Postal Services Act 2000

2000 CHAPTER 26

PART V U.K.

OFFENCES IN RELATION TO POSTAL SERVICES

Offences of interfering with the mail

83 Interfering with the mail: postal operators. U.K.

(1) A person who is engaged in the business of a postal operator commits an offence if, contrary to his duty and without reasonable excuse, he—

(a) intentionally delays or opens a postal packet in the course of its transmission by post, or

(b) intentionally opens a mail-bag.

(2) Subsection (1) does not apply to the delaying or opening of a postal packet or the opening of a mail-bag under the authority of—

(a) this Act or any other enactment (including, in particular, in pursuance of a warrant issued under any other enactment), [F1]. . .

[F1](b) . . . . . .

(3) Subsection (1) does not apply to the delaying or opening of a postal packet in accordance with any terms and conditions applicable to its transmission by post.

(4) Subsection (1) does not apply to the delaying of a postal packet as a result of industrial action in contemplation or furtherance of a trade dispute.

(5) In subsection (4) "trade dispute" has the meaning given by section 244 of the M1Trade Union and Labour Relations (Consolidation) Act 1992 or Article 127 of the M2Trade Union and Labour Relations (Northern Ireland) Order 1995; and the reference to industrial action shall be construed in accordance with that Act or (as the case may be) that Order.

(6) A person who commits an offence under subsection (1) shall be liable—

(a) on summary conviction, to a fine not exceeding the statutory maximum or to imprisonment for a term not exceeding six months or to both,

(b) on conviction on indictment, to a fine or to imprisonment for a term not exceeding two years or to both.

Textual Amendments

F1 S. 83(2)(b) and word omitted (31.12.2020) by virtue of The Postal and Parcel Services (Amendment etc.) (EU Exit) Regulations 2018 (S.I. 2018/1417), regs. 1, **2(2)(a)**; 2020 c. 1, Sch. 5 para. 1(1)

Commencement Information

I1 S. 83 wholly in force at 26.3.2001, see s. 130 and S.I. 2001/878, art. 2, **Sch.** (subject to arts. 3-17)

84 Interfering with the mail: general. U.K.

(1) A person commits an offence if, without reasonable excuse, he—

(a) intentionally delays or opens a postal packet in the course of its transmission by post, or

(b) intentionally opens a mail-bag.

(2) Subsections (2) to (5) of section 83 apply to subsection (1) above as they apply to subsection (1) of that section.

(3) A person commits an offence if, intending to act to a person's detriment and without reasonable excuse, he opens a postal packet which he knows or reasonably suspects has been incorrectly delivered to him.

(4) Subsections (2) and (3) of section 83 (so far as they relate to the opening of postal packets) apply to subsection (3) above as they apply to subsection (1) of that section.

(5) A person who commits an offence under subsection (1) or (3) shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale or to imprisonment for a term not exceeding six months or to both.

Commencement Information

I2 S. 84 wholly in force at 26.3.2001, see s. 130 and S.I. 2001/878, art. 2, **Sch.** (subject to arts. 3-17)

Prohibition on sending certain articles by post

85 Prohibition on sending certain articles by post. U.K.

(1) A person commits an offence if he sends by post a postal packet which encloses any creature, article or thing of any kind which is likely to injure other postal packets in course of their transmission by post or any person engaged in the business of a postal operator.

(2) Subsection (1) does not apply to postal packets which enclose anything permitted (whether generally or specifically) by the postal operator concerned.

(3) A person commits an offence if he sends by post a postal packet which encloses—

(a) any indecent or obscene print, painting, photograph, lithograph, engraving, cinematograph film or other record of a picture or pictures, book, card or written communication, or

(b) any other indecent or obscene article (whether or not of a similar kind to those mentioned in paragraph (a)).

(4) A person commits an offence if he sends by post a postal packet which has on the packet, or on the cover of the packet, any words, marks or designs which are of an indecent or obscene character.

(5) A person who commits an offence under this section shall be liable—

(a) on summary conviction, to a fine not exceeding the statutory maximum,

(b) on conviction on indictment, to a fine or to imprisonment for a term not exceeding twelve months or to both.

Modifications etc. (not altering text)

C1 S. 85 applied (7.3.2001) by S.I. 2001/878, **art. 15** (with art. 17)

Commencement Information

I3 S. 85 wholly in force at 26.3.2001, see s. 130 and S.I. 2001/878, art. 2, **Sch.** (subject to arts. 3-17)

Additional protection for universal postal service

86 Prohibition on affixing advertisements on certain letter boxes etc. U.K.

(1) A person commits an offence if, without due authority, he affixes any advertisement, document, board or thing in or on any universal postal service post office, universal postal service letter box or other property belonging to, or used by, a universal service provider in connection with the provision of a universal postal service.

(2) A person commits an offence if, without due authority, he paints or in any way disfigures any such office, box or property.

(3) A person who commits an offence under subsection (1) or (2) shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(4) In this Act—

"universal postal service letter box" means any box or receptacle provided by a universal service provider for the purpose of receiving postal packets, or any class of postal packets, for onwards transmission in connection with the provision of a universal postal service, and

"universal postal service post office" includes any house, building, room, vehicle or place used for the provision of any postal services in connection with the provision of a universal postal service or a part of such a service.

Commencement Information

I4 S. 86 wholly in force at 26.3.2001, see s. 130 and S.I. 2001/878, art. 2, **Sch.** (subject to arts. 3-17)

87 Prohibition on misleading descriptions. U.K.

(1) A person commits an offence if, without the authority of the universal service provider concerned, he places or maintains in or on any house, wall, door, window, box, post, pillar or other place belonging to him or under his control, any of the following words, letters or marks—

(a) the words "letter box" accompanied with words, letters or marks which signify or imply, or may reasonably lead the public to believe, that it is a universal postal service letter box, or

(b) any words, letters or marks which signify or imply or may reasonably lead the public to believe that any house, building, room, vehicle or place is a universal postal service post office, or that any box or receptacle is a universal postal service letter box.

(2) A person commits an offence if, without the authority of the universal service provider concerned, he—

(a) places or maintains in or on any ship, vehicle, aircraft or premises belonging to him or under his control, or

(b) uses in any document in relation to himself or any other person or in relation to any ship, vehicle, aircraft or premises,

any words, letters or marks which signify or imply, or may reasonably lead the public to believe, any of the things mentioned in subsection (3).

(3) The things are—

(a) that he or that other person is authorised by the universal service provider concerned to collect, receive, sort, deliver or convey postal packets in connection with the provision of a universal postal service,

(b) that the ship, vehicle, aircraft or premises are used by the universal service provider concerned for the purpose of collecting, receiving, sorting, delivering or conveying postal packets in connection with the provision of a universal postal service.

(4) A person commits an offence if, without reasonable excuse, he fails to comply with a notice given to him by the universal service provider concerned requiring him—

(a) to remove or efface any words, letters or marks which fall within subsection (1) or (2), or

(b) to remove or close up any letter box belonging to him or under his control which has ceased to be a universal postal service letter box.

(5) A person who commits an offence under this section shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Commencement Information

I5 S. 87 wholly in force at 26.3.2001, see s. 130 and S.I. 2001/878, art. 2, **Sch.** (subject to arts. 3-17)

88 Obstruction of business of universal service providers. U.K.

(1) A person commits an offence if, without reasonable excuse, he—

(a) obstructs a person engaged in the business of a universal service provider in the execution of his duty in connection with the provision of a universal postal service, or

(b) obstructs, while in any universal postal service post office or related premises, the course of business of a universal service provider.

(2) A person who commits an offence under subsection (1) shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.

(3) A person commits an offence if, without reasonable excuse, he fails to leave a universal postal service post office or related premises when required to do so by a person who—

(a) is engaged in the business of a universal service provider, and

(b) reasonably suspects him of committing an offence under subsection (1).

(4) A person who commits an offence under subsection (3)—

(a) shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale, and

(b) may be removed by any person engaged in the business of a universal service provider.

(5) Any constable shall on demand remove, or assist in removing, any such person.

(6) In this section "related premises" means any premises belonging to a universal postal service post office or used together with any such post office.

Commencement Information

I6 S. 88 wholly in force at 26.3.2001, see s. 130 and S.I. 2001/878, art. 2, **Sch.** (subject to arts. 3-17)

Changes to legislation:
There are currently no known outstanding effects for the Postal Services Act 2000, Part V.