

**SECOND SUPPLEMENT TO THE GIBRALTAR
GAZETTE**

No. 2,532 of 4th JANUARY, 1990

LEGAL NOTICE NO. 5 OF 1990.

POST OFFICE ACT.

**COMMONWEALTH AND FOREIGN PARCEL POST
(AMENDMENT) REGULATIONS, 1989.**

In exercise of the powers conferred upon him by Sections 5, 8 and 54 of the Post Office Act and of all other enabling powers the Governor has made the following regulations -

Title and commencement.

1. (1) These regulations may be cited as the Commonwealth and Foreign Parcel Post (Amendment) Regulations, 1989.

(2) These regulations shall be deemed to have come into operation on the 2nd day of January 1990.

Amendment of Commonwealth and Foreign Parcel Post Regulations.

2. (1) The "Arrangement of Regulations" of the Commonwealth and Foreign Parcel Post Regulations (hereinafter called the "principal regulations") is amended by—

(i) inserting in Part I after "4 Rates of Postage" the words "and fees".

(ii) inserting after "24 Remission of postage and fees", a new Part in the following terms

"PART IV - DATAPOST SERVICE.

25. General Provisions. 26. Labelling etc.

27. Conditions.

28. Compensation.

29. Restriction of application of regulations to datapost packets."

- (iii) inserting in Schedule, i after "PART II: PARCEL POST RATES (AIR MAIL)", "PART III: DATAPOST FEES."

(2) Regulation 2 of the principal regulations is amended by—

- (a) the insertion after the definition of "coin" of the following words—

"Datapost packet" means a postal packet which is posted in Gibraltar as a Datapost packet in accordance with the provisions of these regulations and may contain documents, business papers or items of merchandise;"

and

- (b) the insertion after the definition of "incoming" of the following words—

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

(3) Regulation 4 of the principal regulations is amended by—

- (i) the insertion of the words "or Datapost packets" after "sir parcels" in subregulation (1); and
- (ii) the insertion after the end of the regulation of a new subregulation (S) in the following terms—

"(5) There shall be charged and paid on outgoing Datapost packets the rates of fees set out in Part III of Schedule 1."; and

- (iii) the insertion after "postage" in the side heading to the regulation of "and fees".

(4) After the end of regulation 24 of the principal regulations a new Part is added in the following terms—

"PART IV - DATAPOST SERVICE.

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.

Labelling etc,

26. Every outgoing Datapost packet shall bear the word "Datapost" or such other word, words, 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 Datapost 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 that 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 Datapost packet shall not contain coin, gold, silver, platinum, precious stones, jewellery, other precious substances, negotiable bonds and currency, animals of any kind, arms except under permit, lottery tickets or charged butane gas lighters:

(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 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 regulations 18 (1) and 18 (2) shall not apply in respect of a Datapost packet.

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

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

Restriction of applications of regulations Datapost packets.

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

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

(5) In Schedule 1 of the principal regulations after the end of Part II of that schedule a new Part is inserted in the following terms—

"PART III. - DATAPOST FEES

The following fees are payable in respect of Datapost packets posted in Gibraltar:

(a) to the United Kingdom:--

Weight	Charges
First 1/2 kg	£12.00
Each additional 1/2 kg	£ 1.50

(b) to other countries:--

the sum comprising the amount of the charge for treatment of the Datapost packets in Gibraltar, the air charges to the United Kingdom together with the forwarding charges of the postal administration of the particular country.

(c) The total amount to be paid under paragraph (b) in respect of any destination and any weight of Datapost packet can be ascertained upon application at the General Post Office."

Dated this 4th day of January, 1990.

By Command,

W. E. QUANTRILL

LN: 5/90]

**GIBRALTAR GAZETTE, No. 2,532, Thursday 4th
January, 1990.**

Deputy Governor.