Postal Services Act 2000

2000 CHAPTER 26

PART VII

MISCELLANEOUS AND SUPPLEMENTARY

Evidential provisions

108 Evidence of amount of postage etc.

(1) The mark of—

(a) a universal service provider in connection with the provision of a universal postal service, or

(b) a foreign postal administration,

of any sum on any postal packet as due in respect of that packet shall, unless the contrary is shown, be sufficient proof in any legal proceedings of the liability of the packet to the sum so marked.

(2) Subsections (3) to (5) apply in relation to any legal proceedings for the recovery of postage or other sums due in respect of postal packets.

(3) In any such proceedings, the production of the packet concerned with a stamp or other endorsement on it of a universal service provider (and made in connection with the provision of a universal postal service) or of a foreign postal administration indicating that the packet—

(a) has been refused or rejected,

(b) is unclaimed, or

(c) cannot for any other reason be delivered,

shall, unless the contrary is shown, be sufficient proof of the fact indicated.

(4) In any such proceedings, a certificate of a universal service provider that any mark, stamp or endorsement is such a mark, stamp or endorsement as is mentioned in subsection (1) or (3) shall, unless the contrary is shown, be sufficient proof of that fact.

(5) In any such proceedings, the person from whom the packet concerned purports to have come shall, unless the contrary is shown, be taken to be the sender of the packet.

Modifications etc. (not altering text)

C1 S. 108 applied (22.3.2001) by S.I. 2001/1148, **art. 30** (with art. 34)

Commencement Information

I1 S. 108 wholly in force at 26.3.2001, see s. 130 and S.I. 2001/1148, art. 2, **Sch.** (subject to arts. 3 42)

109 Evidence of thing being a postal packet.

(1) On the prosecution of an offence under this Act (whether summarily or on indictment), evidence that any article is in the course of transmission by post, or has been accepted by a postal operator for transmission by post, shall be sufficient evidence that the article is a postal packet.

(2) In any proceedings in England and Wales for an offence under section 83 or 84 of this Act, section 27(4) of the [M1]Theft Act 1968 shall apply as it applies to proceedings for the theft of anything in the course of transmission by post.

(3) In any proceedings in Northern Ireland for an offence under section 83 or 84 of this Act, section 26(5) of the [M2]Theft Act (Northern Ireland) 1969 shall apply as it applies to proceedings for the theft of anything in the course of transmission by post.

Modifications etc. (not altering text)

C2 S. 109 applied (7.3.2001) by S.I. 2001/878, **art. 16** (with art. 17)

Commencement Information

I2 S. 109 wholly in force at 26.3.2001, see s. 130 and S.I. 2001/878, art. 2, **Sch.** (subject to arts. 3-17)

Marginal Citations

M1 1968 c. 60.

M2 1969 c. 16 (N.I.).

110 Certificates in relation to universal postal service letter boxes.

A certificate given by or on behalf of a universal service provider to the effect that any box or receptacle is or was provided by the provider concerned for the purpose of receiving postal packets, or any class of postal packets, for onwards transmission in connection with the provision of a universal postal service, shall, unless the contrary is shown, be sufficient proof in any legal proceedings of the facts stated.

Commencement Information

I3 S. 110 wholly in force at 26.3.2001, see s. 130 and S.I. 2001/1148, art. 2, **Sch.** (subject to arts. 3-42)

Changes to legislation:
There are currently no known outstanding effects for the Postal Services Act 2000, Cross Heading: Evidential provisions.