

TRINIDAD AND TOBAGO.

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No. 23—1938.

I ASSENT,

[L.S.]

J. HUGGINS,
Governor's Deputy.
22nd November, 1938.

1st January, 1939.

AN ORDINANCE relating to the Post Office.

BE it enacted by the Governor of Trinidad and Tobago with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Post Office Short title. Ordinance, 1938, and shall come into force on the 1st day of January, 1939.

2. In this Ordinance—

“Cash on delivery service” means a service Interpreta-
tion. whereby the Postmaster-General or other postal administration undertakes at the request of the sender thereof to collect, or secure the collection of, a sum of money on his behalf from the addressee of the packet as a condition of delivery; and “Cash on delivery packet” means a postal packet to which a Cash on delivery service applies.

“Foreign”, when used in relation to any postal packet or any description thereof, means either posted in the Colony and sent to a place out of the Colony, or posted in a place out of the Colony and sent to a place in the Colony, or in transit through the Colony to a place out of the Colony.

- “ Inland ” when used in relation to any postal packet or any description thereof, means posted within the Colony and addressed to some place in the Colony, and where used in relation to postage means the postage charged on the packet ;
- “ Mail ” includes every conveyance by which postal packets are carried, whether it be a vehicle, a horse, or any other conveyance, and also a person employed in conveying or delivering postal packets, and also any vessel or aircraft employed by or under the authority of the Postmaster-General for the transmission of postal packets by contract or otherwise in respect of postal packets transmitted by the vessel or aircraft ;
- “ Mail bag ” includes a bag, box, parcel, or any other envelope or covering in which postal packets in course of transmission by post are conveyed, whether it does or does not contain any such packets ;
- “ Master of a vessel ” includes every person (except a pilot) having command or charge of a vessel, whether the vessel is a ship of war or other vessel ;
- “ Officer of the Post Office ” includes the Postmaster-General, and any person employed in any business of the Post Office, whether employed by the Postmaster-General or by any person under him or on behalf of the Post Office.
- “ Postage ” means the sum chargeable for the transmission of postal packets ;
- “ Postal packet ” means a letter, post card, reply post card, newspaper, book packet, pattern or sample packet, or parcel, and every packet, parcel, or article transmissible by post ;

- “Post Office” includes any house, building, room, vehicle, or place used for the purpose of the Post Office ;
- “Post Office letter box” includes any pillar box, wall box, or other box or receptacle provided by the permission or under the authority of the Postmaster-General for the purpose of receiving postal packets, or any of them, for transmission by or under the authority of the Postmaster-General ;
- “Purpose of the Post Office” means any purpose of this Ordinance, and includes any purpose relating to or in connection with the execution of the duties for the time being undertaken by the Postmaster-General or any of his officers ;
- “Valuable security” has the same meaning as in the Larceny Ordinance, and includes anything which ^{Cap. 9.} is a valuable security within the meaning of that Ordinance, and any part of such thing.

3. For the purposes of this Ordinance—

- (a) a postal packet shall be deemed to be in course of transmission by post from the time of its being delivered to a post office to the time of its being delivered to the person to whom it is addressed ; and ^{Meaning of “in course of transmission by post” and “delivery to or from a post office.”}
- (b) the delivery of a postal packet of any description to a letter carrier or other person authorised to receive postal packets of that description for the post or to an Officer of the Post Office to be dealt with in the course of his duty, shall be a delivery to a post office ; and
- (c) the delivery of a postal packet at the house or office of the person to whom the packet is addressed, or to him or to his servant or agent or other person considered to be authorised to receive the packet, according to the usual manner of delivering that person’s postal packets, shall be a delivery to the person addressed.

Construction
of reference to
Post Office
Ordinances.

4.--(1) Any reference contained in any enactment, regulation, deed, or document referring to the Post Office Ordinances, or any of them, or to the Post Office laws, shall be construed, so far as the context permits, as a reference to this Ordinance, and any fines, penalties, and other sums directed to be recovered under the Post Office Ordinances, or any of them, or the Post Office laws, may be recovered in like manner as fines and forfeitures under this Ordinance may be recovered; and any reference in any enactment to an indictable offence under the Post Office laws shall be construed, so far as the context permits, as a reference to any offence punishable on indictment under this Ordinance, whether it is or is not also punishable on summary conviction.

(2) Where, by reason of any Ordinance being declared a Post Office Ordinance or its provisions to be Post Office laws, any enactment repealed by this Ordinance is applied for any purpose, the corresponding provisions of this Ordinance shall apply in like manner.

(3) A reference in any enactment other than this Ordinance to a post letter shall be construed to refer to a postal packet within the meaning of this Ordinance.

Duties of Postage.

Postal packets
subject to
charge.

5. Subject to the provisions of this Ordinance, there shall be charged by the Postmaster-General for the use of the public funds of the Colony on all postal packets which are conveyed or delivered for conveyance by post under the authority of the Postmaster-General such postage and other sums as may be fixed in manner provided by this Ordinance.

Governor may
fix rate of
postage.

6.—(1) Subject to the provisions of any arrangement with the Government or Postal Administration of any other country, the Governor in Executive Council may, by regulation, fix the rates of postage or other sums to be charged in respect of postal packets conveyed or delivered for conveyance by post under this Ordinance, and regulate the scale of weights and the circumstances according to which such rates and sums are to be charged, and regulate the power of the Postmaster-General, with or without the consent of the Governor, to remit any such rates or sums.

(2) A regulation under this section may fix special rates for postal packets consisting of books and papers impressed for the use of the blind, or paper posted to any person for the purpose of being so impressed or any articles specially adapted for the use of the blind, and may specify any special conditions and regulations in respect of the transmission by post of such packets.

(3) Where an inland letter or packet is not prepaid or is insufficiently prepaid, the postage charged on the letter or packet shall, subject to any regulation of the Governor in Executive Council under this section, be double the amount, if the letter or packet is not prepaid, of the postage otherwise chargeable thereon, and, if it is insufficiently prepaid, of the deficiency.

(4) Regulations under this section may also determine—

(a) what circulars or what commercial, legal, and other similar documents; and,

(b) what marks or indications referring to the contents of a newspaper, when written or printed on the newspaper, or on the cover thereof,

shall not be charged with postage as letters.

(5) Regulations under this section may also make provisions respecting the re-direction of postal packets, and the transmission of postal packets so re-directed, either free of charge or subject to such postage as may be specified in the regulations.

7.—(1) Where the postage or any other sum chargeable on any postal packet is not prepaid by the sender or is insufficiently prepaid, the postage or sum, or the deficiency, as the case may be, shall be paid by the person to whom the postal packet is addressed (in this Ordinance styled the addressee) on the delivery thereof to him; or if the postal packet is refused, or the addressee is dead or cannot be found, by the sender.

Payment of postage by addressee or sender.

(2) Where the postage or any other sum chargeable on a postal packet has not been prepaid or has been insufficiently prepaid by the sender, and the addressee on receiving the packet and paying the postage or other sum, or the deficiency, as the case may be, desires to

Recovery from the sender of postage paid by addressee.

reject it, and to compel the sender thereof to pay the postage or other sum, or the deficiency, as the case may be, the Postmaster-General, on the application of the addressee, and subject to regulations made by the Governor in Executive Council, may charge the postage or other sum, or the deficiency, as the case may be, to the sender, with the additional postage of returning the packet to him, and in every such case the sender of the postal packet shall pay the postage or other sum chargeable on sending the packet, or the deficiency, as the case may be, and also the postage of returning the packet, and on the payment thereof by the sender the amount paid in respect of postage by the addressee shall be repaid to him by the Postmaster-General.

(3) Provided that nothing in this section shall release the addressee from his liability to pay the postage or other sum chargeable on a packet or any deficiency thereon on the delivery thereof to him.

Governor may carry into effect postal arrangements with foreign countries.

8. Where an arrangement binding on the Government of the Colony has been or hereafter shall be made with the Government of any other country or by the Postmaster-General with any other postal administration with respect to the conveyance by post of any postal packet, the Governor in Executive Council may make such regulations as may be deemed necessary for carrying the arrangement into effect, and may make provision as to the charges for the transit of postal packets, single or in bulk, and the scale of weights to be adopted and the accounting for and paying over to any other postal administration of any money received by the Postmaster-General.

Postage on petitions and addresses to the Governor.

9. Petitions and addresses forwarded to the Governor by post shall be exempt from postage.

Letters to or from public offices or departments or public bodies on public business.

10.—(1) All letters transmitted by post from any public office or department, or with the sanction of the Governor by any public body, shall be exempt from postage: Provided always that every such letter shall be on the public business of the office, department, or body from which the same shall be forwarded, and shall be superscribed with the words "On His Majesty's Service"

and shall bear legibly inscribed on the bottom left hand corner of the envelope the designation of the office, department, or body, or the official title of the sender.

(2) The Governor may by notice published in the *Royal Gazette* exempt from postage letters transmitted to any public office or department or public body: Provided always that every such letter shall be on the public business of the office, department or body to which the same shall be addressed, and shall bear legibly inscribed on the bottom left hand corner of the envelope the name and address of the sender.

11. All postage and other sums payable under this Ordinance in respect of postal packets may be recovered by action in the name of the Attorney-General in the manner provided in the Crown Suits Ordinance: Provided that where the amount payable does not exceed one hundred and twenty dollars the amount may be recovered by suit in a Petty Civil Court in the name of the Postmaster-General.

Recovery of postage.

12. In any proceeding for the recovery of postage or other sums in respect of postal packets the person from whom any postal packet in respect of which any such postage or sum is sought to be recovered purports to have come shall, until the contrary is proved, be deemed to be the sender of the packet.

Prima facie evidence as to sender.

13.—(1) The Postmaster-General may grant licences to use postal franking machines in the Colony on such terms and conditions (including the payment of fees) as may be set out in the licence.

Licence to use postal franking machines.

(2) The Postmaster-General may cancel a licence granted under this section if any of the terms and conditions thereof or if any regulation made under this Ordinance in relation to postal franking machines is contravened.

(3) Any person using a postal franking machine without having a licence in force therefor shall be guilty of an offence, and on summary conviction thereof before a magistrate shall be liable to a penalty not exceeding five hundred dollars, and in case of a continuing offence to a further penalty of one hundred dollars for each day during which the offence continues.

Conditions of Transit of Postal Packets.

Regulations
as to Postal
packets.

14.—(1) All postal packets shall be posted, forwarded, conveyed, and delivered subject to such provisions, conditions, prohibitions, and restrictions respecting the time and mode of posting and delivery, and of the payment of postage and other sums in respect thereof chargeable under this Ordinance or any regulations made under this Ordinance, and respecting the registration and insurance of, and giving receipts for, and giving and obtaining certificates of posting and delivery of, any postal packet, and the sums to be paid in addition to any other postage for that registration, insurance, receipt, or certificate, and respecting stamps, covers, form, dimensions, maximum weight, enclosures, the use of packets (other than letters) for making communications, and otherwise, as may be directed by regulations made by the Governor in Executive Council.

(2) Regulations made as aforesaid may—

- (a) provide for the disposal of postal packets in course of transmission by post in cases where the Postmaster-General is satisfied that the addressee of a packet is dead, and
- (b) prescribe the extent to which written matter may be permitted on the covers of postal packets and the character of the written matter to be so permitted.

Cash on
delivery
service.

15.—(1) Any cash on delivery service established by the Postmaster-General shall be conducted in accordance with such provisions as may be contained in any regulations made by the Governor in Executive Council.

(2) The regulations made for the purpose of this section may prescribe the terms on which and the conditions subject to which a cash on delivery packet may be posted, conveyed and delivered and, in particular, may—

- (a) authorise the Postmaster-General to withhold delivery of such a packet until the sums payable in respect thereof have been paid; and
- (b) provide for the remission to the senders of such packets, by means of money orders, of the sums payable to them in respect of the packets.

(3) Where a cash on delivery packet is delivered in the Colony without the sums payable in respect thereof having been paid, the Postmaster-General may by notice in writing require the addressee of the packet within the time specified in the notice either to pay the said sums or to redeliver the packet intact to the Postmaster-General, and, if the addressee fails to comply with the notice, the Postmaster-General shall be entitled to recover the said sums as a debt due to him from the addressee.

16. Nothing contained in or done under or in pursuance of this Ordinance or any regulations made thereunder shall render the Postmaster-General or any of his officers or servants liable, either personally or in their official capacity, to any action or other legal proceeding in respect of or in consequence of any loss or damage to or delay in delivery or the mis-sending of any postal packet without fraud or wilful misbehaviour on the part of any such officer or servant, notwithstanding that such packet shall have been registered or insured.

Postmaster-General not liable for loss or damage.

17. Subject to the provisions of this Ordinance and regulations made thereunder, the insurance of any postal packet shall be deemed to be an insurance against loss, and not against damage due to faulty, insecure or insufficient packing.

Further limitations as to effect of insurance, &c.

18. Where the despatch or delivery from a post office of letters would be delayed by the despatch or delivery therefrom at the same time of parcels, book packets, pattern or sample packets, and post cards, or any of them, those parcels, packets, or cards, or any of them, may, subject and according to Post Office regulations, be detained in the post office until any subsequent despatch or delivery.

Despatch and delivery of book packets, &c.

19. The Governor in Executive Council may make regulations for preventing the sending or delivery by post of indecent or obscene prints, paintings, photographs, lithographs, engravings, photographic or cinematograph films, books or cards, or of other indecent or obscene articles, or of letters, newspapers, supplements, publications, packets, or post cards having thereon, or on the covers thereof, any words, marks, or designs which are grossly offensive, or of an indecent, obscene or libellous character.

Regulations for preventing sending by post indecent articles, &c.

Dealing with postal packets not sent in conformity with Ordinance.

20. If any postal packet is posted or sent by post in contravention of this Ordinance, or of any regulations made thereunder, the transmission thereof may be refused, and the packet may, if necessary, be detained and opened in the Post Office, and shall be either returned to the sender thereof, or forwarded to its destination, in either case charged with such additional postage or without any additional charge, as any regulations made under this Ordinance may direct, or may be destroyed or otherwise disposed of as the Postmaster-General may direct.

Decision as to nature of postal packets.

21. If any question arises whether any postal packet is a letter or any other description of postal packet within the meaning of this Ordinance or any regulation made under this Ordinance, the decision thereon of the Postmaster-General shall be final, save that the Governor may, if he thinks fit, on the application of any person interested, review or modify the decision and order accordingly.

Money Orders and Postal Orders.

Money orders.

22.—(1) The Governor in Executive Council may make such regulations for facilitating the transmitting of money through the Post Office by means of money orders from and to such parts of the Colony and from and to places outside the Colony as the Governor in Executive Council may see fit, and for the regulating of money orders to be granted or issued and the payment thereof, and the persons by or to whom the same shall be paid, and the time at which and the mode in which the same shall be paid.

(2) The Postmaster-General is hereby authorised to demand and receive for the use of His Majesty in respect of such money or money orders such rates of poundage as may be fixed by regulation.

Power to refund amount of money orders.

(3) Subject to the said regulations, the Governor may order the repayment from the Treasury of the amount of any money order to the person to whom the order is issued or to his executors or administrators, whether such money order remains in the possession of that person or not; and upon that repayment all liability on the part of the Postmaster-General or of any officer of the Post Office or the Colonial Revenue in respect of such money order shall, as against the payee of such money order and the holder thereof and every other person whomsoever, absolutely cease.

23.—(1) Subject to the regulations to be made under Postal orders. this section, the Postmaster-General, with the consent of the Governor, may, for the purpose of the transmission of small sums through the Post Office, authorise his officers or any of them to issue postal orders payable within the Colony only.

(2) The Governor in Executive Council may make Regulations. regulations with regard to postal orders—

- (a) fixing the amounts for which such orders may be issued and the poundage payable in respect thereof ;
- (b) specifying the places at which such orders may be issued and paid ;
- (c) providing for the making up of amounts for which orders are not issued by the affixing of postage stamps to such orders ;
- (d) prescribing the form of such orders ; and
- (e) generally, for regulating and controlling the issue and payment of such orders.

24.—(1) It shall be lawful for the Postmaster-General Agreement with Imperial Post Office as to postal orders. to enter into an agreement with His Majesty's Postmaster-General, under which, subject to the conditions set forth in such agreement, British postal orders (that is to say, orders of the same pattern as those used in the Inland service of the United Kingdom) may be issued and paid in the Post Offices of the Colony.

(2) The Governor in Executive Council may make Regulations. regulations as to the issue and payment of postal orders in this section mentioned, and as to the persons by or to whom the same shall be paid, and the time at which and the mode in which the same shall be paid, and the rates of poundage to be demanded and received.

25. No action or other legal proceeding shall be instituted against the Postmaster-General, or against any officer of the Post Office, or any other person whomsoever, in respect of any compliance with the provisions of this Ordinance or of any regulation made thereunder with respect to money orders or postal orders, or for or by reason or in consequence of the payment of any of the said money orders or postal

orders being refused or delayed, or by or on account of any accidental neglect, omission, or mistake by or on the part of any officer of the Post Office, or for any other cause whatsoever, without fraud or wilful misbehaviour on the part of any such officer of the Post Office.

Liability of
bankers in
respect of
postal orders.

26. Any banker or corporation or company acting as bankers in the Colony who, in collecting in that capacity for any principal, shall have received payment or been allowed by the Postmaster-General in account in respect of any postal order, or of any document purporting to be a postal order, shall not incur liability to anyone except that principal by reason of having received the payment or allowance, or having held or presented the order or document for payment ; but this section shall not relieve any principal for whom any such order or document has been so held or presented of any liability in respect of his possession of the order or document or of the proceeds thereof.

Application of
customs enact-
ments to goods
received into
or despatched
from the
Colony in
postal packets

Application of the Customs Laws.

27. Subject to any exceptions and modifications made by regulations under the next following section the provisions of the customs laws shall apply to goods contained in foreign postal packets in like manner, so far as is consistent with the tenor thereof, as they apply to any other goods ; and persons may be punished for offences against the customs laws, and goods may be examined, seized and forfeited, and the officers examining and seizing them shall be protected, and legal proceedings in relation to the matters aforesaid may be taken, accordingly under the customs laws.

Regulations
may be made
for the
purpose
aforesaid.

28.—(1) The Governor in Executive Council may make regulations for the purpose of modifying or excepting the application of any of the customs laws to foreign postal packets, and for the purpose of securing in the case of such packets the observance of the customs laws, and for enabling the Officers of the Post Office to perform, for the purpose of the customs laws and otherwise, all or any of the duties of the importer and exporter, and for carrying into effect any arrangement with the Government or Postal Administration of any other country with reference to such packets, and for punishing any contravention of the customs laws or of the regulations made under this section.

(2) Without prejudice to the generality of the power to make regulations contained in the preceding sub-section, the Governor in Executive Council may by regulations made under the preceding sub-section prescribe what descriptions of postal packets may or may not contain goods or other articles of any description whatsoever and the conditions under which they may contain such goods or articles.

(3) The Postmaster-General shall have the same right of recovering any sum paid in pursuance of the customs laws or otherwise under the said regulations in respect of any foreign postal packet as he would have if the sum so paid were a rate of postage.

(4) A contravention of the regulations made under this section shall be deemed to be a contravention of the customs laws, and shall involve accordingly the like punishment of persons guilty thereof and the like forfeiture of goods.

29. Any officer of the Post Office may detain any incoming foreign postal packet which he suspects of containing goods prohibited to be conveyed in such packet, or of containing any letter, printed matter, document or other article whatsoever, the conveyance of which by post or the importation of which is prohibited or restricted by law, and deliver the packet to the proper officer of Customs and Excise, who may open and examine the packet in the presence of the person to whom the packet is addressed (or of his accredited representative) or in the absence of such person, if, after notice in writing from the officer requiring the attendance of such person left at or forwarded by post to the address on the packet, if any, he or his accredited representative fails to attend; and if the Officer of Customs and Excise finds any goods therein, or any letter, printed matter, document or other article whatsoever being conveyed by post, or imported contrary to any lawful prohibition or restriction, he may detain the packet and deal with it and its contents as goods imported contrary to the customs laws; but if he finds no such goods, letter, printed matter, document or other article, he shall either deliver the packet to the person to whom it is addressed or his accredited representative, upon his paying the postage or other sum, if any, chargeable thereon, or, if he is absent, forward the packet by post to the person to whom it is to be delivered.

Goods
contained
in postal
packet
contrary to
law.

Ship Letters.

Duty of
master of
outward
bound vessel
as to mail
bags.

30.—(1) Every master of a vessel outward bound shall receive on board his vessel every mail bag tendered to him by an officer of the Post Office for conveyance, and, having received any such mail bag, shall deliver it, on arriving at the port or place to which such mail bag is addressed, without delay.

(2) If he fails to comply with this section he shall forfeit one thousand dollars.

Duty of
master of
inward-bound
vessel as
respects
postal packets.

31.—(1) Every master of a vessel inward bound and every pilot or other person in charge of an aircraft inward bound shall collect all postal packets on board his vessel or aircraft being within the exclusive privilege of the Postmaster-General, and not being letters by this Ordinance defined as shipowners' letters, and enclose them in some bag or other covering, sealed with his seal, and addressed to the Postmaster-General, and without delay deliver those packets to the proper officer of the Post Office demanding them, or, if no demand is made by that officer, then at the Post Office with which he can first communicate.

(2) Where there are on board any such vessel or aircraft any postal packets required to be delivered as aforesaid the master of the vessel or the pilot or other person in charge of the aircraft shall, at the port or place where the vessel or aircraft reports, sign, in the presence of the proper officer of the Post Office or other person authorised by the Postmaster-General, a declaration of compliance with this Ordinance (in such form as may be prescribed by the Postmaster-General), and shall not break bulk or make entry of any part of her cargo in any port or place until he has complied with this section. The declaration shall also be signed by the person in whose presence it is made.

(3) If the master of a vessel or the pilot or other person in charge of an aircraft does not duly deliver any postal packets in accordance with this section, he shall forfeit one thousand dollars.

(4) If the master of a vessel or the pilot or other person in charge of an aircraft refuses or wilfully neglects to make the declaration required by this section, he shall forfeit two hundred and fifty dollars.

(5) If the master of a vessel or the pilot or other person in charge of an aircraft breaks bulk or makes entry before the postal packets on board his vessel or aircraft have been delivered in accordance with this section, he shall be liable on summary conviction to a fine not exceeding one hundred dollars.

32.—(1) If a master of a vessel or the pilot or other person in charge of an aircraft—

Penalty for
master of
vessel opening
mail bag.

(a) opens a sealed mail bag with which he is entrusted for conveyance; or

(b) takes out of a mail bag with which he is entrusted for conveyance any postal packet or other thing,

he shall forfeit one thousand dollars.

(2) If any person to whom postal packets have been entrusted by the master of a vessel or the pilot or other person in charge of an aircraft to deliver to the Post Office breaks the seal, or in any manner wilfully opens them, he shall on summary conviction be liable to a fine not exceeding one hundred dollars.

33. An Officer of Customs and Excise shall not allow any inward-bound vessel or aircraft to report until the declaration required by this Ordinance with respect to postal packets has been made and produced to him, and may refuse to permit bulk to be broken on board such a vessel or aircraft or entry to be made of any part of her cargo until the postal packets on board the vessel or aircraft have been delivered as required by this Ordinance, and may search every such vessel or aircraft for postal packets within the exclusive privilege of the Postmaster-General, and may seize the same and forward them to the nearest post office.

Duties of
officers of
Customs and
Excise as to
delivery of
letters by
masters of
vessels.

34.—(1) The following letters (in this Ordinance referred to as shipowners' letters), that is to say letters of the owners, charterers, or consignees of vessels or aircraft

Shipowners'
letters.

inward bound, and of the owners, consignees, or shippers of goods on board those vessels or aircraft, when complying with the conditions hereinafter mentioned, shall—

- (a) if required to be delivered at the port or place of the vessel's or aircraft's arrival, be delivered to the owners, charterers, consignees, or shippers by the master of the vessel or the pilot or other person in charge of the aircraft free of inland postage, and the persons to whom they are to be delivered shall be entitled to the delivery thereof before the delivery of the other letters to the Post Office; and
- (b) if delivered elsewhere in the Colony, be delivered by post on payment of inland postage only.

(2) Provided that—

- (a) The owner, charterer, or consignee shall be described as such on the address and super-
scription; and
- (b) In the case of owners, shippers, or consignees of goods, it shall also appear by the ship's manifest or by the manifest and declaration of the aircraft that they have goods on board the vessel or aircraft.

(3) If any person with intent to evade any postage falsely subscribes a letter as being the owner or charterer or consignee of the vessel or aircraft conveying the letter, or as the owner or the shipper or the consignee of goods shipped on to the vessel or aircraft, he shall for each offence be liable on summary conviction to a fine not exceeding fifty dollars.

Gratuities
to masters
of vessels.

35. The Postmaster-General may with the approval of the Governor provide for the allowance to owners or masters of vessels or owners or persons in charge of aircraft in respect of postal packets, or any description thereof, conveyed by them on behalf of the Post Office, and also to pilots, crew, and others in respect of postal packets, or any description thereof, brought by them to any post office from any vessels or aircraft, of such gratuities under such conditions and restrictions as he may, from time to time, think fit.

36. If any person being either the master of a vessel inward bound or the pilot or other person in charge of an aircraft inward bound or one of the officers or crew of such a vessel or aircraft, or a passenger thereof, knowingly has in his baggage or in his possession or custody any postal packet not exempted from the privilege of the Postmaster-General, after the master of the vessel or the pilot or other person in charge of the aircraft has sent any part of the postal packets on board to the Post Office, he shall for every such packet be liable on summary conviction to a fine not exceeding twenty-five dollars; and, if he detains any such packet after demand made, either by an officer of Customs and Excise or by any person authorised by the Postmaster-General to demand the postal packets on board the vessel or aircraft, he shall for every postal packet be liable on summary conviction to a fine not exceeding fifty dollars.

Retention of
ship letters
after delivery
of letters to
Post Office.

Postmaster-General and Officers.

37.—(1) It shall be lawful for the Governor, with the approval of the Secretary of State, to appoint a Postmaster-General and so many other Postmasters and subordinate officers as shall be necessary for the purposes of this Ordinance.

Appointment
of officers.

(2) Upon and by virtue of the appointment of any person to be Postmaster-General of the Colony of Trinidad and Tobago, the benefit of all contracts, bonds, securities, and things in action, vested in his predecessor at the time of the predecessor ceasing to hold office, shall be transferred to, and vested in, and enure for the benefit of, the person so appointed, in the same manner as if he had been contracted with instead of his predecessor and as if his name had been inserted in all such contracts, bonds, and securities instead of the name of his predecessor.

38. Any act authorised or required to be done by, to, or before the Postmaster-General may be done by, to, or before any Postmaster or other officer appointed by the Postmaster-General to do such act.

Delegation
of powers of
Postmaster-
General.

Execution of
instruments.

39. Any instrument purporting to be executed by any of the Secretaries of the Imperial Post Office in the name of the Postmaster-General for the United Kingdom shall, until the contrary is proved, be deemed to have been so executed without proof of the official character of the person appearing to have executed the same.

Postmaster-
General
may make
contracts.

40. The Postmaster-General, with the approval of the Governor—

- (a) may enter into any contract in writing for the conveyance of mails within the Colony, and he may also employ mail carriers for the conveyance of mails, or forward mails by any other mode of conveyance that he may deem best, and may appoint postmen for the delivery of postal packets at private houses in any town or village of the Colony; and
- (b) may enter into any contract in writing for the conveyance of mails from the Colony to other places.

Governor may
establish
Post Offices.

41.—(1) It shall be lawful for the Governor to establish posts and Post Offices as he thinks expedient.

Exclusive
privilege of
Postmaster-
General

(2) The Postmaster-General shall have the exclusive privilege of conveying from one place to another in the Colony all letters, except in the following cases, and shall also within the Colony 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 of merchants, owners of vessels or aircraft of merchandise, or the cargo or loading therein, sent by those vessels or aircraft 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 ;
- (e) Letters concerning goods or merchandise sent by common known carriers, to be delivered with the goods which such letters concern, without hire or reward or other profit or advantage for receiving or delivering those letters.

(3) 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.

(4) 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) :—

- (a) Common known carriers, their servants or agents, except a letter concerning goods in their vehicles or on their animals, and owners, drivers, or guards of public conveyances ;
- (b) Owners, or pilots or other persons in charge of aircraft, or owners, masters, or commanders of vessels sailing or passing coastwise or otherwise between ports or places within the Colony, or their servants or agents, except in respect of letters of merchants, owners of vessels, aircraft, or goods on board ;
- (c) Passengers or other persons on board any such vessel or aircraft.

Special prohibitions.

Persons prohibited from receiving, collecting, or delivering letters.

Offences,

(5) Any person not authorised by or in pursuance of this Ordinance who 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, shall be liable on summary conviction, to a penalty not exceeding twenty-five dollars for every letter.

(6) Any person who is in the practice of doing any of the said things shall forfeit five hundred dollars for every week during which the practice is continued, in addition to any fine to which he may be liable under the last foregoing sub-section.

" Post ".

(7) The expression " post " shall in this section include all post communications by land, water or air (except by outward bound vessels or aircraft not being employed by or under the Post Office or the Admiralty to carry postal packets); and the above penalties 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 penalty or forfeiture it shall lie upon the person proceeded against to prove that the act in respect of which the penalty or forfeiture is alleged to have been incurred was done in conformity with this Ordinance.

(8) For the purposes of this section, the expression " letter " shall include packet.

Exemption
from stamp
duty.

42. Every deed, instrument, money order, bill, cheque, receipt, or other document, made or executed for the purpose of the Post Office by, to, or with, His Majesty or any officer of the Post Office, shall be exempt from any stamp duty imposed by any Ordinance, past or future, except where that duty is declared by the document, or by some memorandum endorsed thereon, to be payable by some person other than the Postmaster-General, and except so far as any future Ordinance specifically charges the duty.

43.—(1) Where an officer of the Post Office vacates his office (whether by reason of dismissal, resignation, death, or otherwise) he, or, if he is dead, his personal representative, or the person acting as his personal representative, shall deliver to such superior officer of the Post Office as may for the time being be directed by or in pursuance of any regulations made under this Ordinance, all articles (whether uniform, accoutrements, appointments, or other necessaries) which have been issued to the said officer vacating his office for the execution of his duty, and are not, under such regulations, the property of such officer, and shall deliver the same, at the time and place fixed by the superior officer to whom they are to be delivered, in good order and condition, fair wear and tear only excepted.

Surrender of clothing by officer of Post Office on ceasing to be officer.

(2) Any person who fails to comply with the provisions of this section shall be liable, on summary conviction, to a penalty not exceeding ten dollars, and also such further sum not exceeding ten dollars as the Court may determine to be the value of the articles not delivered, or, if the same have been delivered, but not in good order and condition, of the damage done to such articles.

Penalty.

(3) Any Magistrate or Justice may issue a warrant by virtue of which a constable may search for and seize any articles not delivered as required by this section, in like manner in all respects as if they were stolen goods and the warrant were a warrant to search for stolen goods.

Warrant to seize clothing.

Post Office Offences.

44. Any person who, within the Colony or its territorial waters, unlawfully takes away or opens a mail bag sent by any vessel, vehicle or aircraft employed by or under the Post Office for the transmission of postal packets under contract, or unlawfully takes a postal packet in course of transmission by post out of a mail bag so sent, shall be guilty of felony, and shall be liable to imprisonment, with or without hard labour, for any term not exceeding four years.

Unlawfully taking away or opening mail bag sent by vessel employed under Post Office.

45. Any person who fraudulently retains, or wilfully secretes or keeps, or detains, or, when required by an officer of the Post Office, neglects or refuses to deliver up—

Fraudulent retention of mail bag or postal packet.

- (a) any postal packet which is in course of transmission by post and which ought to have been delivered to any other person ; or

(b) any postal packet in course of transmission by post or any mail bag which shall have been found by him or by any other person, shall be guilty of a misdemeanour, and shall be liable to a fine not exceeding five hundred dollars, and to imprisonment, with or without hard labour, for any term not exceeding two years.

Criminal diversion of letters from addressee.

46.—(1) Any person not in the employment of the Postmaster-General who wilfully and maliciously with intent to injure any other person, either opens or causes to be opened any letter which ought to have been delivered to that other person, or does any act or thing whereby the due delivery of the letter to that other person is prevented or impeded, shall be liable, on summary conviction, to a penalty not exceeding two hundred and fifty dollars, or to imprisonment, with or without hard labour, for any term not exceeding six months.

(2) Nothing in this section shall apply to a person who does any act to which this section applies where he is parent, or in the position of parent or guardian, of the person to whom the letter is addressed.

(3) A prosecution shall not be instituted in pursuance of this section except by the direction or with the consent of the Postmaster-General.

(4) A letter in this section means a postal packet in course of transmission by post and any other letter which has been delivered by post.

Destruction, &c., by officers of Post Office of postal packet.

47. Any officer of the Post Office who, for any purposes whatever, secretes or destroys a postal packet in course of transmission by post, shall be guilty of a felony, and shall be liable to imprisonment for any term not exceeding three years, with or without hard labour, or if the postal packet contains any chattel or money or valuable security, to imprisonment for any term not exceeding five years, with or without hard labour.

Opening or delaying postal packets.

48.—(1) Any officer of the Post Office who, contrary to his duty, opens or procures or suffers to be opened any postal packet in course of transmission by post, or wilfully detains or delays, or procures or suffers to be detained or delayed, any such postal packet, shall be guilty of a

misdemeanour, and shall be liable to imprisonment, with or without hard labour, for any term not exceeding two years, or to a fine not exceeding five hundred dollars, or to both such imprisonment and fine.

(2) Provided that nothing in this section shall extend to the opening, detaining, or delaying of a postal packet returned for want of a true direction, or returned by reason that the person to whom the same is directed is dead or cannot be found, or shall have refused the same, or shall have refused or neglected to pay the postage thereof, or to the opening or detaining or delaying or disposal of a postal packet under the authority of this Ordinance, or in obedience to an express warrant in writing under the hand of the Governor which warrant the Governor is hereby authorised to issue but subject to such directions as he may give as to the disposal of the postal packet.

49. Any person employed to convey or deliver a mail bag or postal packet in course of transmission by post, or to perform any other duty in respect of such a mail bag or postal packet, who—

Carelessness, negligence, or misconduct of persons employed in carrying or delivering mail bags, postal packets, &c.

- (a) without authority whilst so employed, or, whilst the mail bag or postal packet is in his custody or possession, leaves it, or suffers any person, not being the guard or person employed for that purpose, to ride in the place appointed for the guard in or upon any vehicle used for the conveyance of it, or to ride in or upon a vehicle so used and not licensed to carry passengers, or upon a horse used for the conveyance on horse-back of it ; or
- (b) is guilty of any act of drunkenness whilst so employed ; or
- (c) is guilty of carelessness, negligence, or other misconduct, whereby the safety of the mail bag or postal packet is endangered ; or
- (d) without lawful authority collects or receives or conveys or delivers a postal packet otherwise than in the ordinary course of post ; or
- (e) gives any false information of an assault or attempt at robbery upon him ; or

(f) loiters on the road or passage, or wilfully mis-spends his time so as to retard the progress or delay the arrival of a mail bag or postal packet in the course of transmission by post, or does not use due care and diligence safely to convey a mail bag or postal packet at the due rate of speed,

shall be liable, on summary conviction, to a penalty not exceeding one hundred dollars.

Issuing money
or postal
orders with
fraudulent
intent.

50.—(1) Any officer of the Post Office who grants or issues any money order or any postal order with a fraudulent intent, shall be guilty of felony, and shall be liable to imprisonment, with or without hard labour, for any term not exceeding three years.

(2) If any officer of the Post Office re-issues a money order or a postal order previously paid, he shall be deemed to have issued the order with a fraudulent intent under this section.

Forgery and
stealing of
money or
postal order.
Cap. 13.
Cap. 9.

51.—(1) A money order or a postal order shall be deemed to be an order for the payment of money and a valuable security within the meaning of this Ordinance, and of the Forgery Ordinance, and of the Larceny Ordinance, and of any other law relating to forgery or stealing which is for the time being in force in the Colony.

Fraudulent
alteration
amounts to
felony.

(2) Any person who, with intent to defraud, obliterates, adds to, or alters any such lines or words on a money order or postal order as would, in the case of a cheque, be a crossing of that cheque, or knowingly utters, offers, or disposes of any money order or postal order with such fraudulent obliteration, addition, or alteration, shall be guilty of felony, and shall be liable to the like punishment as if the order were a cheque.

Punishment
of offences
in relation
to postal
orders, and
the poundage
thereon.

52. The provisions of law respecting the punishment of offences connected with stamp duties (including the provisions relating to paper and implements used in the manufacture of that paper, and to the punishing of fraud) shall apply in like manner as if any poundage or commission chargeable for a money or postal order were stamp duty, and as if the paper used for money orders or postal orders were paper provided by the Treasurer for receiving the impression of a die.

53.—(1) A person shall not place or attempt to place in or against any Post Office letter box any fire, any match, any light, any explosive substance, any dangerous substance, any filth, any noxious or deleterious substance, or any fluid, or commit a nuisance in or against any Post Office letter box, or do or attempt to do anything likely to injure the box, appurtenances, or contents.

Placing
injurious
substances in
or against
letter boxes.

(2) Any person who acts in contravention of this section shall be guilty of a misdemeanour, and shall be liable, on summary conviction, to a penalty not exceeding fifty dollars, and, on conviction on indictment, to imprisonment, with or without hard labour, for any term not exceeding twelve months.

54.—(1) A person shall not, without due authority, affix or attempt to affix any placard, advertisement, notice, list, document, board, or thing, in or on, or paint or tar, any Post Office, Post Office letter box, or other property belonging to or used by or on behalf of the Postmaster-General, or in any way disfigure any such office, box, or other property.

Prohibition
of affixing
placards,
notices, &c.,
on Post
Office or
letter box, &c.

(2) Any person who acts in contravention of this section shall be liable, on summary conviction, to a penalty not exceeding ten dollars.

55.—(1) A person shall not send or attempt to send or procure to be sent by post any postal packet—

(a) consisting of or containing any indecent or obscene print, painting, photograph, lithograph, engraving, photographic or cinematograph film, book, card, or written communication, or any indecent or obscene article, whether similar to the above or not; or

Obscene
prints, &c.

(b) having therein or on the cover thereof any words, marks, or designs which are grossly offensive or of an indecent or obscene character, or

(c) consisting of or containing—

(i) opium, morphine, cocaine, and other narcotics, provided that such narcotics may be sent for medical or scientific purposes in insured boxes to countries which admit them when so sent.

Narcotics,
explosives
and
dangerous
or noxious
articles.

- (ii) any explosive substance,
- (iii) any dangerous substance,
- (iv) any filth,
- (v) any noxious or deleterious substance,
- (vi) any sharp instrument not properly protected,
- (vii) any living animals, except bees, silk-worms and leeches packed in accordance with the Regulations,
- (viii) any article or thing whatsoever which is likely to injure any other postal packet in course of conveyance or any receptacle in which the same is conveyed, or an officer of the Post Office or other person who may deal with such packet.

(2) Any person who acts in contravention of this section shall be guilty of a misdemeanour, and shall be liable on summary conviction, to a penalty not exceeding fifty dollars, and, on conviction on indictment, to imprisonment, with or without hard labour, for any term not exceeding twelve months, and the Court shall make such order as it thinks fit as to the disposal or destruction of any article the subject matter of a contravention.

(3) The detention in the Post Office of any postal packet on the ground of its being in contravention of this section shall not exempt the sender thereof from any proceedings which might have been taken if the same had been delivered in due course of post.

Imitation of stamps, envelopes, forms, and marks.

- 56.—(1) A person shall not, without due authority—
- (a) make, issue, or send by post or otherwise any envelope, wrapper, card, form, or paper in imitation of one issued by or under the authority of the Governor or the Postmaster-General or of any other postal administration, or having thereon any words, letters, or marks which signify or imply, or may reasonably lead the recipient to believe, that a postal packet bearing the same is sent on His Majesty's Service ; or

- (b) make on any envelope, wrapper, card, form, or paper for the purpose of being issued or sent by post or otherwise, or otherwise used, any mark in imitation of or similar to or purporting to be any stamp or mark of any Post Office under the Postmaster-General, or under any other postal administration, or any words, letters, or marks which signify, or imply or may reasonably lead the recipient thereof to believe, that a postal packet bearing the same is sent on His Majesty's service ; or
- (c) issue or send by post or otherwise any envelope, wrapper, card, form, or paper so marked.

(2) Every person who acts in contravention of this section shall be liable, on summary conviction, to a penalty not exceeding ten dollars.

57.—(1) A person shall not—

- (a) make, knowingly utter, deal in, or sell any fictitious stamp ; or
- (b) have in his possession, unless he shows a lawful excuse, any fictitious stamp ; or
- (c) make, or, unless he shows a lawful excuse, have in his possession, any die, plate, instrument, or materials for making any fictitious stamp.

(2) Any person who acts in contravention of this section shall be liable, on summary conviction, on a prosecution by order of the Treasurer, to a penalty not exceeding one hundred dollars.

(3) Any stamp, die, plate, instrument, or materials found in the possession of any person in contravention of this section may be seized and shall be forfeited.

(4) For the purposes of this section, the expression "fictitious stamp" shall mean any facsimile, imitation or representation, whether on paper or otherwise, of any stamp for the time being authorised or required to be used for the purpose of the Post Office of this Colony or of any stamp for denoting a current rate of postage of any other country.

Fraudulently removing or using old stamps and counterfeiting international reply coupons and postal identity cards.

58. Every person who fraudulently—

- (a) gets off or removes, or causes to be gotten off or removed, from any letter, cover, paper, or other substance or material any postage stamp, or impression of a postal franking machine already used; or
- (b) uses, joins, fixes, or places with or upon any letter or cover or any paper or other substance any postage stamp or impression of a postal franking machine which has been already used,
- (c) counterfeits an imperial or international reply coupon or postal identity card; or
- (d) uses any counterfeit imperial or international reply coupon or postal identity card,

shall be liable, on summary conviction, to a penalty not exceeding fifty dollars.

Prohibited enclosures.

59. Every person who knowingly encloses in any postal packet any article not being an article permitted by the laws and regulations relating to the Post Office to be enclosed in any such packet, or who knowingly writes upon or marks the cover or the contents of any postal packet in any manner contrary to the Post Office laws and regulations as aforesaid shall incur a penalty not exceeding fifty dollars.

Prohibition of false notice as to reception of letters

60.—(1) A person shall not, without authority from the Postmaster-General, place or maintain in or on any house, wall, door, window, box, post, pillar, or other place belonging to him or under his control any of the words, letters, or marks following, that is to say:—

- (a) The words "Post Office"; or
- (b) The words "Letter Box", accompanied with words, letters, or marks which signify or imply, or may reasonably lead the public to believe, that it is a Post Office letter box; or
- (c) Any words, letters, or marks which signify or imply, or may reasonably lead the public to believe, that any house or place is a Post Office, or that any box is a Post Office letter box;

and every person, when required by a notice given by the Postmaster-General to remove or efface any such words, letters, or marks as aforesaid, or to remove or

effectually close up any letter box belonging to him or under his control which has been a Post Office letter box, shall comply with such request.

(2) Any person who acts in contravention of this section shall be liable, on summary conviction, to a penalty not exceeding ten dollars, and, if the offence is continued after a previous conviction, to a penalty not exceeding one dollar for every day during which the offence so continues.

61.—(1) Any person who wilfully molests or obstructs, or incites anyone to molest or obstruct, an officer of the Post Office in the execution of his duty, or who whilst in any Post Office, or within any premises belonging to any Post Office or used therewith, obstructs the course of business of the Post Office, shall be liable, on summary conviction, to a penalty not exceeding fifty dollars or imprisonment for a term not exceeding one month or both such fine and imprisonment.

Offences in Post Office, and obstruction of officers.

(2) Any officer of the Post Office may require any person guilty of an offence under this section to leave a Post Office or any such premises as aforesaid, and if such person refuses or fails to comply with such request, such person shall be liable to a further penalty not exceeding twenty-five dollars and may be removed by any officer of the Post Office, and all constables are required on demand to remove or assist in removing every such person.

Refusing to leave Post Office.

62. Any person who, without being duly authorised so to do, enters any part of the Post Office reserved for the use of the officers and servants thereof and not intended to be open to the public, shall be liable, on summary conviction, to a penalty not exceeding twenty-five dollars.

Unlawfully entering Post Office.

63. Any person who solicits or endeavours to procure any other person to commit an offence punishable on indictment under this Ordinance shall be guilty of a misdemeanour, and shall be liable to imprisonment, with or without hard labour, for any term not exceeding two years.

Endeavouring to procure commission of offence.

*Legal Proceedings.*Recovery of
forfeitures.

Cap. 36.

64.—(1) All forfeitures imposed by this Ordinance may be recovered by the Attorney-General in the manner provided in the Crown Suits Ordinance.

(2) A proceeding in the Supreme Court for the recovery of any forfeiture incurred by any person under this Ordinance shall be commenced within one year after it was incurred.

Summary
procedure.

Cap. 24.

65. All offences under this Ordinance which are punishable on summary conviction may be prosecuted, and all penalties under this Ordinance which are recoverable on summary conviction may be recovered, before a Magistrate in the manner provided by the Summary Conviction Offences (Procedure) Ordinance.

Proceedings.

66.—(1) In any indictment or legal proceedings for any offence committed or attempted to be committed, or any malicious, injurious, or fraudulent act or thing done in, upon, or with respect to the Post Office or the Post Office revenue, or any mail bag, postal packet, money order, postal order, or any chattel, money, or valuable security, sent by post, or in anywise concerning any property, under the management or control of the Postmaster-General, it shall be sufficient to allege the property to belong to the Postmaster-General, and to allege any such act or thing to have been done with intent to injure or defraud the Postmaster-General, without in either case naming the person who is Postmaster-General; and it shall not be necessary to allege or to prove upon the trial or otherwise that the mail bag, postal packet, money order, postal order, chattel, money, security, or property was of any legal value.

(2) In any indictment or legal proceeding against any officer of the Post Office for any offence committed against this Ordinance, it shall be sufficient to allege that the alleged offender was an officer of the Post Office at the time of the committing of the offence, without stating further the nature or particulars of his employment.

(3) On the prosecution of any offence under this Ordinance, whether on summary conviction or on indictment, evidence that any article is in the course of transmission by post, or has been accepted on behalf of the Postmaster-General for transmission by post, shall be sufficient evidence that the article is a postal packet.

(4) Where the consent or order of the Postmaster-General is required to or for any prosecution, an instrument purporting to be executed by an officer of the Post Office duly authorised in that behalf by or under this Ordinance and stating that the prosecution has been consented to or ordered by the Postmaster-General shall be sufficient evidence of that fact, unless the contrary is shown.

67.—(1) References in this Ordinance to a sum payable or recoverable or due in respect of a postal packet shall include references to—

Recovery of sums due in respect of postal packets.

(a) any customs duty or other charges payable in respect of the packet, whether to His Majesty or to the government of any country outside His Majesty's dominions ; and

(b) any sums payable in respect of a cash on delivery packet.

(2) In any proceedings for the recovery of postage or other sums due in respect of postal packets, the production of the packet in respect of which any such postage or sum is sought to be recovered having thereon a stamp or other endorsement of the Post Office or any other postal administration denoting that the packet has been refused or rejected, or is unclaimed, or that the addressee was dead, or could not be found, shall be *prima facie* evidence of the fact denoted.

(3) The official mark of any sum on any postal packet as due in respect of that packet, whether the mark is the mark of the Post Office or of any other postal administration and whether the sum is marked as being due to the Postmaster-General or otherwise, shall be *prima facie* evidence in any court of the liability of the packet to the sum so marked, and the sum shall be recoverable in any court as postage due to His Majesty.

(4) A certificate of the amount of any customs duty or other charges payable in respect of a postal packet, or of the amount of any sums payable in respect of a cash on delivery packet, being a certificate purporting to be signed by the Postmaster-General shall, in any legal proceedings for the recovery of any such duty, charges or sums, be sufficient evidence of the facts stated therein unless the contrary is shown.

Application
of fines.

68. Subject to the provisions of section 70 of this Ordinance, all pecuniary penalties, forfeitures, fines, and other sums recovered in respect of offences under this Ordinance shall be paid into general revenue.

Postmaster-
General may
compound
actions.

69. The Postmaster-General may compromise and compound any legal proceeding which is commenced by his authority or under his control against any person for recovering any penalty or forfeiture incurred or alleged to be incurred under this Ordinance, on such terms and conditions as the Postmaster-General shall, in his absolute discretion, think proper, with full power for him to accept any penalty or forfeiture so incurred or alleged to be incurred, or any part thereof, without any legal proceeding for recovery thereof.

Supplementary.

Fines for
neglect of
duty or
misconduct.

70.—(1) It shall be lawful for the Postmaster-General to impose fines for breach or neglect of duty or for misconduct upon any officer of the Post Office not being the holder of an office specified in sub-section (5) of this section: Provided that no fine imposed under this section shall exceed five dollars in respect of any one offence.

Such fine may be made payable in such instalments as may be directed.

(2) Any officer fined by the Postmaster-General under this section may appeal against the fine to the Governor, who may confirm, reduce, or remit such fine or modify the instalments aforesaid.

(3) Any fine imposed under this section may be deducted from the salary of the officer concerned, and all such fines shall be paid into the Post Office Savings Bank to the credit of an account entitled "The Post Office Fine Fund" and this fund shall be administered and distributed as the Governor shall determine.

(4) The Postmaster-General shall submit with each annual report on his Department a statement showing the receipts and expenditure and the financial position of the fund for the year under report.

(5) The provisions of this section shall not apply to the holders of the following offices, namely, Deputy Postmaster-General, Accountant, Postmasters of Port-of-Spain, San Fernando, and Tobago, Inspectors of Post Offices and Savings Banks, Chief Clerk, Savings Bank, and of such other offices as the Governor shall designate and notify to the Postmaster-General.

71.—(1) It shall be lawful for the Governor in Executive Council to make such regulations as he may deem proper for carrying into effect the provisions of this Ordinance for postal service within the Colony, and (subject to the provisions of any arrangement with the Government or Postal Administration of any other country) for postal service within the Colony.

General
power of
Governor to
make rules.

(2) Such regulations shall not have any force or effect until they have been approved by resolution of the Legislative Council and when so approved shall be published in the *Royal Gazette* and from the date of such publication or from the date specified therein such regulations shall have the same force and effect as if they were contained in and formed part of this Ordinance.

72. The Post Office Ordinance, the Post Office (Amendment) Ordinance, 1926, and the Post Office (Amendment) Ordinance, 1931, are hereby repealed.

Repeal.
Cap. 108.
Ord. 26 of 1926,
Ord. 7 of 1931.

Passed in Council this tenth day of November, in the year of Our Lord one thousand nine hundred and thirty-eight.

W. E. BOARDMAN,
Clerk of the Council.