



# Recorded Delivery Service Act (Northern Ireland) 1963

## 1963 CHAPTER 5

An Act to authorise the sending by the recorded delivery service of certain documents and other things required or authorised to be sent by registered post; to authorise notices under the Eviction (Ireland) Act 1848 to be sent by the recorded delivery service; and for purposes connected with those matters. [26th February 1963]

### **1 Recorded delivery service to be an alternative to registered post.**

- (1) Any enactment which requires or authorises a document or other thing to be sent by registered post (whether or not it makes any other provision in relation thereto) shall have effect as if it required or, as the case may be, authorised that thing to be sent by registered post or the recorded delivery service; and any enactment which makes any other provision in relation to the sending of a document or other thing by registered post or to a thing so sent shall have effect as if it made the like provision in relation to the sending of that thing by the recorded delivery service or, as the case may be, to a thing sent by that service.
- (2) The Schedule shall have effect for the purpose of making consequential adaptations of the enactments therein mentioned.
- (3) The Governor may by Order in Council make such amendments of any enactment contained in a local or private Act (being an enactment to which this section applies) as appear to him to be necessary or expedient in consequence of sub-section (1).
- (4) The Governor shall not be recommended to make an Order in Council under sub-section (3) until a draft thereof has been subject to negative resolution.
- (5) <sup>F1</sup> This section shall not be construed as authorising the sending by the recorded delivery service of anything which<sup>F2</sup> by virtue of the Postal Services Act 2000 on the terms and conditions of the service concerned<sup>F2</sup> is not allowed to be sent by that service.

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*Changes to legislation: There are currently no known outstanding effects for the Recorded Delivery Service Act (Northern Ireland) 1963. (See end of Document for details)*

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**F2** SI 2001/1149

*S.2 rep. by 1969 c.30 (NI)*

### **3 Application and interpretation.**

- (1) Subject to sub-section (2), section 1 and the Schedule apply to the following enactments, that is to say—
- (a) the provisions of any Act of Parliament (whether public general, local or private) passed before this Act;
  - (b) the provisions of any local or private Act of the Parliament of the United Kingdom which extends only to Northern Ireland, being an Act passed before the appointed day within the meaning of section 6 of the Government of Ireland Act 1920<sup>M1</sup>;

and, in the case of a provision which has been applied by or under any other enactment passed by Parliament or the Parliament of the United Kingdom, or any instrument made under any enactment passed by Parliament, before this Act, apply to that provision as so applied, subject, however, in the case of an instrument made after the passing of this Act to any contrary intention appearing therein; and references in this Act (except this section) to any enactment shall be construed accordingly.

- (2) Section 1 and the Schedule do not apply to any enactment which, either as originally enacted or as amended by any subsequent enactment, requires or authorises a thing to be sent by the recorded delivery service as an alternative to registered post or makes provision in relation to a thing sent by that service.

- (3) In this Act—
- references to sending a document or other thing include references to serving, giving or delivering it or doing any similar thing;
  - references to sending any thing by registered post include references to sending it by or in a registered letter or packet, whether the references are expressed in those terms or terms having the like effect and whether or not there is any mention of the post or pre-payment;
  - references to any thing sent by registered post or the recorded delivery service shall be construed accordingly; and
  - references to a local Act include references to any Act confirming a provisional order or scheme.

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#### **Marginal Citations**

**M1** [1920 c. 67](#)

### **4 Short title.**

This Act may be cited as the Recorded Delivery Service Act (Northern Ireland) 1963.

## SCHEDULE

Section 1.

### ADAPTATION OF ENACTMENTS

- 1 Any reference, however worded—
  - (a) in any enactment the provisions of which apply to, or operate in consequence of the operation of, any enactment amended by section 1; or
  - (b) in any enactment relating to the sending of documents or other things otherwise than by registered post or to documents or other things so sent; to the registered post or to a registered letter or packet, shall be construed as including a reference to the recorded delivery service or to a letter or packet sent by that service; and any reference, however worded, in any such enactment to a Post Office receipt for a registered letter or to an acknowledgment of or certificate of delivery of a registered letter shall be construed accordingly.
- 2 Paragraph 1 shall not be taken to prejudice the generality of section 1(1).

*Para. 3 rep. by 1996 NI 6*

**Changes to legislation:**

There are currently no known outstanding effects for the Recorded Delivery Service Act (Northern Ireland) 1963.