



London Local Authorities Act 2007

2007 CHAPTER ii

PART 5

MISCELLANEOUS

75 Mail forwarding businesses

- (1) On and after the appointed day, a person shall not in the area of a borough council carry on a mail forwarding business, whether alone or in conjunction with any other business when he is not registered by the council under this section.
- (2) On application for registration under this section the council shall register the applicant and issue to the applicant a certificate of registration on which there shall appear a registration number.
- (3) An application for registration under this section shall be made in writing to the council and the applicant shall in the application state—
 - (a) his name and private address or, if the application is made by or on behalf of a body corporate or partnership, the registered or principal office of such body or partnership as the case may be; and
 - (b) the address of each place in the borough which is occupied by the applicant for the purposes of the business.
- (4) Where there is any alteration in the particulars mentioned in subsection (3)(a) or (b) above, the person registered shall within 14 days notify the council of the fact, and the council shall thereupon amend their register.
- (5) A council may charge a reasonable fee for a registration under this section, calculated by reference to the cost of dealing with applications for such registration.
- (6) A person who carries on a mail forwarding business shall keep a record of the following particulars—
 - (a) the full name, address and telephone number of every person for whom any post is received, or who has requested that postal packets received may be held or forwarded to that person;

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (b) the nature of the business (if any) carried out by that person;
 - (c) any instructions that may have been received as to the delivery or forwarding of postal packets;
 - (d) in the case of every postal packet forwarded, the name and address of the person to whom it is forwarded (if different from the name and address mentioned in paragraph (a) above);
 - (e) copies of the originals of two documents of a type approved by the council for the purposes of identifying the persons and verifying the address mentioned in paragraph (a) above.
- (7) In subsection (6)(a) above, the name and address to be kept must not be the name and address of another mail forwarding business and is—
- (a) in the case of an individual, his private address;
 - (b) in the case of a body corporate or partnership—
 - (i) the registered or principal address of such body or partnership, as the case may be; and
 - (ii) the names and private addresses of the directors, partners or another person directly or indirectly responsible for the management of the body or partnership; and
 - (iii) the address of the principal place of business of the body or partnership, if different from any of the addresses mentioned in paragraphs (i) and (ii) above.
- (8) The records kept under this section by a person carrying on a mail forwarding business, shall, in respect of a person by whom he is requested to hold or forward postal packets, be kept for a period of at least a year after the end of the arrangement under which that request was made, and must be kept at all reasonable times open to inspection by any police constable and any authorised officer.
- (9) If any person—
- (a) without reasonable excuse contravenes or fails to comply with any of the provisions of this section; or
 - (b) furnishes any false information—
 - (i) in making an application for registration under this section or notifying the council of any alteration in the particulars mentioned in subsection (3)(a) or (b) above; or
 - (ii) to a mail forwarding business which the business requires in order to comply with subsection (6) above; or
 - (c) without reasonable excuse, makes a false entry in the record kept under subsection (6) above,
- he shall be guilty of an offence.
- (10) A person guilty of an offence under subsection (9) above shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- (11) Nothing in subsection (1) or (6) above shall apply to a person who holds a licence under Part 2 of the Postal Services Act 2000 (c. 26) (licences for postal services).
- (12) Section 28 of the Trade Descriptions Act 1968 (c. 29) (power to enter premises and seize goods and documents) applies in relation to the enforcement of this section by a borough council as in relation to the enforcement of that Act by a weights and measures authority.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

(13) In this section—

“mail forwarding business” means the business, carried out for reward, of making available to a person a postal address to which postal packets may be sent, and doing either or both of the following—

- (a) holding postal packets so sent for collection by that person or his agent;
- (b) forwarding, by whatever means, postal packets so sent to that person;

“postal packet” has the same meaning given to it by section 125 of the Postal Services Act 2000 (interpretation).

(14) For the purposes of this section, a person carries on a mail forwarding business in the area of a borough council if, in respect of that mail forwarding business, the postal address made available and to which postal packets may be sent is in the area of the council.

(15) Subsections (16) and (17) below apply to any person who carries on a mail forwarding business in a borough on the date on which this section comes into force in that borough.

(16) Until the period of four weeks commencing with that date has expired, subsections (1) and (6) above shall not apply to the person in question.

(17) If an application for registration under this section is made in respect of the mail forwarding business during that period, the person in question—

- (a) may lawfully continue to carry on the business as a mail forwarding business; and

(b) need not comply with the requirements of subsection (6) above, until the council issues a certificate under subsection (2) above or the application is withdrawn.