



Post Office Act 1969

1969 CHAPTER 48

PART III

THE NEW AUTHORITY FOR THE CONDUCT OF POSTAL AND TELEGRAPHIC BUSINESS

Charges and other Terms and Conditions applicable to Services

28 Schemes for determining charges and other terms and conditions applicable to services

- (1) The Post Office may make, as respects any of the services provided by it, a scheme for determining either or both of the following, namely.—
- (a) the charges which (save in so far as they are the subject of an agreement between it and a person availing himself of those services) are to be made by it; and
 - (b) the other terms and conditions which (save as aforesaid) are to be applicable to those services;

but so that no provision be included in any such scheme for limiting liability of the Post Office for loss or damage or for amending the rules of law with respect to evidence.

- (2) A scheme made under this section may, as respects the services to which it relates, adopt such system for the determination of the charges or other terms and conditions or (as the case may be) the charges and other terms and conditions that are to be applicable as may appear desirable and, in particular and without prejudice to the generality of the foregoing words, may, in all or any cases, leave the determination thereof to the Post Office subject to such (if any) conditions and limitations as may be provided for in the scheme.
- (3) A scheme made under this section may, as respects the services to which it relates, specify the manner in which, time at which and person by whom the charges that are to be applicable are to be paid.
- (4) A scheme made under this section may make different provision for different cases or classes of cases determined by, or in accordance with, the provisions of the scheme.

Status: This is the original version (as it was originally enacted).

- (5) A charge exigible by virtue of this section may be recovered by the Post Office in any court of competent jurisdiction as if it were a simple contract debt.
- (6) A scheme made under this section may revoke or amend any previous scheme so made.
- (7) A scheme made under this section shall come into operation on such day as is specified therein, not being earlier than the day after that on which publication of the scheme in the London, Edinburgh and Belfast Gazettes has been effected; and conclusive evidence of a scheme so made may be given, in all courts of justice and in all legal proceedings whatsoever, by the production of a copy of any of those Gazettes purporting to contain it.
- (8) In the application of subsection (5) above to Scotland, the words " as if it were a simple contract debt" shall be omitted.