

in whose service the loss, damage or destruction occurred.

(10) No compensation may be paid in respect of any insured letter or its contents unless:

(a) a claim for such compensation is made by the sender or the addressee within a period of 12 months beginning with the date on which the letter was posted;

(b) in the case of an outgoing insured letter, the certificate referred to in paragraph 32 (1) (d) of the Scheme is produced and delivered up to the Post Office if the Post Office so desires;

(c) in a case where the insured letter has been delivered and compensation is claimed for damage to all or any of its contents, or for loss or abstraction of all or any of its contents, and the Post Office so requires, the following things are produced for the inspection of the Post Office, or of the Postal Administration of the country in which the letter was delivered, in the condition as nearly as possible as which they were when the letter was delivered:

(i) where such damage is alleged, the cover of the letter, the damaged article, its packing material, and any container in which the damaged article was enclosed;

(ii) where such loss or abstraction is alleged, the cover of the letter.

(11) If compensation has been paid to any person in respect of the loss of an insured letter which the sender has insured for a sum exceeding the real value of the contents and packing and the letter subsequently comes into the possession of the Post Office, then upon tender of the letter to that person (whether or not he accepts it), he shall repay to the Post Office the sum paid by way of compensation or such part thereof as the Post Office may require."

Compensation - general

4. (1) For the heading "Compensation - general" and paragraph 37 of the Scheme there shall be substituted the following:

"Compensation for certain other postal packets"

37. (1) Where the Post Office is satisfied that any article of pecuniary value enclosed in, or forming part of, a postal packet other than a registered letter, an insured letter, or a postal packet consisting of or containing only literature for the blind or an All-up Newspaper, has been lost or damaged whilst in the custody of the Post Office, it may (but subject to and in accordance with the provisions of this paragraph) pay such sum as it may think just by way of compensation for such loss or damage to any person who in its opinion establishes a reasonable claim thereto, whether as the sender or as the addressee of the postal packet.

(2) The total amount of compensation which the Post Office may pay under sub-paragraph (1) in respect of any one postal packet and its contents shall not in any case exceed £10.

(3) Subject to sub-paragraph (2), the maximum amount of compensation which the Post Office may pay under sub-paragraph (1) in respect of any article enclosed in or forming part of a postal packet shall be such sum as, in its opinion, represents:

(a) in a case where the Post Office is satisfied that the article has been lost or rendered valueless whilst in its custody, the market value thereof (excluding the value of any message or communication) at the time of posting;

(b) in any other case, the amount by which such value has been diminished by damage suffered whilst the packet was in its custody.

(4) No compensation may be paid under sub-paragraph (1) for loss of, or damage to, any such article as is described in sub-paragraph (2) of paragraph 34 of the Scheme.

(5) No compensation may be paid under sub-paragraph (1) in respect of any postal packet or its contents unless the Post Office is satisfied that the conditions set out in Schedule 10 hereto have been complied with in the case of that postal packet.

(6) In the case of a postal packet which was redirected under paragraph 40 of the Scheme after delivery at the place to which it was addressed, no compensation may be paid under sub-paragraph (1) for the loss of, or damage to, the postal packet, or any of its contents while in the custody of the Post Office, unless the postal packet was so redirected by being posted anew and full postage was prepaid on such re-posting, in which case compensation may be paid subject to and in accordance with this paragraph, for any such loss or damage which the Post Office is satisfied occurred while the postal packet was in its custody after such re-posting.

(7) No compensation may be paid under sub-paragraph (1) in respect of any postal packet or its contents if the packet has been destroyed or otherwise dealt with or disposed of by the Post Office pursuant to section 8(3) of the Act or sub-paragraph (1) of paragraph 18, or paragraph 19, of the Scheme.

(8) No compensation may be paid in respect of any postal packet or its contents unless:

(a) a claim for such compensation is received from the sender or the addressee within a period of 12 months beginning with the date on which the packet was posted;

(b) in the case of an outgoing packet a certificate was obtained on the posting of the packet and is produced and delivered up to the Post Office if the Post Office so requires;

(c) in a case where loss of the packet is claimed and the Post Office so requires, a declaration is made by the addressee that the packet was not delivered to him or to the place to which it was addressed;

(d) in a case where the packet has been delivered and compensation is claimed for damage to all or any of its contents, or for loss or abstraction of all or any of its contents, and the Post Office so requires, the following things are produced for the Post Office's inspection in the condition as nearly as possible as which they were when the packet was delivered:

(1) where such damage is alleged, the cover of the packet, the damaged article, its packing material, and any container in which the damaged article was enclosed;

(2) where such loss or abstraction is alleged, the cover of the packet."

Advice of delivery and enquiries

5. (1) The heading of paragraph 38 of the Scheme shall be deleted and the following substituted:

"Advice of delivery, enquiries and claims for compensation"

- (2) The following shall be added to paragraph 38 of the Scheme: