

No. 134.

THE POST OFFICE LAW.
CAP. 281 AND LAW 44 OF 1953.

ORDER IN COUNCIL No. 3131

MADE UNDER SECTIONS 7 AND 11.

Cap. 281
44 of 1953. In exercise of the powers conferred upon him by sections 7 and 11 of the Post Office Law, the Governor, with the advice of the Executive Council, hereby makes the Order following :—

Citation. 1. This Order may be cited as the Franking (Postage Meters) Machines Order, 1960.

Interpreta-
tion. 2. In this Order, unless the context otherwise requires—
“franking machine” means a franking (postage meter) machine designed for making impressions denoting pre-payment of postage on postal packets ;

“franked” with its grammatical variations and cognate expressions means marked or stamped with a licensed franking machine with an impression denoting pre-payment of postage and “franked mail” means postal packets which have been franked ;

“licensed franking machine” means a franking machine in respect of which a licence has issued pursuant to paragraph 3 ;

“licensee” means, with respect to a franking machine, the owner thereof to whom a licence has issued pursuant to paragraph 3 ;

“owner” includes hirer ;

“postmaster” means the postmaster of the post office at which a franking machine is licensed or intended to be licensed and includes the authorised representative of such postmaster ;

“sealing equipment” means a sealing press and associated apparatus used to seal a franking machine which has been set to register a pre-determined number of impressions ; and

“supplier” means an authorised supplier as defined in paragraph 4 and includes the authorised agents of any such supplier.

Issue of
licences. 3.—(1) Subject to the provisions of this Order the licensee of a licensed franking machine may use or cause to be used such machine for the payment of postage on postal packets delivered for conveyance by post in the Colony or elsewhere.

(2) The owner of a franking machine may make application in writing to the postmaster for a licence in respect of such machine and every application shall contain the particulars following :—

(i) the name of the applicant ;

(ii) the address of the premises at which the franking machine shall be used ;

(iii) the post office or post offices at which franked mail shall be delivered for conveyance ; and

(iv) details of the franking machine as under :—

(a) make and pattern ;

(b) name of supplier ; and

(c) identification numbers of the machine and dies.

(3) Where an application is made as aforesaid the franking machine in respect of which the same is made together with agreement of sale or hire between the owner and the supplier shall be produced to the postmaster for inspection and there shall be delivered to him the sealing equipment of such machine.

(4) On the application of the owner of a franking machine as aforesaid the Postmaster-General may, subject to the provisions of this Order, issue to such owner a licence in respect of such machine.

(5) A licence issued pursuant to this paragraph shall be in such form as the Postmaster-General shall determine or approve.

4.—(1) A licence shall not be issued in respect of a franking machine unless—

- (i) it has been supplied to an intending licensee by an authorised supplier ;
- (ii) it is a franking machine of the locking type ;
- (iii) it has been supplied subject to the conditions that the dies for making the impressions shall remain the property of the supplier and that sealing equipment in respect thereof shall be made available to the Postmaster-General ; and
- (iv) sealing equipment in respect thereof has been delivered to the postmaster for and on behalf of the Postmaster-General.

Licences to issue only in respect of certain franking machines.

(2) For the purposes of this paragraph—

“ authorised supplier ” means—

(i) Messrs. Universal Postal Frankers Ltd.,
Frankopost Works,
Angel Road,

LONDON N.18 ; or

(ii) Messrs. Roneo Neopost Ltd.,
34-35 High Holborn,

LONDON W.C.1 ; or

(iii) any other supplier of franking machines as shall be approved by the Postmaster-General ; and

“ franking machine of the locking type ” means a franking machine which may be set to register a pre-determined number of impressions and which ceases to function when such number of impressions has been made until reset.

5.—(1) Every licence shall expire on the thirty-first day of December of the year in which it is issued :

Renewal of licences and charges.

Provided that the Postmaster-General or the postmaster may by appropriate endorsement on an existing licence renew such licence for a period not exceeding one year.

(2) There shall be payable by the licensee on the issue or renewal of a licence a charge of four pounds in respect of a licence for one year or at the rate of three hundred and fifty mils for each month or part of a month in the case of a licence for a shorter period.

6.—(1) Every licence shall be issued subject to the conditions set forth in the Schedule to this Order.

Conditions.

(2) On the issue of a licence the Postmaster-General may impose such other conditions as he may deem fitting :

Provided that any such conditions shall be specified in writing on the licence.

7. It shall be the responsibility of the licensee to ensure that the use of any franking machine shall not cause any infringement of any Law relating to rights patent and the issue of a licence in respect of a franking machine shall not render the Postmaster-General or the Government liable in respect of any such infringement.

Infringement of Patents Law.

8.—(1) If the Postmaster-General or postmaster is satisfied that a licensed franking machine is mechanically defective in any way he may suspend the licence issued in respect thereof until such time as there shall be rendered to him a certificate from the suppliers dated subsequently to the noting of the defect and certifying that they have examined the franking machine and that it is serviceable.

Suspension and cancellation of licences.

(2) The Postmaster-General may cancel any licence issued under the provisions of this Order if he is satisfied that there has been a breach of any condition imposed pursuant to paragraph 6 :

Provided that a licensee whose licence has been cancelled may appeal to the Governor and the decision of the Governor on any such appeal shall be final.