



British Telecommunications Act 1981

1981 CHAPTER 38

PART II

THE POST OFFICE

Limitation of liability

70 The Post Office to be subject to limited liability in respect of certain inland packets

- (1) in subsection (1) of section 30 of the 1969 Act (the Post Office to be subject to limited liability in respect of registered inland packets) for the words "registered inland packet" there shall be substituted the words "packet to which this section applies".
- (2) For subsection (3) of that section there shall be substituted the following subsection—

“(3) The amount recoverable in any proceedings under this section in relation to a packet of any description shall not exceed—

- (a) the market value of the packet at the time when the cause of action arises ; or
- (b) the maximum amount payable under a scheme made under section 28 of this Act for compensating the person aggrieved in respect of a packet of that description;

and for the purposes of paragraph (a) above the market value of a packet shall not include the market value of any message or information which it bears or the market value of any item which, in relation to packets of that description, is excluded from the operation of this section by a scheme made under section 28 of this Act.”

- (3) In subsection (4) of that section after the word "packet", in the first place where it occurs, there shall be inserted the words "of any description" and for the words "registered inland packets" there shall be substituted the words "packets of that description at the time when they are posted".

Status: This is the original version (as it was originally enacted).

- (4) After subsection (6) of that section there shall be inserted the following subsection—
- “(6A) For the purposes of this section a scheme made under section 28 of this Act may define a description of packet by reference to any circumstances whatever, including in particular the amount of any fee paid in respect of the packet in pursuance of the scheme.”
- (5) In subsection (7) of that section—
- (a) after the definition of " inland packet" there shall be inserted the following definition—
- “‘packet to which this section applies’ means any inland packet in respect of which, in pursuance of a scheme made under section 28 of this Act, the Post Office accepts liability under this section ;”; and
- (b) in the definition of " sender " for the words " registered inland packets " there shall be substituted the words " packets to which this section applies ".
- (6) In subsection (1) of section 28 of that Act (schemes for determining charges and other terms and conditions applicable to services) after the words " but so that " there shall be inserted the words " except as provided by section 30(3) of this Act ".
- (7) At the end of subsections (2) and (3) of section 29 of that Act (exclusion of liability of employees etc. of the Post Office) there shall be inserted the words " or any loss of, or damage to, a packet to which the next following section applies ".
- (8) This section shall come into operation on the appointed day.