



Post Office Act 1953 (repealed)

1953 CHAPTER 36 1 and 2 Eliz 2

General provisions as to transmission of postal packets

Textual Amendments applied to the whole legislation

F1 Act repealed (1.1.2001 for ss. 29, 44, 45, and 26.3.2001 otherwise) by 2000 c. 26, ss. 127(6), 130(1), **Sch. 9** Note; S.I. 2000/2957, art. 2(2), **Sch. 2** Table; S.I. 2001/878, art. 2, **Sch.** Table (subject to transitional and saving provisions in arts. 3-17); S.I. 2001/1148, art. 2(2), **Sch.** Table (subject to arts. 3-42)

5—7 ^{F1}

Textual Amendments

F1 Ss. 5–7, 8(1)(2)(4), 9,10,(1)(2)(4)(5), 11(3), 12–15, 16(3) repealed by Post Office Act 1969 (c. 48), **Sch. 11 Pt.II**

8 Conditions of transit of postal packets.

(1) ^{F2}

(3) If any postal packet is posted or sent by post in contravention of this Act or of any . . . ^{F3} regulation made thereunder, the transmission thereof may be refused and the packet may, if necessary, be detained and opened in the post office and may be returned to the sender thereof or forwarded to its destination, subject in either case to any . . . ^{F3} regulations as to additional postage or other charges, or may be destroyed or otherwise disposed of as the [^{F4}Post Office] may direct.

(4) ^{F2}

*Status: Point in time view as at 01/02/1991.**Changes to legislation: There are currently no known outstanding effects for the Post Office Act 1953 (repealed),
Cross Heading: General provisions as to transmission of postal packets. (See end of Document for details)***Textual Amendments**

- F2** Ss. 5–7, 8(1)(2)(4), 9,10,(1)(2)(4)(5), 11(3), 12–15, 16(3) repealed by [Post Office Act 1969 \(c. 48\)](#), [Sch. 11 Pt.II](#)
- F3** Words repealed by [Post Office Act 1961 \(c. 15\)](#), [Sch.](#)
- F4** Words substituted by virtue of [Post Office Act 1969 \(c. 48\)](#), [Sch. 4 para. 2\(2\)](#)

Modifications etc. (not altering text)

- C1** S. 8(3) amended by [Post Office Act 1969 \(c. 48\)](#), [Sch. 4 para. 2\(2\)](#)
S. 8(3) modified (7.3.2001) by [S.I. 2001/878](#), [art. 3](#) (with [art. 17](#))
S. 8(3) extended (with modifications) (22.3.2001) by [2001/1148](#), [art. 3](#) (with [art. 34](#))

9 ^{F5}**Textual Amendments**

- F5** Ss. 5–7, 8(1)(2)(4), 9,10,(1)(2)(4)(5), 11(3), 12–15, 16(3) repealed by [Post Office Act 1969 \(c. 48\)](#), [Sch. 11 Pt.II](#)

10 Cash on delivery service.

- (1) ^{F6}
- (3) Where a cash on delivery packet is delivered in the British postal area . . . ^{F7} without the sums payable in respect thereof having been paid, the [^{F8}Post Office] may by notice in writing require the addressee within the time specified in the notice either to pay the said sums or to redeliver the packet intact to the [^{F8}Post Office], and if the addressee fails to comply with the notice the [^{F8}Post Office] shall be entitled to recover the said sums . . . ^{F7} from the addressee.
- (4) ^{F6}

Textual Amendments

- F6** Ss. 5–7, 8(1)(2)(4), 9,10,(1)(2)(4)(5), 11(3), 12–15, 16(3) repealed by [Post Office Act 1969 \(c. 48\)](#), [Sch. 11 Pt.II](#)
- F7** Words repealed by virtue of [Post Office Act 1969 \(c. 48\)](#), [Sch. 9 para. 3\(2\)](#)
- F8** Words substituted by virtue of [Post Office Act 1969 \(c. 48\)](#), [Sch. 9 para. 3\(2\)](#)

Modifications etc. (not altering text)

- C2** S. 10(3) amended by [Post Office Act 1969 \(c. 48\)](#), [Sch. 9 para. 3\(2\)](#)

11 Prohibition on sending by post of certain articles.

- (1) A person shall not send or attempt to send or procure to be sent a postal packet which—
- (a) save as the [^{F9}Post Office] may either generally or in any particular case allow, encloses any explosive, dangerous, noxious or deleterious substance, any filth, any sharp instrument not properly protected, any noxious living creature, or any creature, article or thing whatsoever which is likely to injure either other

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- postal packets in course of conveyance or [^{F9}a person engaged in the business of the Post Office]; or
- (b) encloses any indecent or obscene print, painting, photograph, lithograph, engraving, cinematograph film, book, card or written communication, or any indecent or obscene article whether similar to the above or not; or
 - (c) has on the packet, or on the cover thereof, any words, marks or designs which are grossly offensive or of an indecent or obscene character.
- (2) If any person acts in contravention of the foregoing subsection, he shall be liable on summary conviction to a fine not exceeding [^{F10}£100] or on conviction on indictment to imprisonment for a term not exceeding twelve months.
- (3) ^{F11}
- (4) The [^{F12}detention by the Post Office] of any postal packet on the grounds of a contravention of this section or of any regulations [^{F13}having effect by virtue thereof] shall not exempt the sender thereof from any proceedings which might have been taken if the packet had been delivered in due course of post.

Textual Amendments

- F9** Words substituted by virtue of [Post Office Act 1969 \(c. 48\)](#), [Sch. 4 para. 2\(3\)\(a\)](#)
- F10** Words substituted by [Criminal Justice Act 1967 \(c. 80\)](#), s. 92, [Sch. 3 Pt. I](#)
- F11** [Ss. 5–7, 8\(1\)\(2\)\(4\), 9,10,\(1\)\(2\)\(4\)\(5\), 11\(3\), 12–15, 16\(3\)](#) repealed by [Post Office Act 1969 \(c. 48\)](#), [Sch. 11 Pt.II](#)
- F12** Words substituted by virtue of [Post Office Act 1969 \(c. 48\)](#), [Sch. 4 para. 2\(3\)\(b\)](#)
- F13** Words substituted by [Post Office Act 1961 \(c. 15\)](#), [Sch.](#)

Modifications etc. (not altering text)

- C3** [S. 11](#) applied (7.3.2001) by [S.I. 2001/878](#), [arts. 4, 5](#) (with [art. 17](#))
- C4** [S. 11\(4\)](#) amended by [Post Office Act 1969 \(c. 48\)](#), [Sch. 4 para. 2\(3\)\(b\)](#)

12— ^{F14}
15.

Textual Amendments

- F14** [Ss. 5–7, 8\(1\)\(2\)\(4\), 9,10,\(1\)\(2\)\(4\)\(5\), 11\(3\), 12–15, 16\(3\)](#) repealed by [Post Office Act 1969 \(c. 48\)](#), [Sch. 11 Pt.II](#)

[^{F15}16 Application of customs Acts to postal packets.

- (1) Subject to the provisions of this section, the enactments for the time being in force relating to [^{F16}customs or excise] shall apply in relation to goods contained in postal packets to which this section applies brought into or sent out of the United Kingdom by post from or to any place outside the United Kingdom as they apply in relation to goods otherwise imported, exported or removed into or out of the United Kingdom from or to any such place.]
- (2) The Treasury, on the recommendation of the Commissioners of Customs and Excise and the [^{F17}Secretary of State], may by statutory instrument make regulations—

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- (a) for specifying the postal packets to which this section applies;
- (b) for making modifications or exceptions in the application of the said enactments to such packets;
- (c) for enabling [^{F18}persons engaged in the business of the Post Office] to perform for the purposes of the said enactments and otherwise all or any of the duties of the importer, exporter or person removing the goods;
- (d) for carrying into effect any arrangement with the government or postal administration of any other country with respect to foreign postal packets;
- (e) for securing the observance of the said enactments and, without prejudice to any liability of any person under those enactments, for punishing any contravention of the regulations;

and different regulations may be made for foreign and inland postal packets respectively.

(3) F19

(4) F20

Textual Amendments

F15 S. 16(1) substituted by S.I. 1973/960, art. 11(1).

F16 Words substituted by Customs and Excise Management Act 1979 (c. 2), Sch. 4 para. 12 Table Pt. I.

F17 Words substituted by virtue of Post Office Act 1969 (c. 48), Sch. 4 para. 2(4) and S.I. 1974/691, arts. 2, 3(3)

F18 Words substituted by virtue of Post Office Act 1969 (c. 48), Sch. 4 para. 2(1).

F19 Ss. 5–7, 8(1)(2)(4), 9,10,(1)(2)(4)(5), 11(3), 12–15, 16(3) repealed by Post Office Act 1969 (c. 48), Sch. 11 Pt.II.

F20 S. 16(4) repealed by Finance Act 1987 (c. 16, SIF 99:6), s. 72, Sch. 16 Pt. XI.

Modifications etc. (not altering text)

C5 S. 16 amended by Post Office Act 1969 (c. 48), Sch. 4 para. 2(4)(5).

C6 S. 16 extended by Value Added Tax Act 1983 (c. 55, SIF 40:2), s. 24(4).

C7 S. 16 amended by S.I. 1986/260, art. 4.

C8 S. 16 extended (1.9.1994 with effect as mentioned in s. 101(1)) by 1994 c. 23, s. 16(2).

C9 S. 16(2)(d) extended by S.I. 1969/1368, art. 9(d) and 1973/960, art. 11(2).

17 Power to detain postal packets containing contraband.

- (1) Without prejudice to the last foregoing section, the [^{F21}Post Office] may detain any postal packet suspected to contain any goods chargeable with any [^{F22}duty charged or imported goods (whether a customs or an excise duty)] which has not been paid or secured or any goods in the course of importation, exportation or removal into or out of the United Kingdom, . . . ^{F23} contrary to any prohibition or restriction for the time being in force with respect thereto under or by virtue of any enactment and may forward the packet to the Commissioners of Customs and Excise.
- (2) Where any postal packet has been forwarded to the said Commissioners under this section they may—
 - (a) in the presence of the person to whom the packet is addressed; or
 - (b) if, after notice in writing from them requiring his attendance left at or forwarded by post to the address on the packet, the addressee fails to attend,

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or if the address on the packet is outside the British postal area, then in his absence,

open and examine the packet.

- (3) Where the said Commissioners open and examine a postal packet under this section, then—
- (a) if they find any such goods as aforesaid they may detain the packet and its contents for the purpose of taking proceedings with respect thereto;
 - (b) if they find no such goods, they shall either deliver the packet to the addressee upon his paying any postage and other sums chargeable thereon or, if he is absent, forward the packet to him by post.

Textual Amendments

- F21** Words substituted by virtue of Post Office Act 1969 (c. 48), **Sch. 4 para. 2(6)**
- F22** Words substituted by Customs and Excise Management Act 1979 (c. 2), **Sch. 4 para. 12** Table Pt. I
- F23** Words repealed by S.I. 1969/1368, **art. 10** and 1973/960, art. 12

Modifications etc. (not altering text)

- C10** S. 17 applied (with modifications) (22.3.2001) by S.I. 2001/1148, **art. 4** (with art. 34)

18 ^{F24}

Textual Amendments

- F24** Ss. 18, 20, 21(1)(2)(4)(5) repealed by Post Office Act 1969 (c. 48), **Sch. 11 Pt. II**

19 Post Office mark evidence of amount of postage, etc.

- (1) The official mark of any sum on any postal packet as due in respect of that packet, whether the mark is the mark of the Post Office or of any other postal administration and whether the sum is marked as being due to the Postmaster-General or otherwise, shall in every court in the British postal area be sufficient proof of the liability of the packet to the sum so marked unless the contrary is shown, . . . ^{F25}
- (2) In any proceedings for the recovery of postage or other sums due in respect of postal packets, the production of the packet in respect of which any such postage or sum is sought to be recovered having thereon a stamp or other endorsement of the Post Office or any other postal administration indicating that the packet has been refused or rejected or is unclaimed or cannot for any other reason be delivered, shall be sufficient proof of the fact indicated unless the contrary is shown.
- (3) In any such proceedings as aforesaid, [^{F26}a certificate of the Post Office] that any mark, stamp or endorsement is such a mark, stamp or endorsement as is mentioned in the foregoing provisions of this section shall be sufficient proof thereof unless the contrary is shown.
- (4) In any such proceedings as aforesaid, the person from whom any postal packet in respect of which any postage or sum is sought to be recovered purports to have come shall, until the contrary is proved, be deemed to be the sender of the packet.

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Textual Amendments

- F25** Words repealed by [Post Office Act 1969 \(c. 48\)](#), [Sch. 11 Pt. II](#)
F26 Words substituted by virtue of [Post Office Act 1969 \(c. 48\)](#), [Sch. 4 para. 2\(7\)](#)
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Modifications etc. (not altering text)

- C11** [S. 19](#) applied (with modifications) (22.3.2001) by [S.I. 2001/1148](#), [art 5](#) (with [art. 34](#))
C12 [S. 19\(1\)\(2\)](#) extended by [Post Office Act 1969 \(c. 48\)](#), [Sch. 4 para. 2\(7\)](#)

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