

1974/203



## THE POST OFFICE (MONEY ORDER) REGULATIONS 1974

DENIS BLUNDELL, Governor-General

### ORDER IN COUNCIL

At the Government House at Wellington this 29th day of July 1974

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Post Office Act 1959, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

#### ANALYSIS

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#### REGULATIONS

**1. Title and commencement**—(1) These regulations may be cited as the Post Office (Money Order) Regulations 1974.

(2) These regulations shall come into force on the 16th day of August 1974.

**2. Interpretation**—In these regulations, unless the context otherwise requires,—

“Bank” means any trading bank, any private savings bank, any trustee savings bank, the Post Office Savings Bank, and the Reserve Bank of New Zealand:

“Exchange office” means the money order control centre of the appropriate authority in the country concerned:

“Inland”, in relation to a money order, denotes that the order is issued within and is payable only within New Zealand:

“International”, in relation to a money order, means that the order is issued in New Zealand for payment outside New Zealand:

“Letter of advice” means the official notification sent by the issuing office to the office of payment in respect of any money order in respect of which payment is required to be made at a specified office:

“Money order” means a money order issued pursuant to regulation 3 of these regulations:

“Overseas” means any place outside New Zealand:

“Payee” includes any successor of the payee or any person duly authorised in writing by the payee to receive payment on his behalf or any person to whom payment has been transferred in accordance with these regulations:

“Postal money order” means a money order which is forwarded by post to the payee:

“Telegraph money order” means a money order for which the direction to pay is advised to the office of payment by telegraph.

**3. Creation of money orders**—Money orders for the transmission of money by post or by telegraph for payment in New Zealand or overseas shall be in the form the Postmaster-General from time to time determines.

**4. Amounts of money orders**—(1) The Postmaster-General may from time to time, by notice in the *Gazette*, prescribe the minimum and maximum amounts for which an inland postal money order and an inland telegraph money order may be issued:

Provided that the Postmaster-General may, in any particular case and under such circumstances as he thinks fit, reduce the minimum amount or increase the maximum amount.

(2) The minimum and maximum amounts for which an international money order may be issued shall be such amounts as are from time to time determined by arrangement between the Postmaster-General and the appropriate authority of the country of payment.

**5. International money orders**—The amount of an international money order shall be paid by the remitter in New Zealand currency at the rate of exchange current at the time of issue of the money order.

**6. Charges**—(1) Subject to these regulations, commission, telegraph charges, and other charges in respect of money orders shall be the appropriate charges prescribed in the First Schedule to these regulations:

Provided that money orders may, at the discretion of the Postmaster-General, be issued free of all charges.

(2) In addition to the payment of the appropriate charges specified in the said First Schedule, the remitter of a money order payable overseas shall, in the case of money orders which are transmitted through other countries, pay such amount as may be deducted for onward transmission as is specified from time to time in publications issued by the Postmaster-General.

**7. Offices of issue and payment**—(1) Money orders shall be issued and received for payment at such post offices or class or classes of post offices and during such hours of business as the Postmaster-General may from time to time determine.

(2) All money received in respect of the issue of money orders, and all money expended in the payment of money orders shall be accounted for in the Post Office Account.

**8. Issue of money orders**—(1) No officer shall issue a money order unless the amount of the order and the amount of the commission and other charges, if any, have been paid to him.

(2) The applicant for the issue of a money order shall specify such of the following particulars as may be required for the issue of the order:

- (a) The amount in New Zealand currency to be remitted;
- (b) The surname and at least the initial of the forename of the payee, and the remitter;
- (c) The full postal address of the payee, or the remitter, or both;
- (d) In the case of an international money order payable in a country where English is not an official language, the name and full postal address of the payee in the language of the country of payment.

(3) An international money order shall not be issued if the address of the payee is not within the country of payment specified.

(4) A telegraphic code address shall not be accepted as the name of the payee in a money order.

(5) A money order shall be stamped with the proper stamp specifying the name of the post office at which and the actual date on which it is issued.

(6) In the case of a telegraph money order and an international postal money order, the issuing officer shall arrange its transmission to the payee of the order.

(7) Upon receipt of a transmitted telegraph money order at the appropriate telegraph office of delivery an order shall be issued to the payee.

**9. Completion of details by remitter**—Subject to subclause (4) of regulation 13 of these regulations, no refund of the value of an inland postal money order shall be made unless the remitter has inserted in the appropriate place on the money order his name and address and the name of the payee before the money order is posted to the payee.

**10. Alterations not to be made**—Except as provided in these regulations no alteration is to be made to the particulars of a money order.

**11. Crossing of money order**—(1) A money order may be crossed in any manner in which cheques may be crossed for the purposes of the Bills of Exchange Act 1908.

(2) If the applicant for a telegraph money order directs that it shall be crossed, or supplies only the surname of the payee, the issuing officer shall insert the word “crossed” in the space provided on the telegraph form for instructions and a telegraph order with the word “crossed” so inserted shall be deemed to be crossed within the meaning of these regulations.

(3) The Postmaster-General may from time to time direct that all money orders of any class or classes specified by him shall be crossed, and thereafter no money order of such class or classes shall be issued otherwise than crossed.

(4) The holder of an uncrossed money order may at any time cross it.

**12. Period of validity of money orders**—(1) Inland postal and telegraph money orders shall not be valid at the expiration of 6 months after the month of issue.

(2) International postal and telegraph money orders payable in New Zealand shall not be valid at the expiration of 12 months after the month of issue.

**13. Payment of money orders**—(1) In respect of international money orders, the provisions of these regulations are subject to any arrangements from time to time in force made between the Postmaster-General and the appropriate authority of the country in which the money order is payable, and neither the Postmaster-General nor the Government of New Zealand shall be liable for non-payment of any such order.

(2) In respect of money orders issued overseas for payment in New Zealand, these regulations are subject to any arrangements from time to time in force made between the Postmaster-General and the appropriate authority of the country by which the money order was issued.

(3) If a money order presented to an officer for payment has any erasure or alteration, or is cut, defaced, or mutilated, or bears any indication of having been already paid or cancelled, he may refuse payment.

(4) An inland postal money order from which the name of the payee has been omitted shall be paid only when presented through a bank.

(5) Money orders drawn in favour of Government Departments whether crossed or not shall be paid only when presented through a bank.

(6) Subject to this regulation a money order (except a crossed money order) which is presented for payment, otherwise than by a bank, shall be paid to the person presenting it if—

(a) The order is presented before the period of validity has expired;  
and

- (b) In the case of a money order payment of which is subject to instructions contained in a letter of advice, the corresponding advice is held at the office of payment named in the order, the particulars in the advice are in agreement with those in the order and the applicant has stated the name of the remitter to the paying officer; and
- (c) In the case of a telegraph money order, the telegraphed code word or code number is in agreement with the amount shown on the order; and
- (d) The person applying for payment produces such evidence of identity as may be required to satisfy the paying officer that the applicant is the payee named in the order, or is the duly authorised agent of the payee or is a holder for value; and
- (e) The order is endorsed by the payee, or, if required, the receipt on the order is signed by the payee, or by his agent duly authorised in writing, such authority being signed by the payee and verified in such a manner as the paying officer may require.

(7) Notwithstanding anything in subclause (4) of this regulation the amount of an inland postal money order which is presented for payment by the remitter shall be paid to him on production of the counterfoil or on proof of identity.

(8) If an officer has reasonable grounds to believe that a person presenting a money order is not lawfully entitled to it, he may refuse or delay payment until he is satisfied that the person is so entitled.

(9) On making payment in respect of a money order the officer making the payment shall immediately cancel the order by stamping it with the proper stamp of the post office at which the payment is made. Every such stamp shall specify the date of payment and the name of the post office.

(10) Every money order so cancelled shall be kept in the custody of the Post Office for a period of at least 6 years from its date of payment and may then be destroyed by such means as the Postmaster-General may direct.

**14. Payment through banks**—(1) No crossed money order or any other money order required by these regulations to be paid through a bank shall be paid by the Post Office unless presented by a bank.

(2) Subject to subclause (3) of regulation 13 of these regulations a money order, whether crossed or not, which is presented by a bank shall be paid if—

- (a) The order is presented before the period of validity has expired; and
- (b) In the case of a money order payment of which is subject to instructions contained in a letter of advice, the corresponding advice is held at the office of payment named in the order and the particulars in the advice are in agreement with those in the order; and
- (c) In the case of a telegraph money order, the telegraphed code word or code number is in agreement with the amount shown on the order; and
- (d) The order bears the name of the bank stamped on it.

(3) Subject to subclause (2) of this regulation, payment of a money order presented by a bank may be made at any office of the Post Office Savings Bank authorised to pay orders.

**15. Rights of remitter**—A money order shall be deemed to be the property of the remitter until it has been paid and any application in respect of the money order made in accordance with these regulations by the payee shall be deemed to be made by him on behalf of the remitter.

**16. Information relating to money orders**—(1) Upon payment of the prescribed fee the remitter may apply at the time when a money order is issued to obtain official advice of payment:

Provided that in the case of a telegraph money order the remitter shall also pay the telegraph fee for any additional words which may require to be included in the official telegram of advice.

(2) The remitter or the payee of a money order may at any time within 6 years from the date of issue, on making written application supported by the official receipt (or full details in lieu thereof) and upon payment of the prescribed fee, obtain information with respect to the payment of the order.

(3) If the applicant is unable either to give full details of the order or produce the counterfoil receipt and a search of the records is necessary, he shall be required to pay the prescribed fee for the time involved in the search.

(4) Except as provided by these regulations, no person shall be entitled to obtain from an officer any information relating to any matter affecting the issue or payment of money orders:

Provided that nothing in this regulation shall exempt any officer from disclosing in evidence any matters in obedience to the process of any court of law, or from disclosing any matter in compliance with any enactment.

**17. Duplicate money orders**—(1) If an inland money order has been lost, destroyed, or mutilated, the remitter or the payee, upon payment of the prescribed fee, may apply for the issue of a duplicate order.

(2) On proof of such loss or destruction and of the applicant's title to the money order, and, in any case in which he may so require, on receipt of a satisfactory indemnity, the Postmaster-General may issue a duplicate order.

(3) If it appears to the Postmaster-General that the loss or destruction of the original order was due to the fault of the Post Office, no fee shall be payable or, as the case may be, the fee paid by the applicant shall be refunded.

(4) The applicant for a duplicate order may be required to give at least 10 days' notice before such order is issued.

(5) Should an international money order be lost or destroyed, the remitter or payee shall be furnished with such particulars of the order as will enable him to apply for a duplicate order in the country of payment.

**18. Repayment of money orders—**(1) An application for the repayment of the amount of an unpaid money order shall be made in accordance with this regulation:

Provided that in the case of an inland postal money order the remitter of the order may obtain repayment of it under subclause (7) of regulation 13 of these regulations.

(2) In the case of an inland telegraph money order the following conditions for repayment shall apply:

- (a) If the order has not been telegraphed and is still at the accepting office, the remitter, on surrender of the counterfoil, may be repaid the amount of the order forthwith and the telegraph charges may also be refunded to him.
- (b) If the order has been telegraphed to the office of payment named in the order, the remitter may apply in writing to the Postmaster at that office for repayment and shall pre-pay the cost of any telegram required to intercept payment or ascertain non-payment of the order.
- (c) On receipt of the application for the repayment of the order, the Postmaster at the office of payment shall issue a postal money order or a telegraph money order, as the case may require, in favour of the remitter for the amount of the original order less the appropriate commission for the new order:

Provided that if repayment is made by telegraph money order, the appropriate telegraph charge shall also be deducted from the amount of the original order.

(3) In the case of an international money order the following conditions for repayment shall apply:

- (a) If the order is still at the issuing office, or has not been telegraphed, as the case may be, the remitter, on surrender of the counterfoil, may be repaid the amount of the order and the telegraph charges:
- (b) If the order has been released from the issuing office, an application in writing for repayment shall be accepted subject to any arrangements from time to time in force made between the Postmaster-General and the appropriate authority in the country of payment.

**19. Transfer of payment—**(1) The payment of a money order under instructions contained in a letter of advice may be transferred in accordance with this regulation.

(2) The remitter or the payee of an unpaid money order may, by application in writing to the Postmaster at the office of payment, request that a new order be issued providing for the transfer of the unpaid order to another office for payment either to the original payee or to any other person.

(3) The application shall state full particulars of, and shall be accompanied by, the unpaid order.

(4) The application may be made by telegraph in which case the applicant shall prepay the cost of the telegram.

(5) Notwithstanding subclause (3) of this regulation, an application for transfer of payment of a telegraph money order may be accepted from any person expecting to receive such an order if the identity of the applicant is established and particulars of the expected order are supplied.

(6) A general instruction to re-address ordinary telegrams or letters shall not apply to telegraph money orders.

(7) If the unpaid money order is crossed, the new order issued in lieu thereof shall also be crossed.

(8) The appropriate commission as for a new order shall be payable and, if the new order is to be telegraphed, the appropriate telegraph charges shall also be payable.

(9) An application for the transfer of payment of a money order issued for payment overseas shall be accepted subject to any arrangements from time to time in force made between the Postmaster-General and the appropriate authority in the country of payment.

**20. Renewal of money orders**—A money order which remains unpaid after the period of validity has expired may be renewed on the written application of the remitter or the payee, and on payment of the appropriate charges, if any, as for a new order.

**21. Revocations**—The regulations specified in the Second Schedule to these regulations are hereby revoked.

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## SCHEDULES

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### FIRST SCHEDULE

#### CHARGES

1. Commission charges for money orders (Reg. 6)—The following commission charges shall be payable:

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| (a) Inland   | 15 cents for any amount not exceeding \$20 and an additional 5 cents for each additional \$20 or fraction thereof. |
| (b) To Niue, Cook Islands, and Western Samoa   | Inland rates apply.  |
| (c) To Australia, Fiji, Norfolk Island, Tonga, and countries advised through Australia | 6 cents for each \$4 or fraction thereof with a minimum charge of 18 cents.  |
| (d) To all other countries   | 6 cents for each \$2 or fraction thereof with a minimum charge of 18 cents.  |



2. Telegraph charges for telegraph money orders (Reg. 6)—The following telegraph charges in addition to the appropriate commission charge shall be payable:

(a) Inland	40 cents if sent at ordinary rates and 65 cents if sent urgent, together with 3 cents for each word included in any private message added to the official telegram.
(b) To Niue, Cook Islands, and Western Samoa	As fixed from time to time by the Postmaster-General in respect of the official telegram and any private message included.
(c) To Australia	At current ordinary or letter-telegram rates for the official telegram and for any private message included, plus a delivery fee of 5 cents.
(d) To Fiji and Norfolk Island	At current ordinary rates for the official telegram and for any private message included plus, in the case of Norfolk Island, a delivery fee of 5 cents.
(e) To the United Kingdom and to the Irish Republic	At current ordinary or letter-telegram rates for the official telegram and any private message included, plus a delivery fee of 10 cents.
(f) To other countries	No service; except to certain countries and places through London. Orders may be telegraphed at current ordinary or letter-telegram rates plus 10 cents to London for onward transmission by post but private messages and pre-payment for a telegraph reply are not permitted.

3. Information relating to money orders (Reg. 16)—(1) A fee of 10 cents shall be payable in respect of each application made at the time of the issue of a money order to receive official advice of its payment.

(2) A fee of 10 cents shall be payable in respect of each application made to obtain information in respect of the payment of a money order, if full details of the order are supplied by the applicant.

(3) If the applicant for information relating to the payment of an order is unable to supply full details and a search of the records is necessary, a search fee of 80 cents for each 30 minutes, or part thereof spent in searching the records shall be payable.

4. Duplicate money orders (Reg. 17)—A fee of 10 cents shall be payable in respect of each application made for the issue of a duplicate order.

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## SECOND SCHEDULE

Reg. 21

## REGULATIONS REVOKED

Title of Regulation	Serial Number
The Money Order Regulations 1949 .....	1949/28
The Money Order Regulations 1949, Amendment No. 2 .....	1952/245
The Money Order Regulations 1949, Amendment No. 4 .....	1967/54
The Money Order Regulations 1949, Amendment No. 5 .....	1967/154
The Money Order Regulations 1949, Amendment No. 6 .....	1971/14
The Money Order Regulations 1949, Amendment No. 7 .....	1971/121
The Money Order Regulations 1949, Amendment No. 8 .....	1971/193

P. G. MILLEN,  
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 revise the Money Order Regulations 1949 to provide an improved basis for the issue and payment of inland postal money orders.

The basis for operation of the telegraph and overseas money order services is not changed but opportunity has been taken to consolidate the various regulations for these services.

The principal changes effected by these regulations arise from the introduction of a new cheque-style inland postal money order with effect from 16 August 1974, and provide for—

- (a) Simplified procedures for the issue of money orders:
- (b) The remitter to enter his name and address and the name of the payee on the order before posting it to the payee:
- (c) The crossing of money orders to be in line with the crossing of cheques:
- (d) The payment of uncrossed money orders at any post office:
- (e) Simplified procedures for the payment of money orders through banks:
- (f) The disclosure of information concerning money orders in obedience to the due process of law.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 1 August 1974.

These regulations are administered in the Post Office.