Post Office Act 1953 (repealed)

1953 CHAPTER 36 1 and 2 Eliz 2

Legal Proceedings

Textual Amendments applied to the whole legislation

F1 Act repealed (1.1.2001 for ss. 29, 44, 45, and 26.3.2001 otherwise) by 2000 c. 26, ss. 127(6), 130(1), **Sch. 9** Note; S.I. 2000/2957, art. 2(2), **Sch. 2** Table; S.I. 2001/878, art. 2, **Sch.** Table (subject to transitional and saving provisions in arts. 3-17); S.I. 2001/1148, art. 2(2), **Sch.** Table (subject to arts. 3-42)

69 Summary proceedings.

(1) Proceedings for any offence against this Act punishable on summary conviction may be commenced at any time within one year next after the commission of the offence.

(2) . . . . . [F1]

Textual Amendments

F1 S. 69(2) repealed by Theft Act 1968 (c. 60), **Sch. 2 Pt. I para. 9**

Modifications etc. (not altering text)

C1 S. 69 applied (7.3.2001) by S.I. 2001/878, **art. 13** (with art. 17)

[[F2]70 Prosecution of certain offences in any jurisdiction of British postal area.

(1) Where a person—

(a) steals or attempts to steal any mail bag or postal packet in the course of transmission as such between places in different jurisdictions in the British postal area, or any of the contents of such a mail bag or postal packet; or

(b) in stealing or with intent to steal any such mail bag or postal packet or any of its contents, commits any robbery, attempted robbery or assault with intent to rob;

then, in whichever of those jurisdictions he does so, he shall by virtue of this section be guilty in each of the jurisdictions in which this subsection has effect of committing or attempting to commit the offence against section 52 of this Act, or the offence referred to in paragraph (*b*) of this subsection, as the case may be, as if he had done so in that jurisdiction, and he shall accordingly be liable to be prosecuted, tried and punished in that jurisdiction without proof that the offence was committed there.

(2) In subsection (1) above the reference to different jurisdictions in the British postal area is to be construed as referring to the several jurisdictions of England and Wales, of Scotland, of Northern Ireland, . . . [F3]; and that subsection shall have effect in each of those jurisdictions except England and Wales **[**[F4]and Northern Ireland**]]**.

Textual Amendments

F2 S. 70 substituted by Theft Act 1968 (c. 60), **Sch. 2 Pt. I para. 10**

F3 Words repealed by S.I. 1973/960, **art. 15**

F4 Words inserted by Theft Act (Northern Ireland) 1969 (c. 16), **Sch. 2**

71 [F5]. . . . . .

Textual Amendments

F5 S. 71 repealed by Post Office Act 1969 (c. 48), **Sch. 8 Pt. I**

72 Evidence of thing being postal packet, and of consent of Postmaster-General to prosecution.

(1) On the prosecution of any offence against this Act, whether summarily or on indictment, evidence that any article is in the course of transmission by post, or has been accepted on behalf of the Postmaster-General **[**[F6]or the Post office**]** for transmission by post, shall be sufficient evidence that the article is a postal packet.

(2) . . . . . [F7]

[[F8](3) n any proceedings in England or Wales for an offence under section 53, 55, 56, 57 or 58 of this Act, section 27(4) of the [M1]Theft Act 1968 shall apply as it is expressed to apply to proceedings for the theft of anything in the course of transmission by post; and in the case of proceedings under section 53 of this Act a statutory declaration made by any person that a vessel, vehicle or aircraft was at any time employed by or under the Post Office for the transmission of postal packets under contract shall be admissible as evidence of the facts stated in the declaration subject to the same conditions as under section 27(4)(*a*) and (*b*) of the [M2]Theft Act 1968 apply to declarations admissible under section 27(4).**]**

[[F9](4) In any proceedings in Northern Ireland for an offence under section 53, 55, 56, 57 or 58 of this Act, section 26(5) of the [M3]Theft Act (Northern Ireland) 1969 shall apply as it is expressed to apply to proceedings for the theft of anything in the course of transmission by post; and, in the case of proceedings under section 53 of this Act, a statutory declaration made by any person that a vessel, vehicle or aircraft was at any time employed by or under the Post Office for the transmission of postal packets under contract shall be admissible as evidence of the facts stated in declaration subject to the

same conditions as under section 26(5)(*a*) and (*b*) of the Theft Act (Northern Ireland) 1969 apply to declarations admissible under section 26(5).**]**

Textual Amendments

F6 Words inserted by virtue of Post Office Act 1969 (c. 48), **Sch. 4 para. 2(17)**
F7 S. 72(2) repealed by Post Office Act 1969 (c. 48), **Sch. 8 Pt. II**
F8 S. 72(3) added by Theft Act 1968 (c. 60), **Sch. 2 Pt. I para. II**
F9 S. 72(4) added by Theft Act (Northern Ireland) 1969 (c. 16), **Sch. 2**

Modifications etc. (not altering text)

C2 S. 72 applied (with modifications) (7.3.2001) by 2001/878, art. 14 (wth art. 17)
C3 S. 72(3) amended by Post Office Act 1969 (c. 48), **Sch. 4 para. 2(18)**

Marginal Citations

M1 1968 c. 60.
M2 1968 c. 60.
M3 1969 c. 16 (N.I.)

73 [F10]. . . . . .

Textual Amendments

F10 S. 73 repealed by Post Office Act 1969 (c. 48), **Sch. 8 Pt. I**

74 [F11]. . . . . .

Textual Amendments

F11 S. 74 repealed by Post Office Act 1961 (c. 15), **s. 24(1)**

75 [F12]. . . . . .

Textual Amendments

F12 S. 75 repealed by Post Office Act 1969 (c. 48), **Sch. 8 Pt. I**

76 Recovery of sums from officers of Post Office.

Where any sum not exceeding twenty pounds is due from any **[**[F13]person engaged in the business of the Post Office**]** or from his sureties in respect of moneys received in the discharge of his duty, it may, without prejudice to any other mode of recovery, be recovered in England, Wales or Northern Ireland summarily as a civil debt . . . [F14]

Textual Amendments

F13 Words substituted by virtue of Post Office Act 1969 (c. 48), **Sch. 4 para. 2(1)**

F14 Words repealed by Post Office Act 1969 (c. 48), **Sch. 11 Pt. II**

Modifications etc. (not altering text)

C4 S. 76 applied (22.3.2001) by S.I. 2001/1148, **art. 6** (with art. 34)

Status:
Point in time view as at 01/02/1991.

Changes to legislation:
There are currently no known outstanding effects for the Post Office Act 1953 (repealed), Cross Heading: Legal Proceedings.