



Post Office Act 1908

1908 CHAPTER 48 8 Edw 7

POSTMASTER-GENERAL AND OFFICERS

34 General powers and rights of Postmaster-General

- (1) The Postmaster-General may establish posts and post offices as he thinks expedient, and may collect, receive, forward, convey, and deliver in such manner as he thinks expedient, all postal packets transmitted within or to or from the British Islands or any British possession, subject nevertheless to the provisions contained in this Act.
- (2) Subject to the provisions contained in this Act with respect to British possessions, the Postmaster-General shall, wheresoever within His Majesty's dominions posts or post communications are for the time being established, have the exclusive privilege of conveying from one place to another all letters, except in the following cases, and shall also have the exclusive privilege of performing all the incidental services of receiving, collecting, sending, despatching, and delivering all letters, except in the following cases (that is to say) :—
 - (a) Letters sent by a private friend in his way, journey, or travel, so as those letters be delivered by that friend to the person to whom they are directed :
 - (b) Letters sent by a messenger on purpose, concerning the private affairs of the sender or receiver thereof:
 - (c) Commissions or returns thereof, and affidavits and writs, process or proceedings, or returns thereof, issuing out of a court of justice :
 - (d) Letters sent out of the British Islands by a private vessel (not being a vessel carrying postal packets under contract) :
 - (e) Letters of merchants, owners of vessels of merchandise, or the cargo or loading therein, sent by those vessels of merchandise or by any person employed by those owners for the carriage of those letters, according to their respective directions, and delivered to the respective persons to whom they are directed, without paying or receiving hire or reward, advantage, or profit for the same in anywise :
 - (f) Letters concerning goods or merchandise sent by common known carriers, to be delivered with the goods which those letters concern, without hire or reward or other profit or advantage for receiving or delivering those letters :

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

But nothing herein contained shall authorise any person to make a collection of those excepted letters for the purpose of sending them, in the manner hereby authorised.

- (3) Subject as aforesaid, the following persons are expressly forbidden to carry a letter, or to receive or collect or deliver a letter, although they do not receive hire or reward for it (that is to say) :—
- (i) Common known carriers, their servants or agents, except a letter concerning goods in their carts or waggons or on their pack horses, and owners, drivers, or guards of stage coaches :
 - (ii) Owners, masters, or commanders of ships, vessels, or steam boats, sailing or passing coastwise or otherwise between ports or places within the British Islands, or between, to, or from any ports within His Majesty's dominions out of the British Islands, or their servants or agents, except in respect of letters of merchants, owners of ships, or goods on board :
 - (iii) Passengers or other persons on board any such ship, vessel, or steam boat:
 - (iv) The owners of, or sailors, watermen, or others on board, a ship, vessel, steam boat, or other boat or barge passing or repassing on a river or navigable canal within His Majesty's dominions.
- (4) If any person not authorised by or in pursuance of this Act does any of the following things, namely, sends or causes to be sent, or tenders or delivers in order to be sent, or conveys, or performs any service incidental to conveying, otherwise than by post, any letter not excepted from the exclusive privilege of the Postmaster-General, or makes a collection of those excepted letters for the purpose of conveying or sending them either by post or otherwise, he shall be liable on summary conviction to a fine not exceeding five pounds for every letter.
- (5) If any person is in the practice of doing any of the said things, he shall forfeit for every week during which the practice is continued one hundred pounds.
- (6) The expression “post ” shall in this section include all post communications by land or by water (except by outward-bound vessels not being employed by or under the Post Office or the Admiralty to carry postal packets) ; and the above fines and forfeitures shall be incurred whether the letter is sent singly or with anything else, or the incidental service is performed in respect to a letter either sent or to be sent singly or together with some other letter or thing ; and in any proceeding for the recovery of any such fine and forfeiture it shall lie upon the person proceeded against to prove that the act in respect of which the fine or forfeiture is alleged to have been incurred was done in conformity with this Act.
- (7) For the purposes of this section the expression “letter ” shall include packet.