

Subsidiary Legislation made under ss.17, 18, 21 and 54.

Postal Order Regulations

1961.10.10-2

Amending enactments	Relevant current provisions	<i>Commencement</i>	13.10.1961
			Commencement date
7.5.1969	–		
LN. 1971/013	regs. 3, 10-11		
1973/103	–		
1974/038	–		
1974/069	–		
1975/036	–		
1975/074	reg. 3(1)		
1975/137	–		
1975/173	reg. 3(1)		
1977/077	–		
1979/045	–		
1980/040	–		
1980/145	–		
1982/039	Sch.		
1985/063	Sch.		21.5.1985
1986/050	Sch.		19.5.1986
1987/091	Sch.		1.6.1987
1987/111	rr. 3(1)(b), (2), 11(2), (4)(a)(ii), Sch.		16.7.1987
1988/052	Sch.		1.5.1988
1988/143	rr. 3(2), 11(2), (4)(a)(ii).		15.12.1988
1989/051	Sch.		22.6.1989
1990/043	Sch.		3.5.1990
1991/074	Sch.		1.5.1991
1991/182	rr. 3(1)(a), (2), 11(2), (4), Sch.		1.10.1991
1992/132	Sch.		1.11.1992
1994/105	Sch.		1.10.1994
1997/069	Sch.		1.7.1997
2008/091	Sch.		27.11.2008
2019/165	Sch.		15.8.2019

1961-10

Post Office

1961.10.10-2

Postal Order Regulations

ARRANGEMENT OF REGULATIONS

Regulation

1. Title.
2. Interpretation.
3. Issue and amounts of postal orders.
4. Poundage.
5. Prepayment.
6. Name of payee and office of payment.
7. Crossing of postal orders.
8. Payment of postal orders otherwise than to bankers.
9. Payment of postal orders to banker.
10. Payment of postal orders after expiration of six months from last day of month of issue.
11. Application of regulations.
12. Issue and payment of postal orders.
13. Discharge to the Director.

SCHEDULE.
Rates of Poundage.

Title.

1. These regulations may be cited as the Postal Order Regulations.

Interpretation.

2. In these regulations, unless the context otherwise requires,—

“postal order” means a money order issued, in pursuance of section 18 of the Act or that section as applied by section 21 of the Act, as a postal order in such special form as may from time to time be prescribed by the Director;

“the payee” means the person entitled to receive the amount of a postal order.

Issue and amounts of postal orders.

- 3.(1) Postal orders may be issued for the following sums:—

- (a) the sum of 50 pence; and

- (b) the sum of one pound and any multiple of one pound up to twenty pounds.

- (2) The value of a postal order may be increased by affixing postage stamps not exceeding two in number and not exceeding a total of forty-nine pence in value:

Provided that no payment shall be made by or on behalf of the Director in respect of—

- (a) a stamp not affixed in the space provided for the purpose on the postal order; or

- (b) a stamp which is not a stamp for the time being authorized or required to be used for the purpose of the Post Office; or

- (c) a stamp which has been cut out of any postal packet, document, instrument, envelope or other cover, or which is perforated with initials or marks.

Poundage.

4. The poundage payable for postal orders shall be at the rates specified in the Schedule.

Prepayment.

5. The amount for which a postal order is to be issued and all poundage payable in respect of the order shall be prepaid.

Name of payee and office payment.

6.(1) The blanks in a postal order for the name of the payee and for the name of the post office at which the order is to be paid may be filled in before or after issue.

(2) If the blanks are not filled in before issue, the person to whom the postal order is issued shall, before parting with it, fill in the name of the payee (whether or not the postal order is crossed with a view to payment through a banker), and may fill in the name of the post office at which the order is to be paid.

(3) Notwithstanding anything in sub-regulation (2), if the blank space in a postal order for the name of the payee has not been filled in, the person presenting the postal order for payment, or in the case of a crossed postal order the customer on whose behalf the banker presents it for payment, shall for the purpose of these regulations be deemed to be the payee, and in the case of an uncrossed postal order the person so deemed to be the payee shall insert his name in the blank space before the order is paid.

(4) No alteration shall be made in the name of the payee, or of the post office at which the postal order is to be paid, when once filled in, except by the direction of the Director.

Crossing of postal orders.

7.(1) A postal order may be crossed generally by the addition on its face of the words "and Company" or any abbreviation thereof, between two parallel transverse lines, or of two parallel transverse lines simply, or it may be crossed specially by the addition on its face of the name of a banker, in which case the order shall be deemed to be crossed to that banker.

(2) A postal order which is crossed generally may be crossed specially.

(3) A banker to whom a postal order is crossed may again cross it specially to another banker as his agent for collection.

(4) Where a postal order is crossed generally, it shall not be paid except to a banker.

(5) Where a postal order is crossed specially, it shall not be paid except to the banker to whom it is crossed, or to his agent for collection.

(6) Where a postal order is crossed specially to more than one banker, except when crossed to an agent for the purpose of collection, payment thereof shall be refused.

Payment of postal orders otherwise than to bankers.

8. The following rules shall apply to the payment of postal orders otherwise than to bankers.

- (a) The receipt at the foot of the order shall be signed by the payee.
- (b) When an order is made payable to a company, corporation or society, the receipt may be given by means of a stamp of the name of the company, corporation or society, to which is appended the signature of an officer of the company, corporation or society together with a description of his office.
- (c) When a postal order is made payable to a firm it shall be recited in the name of the firm. If the order is payable to a firm not trading under a personal name, the name of the firm shall be written or stamped in the space for the receipt, the signature of a partner or servant of the firm, with a description of his office in the firm, being appended thereto.
- (d) The Director shall ascertain that the receipt for the amount of the order is signed, and may refuse payment until he is satisfied that it is signed by or under the authority of the person appearing to be the payee.
- (e) He may also, if the receipt is not signed in his presence, take reasonable means to satisfy himself that the person presenting the order is either the payee or his agent.
- (f) He may also require the person presenting the order to sign his name on the order before payment is made although the receipt has been already signed.
- (g) Nevertheless, the signature to the receipt shall in all cases be a sufficient authority to the Director for the payment of the order, if that signature purports to be the signature of the payee or if the signature purports to be that of an officer of a company, corporation or society or partner or servant of a firm.
- (h) If a postal order presented for payment has any erasure or alteration, or is cut, defaced or mutilated, the Director may refuse payment.
- (i) The Director may refuse or delay the payment of a postal order when it appears to him necessary to do so in cases other than those mentioned in these regulations.

Payment of postal orders to bankers.

9. The following rules shall apply to the payment of postal orders to bankers.

- (a) If a postal order which is crossed generally is presented for payment by any banker, with the name of such banker written or stamped upon the face thereof, that name

1961-10

Post Office

1961.10.10-2

Postal Order Regulations

may be accepted as a sufficient receipt for the amount of the order, and the order may be paid without any other receipt.

- (b) If a postal order which is crossed specially is presented for payment by the banker to whom it is crossed, with the name of such banker written or stamped upon the face thereof, that name may be accepted as a sufficient receipt for the amount of the order and the order may be paid without any other receipt:

Provided that where the order is crossed specially to a second banker as agent for collection, the name of such second banker, written or stamped upon the face of the order, may be accepted as a receipt under this regulation.

- (c) An order which is crossed generally or specially, if presented for payment by a banker, may be paid at any post office in Gibraltar, notwithstanding that the order has been filled in with the name of some particular post office.
- (d) An order presented by a banker for payment shall not (in the absence of an express arrangement between such banker and the Director to the contrary) be paid until such order has been examined by such officer of the Post Office as the Director may from time to time direct.

Payment after expiration of postal orders.

10. After the expiration of six months from the last day of the month in which any postal order is issued, the order shall be payable only after authority has been received for such payment.

Application of regulations.

11.(1) Subject to the following paragraphs of this regulation these regulations shall apply to the issue, payment and treatment of postal orders within Gibraltar.

(2) In relation to postal orders issued at any post office under the charge of the postal administration of a country outside Gibraltar, being a post office where British postal orders are issued under such an arrangement as is mentioned in section 21 of the Act, the following paragraph shall be substituted for regulation 3(2)–

“ (2) The value of a postal order (other than an order issued through a postal order issuing machine) may be increased by affixing, in the space provided for the purpose postage stamps not exceeding two in number and not exceeding a total of forty-nine pence or the equivalent in the coinage of the country in which the order is issued. Any such stamp may either be a stamp authorized or required to be used for the purpose of the Post Office or, if the postal administration of the country in which the order is issued so allows, a current stamp for denoting a rate of postage of that

country, but no other stamps may be used. If a stamp is affixed in contravention of the provisions of this paragraph no payment shall be made by or on behalf of the Director in respect of that stamp.”

(3) The provisions of these regulations relating to the issue and payment respectively of postal orders shall apply to the issue and payment respectively of postal orders under the authority of the Director or the Postmaster General of the United Kingdom at a British postal agency, or in a ship of the Royal Navy on the high seas or in any port or place outside the British Islands, or at a British Forces Post Office outside the British Islands.

(4) The provisions of these regulations relating to the payment of postal orders shall apply to the payment under the authority of the Postmaster-General of Irish postal orders:

Provided that—

- (a) no payment shall be made by or on behalf of the Director in respect of a stamp affixed to an Irish postal order for the purpose of increasing its value unless—
 - (i) the stamp is either a stamp authorized or required to be used for the purpose of the Post Office or a stamp issued by the postal administration in the Republic of Ireland and authorized to be used by that administration; and
 - (ii) the stamps affixed to any such order do not exceed three in number and do not exceed a total of forty-nine pence in value;
- (b) Regulation 10 shall not apply to Irish postal orders and in lieu thereof the period within which orders may be paid and the conditions on which they may be paid after the expiry of any period shall be such as may be prescribed by any law for the time being in force in the Republic of Ireland relating to such orders.

Issue and payment of postal orders.

12. The Director may authorize any of his officers or any person holding office under the Government to issue or pay postal orders, and these regulations shall apply to any officer or person so authorized as though he were the Director.

Discharge to the Director.

13. The payment of a postal order or an Irish postal order in accordance with these regulations to whomsoever made shall discharge the Government and every officer of the Post Office from all liability whatsoever in respect of that order and payment thereof notwithstanding any forgery, fraud, mistake, loss, neglect or omission which may have been committed or have

1961-10

Post Office

1961.10.10-2

Postal Order Regulations

occurred in the procuring of the order or obtaining the payment thereof or otherwise in relation thereto.

SCHEDULE

Regulation 4.

Denomination	Poundage
50p to £4	60p
£5 to £10	£1.20
£15	£1.80
£20	£3.50