

Jamaica Post Office Act of 1886

JAMAICA.N0.12 of 1886.
The Post Office Law Amendment Law, 1886
[4TH MARCH, 1886].

WHEREAS it is necessary to make special provision with regard to the collection of the Customs Duties payable on parcels coming by the post from places beyond seas, and also to amend the Post Office Law 1868:—

Preamble.

Be it enacted by the Governor, with the advice and consent of the Legislative Council of the Island of Jamaica, as follows.-

1 – This Law and Law 18 of 186S shall be read and taken together as one Law.

incorporation with other Laws.

Sections 2 to 12 (both inclusive) of this Law shall be deemed to form part of Law 18 of 1877.

2 – In this Law, the expression "Foreign Parcel" means a parcel, either posted in Jamaica and addressed to a place out of Jamaica, or posted in a place out of Jamaica and addressed to a place in Jamaica, or in transit through Jamaica to a place out of Jamaica.

Foreign Parcel defined.

3 – Anything in the Customs Consolidation Law 1877 to the contrary notwithstanding, it shall be lawful for any Foreign Parcels arriving by any packet boat (as defined by Law 18 of 1868) to be landed and taken to the nearest Post Office without entry thereof, and without the Customs duty thereon being first paid or secured.

Landing of Foreign Parcels before duty paid.

4 – Every Mail and every Post Office as defined by the Post Office Law, 1868, shall, in respect of any Foreign Parcel carried or being therein, be deemed to be a warehouse or place in which Foreign Parcels may be kept and secured with: out payment of duty on the first entry thereof.

Office and Post Office deemed Warehouses for certain purposes.

5- -Every Foreign Parcel shall, either at the port of departure from or of arrival in Jamaica, as the case, may be, or at such other place as the Collector of Customs and the Postmaster for Jamaica shall direct, be produced by an Officer of the Post Office, appointed for that purpose, to the proper Officer of the Customs and, if the Officer of Customs require it, shall be thereupon opened by the Officer of the Post Office, who is hereby empowered and authorised. to open the same for Customs examination, and to do on behalf of the Importer all other things in relation to any such Parcel, and the goods contained therein, that are required by the Laws relating to the Customs to be done by the Importer; and where there is a declaration of the contents of any such Parcel, and of the value of such contents, accompanying or affixed to any such Parcel, such declaration shall stand in the place of, and be treated as though it were, the invoice of such contents duly sworn to by the Importer under Section 24 of the Customs Consolidation Law 1877, to all intents and purposes.

Officer of Post Office and Customs to examine Parcels.

Declaration of Value to stand as the Invoice.

Provided always that where the contents of any Parcel do not agree with such declaration, and it shall appear nevertheless to the Officer of the Post Office and the Officer of Customs examining the said Parcel that there was no intent to defraud in making such declaration, such Officers may waive the forfeiture of such Parcel and its contents; in cases however where it shall not appear as aforesaid that there was no intent to defraud, the Parcel and its contents shall be treated as goods liable to forfeiture.

Fraudulent Declarations.

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- 6 – The Officer aforesaid of the Post Office shall deliver to the proper Officer of Customs such entries of the contents of all such Parcels or such other documents as the Collector of Customs shall prescribe. Delivery of Entries of Contents to Customs Officer.
- 7 – If the addressee of a Foreign Parcel addressed to Jamaica refuses or neglects to pay any duty payable under the Customs Laws in respect of the goods contained in such Parcel, the Officer of the Post Office may retain the Parcel, and at the expiration of fourteen days from the day on which such Parcel arrived at the Post Office to which it was addressed, or such further period as the Postmaster for Jamaica shall from time to time direct, send the Parcel to the Queen's Warehouse, or to such other place as the Collector of Customs shall appoint for that purpose. Procedure if addressee refuses or neglect, to pay duty.
- 8 – Any Foreign Parcel sent by an Officer of the Post Office to the Queen's Warehouse, or other place appointed as aforesaid under the next preceding Section, together with all goods contained therein, shall be treated as goods the Importer of which has failed, within the time appointed by Law after the arrival of the ship importing the same, to make perfect entry or entry by bill of sight of such goods. How Parcel to be treated if sent to Queen's Warehouse.
- 9 – If any Foreign Parcel be delivered to or received by the addressee without payment of the Customs duty payable in respect thereof, the amount of such duty, as fixed between the Officer of the Post Office and the Officer of Customs at the time of the arrival of the Parcel in Jamaica, shall be recovered from him by any Officer of the Post Office as a post- age. Liability of addressee receiving parcel without paying duty.
- 10 – The duties payable on goods contained in any Parcel to which this Law applies shall, when paid by the addressee to the Officer of the Post Office, be paid over by the Postmaster for Jamaica to the Collector of Customs or other proper Officer, at such times and in such manner as shall be from time to time agreed upon between the two Departments. Payment of Duties by Post office to Customs Department.
- 11 – If at any time while a Foreign Parcel remains in the possession of an Officer of the Post Office it becomes offensive or injurious to such Officer, or other person, or to other Parcels, it may forthwith be dealt with or disposed of in such manner as the Postmaster for Jamaica may in his discretion direct or authorise. Offensive or injurious parcels, how to be dealt with
- 12 – All Officers of the Post Office shall, in relation to any of their dealings with Foreign Parcels under the Provisions of this Law, be deemed to be Officers of the Customs acting in the execution of or by reason of their Office, within the meaning of Sections 230 to 237 (both inclusive) of the Customs Consolidation Law 1877. Post Office Officers deemed Customs Officers for certain purposes.

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13 – So much of Sections 13 and 14 of Law 18 of 1868 as provides in effect, that there shall not be any paper or communication of the nature of a letter enclosed in or with any newspaper, parcel or book packet, and that in the event of the breach of this Rule the whole of such newspaper, parcel or book packet, shall be charged at letter rates, shall be and the same is hereby repealed; and in lieu thereof it is hereby provided that if, on examination of any newspaper, parcel or book packet, there shall be found enclosed in or with the same any paper or communication of the nature of a letter, it shall be lawful for an Officer of the Post Office to take out of such newspaper, parcel or book-packet, such paper or communication as aforesaid, and forward the same by post to the addressee thereof or, if it be not addressed, to the addressee of the newspaper, parcel or book packet, in or with which the same was found enclosed; and the same postage shall be recovered from the same parties, and in like manner and to the same amount, as if such paper or communication had been posted as a letter, without prepayment of the postage, by the person sending the newspaper, parcel or book packet, from the place where such paper or communication shall have been found by the Officer of the Post Office and forwarded as aforesaid.

Sections 13 and 14 of Law 18 of 1868 partially repealed and modified.

14 – The Provisions of Section 13 of Law 18 of 1868 shall not apply to Foreign Parcels; – Provided always that the Provisions of the next preceding Section shall apply to such parcels.

Foreign Parcels exempt from Section 13 of Law 18 of 1868.

15 – Section 11, – and so much of Section 12 of Law 18 of 1868 as empowers the Governor, with the advice and consent of the Privy Council, to direct that where letters or newspapers posted in this Island, addressed to any place within this Island, shall not be duly prepaid the postage or deficient postage thereon shall be paid by the person to whom the same shall be addressed, before the delivery thereof to him, with an addition of a fine equal to the full ordinary rate of postage on such letter or newspaper, and that, in case of the refusal of the person to whom such letter or newspaper shall be addressed to receive the same, or in case he cannot be found, the postage and additional postage and costs, if any, shall be recovered from the sender in like manner as the postage under the said Law, – shall be and the same are hereby repealed.

Section 11 and part of Section 12 of Law 18 of 1868 repealed.

16 – Where the postage on any letter, newspaper or book packet, shall not be duly prepaid, double the postage or deficient postage thereon shall be paid by the person to whom the same shall be addressed before the delivery thereof to him, and in case of the refusal of such person to receive the same and to pay such double postage or deficient postage, or if he cannot be found, such double postage or deficient postage, and costs (if any), shall be recovered from the sender in like manner as a postage under the said Law.

Penalties on letters not prepaid.

17 – Section 10 of Law 18 of 1868 shall be and the same is hereby amended, by omitting the words "and book -packets" and "or book-packet,," and "to the extent of at least one rate of postage."

Section 10 of Law 18 of 1868 amended

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18 – And whereas arrangements have been and may be made for the reception by the Officers of the Post Office, and transmission by Mail Coach or otherwise, of Parcels in excess of the limit fixed by Law as regulating the maximum weight of Post Parcels, it is hereby Provided that the Provisions of Section 10 of the said Law 18 of 1868 shall not apply to Parcels so received and transmitted, but such Parcels may from time to time be received and transmitted ns aforesaid in accordance with such Regulations as may from time to time be made by the Governor, and published in the Jamaica Gazette.

That Section not apply to parcels above maximum weight.

19 – The first part of the Schedule to Law 18 of 1868 relating to letters shall be and the same is hereby repealed; and the Schedule to this Law annexed shall be substituted for the same, and read and taken as if it formed part of the Schedule to the said Law.

Substitution of Schedule hereto for part of Schedule under Law 18 of 1869

SCHEDULE OF POSTAGES.
LETTERS.

	Not exceeding half an Ounce in weight.	Above half an Ounce and not exceeding one Ounce in weight.	For each additional half Ounce or fractional part of half an Ounce.	Remarks.
For a letter posted for Town or Office delivery, or for delivery at a Post Office within the "Penny Post" limit approved by the Governor in Privy Council	One penny.	Two-pence	One penny	
For a letter to be conveyed for delivery at any Post Office other than as stated above	Two-pence	Four-pence	Two-pence	
For a letter to or from a Seaman or Soldier in Her Majesty's Service	One penny	If exceeding half an Ounce in weight, or if not properly addressed to him, or if from him not properly franked by his Commanding Officer, the letter ceases to be privileged, and is liable to the ordinary rates of postage.

Passed in Council 19th April, 1886, (Signed) H. W. NORMAN, President.