48 8 Edw 7

POST OFFICE OFFENCES

50 Stealing mail bag or postal packet

If any person—

- (a) steals a mail bag ; or
- (b) steals from a mail bag, or from a post office, or from an officer of the Post Office, or from a mail, any postal packet in course of transmission by post; or
- (c) steals any chattel or money or valuable security out of a postal packet in course of transmission by post; or
- (d) stops a mail with intent to rob or search the mail;

he shall be guilty of felony, and on conviction shall be liable, at the discretion of the court, to penal servitude for life or any term not less than three years, or to imprisonment, with or without hard labour, for any term not exceeding two years.

51 Unlawfully taking away or opening mail bag sent by vessel employed under Post Office

If any person unlawfully takes away or opens a mail bag sent by any vessel employed by or under the Post Office for the transmission of postal packets under contract, or unlawfully takes a postal packet in course of transmission by post out of a mail bag so sent, he shall be guilty of felony, and on conviction shall be liable, at the discretion of the court, to penal servitude for any term not exceeding fourteen years or not less than three years, or to imprisonment, with or without hard labour, for any term not exceeding two years.

52 Receiver of stolen mail bag or postal packet

If any person receives any mail bag, or any postal packet or any chattel or money or valuable security, the stealing or taking, or embezzling, or secreting whereof amounts to a felony under this Act, knowing the same to have been so feloniously stolen, taken, embezzled, or secreted, and to have been sent, or to have been intended to be sent

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by post, he shall be guilty of felony, and shall on conviction be liable to the same punishment as if he had stolen, taken, embezzled, or secreted the same, and may be indicted and convicted, whether the principal offender has or has not been previously convicted, or is or is not amenable to justice.

53 Fraudulent retention of mail bag or postal packet

If any person fraudulently retains, or wilfully secretes or keeps, or detains, or, when required by an officer of the Post Office, neglects or refuses to deliver up—

- (a) any postal packet which is in course of transmission by post and which ought to have been delivered to any other person; or
- (b) any postal packet in course of transmission by post or any mail bag which shall have been found by him or by any other person,

he shall be guilty of a misdemeanour, and be liable on conviction on indictment to a fine and to imprisonment with or without hard labour.

54 Criminal diversion of letters from addressee

- (1) If any person not in the employment of the Postmaster-General wilfully and maliciously, with intent to injure any other person, either opens or causes to be opened any letter which ought to have been delivered to that other person, or does any act or thing whereby the due delivery of the letter to that other person is prevented or impeded, he shall be guilty of a misdemeanour, and be liable to a fine not exceeding fifty pounds, or to imprisonment, with or without hard labour, for any term not exceeding six months.
- (2) Nothing in this section shall apply to a person who does any act to which this section applies where he is parent, or in the position of parent or guardian, of the person to whom the letter is addressed.
- (3) A prosecution shall not be instituted in pursuance of this section except by the direction or with the consent of the Postmaster-General.
- (4) A letter in this section means a postal packet in course of transmission by post and any other letter which has been delivered by post.

55 Stealing, embezzlement, destruction, &c. by officer of Post Office of postal packet

If any officer of the Post Office steals, or for any purposes whatever embezzles, secretes, or destroys a postal packet in course of transmission by post, he shall be guilty of felony, and shall on conviction be liable, at the discretion of the court, to imprisonment for any term not exceeding two years, with or without hard labour, or to penal servitude for a term not less than three years and not exceeding seven years, or, if the postal packet contains any chattel or money, or valuable security, to imprisonment for any term not exceeding two years with or without hard labour, or to penal servitude for life or any term not less than three years.

56 Opening or delaying postal packets

- (1) If any officer of the Post Office, contrary to his duty, opens or procures or suffers to be opened any postal packet in course of transmission by post, or wilfully detains or delays, or procures or suffers to be detained or delayed, any such postal packet, he

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shall be guilty of a misdemeanour, and being convicted thereof shall be liable, at the discretion of the court, to imprisonment with or without hard labour, or to a fine, or to both such imprisonment and fine.

- (2) Provided that nothing in this section shall extend to the opening, detaining, or delaying of a postal packet returned for want of a true direction, or returned by reason that the person to whom the same is directed is dead or cannot be found, or shall have refused the same, or shall have refused or neglected to pay the postage thereof, or to the opening or detaining or delaying of a postal packet under the authority of this Act or in obedience to an express warrant in writing under the hand of a Secretary of State: Provided that the warrant in Scotland may be either under the hand of a Secretary of State or of the Secretary for Scotland, in Ireland shall be under the hand and seal of the Lord Lieutenant, and in the Isle of Man shall be under the hand of the Governor issued with the sanction of a Secretary of State.

57 Carelessness, negligence, or misconduct of persons employed in carrying or delivering mail bags, postal packets, &c

If any person employed to convey or deliver a mail bag, or a postal packet in course of transmission by post—

- (a) whilst so employed, or, whilst the mail bag or postal packet is in his custody or possession, leaves it, or suffers any person, not being the guard or person employed for that purpose, to ride in the place appointed for the guard in or upon any carriage used for the conveyance of it, or to ride in or upon a carriage so used and not licensed to carry passengers, or upon a horse used for the conveyance on horse-back of it; or
- (b) is guilty of any act of drunkenness whilst so employed ; or
- (c) is guilty of carelessness, negligence, or other misconduct, whereby the safety of the mail bag or postal packet is endangered; or
- (d) without authority collects or receives or conveys or delivers a postal packet otherwise than in the ordinary course of post; or
- (e) gives any false information of an assault or attempt at robbery upon him ; or
- (f) loiters on the road or passage, or wilfully misspends his time so as to retard the progress or delay the arrival of a mail bag or postal packet in the course of transmission by post, or does not use due care and diligence safely to convey a mail bag or postal packet at the due rate of speed,

he shall, on summary conviction, be liable to a fine not exceeding twenty pounds.

58 Issuing money orders with fraudulent intent

- (1) If any officer of the Post Office grants or issues any money order with a fraudulent intent, he shall be guilty of felony, and be liable, at the discretion of the court, to penal servitude for a term not exceeding seven and not less than three years, or to imprisonment, with or without hard labour, for any term not exceeding two years.
- (2) If any officer of the Post Office re-issues a money order previously paid, he shall be deemed to have issued the order with a fraudulent intent under this section.

59 Forgery and stealing of money order

- (1) A money order shall be deemed to be an order for the payment of money and a valuable security within the meaning of this Act and of the Forgery Act, 1861, and of the

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Larceny Act, 1861, and of any other law relating to forgery or stealing which is for the time being in force in any part of the British Islands.

- (2) If any person, with intent to defraud, obliterates, adds to, or alters any such lines or words on a money order as would, in the case of a cheque, be a crossing of that cheque, or knowingly offers, utters, or disposes of any money order with such fraudulent obliteration, addition, or alteration, he shall be guilty of felony, and be liable to the like punishment as if the order were a cheque.

60 Punishment of offences in relation to postal orders, and the poundage thereon

The provisions of law respecting the punishment of offences connected with stamp duties (including the provisions relating to paper and implements used in the manufacture of that paper, and to the punishing of fraud) shall apply in like manner as if any poundage or commission chargeable for a postal order were stamp duty, and as if the paper used for postal orders were paper provided by the Commissioners of Inland Revenue for receiving the impression of a die, and in the Isle of Man and Channel Islands as if those provisions extended to those islands.

61 Prohibition of placing injurious substances in or against post office letter boxes

- (1) A person shall not place or attempt to place in or against any post office letter box any fire, any match, any light, any explosive substance, any dangerous substance, any filth, any noxious or deleterious substance, or any fluid, and shall not commit a nuisance in or against any post office letter box, and shall not do or attempt to do anything likely to injure the box, appurtenances, or contents.
- (2) If any person acts in contravention of this section, he shall be guilty of a misdemeanour, and be liable on summary conviction to a fine not exceeding ten pounds, and on conviction on indictment to imprisonment, with or without hard labour, for a period not exceeding twelve months.

62 Prohibition of affixing placards, notices, &c. on post office letter box, &c

- (1) A person shall not, without due authority, affix or attempt to affix any placard, advertisement, notice, list, document, board, or thing, in or on, or paint or tar, any post office, post office letter box, telegraph post, or other property belonging to or used by or on behalf of the Postmaster-General, and shall not in any way disfigure any such office, box, post, or property.
- (2) If any person acts in contravention of this section, he shall be liable on summary conviction to a fine not exceeding forty shillings.

63 Prohibition of sending by post explosive, inflammable, or deleterious substances, or indecent prints, words, &c

- (1) A person shall not send or attempt to send a postal packet which either—
 - (a) encloses any explosive substance, any dangerous substance, any filth, any noxious or deleterious substance, any sharp instrument not properly protected, any living creature which is either noxious or likely to injure other postal packets in course of conveyance or an officer of the Post Office, or any article or thing whatsoever which is likely to injure either other postal packets in course of conveyance or an officer of the Post Office; or

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- (b) encloses any indecent or obscene print, painting, photograph, lithograph, engraving, book, or card, or any indecent or obscene article, whether similar to the above or not; or
 - (c) has on the packet, or on the cover thereof, any words, marks, or designs of an indecent, obscene, or grossly offensive character.
- (2) If any person acts in contravention of this section, he shall be guilty of a misdemeanour, and shall be liable on summary conviction to a fine not exceeding ten pounds, and on conviction on indictment to imprisonment, with or without hard labour, for a term not exceeding twelve months.
- (3) The detention in the Post Office of any postal packet on the ground of its being in contravention of this section shall not exempt the sender thereof from any proceedings which might have been taken if the packet had been delivered in due course of post.

64 Prohibition of imitation of post office stamps, envelopes, forms, and marks

- (1) A person shall not without due authority—
- (a) make, issue, or send by post or otherwise any envelope, wrapper, card, form, or paper in imitation of one issued by or under the authority of the Postmaster-General, or of any foreign or colonial postal authority, or having thereon any words, letters, or marks which signify or imply or may reasonably lead the recipient to believe that a postal packet bearing them is sent on His Majesty's service ; or
 - (b) make on any envelope, wrapper, card, form, or paper for the purpose of being issued or sent by post or otherwise, or otherwise used, any mark in imitation of or similar to or purporting to be any stamp or mark of any post office under the Postmaster-General, or under any foreign or colonial postal authority, or any words, letters, or marks which signify or imply, or may reasonably lead the recipient thereof to believe, that a postal packet bearing them is sent on His Majesty's service ; or
 - (c) issue or send by post or otherwise any envelope, wrapper, card, form, or paper so marked.
- (2) If any person acts in contravention of this section he shall be liable on summary conviction to a fine not exceeding forty shillings.

65 Prohibition of fictitious stamps

- (1) A person shall not—
- (a) make, knowingly utter, deal in, or sell any fictitious stamp, or knowingly use for any postal purpose any fictitious stamp; or
 - (b) have in his possession, unless he shows a lawful excuse, any fictitious stamp ; or
 - (c) make, or, unless he shows a lawful excuse, have in his possession, any die, plate, instrument, or materials for making any fictitious stamp.
- (2) If any person acts in contravention of this section, he shall be liable on summary conviction on a prosecution by order of the Commissioners of Inland Revenue to a fine not exceeding twenty pounds, subject to the like right of appeal as in the case of a penalty under the Acts relating to the Excise.

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- (3) Any stamp, die, plate, instrument, or materials found in the possession of any person in contravention of this section may be seized and shall be forfeited.
- (4) For the purposes of this section “fictitious stamp ” means any facsimile or imitation or representation, whether on paper or otherwise, of any stamp for denoting any rate of postage, including any stamp for denoting a rate of postage of any British possession, or of any foreign country.

66 Prohibition of false notice as to reception of letters

- (1) A person shall not, without authority from the Postmaster-General, place or maintain in or on any house, wall, door, window, box, post, pillar, or other place, belonging to him or under his control, any of the words, letters, or marks following (that is to say)—
 - (a) the words “post office ” or “postal telegraph office” ; or
 - (b) the words “letter box,” accompanied with words, letters, or marks, which signify or imply or may reasonably lead the public to believe that it is a post office letter box; or
 - (c) any words, letters, or marks which signify or imply or may reasonably lead the public to believe that any house or place is a post office, or that any box is a post office letter box;

and every person, when required by a notice given by the Postmaster-General to remove or efface any such words, letters, or marks as aforesaid, or to remove or effectually close up any letter box belonging to him or under his control which has been a post office letter box, shall comply with the request.

- (2) If any person acts in contravention of this section, he shall be liable on summary conviction to a fine not exceeding forty shillings, and, if the offence is continued after a previous conviction, to a fine not exceeding five shillings for every day during which the offence so continues.

67 Obstruction of officers of Post Office

- (1) If any person wilfully obstructs, or incites anyone to obstruct, an officer of the Post Office in the execution of his duty, or whilst in any post office, or within any premises belonging to any post office or used therewith, obstructs the course of business of the Post Office, he shall be liable on summary conviction to a fine not exceeding forty shillings.
- (2) Any officer of the Post Office may require any person guilty of any offence under this section, to leave a post office or any such premises as aforesaid, and, if the person so required refuses or fails to comply with the requirement, he shall be liable on summary conviction to a further fine not exceeding five pounds, and may be removed by any officer of the Post Office, and all constables are required on demand to remove or assist in removing every such person.

68 Provision against obstruction in neighbourhood of General Post Offices in London and Dublin

- (1) A hackney carriage shall not stand or ply for hire opposite the General Post Office in London or the General Post Office in Sackville Street, Dublin, or any part thereof respectively, and, if any driver or person having the management of any hackney

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carriage, permits the same to stand or ply for hire opposite either of the said Post Offices, he shall be liable on summary conviction to a fine not exceeding five pounds.

- (2) For the purposes of this provision, every carriage with two or more wheels, whatever may be its form or construction, or the number of persons which it is calculated to convey, or the number of horses by which it is drawn, shall be a hackney carriage within the meaning of this Act, and in all proceedings at law or otherwise, and upon all occasions whatsoever, it shall be sufficient to describe it by the term hackney carriage.
- (3) If any hawker, news vendor, or idle or disorderly person stops or loiters on the flagway or pavement opposite the General Post Office in London or in Sackville Street, Dublin, or any part thereof respectively, he shall be liable on summary conviction to a fine not exceeding five pounds.

69 Endeavouring to procure the commission of any felony or misdemeanor

If any person solicits or endeavours to procure any other person to commit an offence punishable on indictment under this Act, he shall be guilty of a misdemeanour, and shall on conviction be liable at the discretion of the court to imprisonment, with or without hard labour, for any term- not exceeding two years.