

POST OFFICE

POST OFFICE SCHEME L1/1992

NOTE: The Scheme which follows this Note has been made under Section 28 of the Post Office Act 1969, and amends the Post Office Inland Letter Post Scheme 1989. The Scheme, which comes into operation on 6th January 1992, introduces a single Response Services Licence in place of separate Business Reply and Freepost licences.

(This Note is not part of the Scheme)

THE POST OFFICE INLAND LETTER POST AMENDMENT (No. 3)
SCHEME 1992

Made 16th December 1991
Coming into operation 6th January 1992

The Post Office, by virtue of the powers conferred upon it by Section 28 of the Post Office Act 1969, and of all other powers enabling it in this behalf, hereby makes the following Scheme:

Commencement and citation

1. (1) This Scheme shall come into operation on 6th January 1992 and may be cited as the Post Office Inland Letter Post Amendment (No. 3) Scheme 1992.

(2) This Scheme shall be read as one with the Post Office Inland Letter Post Scheme 1989 (Post Office Scheme L1/1989) (hereinafter called "the Scheme") as amended by the Post Office Inland Letter Post Amendment (No. 1) Scheme 1990 (Post Office Scheme L3/1990) and the Post Office Inland Letter Post Amendment (No. 2) Scheme 1991 (Post Office Scheme L4/1991).

Response services

2. Paragraphs 26 and 27 of the Scheme shall be deleted and the following inserted in their place:

"Response services

26 (1) A person who proposes to invite others to post business reply packets, or freepost packets, or both, to him or to his agent may apply to the Post Office for a licence authorising the posting of business reply and freepost packets to an address of the applicant or of his agent specified therein (being an address within the British postal area) without prepayment of postage, the provision by the applicant and the use for that purpose of the necessary cards, folders, letter cards, envelopes or labels.

(2) A licence conferring such authority as is mentioned in sub-paragraph (1) is hereinafter referred to as a "Response Services Licence" and the person on whose application any such licence was granted is hereinafter referred to in relation to that licence as "the licensee".

(3) A Response Services Licence may specify more than one address of the licensee or of his agent to which business reply and freepost packets may be posted (being in each case an address within the British postal area), and other such addresses may be added to any licence from time to time on the application of the licensee.

(4) In relation to each address so specified, such a licence shall specify also the terms in which freepost packets posted there are to be addressed, and such terms (which may state the address in an abbreviated form with or without words, characters and symbols used as codes) shall include the word "FREEPOST" (in capital letters) and such special distinguishing characters (if any) as the Post Office may allocate, and are hereinafter referred to as the "authorised terms".

(5) No letter may be posted as a freepost packet without prepayment of postage which is not addressed to an address specified in a Response Services Licence in the authorised terms, and every advertisement, notice, letter or other communication published, displayed, broadcast, issued, given, sent or made by, for or with the authority of the licensee, which includes an invitation to post freepost packets to an address of the licensee or his agent specified in the licence shall state that address precisely in the authorised terms and in the manner and order in which such terms are specified in the licence.

(6) Subject as may be provided in the relevant Response Services Licence no card, folder, letter card, envelope,

wrapper or label shall be made available by the licensee for use by any person as or with a business reply or freepost packet (or being a label shall be incorporated in an advertisement published by or for the licensee) unless:

(a) it has printed thereon in such position and manner as have been approved by the Post Office special distinguishing characters (if any) allocated for the purpose by the Post Office and an address specified in the relevant licence;

(b) it meets the prescribed specifications and is similar in all respects to a specimen thereof which has been submitted to and approved by the Post Office.

(7) Every Response Services Licence granted pursuant to an application made under sub-paragraph (1) shall be granted so on and subject to:

(a) a condition that the licensee shall make provision (by way of deposit and other payments in advance) at such times, in such manner, and to such extent as the Post Office shall think fit with respect to the payment of postage payable by him on postal packets posted by authority of the Post Office without prepayment of postage to him or to his agent;

(b) such other terms and conditions (including conditions as to revocation and variation) as the Post Office may think fit.

(8) Postage charged and payable under this Scheme on business reply and freepost packets shall be paid by the licensee in respect of a Response Services Licence, on all such packets which are posted in accordance with that licence without prepayment of postage and are received by him or by his agent.

(9) Subject as provided in sub-paragraph (10) there shall be charged and paid by the licensee in respect of every year or part of a year in which each such licence is in force the fee specified in item 1 of Schedule 3 in respect of a Response Services Licence, for each address specified therein to which such packets may be posted. The fee shall be paid (in respect of the first year) by the applicant for the licence before it is granted, and shall be due and payable on every anniversary of the day when it was granted on which it remains in force (hereinafter referred to in relation to such a licence as a "relevant anniversary").

(10) If and whenever an address is added to a licence in accordance with sub-paragraph (3) then (unless the addition is to take effect on a relevant anniversary) there shall be charged and payable by the licensee for that address when the addition is made a rateable proportion of the annual fee in respect of so much as remains unexpired of the year ending immediately before the next relevant anniversary.

(11) On the surrender by the licensee or revocation by the Post Office of a Response Services Licence the Post Office, if it thinks fit, may refund to the licensee such proportion as it thinks just of the annual fee paid in respect of the year in which the surrender or revocation takes effect or any appropriate that proportion of the fee in or towards payment of any postage which is or may become due and payable by the licensee in respect of packets posted to the licensee or his agent without prepayment of postage.

(12) If the Post Office at the request of the licensee delivers business reply packets, or freepost packets, or both, to an address of the licensee by the first delivery of any day on which the Post Office ordinarily makes more than one delivery of postal packets to that address, the licensee shall pay such charge as the Post Office may from time to time determine in respect of each business reply packet, and each freepost packet, delivered by such first delivery, in addition to the postage and fees otherwise payable".

Transmission of business reply packets and freepost packets to and from the Channel Islands

3. (1) In sub-paragraph (2) of paragraph 49 of the Scheme, the words "Business Reply Licence" shall be deleted and the words "Response Services Licence" inserted in their place.

(2) In sub-paragraph (3) of paragraph 49 of the Scheme, the