

New Zealand.



ANALYSIS.

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| <p>Title.</p> <ol style="list-style-type: none"> 1. Short Title. 2. Interpretation. 3. Parcels may be sent by post. 4. Postmaster-General may enter into contracts for purposes of Act. 5. Moneys to be expended must be appropriated. 6. Obligations imposed on railway authorities to carry parcels. | <ol style="list-style-type: none"> 7. Power to enter into contracts. 8. Not to carry dangerous goods. 9. Application of sections 34 to 41 of Post Office Act, 1881, to vessels. 10. Application of Post Office Acts. 11. Power to make general regulations 12. Power to levy postage rates for packets. |
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1886, No. 14.

AN Act to amend "The Post Office Act, 1881," by providing for the Carriage of Parcels by Post, and for other Purposes. Title.

[30th July, 1886.]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. The Short Title of this Act is "The Post Office Act 1881 Amendment Act, 1886." Short Title.

2. In this Act, if not inconsistent with the context,—

"Parcel" means any package or parcel which may be or be intended to be conveyed by means of the Post Office under this Act and any regulations made thereunder, and posted within any place in New Zealand, and addressed to some other place therein: Interpretation.

"Railway authority" means any company, association, or person or persons who work, own, or manage any railway or tramway for the public conveyance of passengers and goods, or passengers only or goods only, and includes any railway belonging to or worked or managed by or on behalf of Her Majesty the Queen.

3. Any person shall be entitled to send by means of the Post Office any parcel of the kinds hereinbefore mentioned, for delivery to the person to whom the same shall be addressed: Parcels may be sent by post.

Provided that all parcels so sent or addressed shall be subject to the provisions of this Act and any regulations made thereunder, and shall also be subject to the terms or conditions of any contract or arrangement that may be made by the Postmaster-General under the powers hereinafter contained.

Postmaster-General may enter into contracts for purposes of Act.

4. The Postmaster-General may from time to time exercise the following powers, or any of them, for the purpose of giving effect to this Act:—

- (1.) May enter into any contract with any railway authority, or with the owner or master of any vessel, or with any other person or persons for the conveyance and delivery, or for the conveyance only, of all or any parcels;
- (2.) May agree to pay or allow such sums or remuneration as the Governor in Council thinks fair and reasonable for any such service;
- (3.) May, with or without any contract as aforesaid, require the master of any vessel to convey any parcel from any place in New Zealand to any other part thereof in like manner as he may now be required to carry mails; and in like manner may require any person who has entered into a contract with the Postmaster-General for the carriage of mails to carry parcels under this Act; and in either of such cases the Governor in Council may from time to time fix and prescribe what sum or sums of money shall be paid in respect of such service, and such sum or sums may be so fixed generally, or in respect of any particular service;
- (4.) May, in any contract, insert such other conditions and terms as may be thought fit and necessary to secure the performance of the services provided for;
- (5.) May employ all such officers, clerks, and servants as may be necessary to carry out this Act;
- (6.) May sue or be sued under or in respect of any such contract: Provided that, upon any Postmaster-General ceasing to hold his office, all benefit and advantage of any such contract, and all liability in respect thereof, shall vest in his successor in office, as the case requires, without any transfer or assignment whatever; and no such Postmaster-General shall be personally liable in respect of any such contract.

Moneys to be expended must be appropriated.

5. All moneys to be paid or expended by or on behalf of the Postmaster-General under this Act, whether for the performance of any contract, the salary or remuneration of officers, clerks, or servants, or otherwise for the purpose of carrying out this Act, shall be paid out of funds appropriated for that purpose from time to time by the General Assembly.

Obligations imposed on railway authorities to carry parcels.

6. Until the making of any contract with any railway authority under this Act, every such authority shall be bound to render and perform for the Postmaster-General the services hereinafter set forth, and upon such other terms and conditions, and for such rate of remuneration, as may be fixed by the Governor in Council from time to time; and accordingly every railway authority carrying on its operations in the colony shall from time to time, and as occasion requires,—

- (1.) Convey, by any train by which passengers, goods, or parcels are conveyed, all such parcels as may be tendered for conveyance by such train, whether such parcels be under the charge of a person appointed by the Postmaster-General

or not, and notwithstanding that no notice has been given to the company with respect to the conveyance of such parcels ;

- (2.) Afford all reasonable facilities for the receipt and delivery of the sacks, hampers, boxes, or other receptacles containing the parcels at any of their stations, without interposing any delay, and shall perform the service of transferring such sacks, hampers, boxes, or other receptacles to and from the vehicles of the Postmaster-General at the outwards and inwards railway stations ;
- (3.) Accept as remuneration for the services so rendered such rate or scale of payment as may be fixed and determined by the Governor in Council ;
- (4.) Convey free of charge, but in a manner so as not to interfere with the custody of the parcels, any officer or servant of the Postmaster-General appointed to take charge of the parcels during their conveyance by railway ;
- (5.) The Governor in Council may from time to time make regulations prescribing the respective duties to be performed by the officers or servants of the Postmaster-General, and of any railway authority in respect of the receipt or delivery of parcels under this Act.

7. Every railway authority shall have full power to enter into any contract for the purposes of this Act which shall be sufficient authority for that purpose, notwithstanding that such contract may be beyond the scope of or not included within the objects or purposes of any such railway authority ; and any such contract shall be made and executed, and may be varied or altered, in like manner as any other contract of such authority may by law be made, executed, varied, or altered.

Power to enter into contracts.

In respect of any railways belonging to Her Majesty the Queen, the Minister for Public Works shall, on behalf of the Queen, have full power to enter into, vary, or alter any such contract as hereinbefore mentioned.

8. No railway authority shall be required to carry, under this Act or any contract made in pursuance thereof, any explosive or dangerous article, or any other article or parcel which, independently of this Act, such authority might refuse to carry, or which, under the by-laws of such authority, it may be prohibited from carrying.

Not to carry dangerous goods.

9. Subject to the terms of any such contract, and except so far as such contract shall expressly provide, or in case there shall be no contract under this Act, then all and singular the provisions of sections thirty-four to forty-one, both inclusive, of "The Post Office Act, 1881," shall extend and apply to every vessel, and the master or other persons affected thereby, in respect of the conveyance of parcels under this Act, as effectually as if such parcels were mails carried or conveyed, or liable to be carried or conveyed, under the provisions of the said Act.

Application of sections 34 to 41 of Post Office Act, 1881, to vessels.

10. This Act shall be read as part of "The Post Office Act, 1881," and the said Act and any Act hereafter passed amending the same, shall, subject to the special provisions of this Act, apply to parcels

Application of Post Office Acts.

within the meaning of this Act in like manner as such Act or Acts apply to other postal packets.

Power to make
general regulations.

11. The Governor in Council may from time to time make, alter, and revoke regulations for the following purposes or any of them :—

Prescribing what parcels may be carried or conveyed by means of the Post Office under this Act, and the weight, contents, mode of packing, receipt, and despatch of such parcels :

Prescribing what kinds of parcels may not be carried or conveyed under this Act, and providing for the sale or other disposal or destruction of any parcel which may be prohibited from being carried or conveyed under this Act :

Prescribing the rates to be paid for the carriage or conveyance of parcels, but so that all such rates shall be prepaid in postage stamps :

Providing for the forfeiture and sale, or for the forfeiture and destruction, of undelivered or unclaimed parcels, and the mode and terms upon which the same shall respectively be carried into effect :

Limiting the liability to be incurred by the Postmaster-General or any officer or servant of the Post Office in respect of all or any such parcels, or providing that the Postmaster-General or such officers or servants as aforesaid shall be so liable, upon payment by the sender of any parcel of such additional or further rates of postage as may be prescribed ; and generally all such regulations as may be necessary to give full effect to this Act.

Power to levy
postage rates for
packets.

12. Notwithstanding anything contained in "The Post Office Act, 1881," the Governor in Council may from time to time make and levy rates for the postage of all or any packets that, under the said Act or any regulations made thereunder, may be sent by post ; and such rates may be varied or altered as occasion requires.