

*Status: Point in time view as at 03/04/2006.*

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## SCHEDULES

### SCHEDULE 8

#### AMENDMENTS OF ENACTMENTS

#### PART II

#### OTHER AMENDMENTS

##### *Public Records Act 1958 (c.51)*

8 In Schedule 1 to the Public Records Act 1958 (definition of public records), in Part II of the Table which is at the end of paragraph 3, there shall be inserted at the appropriate places—

“Consumer Council for Postal Services.”

“Post Office company (within the meaning of Part IV of the Postal Services Act 2000).”

#### **Commencement Information**

- II** Sch. 8 para. 8 wholly in force; Sch. 8 para. 8 not in force at Royal Assent see s. 130; Sch. 8 para. 8 in force for specified purposes at 6.11.2000 and in force insofar as not already in force at 1.1.2001 by [S.I. 2000/2957](#), [art. 2\(1\)\(2\)](#), [Sch. 1](#), [Sch. 2](#) (with transitional provisions in [arts. 3-8](#))

##### *Parliamentary Commissioner Act 1967 (c.13)*

9 In Schedule 2 to the Parliamentary Commissioner Act 1967 (departments etc. subject to investigation), after the entry for the Office of Population Censuses and Surveys there shall be inserted—

“Consumer Council for Postal Services”.

10 In that Schedule to that Act the reference to the Postal Services Commission shall be construed as a reference to the Commission established by section 1 of this Act.

##### *Post Office Act 1969 (c.48)*

11 In section 135(1) of the Post Office Act 1969 (remuneration of Post Office for issuing game licences in England and Wales) for “the Post Office”, where it appears for the first, second and third time, there shall be substituted “ the Post Office company ”.

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**Commencement Information**

- I2** Sch. 8 para. 11 wholly in force at 26.3.2001, see s. 130 and [S.I. 2001/1148](#), [art. 2](#), [Sch.](#) (subject to [arts. 3-42](#))

*Pensions (Increase) Act 1971 (c.56)*

- 12 In paragraph 3 of Schedule 3 to the Pensions (Increase) Act 1971 (duty of Post Office to increase pensions of certain former civil servants)—
- (a) for “the Post Office”, where it first appears, there shall be substituted “ the Post Office company ”,
  - (b) for “the Post Office are” there shall be substituted “ the Post Office company is ”,
  - (c) after “by virtue of” there shall be inserted “ paragraph 2 of Schedule 3 to the Postal Services Act 2000 as it has effect by reference to ”,
  - (d) for “that Act” there shall be substituted “ the Post Office Act 1969 or any enactment reproducing its effect ”, and
  - (e) for “the Post Office”, where it appears for the last time, there shall be substituted “ the Post Office company ”.

**Commencement Information**

- I3** Sch. 8 para. 12 wholly in force at 26.3.2001, see s. 130 and [S.I. 2001/1148](#), [art. 2](#), [Sch.](#) (subject to [arts. 3-42](#))

*Superannuation Act 1972 (c.11)*

- 13 In Schedule 1 to the Superannuation Act 1972 (kinds of employment in relation to which pension schemes may be made), in the list of “Other Bodies”, there shall be inserted at the appropriate place—
- “The Consumer Council for Postal Services.”

*House of Commons Disqualification Act 1975 (c.24)*

- 14 (1) Schedule 1 to the House of Commons Disqualification Act 1975 (offices disqualifying for membership) shall be amended as follows.
- (2) In Part II (bodies of which all members are disqualified), there shall be inserted at the appropriate place—
- “The Consumer Council for Postal Services.”
- (3) In Part III (other disqualifying offices), there shall be inserted at the appropriate place—
- “Director of the Post Office company (within the meaning of Part IV of the Postal Services Act 2000) being a director nominated or appointed by a Minister of the Crown or by a person acting on behalf of the Crown.”

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#### Commencement Information

- 14** Sch. 8 para. 14 wholly in force; Sch. 8 para. 14 not in force at Royal Assent see s. 130; Sch. 8 para. 14(1) (3) in force at 6.11.2000 and Sch. 8 para. 14 in force insofar as not already in force at 1.1.2001 by [S.I. 2000/2957](#), [art. 2\(1\)\(2\)](#), [Sch. 1](#), [Sch. 2](#) (with transitional provisions in [arts. 3-8](#))

- 15 In Part II of Schedule 1 to the Act of 1975 the reference to the Postal Services Commission shall be construed as a reference to the Commission established by section 1 of this Act.

*Rates (Northern Ireland) Order 1977 (S.I.1977/2157 (N.I.28))*

- 16 In paragraph 3(4) of Schedule 9A to the Rates (Northern Ireland) Order 1977 (rural rate relief for post offices etc) for the words from “the Post Office” to “1953)” there shall be substituted “ a universal service provider (within the meaning of the Postal Services Act 2000) and in connection with the provision of a universal postal service (within the meaning of that Act) ”.

#### Commencement Information

- 15** Sch. 8 para. 16 wholly in force at 26.3.2001, see s. 130 and [S.I. 2001/1148](#), [art. 2](#), [Sch.](#) (subject to [arts. 3-42](#))

*Representation of the People Act 1983 (c.2)*

- 17 (1) Section 91 of the Representation of the People Act 1983 (candidate’s right to send election address post free) shall be amended as follows.

(2) In subsection (1)—

- (a) for the words “Post Office regulations” there shall be substituted “ such reasonable terms and conditions as the universal service provider concerned may specify ”,
- (b) after the word “of”, where it first appears, there shall be inserted “ any ”,
- (c) after the word “postage” there shall be inserted “ which would otherwise be made by a universal service provider ”, and
- (d) for the words “regulations” in paragraph (a) there shall be substituted “ terms and conditions ”.

(3) In subsection (2)—

- (a) after “any” there shall be inserted “ such ”, and
- (b) after “postage” there shall be inserted “ as mentioned above ”.

(4) In subsection (3) for “the Post Office” there shall be substituted “ the universal service provider concerned ”.

(5) After subsection (4) there shall be inserted—

“(5) In this section “universal service provider” has the same meaning as in the Postal Services Act 2000.”

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**Commencement Information**

**I6** Sch. 8 para. 17 wholly in force at 26.3.2001, see s. 130 and [S.I. 2001/1148](#), [art. 2](#), [Sch.](#) (subject to [arts. 3-42](#))

18 After section 200 of that Act there shall be inserted—

**“200A Remuneration for free postal services provided under Act.**

- (1) This section applies where any postal services are provided without charge by a universal service provider in pursuance of this Act.
- (2) The universal service provider shall be entitled to be remunerated for having provided the services at the rate fixed in relation to them by virtue of a scheme under section 89 of the Postal Services Act 2000.
- (3) A sum which a universal service provider is entitled to receive by virtue of this section shall be charged on, and issued out of, the Consolidated Fund.
- (4) In this section “postal services” and “universal service provider” have the same meanings as in the Postal Services Act 2000.”

**Commencement Information**

**I7** Sch. 8 para. 18 wholly in force at 26.3.2001, see s. 130 and [S.I. 2001/1148](#), [art. 2](#), [Sch.](#) (subject to [arts. 3-42](#))

*Mental Health Act 1983 (c.20)*

- 19 (1) Section 134 of the Mental Health Act 1983 (correspondence of patients) shall be amended as follows.
- (2) In subsection (1) for “the Post Office” there shall be substituted “ the postal operator concerned ”.
- (3) In subsection (9)—
- (a) after “this Act” there shall be inserted “ and “postal operator” and ”,
  - (b) for “has”, where it appears for the second time, there shall be substituted “ have ”, and
  - (c) for “the Post Office Act 1953” there shall be substituted “ the Postal Services Act 2000 ”.

**Commencement Information**

**I8** Sch. 8 para. 19 wholly in force at 26.3.2001, see s. 130 and [S.I. 2001/1148](#), [art. 2](#), [Sch.](#) (subject to [arts. 3-42](#))

*Insolvency Act 1986 (c.45)*

20 In section 371(1) of the Insolvency Act 1986 (re-direction of bankrupt’s letters etc.)

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- (a) for “the Post Office” there shall be substituted “ a postal operator (within the meaning of the Postal Services Act 2000) ”,
- (b) for “the Post Office Act 1953” there shall be substituted “ that Act ”, and
- (c) for “them” there shall be substituted “ the operator concerned ”.

**Commencement Information**

- I9** Sch. 8 para. 20 wholly in force at 26.3.2001, see s. 130 and [S.I. 2001/1148](#), [art. 2](#), [Sch.](#) (subject to [arts. 3-42](#))

*Local Government Finance Act 1988 (c.41)*

- 21 In section 43(6D)(a) of the Local Government Finance Act 1988 (rural rate relief for post offices etc) for the words from “the Post Office” to “1953” there shall be substituted “ a universal service provider (within the meaning of the Postal Services Act 2000) and in connection with the provision of a universal postal service (within the meaning of that Act) ”.

**Commencement Information**

- I10** Sch. 8 para. 21 wholly in force at 26.3.2001, see s. 130 and [S.I. 2001/1148](#), [art. 2](#), [Sch.](#) (subject to [arts. 3-42](#))

*Value Added Tax Act 1994 (c.23)*

- 22 (1) The Value Added Tax Act 1994 shall be amended as follows.
- (2) In section 16(2) (application of customs enactments) for “section 16 of the Post Office Act 1953” there shall be substituted “ section 105 of the Postal Services Act 2000 ”.
- (3) In item 4 of Group 8 of Part II of Schedule 8 (zero-rating: transport of passengers) for “the Post Office” there shall be substituted “ the Post Office company ”.
- (4) In Group 3 of Part II of Schedule 9 (exemptions for postal services)—
- (a) for “the Post Office” in items 1 and 2 there shall, in each case, be substituted “ the Post Office company ”, and
  - (b) for the words in Note (1) from “the Post Office Act 1953” to “telegram” there shall be substituted “ the Postal Services Act 2000 ”.

**Commencement Information**

- I11** Sch. 8 para. 22 wholly in force at 26.3.2001, see s. 130 and [S.I. 2001/1148](#), [art. 2](#), [Sch.](#) (subject to [arts. 3-42](#))

*Value Added Tax Regulations 1995 (S.I.1995/2518)*

- 23 In regulation 2 of the Value Added Tax Regulations 1995 (interpretation) in the definition of “datapost packet”—

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- (a) for the words “the Post Office” there shall be substituted “ the Post Office company ”,
- (b) after “a post office” there shall be inserted “ of the Post Office company ”, and
- (c) after “United Kingdom”, where it appears for the fifth time, there shall be inserted “ by that company ”.

**Commencement Information**

**I12** Sch. 8 para. 23 wholly in force at 26.3.2001, see s. 130 and [S.I. 2001/1148](#), [art. 2](#), [Sch.](#) (subject to [arts. 3-42](#))

*Criminal Procedure (Scotland) Act 1995 (c.46)*

24 In section 11 of the Criminal Procedure (Scotland) Act 1995 (jurisdiction over certain offences committed outside Scotland), after subsection (4) there shall be inserted—

- “(5) Where a person in any part of the United Kingdom outside Scotland—
- (a) steals or attempts to steal any mail-bag or postal packet in the course of its transmission by post, or any of the contents of such a mail-bag or postal packet; or
  - (b) in stealing or with intent to steal any such mail-bag or postal packet or any of its contents commits any robbery, attempted robbery or assault with intent to rob,

he is guilty of the offence mentioned in paragraph (a) or (b) as if he had committed it in Scotland and shall be liable to be prosecuted, tried and punished there without proof that the offence was committed there.

- (6) Any expression used in subsection (5) and in the Postal Services Act 2000 has the same meaning in that subsection as it has in that Act.”

**Commencement Information**

**I13** Sch. 8 para. 24 wholly in force at 26.3.2001, see s. 130 and [S.I. 2001/1148](#), [art. 2](#), [Sch.](#) (subject to [arts. 3-42](#))

*Local Government and Rating Act 1997 (c.29)*

25 In Schedule 2 to the Local Government and Rating Act 1997, in paragraph 3(4)(a) (relief from non-domestic rates for rural post offices) for the words from “the Post Office” to “1953)” there shall be substituted “ a universal service provider (within the meaning of the Postal Services Act 2000) and in connection with the provision of a universal postal service (within the meaning of that Act) ”.

**Commencement Information**

**I14** Sch. 8 para. 25 wholly in force at 26.3.2001, see s. 130 and [S.I. 2001/1148](#), [art. 2](#), [Sch.](#) (subject to [arts. 3-42](#))

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*Northern Ireland Act 1998 (c.47)*

26 For paragraph 7 of Schedule 3 to the Northern Ireland Act 1998 (reservation for the Post Office etc.) there shall be substituted—

“7 The subject-matter of the Postal Services Act 2000.

This paragraph does not include financial assistance for the provision of services (other than postal services and services relating to postal or money orders) to be provided from public post offices.

In this paragraph “postal services” and “public post offices” have the same meanings as in the Postal Services Act 2000.”

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**Commencement Information**

**I15** Sch. 8 para. 26 wholly in force at 26.3.2001, see s. 130 and [S.I. 2001/1148](#), [art. 2](#), [Sch.](#) (subject to [arts. 3-42](#))

*Postal Services Regulations 1999 (S.I. 1999/2107)*

27 In Regulation 2(1) of the Postal Services Regulations 1999 (designation of Secretary of State and Postal Services Commission as national regulatory authorities for the postal sector in the United Kingdom) the reference to the Postal Services Commission shall be construed as a reference to the Commission established by section 1 of this Act.

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