

Subsidiary Legislation made under ss.5, 8, 11, 12 and 54.

Commonwealth and Foreign Parcel Post Regulations

1961.12.19-2

Amending enactments	Relevant current provisions	<i>Commencement</i>	22.12.1961
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31.7.1963	–		
10.8.1965	–		
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23.1.1968	–		
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21.1.1969	–		
15.7.1969	–		
28.1.1970	regs. 17(1), 28(1)		
2.7.1970	–		
LN. 1971/011	regs. 7, 15-17		
1971/085	–		
1973/070	–		
1975/079	regs. 7, 15, 16(3), 17(1), 20		
1975/172	Sch. 1		
1976/035	regs. 7(1)		
1976/153	regs. 15, 17(1), 20		
1979/076	reg. 16(1), (3), Sch. 2		
1980/080	–		
1981/085	Sch. 1		
1981/110	regs. 15, 17(1), 18(1), 20, Sch. 3		
1984/022	rr. 15, 17(1)(e)(ii), (h)(i), 18(1), 20(2), Schs. 1, 3		1.4.1984
1985/034	r. 16(1), (3)(a), Sch. 2		1.4.1985
1986/015	rr. 15, 17(1)(h)(i), Schs. 1, 3		1.3.1986
1987/033	Sch. 1		1.3.1987
1987/092	rr. 16(1)(3)(a), 17(1)(e)(ii), 18, Sch.2-3		1.6.1987
1990/005	rr. 2, 4(1), (5), 25-29, Sch. 1		2.1.1990
1990/023	Sch. 1		1.3.1990
1991/006	rr. 7(1)(2)(b), 17(1)(h)(i), 20(1)(a)-(b), (2)		1.2.1991
1991/073	Sch. 1		1.5.1991
1992/014	Sch. 1		20.2.1992

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1992/150	Sch. 1	1.1.1993
1993/185	Sch. 1	1.1.1994
1996/101	Sch. 1	17.10.1996
1996/118	rr. 15, 16(3)(a), 17(1)(h)(i), 20(1)(a)-(b), (2), Schs. 1, 3	1.1.1997
2004/090	r. 20(1)(a)-(c), (2)	13.9.2004
2006/043	rr. 2, 4(1)-(5), 15, 16(2)(a), 17, 18(1)-(5), 19(6)(d), (8), 23, 26, 27(1)-(2), (3)(b)(i), 28(1)-(3), 29, Schs. 1-4	6.4.2006
Act. 2007-17	r. 21(1), (3)	14.6.2007
LN. 2020/401	rr. 9A-9B	16.11.2020

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SCHEDULE 1.
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Application of Local Post Regulations.

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Title.

1. These regulations may be cited as the Commonwealth and Foreign Parcel Post Regulations.

Interpretation.

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

“air parcel” means an outgoing parcel intended by the sender to be conveyed through any part of its course in the post by an air mail, service;

“bullion” means uncoined and unmanufactured metal;

“cash on delivery parcel” means a parcel upon which, in accordance with a postal arrangement, the Director or the postal administration of a country or place outside Gibraltar undertakes at the request of the sender to secure the collection of a sum of money (in these regulations referred to as a “trade charge”) on his behalf from the addressee of the parcel as a condition of delivery and upon which the sender has paid the fee for the cash on delivery service;

“coin” means coin whether or not current in Gibraltar or elsewhere, except such as is used or designed for purposes of ornament;

“EMS packet” or “Express Mail Service packet” means a postal packet which is posted in Gibraltar as an EMS packet in accordance with the provisions of these regulations and which may contain documents, business papers or items of merchandise;

“Director” means the Director of Postal Services;

“incoming” means received at Gibraltar through the post;

“items of merchandise” means any item whatsoever which is subject to customs control and may be subject to liability for payment of any tax or levy;

“jewellery” means—

- (a) gold, silver or platinum or other precious metal in a manufactured state (that is to say, a state in which value is added to the raw material by skilled workmanship), and in this definition are included any coins used or designed for purposes of ornament;
- (b) diamonds and precious stones;

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- (c) watches, the cases of which are entirely or mainly composed of gold, silver or platinum or other precious metal; and
- (d) any article of a like nature which, apart from workmanship, has an intrinsic or marketable value;

“letter” includes any communication in the nature of current and personal correspondence;

“outgoing” means posted in Gibraltar;

“parcel” means a postal packet which is posted as a parcel in accordance with the provisions of these regulations, or is received at a post office in Gibraltar from abroad by parcel post;

“postal arrangement” means an arrangement made by the Governor or by the Director with respect to the conveyance by post of parcels between Gibraltar and places outside Gibraltar;

“postal form” means a form issued by or under the authority of the Director;

“prescribed” means prescribed by the Director;

“trade charge” has the meaning assigned to it in the foregoing definition of cash on delivery parcel”.

Application.

3. These regulations, except where otherwise provided, apply exclusively to parcels transmitted by post from or to Gibraltar otherwise than under the Local Post Regulations.

PART I.

RATES OF POSTAGE AND GENERAL CONDITIONS.

Rates of postage and fees.

4.(1) *Omitted.*

(2) *Omitted.*

(3) The rates of postage for outgoing parcels shall be a sum comprising the amount of the charge for the treatment of parcels in Gibraltar, the sea, land or air charges to the most suitable place with which Gibraltar has both direct communication and a parcel post agreement,

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together with the forwarding charge; of that postal administration as set out in the Parcel Post Tables C.P. 81 or C.P. 82 of that administration.

(4) The rates of postage for outgoing EMS items shall be a sum comprising the amount of the charges for the treatment of EMS items in Gibraltar, the air, land or sea charges to the most suitable place with which Gibraltar has direct communication and an EMS agreement, together with the forwarding charge of that postal administration.

(5) The total amount to be paid under sub-regulations (3) and (4) can be ascertained upon application at the Royal Gibraltar Post Office.

Prohibitions.

5.(1) Save as the Director may either generally or in any particular case allow, there shall not be conveyed or delivered by post any parcel of a description referred to in section 11(1)(a), (b) or (c) of the Act.

(2) Subject to the provisions of these regulations, there shall not be posted or conveyed or delivered by post any parcel-

(a) containing-

- (i) opium, morphine, cocaine, or other narcotic: Provided that such narcotics may be sent for medical or scientific purposes to countries which admit them when sent for those purposes by parcel post;
- (ii) any living creatures, other than bees, leeches and silkworms;
- (iii) anything which by the law of the country or place in which the parcel is posted or to which it is addressed or of any country or place through which it may pass, it is unlawful respectively to send, import or convey by parcel post;
- (iv) save as the Director may either generally or in any particular case allow, coin or gold bullion exceeding £5 in value, or silver bullion or silver partly manufactured exceeding £50 in value;
- (v) any imitation of a bank note within the meaning of section 2 of the Criminal Offences Act;

(b) containing or bearing any fictitious stamp (not being a fictitious stamp which is authorized to be made by or under post office regulations) or any counterfeit impression of a stamping machine under the direction or by the permission of the

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Director or any counterfeit of any other impression authorized by or under these regulations to be used to denote payment of postage or fees;

- (c) containing or having thereon any letter, except so far as may be permitted by the relative postal arrangement;
 - (d) having thereon, or on the cover thereof, any words, letters or marks (used without due authority) which signify or imply, or may reasonably lead the recipient thereof to believe, that the parcel is sent on Her Majesty's service;
 - (e) of such a form or colour or so made up for transmission by post as to be likely in the opinion of the Director to embarrass the officers of the Post Office in dealing with the parcel;
 - (f) having anything written, printed or otherwise impressed upon or attached to any part of the parcel which, either by tending to prevent the easy and quick reading of the address of the parcel or by inconvenient proximity to the stamp or stamps used in the payment of postage or fees, or in any other way, is in itself, or in the manner in which it is written, printed, impressed or attached, likely in the opinion of the Director to embarrass the officers of the Post Office in dealing with the parcel;
 - (g) bearing any stamp or impression of a stamping machine denoting payment of postage or fees which is imperfect or mutilated or defaced in any way, or across which anything is written or printed or otherwise impressed; but a stamp shall not be deemed to be imperfect or mutilated or defaced within the meaning of this provision by reason only that it is distinctively perforated with initials by means of a punch if the perforating holes are not larger than those dividing one stamp from another in a sheet of stamps;
 - (h) whereon the payment of any postage or fees purports to be denoted by any stamp or impression which has been previously used to denote payment of the postage or fees on any other postal packet or any other revenue duty or tax;
 - (i) consisting of or containing two or more parcels or other postal packets (of the same or of different descriptions) addressed to different persons who are at different addresses.
- (3) There shall not be posted or conveyed by post an outgoing parcel except at the sender's own risk if the parcel contains coins, bank notes, currency notes, securities or instruments payable to bearer, platinum, gold or silver.

Packing.

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6. Every parcel shall be made up and secured in such manner as in the opinion of the Director is calculated to preserve the contents from loss or damage in the post, to prevent any tampering with the contents, and to prevent injury to any other postal packet in course of conveyance, or to any receptacle in which the same is conveyed, or to an officer of the Post Office or other person who may deal with such packet.

Limits of weight and size.

7.(1) Save as the Director may either generally or in any particular case allow, no parcel shall be posted, conveyed, or delivered by post the length of which exceeds 1,500 millimetres or the combined length and girth of which exceeds three metres (the girth to be measured round the thickest part) or the weight of which exceeds twenty kilos or such lesser length, combined length and girth, or weight as may be provided for in the relative postal arrangement.

(2) Save as aforesaid, no parcel shall be posted, conveyed, or delivered by post unless its size is within the following minimum limits:-

- (a) where the parcel is made up in the form of a roll, its length and twice its diameter taken together shall be not less than 170 millimetres, and either its length or its diameter shall be not less than 100 millimetres;
- (b) otherwise, the parcel shall have at least one surface measuring not less than 140 millimetres in length and not less than 90 millimetres in breadth :

Provided that the foregoing minimum limits of size shall not apply to a parcel having securely tied or affixed to it a rectangular address label of cardboard or strong paper, the dimensions of which are not less than 90 x 140 millimetres.

Posting.

8.(1) All outgoing parcels shall be posted by being handed to an officer on duty at the counter of a post office designated by the Director for that purpose, on the days and within the hours during which such office shall be open to the public for the posting of parcels.

(2) Every outgoing parcel shall bear the name and full address of the addressee, which shall be written otherwise than in pencil, or in copying-ink pencil on a previously dampened surface.

(3) On the posting of an outgoing parcel the sender shall fill up a despatch note in a prescribed form if required so to do, and shall fill up such customs declarations, certificates, and other documents and affix such labels respecting the contents of the parcel as may be required by the law of the country or place in which the parcel is posted or to which it is addressed, or as the Director may direct.

1961.12.19-2 Commonwealth and Foreign Parcel Post Regulations**Payment of postage and fees.**

9.(1) Except as the Director may otherwise direct, and subject to the provisions of these regulations, the postage and fees payable on every outgoing parcel shall be prepaid.

- (2) Payment of postage or fees payable under these regulations may be denoted—
- (a) by adhesive postage stamps;
 - (b) by impressions of stamping machines working under the direction or by the permission of the Director;
 - (c) by the use of an embossed or impressed stamp cut out of or otherwise detached from an envelope, cover, postcard, or other postal form; or
 - (d) in such other manner as the Director may from time to time permit.

(3) No stamp indicating on the face thereof payment of a registration fee (with or without postage) shall be used to denote payment of postage or fees on any uninsured parcel.

(4) Parcels bearing the impression of stamping machines or intended for impression by stamping machines, and parcels on which the postage is prepaid by a printed impression, or by an impression made by any other process authorized by the Director, shall be accepted only at such post offices, within such hours and under and subject to such conditions and restrictions as the Director may consider appropriate.

(5) The stamp or impression in payment of postage or fees shall be placed in such position on the parcel as the Director may consider appropriate.

Import Handling Fees.

9A. Subject to regulation 9B, any parcel or postal item with a commercial value of £25.00 or more shall be subject to payment of an import handling fee of £4.00 to the Royal Gibraltar Post Office.

Parcels with Gifts.

9B.(1) Where a parcel or postal item contains a gift from one person to another, the threshold of £25.00 for the commercial value of the parcel or postal item mentioned in regulation 9A shall be increased to £39.00.

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(2) Where a parcel or postal item contains gifts that are for more than one person, the threshold of £39.00 for the commercial value of the parcel or postal item mentioned in subregulation (1) shall apply separately to each person provided the gifts are-

- (a) individually wrapped;
- (b) marked individually by name and address to each person;
- (c) declared separately on the applicable customs declaration;
- (d) within the allowances specified;
- (e) marked with the price for each individual item on the applicable declaration.

(3) Where more than one parcel or postal item contains gifts that are addressed from one person to another, the commercial value of the gifts shall be added together for the purposes of calculating whether payment of the import handling fee mentioned in regulation 9A is applicable and only one import handling fee shall be payable in respect of those gifts.

Treatment of irregular parcels.

10.(1) Except as otherwise provided in these regulations, any parcel which is found when in the post not to comply with a provision of the Act or any other law or the law of the country or place in which the parcel was posted or to which it is addressed or of any country or place through which it may pass, or not to be accompanied by a document required by any such provision, or to have been posted otherwise than in accordance with regulation 8(1), may be either detained or returned or given up to the sender, or dealt with or disposed of in such manner as the Director may think fit.

(2) Any incoming parcel which is found when in the post not to comply with the provisions of regulation 5 (2)(i), may if the Director thinks fit be delivered to the addressee subject to such charge as the Director may fix in the particular case, not exceeding the total charges which would have been payable in respect of each of the separate parcels or postal packets contained therein if they had been posted singly without prepayment of postage in Gibraltar addressed to the country or place of origin of the parcel.

Delivery.

11.(1) Subject to the following paragraphs of this regulation, there shall be charged on an incoming parcel and paid by the addressee on its delivery the amount of any deficient postage and any fees and charges which are payable in respect of the parcel under the law or regulations of Gibraltar or any country or place from or through which the parcel has been transmitted but have not been paid.

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(2) Where an outgoing parcel is received back from a country or place outside Gibraltar for return to the sender in accordance with the relative postal arrangement, sub-regulation (1) shall apply in respect of the parcel as if references therein to the addressee were references to the sender; and the sender shall pay in addition postage in respect of the return transmission at such rate and such other charges as the Director may consider appropriate having regard to the terms of the relative postal arrangement.

(3) The Director may withhold any parcel from delivery until all sums due thereon have been paid.

Undeliverable parcels.

12.(1) Subject to the following paragraphs of this regulation, an incoming parcel which cannot be delivered, and an outgoing parcel which is received back from a country or place outside Gibraltar for return to the sender in accordance with the relative postal arrangement and which cannot be returned to the sender, may be dealt with or disposed of as the Director may think fit.

(2) Where an incoming parcel cannot be delivered as originally addressed, and in accordance with the relevant postal arrangement the sender has furnished the name and address within Gibraltar of a substituted addressee, and the parcel is forwarded to the substituted address, there shall be charged on the parcel on its delivery all such sums as are referred to in regulation 11(I) and additional postage at the local rate chargeable on a parcel of the same weight.

(3) Where an incoming parcel cannot be delivered within such time as the Director may consider reasonable, or delivery of it is refused, and subsequently the sender or the addressee requests that the parcel should be delivered, the Director may if he thinks fit comply with such request; and in that event there shall be charged on the parcel and paid by the addressee on its delivery all such sums as are referred to in regulation 11(1) (including any further charge incurred if the parcel has already been returned to the country or place of origin), and the additional postage referred to in sub-regulation (2).

Air parcels.

13.(1) An air parcel shall bear an "Air Mail" label affixed close to the address (or to each address if the parcel is addressed in more than one place).

(2) A parcel shall be transmissible as an air parcel if it is addressed to any country or place as may from time to time be prescribed.

PART II.

POSTAL FACILITIES.

General provisions.

14. The postal facilities referred to in these regulations may be provided by the Director at such times, during such period, at such post offices, in such circumstances and on such conditions (not being inconsistent with the provisions of these regulations) as the Director may from time to time consider expedient.

Express delivery.

15. Upon every outgoing parcel marked with the word "Express" or with such other words as may indicate the desire of the sender that the postal packet may be delivered by special messenger being a parcel addressed to a country or place wherein delivery by special messenger is provided for by the relevant postal arrangement, there shall be charged and prepaid the fee of £1.80.

Cash on delivery parcels.

16.(1) The trade charge on a cash on delivery parcel addressed to any country or place the postal administration of which has made an arrangement with the Director for the purposes of section 10 of the Act shall not exceed £1,500 or such lesser sum as may be fixed by the relative postal arrangement, and shall not include a fractional part of a penny.

- (2) The following rules shall apply to outgoing cash on delivery parcels:—
- (a) there shall be charged and paid at the time of posting, in addition to the postage and any other charges payable on the parcel, a fee according to the scale of fees set out in Schedule 1;
 - (b) the sender shall mark on the cover of the parcel (otherwise than in pencil) the word "Reimbursement" followed by the amount of the trade charge;
 - (c) where the sender is required to fill up a despatch note, he shall mark thereon (otherwise than in pencil) the amount of the trade charge;
 - (d) the sender shall fill up (otherwise than in pencil) a trade charge money order form so far as may be required;
 - (e) no erasure or correction shall be made in the amount of the trade charge wherever it may be required to be shown;

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- (f) the Director shall furnish to the sender a certificate of posting bearing an acknowledgement that the cash on delivery fee has been paid and stating the amount of the trade charge;
 - (g) the Director shall upon receiving advice from the postal administration of the country or place of destination of the parcel that the trade charge has been collected remit the amount to the sender or a person named by him by means of a trade charge money order or by such other means as the Director may think fit.
- (3) The following rules shall apply to incoming cash on delivery parcels:–
- (a) there shall be charged and paid on the delivery for the parcel, in addition to any other sums due thereon, a fee of £1.00;
 - (b) the parcel shall not be given up to the addressee or opened at his request until the trade charge, the delivery fee, and any other sums due on the parcel have been paid;
 - (c) the Director shall upon receiving the trade charge from the addressee remit the amount to the sender or a person named by him through the postal administration of the country or place of origin of the parcel by means of the trade charge money order form received with the parcel, or by such other means as the Director may think fit.

17. *Omitted.*

Compensation.

18.(1) If a parcel, or any article of pecuniary value enclosed in or forming part of a parcel, is lost or damaged whilst in the course of conveyance by post, the Director may pay such sum as he may think just to any person or postal administration, if in his opinion such person or administration establishes a reasonable claim to compensation:

Provided that:

- (a) in the case of an outgoing parcel, the sum paid by way of compensation shall not exceed the cost of the postage paid;
- (b) in the case of an incoming insured parcel, the sum paid by way of compensation shall not exceed the cost of the postage; and
- (c) where a parcel is insured from abroad it is the responsibility of the sender, receiver or both to seek compensation directly from the foreign postal authorities.

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(2) On the delivery of an incoming insured parcel the recipient shall give a written receipt thereof in the prescribed form. Where such a receipt is not obtained, the parcel may nevertheless be delivered, or may be withheld and dealt with or disposed of in such manner as the Director may think fit.

(3) If an incoming parcel containing any such article which is not transmissible as an uninsured parcel is found in the post uninsured, the parcel may be delivered on payment of a fee equal to the registration fee chargeable for the registration of an outgoing postal packet other than a parcel, or may be returned to the postal administration of the country or place of origin.

(4) Compensation shall not be payable in respect of the loss of or damage to any parcel or any article of pecuniary value enclosed in or forming part of any parcel where—

- (a) an application relating to the parcel is not received either by the Director or by the postal administration of the country or place from or to which the parcel was transmitted, from the person claiming compensation within one year of the date of posting of the parcel;
- (b) the cause of such loss or damage is beyond the control of the Director and of the postal administration of any country or place under whose administration the parcel is at the time of such loss or damage; or
- (c) the parcel cannot be traced or otherwise accounted for by reason of the destruction of official documents where the cause of such destruction is beyond the control of the Director and of the postal administration of any other country or place.

(5) The Director may give effect to the provisions of these regulations as to the loss of or damage to parcels, and of or to articles enclosed in or forming part of a parcel but nothing contained in or done under or in pursuance of these regulations shall render him or the Crown liable to any action or other legal proceeding in respect of or in consequence of any such loss or damage. The decision of the Director on all questions arising between him and any person claiming payment in respect of the loss or damage to a parcel, or of or to any article enclosed in or forming part thereof, shall be final and conclusive.

Redirection by the public.

19.(1) An incoming parcel may be redirected from its original address, or any substituted address to the same addressee at any other address either within or outside Gibraltar:

Provided that—

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- (a) the parcel is eligible for transmission to the place of the new address and complies with the conditions applicable to such transmission (except the limitation of weight in the case of a parcel redirected to an address in Gibraltar); and
- (b) the sender has not forbidden redirection by means of a note to that effect on the address side of the parcel in English or in any other language understood at the original delivery office.

(2) Subject to sub-regulations (3) and (4) the person redirecting an incoming parcel shall pay additional postage thereon at the rate applicable to the transmission of a parcel of like weight posted in Gibraltar to the country or place (whether within or outside Gibraltar) to which the parcel is redirected.

(3) An incoming parcel may be redirected to an address within Gibraltar without prepayment of the additional postage provided that—

- (a) the parcel does not appear to have been opened or altered otherwise than by the substitution of a new address; and
- (b) the name of the addressee has not been obscured by any adhesive label used to indicate the new address.

On the delivery of such parcel within Gibraltar the addressee shall pay additional postage at the rate appropriate under sub-paragraph (2) and the Director may withhold delivery of the parcel unless the additional postage is so paid.

(4) An incoming parcel redirected to an address outside Gibraltar shall be re-posted in accordance with regulation 8; and if such parcel is posted without prepayment of the additional postage the Director may treat it as a parcel which cannot be delivered unless he is satisfied that the additional postage will be paid on delivery of the parcel.

(5) An incoming insured parcel which is redirected to a new address within Gibraltar will be accepted for transmission as an insured parcel only if the parcel does not appear to have been opened and it is re-posted without any additional cover by being handed to an officer on duty at the counter of a post office designated by the Director for the purpose.

(6) An incoming insured parcel which is redirected to a new address elsewhere will be accepted for transmission as an insured parcel only if—

- (a) the parcel does not appear to have been opened;
- (b) it is re-posted without any additional cover by being handed to an officer on duty at the counter of a post office designated by the Director for the purpose;

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- (c) it complies with the condition applicable to insured parcels sent by post from Gibraltar to the country or place in which the new address is situated; and
- (d) the person redirecting the parcel pays an insurance fee in accordance with the Schedule to the Insurance of Postal Packets Regulations, 2006, unless the Director is satisfied that such fee will be paid on delivery of the parcel.

(7) A parcel posted in Gibraltar and transmitted under the Local Post Regulations to an address within Gibraltar may be redirected from its original address and re-transmitted under these regulations to the same addressee at any address which is not within Gibraltar:

Provided that the parcel shall be re-posted in accordance with regulation 8 and additional postage shall be payable thereon at the rate applicable to the transmission of a parcel of like weight posted in Gibraltar to the new address and if such additional postage is not paid the Director may treat the parcel as one which cannot be delivered.

(8) The Royal Gibraltar Post Office or its agents are expressly excluded from liability in respect of any incoming insured parcels and any loss or damages payable shall be limited to the amount of parcel postage paid.

Advice of delivery and enquiries.

20.(1)

- (a) The sender of an outgoing parcel, on making a request on a prescribed form at the time of posting, and on payment of an advice of delivery fee of the same amount as the air-mail rate of a 10 gramme letter to the country of destination, may obtain an advice of delivery of the parcel.
- (b) *Revoked.*
- (c) The advice of delivery form may, if the sender of the parcel so requires, be transmitted by air to, or from, or both to and from the country or place of address of the parcel, and the sender shall if the Director so directs pay a further fee of the same amount as the air-mail rate of a 10 gramme letter to the country of destination for each transmission of the advice of delivery form by air.

(2) The sender of an outgoing parcel on making a request within one year after the day of posting, may on payment of an enquiry fee of £1.00, cause an enquiry to be made into the suspected loss or non-delivery of the parcel.

Parcels in bond.

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21.(1) The Director, with the approval of the Financial Secretary, may, on application being made in such manner as he may direct by the addressee of any incoming parcel in bond—

- (a) make a search for the parcel in order that it may if possible receive expedited customs examination;
- (b) re-address the parcel to any person either within or outside Gibraltar; or
- (c) permit the addressee or his authorized agent, attending the place where the parcel is, to re-address the parcel to any person either within or outside Gibraltar.

(2) There shall be charged and paid by the original addressee in respect of each parcel which is re-addressed under this regulation the additional postage and fees which would have been payable thereon under regulation 19 if it had been redirected under that regulation to the new address.

(3) In this regulation a parcel in bond means a parcel which is in the custody of the Director at some place appointed by him or by the Financial Secretary for customs examination.

**PART III.
GENERAL.**

Saving.

22. Nothing in these regulations shall prejudice or affect the provisions of the External Parcels and Postal Packets (Import and Export Control) Regulations, or of section 13 of the Act or of any other law relating to the payment of customs or import or export duties.

Application of local Post Regulations.

23. The regulations specified in Schedule 2 shall apply to parcels transmitted by post under the provisions of these regulations, to the extent and subject to the modifications specified in Schedule 2.

Remission of postage and fees.

24. The Director may remit in whole or in part any postage or other sums chargeable under these regulations in such cases or classes of cases as he may determine.

**PART IV.
EMS SERVICE.**

Commonwealth and Foreign Parcel Post Regulations 1961.12.19-2

General provisions.

25. The facilities referred to in this Part may be provided by the Director at such times, during such period, between such places and at such post offices as the Director may from time to time consider expedient.

Labelling etc.

26. Every outgoing EMS packet shall bear the word “EMS” or such other word, lines or marks as the Director may require and the sender of the packet shall complete such forms and other documents and attach to the packet such labels in such position as the Director may prescribe.

Conditions.

27.(1) Outgoing EMS packets shall be posted—

- (a) by being handed to an officer on duty at the counter of a post office designated by the Director for that purpose on the days and within the hours designated by the Director from time to time for that purpose; or
- (b) where the Director allows the method of posting, by being handed to an officer authorised to receive it otherwise than at a post office.

(2) In addition to the prohibition in regulation 5(2)(a), a EMS packet shall not contain coin, gold, silver, platinum, precious stones, jewellery, other precious substances except under permit, negotiable bonds and currency, animals of any kind, lottery tickets or charged butane gas lighters or canisters or any arms except under permit.

(3) Without prejudice to the provisions of regulation 6—

- (a) every outgoing packet shall be made up in a reasonably strong cover appropriate to its contents, and so that no part of the contents can be removed without either breaking or tearing the case, wrapper or cover or forcing two adhesive surfaces apart, or breaking a seal;
- (b) any article contained in the packet shall be adequately packed as a protection against damage in course of transmission and in particular—
 - (i) an article which is of fragile nature shall be packed in a container of sufficient strength and shall be surrounded in that container with sufficient and suitable material to protect the article against the effect of such concussion, pressure and knocks to which postal packets are ordinarily exposed in transmission, and the packet shall bear the words “**FRAGILE**”

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HANDLE WITH CARE” written conspicuously in capital letters on the face of the cover above the address;

- (ii) an article which is liable to be damaged by bending shall be packed in a container of sufficient strength to prevent the article from being bent in transmission, and the packet shall bear the words **“DO NOT BEND”** written conspicuously in capital letters on the face of the cover above the address.

Compensation.

28.(1) the provisions of regulation 18(1) and 18(4) shall not apply in respect of a EMS packet.

(2) The provisions referred to in regulation 18(5) in respect of a EMS packet shall be those contained in subregulation (3) of this regulation.

(3) Compensation payable for the loss of or damage to a EMS packet shall not exceed an amount equivalent to the fee paid by the sender in respect of that packet.

Restriction of application of regulations of EMS packets.

29. Without prejudice to regulation 28 the following provisions of these regulations do not apply to a EMS packet–

- (a) regulation 5(2) with the exception of 5(2)(b);
- (b) regulations 5(3);
- (c) regulation 8(1) and 8(5);
- (d) regulations 9(2)(a), 9(2)(b), 9(2)(c) and 9(4);
- (e) regulations 13, 15, 16 and 20.

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SCHEDULE 1.

Regulation 16.

CASH ON DELIVERY PARCELS.
SCALE OF FEES.

<i>Trade charge</i>	<i>Fee</i>
Up to a maximum of £1,500	£4.00

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SCHEDULE 2.

Regulation 23.

APPLICATION OF LOCAL POST REGULATIONS.

**LOCAL POST
REGULATIONS:**

Regulation 13
(Treatment of packets
addressed to deceased
persons).

The reference in regulation 13 (d) to the Local Post Regulations shall be read as a reference to these regulations. The additional postage and fees referred to in regulation 19 of these regulations shall be payable on each redirected parcel on delivery.

Regulation 19 (Postal
facilities - general).

This regulation shall apply for the purpose only of the application of the other provisions of the Local Post Regulations mentioned in this Schedule to parcels transmitted by post under these regulations.

Regulation 23 (Poste
restante).

The reference in paragraph (h) to the provisions of the Local Post Regulations as to the return of postal packets shall be read as a reference to regulation 12 of these regulations.