

- (5) No compensation may be paid in respect of any 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)(c) or (3) of paragraph 16 or sub-paragraph (2) of paragraph 33 of this Scheme.
- (6) No compensation may be paid in respect of any packet which has been redirected from its original address, or any substituted address, to the same addressee at any other address in the Republic of Ireland.

PART IX

COMPENSATION FOR CERTAIN OTHER POSTAL PACKETS

Compensation for certain other postal packets

- 47.—(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 packet, a recorded delivery packet, a parcel to which Part VII applies, an unaddressed packet, or a postal packet containing or consisting of articles for the blind or a registered newspaper, has been lost or damaged whilst in the post, 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 £12.50.
- (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:
- in a case where the Post Office is satisfied that the article has been lost or rendered valueless in the post, the market value thereof (excluding the value of any message or communication) at the time of posting;
 - in any other case, the amount by which such value has been diminished by damage suffered in the post.
- (4) No compensation may be paid under sub-paragraph (1) for loss of, or damage to, any such article as is described in part II of Schedule 8.
- (5) No compensation may be paid under sub-paragraph (1) in respect of any postal packet or any of its contents unless the Post Office is satisfied that the conditions set out in Part I of Schedule 8 have been complied with in the case of that postal packet.
- (6) In the case of a postal packet which was redirected under paragraph 32 after delivery at the place to which it was addressed, no compensation may be paid under sub-paragraph (1) for loss of or damage to the postal packet or any of its contents while in the post, unless the postal packet was so redirected by being posted anew and full postage was prepaid on such reposting in which case compensation may be paid subject to and in accordance with this paragraph for such loss or damage which the Post Office is satisfied occurred while the postal packet was in the post after such reposting.
- (7) No compensation may be paid under sub-paragraph (1) in respect of any postal packet or any of 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 (2) of paragraph 7, or sub-paragraphs (1)(c) or (2)(b) or (3) of paragraph 16, or sub-paragraphs (8) or (9) of paragraph 17, or sub-paragraph (2) of paragraph 33 of this Scheme.
- (8) No compensation may be paid in respect of any postal packet or its contents unless:
- a claim for such compensation is received from the sender or the addressee within a period of twelve months beginning with the date on which the packet was posted;
 - 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;
 - 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 address on that certificate;
 - 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 in which they were when the packet was delivered:
 - 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;
 - where such loss or abstraction is alleged, the cover of the packet.

PART X

CASH ON DELIVERY

Fees and conditions

- 48.—(1) There shall be charged and paid on each cash on delivery packet, in addition to the postage and other charges payable on such packet, a fee of 50p.
- (2) Cash on delivery packets (other than parcels) shall be registered.
- (3) No trade charge exceeding £100 shall be collected under this Scheme.
- (4) The sender of a cash on delivery packet shall fill up, as far as required, the prescribed form (in this Scheme referred to as "the trade charge form"), and shall mark the packet in such manner and with such particulars as the Post Office may require.
- (5) The fee payable on a cash on delivery packet shall be paid by the sender and shall be indicated on the trade charge form.

Delivery of cash on delivery packets

- 49.—(1) A cash on delivery packet shall not be given up to the addressee, or opened at his request, until the trade charge and any postage or other charges due thereon have been paid.
- (2) Where the trade charge on a cash on delivery packet exceeds £50 or the trade charge and the postage or other charges due in respect of such packet exceed that sum, the Post Office may give notice to the addressee of the arrival thereof and before delivery is effected require the addressee to pay the amount due within such period and at such office as may be specified in the notice.