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Post Office.

Short title.

1. This Ordinance may be cited as the Post Office Ordinance, 1916.

Definition.

2. Definitions :—

“Letter” includes packet.

“Postal packet” includes any article authorised by law to be transmitted by post or which has been posted or received at a Post Office for transmission by post.

“Postage” means the duty charged for the transmission of postal packets.

“Packet Boat” means a Post Office Packet employed by or under the Post Office or Admiralty of the United Kingdom as well as any vessel employed in conveying postal matter by the Posts and Telegraphs Department.

“Officer of the Posts and Telegraphs Department” means the Postmaster-General, the Deputy and Assistant Postmasters, and every agent, officer, clerk, sorter, messenger, letter carrier, post boy, rider, or any other person employed in the business of the Post Office, whether employed by the Governor, or any person on behalf of the Post Office :

“Mail bag” includes a bag, box, parcel or any other envelope or covering in which postal packets in course of transmission by post are conveyed.

Appointment of officers, etc. of the Posts and Telegraphs Department.

3. The Governor may appoint such officers and servants of the Posts and Telegraphs Department as may be necessary for the carrying into effect of the provisions of this Ordinance. All officers and servants serving in the Posts and Telegraphs Department on the commencement of this Ordinance shall be deemed to have been appointed under this Ordinance.

Powers of Postmaster General.

4. The Postmaster-General with the sanction of the Governor may :—

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- (a) Enter into such contracts as may be necessary for the conveyance of postal matter or otherwise for the carrying into effect of the provisions of this Ordinance.
- (b) Establish post office at any place in Nigeria, and close any post office, and
- (c) Determine at what post offices orders for the payment of money may be issued and paid.

5. (1) The Posts and Telegraphs Department shall have the exclusive privilege of conveying all letters from one place to another between which postal communication shall be established under this Ordinance, and shall also have the exclusive privilege of performing all the incidental services of receiving, collecting, sending, despatching, and delivering all letters from any one place to another, between which such postal communication shall be established.

Exclusive privilege of the Post Office.

(2) The exclusive privilege by the preceding section conferred shall not extend to:—

Letters sent by a private friend without hire or reward on his way, journey or travel, so as such letters be delivered to the party to whom they shall be directed;

Exceptions.

Letters sent by a messenger on purpose concerning the private affairs or business of the sender or receiver thereof;

Commissions or returns thereof and affidavits and writs, process or proceedings, or returns thereof, issuing out of a Court of Justice;

Letters to be sent out of Nigeria by a vessel not being a Packet boat;

Letters of merchants, owners of vessels of merchandise or the cargo or loading therein, sent by such vessels of merchandise, or by any person employed by such owners for the carriage of such

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letters according to their respective persons to whom they shall be directed, without paying or receiving hire or reward, advantage or profit, for the same in any wise ;

Letters concerning goods or merchandise sent by common known carriers, to be delivered with the goods which such letters concern without hire or reward, or other profit or advantage for receiving or delivering such letters.

But nothing herein contained shall authorise any person to make a collection of such excepted letters for the purpose of sending them in the manner hereby authorised.

Special
Prohibition.

6. The following persons are expressly forbidden to carry a letter or to receive or collect or deliver a letter although they shall not receive hire or reward for the same :—

- (i) Common carriers, except a letter concerning goods which they are conveying.
- (ii) Officers of the Posts and Telegraphs Department.
- (iii) Owners, masters or commanders of vessels, being passage or Packet boats, sailing or passing coastwise or otherwise between ports or places in Nigeria, except in respect of letters concerning goods on board or letters belonging to the owners of such vessel.
- (iv) Passengers, members of the crew or other persons on board any such vessel as is mentioned in clause (iii) hereof.
- (v) The owners of, or members of the crew or others on board a vessel, boat, canoe or barge, passing or repassing on a river, lagoon or navigable canal in Nigeria, except with respect to places in Nigeria with which postal communication has not been established.

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7. Any Postmaster or officer in charge of a post office may detain any postal packet which has been posted contrary to the provisions of this Ordinance, and deal with the same in such manner as may be prescribed.

Power to deal with matter improperly posted.

Stamps, Duties, Revenue and Expenditure.

8. The Governor may determine the rates of postage to be charged for the transmission of the different descriptions of postal packets by the Posts and Telegraphs Department.

Rates of postage, how determined.

9. The Governor may cause to be provided stamps, stamped envelopes, stamped wrappers, lettersheet envelopes and envelopes for registered postal matter and postal cards of all kinds, and the Posts and Telegraphs Department shall have the exclusive privilege of issuing the same :

Stamped envelopes, etc. to be issued by Posts and Telegraphs Department.

Provided that the Postmaster-General, with the consent of the Governor, may appoint persons to retail the same and under such conditions as may be prescribed.

Vendors of stamps, etc.

10. No postage shall be payable for the transmission by the Posts and Telegraphs Department of any postal packets sent or received by the Governor or of any postal matter sent by any public department in connexion with the business of such department :

Free postage in certain cases.

Provided that any postal packet sent by a public department shall be liable to postage unless franked by an officer authorised by the Regulations to frank postal packets.

11. All postage imposed under this Ordinance shall be paid by means of stamps, which shall be affixed before posting to all postal packets liable to such postage to the amount of the rates of postage payable thereon, and if any such postal packet shall be underpaid with stamps, or shall not have any stamps thereon, the same shall be liable to double the unpaid or underpaid postage as the case may be, and such double postage shall be paid by the person to whom such postal packet

Inland postage to be paid by stamps affixed before posting.

may be addressed on the delivery of the same to him or to any other person on his behalf, unless he or such person shall refuse to receive the same, in which case such double postage may be recovered from the person sending such postal packet.

Letters arriving in Nigeria unstamped or insufficiently stamped.

12. In the case of a postal packet arriving in Nigeria for delivery therein on which the postage has not been duly prepaid, double the unpaid or underpaid postage, as the case may be, shall be paid by the person to whom such postal packet is addressed on the delivery of the same to him or to any other person on his behalf, unless he or such person shall refuse to receive the same.

How duties of postage to be sued for and recovered.

13. All postage imposed by or under this Ordinance may be sued for and recovered with full costs of suit in a summary manner before any Magistrate on the complaint of any Postmaster.

Postmaster may detain postal matter with fictitious stamp.

14. The Postmaster-General may detain and withhold from delivery, any postal packet bearing or containing any fictitious postage stamp, that is to say, any facsimile or imitation or representation of any stamp for denoting any rate or duty of postage of Nigeria, of the United Kingdom, of any of His Majesty's Colonies and Possessions or Protectorates or of any foreign country; or purporting to be prepaid with any postage stamp which has been previously used to prepay any other postal packet or for the payment of any revenue duty or tax.

Any postal packet detained under this section shall be dealt with as the Governor shall in such case direct, but shall not be delivered to the addressee without a direction to that effect, nor until such addressee shall have given such information with regard to the name and address of the sender, and such other particulars as the Postmaster-General shall require.

Liability for loss of postal packet.

15. The registration of or giving a receipt for a postal packet, or the giving or obtaining of a certificate of posting or delivery of a postal

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packet, shall not render the Postmaster-General or the Government in any manner liable for the loss of the packet or the contents thereof.

16. The Governor in Council may make regulations for all or any of the following purposes :—

Power to make regulations.

- (a) Adopting the regulations agreed upon by the Universal Postal Union for or respecting or in relation to the transmission of postal matter and declaring that the same or any part or modification thereof shall be in force within Nigeria ;
- (b) For the guidance and control of the public dealing with the Posts and Telegraphs Department ;
- (c) Declaring what articles may be transmitted as postal packets ;
- (d) Classifying postal packets for the purposes of postal charges ;
- (e) For the registration and insurance of postal matter and prescribing the conditions under which compensation may be paid for the loss of registered or insured postal matter ;
- (f) Prescribing the conditions under which compensation may be paid for the loss of or damage to the contents of a parcel sent by parcel post ;
- (g) Regulating the issue and payment of money orders and postal orders.
- (h) For the disposal of undeliverable postal packets ;
- (i) Prescribing the conditions under which and the manner in which special services shall be performed for the convenience of individuals ;
- (j) For the guidance, conduct and discipline of officers and servants of the department in the performance of their several duties ;

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- (k) For regulating the hours during which post offices shall be open for the transaction of various classes of public business ;
- (l) For fixing the hours up to which the various classes of postal matter may be posted for inclusion in a mail and for dealing with postal packets posted after the hour named and prescribing the extra postage to be paid on postal matter posted late but intended to be forwarded forthwith and ;
- (m) Prescribing the officers who may frank postal packets sent by a public department.
- (n) For regulating the business of the department.

Ships' Letters.

Duty of master of ship to convey letters.

17. Every master of ship about to depart from any port in Nigeria to any port or place within or beyond the limits of Nigeria shall receive on board any mail bag tendered to him by any officer of the Posts and Telegraphs Department for conveyance, granting a receipt therefor in such form as the Postmaster-General may prescribe, and shall without delay deliver the same at the port or place of destination.

Penalty : a fine of fifty pounds.

Duty of master of a ship arriving at a port to deliver mails.

18. Every master of a ship arriving at any port in Nigeria shall cause every letter or mail bag on board which is within the exclusive privilege conferred on the Posts and Telegraphs Department by section 5 of this Ordinance to be delivered to such officer of the said department as may be authorised to receive the same and shall make and sign the declaration contained in the Schedule before such officer.

Penalty : a fine of fifty pounds.

Duties of Officers of Customs.

19. (1) An Officer of Customs shall not allow any inward-bound ship to report until the

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declaration required by the preceding section has been made, and may refuse to permit bulk to be broken on board such vessel or entry to be made of any part of his cargo until the letters and mail bags have been delivered as required by this Ordinance, and may search any vessel for letters and mail bags which may be on board contrary to this Ordinance, and may seize the same and forward them to the nearest post office.

(2) If the master of a ship breaks bulk or makes entry before the letters and mail bags have been delivered in accordance with the section he shall be liable to a fine of twenty pounds.

Consignee's
letters on board
ship exempt
from postage.

20. The following persons shall be entitled to have delivered free at the Post Office their letters brought by any such ship, that is to say, the owners, charterers, or consignees of any such ship, and the owners, consignees, or shippers of goods on board any such ship, but the letters brought by any one such ship to any one such person and delivered free shall not collectively exceed six ounces in weight, and the owner, charterer, or consignee shall be described as such on the address and superscription, and in the case of owners, shippers, or consignees of goods, it shall also appear by the ship's manifest that they have goods on board the ship.

21. The Postmaster-General shall pay to every master of a vessel leaving a port in Nigeria, not being a Packet boat or under contract to carry mails, a gratuity of one farthing for every postal packet other than a parcel delivered to him.

Gratuities to
master of
vessel not being
Packet boats for
conveyance of
postal matter
other than
parcels.

Before payment is made the Postmaster-General may require the master of any vessel to produce a certificate from the Post Office of destination that such packets have been duly received from him :

Provided that no gratuity shall be payable :—

- (1) For a second transmission of any postal packets.

- (2) On postal packets to be delivered to a Post Office in Nigeria for onward transmission by Packet boat or boat under contract to carry mails.
- (3) Unless application for payment be made within twelve months from the date of despatch.
- (4) If there has been unreasonable delay in delivery at the Post Office of destination.
- (5) If the mails have been damaged in transit owing to negligent handling or storing on board the vessel.

If the master of any vessel satisfies the Postmaster-General that he will not return to Nigeria within the twelve months prescribed above the Postmaster-General may pay the gratuities in advance.

Gratuities for parcels.

22. The Postmaster-General shall pay to every master of a vessel, not being a Packet boat or under contract to carry mails, leaving one port in Nigeria for another, a gratuity at the rate of three pence per parcel for all postal parcels delivered to such master for conveyance :

Provided that the payment under this section shall be made subject to the conditions and exceptions contained in the last preceding section.

Penalty on master of ship opening mail bag.

23. Any master of a ship who—

- (a) opens a sealed mail bag with which he is entrusted for conveyance ; or
- (b) takes out of a mail bag with which he is entrusted for conveyance any postal packet

shall on summary conviction be liable to a fine of two hundred pounds.

Repeal chapters 124, 125 and 126 of the laws of Southern Nigeria: Ordinance No. 12 of 1908 (Southern Nigeria) Chapter 81 of the laws of Northern Nigeria and Proclamation No. 4 of 1911 (Northern Nigeria).

24. The Post Office Ordinance, the Registered Letter (Compensation for Loss) Ordinance, the Parcel Post (Compensation for Loss or Damage) Ordinance (Southern Nigeria), the Post Office Proclamation, and the Post Office Proclamation, 1911, Northern Nigeria, are hereby repealed.

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SCHEDULE.

(Section 18).

I do solemnly declare that I have to the best of my knowledge and belief caused to be delivered to the proper officer of the Posts and Telegraphs Department at every letter and mail bag that were on board the vessel under my command except

Declared at _____ the _____ day of
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Commander.

Before me

Officer of the Posts and Telegraphs Department.

Objects and Reasons.

To amalgamate, simplify and amend the various laws dealing with the Post Office throughout Nigeria.