



POST OFFICE (AMENDMENT) BILL, 1951.

EXPLANATORY MEMORANDUM.

(1) The Post Office Act, 1908, as amended by the Post Office and Telegraph Act, 1920, prescribes that the maximum postage which may be charged on a registered newspaper which circulates by post within Ireland or between Ireland and Great Britain is 1d. in respect of the first 6 oz. and $\frac{1}{2}$ d. in respect of each additional 6 oz. The Act also limits to 3d. the postage which may be charged on a newspaper posted to a country (other than Great Britain) outside the State. Sections 2 and 3 of the proposed Bill provide for the removal of these limitations, thus permitting postage rates on newspapers to be fixed by Warrant (laid before both Houses of the Oireachtas) which is the procedure followed in the case of postage rates for all other classes of postal packets. Section 2 also provides that the maximum postage limit for newspapers circulating by post within Ireland or between Ireland and Great Britain shall cease to have effect from the 1st July, 1948, in order to provide for the increased newspaper rate fixed by the Inland Post Amendment (No. 2) Warrant, 1948, (Statutory Instrument No. 224 of 1948).

(2) Section 4 of the Bill provides for the extension of the existing special postage rates for literature for the blind to any article specially adapted for the use of the blind, e.g. sound recordings, plates for embossing blind literature, etc.

(3) Section 24 of the Post Office Act, 1908, provides that postal orders are to be issued in a special form and that this form must be prescribed by Post Office Regulations. It is not considered that Regulations should be necessary for this purpose and section 5 (1) of the Bill is designed to permit the Minister for Posts and Telegraphs, with the consent of the Minister for Finance, to prescribe the form in which postal orders may be issued. The 1908 Act also limits to 21/- the maximum amount for which a postal order may be issued and to 2d. the poundage that may be charged. In view of the decreased value of money, it is desirable to remove these limitations. Subsection (2) of section 5 of the Bill accordingly provides that the Minister for Posts and Telegraphs, with the consent of the Minister for Finance, may by Post Office Regulations issue Postal Orders for amounts in excess of 21/-, if necessary, and charge poundage in excess of 2d.

(4) Subsection (2) of section 2 of the Post Office Act, 1908, provides that a letter or packet on which postage has not been prepaid or has been insufficiently prepaid shall be charged with double the amount of the deficient postage. Section 6 of the proposed Bill is designed to amend this to enable the Department to introduce a Business Reply Service for which a demand exists among the business community. This service would enable firms to send an unstamped card, envelope, folder or label of a special pattern with their advertising matter to be returned through the post unstamped to the originating firms who would be responsible for the normal postage plus an additional fee on the returned items.

(5) Section 7 of the Bill makes provision for the treatment by the Post Office and Customs Authorities of "Green Label" letter packets in the Foreign post in the same manner as Foreign parcels. "Green Label" packets are letter packets which bear

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an indication that they contain merchandise and an authorisation by the sender that they may be opened officially. It is necessary to regularise the arrangements in force for opening these packets and for the assessment of duty thereon.

(6) The sections of the Post Office Act, 1908, referred to in Section 8 of the proposed Bill deal with the duties and responsibilities of masters of ships in regard to mails and postal packets. It is necessary that these duties and responsibilities should apply also to pilots or persons in charge of aircraft and section 8 of the Bill provides accordingly. It is also proposed in this section to abolish the formal declaration of compliance with the Post Office Act, 1908, which masters of ships are required to complete before breaking cargo. This formal declaration has been found to be unnecessary in practice.

(7) To qualify for the newspaper rate of postage, newspapers must, in accordance with sections 20 and 21 of the Post Office Act, 1908, comply with certain conditions including registration with the Post Office. Section 9 of the Bill provides for the adaptation of these Sections to permit registration of newspapers at the G. P. O., Dublin, and their transmission by post at the newspaper rate of postage.

(8) The Minister for Posts and Telegraphs is advised that existing Post Office legislation inadequately authorises the Cash-on-Delivery Parcel service. Section 10 of the Bill is therefore designed to give the Minister power to conduct the service in accordance with Post Office Regulations.

(9) The power to fix fees for telephone calls is derived from section 2 of the Telegraph Act, 1885, which requires that the fees be fixed by Regulation. The fees for calls to places outside the State, other than Great Britain and the Six Counties, have not been so fixed. These rates are, however, subject to frequent alterations and additions and it is undesirable that the Department should be required to issue a Regulation each time one of them is changed. It is proposed, therefore, to provide under Section 11 of the Bill that foreign telephone rates shall be such as may be determined by the Minister for Posts and Telegraphs, with the consent of the Minister for Finance, and that notice of the rates shall be published in the *Iris Oifigiúil* at least fourteen days before they come into operation.

(10) Section 66 of the Post Office Act, 1908, prohibits the use of certain words, letters or marks associated with the postal and telegraph service without the authority of the Minister. The section has been construed as having no application to vehicles or articles generally on which Post Office insignia might be used and section 12 of the Bill is designed to remedy this.

(11) It is proposed in section 13 of the Bill to empower the Minister for Posts and Telegraphs to prosecute any person who sends by telephone any message of an offensive, obscene or menacing character, or messages which he knows to be false, etc. At present the Minister is only empowered under the Telephone Regulations, 1942, to refuse telephone service to such offenders.

(12) Section 64 of the Post Office Act, 1908, prohibits unauthorised imitations of Post Office stamps, envelopes, etc., or marks which might lead to the belief that a postal packet bearing them is sent on the service of the State. The section needs to be adapted in order that it may have full force and effect in the State, and section 14 of the Bill provides accordingly.

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