

(2) This Scheme shall be read as one with the Post Office Overseas Letter Post Scheme 1977 (Post Office Scheme P5/1977) (hereinafter called "the Scheme") as amended by the Post Office Overseas Letter Post Amendment (No. 1) Scheme 1979 (Post Office Scheme P2/1979), the Post Office Overseas Letter Post Amendment (No. 2) Scheme 1979 (Post Office Scheme P7/1979), the Post Office Overseas Letter Post Amendment (No. 3) Scheme 1979 (Post Office Scheme P8/1979), the Post Office Overseas Letter Post Amendment (No. 4) Scheme 1980 (Post Office Scheme P2/1980), the Post Office Overseas Letter Post Amendment (No. 5) Scheme 1980 (Post Office Scheme P7/1980), the Post Office Overseas Letter Post Amendment (No. 6) Scheme 1981 (Post Office Scheme P2/1981), the Post Office Overseas Letter Post Amendment (No. 7) Scheme 1981 (Post Office Scheme P6/1981), the Post Office Overseas Letter Post Amendment (No. 8) Scheme 1981 (Post Office Scheme P10/1981) and the Post Office Overseas Letter Post Amendment (No. 9) Scheme 1981 (Post Office Scheme P11/1981).

Complaints Panel

2. The following shall be inserted immediately following Part VII of the Scheme:

"PART VIII

COMPLAINTS PANEL

49.—(1) The Post Office may make arrangements whereby the sender or addressee of a postal packet, who has applied to the Post Office for compensation in respect of any article of pecuniary value enclosed in or forming part of that packet which he claims was lost or damaged in the post and who is dissatisfied with the way in which his application has been dealt with by the Post Office, may submit a complaint to a complaints panel (the members of which are not members, servants or agents of the Post Office) so that a member of the panel may advise the Post Office on the merits of the complaint and submit to the Post Office by way of advice a recommendation either that a sum of money be paid to the complainant by way of compensation for such loss or damage or that compensation be refused. Any such arrangements shall include the provisions set out in sub-paragraphs (2) to (5) of this paragraph.

(2) Before recommending payment to a complainant of any sum by way of compensation in respect of a postal packet or any of its contents, the member of the panel who deals with his complaint pursuant to such arrangements shall satisfy himself that:

(a) the packet was of the description claimed by the complainant and had been properly addressed and duly posted as claimed and the complainant was either the sender or the addressee thereof; and

(b) it was not so posted pursuant to any contract with the Post Office; and

(c) the proper postage and any other charge or fee payable was prepaid (or accounted for under credit facilities) and all the prohibitions, requirements and conditions required by this Scheme or by any enactment to be observed or complied with in relation to such a packet or to the posting thereof were observed or complied with in the case of the packet; and

(d) every article in respect of which compensation is sought was enclosed in or formed part of the packet and lost or damaged while in the post; and

(e) provision is made by this Scheme whereby the Post Office may pay such compensation as it thinks just for the loss of or damage to the packet or those contents; and

(f) that sum does not exceed the amount which might be paid by the Post Office under and in accordance with the relevant provision of this Scheme (referred to in sub-paragraph (2)(e)); and

(g) the application for compensation was made to the Post Office by the complainant within the appropriate time limit under this Scheme and no compensation was paid by the Post Office to any other person in respect of the packet or its contents before the Post Office received the complainant's application.

(3) The panel's secretariat will require every complainant in respect of each postal packet which is the subject of his complaint:

(a) to complete and submit in such form as the secretariat thinks fit a full statement of the facts and grounds of the complaint, and of the amount of compensation sought;

(b) to pay a fee of—

£1 where the amount of compensation sought does not exceed £10,
 £5 where the amount of compensation sought exceeds £10 but does not exceed £50,
 £10 where the amount of compensation sought exceeds £50;

but so that any fee paid will be refundable;

(i) in a case where the panel member has recommended payment of a sum by way of compensation to the complainant in respect of the packet or its contents and either no compensation in respect thereof had been offered by the Post Office to the complainant before the submission of his complaint to the panel, or the sum recommended exceeds in amount any sum which the Post Office had informed the complainant before such submission that it was prepared to pay (ex gratia) in respect of the packet; or

(ii) in any case in which the panel member expressly recommends refundment;

(c) to submit all relevant evidence in the form of written statements, together with such of the following as may be relevant: the certificate of posting; in a case where loss of the packet is alleged, a declaration by the addressee that the packet was not delivered to him or to the address on that certificate; in a case where damage is alleged, the cover of the packet, the damaged article, its packing material and any container in which the damaged article was enclosed; in a case where loss or abstraction of any of the contents is alleged, the cover of the packet.

(4) A copy of the recommendation of the panel member shall in every case be sent by post to the applicant.

(5) Any such arrangements may provide for other procedural matters and for time limits within which any procedural steps are to be taken.

(6) The Post Office shall consider the recommendation of the panel member before reaching its final decision whether compensation should be paid to the applicant (and if so, as to the amount thereof) or refused. Such decision by the Post Office shall be final and conclusive.

(7) This paragraph shall not apply to a Datapost packet."

Application of Post Office Inland Post Scheme

3. In Schedule 8 of this Scheme as amended delete the reference to Paragraph 74.

Dated 15th September 1981.

Signed on behalf of the Post Office by *L. H. Kingsbury*
 (a person authorised by the Post Office to act in that behalf).

SCHEME P15/1981

NOTE. The Scheme which follows this note has been made under section 28 of the Post Office Act 1969 and amends the Post Office Inland Post Scheme 1979. The Scheme, which will come into operation on 1st October 1981, provides for the Post Office to accept liability for the loss of or damage to certain postal packets.

(This note is not part of the Scheme)

THE POST OFFICE INLAND POST AMENDMENT (No. 8) SCHEME 1981

Made 11th September 1981
 Coming into operation 1st October 1981

The Post Office, by virtue of the powers conferred upon it by section 28 of the Post Office Act 1969, and of all

other powers enabling it in this behalf, hereby makes the following Scheme:

Commencement, citation and interpretation

1.—(1) This Scheme shall come into operation on 1st October 1981 and may be cited as the Post Office Inland Post Amendment (No. 8) Scheme 1981.

(2) This Scheme shall be read as one with the Post Office Inland Post Scheme 1979 (Post Office Scheme P1/1979) (hereinafter called "the Scheme") as amended by the Post Office Inland Post Amendment (No. 1) Scheme 1979 (Post Office Scheme P5/1979), the Post Office Inland Post Amendment (No. 2) Scheme 1980 (Post Office Scheme P1/1980), the Post Office Inland Post Amendment (No. 3) Scheme 1980 (Post Office Scheme P6/1980), the Post Office Inland Post Amendment (No. 4) Scheme 1981 (Post Office Scheme P1/1981), the Post Office Inland Post Amendment (No. 5) Scheme 1981 (Post Office Scheme P5/1981), the Post Office Inland Post Amendment (No. 6) Scheme 1981 (Post Office Scheme P11/1981) and the Post Office Inland Post Amendment (No. 7) Scheme 1981 (Post Office Scheme P12/1981).

(3) In the definition of "the Act" in paragraph 3 of the Scheme delete the semi-colon at the end and insert: "and the British Telecommunications Act 1981;"

(4) After the definition of "second class letter" in paragraph 3 of the Scheme insert the following:

" "sender" means for the purpose of section 30 of the Post Office Act 1969, the person on whose behalf the postal packet is posted but does not include a person at whose request the article or any of the articles contained in the postal packet is sent by the first mentioned person by post."

Packets for which the Post Office accepts liability

2. After paragraph 36 of the Scheme insert the following:

" PART VA

PACKETS FOR WHICH THE POST OFFICE ACCEPTS LIABILITY

36A.—(1) Subject to the provisions of this Scheme the Post Office accepts liability for all inland postal packets except those posted under the provisions of this Scheme relating to articles for the blind, registered newspapers and unaddressed packets.

(2) The amount recoverable in relation to a packet of a particular description shall not exceed the maximum amount payable under this Scheme for compensating the person aggrieved in respect of a packet of that description.

(3) Such liability is subject to the conditions in this Scheme in relation to packets of a particular description having been complied with as regards packets of that description.

(4) No liability is accepted for any postal packet which has been destroyed or otherwise dealt with or disposed of pursuant to section 8(3) of the Act or sub-paragraph (2) of paragraph 7, or sub-paragraphs (1) (c) or (2) (b) or (3) of paragraph 16, or sub-paragraphs (8) or (9) of paragraph 17, or sub-paragraph (2) of paragraph 33, or paragraph 39, or sub-paragraph (5) of paragraph 40 or sub-paragraph (5) of paragraph 43, or paragraph 45, or sub-paragraph (4) of paragraph 75 of this Scheme.

(5) No liability is accepted for any inland postal packet which has been redirected under paragraph 32 unless all the additional postage and fees due under sub-paragraph (3) of that paragraph have been paid.

(6) No liability is accepted for any postal packet which has been redirected to an address in the Channel Islands, the Isle of Man or the Republic of Ireland, either under paragraph 32 or by the Post Office in pursuance of an application under paragraph 27 and Schedule 3."

Registration

3. Delete sub-paragraph (2) of paragraph 38 of the Scheme.

4.—(1) In paragraph 41 of the Scheme delete "available" and insert "payable" in its place.

(2) Delete the words after "relation" in sub-paragraph (1) of paragraph 41 of the Scheme and insert "to a packet

in respect of which the fee specified in Column 1 of that Part of that Schedule has been paid".

Compensation fee parcel service

5. Delete paragraph 42 and substitute the following:

" 42.—(1) Subject to the provisions of this Scheme any parcel may be sent by the compensation fee parcel service.

(2) In addition to the postage charged and payable thereon, there shall be charged and paid on any parcel which the sender wishes to be dealt with under the compensation fee parcel service the minimum fee or if the sender so elects, one of the higher fees specified in Column 1 of Part I of Schedule 6.

(3) The conditions set out in Part II of Schedule 6 shall be complied with in relation to a compensation fee parcel.

(4) No liability is accepted for loss of, or damage to, any such article as described in Part III of Schedule 6.

(5)(a) the maximum amount which shall be payable for compensating persons aggrieved by the loss of or damage to a compensation fee parcel and its contents shall be the amount specified in Column 2 of Part I of Schedule 6 in relation to a parcel in respect of which the fee specified in Column 1 of that Part of that Schedule has been paid.

(b) For the purpose of this paragraph any fee payable under paragraph 32 on redirection of the parcel shall be disregarded.

(6) In the case of a parcel which was redirected under paragraph 32 after delivery at the address stated on the certificate obtained on the original posting thereof, no liability is accepted under sub-paragraph (1) for loss of, or damage to, the parcel or any of its contents while in the post, unless the parcel was so directed by being posted anew and full postage was prepaid on such re-posting together with a further compensation fee, in which case liability is accepted, subject to and in accordance with the foregoing provisions of this paragraph and sub-paragraph (6) of paragraph 36A, for any such loss or damage which occurred while the parcel was in the post after such re-posting, but so that the total amount payable in respect of the parcel and its contents shall not exceed the maximum amount appropriate to the further compensation fee paid.

(7) The Post Office may, if it thinks fit, refuse to accept payment of a compensation fee on the posting of any parcel".

Recorded Delivery

6. Delete paragraph 46 and substitute the following:

" 46.—(1)(a) The maximum amount which shall be payable for compensating persons aggrieved by the loss of, or damage to, a recorded delivery packet and its contents shall be the amount specified in Column 2 of Part I of Schedule 7.

(b) For the purpose of this paragraph any fee payable under paragraph 32 on redirection of the packet shall be disregarded.

(2) No liability is accepted for loss of, or damage to, any such article as is described in Part III of Schedule 7".

Liability for certain other postal packets

7. Delete paragraph 47 of the Scheme and substitute the following:

" 47.—(1) This paragraph applies to any postal packet other than a registered packet, a recorded delivery packet, a compensation fee parcel, an unaddressed packet, a packet containing or consisting of articles for the blind or a registered newspaper.

(2) All postal packets to which this paragraph applies are hereafter referred to as "ordinary packets".

(3) The maximum amount which shall be payable for compensating persons aggrieved by the loss of or damage to, an ordinary packet and its contents shall be £15.

(4) No liability is accepted for loss of, or damage to, an ordinary packet unless the conditions set out in Part I of Schedule 8 or (in the case of a Datapost packet) Schedule 8A have been complied with.

(5) No liability is accepted for loss of, or damage to, any such article as is described in Part II of Schedule

8 or (in the case of a Datapost packet) paragraph 5 of Schedule 8A."

SCHEME P16/1981

Application of Scheme to packets to and from the Channel Islands, the Isle of Man or the Republic of Ireland.

8. In sub-paragraph (2) of paragraph 64 of the Scheme after the words "whilst in the custody of the Post Office" and before the comma there shall be inserted "or its agents".

9. Delete paragraph 65 of the Scheme and the heading thereto and insert the following:

"NO COMPENSATION FOR COMPULSORILY REGISTRABLE PACKETS TO AND FROM THE CHANNEL ISLANDS, THE ISLE OF MAN OR THE REPUBLIC OF IRELAND"

65. If any postal packet posted for transmission between the British postal area, the Channel Islands, the Isle of Man or the Republic of Ireland, being a packet which is subject to compulsory registration, was posted without registration, no compensation shall be paid in respect of any loss of, or damage to, any article enclosed in, or forming part of that packet."

10. In paragraph 66 of the Scheme, immediately before the words "the Post Office" insert:

"and the parcel is one for which compensation would have been paid under Part VII of this Scheme if it had been an inland parcel".

11. Immediately after paragraph 66 of the Scheme the following shall be inserted:

"COMPENSATION FOR RECORDED DELIVERY PACKETS TO AND FROM THE CHANNEL ISLANDS OR TO AND FROM THE ISLE OF MAN."

66A. Where a recorded delivery packet for which compensation would have been paid under Part VIII of this Scheme if it had been an inland packet has been posted in the British postal area for transmission to an address in the Channel Islands or the Isle of Man or posted in those Islands to an address in that area, the Post Office may pay compensation to the sender or to the addressee under and in accordance with paragraph 46 (but subject as therein provided) in respect of any article of pecuniary value enclosed in or forming part of that packet if satisfied that such article has been lost or damaged whilst in the custody of the Post Office or its agents and that no compensation has been or will be paid in the case of such packet by the postal administrations of those Islands."

12. Delete paragraph 67 of the Scheme and the heading thereto and insert:

"COMPENSATION FOR CERTAIN POSTAL PACKETS TO AND FROM THE CHANNEL ISLANDS, THE ISLE OF MAN AND THE REPUBLIC OF IRELAND."

67. Where a postal packet for which compensation would have been paid under Part IX of this Scheme if it had been an inland packet, has been posted in the British postal area for transmission to an address in the Channel Islands, the Isle of Man or the Republic of Ireland or posted in those Islands or the Republic to an address in that area, the Post Office may pay compensation to the sender or to the addressee under and in accordance with paragraph 47 (but subject as therein provided) in respect of any article of pecuniary value enclosed in or forming part of that packet if satisfied that such article has been lost or damaged whilst in the custody of the Post Office or its agents and that no compensation has been or will be paid in the case of such packet by the postal administrations of those Islands or the Republic."

Complaints Panel

13. Delete the whole of Part XIV of the Scheme.

Conditions relating to various types of packet

14.—(1) Delete paragraph 5 of Part II of Schedule 5.
(2) Delete paragraph 7 of Part II of Schedule 7.

Dated 11th September 1981.

Signed on behalf of the Post Office by *M. D. Holmes*
(a person authorised by the Post Office to act in that behalf).

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NOTE. The Scheme which follows this note is made under Section 28 of the Post Office Act 1969 and amends the Post Office Overseas Parcel Post Scheme 1977. The Scheme, which comes into operation on 1st October 1981, contains details of a procedure for claims for compensation for loss or damage occurring in the post which cannot readily be resolved, to be submitted to an independent complaints panel for consideration.

THE POST OFFICE OVERSEAS PARCEL POST AMENDMENT (No. 8) SCHEME 1981

Made - - - - 15th September 1981

Coming into operation 1st October 1981

The Post Office, by virtue of the powers conferred upon it by Section 28 of the Post Office Act 1969, and of all other powers enabling it in this behalf, hereby makes the following Scheme:—

Commencement and Citation

1.—(1) This Scheme shall come into operation on 1st October 1981 and may be cited as the Post Office Overseas Parcel Post Amendment (No. 8) Scheme 1981.

(2) This Scheme shall be read as one with the Post Office Overseas Parcel Post Scheme 1977 (Post Office Scheme P6/1977) (hereinafter called "the Scheme") as amended by the Post Office Overseas Parcel Post Amendment (No. 1) Scheme 1979 (Post Office Scheme P3/1979), the Post Office Overseas Parcel Post Amendment (No. 2) Scheme 1979 (Post Office Scheme P6/1979), the Post Office Overseas Parcel Post Amendment (No. 3) Scheme 1980 (Post Office Scheme P3/1980), the Post Office Overseas Parcel Post Amendment (No. 4) Scheme 1980 (Post Office Scheme P8/1980), the Post Office Overseas Parcel Post Amendment (No. 5) Scheme 1981 (Post Office Scheme P3/1981), the Post Office Overseas Parcel Post Amendment (No. 6) Scheme 1981 (Post Office Scheme P8/1981) and the Post Office Overseas Parcel Post Amendment (No. 7) Scheme 1981 (Post Office Scheme P9/1981).

Complaints Panel

2. The following shall be inserted immediately following Part IV of the Scheme:

"PART V

COMPLAINTS PANEL

32.—(1) The Post Office may make arrangements whereby the sender or addressee of a parcel, who has applied to the Post Office for compensation in respect of any article of pecuniary value enclosed in or forming part of that parcel which he claims was lost or damaged in the post and who is dissatisfied with the way in which his application has been dealt with by the Post Office, may submit a complaint to a complaints panel (the members of which are not members, servants or agents of the Post Office) so that a member of the panel may advise the Post Office on the merits of the complaint and submit to the Post Office by way of advice a recommendation either that a sum of money be paid to the complainant by way of compensation for such loss or damage or that compensation be refused. Any such arrangements shall include the provisions set out in sub-paragraphs (2) to (5) of this paragraph.

(2) Before recommending payment to a complainant of any sum by way of compensation in respect of a parcel or any of its contents, the member of the panel who deals with his complaint pursuant to such arrangements shall satisfy himself that:

- (a) the parcel was of the description claimed by the complainant and had been properly addressed and duly posted as claimed and the complainant was either the sender or the addressee thereof; and
- (b) it was not so posted pursuant to any contract with the Post Office; and
- (c) the proper postage and any other charge or fee payable was prepaid (or accounted for under credit facilities) and all the prohibitions, requirements and conditions required by this Scheme or by any enact-