



# Post Office Act 1953

## 1953 CHAPTER 36

### *Conveyance of mail bags by tramways and public service vehicles*

#### **44 Power to require services by tramways and certain public service vehicles**

- (1) Subject to the provisions of the next following section, the Postmaster-General may by notice in writing require—
  - (a) any tramway undertakers to whom this section applies, in respect of any tramway owned or worked by them ;
  - (b) the British Transport Commission in respect of any services of public service vehicles provided by them;
  - (c) any local authority in Great Britain authorised to run public service vehicles under Part V of the Road Traffic Act, 1930, in respect of services of such vehicles on any route authorised under the said Part V,to perform such reasonable services with regard to the conveyance of mail bags as the Postmaster-General may from time to time direct.
- (2) The remuneration for any services performed in pursuance of this section shall be such as may be from time to time determined by agreement between the Postmaster-General and the person performing the services or, in default of agreement, by the Transport Tribunal.
- (3) In the case of a tramway upon which goods as well as passengers and parcels are carried, the provisions of this Act relating to the conveyance by railway of mail bags and any officers of the Post Office accompanying them shall, subject to the provisions of the next following section, apply in like manner as if the tramway were a railway.
- (4) The tramway undertakers to whom this section applies are undertakers authorised by an enactment passed after the first day of January, eighteen hundred and ninety-three to carry on a tramway undertaking, and undertakers shall be deemed to be so authorised if the construction of the tramway was first authorised or the time for its construction was extended by an enactment passed after the date aforesaid.
- (5) For the purposes of this and the next following section—

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*Status: This is the original version (as it was originally enacted).*

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- (a) the expression " tramway " means a tramway authorised by any enactment to be constructed wholly along public roads or streets without any deviation therefrom;
- (b) the expression " enactment" includes any order confirmed by an Act of Parliament and a certificate granted under the Railways Construction Facilities Act, 1864:

**45 Additional provisions as to conveyance of mail bags by tramways and public service vehicles**

- (1) Where any tramway vehicle or, in Great Britain, any public service vehicle is conveying or intended to convey passengers only and not goods or parcels, nothing in the last foregoing section shall authorise the Postmaster-General to require mail bags to be conveyed therein either—
  - (a) unaccompanied by an officer of the Post Office travelling as a passenger ; or
  - (b) in excess of the maximum weight for the time being fixed for the luggage of ordinary passengers.
- (2) Where any tramway vehicle is conveying or intended to convey parcels only, nothing in the last foregoing section shall authorise the Postmaster-General to require mail bags to be carried therein in excess of such maximum weight as is for the time being fixed for ordinary parcels, or, if that maximum appears to the Postmaster-General to be so low as to exclude him from availing himself of the use of any such vehicle, then as is for the time being fixed by agreement or, in default of agreement, by the Transport Tribunal.
- (3) Where any tramway vehicle or, in Great Britain, any public service vehicle is conveying or intended to convey both parcels and passengers but not goods, nothing in the last foregoing section shall authorise the Postmaster-General to require mail bags to be carried therein in excess of the maximum weight for the time being fixed for ordinary parcels, or for the luggage of ordinary passengers, whichever is the greater.
- (4) Mail bags carried in a tramway vehicle conveying passengers or, in Great Britain, in a public service vehicle shall be so carried as not to inconvenience the passengers, so, however, that the custody of the mail bags by any officer of the Post Office accompanying them shall not be interfered with.
- (5) Nothing in this section shall be taken as prejudicing the operation of section two of the Motor Vehicles and Road Traffic Act (Northern Ireland), 1930 (which relates to the conveyance of mails by public service vehicles in Northern Ireland).