

1969 No. 1368

POST OFFICE

The Postal Services (Channel Islands Consequential Provisions) Order 1969

Made - - - - - 24th September 1969
Coming into Operation 1st October 1969

At the Court at Balmoral, the 24th day of September 1969

Present,

The Queen's Most Excellent Majesty in Council

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

And whereas by the Post Office Act 1969 (Appointed Day) Order 1969(b) the appointed day for the purposes of that Act is 1st October 1969:

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

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

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

2. This Order applies—

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

(a) 1969 c. 48.
(c) 1953 c. 36.

(b) S.I. 1969/1066 (1969 II, p. 3123).

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

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

4. Section 23 of the Post Office Act 1969 (exclusive privilege of the Post Office with respect to the conveyance, &c., of letters) shall have effect as if the privilege of the Postmaster General referred to in that section had not extended to the Channel Islands at the passing of that Act.

5. In section 30 of the Post Office Act 1969 (the Post Office to be subject to limited liability in respect of registered inland packets) for the definition of "inland packet" in subsection (7) there shall be substituted the following definition—

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

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

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

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

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

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

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

9. The following provisions shall have effect with respect to section 16 of the Post Office Act 1953 (application of customs Acts to postal packets):—

- (a) In subsection (1) the words “the Channel Islands” shall be omitted and for the words “any of those islands” there shall be substituted the words “that Isle”.
- (b) Paragraph 2 of Schedule 5 to the Post Office Act 1969 (which amends the said section) shall be repealed and the said section shall have effect as from 1st October 1969 as if that paragraph had not been enacted.
- (c) Subsection (1) of the said section shall have effect in its application to the Isle of Man, in relation to goods contained in postal packets to which that section applies brought into or sent out of the Isle of Man by post from or to the United Kingdom or any place outside the British postal area, as it has effect in relation to goods contained in postal packets brought into or sent out of the United Kingdom by post from or to the Isle of Man or any place outside the British postal area.
- (d) Subsection (2)(d) of the said section shall have effect as if the Bailiwick of Jersey and the Bailiwick of Guernsey were included in the expression “any other country”.
- (e) Paragraph (c) of this Article shall be construed as one with the Post Office Act 1953.

10. In section 17 of the Post Office Act 1953 (power to detain postal packets containing contraband) the words “the Channel Islands” shall be omitted.

11. Section 24 of the Post Office Act 1953 (arrangements with other countries as to money orders) shall have effect as if the Bailiwick of Jersey and the Bailiwick of Guernsey were included in the expression “any other country”.

12. Section 63 of the Post Office Act 1953 (prohibition of fictitious stamps) shall have effect as if the Bailiwick of Jersey and the Bailiwick of Guernsey were countries outside the British postal area.

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

14. In section 87(1) of the Post Office Act 1953 (interpretation) in the definition of “British postal area” the words “the Channel Islands” shall be omitted.

W. G. Agnew.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order amends the Post Office Act 1969 and the Post Office Act 1953 to take account of the fact that the States of Jersey and the States of Guernsey are assuming responsibility for postal services in the respective Bailiwicks.