



# Postal Services Act 2000

## 2000 CHAPTER 26

### PART VI

#### [<sup>F1</sup>POSTAL SERVICES: SUPPLEMENTARY]

##### *Articles in transit*

#### **97 Harbour charges on mail-bags.**

- (1) No charge imposed by a harbour authority in respect of goods brought into, taken out of, or carried through a relevant harbour shall apply to goods contained in mail-bags—
  - (a) carried by [<sup>F1</sup>a postal operator in connection with the provision of postal services],
  - (b) consigned by [<sup>F2</sup>a postal operator in connection with the provision of postal services] to another for carriage (whether to a foreign postal administration or not), or
  - (c) consigned by a foreign postal administration to [<sup>F3</sup>a postal operator in connection with the provision of postal services] for carriage.
- (2) No charge imposed by a harbour authority in respect of goods brought into, taken out of, or carried through a relevant harbour shall apply to goods contained in mail-bags which—
  - (a) are consigned by one foreign postal administration to another, and
  - (b) are mail-bags which, when in the United Kingdom, are in the charge of [<sup>F4</sup>a postal operator in connection with the provision of postal services].
- (3) Charges which are exigible by a harbour authority at a relevant harbour in respect of mail-bags which are carried or consigned as mentioned in subsection (1) or (2) and their contents shall not be payable before the end of the period of eight weeks starting with the day on which the bags are brought within the limits of the harbour.
- (4) Subsection (3) applies despite anything in any statutory provision made with respect to the harbour authority concerned.

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*Changes to legislation: There are currently no known outstanding effects for the Postal Services Act 2000, Section 97. (See end of Document for details)*

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- (5) Such charges as are mentioned in subsection (3) may be recovered by means of proceedings instituted in that behalf in any court of competent jurisdiction; but not otherwise.
- (6) In this section and section 98—
- “harbour authority”—
- (a) except in relation to Northern Ireland, has the same meaning as in the <sup>M1</sup>Harbours Act 1964,
- (b) in relation to Northern Ireland, means any person in whom are vested, by any statutory provision, the powers or duties of improving, maintaining or managing a harbour,
- “relevant harbour”, in relation to a harbour authority, means a harbour which, in the exercise and performance of statutory powers and duties, the harbour authority are engaged in improving, maintaining or managing, and
- “statutory provision”—
- (a) except in relation to Northern Ireland, has the meaning given by section 57(1) of the <sup>M2</sup>Harbours Act 1964 (and, as regards Scotland, includes an Act of the Scottish Parliament and an instrument made under such an Act),
- (b) in relation to Northern Ireland, has the same meaning as in section 1(f) of the <sup>M3</sup>Interpretation Act (Northern Ireland) 1954.
- (7) The reference in the definition of “relevant harbour” in subsection (6) to a harbour which, in the exercise and performance of statutory powers and duties, a harbour authority are engaged in improving, maintaining or managing shall be construed—
- (a) except in relation to Northern Ireland, as if it were contained in the <sup>M4</sup>Harbours Act 1964, and
- (b) in relation to Northern Ireland, as a reference to a harbour which is being improved, maintained or managed by a harbour authority—
- (i) in the exercise of powers conferred by a statutory provision,
- (ii) in the performance of duties imposed by a statutory provision, or
- (iii) in the exercise and performance of powers conferred, and duties imposed, by a statutory provision.

#### Textual Amendments

- F1** Word in s. 97(1)(a) substituted (1.10.2011) by [Postal Services Act 2011 \(c. 5\), s. 93\(2\)\(3\), Sch. 12 para. 28\(2\)\(a\)](#); S.I. 2011/2329, art. 3
- F2** Words in s. 97(1)(b) substituted (1.10.2011) by [Postal Services Act 2011 \(c. 5\), s. 93\(2\)\(3\), Sch. 12 para. 28\(2\)\(b\)](#); S.I. 2011/2329, art. 3
- F3** Words in s. 97(1)(c) substituted (1.10.2011) by [Postal Services Act 2011 \(c. 5\), s. 93\(2\)\(3\), Sch. 12 para. 28\(2\)\(b\)](#); S.I. 2011/2329, art. 3
- F4** Words in s. 97(2)(b) substituted (1.10.2011) by [Postal Services Act 2011 \(c. 5\), s. 93\(2\)\(3\), Sch. 12 para. 28\(3\)](#); S.I. 2011/2329, art. 3

#### Marginal Citations

- M1** 1964 c. 40.
- M2** 1964 c. 40.
- M3** 1954 c. 33 (N.I.).
- M4** 1964 c. 40.

**Changes to legislation:**

There are currently no known outstanding effects for the Postal Services Act 2000, Section 97.