



Post Office Act 1969

1969 CHAPTER 48

PART II

THE MINISTER OF POSTS AND TELECOMMUNICATIONS AND HIS FUNCTIONS

2 The Minister of Posts and Telecommunications

- (1) It shall be lawful for Her Majesty to appoint (but so that the first appointment made shall not take effect before the appointed day) a Minister of Posts and Telecommunications who shall have—
 - (a) such of the functions of the Postmaster General as are transferred to him by, or by virtue of, the following provisions of this Act; and
 - (b) such functions as are conferred on him by those provisions.
- (2) Schedule 1 to the Ministers of the Crown Act 1964 (provisions as to new Ministers and their departments) shall apply (except as provided in subsection (4) below) to the Minister of Posts and Telecommunications, and references in that Schedule to the Minister and the Ministry shall be construed accordingly.
- (3) The offices of Minister of Posts and Telecommunications and of Parliamentary Secretary to the Ministry of Posts and Telecommunications shall be included—
 - (a) among the ministerial offices referred to in section 2 of the House of Commons Disqualification Act 1957 (maximum number of Ministers in the House of Commons); and
 - (b) among the offices in respect of which salaries are payable, at the annual rates of £8,500 and £3,750 respectively, under section 1 of the Ministerial Salaries Consolidation Act 1965.
- (4) So much of Schedule 1 to the Ministers of the Crown Act 1964 as provides for the defraying of expenses out of moneys provided by Parliament shall not apply to expenses of the Minister of Posts and Telecommunications consisting in the making by him, in exercise of powers conferred by this Act, of a loan.
- (5) Schedule 2 to the Parliamentary Commissioner Act 1967 (which specifies departments and authorities subject to investigation under that Act) shall have effect as if, after the

Status: This is the original version (as it was originally enacted).

reference to the Ministry of Overseas Development, there were inserted a reference to the Ministry of Posts and Telecommunications.

(6) In the following provisions of this Act, " the Minister " means the Minister of Posts and Telecommunications, but anything done before the appointed day by the Postmaster General in exercise of any power or duty conferred or imposed on the Minister by, or by virtue of, the following provisions of this Act shall be as valid and effective for all purposes as if it had been done by the Minister, and anything done before that day to the Postmaster General by any other person in exercise of a power so conferred on him shall be as valid and effective as if it had been done to the Minister.

(7) In consequence of subsection (3) above—

(a) in Schedule 2 to the House of Commons Disqualification Act 1957, immediately before the words " Minister of Power " there shall be inserted the words " Minister of Posts and Telecommunications " and immediately before the words "Parliamentary Secretary to the Ministry of Power " there shall be inserted the words " Parliamentary Secretary to the Ministry of Posts and Telecommunications "; and

(b) in Schedule 1 to the Ministerial Salaries Consolidation Act 1965, immediately before the entry relating to the Minister of Power there shall be inserted the following entry—

“Minister of Posts and Telecommunications	£8,500”,
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and immediately before the entry (under the heading " Parliamentary Secretaries ") relating to the Ministry of Power there shall be inserted the following entry—

“Ministry of Posts and Telecommunications	£3,750”.
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3 Transfer to the Minister of the Postmaster General's functions with respect to wireless telegraphy, and provisions consequential thereon

(1) The functions which, immediately before the appointed day, are vested in the Postmaster General by virtue of the following provisions, namely.—

(a) those of the Wireless Telegraphy Act 1949 which remain in force on and after that day and those of the Wireless Telegraphy Act 1967 ; and

(b) those of the Television Act 1964;

shall, on that day, vest in the Minister; and, accordingly, as from that day.—

(i) references in those provisions to the Postmaster General (except those in section 5 of the Wireless Telegraphy Act 1967), and the first reference to him in section 24(4) of the Merchant Shipping (Safety and Load Line Conventions) Act 1932 (report of dangers to navigation) shall be construed as referring to the Minister, and references to the Postmaster General in the said section 5, the second and third references to him in the said section 24(4) and the references to him in section 9(3) of the Defamation Act 1952 (extension to broadcasting of certain defences) and of the Defamation Act (Northern Ireland) 1955 shall be construed as including references to the Minister ; and

- (ii) any reference to the Postmaster General in a provision of regulations, rules or a licence under the Wireless Telegraphy Act 1949 or the Wireless Telegraphy Act 1967 which is in force at the beginning of that day shall (unless the context otherwise requires) be construed as referring to the Minister and any reference to an officer of the Post Office in any such provision shall (unless the context otherwise requires) be construed as referring to a person acting under the authority of the Minister
- (2) As from the appointed day.—
- (a) section 2(1) of the Wireless Telegraphy Act 1949 (fees and charges for wireless telegraphy licences) shall, subject to the foregoing subsection, have effect as originally enacted, and not as amended by section 16(4) of the Post Office Act 1961 (which dispenses, in certain cases, with the requirement of the consent of the Treasury to the making of regulations under the first-mentioned section);
- (b) Schedule 1 to the Wireless Telegraphy Act 1949 (procedure in relation to suspension and revocation of authorities to wireless personnel) shall have effect with the substitution, for paragraph 3 thereof, of the following paragraph:—
- “3 (1) There shall be paid by the Minister of Posts and Telecommunications—
- (a) the expenses, to such extent as he may determine, incurred by an advisory committee under this Schedule; and
- (b) such sums as he may determine in respect of the expenses of the members of the committee.
- (2) The approval of the Treasury shall be requisite to a determination under head (a) of the foregoing sub-paragraph and that of the Minister for the Civil Service to a determination under head (b) of that sub-paragraph”.
- (3) The Minister shall, as from the appointed day, have power to make, in such cases or classes of cases as the Treasury may determine, refunds of sums paid under section 2(1) of the Wireless Telegraphy Act 1949 (fees and charges for wireless telegraphy licences).
- (4) A payment made in exercise of the power conferred by the last foregoing subsection shall be defrayed out of sums received under the Wireless Telegraphy Act 1949 by the Minister.
- (5) The surplus of sums received under the Wireless Telegraphy Act 1949 by the Minister over sums paid in exercise of the power conferred by subsection (3) above shall from time to time be paid into the Consolidated Fund of the United Kingdom (hereafter in this Act referred to as the " Consolidated Fund "), and any sums received under section 11(4) of the Wireless Telegraphy Act 1967 by the Minister shall be so paid.
- (6) Section 20(3) of the Wireless Telegraphy Act 1949 (power of Her Majesty in Council to extend that Act to the Isle of Man and the Channel Islands) shall have effect as if the reference to that Act included a reference to the foregoing provisions of this section, and section 36 of the Merchant Shipping (Safety and Load Line Conventions) Act 1932 (application of Part I of that Act to British possessions) shall have effect as if any reference to that Part included a reference to the said provisions.

4 Transfer to the Minister of the Postmaster General's functions under section 6 of the Commonwealth Telegraphs Act 1949

The functions which are vested in the Postmaster General by virtue of section 6 of the Commonwealth Telegraphs Act 1949 (provisions as to pensions of employees of Cable and Wireless Limited and certain other persons) shall, on the appointed day, vest in the Minister; and, accordingly, as from that day, references in that section to the Postmaster General shall be construed as referring to the Minister.

5 Transfer to the Minister of the Postmaster General's power to make orders under the Recorded Delivery Service Act 1962

The power conferred by subsection (3) of section 1 of the Recorded Delivery Service Act 1962 on the Postmaster General by order to make such amendments of enactments contained in local or private Acts as appear to him to be necessary or expedient in consequence of subsection (1) of that section shall, on the appointed day, vest in the Minister; and, accordingly, as from that day, the reference to the Postmaster General in the said subsection (3) and the reference to him in subsection (4) of that section (which lays on him a duty of consultation before making an order under subsection (3)) shall each be construed as referring to the Minister.