

1957/237

THE POSTAL AMENDING REGULATIONS 1957

COBHAM, Governor-General
ORDER IN COUNCIL

At the Government House at Wellington this 30th day of October 1957

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Post and Telegraph Act 1928, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. These regulations may be cited as the Postal Amending Regulations 1957.

2. In the event of the loss of a registered article posted in New Zealand, the Postmaster-General shall pay out of the Post Office Account a sum not exceeding seven pounds, under the following conditions:

- (a) Particulars sufficient to identify the document shall be supplied to the Postmaster-General in the case of the loss of any bill of exchange, bond, coupon, or other order or authority for the prepayment of money, or security for money, enclosed in the letter:
- (b) The compensation payable in respect of loss shall not in the case of any registered article exceed the sum of seven pounds, whatever the value of the contents may be, and shall in no case exceed the value of the contents:
- (c) In every case the Postmaster-General shall be satisfied that the loss did not arise wholly or in part by the fault of the sender, and that it occurred while the registered article was in the post.

3. Evidence of the loss of a registered article shall be given to the Postmaster-General by a statutory declaration made by or on behalf of the claimant, setting forth—

- (a) The date when, and the place where, the article was posted, so far as the same can be reasonably ascertained;
- (b) A description of the contents and value of the article, so far as known to the claimant;
- (c) Any other particulars required by these regulations, or tending to establish the facts of the loss and verify the claim made:

Provided that the Postmaster-General may require any further evidence to satisfy himself as to any such alleged loss or value; or, where he deems the loss proved by other means, may dispense with the whole or any of the requirements of this regulation.

4. The Postmaster-General may in every case, if he thinks fit, reinstate the article lost instead of giving pecuniary compensation.

5. Where compensation is given, the Postmaster-General reserves the right to retain and dispose as he thinks fit of the article or its contents, if it should subsequently come into his hands.

6. Without prejudice to any of the foregoing provisions of these regulations, the Postmaster-General may, if he thinks fit, refuse to give compensation for loss on any ground on which a common carrier might in like case claim exemption from legal liability. The decision of the Postmaster-General upon all questions of compensation shall be final.

7. No compensation for loss will be given in respect of—

- (a) A registered article containing any item which may not be lawfully sent by post:
- (b) A registered article containing money, unless it is sent by letter post:
- (c) A registered article containing bullion:
- (d) A registered article seized by the Customs.

Insurance of Letters Containing Coin

8. Inland letters containing coin may be insured, but in any such case the coin shall be packed so that it cannot move about:

Provided that the compensation in respect of any such insurance for the loss of coin shall in no case exceed seven pounds.

9. (1) The postal regulations enuring under the Post and Telegraph Act 1928 and published in the *Gazette* of the 18th day of January 1910 at page 149 are hereby amended by revoking clauses 10 to 17 appearing under the heading of "Registered Articles" at pages 180 and 181 of the said *Gazette*.

(2) The postal regulations enuring under the Post and Telegraph Act 1928 and published in the *Gazette* of the 6th day of July 1911 at page 2147 are hereby amended by revoking clause 18 of the Schedule thereto.

(3) The postal regulations made under the Post and Telegraph Act 1928 and published in the *Gazette* of the 19th day of February 1931 at page 377 are hereby amended by revoking clause 9 of the Schedule thereto.

T. J. SHERRARD,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations replace provisions relating to compensation payable in respect of the loss of registered articles. The maximum compensation is raised from £2 to £7.

In addition the maximum amount payable in respect of insurance of letters containing coin is raised from £5 to £7.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 31 October 1957.

These regulations are administered in the Post and Telegraph Department.