

POST OFFICE  
SCHEME P2/1979

(NOTE: The Scheme which follows this note is made under section 28 of the Post Office Act 1969 and amends the Post Office Overseas Letter Post Scheme 1977. The amending Scheme, which comes into operation on 7th June 1979, amends the provisions for payment of compensation. The principal changes are:

1. the introduction of compensation payments up to £10 for unregistered postal packets lost or damaged whilst in the custody of the Post Office;
2. the maximum amount of compensation payable for the loss of or damage to registered postal packets is increased to £10;
3. a procedure is introduced for claims for compensation for loss or damage occurring in the post which cannot readily be resolved to be submitted to an independent complaints panel for consideration.

(This note is not part of the Scheme)

THE POST OFFICE OVERSEAS LETTER POST AMENDMENT (No. 1) SCHEME 1979

Made ... .. 29th May 1979  
Coming into operation ... .. 7th June 1979

The Post Office, by virtue of the powers conferred upon it by section 28 of the Post Office Act 1969, and of all other powers enabling it in this behalf, hereby makes the following Scheme:

Commencement, citation and interpretation

- 1.—(1) This Scheme shall come into operation on the 7th day of June 1979 and may be cited as the Post Office Overseas Letter Post Amendment (No. 1) Scheme 1979.
- (2) This Scheme shall be read as one with the Post Office Overseas Letter Post Scheme 1977 (Post Office Scheme P5/1977) (hereinafter called "the Scheme").
- (3) The Interpretation Act 1978 applies for the interpretation of this Scheme as it applies for the interpretation of an Act of Parliament and as if this Scheme were an Act of Parliament.

Compensation for registered packets

2. For paragraph 33 of the Scheme there shall be substituted the following:

- "33—(1) Where the Post Office is satisfied that any article of pecuniary value enclosed in or forming part of a registered postal packet (other than an insured letter) is lost or damaged whilst in course of transmission by post, or that any registered postal packet (other than an insured letter) is lost whilst in course of transmission by post, the Post Office may (but subject to and in accordance with the provisions of this paragraph) pay such sum as it thinks just to any person who in its opinion establishes a reasonable claim thereto, whether as the sender or as the addressee.
- (2) The total amount of compensation which the Post Office may pay under sub-paragraph (1) in respect of any one registered postal packet shall not in any case exceed £10.
- (3) No compensation may be paid under sub-paragraph (1) in respect of any registered postal packet or its contents unless the Post Office is satisfied that the conditions set out in paragraphs (2) to (4) and (6) of Schedule 10 hereto have been complied with in the case of that postal packet.
- (4) In the case of a registered 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 loss of, or damage to, the postal packet, or any of its contents, while in the course of further transmission by 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 any such loss or damage which the Post Office is satisfied occurred while the postal packet was in course of transmission by post after such reposting.
- (5) No compensation may be paid under sub-paragraph (1) in respect of any registered 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, or by another Postal Administration under a provision of the law of the country or place of that Postal Administration.
- (6) No compensation may be paid under sub-paragraph (1) in respect of any registered postal packet or its contents if the packet was lost, damaged or destroyed in circumstances beyond the control of the Postal Administration in whose service the loss, damage or destruction occurred.
- (7) No compensation may be paid in respect of any postal packet 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 packet was posted;
  - (b) in the case of an outgoing registered packet, 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 requires;
  - (c) in a case where the registered 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 inspection of the Post Office, or of the Postal Administration of the country in which the packet was delivered, in the condition as nearly as possible as which they were when the packet was delivered:
    - (i) 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;
    - (ii) where such loss or abstraction is alleged, the cover of the packet."