



**THE STATUTES OF THE REPUBLIC OF SINGAPORE**

**POSTAL SERVICES ACT**

**(CHAPTER 237A)**

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# Postal Services Act

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An Act to provide for the operation and provision of postal systems and services in Singapore and for matters connected therewith.

[1st December 1999]

## PART I

## PRELIMINARY

**Short title**

1. This Act may be cited as the Postal Services Act.

**Interpretation**

- 2.—(1) In this Act, unless the context otherwise requires —

“addressee”, in relation to a postal article, means the person to whom the communication is addressed;

[34/2007 wef 24/08/2007]

“code of practice” and “standard of performance” mean, respectively, a code of practice and a standard of performance issued or approved under section 24;

“correspondent”, in relation to a postal article, means the sender or person to whom it is addressed;

[34/2007 wef 24/08/2007]

“direct mail” means a letter consisting solely of advertising, marketing or publicity material and comprising an identical message (except for the addressee’s name, address and identifying number and other modifications which do not alter the nature of the message) which is sent to more than one addressee, to be conveyed and delivered at the address indicated by the sender on the letter itself or on its wrapping;

*[34/2007 wef 24/08/2007]*

“equipment” includes any appliance, apparatus or accessory used or intended to be used for postal purposes;

“installation or plant used for posts” includes all buildings, lands, structures, machinery, equipment, boxes and receptacles used or intended for use in connection with the transmission of postal articles by post;

“letter box” means any box or receptacle which the owner or occupier of any premises has provided or agreed to be used for the receipt of postal articles addressed to those premises;

*[34/2007 wef 24/08/2007]*

“mail bag” means any form of container or covering in which postal articles in the course of transmission by post are enclosed by a postal licensee in Singapore or a foreign postal administration for the purpose of conveyance by post, whether or not it contains any such articles;

*[34/2007 wef 24/08/2007]*

“parcel” means a postal article which is posted at a post office in Singapore as a parcel in accordance with the provisions of this Act or is received at a post office in Singapore by parcel post;

“post” means any system for the collection, despatch, conveyance, sorting, handling and delivery of postal articles by or through a postal licensee;

*[34/2007 wef 24/08/2007]*

“post office” includes any building, house, room, vehicle or place used for the provision of any postal services;

*[34/2007 wef 24/08/2007]*

“postage” means the fee chargeable for the transmission by post of postal articles;

“postage stamp” means any label or stamp for denoting any postage or other sum payable in respect of a postal article, and includes any adhesive postage stamp or stamp printed, impressed or otherwise indicated on a postal article, whether the postage stamp is issued under this Act or by the government of any other country;

“postal article” means any article or thing transmissible by post but does not include such article or thing as the Postal Authority may prescribe to be not transmissible by post;

“Postal Authority” means the person appointed under section 3 to be responsible for the administration of this Act;

“postal licensee” means a person to whom a licence has been granted under section 6;

“postal service” means any service for the conveyance of postal articles from one place to another by post, and includes the incidental services of receiving, collecting, sorting, sending, despatching and delivering such postal articles and any other services which relates to any of those services and is provided in conjunction with any of them;

*[34/2007 wef 24/08/2007]*

“posting box” includes any pillar box, wall box or other box or receptacle provided by or under the authority of a postal licensee for the purpose of receiving postal articles for transmission by post;

*[34/2007 wef 24/08/2007]*

“public postal licensee” means a person designated by the Postal Authority under section 7;

“public postal licensee’s installation or plant” means any installation or plant used for posts belonging to or used by a public postal licensee;

“repealed Act” means the Telecommunication Authority of Singapore Act (Cap. 323, 1993 Ed.) repealed by the Info-

communications Development Authority of Singapore Act (Cap. 137A);

“sender”, in relation to a postal article, means a person whose communication it originates from;

*[34/2007 wef 24/08/2007]*

“TAS” means the Telecommunication Authority of Singapore reconstituted under the repealed Act;

“vessel” includes any ship, boat, air-cushioned vehicle or floating rig or platform used in any form of operations at sea or any other description of vessel.

(2) In this Act, unless the context otherwise requires, “letter” means any communication in written form on any kind of physical medium to be conveyed and delivered (otherwise than electronically) to a particular addressee or address indicated by the sender on the letter itself or on its wrapping, and includes a postal article containing such communication, but does not include any book, catalogue, newspaper or periodical.

*[34/2007 wef 24/08/2007]*

(3) For the purposes of subsection (2), any reference to communication to be conveyed or delivered otherwise than electronically shall be a reference to a communication to be conveyed or delivered otherwise than —

(a) by means of a telecommunication system within the meaning of the Telecommunications Act (Cap. 323); or

(b) by any other means but while in electronic form.

*[34/2007 wef 24/08/2007]*

(4) For the purposes of this Act —

(a) the deposit of a postal article into any posting box of a postal licensee, or its delivery to any employee of a postal licensee or any agent authorised by the postal licensee to receive postal articles of that description on its behalf, shall be a delivery to the postal licensee;



- (b) the delivery of a postal article —
- (i) by leaving it at the premises to which it is addressed or redirected, unless the premises are a post office from which the postal article is to be collected;
  - (ii) by depositing it into the letter box of the premises to which it is addressed or redirected; or
  - (iii) to the addressee's agent or to any other person considered to be authorised to receive the postal article,
- shall be a delivery to the addressee; and
- (c) a postal article shall be regarded to be in the course of transmission by post from the time of its being delivered to a postal licensee to the time of it being delivered to the addressee, or it being returned to the sender or otherwise disposed of under this Act.

*[34/2007 wef 24/08/2007]*

## PART IA

### POSTAL AUTHORITY

*[34/2007 wef 24/08/2007]*

#### **Postal Authority**

**3.** The Info-communications Development Authority of Singapore shall be the Postal Authority responsible for the administration of this Act.

*[34/2007 wef 24/08/2007]*

#### **Functions and duties of Postal Authority**

**3A.—(1)** It shall be the function and duty of the Postal Authority —

- (a) to promote the efficiency and international competitiveness of the postal industry in Singapore;
- (b) to ensure that postal services are reasonably accessible to all people in Singapore, and are supplied as efficiently and economically as practicable and at performance standards

that reasonably meet the social, industrial and commercial needs of Singapore;

- (c) to promote the development of postal systems and postal services in accordance with, as far as practicable, recognised international standard practice;
- (d) to promote and maintain fair and efficient market conduct between persons engaged in commercial activities connected with the operation and provision of postal systems and postal services for the conveyance of letters in Singapore;
- (e) to promote the effective participation of all sectors of the Singapore postal industry in markets, whether in Singapore or elsewhere;
- (f) to exercise licensing and regulatory functions in respect of postal systems and postal services in Singapore;
- (g) to exercise regulatory functions in respect of the determination and approval of prices, tariffs, charges and the provision of postal services and other related services;
- (h) to act internationally as the national body representative of Singapore in respect of postal matters;
- (i) to advise the Government on national needs and policies in respect of all postal matters and on matters pertaining to the Postal Authority generally; and
- (j) to further the advancement of technology relating to postal systems and postal services.

*[34/2007 wef 24/08/2007]*

(2) In discharging the functions and duties imposed on it by subsection (1), the Postal Authority shall have regard —

- (a) to efficiency and economy;
- (b) to the social, industrial and commercial needs of Singapore for postal services;
- (c) to the state of and trends in the development of postal systems and postal services and the evolution of standards and protocols used in the postal industry, both in Singapore and elsewhere;

- (d) to fostering the development and expansion of postal services in the world in collaboration with foreign postal administrations, other countries and international organisations;
- (e) to maintaining fair competition between persons engaged in the provision of postal systems and postal services for the conveyance of letters;
- (f) to enabling persons providing postal systems and postal services in Singapore to compete fairly in the provision of such systems and services outside Singapore;
- (g) to the provision of postal services at rates consistent with efficient service;
- (h) to the promotion of research and development in the field of postal systems and postal services; and
- (i) to collaboration with educational institutions for the promotion of technical education in the field of postal systems and postal services.

[34/2007 wef 24/08/2007]

(3) The Postal Authority may undertake such other functions as the Minister may from time to time, by notification published in the *Gazette*, assign to the Postal Authority, and in so doing, the Postal Authority shall be deemed to be fulfilling the purposes of this Act, and the provisions of this Act shall apply to the Postal Authority in respect of such functions.

[34/2007 wef 24/08/2007]

- (4) Nothing in this section shall be construed as —
- (a) imposing on the Postal Authority, either directly or indirectly, any form of duty or liability enforceable by proceedings before any court to which it would not otherwise be subject;
  - (b) precluding the Postal Authority from interrupting, suspending or restricting any postal services provided by the Postal Authority; and

- (c) precluding the Postal Authority from ensuring the provision of any special service for any person or section of the public where the special service is required.

[34/2007 wef 24/08/2007]

### **Powers of Postal Authority**

**3B.**—(1) Subject to the provisions of this Act, the Postal Authority may carry on such activities as appear to it to be advantageous, necessary or expedient for it to carry on for or in connection with the discharge of its functions and duties under this Act, and in particular, the Postal Authority may exercise any of the powers specified in the Schedule.

[34/2007 wef 24/08/2007]

(2) This section shall not be construed as limiting any power of the Postal Authority conferred by or under any other written law.

[34/2007 wef 24/08/2007]

## **PART II**

### **EXCLUSIVE PRIVILEGE AND LICENSING, ETC., OF POSTAL SERVICES**

#### **Exclusive privilege with respect to conveyance, etc., of letters**

**4.**—(1) As from 1st December 1999 and subject to this Act, the Postal Authority shall have the exclusive privilege of conveying from one place to another letters and performing all incidental services of receiving, collecting, sorting, sending, despatching and delivering letters.

[34/2007 wef 24/08/2007]

(2) Subject to the provisions of this Act, no person shall convey within Singapore any letter from one place to another (whether the place is within or outside Singapore), or perform such incidental services of receiving, collecting, sorting, sending, despatching and delivering letters, unless the person —

- (a) is the Postal Authority;
- (b) holds a postal licence authorising him to do so; or

- (c) is acting as an employee or agent of the Postal Authority, or of a person who is authorised under a postal licence to do so.

[34/2007 wef 24/08/2007]

#### **Exceptions to section 4**

**5.—(1)** The privilege conferred by section 4 shall not be infringed by —

- (a) letters not exceeding 3 in number sent by a person for delivery by the person to another without hire, reward or other profit for receiving, carrying or delivering the letters;

[34/2007 wef 24/08/2007]

- (b) any letter solely concerning the affairs of either correspondent by an employee of either correspondent;

[34/2007 wef 24/08/2007]

- (c) the conveyance of any letter solely concerning any goods or other property which is to be delivered with the letter, without hire, reward or other profit for receiving, carrying or delivering the letter, if the letter is open to inspection and has thereon the words “Consignee’s letter” or other words to the same effect; and

- (d) the conveyance from one place to another of —

- (i) any letter which weighs more than 500 grams;
- (ii) any letter by direct mail;
- (iii) any letter by the sender personally; or
- (iv) any document in respect of which a method of service other than post is required or authorised by written law.

[34/2007 wef 24/08/2007]

(2) The Minister may, after consulting the Postal Authority, by order published in the *Gazette*, delete, vary or add to the exceptions in subsection (1).

[34/2007 wef 24/08/2007]

#### **Power to license conveyance of letters, etc.**

**6.—(1)** The Postal Authority may, with the consent of or in accordance with the terms of any general authority given by the Minister, grant a licence (referred to in this Act as a postal licence) to

any person or class of persons authorising the person or class of persons to do anything —

- (a) which would otherwise contravene section 4; and
- (b) which is specified in the licence,

and any such postal licence may be granted without conditions or subject to such conditions as the Postal Authority thinks fit.

*[34/2007 wef 24/08/2007]*

(2) A licence granted under subsection (1) may be granted either to any person, class of persons or a particular person and may include (without prejudice to the power to impose conditions conferred by that subsection) conditions requiring the licensee —

- (a) to enter into agreements or arrangements with any person, class of persons or another postal licensee for —
  - (i) the interconnection of, and access to, postal systems;
  - (ii) the sharing of installation or plant used for posts belonging to any postal licensee; and
  - (iii) such other purpose as may be specified in the licence, on such terms and conditions as may be agreed to by the licensee and such other persons or licensees or, in default of agreement, as may be determined by the Postal Authority;
- (b) to pay to the Postal Authority a fee on the grant of the licence or to pay to the Postal Authority periodic fees during the currency of the licence or both, of such amount as may be determined by or under the licence;
- (c) to comply with any direction given by the Postal Authority as to such matters as are specified in the licence or are of a description so specified;
- (d) to comply with codes of practice and standards of performance that are applicable to the licensee; and
- (e) to do or not to do such things as are specified in the licence or are of a description so specified.

(3) Any payment required by subsection (2) to be rendered to the Postal Authority may be recovered by it in any court of competent jurisdiction as if it were a simple contract debt.

(4) No person shall question whether the grant of a licence under subsection (1) was, or was not, effected with the consent of or in accordance with the terms of a general authority given by the Minister, and the validity of a licence granted under that subsection shall not be impugned on the ground that it was granted neither with the consent of nor in accordance with the terms of a general authority given by the Minister.

(5) The grant of licences under this section shall be at the discretion of the Postal Authority.

(6) [*Deleted by Act 34/2007 wef 24/08/2007*]

(7) Anything done under and in accordance with a licence granted under subsection (1) shall not constitute an infringement of the privilege conferred by section 4.

### **Designation of public postal licensees**

7. The Postal Authority may, with the approval of the Minister, designate any postal licensee as a public postal licensee to perform all or any of the functions relating to the provision of postal services within the exclusive privilege of the Postal Authority under this Act.

### **Modification of licence conditions**

8.—(1) Subject to this section, the Postal Authority may modify the conditions of a licence granted under section 6.

(2) Before making modifications to the conditions of a licence of a postal licensee under this section, the Postal Authority shall give notice to the licensee —

(a) stating that it proposes to make the modifications in the manner as specified in the notice;

[*34/2007 wef 24/08/2007*]

(aa) stating the compensation payable for any damage caused by the modifications proposed, where the postal licensee is a public postal licensee; and

*[34/2007 wef 24/08/2007]*

(b) specifying the time (not being less than 28 days from the date of service of notice on such licensee) within which written representations with respect to the proposed modifications may be made.

(3) Upon receipt of any written representation referred to in subsection (2), the Postal Authority shall consider such representation and may —

(a) reject the representation; or

(b) amend the proposed modifications or compensation payable in accordance with the representation, or otherwise,

and, in either event, the Postal Authority shall thereupon issue a direction in writing to such licensee requiring that effect be given to the proposed modifications specified in the notice or to such modifications as subsequently amended by the Postal Authority within a reasonable time.

(4) *[Deleted by Act 34/2007 wef 24/08/2007]*

(5) The Postal Authority shall not enforce its direction —

(a) during the period referred to in section 56; and

*[34/2007 wef 24/08/2007]*

(b) whilst the appeal of the postal licensee is under consideration by the Minister.

(6) If no written representation is received by the Postal Authority within the time specified in subsection (2) or if any written representation made under subsection (2) is subsequently withdrawn, the Postal Authority may forthwith carry out the modifications as specified in the notice given under subsection (2).

### **Suspension or cancellation of licence, etc.**

9.—(1) If the Postal Authority is satisfied that a person who is granted a licence under section 6 or any regulations made under this



Act is contravening, or has contravened, whether by act or omission —

- (a) any of the conditions of the licence;
- (b) any provision of any code of practice or standard of performance;
- (c) any direction of the Postal Authority given under section 25, 26D or 26F(2); or

*[34/2007 wef 24/08/2007]*

- (d) section 26B,

*[34/2007 wef 24/08/2007]*

the Authority may, by notice in writing, do either or both of the following:

- (i) issue such written order to the person as it considers requisite for the purpose of securing compliance thereof;
- (ii) require the payment, within a specified period, of a financial penalty of such amount not exceeding \$1 million as it thinks fit.

*[34/2007 wef 24/08/2007]*

(2) Where the Postal Authority is satisfied that —

- (a) the person who is granted a postal licence is again likely to contravene, whether by act or omission, any condition, provision, direction or section referred to in subsection (1);
- (b) the person who is granted a postal licence has gone into liquidation other than for the purpose of amalgamation or reconstruction;
- (c) the person who is granted a postal licence is no longer in a position to comply with the provisions of this Act or the terms or conditions of his licence; or
- (d) the public interest so requires,

the Postal Authority may, in lieu of an order or a financial penalty under subsection (1)(i) or (ii) or both, by notice in writing and without any compensation, do all or any of the following:

- (i) cancel the licence or part thereof;

(ii) suspend the licence or part thereof for such period as it thinks fit;

(iii) reduce the period for which the licence is to be in force.

*[34/2007 wef 24/08/2007]*

(3) *[Deleted by Act 34/2007 wef 24/08/2007]*

(4) An order under subsection (1)(i) —

(a) shall require the person concerned (according to the circumstances of the case) to do, or not to do, such things as are specified in the order or are of a description so specified therein;

(b) shall take effect at such time, being the earliest practicable time, as is determined by or under that order; and

(c) may be revoked at any time by the Postal Authority.

*[34/2007 wef 24/08/2007]*

(5) Any person who fails to comply with any order under subsection (1)(i) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$100,000 or to imprisonment for a term not exceeding 3 years or to both.

*[34/2007 wef 24/08/2007]*

(6) In any proceedings brought against any person for an offence under subsection (5), it shall be a defence for him to prove that he took all reasonable steps and exercised all due diligence to avoid contravening the order.

(7) Any financial penalty payable by any person by virtue of subsection (1) shall be recoverable by the Postal Authority as a debt due to the Postal Authority from that person; and the person's liability to pay shall not be affected by his licence ceasing (for any reason) to be in force.

### **Residual power of Postal Authority to provide postal services**

**10.—**(1) The Postal Authority may provide any postal service notwithstanding that it has granted a licence to any person under section 6 in any of the following circumstances:

(a) if the Postal Authority is of the opinion that a person licensed under section 6 has failed to discharge or is not discharging to

the Postal Authority's satisfaction the obligations imposed by the Postal Authority on that person in the licence; or

- (b) to give effect to any direction of the Minister under section 45.

(2) Where the Postal Authority undertakes the provision of postal services under subsection (1), sections 2, 10, 10A, 11, 12, 13, 18 to 21, 23, 27 to 34, 36 to 38, 40 to 44, 57 and 58 shall apply, with the necessary modifications, to the Postal Authority in respect of the provision of such services and the references to public postal licensees or postal licensees in those sections shall be read as references to the Postal Authority.

[34/2007 wef 24/08/2007]

### **Charges and other terms for services provided by Postal Authority**

**10A.**—(1) The Postal Authority may make, in relation to any service provided by the Postal Authority under this Act, a scheme or schemes for determining either or both of the following:

- (a) the charges which, except in so far as they are the subject of an agreement between the Postal Authority and a person availing himself of the service, are to be made by the Postal Authority;
- (b) the other terms and conditions which, except as provided, are to be applicable to the service.

(2) A scheme made under this section may make different provision for different cases or classes of cases determined by, or in accordance with, the provisions of the scheme.

(3) A charge exigible by virtue of this section may be recovered by the Postal Authority in any court of competent jurisdiction as if it were a simple contract debt.

(4) A scheme or any amendment thereof made under this section shall come into operation on such date as may be determined by the Postal Authority.

(5) Nothing in this section shall be construed as prohibiting the Postal Authority from levying any charge or collecting any dues for

anything done or any service rendered by reason only of not being incorporated in a scheme and the rates, charges and fees payable to the Postal Authority for any service rendered shall be in accordance with such rates, charges and fees as may, from time to time, be determined by the Postal Authority.

*[34/2007 wef 24/08/2007]*

### PART III

#### POSTAL SERVICES AND SYSTEMS

##### **Power to specify documents for remittance of money**

**11.**—(1) A public postal licensee may provide for the remittance of any sum of money through the post or any electronic or other system established by or among foreign postal administrations and postal licensees.

(2) A public postal licensee may specify the documents to be used in connection with the remittances under subsection (1).

*[34/2007 wef 24/08/2007]*

##### **Documents to be deemed valuable securities**

**12.** Any document specified by a public postal licensee to be used for the remittance of money through the licensee shall be deemed to be a valuable security within the meaning of the Penal Code (Cap. 224).

##### **Examination of postal articles**

**13.** All postal articles received from outside Singapore may be examined while in the custody of a postal licensee by the Director-General of Customs or any senior officer of customs, and may be opened by an employee of the licensee in the presence of the Director-General of Customs or the senior officer of customs for the purpose of the examination.

*[4/2003 wef 01/04/2003]*

*[34/2007 wef 24/08/2007]*

##### **Forfeiture of postal articles**

**14.** Any postal article found upon any examination under section 13 to contain any dutiable goods, that postal article not having affixed

thereto a true declaration of those goods, shall be liable to forfeiture by order of the Director-General of Customs.

[4/2003 wef 01/04/2003]

### **Presumption as to importer**

**15.** The addressee of any postal article containing any dutiable goods shall be presumed until the contrary is proved to have imported the same.

### **Letter boxes**

**16.—(1)** The Postal Authority may, from time to time, do all or any of the following:

- (a) issue or approve the specifications relating to the number, place, dimensions and other characteristics of letter boxes;
- (b) approve the installation and use of such other mail delivery systems or arrangements;
- (c) amend or revoke any specifications issued or approved under paragraph (a) or any approval under paragraph (b).

(2) Where any specifications are issued or approved, or amended or revoked by the Postal Authority under subsection (1), the Postal Authority shall —

- (a) publish a notice of the issue, approval, amendment or revocation, as the case may be, of the specifications in such manner as will secure adequate publicity for such issue, approval, amendment or revocation;
- (b) specify in the notice referred to in paragraph (a) the date of issue, approval, amendment or revocation, as the case may be; and
- (c) ensure that, so long as the specifications remain in force, the specifications, and all amendments to those specifications, are available for inspection by members of the public.

(3) A developer of any residential, commercial or industrial building shall —

- (a) provide one letter box for each lot within any residential building, and one letter box for the occupier of each lot within any commercial or industrial building;
- (b) ensure that the letter boxes provided under paragraph (a) are numbered in numerical sequence; and
- (c) comply with all specifications issued, approved or amended by the Postal Authority under subsection (1).

(4) Any developer who contravenes subsection (3) shall be guilty of an offence.

(5) It shall be the duty of —

- (a) the owner of any common property or limited common property, as the case may be, on which a letter box is situated, being a letter box which is provided for persons occupying the building or part thereof; and
- (b) the owner of a building where a letter box is provided for the owner or occupier of the building,

to keep at all times the lawful access to the letter box clear from any obstruction by any vehicle, debris, box or object or any other thing which would prevent or impede the delivery of postal articles to that letter box by a postal licensee.

(6) Where, in the opinion of the Postal Authority, the lawful access to any letter box referred to in subsection (5) is not clear from such obstructions mentioned in that subsection, the Postal Authority may, by notice in writing, require the owner of the common property or limited common property, or the owner or occupier of the building referred to in subsection (5)(b), as the case may be, to undertake, within such time as may be specified in that notice, such work or such rectification steps to ensure that subsection (5) is complied with.

(7) If any person on whom a notice under subsection (6) is served fails, without reasonable excuse, to comply with the requirements of that notice, that person shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 and, in the case of a continuing offence, to a further fine not exceeding \$25 for every day or part thereof during which the offence continues after conviction.

(8) For the avoidance of doubt, subsections (5), (6) and (7) shall not apply with respect to any sealing or locking of the aperture of a letter box by the person for whom the letter box is provided, or any closure or locking of any normal access to the letter box by or under lawful authority.

(9) In this section —

“commercial or industrial building” includes any shopping complex;

“common property”, “limited common property” and “owner” have the same meanings, respectively, as in the Building Maintenance and Strata Management Act 2004 (Act 47 of 2004).

*[34/2007 wef 24/08/2007]*

17. *[Deleted by Act 34/2007 wef 24/08/2007]*

### **Posting boxes and postal label vending machines**

18. A postal licensee may, with the approval of the Postal Authority, erect, relocate and remove any posting box and postal label vending machine in any public road, street or highway, or in any other public place.

*[34/2007 wef 24/08/2007]*

### **Postage stamps**

19.—(1) No person other than the Postal Authority or a public postal licensee may cause postage stamps that bear the word “Singapore” in any language to be provided.

(2) Any person who contravenes subsection (1) shall be guilty of an offence.

(3) Any postage stamp provided under subsection (1) may be of such kind and may denote such values as the Postal Authority or public postal licensee may determine.

(4) Any postage stamp provided under this section shall be used for the prepayment of any postage or other sum chargeable under this Act in respect of any postal article to be conveyed and delivered by or through the Postal Authority or the public postal licensee, except

where the Postal Authority or public postal licensee determines that prepayment may be made in some other manner.

(5) The design of every postage stamp provided by a public postal licensee under this section shall be approved by the Postal Authority.

(6) All philatelic archival materials produced by a public postal licensee shall belong to the Government, and all philatelic archival materials shall be kept in such custody as the Government directs.

(7) In subsection (6), “philatelic archival materials” includes —

- (a) philatelic stamps;
- (b) artworks, proofs, progressive sheets, printed sheets and printing plates of philatelic stamps; and
- (c) date-stamps, slogan dies and other artifacts used in connection with the production of philatelic stamps.

(8) The Minister may, after consulting the Postal Authority, by order published in the *Gazette*, delete, vary or add to the items of “philatelic archival materials” specified in subsection (7).

[34/2007 wef 24/08/2007]

### **Official marks to be prima facie evidence of certain facts denoted**

**20.** In any proceedings for the recovery of any postage or other fee or sum payable in respect of a postal article —

- (a) the production of a postal article having thereon the official mark of a public postal licensee denoting that the article has been refused or that the addressee is dead or cannot be found shall be prima facie evidence of the fact so denoted; and
- (b) the person from whom any postal article purports to come shall, until the contrary is proved, be deemed to be the sender thereof.

### **Recovery of postage and other sums due in respect of postal articles**

**21.—**(1) Where any postage or other fee or sum is not prepaid or fully prepaid in respect of a postal article posted for delivery in



Singapore, a public postal licensee is entitled to be paid, as a condition of delivery, such fee, in addition to the amount of the postage or of the deficient postage payable in respect of the delivery of the article, as is payable in accordance with a determination made by a Postal Authority.

(2) The official mark or label on a postal article denoting that any postage or other fee or sum is due in respect thereof to a public postal licensee or to the postal authority of any foreign country shall be prima facie evidence that the postage or other fee or sum denoted is so due.

**22.** [*Deleted by Act 34/2007 wef 24/08/2007*]

### **Power to deal with postal articles sent in contravention of this Act**

**23.**—(1) Any postal article sent by post which is suspected to be sent in contravention of this Act or any regulations made thereunder may be detained and opened by a public postal licensee or otherwise dealt with in accordance with the directions of the Postal Authority.

*[34/2007 wef 24/08/2007]*

(2) The detention of a postal article under subsection (1) shall not exempt the sender from any proceedings which might have been taken if the postal article had been delivered in due course of post.

(3) Any postal article sent in contravention of this Act or any regulations made thereunder shall be destroyed, returned to the sender or dealt with in such other manner as the Postal Authority may direct.

*[34/2007 wef 24/08/2007]*

(4) The Postal Authority may, by order in writing, direct a postal licensee to detain and open all or any postal articles sent by any person or persons named in the order who are reasonably suspected of sending postal articles by post in contravention of this Act.

*[34/2007 wef 24/08/2007]*

(5) Upon receipt of an order under subsection (4), a postal licensee shall detain and open the postal article or articles specified in the order, and any postal article found to have been sent in contravention of this Act shall be dealt with in accordance with subsection (3).

*[34/2007 wef 24/08/2007]*

## PART IV

## CODES OF PRACTICE AND DIRECTIONS

**Codes of practice, etc.**

24.—(1) The Postal Authority may, from time to time —

- (a) issue one or more codes of practice or standards of performance;
- (b) approve as a code of practice or standard of performance any document prepared by a person other than the Postal Authority if the Postal Authority considers the document as suitable for this purpose; or
- (c) amend or revoke any code of practice or standard of performance issued under paragraph (a) or approved under paragraph (b),

with respect to all or any of the following:

- (i) the operation of postal systems;
- (ii) the provision of postal services;
- (iii) the activities and conduct of postal licensees in the provision of postal services;
- (iv) competition, abuse of a dominant position in the market for postal systems or postal services and fair market conduct in the provision of postal services in Singapore;
- (v) the acquisitions or consolidations involving a postal licensee and any other person (whether a postal licensee or otherwise);
- (vi) the carrying out of the purposes and provisions of this Act and for the due administration thereof.

(2) A code of practice may, in particular, specify the duties and obligations of any person in relation to his business operation in so far as it relates to the provision of postal services.

(3) If any provision in any code of practice or standard of performance is inconsistent with any provision of this Act, such provision, to the extent of the inconsistency —

- (a) shall have effect subject to the provisions of this Act; and
- (b) having regard to the provisions of this Act, shall not have effect.

(4) Where a code of practice or standard of performance is issued, approved, amended or revoked by the Postal Authority under subsection (1), the Postal Authority shall —

- (a) publish a notice of the issue, approval, amendment or revocation, as the case may be, of the code of practice or standard of performance in such manner as will secure adequate publicity for such issue, approval, amendment or revocation;
- (b) specify in the notice referred to in paragraph (a) the date of issue, approval, amendment or revocation, as the case may be, and the place at and the time during which the code of practice or standard of performance which is the subject of the notice may be inspected; and
- (c) ensure that, so long as the code of practice or standard of performance remains in force, copies of that code or standard, and of all amendments to that code or standard, are available for inspection by members of the public free of charge, and for purchase by members of the public at a reasonable price.

(5) No code of practice or standard of performance, no amendment to an approved code of practice or standard of performance, and no revocation of any such approved code of practice or standard of performance, shall have any force or effect as an approved code of practice or standard of performance until the notice relating thereto is published in accordance with subsection (4).

(6) Any code of practice or standard of performance issued or approved under this section shall not have legislative effect.

(7) Subject to subsection (8), every postal licensee shall comply with the relevant codes of practice and standards of performance issued or approved under this section.

(8) The Postal Authority may, either generally or for such time as the Postal Authority may specify, waive the application of any code of practice or standard of performance, or part thereof, issued or approved under this section to any postal licensee.

(9) In this section, “dominant position” means a dominant position in any market for postal systems or postal services, whether in Singapore or elsewhere.

*[34/2007 wef 24/08/2007]*

### **Directions affecting postal licensee**

**25.—**(1) The Postal Authority may give directions to be observed by postal licensees —

(a) to ensure the reliability of the provision of any postal service to the public;

(b) to ensure fair and efficient market conduct by postal licensees;

(c) to ensure the technical compatibility and safety of operation of any postal equipment or postal system;

*[34/2007 wef 24/08/2007]*

(d) to ensure the co-ordination and co-operation, on such terms as the Postal Authority may specify, with any other person in the use or sharing of any installation, plant or system, or part thereof, owned or used by the postal licensee for the provision of any postal service; or

*[34/2007 wef 24/08/2007]*

(e) in the public interest.

*[34/2007 wef 24/08/2007]*

(2) A direction under subsection (1) —

(a) shall require the postal licensee concerned (according to the circumstances of the case) to do, or not to do, such things as are specified in the direction or are of a description as specified therein;

(b) shall take effect at such time, being the earliest practicable time, as is determined by or under that direction; and

(c) may be revoked at any time by the Postal Authority.

(3) Before giving a direction to any postal licensee under subsection (1), the Postal Authority shall, unless the Postal Authority in respect of any particular direction considers that it is not practicable or desirable, give notice —

- (a) stating that the Postal Authority proposes to make the direction and setting out its effect; and
- (b) specifying the time within which representations or objections to the proposed direction may be made,

and shall consider any representations or objections which are duly made.

(4) [*Deleted by Act 34/2007 wef 24/08/2007*]

(5) Every postal licensee shall comply with every direction of the Postal Authority given to the licensee under this section.

### **Advisory guidelines**

**26.—**(1) The Postal Authority may make advisory guidelines about any aspect of postal services and postal systems.

(1A) Advisory guidelines, for example, may be made about —

- (a) any matter in respect of which codes of practice and standards of performance may be made under section 24; or
- (b) the use, construction, design or performance of anything relating to postal systems or postal services.

*[Act 34/2007 wef 24/08/2007]*

(2) The Postal Authority must —

- (a) give a copy of each advisory guideline to the Minister; and
- (b) publish each advisory guideline in the way the Postal Authority thinks fit.

## **PART IVA**

### **CONTROL OVER DESIGNATED POSTAL LICENSEES**

*[34/2007 wef 24/08/2007]*

**Interpretation of this Part**

**26A.—(1)** In this Part, unless the context otherwise requires —

“12% controller”, in relation to a designated postal licensee, means a person, not being a 30% controller, who alone or together with his associates —

- (a) holds 12% or more of the total number of voting shares in the designated postal licensee; or
- (b) is in a position to control 12% or more of the voting power in the designated postal licensee;

“30% controller”, in relation to a designated postal licensee, means a person who alone or together with his associates —

- (a) holds 30% or more of the total number of voting shares in the designated postal licensee; or
- (b) is in a position to control 30% or more of the voting power in the designated postal licensee;

“associate” has the meaning given to that expression in regulations made under section 26H;

“consolidation” means any transaction —

- (a) that results in a person —
  - (i) becoming a 30% controller of a designated postal licensee;
  - (ii) acquiring the business of a designated postal licensee (or any part thereof) as a going concern; or
  - (iii) obtaining effective control over a designated postal licensee; or
- (b) that is prescribed by regulations made under section 26H, or that falls within a class of transactions prescribed in such regulations;

“designated postal licensee” means a postal licensee —

- (a) which has been declared by the Postal Authority, by notification published in the *Gazette*, to be a designated postal licensee for the purposes of this Part; or
- (b) which is within a class of postal licensees which has been declared by the Postal Authority, by notification published in the *Gazette*, to be a designated class of postal licensees for the purposes of this Part;

“effective control” has the meaning given to it in the code of practice referred to in section 26C;

“share” includes stock except where a distinction between stock and shares is expressed or implied;

“treasury share” has the same meaning as in section 4(1) of the Companies Act (Cap. 50);

“voting share” has the same meaning as in section 4(1) of the Companies Act, but does not include a treasury share.

(2) In relation to a designated postal licensee the whole or a portion of the share capital of which consists of stock, an interest of a person in any such stock shall be deemed to be an interest in an issued share in the designated postal licensee having the same nominal amount as the amount of that stock and having attached to it the same rights as are attached to that stock.

(3) The Postal Authority may, by notification published in the *Gazette*, vary or revoke any declaration of a designated postal licensee.

[34/2007 wef 24/08/2007]

### **Control of acquisition of designated postal licensee**

**26B.**—(1) A designated postal licensee shall give notice in writing, in the prescribed manner and within the prescribed period, to the Postal Authority on the occasion when a person, whether by a series of transactions over a period of time or otherwise —

- (a) first acquires 5% or more but less than 12% of the voting shares in the designated postal licensee; or

(b) first controls 5% or more but less than 12% of the voting power in the designated postal licensee.

(2) Subject to subsection (4), no person shall, whether through a series of transactions over a period of time or otherwise, become a 12% controller or a 30% controller of a designated postal licensee without obtaining the prior written approval of the Postal Authority in the prescribed manner and within the prescribed period.

(3) No person shall enter into any other transaction that constitutes a consolidation with a designated postal licensee without obtaining the prior written approval of the Postal Authority in the prescribed manner and within the prescribed period.

(4) To the extent that the holding of any shares or control of any voting power in a designated postal licensee under subsection (2) constitutes a consolidation with that designated postal licensee, the person and the designated postal licensee shall, in addition to the approval required under that subsection, obtain the prior written approval of the Postal Authority in the prescribed manner and within the prescribed period.

[34/2007 wef 24/08/2007]

### **Power to issue code of practice relating to control of designated postal licensee**

**26C.**—(1) Without prejudice to the generality of section 24, the Postal Authority may issue a code of practice under that section which specifies such matters as are generally necessary for carrying out the purposes and provisions of this Part and for the due administration thereof.

(2) Without prejudice to the generality of subsection (1), the Postal Authority may specify in the code of practice —

- (a) the circumstances under which a person would be considered to have entered into a consolidation with a designated postal licensee;
- (b) the categories of persons that shall obtain the prior written approval of the Postal Authority for —
  - (i) any consolidation with a designated postal licensee; or



- (ii) an acquisition of the business of a designated postal licensee or part thereof;
- (c) the duties and obligations of a designated postal licensee and a person acquiring the business or part thereof as a going concern, holding any voting shares or controlling the voting power of a designated postal licensee;
- (d) the rules and procedures that a designated postal licensee and a person acquiring the business or part thereof as a going concern, holding any voting shares or controlling the voting power of a designated postal licensee must comply with; and
- (e) the terms and conditions which the Postal Authority may impose in granting any written approval under section 26B.

*[34/2007 wef 24/08/2007]*

### **Power to issue directions**

**26D.**—(1) Without prejudice to the generality of section 25, if the Postal Authority is satisfied that a person —

- (a) holds any voting shares or controls the voting power of a designated postal licensee; or
- (b) has entered into a consolidation with a designated postal licensee,

(referred to in this section as the specified person), in contravention of section 26B(2), (3) or (4), or that the holding, control, acquisition or consolidation is likely to substantially lessen competition or is against the public interest, the Postal Authority may issue a direction under subsection (3) or (4), as the case may be.

(2) The Postal Authority may issue a direction under subsection (3) or (4) if the Postal Authority is satisfied that —

- (a) any condition of written approval imposed on the person under section 26B has not been complied with;
- (b) the person has furnished false or misleading information or documents in connection with an application under section 26B to obtain the written approval of the Postal Authority; or

- (c) the Postal Authority would not have granted its written approval under section 26B had it been aware, at that time, of circumstances relevant to the person's application for such approval,

and the existing holding, control, acquisition or consolidation in the designated postal licensee by the person is likely to substantially lessen competition or is against the public interest.

(3) The Postal Authority may, under the circumstances specified in subsection (1)(a) or (b) or (2), direct —

- (a) the designated postal licensee to do all or any of the following:
- (i) to restrict the specified person's voting power in respect of the shares he holds or controls in the designated postal licensee (referred to in this section as the specified shares), unless the Postal Authority expressly permits such rights to be exercised;
  - (ii) to restrict the issuance or offer of shares in the designated postal licensee (whether by way of rights, bonus or otherwise) in respect of the specified shares, unless the Postal Authority expressly permits such issue or offer;
  - (iii) except in a winding up of the designated postal licensee, to restrict the payment of any amount (whether by way of dividends or otherwise) in respect of the specified shares, unless the Postal Authority expressly authorises such payments subject to such conditions as the Authority may specify; and
- (b) any specified person or an associate of the specified person to transfer or dispose of all or any part of the specified shares within such time and subject to such conditions as the Postal Authority considers appropriate.

(4) The Postal Authority may, under the circumstances specified in subsection (1) or (2), direct any specified person to transfer or dispose of all or any part of the business acquired from the designated postal

licensee within such time and subject to such conditions as the Postal Authority considers appropriate.

(5) Before issuing a direction to any person under subsection (3) or (4), the Postal Authority shall, unless the Postal Authority decides that it is not practicable or desirable to do so, cause to be given to that person notice in writing of the Postal Authority's intention to serve the direction, specifying a date by which that person may make written representations with regard to the proposed direction.

(6) Upon receipt of any written representation referred to in subsection (5), the Postal Authority shall consider it for the purpose of determining whether to issue the direction.

(7) Any person to whom a direction is given under subsection (3) or (4) shall comply with the direction and the direction shall take effect notwithstanding the provisions of any other written law or anything contained in the memorandum or articles of association, or other constitution, of the designated postal licensee.

(8) The Postal Authority may vary or revoke any direction issued under this section.

(9) Where a person is alleged to have contravened section 26B(2), (3) or (4), it shall be a defence for the person to prove that —

(a) he was not aware that he had contravened the provision in question; and

(b) he has, within 14 days of becoming aware that he had contravened that provision, notified the Postal Authority of the contravention and, within such time as determined by the Postal Authority, taken such actions in relation to his shareholding or control of the voting power in the designated postal licensee as the Postal Authority may direct,

but it shall not be a defence for the person to prove that he did not intend to or did not knowingly contravene section 26B(2), (3) or (4), as the case may be, except as provided in this subsection.

*[34/2007 wef 24/08/2007]*

**Power to obtain information**

**26E.**—(1) Without prejudice to any other provision of this Act, the Postal Authority may, by notice in writing, direct any designated postal licensee to obtain from any of its shareholders and to transmit to the Postal Authority information —

- (a) as to whether that shareholder holds any share in the designated postal licensee as a beneficial owner or trustee; and
- (b) if the shareholder holds the share as a trustee, to indicate so far as he can, the person for whom he holds the share (either by name or by other particulars sufficient to enable that person to be identified) and the nature of his interest,

and the designated postal licensee shall comply with that direction within such time as may be specified in the notice.

(2) The Postal Authority may, by notice in writing, require any shareholder of a designated postal licensee to inform the Postal Authority whether he holds that interest as a beneficial owner or trustee, and if he holds the interest as a trustee, to indicate so far as he can, the person for whom he holds the interest (either by name or by other particulars sufficient to enable that person to be identified) and the nature of his interest.

(3) Any person who —

- (a) fails to comply with a notice under this section; or
- (b) in purported compliance of the notice, knowingly or recklessly, makes a statement which is false in a material particular,

shall be guilty of an offence and shall be liable on conviction —

- (i) in the case of an individual, to a fine not exceeding \$125,000 or to imprisonment for a term not exceeding 3 years or to both and, in the case of a continuing offence, to a further fine not exceeding \$12,500 for every day or part thereof during which the offence continues after conviction; or
- (ii) in any other case, to a fine not exceeding \$250,000 and, in the case of a continuing offence, to a further fine not

exceeding \$25,000 for every day or part thereof during which the offence continues after conviction.

[34/2007 wef 24/08/2007]

### **Appointment of chief executive officer, director, etc., of designated postal licensee**

**26F.**—(1) No designated postal licensee shall appoint a person as its chief executive officer, its director or the chairman of its board of directors unless it has obtained the prior written approval of the Postal Authority.

(2) Where a person has been appointed by a designated postal licensee as its chief executive officer, its director, or the chairman of its board of directors without the prior written approval of the Postal Authority in contravention of subsection (1), the Postal Authority may issue a direction to the licensee to remove that person as its chief executive officer, its director or the chairman of its board of directors, as the case may be.

(3) This section shall have effect notwithstanding the provisions of any other written law or anything contained in the memorandum or articles of association, or other constitution, of the designated postal licensee.

(4) In this section —

“chief executive officer”, in relation to a designated postal licensee, means any person, by whatever name described, who —

(a) is in the direct employment of, or acting for or by arrangement with, the designated postal licensee; and

(b) is principally responsible for the management and conduct of any type of business of the designated postal licensee in Singapore,

and includes any person for the time being performing all or any of the functions or duties of a chief executive officer;

“director” has the same meaning as in section 4(1) of the Companies Act (Cap. 50).

[34/2007 wef 24/08/2007]

**Power of Minister to issue written order relating to acquisition of assets, etc., of postal licensees**

**26G.**—(1) Subject to subsection (4), where a person acquires the assets or business of, or shares in, a postal licensee (referred to in this section as the relevant person), and the Minister is satisfied that —

- (a) the relevant person is not a fit and proper person; and
- (b) it is not in the national interest to allow the relevant person to continue to own the assets or business of, or to hold the shares in, that postal licensee,

the Minister may issue a written order to the relevant person, the postal licensee or both, directing the relevant person or that postal licensee or both to do all or anything specified in subsection (2).

(2) A written order under subsection (1) may direct a relevant person, a postal licensee or both to do all or any of the following:

- (a) to transfer or dispose of all the assets, business or shares acquired by the relevant person in the postal licensee concerned, within such time and subject to such conditions as the Minister considers appropriate;
- (b) to transfer or dispose of any part of the assets, business or shares acquired by the relevant person in the postal licensee concerned only in such circumstances as the Minister considers appropriate.

(3) If a written order containing any direction specified in subsection (2)(a) or (b) concerning any shares in a postal licensee is issued, then notwithstanding the provisions of any other written law or anything contained in the memorandum or articles of association, or other constitution, of the postal licensee, the following shall apply for so long as those shares are not transferred or disposed of in accordance with the direction:

- (a) no voting rights shall be exercisable in respect of those shares without the prior and express permission of the Minister;
- (b) no shares in the postal licensee shall be issued or offered (whether by way of rights, bonus or otherwise) without the prior and express permission of the Postal Authority; and

- (c) no payment shall be made by the postal licensee of any amount (whether by way of dividends or otherwise) in respect of those shares unless the postal licensee has the prior and express permission of the Minister to do so or the payment is upon the winding up of the postal licensee.
- (4) Before issuing any written order under subsection (1), the Minister shall, unless he decides that it is not practicable or desirable to do so —
- (a) give notice to the relevant person or postal licensee, as the case may be, of the proposed written order; and
- (b) consider any written representation made in accordance with the notice in paragraph (a) and not withdrawn.
- (5) The notice in subsection (4)(a) shall state —
- (a) that the Minister intends to issue the written order; and
- (b) the period within which written representations may be made in relation to the proposed written order.
- (6) Any person to whom a written order is issued under subsection (1) shall comply with the written order, and the written order shall take effect notwithstanding the provisions of any other written law or anything contained in the memorandum or articles of association, or other constitution, of the postal licensee.
- (7) Any person who contravenes subsection (6) shall be guilty of an offence and shall be liable on conviction —
- (a) in the case of an individual, to a fine not exceeding \$125,000 or to imprisonment for a term not exceeding 3 years or to both and, in the case of a continuing offence, to a further fine not exceeding \$12,500 for every day or part thereof during which the offence continues after conviction; or
- (b) in any other case, to a fine not exceeding \$250,000 and, in the case of a continuing offence, to a further fine not exceeding \$25,000 for every day or part thereof during which the offence continues after conviction.

[34/2007 wef 24/08/2007]

**Regulations for carrying out this Part**

**26H.**—(1) The Postal Authority may, with the approval of the Minister, make such regulations as are necessary or expedient for carrying out the purposes of this Part.

(2) Without prejudice to the generality of subsection (1), the regulations may prescribe —

- (a) the circumstances under which a person would be considered to be an associate for the purposes of this Part; and
- (b) the circumstances under which a person would be or considered to be in a position to control a percentage of the voting power in a designated postal licensee.

*[34/2007 wef 24/08/2007]*

**PART V****OFFENCES AND PENALTIES****Obstruction of public postal licensees**

**27.**—(1) Any person who —

- (a) whilst in any premises used for the purposes of the business of a public postal licensee, intentionally obstructs the course of business of the licensee; or
- (b) assaults or intentionally obstructs or incites anyone to obstruct or impede an officer or employee of a public postal licensee in the performance of his duties,

shall be guilty of an offence.

(2) A public postal licensee may require any person guilty of an offence under subsection (1) to leave the premises used for the purposes of its business and, if any such offender who is so required refuses or fails to comply with the requirement, he may be removed by an officer or employee of the licensee.



**Intentional damage to installation or plant used for posts**

**28.** Any person who intending —

- (a) to prevent or obstruct the transmission or delivery of any postal article;
- (b) to intercept or to acquaint himself with the contents of any postal article; or

*[34/2007 wef 24/08/2007]*

- (c) to commit mischief,

damages, removes, tampers with or touches any installation or plant or any part thereof used for posts belonging to a public postal licensee shall be guilty of an offence.

*[34/2007 wef 24/08/2007]*

**Protection of installation or plant used for posts**

**29.—(1)** No person shall, without the written approval of the Postal Authority —

- (a) lay or carry any mains, pipes, conduits, circuits or wires in, along, through, across, over or under any street or place in a manner which is likely to interfere with or cause damage to any installation or plant used for posts; or
- (b) affix any placard, advertisement, notice or other thing in or on, or paint, tar or in any way disfigure any installation or plant used for posts.

(2) Any approval under subsection (1) may be refused by the Postal Authority or granted by the Postal Authority on such terms and conditions as it may determine.

(3) Where the commission by any person of an offence under subsection (1) is due to the act or default of some other person, that other person shall be guilty of the offence.

(4) A person may be charged with and convicted of the offence by virtue of subsection (3) whether or not proceedings are taken against the first-mentioned person.

(5) In any proceedings for an offence under subsection (1), it shall, subject to subsection (6), be a defence for the person charged to prove

that he took all reasonable steps and exercised all due diligence to avoid committing the offence.

(6) Where the defence provided by subsection (5) involves an allegation that the commission of the offence was due to the act or default of another person, the person charged shall not, without leave of the court, be entitled to rely on that defence unless, within a period ending 7 clear days before the hearing, he has served on the prosecutor a notice in writing giving such information identifying or assisting in the identification of that other person as was then in his possession.

(7) Any person who contravenes or fails to comply with subsection (1) shall be guilty of an offence and shall, in addition to the forfeiture of any equipment seized, be liable on conviction to a fine not exceeding \$10,000 and, in the case of a continuing offence, to a further fine not exceeding \$1,000 for every day or part thereof during which the offence continues after conviction.

### **Prohibition of false notice relating to public postal licensees' installation or plant**

**30.** Any person who, without the permission of a public postal licensee, places or maintains in or on any house or place, belonging to him or under his control, any word, letter or mark which signifies or implies or may reasonably lead the public to believe that the house or place is part of a public postal licensee's installation or plant, shall be guilty of an offence.

### **Damage to public postal licensees' installation or plant**

**31.** Any person who wilfully removes, destroys or damages any installation or plant which belongs to a public postal licensee and is used for posts shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$50,000 or to imprisonment for a term not exceeding 3 years or to both.

### **Compensation for damage caused to public postal licensees' installation or plant**

**32.—(1)** Any person who removes, destroys or damages, whether wilfully, negligently, accidentally or otherwise, the installation or plant which belongs to a public postal licensee and is used for posts

shall, in addition to any penalty for which he is liable for an offence under this Act, be liable to pay compensation for the damage he has done.

(2) The compensation shall be recoverable by civil action or suit before any court of competent jurisdiction.

(3) Subject to subsection (1), any court before which a person is charged with an offence under this Act may assess the compensation payable under this section and may make an order for the payment of the same.

(4) Any order under subsection (3) may be enforced as if it were a judgment in a civil action or suit.

### **Unlawful operation of postal services**

**33.** Subject to section 5, any person who —

- (a) conveys any letter or performs any service incidental to such conveyance without a licence granted under section 6;
- (b) collects, sends, tenders or delivers in order to be sent a letter without a licence granted under section 6; or
- (c) makes a collection of letters for transmission or distribution to or from any place through a postal licensee without a licence granted under section 6,

shall be guilty of an offence.

*[34/2007 wef 24/08/2007]*

### **Offences by officer, employee or agent of postal licensees**

**34.—**(1) Any officer, employee or agent of a postal licensee who —

- (a) destroys or throws away any postal article or anything contained therein;
- (b) commits theft in respect of or dishonestly misappropriates or secretes any postal article or anything contained therein;
- (c) except in obedience to an order under the hand of the Minister or the direction of a court or the requirement by the Public Prosecutor under section 20 of the Criminal Procedure Code 2010, wilfully opens or causes to be opened contrary to

his duty any mail bag or postal article, or wilfully detains or delays or causes to be detained or delayed the mail bag or postal article; or

*[15/2010 wef 02/01/2011]*

- (d) issues or causes to be issued a document specified for use in connection with the remittance of money with fraudulent intent,

shall be guilty of an offence.

*[34/2007 wef 24/08/2007]*

(2) Any officer, employee or agent of a postal licensee who —

- (a) fraudulently puts any wrong official mark on a postal article;
- (b) fraudulently alters, removes or causes to disappear any official mark on a postal article; or
- (c) being entrusted with the delivery of any postal article, knowingly demands or receives any sum of money which is not chargeable under this Act,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 12 months or to both.

*[34/2007 wef 24/08/2007]*

(3) Subsection (1) shall apply only to postal articles which an officer, employee or agent of a postal licensee has access to in the course of his employment as an officer, employee or agent of the postal licensee.

*[34/2007 wef 24/08/2007]*

### **Fraudulent sending of postal article**

**35.** Any person who sends any postal article bearing any facsimile, imitation or representation of postage stamps or purporting to be prepaid with any postage stamp which has previously been used to prepay any other postal article or which has otherwise been previously used shall be guilty of an offence.

*[34/2007 wef 24/08/2007]*

**Fraudulent retention of postal article**

**36.—(1)** Any person who —

- (a) except in accordance with this Act or unless authorised by the Postal Authority, wilfully retains or secretes or makes away with or keeps or detains or, when required by an employee of a public postal licensee, neglects or refuses to deliver up in the course of transmission by post any postal article or any mail bag containing any postal article; or
- (b) except in accordance with this Act or unless authorised by the Postal Authority, wilfully opens or causes to be opened any letter which ought to have been delivered, or does any act whereby the due delivery of a letter to any person is prevented or impeded,

shall be guilty of an offence.

*[34/2007 wef 24/08/2007]*

(2) Nothing in subsection (1)(b) shall apply to a person who does any act to which that subsection applies where he is a parent, or in the position of a parent or guardian, of the person to whom the letter is addressed and the addressee is a minor or his ward.

**Penalty for sending anything indecent, etc., by post**

**37.** Any person who sends by post —

- (a) any indecent or obscene article or any postal article having any words, marks or designs of an indecent, obscene, seditious, scurrilous, threatening or grossly offensive character;
  - (b) anything which is likely to damage any postal article in the course of transmission by post or any postal equipment or injure any employee or agent of a postal licensee; or
- [34/2007 wef 24/08/2007]*
- (c) except as otherwise provided by any regulations made under this Act, any explosive, inflammable, dangerous, filthy, noxious or deleterious substance, any sharp instrument not properly protected or any living creature which is noxious or likely to damage any postal article in the course of

transmission by post or any postal equipment or to injure any employee or agent of a postal licensee,

shall be guilty of an offence.

[34/2007 wef 24/08/2007]

**Penalty for making any facsimile, imitation or representation of any postage stamp, etc.**

**38.**—(1) No person shall —

- (a) make, deal in, distribute or sell;
- (b) knowingly use for postal purposes or for the purpose of remitting or paying any money;
- (c) have in his possession without any lawful excuse; or
- (d) make or, without any lawful excuse, have in his possession, any die, plate, instrument or material for making,

any facsimile, imitation or representation of any postage stamp or any document used by a public postal licensee in connection with the remittance or payment of money.

(2) No person shall make, issue or send by post any stamped, franked or embossed envelope, wrapper, card, form or paper in imitation of one issued by a postal licensee.

[34/2007 wef 24/08/2007]

(3) Any person who contravenes or fails to comply with subsection (1) or (2) shall be guilty of an offence.

[34/2007 wef 24/08/2007]

(4) Any stamp, die, plate, instrument or material found in the possession of any person who has contravened or failed to comply with subsection (1) or (2) may be seized by any employee of the Postal Authority and forfeited by a Magistrate's Court, and shall be dealt with as the Court directs.

[34/2007 wef 24/08/2007]

**Penalty for erasure of mark denoting used postage stamp**

**39.** Any person who, with fraudulent intent, erases or removes from a postage stamp any mark put or impressed upon the postage stamp

denoting that the same has been used, or sells or uses any such postage stamp for postal purposes shall be guilty of an offence.

[34/2007 wef 24/08/2007]

## PART VI

### INTERNATIONAL OBLIGATIONS AND NATIONAL INTERESTS

#### **Right to conduct international business dealings**

**40.** For the purposes of the conduct of any international postal service by a public postal licensee, and subject to this Act, the licensee may enter into direct communication, arrangement and agreement with the lawfully constituted postal authority of any country or with any duly authorised international agency or organisation concerned with postal matters —

- (a) for the purpose of providing facilities, fixing rates, arranging terms of payment or accounting;
- (b) for operational, engineering or administrative purposes; or
- (c) for any other purpose necessary for the proper fulfilment of its functions.

#### **Government's overriding international rights**

**41.—(1)** Nothing in section 40 shall be deemed to abrogate the right of the Government at any time to determine its relations with any country or with any international agency or organisation.

(2) A public postal licensee shall so discharge its responsibilities and conduct its business as to comply with and fulfil all international agreements, conventions or undertakings relating to postal matters to which Singapore is a party.

#### **Liability for international financial obligations**

**42.** A public postal licensee shall be fully responsible for meeting all financial obligations arising from the operation of any international postal service and shall settle accounts with other postal authorities.

**Contribution by Government**

**43.** Where the Government considers it necessary that any postal service of an exceptional nature should be provided, and where a public postal licensee considers it uneconomic to provide the service without contribution from the Government, the Government may make such contribution towards the capital outlay necessary to provide any such service as may be estimated by the licensee and agreed to by the Government.

**Provision of postal services for governmental, etc., purposes**

**44.—(1)** The Minister may direct a public postal licensee to undertake and provide such postal services and facilities as may be necessary for aeronautical, maritime, meteorological, governmental, defence or other purposes.

(2) Upon being so directed by the Minister, the public postal licensee shall so provide the postal services or facilities referred to in subsection (1) and shall be entitled to fair and proper payment therefor.

**Directions by Minister**

**45.—(1)** The Minister may, after consultation with the Postal Authority or any postal licensee, give to the Postal Authority or that licensee such directions as the Minister thinks fit as to the exercise by the Postal Authority or that licensee of its functions under this Act.

*[34/2007 wef 24/08/2007]*

(2) Without prejudice to subsection (1), if it appears to the Minister to be requisite or expedient to do so —

- (a) on the occurrence of any public emergency, in the public interest or in the interests of public security, national defence, or relations with the government of another country; or
- (b) in order —
  - (i) to discharge or facilitate the discharge of an obligation binding on the Government by virtue of its being a member of an international organisation or a party to an international agreement;



- (ii) to attain or facilitate the attainment of any other object the attainment of which is in the opinion of the Minister requisite or expedient in view of the Government being a member of an international organisation or a party to an international agreement; or
- (iii) to enable the Government to become a member of an international organisation or a party to an international agreement,

the Minister may, after consultation with the Postal Authority or any postal licensee, give such directions to the Postal Authority or that licensee as are necessary in the circumstances of the case.

*[34/2007 wef 24/08/2007]*

- (3) Any directions given under subsection (1) or (2) may include —
- (a) provisions for the interception or detention of any postal article in the course of transmission by post; and
  - (b) provisions for the postal article to be delivered to any officer mentioned in the direction to be dealt with in such manner as the Minister may direct.

(4) The Postal Authority and any postal licensee shall give effect to any directions given to it under subsection (1) or (2) notwithstanding any other duty imposed on the Postal Authority or that licensee by or under this Act.

*[34/2007 wef 24/08/2007]*

(5) The Postal Authority and any postal licensee shall not disclose any directions given to that person under subsection (1) or (2) if the Minister notifies that person that the Minister is of the opinion that the disclosure of the directions is against the public interest.

*[34/2007 wef 24/08/2007]*

(6) The Minister may make grants to postal licensees for defraying or contributing towards any losses which they may sustain by reason of their compliance with the directions of the Minister under any provision of this section.

*[34/2007 wef 24/08/2007]*

(7) Any sums required by the Minister for making grants under subsection (6) shall be paid out of the Consolidated Fund.

(8) If any doubt arises as to the existence of a public emergency or as to whether any act done under this section was in the public interest or in the interests of public security, national defence or relations with the government of another country, a certificate signed by the Minister shall be conclusive evidence of the matters stated therein.

## PART VII

### ENFORCEMENT POWERS AND PROCEDURES

#### **Power to require information, etc.**

**46.—**(1) The Postal Authority or any officer of the Postal Authority authorised in that behalf may, for the purpose of discharging its functions under this Act, by order —

- (a) require any person to furnish the Postal Authority with any information in his possession which relates to any postal service or postal system; and
- (b) require any person who has in his custody or under his control any document which relates to any postal service or postal system —
  - (i) to furnish the Postal Authority with a copy of or extract from the document; or
  - (ii) unless the document forms part of the records or other documents of a court or public authority, to transmit the document itself to the Postal Authority for its inspection.

(2) The Postal Authority or any officer authorised by it in that behalf shall be entitled without payment to keep any copy or extract furnished to the Postal Authority under subsection (1).

(3) The Postal Authority or any officer authorised by it in that behalf shall at all reasonable times in the day have full and free access to all buildings, places, books, documents and other papers for the purpose of discharging the Postal Authority's functions under this Act, and may, without payment, inspect, copy or make extracts from any such books, documents or papers.

(4) The Postal Authority or any officer authorised by it in that behalf may take possession of any books, documents or papers where in the opinion of the Postal Authority —

- (a) the books, documents or papers may be interfered with or destroyed unless possession is taken; or
- (b) the books, documents or papers may be required as evidence in proceedings for an offence under this Act or any regulations made thereunder.

(5) The rights conferred by this section shall, in relation to information recorded otherwise than in legible form, include the right to require the information to be made available in legible form for inspection or for a copy or extract to be made of or from it.

(5A) The power under this section to require a person to produce a document includes the power —

- (a) if the document is produced, to require such person, or any person who is a present or past officer of his or is or was at any time employed by him, to provide an explanation of the document; or
- (b) if the document is not produced, to require such person to state, to the best of his knowledge and belief, where it is.

*[34/2007 wef 24/08/2007]*

(6) Any person who —

- (a) fails to comply with any requirement specified in any order under subsection (1);
- (b) intentionally alters, suppresses or destroys any document which he has been required under subsection (1) to furnish or transmit; or
- (c) in furnishing any information required of him under subsection (1), makes any statement which he knows to be false in a material particular, or recklessly makes any statement which is false in a material particular,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 12 months or to both and, in the case of a continuing offence, to a further

fine not exceeding \$50 for every day or part thereof during which the offence continues after conviction.

(6A) If a person is charged with an offence under subsection (6) in respect of a requirement to produce any document or information under subsection (1), it shall be a defence for him to prove that —

- (a) the document was not in his possession or under his control;
- (b) it was not reasonably practicable for him to comply with the requirement; or
- (c) he had a reasonable excuse for failing to provide the information required.

*[34/2007 wef 24/08/2007]*

(7) No person shall by virtue of this section be obliged to disclose any particulars as to which he is under any statutory obligation to observe secrecy.

(8) In this section, “document” includes any electronic record within the meaning of the Electronic Transactions Act (Cap. 88).

*[34/2007 wef 24/08/2007]*

### **Powers of arrest and search in respect of seizable offences**

**47.—**(1) Any officer of the Postal Authority deputed by the Postal Authority to act under this section or any police officer may arrest without warrant —

- (a) any person found committing or attempting to commit or employing or aiding any person to commit a seizable offence under this Act; or
- (b) any person against whom a reasonable suspicion exists that he has been guilty of a seizable offence under this Act,

and may search any person so arrested, except that no female shall be searched except by a female.

(2) Every person so arrested shall, together with any article as to which an offence may have been committed or attempted to be committed, be taken to a police station.

(3) For the purposes of this section, offences punishable under sections 28, 31, 34(1) and 35 to 39 shall be deemed to be seizable

offences within the meaning of the Criminal Procedure Code (Cap. 68).

[34/2007 wef 24/08/2007]

### **Powers of search and arrest in respect of offences under section 33**

**48.**—(1) Whenever it appears to any police officer or any officer of the Postal Authority authorised to act for it under this section that an offence under section 33 is being committed or is about to be committed or attempted or whenever it appears that any article is concealed or deposited or contained in or on any vessel, aircraft or vehicle or premises in contravention of those sections, the police officer or the officer of the Postal Authority may, if he has reasonable grounds for believing that by reason of the delay in obtaining a search warrant the article is likely to be removed —

- (a) stop and examine the vessel, aircraft or vehicle or enter the premises and there search for and take possession of any article and of any book or document which is reasonably believed to have a bearing on the case; and
- (b) arrest any person being in the vessel, aircraft or vehicle or premises in whose possession the article may be found or whom the police officer or the officer of the Postal Authority may reasonably suspect to have concealed or deposited the article and may search any person so arrested, except that no female shall be searched except by a female.

(2) Every person so arrested shall, together with any such article, be taken to a police station.

(3) In this section, “document” has the same meaning as in section 46(8).

[34/2007 wef 24/08/2007]

### **Disposal of letters relating to offence under section 33**

**48A.** Where any letters connected with an offence under section 33 are seized under section 48 or any other written law, the Postal Authority may at any time, whether upon the conclusion of its investigation or otherwise, take such action as it deems appropriate to

deliver any such letter to its intended addressee or return it to its sender.

*[34/2007 wef 24/08/2007]*

### **Obstruction of police officer or officer of Postal Authority**

**49.** Any person who intentionally obstructs a police officer or any officer of the Postal Authority authorised to act for the Postal Authority in the execution of his duty under section 48 shall be guilty of an offence.

### **No costs or damages or other relief arising from seizure to be recoverable unless seizure without reasonable or probable cause**

**50.—(1)** No person shall, in any proceedings before any court in respect of any equipment, article, book or document seized in the exercise or the purported exercise of any power conferred under this Act, be entitled to the costs of the proceedings or to any damages or other relief other than an order for the return of the equipment, article, book or document or the payment of their value unless the seizure was made without reasonable or probable cause.

(2) In this section, “document” has the same meaning as in section 46(8).

*[34/2007 wef 24/08/2007]*

### **Composition of offences**

**51.—(1)** An officer or employee of the Postal Authority specially authorised by name in that behalf by the Postal Authority may, in his discretion, compound any offence under this Act which is prescribed as a compoundable offence by collecting from a person reasonably suspected of having committed the offence a sum not exceeding —

(a) \$5,000; or

(b) half the maximum fine prescribed for that offence,

whichever is the lower.

*[34/2007 wef 24/08/2007]*

(1A) On payment of such sum of money, no further proceedings shall be taken against that person in respect of the offence.

*[34/2007 wef 24/08/2007]*

(2) The Postal Authority may, with the approval of the Minister, make regulations prescribing the offences which may be compounded.

(3) All sums collected under this section shall be paid to the Postal Authority.

### **General penalties**

**52.** Any person guilty of an offence under this Act or any regulations made thereunder for which no penalty is expressly provided shall, in addition to the forfeiture of any article seized, be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 3 years or to both and, in the case of a continuing offence, to a further fine not exceeding \$1,000 for every day or part thereof during which the offence continues after conviction.

*[34/2007 wef 24/08/2007]*

### **Saving of prosecutions under other written laws**

**53.—**(1) Nothing in this Act shall prevent any person from being prosecuted under any other written law for any act or omission which constitutes an offence under this Act or any regulations made thereunder, or from being liable under that other written law to any punishment or penalty higher or other than that provided by this Act or the regulations.

(2) No person shall be punished twice for the same offence.

### **Jurisdiction of Courts**

**54.** A Magistrate's Court or a District Court shall have jurisdiction to hear and determine all offences under this Act and, notwithstanding anything to the contrary in the Criminal Procedure Code (Cap. 68), shall have power to impose the full penalty or punishment in respect of any offence under this Act.

### **Offences by bodies of persons**

**55.** Where an offence under this Act or any regulations made thereunder has been committed by a company, firm, society or other body of persons, any person who at the time of the commission of the

offence was a director, manager, secretary or other similar officer or a partner of the company, firm, society or other body of persons or was purporting to act in such capacity shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly unless he proves that —

- (a) the offence was committed without his consent or connivance; and
- (b) he exercised all such diligence to prevent the commission of the offence as he ought to have exercised, having regard to the nature of his functions in that capacity and to all the circumstances.

## PART VIII

### GENERAL PROVISIONS

#### **Appeal to Minister**

**56.—**(1) Any postal licensee who is aggrieved by —

- (a) any decision of the Postal Authority in the exercise of any discretion vested in the Postal Authority by or under this Act; or
- (b) anything contained in any code of practice or standard of performance under section 24 or 26C, or any direction of the Postal Authority given under section 25, 26D or 26F(2),

may, within 14 days after being notified of the decision or direction or the issue or approval of the code of practice or standard of performance, as the case may be, (or such longer period as the Minister allows in exceptional circumstances, whether before or after the end of the 14 days), appeal to the Minister in the prescribed manner.

(2) Any person (other than a postal licensee) who is aggrieved by any decision or direction of the Postal Authority given by or under section 6(1), 9(1), 26B or 26D, may, within 14 days after being notified of the decision or direction (or such longer period as the Minister allows in exceptional circumstances, whether before or after



the end of the 14 days), appeal to the Minister in the prescribed manner.

(3) Any person who makes an appeal to the Minister under subsection (1) or (2) shall, within the period specified therein —

- (a) state as concisely as possible the circumstances under which the appeal arises, the issues and grounds for the appeal; and
- (b) submit to the Minister all relevant facts, evidence and arguments for or against the appeal, as the case may be.

(4) Where an appeal has been made to the Minister under subsection (1) or (2), the Minister may require —

- (a) any party to the appeal; and
- (b) any person who is not a party to the appeal but appears to the Minister to have information that is relevant to the matters mentioned in that subsection,

to provide the Minister with all such information as he may require for the purpose of considering the appeal and making a determination for resolving it, and any person so required to provide such information must provide it in such manner and within such period as may be specified by the Minister.

(5) The Minister may reject any appeal of an appellant who fails to comply with subsection (3) or (4).

(6) Unless otherwise provided, where an appeal is lodged under this section, the decision, direction or other thing appealed against shall be complied with until the determination of the appeal.

(7) The Minister may determine an appeal under this section by confirming, varying or reversing any decision or direction of the Postal Authority or by amending any code of practice or standard of performance.

(8) The decision of the Minister in any appeal shall be final.

*[34/2007 wef 24/08/2007]*

### **Exclusion of liability of public postal licensees**

**57.—**(1) A public postal licensee shall not be liable in respect of any injury, loss or damage suffered by any person by reason of —

- (a) any loss, misdelivery or delay of or damage to any postal article in the course of transmission by post;
- (b) any failure to provide or delay in providing any postal service or any equipment associated therewith or service ancillary thereto;
- (c) any failure, interruption, suspension or restriction of any postal service or service ancillary thereto or delay of, or fault in, any communication by post;
- (d) any loss of secrecy in communication arising from the use of any postal service; or
- (e) any wrong payment or delay in payment in connection with any remittance of money through the public postal licensee or any other irregularity in the document used in connection with the remittance,

which is due to the act or default of another person, or an accident or some other cause beyond the control of the public postal licensee.

(2) Notwithstanding subsection (1), in the event of the loss of or damage to any article enclosed in or forming part of a parcel or an insured postal article, or the loss of any registered postal article while in the custody of a public postal licensee, the licensee may pay an indemnity in accordance with the provisions of the Convention regulating the affairs of the Universal Postal Union or any international agreement to which Singapore is a party.

### **Exemption from distress and attachment**

**58.**—(1) The installation or plant used for posts of a public postal licensee shall not be subject to distress or be liable to be taken in execution under any process of a court in any bankruptcy or insolvency proceedings against any person without the prior approval of the Minister in writing.

(2) Every installation or plant used for posts placed under, over, along, across, in or upon any property by a public postal licensee shall remain the property of the licensee whether or not it has become in whole or in part a fixture.

**Service of documents**

**59.**—(1) Unless otherwise expressly provided in this Act, any notice, order or document required or authorised by this Act or any regulations made thereunder to be given or served on any person, and any summons issued by a court in connection with any offence under this Act or any regulations made thereunder may be served on the person concerned —

- (a) by delivering it to the person or to some adult member or employee of his family at his last known place of residence;
- (b) by leaving it at his usual or last known place of residence or place of business in a cover addressed to him;
- (c) by affixing it to some conspicuous part of his last known place of residence;
- (d) by sending it by registered post addressed to the person at his usual or last known place of residence or place of business;  
or
- (e) where the person is a body corporate —
  - (i) by delivering it to the secretary or other like officer of the body corporate at its registered or principal office;  
or
  - (ii) by sending it by registered post addressed to the body corporate at its registered or principal office.

(2) Any notice, order, document or summons sent by registered post to any person in accordance with subsection (1) shall be deemed to be duly served on the person to whom the letter is addressed at the time when the letter would, in the ordinary course of post, be delivered and in proving service of the same it shall be sufficient to prove that the envelope containing the notice, order, document or summons was properly addressed, stamped and posted by registered post.

**Exemption by Minister**

**60.** The Minister may exempt any person or class of persons from all or any of the provisions of this Act.

## Regulations

**61.**—(1) The Postal Authority may, with the approval of the Minister, make regulations for any purpose for which regulations are required to be made under this Act and generally for carrying out the purposes and provisions of this Act.

(2) Without prejudice to the generality of subsection (1), the Postal Authority may, with the approval of the Minister, make regulations for or with respect to all or any of the following matters:

- (a) the classes and the conditions for the grant of licences by the Postal Authority;
- (b) the acceptance, transmission by post, detention and disposal of postal articles;
- (c) the supply, sale and use of postage stamps;
- (d) the import, manufacture, sale, supply and use of franking machines;  
*[34/2007 wef 24/08/2007]*
- (e) the limit of amount of money that may be remitted through a public postal licensee and the manner and conditions under which such money may be remitted;
- (f) the articles or things which may not be transmitted by post;
- (g) the types of articles not to be treated as letters;
- (h) the manner of receiving, delivering, collecting and distributing mail bags and postal articles, including facilitating access for postal licensees to letter boxes;  
*[34/2007 wef 24/08/2007]*
- (i) the conditions and restrictions for the payment of indemnity for the loss of or damage to postal articles where indemnity is payable under this Act;
- (j) the registration of postal articles and the cases where insurance of postal articles may be required;
- (k) the fees and charges to be paid in respect of any matter or anything done, or any services rendered, by the Postal

Authority under or by virtue of this Act, including a code of practice or standard of performance;

*[34/2007 wef 24/08/2007]*

- (l) the waiver or refund, in whole or in part, by authorised officers of the Postal Authority of any such fees in the circumstances of any particular case;

*[34/2007 wef 24/08/2007]*

- (m) the interest (such interest, if unpaid, to constitute a debt due to the Postal Authority and be recoverable as such) to be paid for late payment of any fees or charges prescribed under this Act.

*[34/2007 wef 24/08/2007]*

### **Savings and transitional provisions**

**62.** Any scheme, contract, document, licence, permission or resolution prepared, made, granted or approved by the TAS under the repealed Act in relation to postal matters shall, so far as it is not inconsistent with the provisions of this Act and except as otherwise expressly provided in this Act or in any other written law, continue and be deemed to have been prepared, made, granted or approved by the Postal Authority under the corresponding provisions of this Act.

## THE SCHEDULE

Section 3B

### POWERS OF POSTAL AUTHORITY

1. To grant licences for postal services and purposes connected therewith under this Act and to supervise and enforce compliance with the provisions of such licences.
2. To give directions to any person granted a licence under this Act.
3. To levy such charges and fees for the granting of such licences and other services provided by the Postal Authority as may in its opinion be appropriate.
4. To regulate rates, charges and fees levied by operators of postal systems and postal services.
5. To issue or approve standards of performance, codes of practice and advisory guidelines relating to postal systems and postal services, or any other matter related to the functions of the Postal Authority.

THE SCHEDULE — *continued*

6. To regulate the interconnection of and access to systems of operators of postal systems and postal services.
7. To regulate the sharing of installation or plant used for postal services between postal licensees.
8. To control and regulate the management and allocation of numbering plans and schemes for postal systems and postal services.
9. To issue postage stamps and to control and regulate the provision of stamps by postal licensees.
10. To levy such rates, charges and fees and to decide such rates or apportionment thereof as between itself and other foreign postal administrations as may in its opinion be appropriate.
11. To engage in conjunction with other statutory bodies or other foreign postal administrations and international agencies or organisations for the purposes of promoting postal systems and postal services.

*[34/2007 wef 24/08/2007]*

LEGISLATIVE HISTORY  
POSTAL SERVICES ACT  
(CHAPTER 237A)

This Legislative History is provided for the convenience of users of the Postal Services Act. It is not part of the Act.

**1. Act 42 of 1999 — Postal Services Act 1999**

Date of First Reading : 11 October 1999  
(Bill No. 34/99 published on  
12 October 1999)

Date of Second and Third Readings : 23 November 1999

Date of commencement : 1 December 1999

**2. 2000 Revised Edition — Postal Services Act**

Date of operation : 30 December 2000

**3. Act 4 of 2003 — Customs (Amendment) Act 2003**

(Consequential amendments made to Act by)

Date of First Reading : 10 March 2003  
(Bill No. 6/2003 published on  
11 March 2003)

Date of Second and Third Readings : 21 March 2003

Date of commencement : 1 April 2003

**4. Act 34 of 2007 — Postal Services (Amendment) Act 2007**

Date of First Reading : 21 May 2007  
(Bill No. 22/2007 published on  
22 May 2007)

Date of Second and Third Readings : 16 July 2007

Date of commencement : 24 August 2007

**5. Act 15 of 2010 — Criminal Procedure Code 2010**

(Consequential amendments made to Act by)

Date of First Reading : 26 April 2010  
(Bill No. 11/2010 published on  
26 April 2010)

Date of Second and Third Readings : 19 May 2010

Date of commencement : 2 January 2011

**COMPARATIVE TABLE**  
**POSTAL SERVICES ACT**  
**(CHAPTER 237A)**

The following provisions in the Postal Services Act 1999 (Act 42 of 1999) have been renumbered by the Law Revision Commissioners in this 2000 Revised Edition.

This Comparative Table is provided for the convenience of users. It is not part of the Postal Services Act.

<b>2000 Ed.</b>	<b>Act 42 of 1999</b>
<b>9—(1) and (2)</b>	<b>9—(1)</b>
(3) to (7)	(2) to (6)
<b>29—(3) and (4)</b>	<b>29—(3)</b>
(5)	(4)
(6)	(5)
(7)	(6)
<b>32—(1) and (2)</b>	<b>32—(1)</b>
(3)	(2)
(4)	(3)
<b>41—(1) and (2)</b>	<b>41</b>
<b>44—(1) and (2)</b>	<b>44</b>
<b>53—(1) and (2)</b>	53
<i>Omitted</i>	<b>62—(2)</b>