



Post Office Act 1953 (repealed)

1953 CHAPTER 36 1 and 2 Eliz 2

Miscellaneous and General

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F1 Act repealed (1.1.2001 for ss. 29, 44, 45, and 26.3.2001 otherwise) by 2000 c. 26, ss. 127(6), 130(1), **Sch. 9** Note; S.I. 2000/2957, art. 2(2), **Sch. 2** Table; S.I.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)

77 ^{F1}

Textual Amendments

F1 S. 77 repealed by Post Office Act 1969 (c. 48), s. 68(a)

78 Provision as to post office letter boxes.

- (1) Where it appears to the [^{F2}Post Office] that any post office letter box, by reason of being on the premises of any private person or otherwise, is so situated as not to afford the same security against the improper removal of postal packets therefrom or other fraud as exists in the case of other post office letter boxes, [^{F2}it] may declare that that post office letter box shall be a private posting box, and shall affix upon or near the box a notice of its being and of the effect of its being a private posting box, and a postal packet put into that box shall not, for the purpose of any enactment, law or contract whereby the due posting of a postal packet is evidence of the receipt thereof by the addressee, be deemed to have been duly posted.
- (2) A certificate [^{F3}signed by or on behalf of the Postmaster General] to the effect that any box or receptacle is or was provided by the permission or under the authority of the Postmaster-General for the purpose of receiving postal packets or any class of postal

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packets, shall in any legal proceedings be sufficient proof of the facts stated in the certificate unless the contrary is shown.

Textual Amendments

- F2** Words substituted by virtue of [Post Office Act 1969 \(c. 48\)](#), [Sch. 4 para. 2\(19\)](#)
F3 Words substituted by [Post Office Act 1961 \(c. 15\)](#), [Sch.](#)

Modifications etc. (not altering text)

- C1** [s. 78\(2\)](#) amended by [Post Office Act 1969 \(c. 48\)](#), [Sch. 4 para. 2\(19\)](#)
[S. 78\(2\)](#) applied (with modifications) by [S.I. 2001/1148](#), [art. 7](#) (with [art. 34](#))

79 Surrender of clothing by officer of Post Office on ceasing to be officer.

- (1) Where [^{F4}a person engaged in the business of the Post Office] vacates his office (whether by reason of dismissal, resignation, death or otherwise) he, or if he is dead his personal representative or the person acting as his personal representative, shall deliver to the [^{F5}Post Office] all articles (whether uniform, accoutrements, appointments or other necessaries) which have been issued to the officer vacating his office for the execution of his duty and are not the property of that officer, and shall deliver the articles in good order and condition, fair wear and tear only excepted.
- (2) If any person fails to comply with the provisions of this section he shall be liable on summary conviction to a fine not exceeding £2, and also to pay such further sum not exceeding £2 as the court may determine to be the value of the articles not delivered, or, if the articles have been delivered but not in good order and condition, of the damage done to the articles.
- (3) Any justice of the peace and in Scotland any sheriff or magistrate of a burgh may issue a warrant by virtue of which a constable may search for and seize any articles not delivered as required by this section, in like manner as if they were stolen goods and the warrant were a warrant to search for stolen goods.

Textual Amendments

- F4** Words substituted by virtue of [Post Office Act 1969 \(c. 48\)](#), [Sch. 4 para. 2\(1\)](#)
F5 Words substituted by virtue of [Post Office Act 1969 \(c. 48\)](#), [Sch. 4 para. 2\(2\)](#)

Modifications etc. (not altering text)

- C2** [S. 79\(2\)](#): [Criminal Law Act 1977 \(c. 45, SIF 39:1\)](#), [s. 31\(5\)\(6\)\(9\)](#) (increase of fines) and [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), [s. 46](#) (substitution of references to levels on the standard scale) apply (E.W.); [Criminal Procedure \(Scotland\) Act 1975 \(c.21, SIF 39:1\)](#), [ss. 289F](#) (increase of fines), [289G](#) (substitution of references to levels on the standard scale) apply (S.) and [S.I. 1984/703 \(N.I. 3\)](#), [arts. 6](#) (increase of fines) and [5](#) (substitution of references to levels on the standard scale) apply (N.I.)
- C3** Functions of magistrate of a burgh now exercisable by justice of the peace: [District Courts \(Scotland\) Act 1975\(c. 20\)](#), [s. 1\(2\)](#)

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Textual Amendments

F6 S. 80 repealed by [Post Office Act 1961 \(c. 15\)](#), [Sch.](#)

81 ^{F7}

Textual Amendments

F7 S. 81 repealed by [Post Office Act 1969 \(c. 48\)](#), [Sch. 11 Pt. II](#)

82, 83. ^{F8}

Textual Amendments

F8 Ss. 82, 83 repealed by [Post Office Act 1961 \(c. 15\)](#), [Sch.](#)

84 ^{F9}

Textual Amendments

F9 S. 84 repealed by [Post Office Act 1969 \(c. 48\)](#), [Sch. 11 Pt. II](#)

85 ^{F10}

Textual Amendments

F10 S. 85 repealed by [Post Office Act 1969 \(c. 48\)](#), [Sch. 8 Pt. I](#)

86 ^{F11}

Textual Amendments

F11 S. 86 repealed by [Post Office Act 1969 \(c. 48\)](#), [Sch. 8](#), Pt. II

87 Interpretation.

(1) In this Act, except where the context otherwise requires, the following expressions have the following meanings respectively:—

- ... ^{F12}
- “British postal area” means the United Kingdom, . . . ^{F13};
- “chattel” in relation to Scotland means a corporeal moveable;

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“commander”, in relation to an aircraft, includes the pilot or other person in charge of the aircraft;

“foreign”, in relation to any postal packet, means either posted in the British postal area and sent to a place outside that area, or posted in a place outside that area and sent to a place within that area, or in transit through the British postal area to a place outside that area;

“inland”, in relation to any postal packet or any description thereof, means posted within the British postal area and addressed to some place in that area, and “inland postage” means the postage chargeable on an inland postal packet;

“mail” includes every conveyance by which postal packets are carried, whether it be a ship, aircraft, vehicle, horse or any other conveyance, and also a person employed in conveying or delivering postal packets;

“mail bag” includes . . . ^{F14} any form of container or covering in which postal packets in course of transmission by post are conveyed, whether or not it contains any such packets;

. . . ^{F12}
“master”, in relation to a ship, includes every person (except a pilot) having command or charge of the ship, whether the ship is a ship of war or other ship;

“officer of the Post Office” includes the Postmaster-General, and any person employed in any business of the Post Office, whether employed by the Postmaster-General or by any person under him or on behalf of the Post office;

“parcel” means any postal packet defined as a parcel by . . . ^{F15} [^{F16} the provisions of a scheme made under s. 28 of the ^{M1} Post Office Act 1969].

. . . ^{F12}
“postal packet” means a letter, postcard, reply postcard, newspaper, printed packet, sample packet, or parcel, and every packet or article transmissible by post, and includes a telegram;

“post office” includes any house, building, room, vehicle or place used for the purposes of the Post Office, and any post office letter box;

“post office letter box” includes any pillar box, wall box, or other box or receptacle provided by the permission or under the authority of the Postmaster-General [^{F17} or the authority established by section 6 of the ^{M2} Post Office Act 1969] for the purpose of receiving postal packets, or any class of postal packets, for transmission by or under the authority of the Postmaster-General [^{F17} or the authority established by section 6 of the Post Office Act 1969];

. . . ^{F18}
“railway undertakers” means any authority, body or person authorised by any enactment to construct, work or carry on a railway;

“regular mail train” has the meaning assigned by section thirty-three of this Act, and “regular mail train services” means services performed under that section or section thirty-four of this Act including services performed under those sections by virtue of section forty-two . . . ^{F19} of this Act;

. . . ^{F12}
“ship” includes any boat or vessel whatsoever;
“sorting carriage” has the meaning assigned by section thirty-four of this Act;

. . . ^{F20}
“the purposes of the Post Office” includes any purpose relating to or in connection with the execution of any duties for the time being undertaken by the Postmaster-General or any of his officers;

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F12

[^{F21}“valuable security” means any document creating, transferring, surrendering or releasing any right to, in or over property, or authorising the payment of money or delivery of any property, or evidencing the creation, transfer, surrender or release of any such right, or the payment of money or delivery of any property, or the satisfaction of any obligation];

“vehicle” includes a railway vehicle.

[^{F22}(1A) In the application of this Act to Great Britain, references to public service vehicles shall be construed in like manner as if they were contained in the ^{M3}Road Traffic Act 1960].

(2) For the purposes of this Act—

- (a) a postal packet shall be deemed to be in course of transmission by post from the time of its being delivered to any post office to the time of its being delivered to the addressee;
- (b) the delivery of a postal packet of any description to a letter carrier or other person authorised to receive postal packets of that description for the post or to an officer of the Post Office to be dealt with in the course of his duty shall be a delivery to a post office;

[^{F23}(c) the delivery of a postal packet—

- (i) at the premises to which it is addressed or redirected, except they be a post office from which it is to be collected;
- (ii) to any box or receptacle to which the occupier of those premises has agreed that postal packets addressed to persons at those premises may be delivered; or
- (iii) to the addressee’s servant or agent or to some other person considered to be authorised to receive the packet.

shall be a delivery to the addressee.]

(3) Except in so far as the context otherwise requires, any reference in this Act to any other enactment shall be construed as a reference to that enactment as amended by or under any other enactment, including this Act.

(4) A reference in any enactment other than this Act to a post letter shall be construed as a reference to a postal packet within the meaning of this Act.

Textual Amendments

- F12** Definition repealed by [Post Office Act 1969 \(c. 48\)](#), [Sch. 11 Pt. II](#)
- F13** Words repealed by [S.I. 1969/1368](#), [art. 14](#) and [1973/960](#), art. 16
- F14** Words repealed by [Post Office Act 1969 \(c. 48\)](#), [Sch. 11 Pt. II](#)
- F15** Words repealed by [Post Office Act 1961 \(c. 15\)](#), [Sch.](#)
- F16** Words substituted by virtue of [Post Office Act 1969 \(c. 48\)](#), [Sch. 4 para. 2\(21\)](#)
- F17** Words inserted by [Post Office Act 1969 \(c. 48\)](#), [Sch. 4 para. 2\(22\)](#)
- F18** Definitions repealed by [Road Traffic Act 1960 \(c. 16\)](#), [Sch. 18](#) and [Post Office Act 1969 \(c. 48\)](#), [Sch. 11 Pt. II](#)
- F19** Words repealed by [Post Office Act 1969 \(c. 48\)](#), [Sch. 8 Pt. I](#)
- F20** Definition “telegraph post” repealed by [British Telecommunications Act 1981 \(c. 38, SIF 96\)](#), [Sch. 6 Pt. II](#)

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- F21** Definition substituted (except in relation to England and Wales and Northern Ireland) by [Theft Act 1968 \(c. 60\), Sch. 2 Pt. I para. 12](#); definition of “valuable security” repealed by (E.W.) [Theft Act 1968 \(c. 60\), Sch. 2 Pt. I para. 12](#) and (N.I.) [Theft Act \(Northern Ireland\) 1969 \(c. 16\), Sch. 3. Pt. II](#)
- F22** [S. 87\(1A\)](#) inserted by [Road Traffic Act 1960 \(c. 16\), Sch. 17](#)
- F23** [S. 87\(2\)\(c\)](#) substituted by [British Telecommunications Act 1981 \(c. 38, SIF 96\), s. 77](#)

Modifications etc. (not altering text)

- C4** Definition of “the purposes of the Post Office” in [s. 87\(1\)](#) amended by [Post Office Act 1969 \(c. 48\), Sch. 4 para. 2\(23\)](#)
- C5** [S. 87\(1\)](#) amended by [Post Office Act 1969 \(c. 48\), Sch. 4 para. 2\(25\)](#)
- C6** [S. 87\(2\)\(b\)](#) amended by [Post Office Act 1969 \(c. 48\), Sch. 4 para. 2\(24\)](#)

Marginal Citations

- M1** [1969 c. 48.](#)
- M2** [1969 c. 48.](#)
- M3** [1960 c. 16.](#)

88 Application to Northern Ireland—general.

- (1) The following provisions of this section shall have effect for the purposes of the application of this Act to Northern Ireland.
- (2) Except where the context otherwise requires, the following expressions have the following meanings respectively—
- “enactment” includes an enactment of the Parliament of Northern Ireland;
- “public service vehicle” means a public service vehicle within the meaning of the ^{M4}Motor Vehicles and Road Traffic Acts (Northern Ireland) 1926 to 1945, not being a vehicle licensed as a motor hackney carriage pursuant to regulations for the time being in force under Part II of the Motor Vehicles (Traffic and Regulation) Act (Northern Ireland) 1926;
- . . .
^{F24}
- (3) Any reference in this Act to any enactment of the Parliament of the United Kingdom shall be construed as a reference to that enactment as it applies in Northern Ireland.
- (4) [^{F25}Sections 16(1) and 17(2)(a) of the ^{M5}Interpretation Act 1978], shall have effect as if the expressions “Act” and “enactment” therein included enactments of the Parliament of Northern Ireland.
- [^{F26}(5) Any reference in this Act (except in section 29) to the Transport Tribunal shall be construed as a reference to [^{F27}the Department of the Environment for Northern Ireland.]]

Textual Amendments

- F24** Definition of “summary conviction” repealed by [Northern Ireland Act 1962 \(c. 30\), Sch. 4 Pt. IV](#)
- F25** Words substituted by virtue of [Interpretation Act 1978 \(c. 30\), s. 25\(2\)](#)
- F26** [s. 88\(5\)](#) inserted by S.R. & O. (N.I.) 1968/85
- F27** Words substituted by [Northern Ireland Constitution Act 1973 \(c. 36\), Sch. 5, S.I. 1973/2161 \(N.I. 24\)](#), art. 3 and S.R. & O. (N.I.) 1973/504

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Marginal Citations

- M4** 1926 c. 31. (N.I.)
- M5** 1978 c. 30.

89 ^{F28}

Textual Amendments

- F28** S. 89 repealed by [S.I. 1972/1816, art. 8](#)

90 Application to Isle of Man—general.

- (1) This Act except sections thirty-three to forty-five shall extend to the Isle of Man.
- (2) Any offence against this Act which is punishable on summary conviction and any fine under this Act which is recoverable on summary conviction may, in the Isle of Man, be prosecuted or recovered before a court of summary jurisdiction constituted in accordance with the Petty Sessions and Summary Jurisdiction Acts 1927 and 1946, being acts of the legislature of the Isle of Man, or any other Act of that legislature whether passed before or after the commencement of this Act, and at the instance of [^{F29}a person engaged in the business of the Post Office] or of a constable.
- (3) In the application of this Act to the Isle of Man, except where the context otherwise requires, the following expressions have the following meanings respectively—
 - “indictment” means an information;
 - “public service vehicle” means a motor vehicle licensed as a road service vehicle, stage coach or hackney carriage, not being a vehicle adapted to carry less than eight passengers which carries those passengers otherwise than at separate fares.
- (4) Any Act of the legislature of the Isle of Man punishing offences committed in relation to post letters or post letter bags shall have effect as if a parcel were a post letter and any receptacle containing a parcel were a post letter bag.
- (5) For the purposes of sections fifty-two to fifty-eight of this Act, section thirty-six of the Petty Sessions and Summary Jurisdiction Act 1927 (being an Act of the legislature of the Isle of Man) (which relates to the summary trial of indictable offences), and any other enactment of that legislature, whether passed before or after the commencement of this Act, amending the said section thirty-six, shall have effect as if offences under the said sections of this Act were included in the Third Schedule to the said Act of 1927.

Textual Amendments

- F29** Words substituted by virtue of [Post Office Act 1969 \(c. 48\), Sch. 4 para. 2\(1\)](#)

91 Repeals and savings.

(1) ^{F30}

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- (2) Any letters patent granted, warrant, arrangement or appointment made, direction, decision or undertaking given, post established, registration effected, notice served, sanction obtained or other thing done under any enactment repealed by this Act or by the ^{M6}Post Office Act 1908, shall, if in force at the commencement of this Act, continue in force and have effect as if granted, made, given, established, effected, served, obtained or done under the corresponding provision of this Act.
- (3) Where a period of time specified in any enactment repealed by this Act is current at the commencement of this Act, this Act shall have effect as if the corresponding provision thereof had been in force when that period began to run.
- (4) Save as expressly provided by this Act, any reference in any enactment, warrant or other document whatsoever to the Post Office Acts, or any of them, or to the Post Office laws, or to any enactment repealed by this Act, shall unless the contrary intention appears be construed as a reference to this Act or to the corresponding provision of this Act, as the case may require.
- (5) Nothing in this section shall affect any Act of the legislature of the Isle of Man in force at the commencement of the ^{M7}Post Office Act 1908.
- (6) Nothing in the foregoing provisions of this section shall be taken as prejudicing the operation of [^{F31}sections 16(1) and 17(2)(a) of the ^{M8}Interpretation Act 1978] (which relates to the effect of repeals).

Textual Amendments

F30 S. 91(1) repealed by Statute Law (Repeals) Act 1974 (c. 22) Sch. Pt. XI

F31 Words substituted by virtue of Interpretation Act 1978 (c. 30), s. 25(2)

Marginal Citations

M6 1908 c. 48.

M7 1908 c. 48.

M8 1978 c. 30.

92 Short title.

- (1) This Act may be cited as the Post Office Act 1953.
- (2) This Act shall come into force one month after the passing thereof.

Status:

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