

New Zealand Post Office Act Amendment Act 1870 No. 2

Public Act 1870 No 44
Date of assent 12 September 1870

Contents

	Page
Title	2
1 Short Title.	2
2 Act to be read as incorporated with “The New Zealand Post Office Act, 1858.”	2
3 Interpretation.	2
4 Governor in Council may exempt newspapers sent to Athenæums &c. from postage.	2
5 Postmaster-General authorized to make arrangements with Postal Departments of other places for transmission of mails.	3
6 If any Australasian Colony refuses to join with New Zealand in subsidizing any line of packets between New Zealand and Foreign Country &c. Postmaster may prohibit such Colony from using line of packets for transmission of mails.	3
7 All mails on board subsidized vessel arriving in New Zealand to be given up to Post Officer on demand.	4
8 Penalty on masters and others neglecting or refusing to give up mails.	4
9 Provisions of “Post Office Act 1858” as to declaration by masters refusal of clearance &c. to apply to all letters on board such packets whether addressed to persons in New Zealand or not.	4
10 Principal officer of Customs may search for and seize letters &c. on board contrary to this Act.	4
11 Postmaster may send back to Foreign Country letters arriving in New Zealand by such packets for delivery in any such Colony.	5

12	And may send back to Colony letters brought from there for delivery in any Foreign Country by any such packet.	5
13	Penalty for receiving letters to be posted in the Colony.	5

An Act to amend the New Zealand Post Office Acts.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled and by the authority of the same as follows—

1 Short Title.

The Short Title of this Act shall be “The New Zealand Post Office Act Amendment Act 1870 No. 2” and it shall come into operation on the first day of November one thousand eight hundred and seventy.

2 Act to be read as incorporated with “The New Zealand Post Office Act, 1858.”

This Act shall be read as part of and deemed to be incorporated with “The New Zealand Post Office Act 1858” so far as the same remains in force and unrepealed.

3 Interpretation.

Interpretation of term “Australasian Colonies.”

In the construction of the fourth section of this Act the expression “newspaper” shall be deemed and taken to mean every such paper as under the said “New Zealand Post Office Act Amendment Act 1866” may be sent by post as a newspaper and the terms “Athenæum” “Mechanics’ Institute” “Hospital” “Public Library” and “Lunatic Asylum” shall include all institutions commonly so described and defined in such regulations and registered as such by the Postmaster-General and in case any doubt shall arise as to whether any institution comes within such description the question shall be decided by the Postmaster-General For the purposes of this Act the term “Australasian Colonies” shall include each of the Colonies in Australia and Tasmania.

4 Governor in Council may exempt newspapers sent to Athenæums &c. from postage.

Notwithstanding anything contained in “The New Zealand Post Office Act Amendment Act 1866” it shall be lawful for the Governor in Council from time to time to make regulations for the transmission by post of newspapers and any such regulations to alter and revoke and subject to such regulations and the conditions therein contained to exempt from payment of postage all newspapers addressed to the manager keeper clerk secretary librarian or other person having the charge of any Athenæum Mechanics’ Institute Hospital Public Library or Lunatic Asylum in New Zealand or to any such Athenæum Mechanics’ Institute Library Hospital or Lunatic Asylum without the addition

of the name or description of any person Provided that it shall not be lawful by any such regulations to permit the delivery free of postage of any newspaper except to such Athenaeum Mechanics' Institute Hospital Public Library or Lunatic Asylum in New Zealand of more than one copy of any issue or number of any newspaper to any such Athenaeum Mechanics' Institute Hospital Public Library or Lunatic Asylum.

5 Postmaster-General authorized to make arrangements with Postal Departments of other places for transmission of mails.

The Postmaster-General may from time to time make arrangements with the Postmaster-General in the United Kingdom or with the proper authorities of any British Possession or Foreign Country for the following purposes (that is to say)—

- (1.) For the establishment of a mail communication and transmission of mails between New Zealand and the United Kingdom or British Possession or Foreign Country as the case may be and for the payment of the expenses thereof not exceeding such sums as may from time to time be appropriated by the General Assembly and be applicable to the purpose.
- (2.) For the appointment determining and collection of postage fees or other dues upon letters packets and newspapers conveyed between New Zealand and such kingdom possession or country.
- (3.) For the division and mutual accounting for and payment of the money collected under such arrangement.
- (4.) For the purposes above mentioned in the case of letters and newspapers transmitted through New Zealand or the said kingdom possession or country to or from any part of the world.
- (5.) For the prepayment (in full or otherwise) of the postage due on any letters and newspapers.

6 If any Australasian Colony refuses to join with New Zealand in subsidizing any line of packets between New Zealand and Foreign Country &c. Postmaster may prohibit such Colony from using line of packets for transmission of mails.

In the event of any of the Australasian Colonies not agreeing with the Government of New Zealand or the Postmaster-General thereof to contribute to the maintenance of any line of mail packets plying between New Zealand and any other British Possession or Foreign Country and subsidized by the Colony of New Zealand the Postmaster-General of New Zealand may from time to time order that such Colony shall be prohibited from availing itself of such line of mail packets for the purpose of transmission of mails and every such order shall be published in the *New Zealand Gazette*.

7 All mails on board subsidized vessel arriving in New Zealand to be given up to Post Officer on demand.

All mail bags and every loose letter which at the time of the arrival of any such mail packet plying and subsidized as aforesaid within any Port in New Zealand shall be on board such packet whether they be directed to any person in New Zealand or not shall be delivered on demand to any Postmaster Customs Officer or Port Officer of such Port or to any other person duly authorized in writing under the hand of the Postmaster-General or officer in immediate charge of the Post Office at such port This and the following sections shall not apply to letters concerning goods on board such vessel and to be delivered with such goods or sent by way of introduction only or concerning the bearers private affairs.

8 Penalty on masters and others neglecting or refusing to give up mails.

Any master or other person belonging to such vessel having charge of any such mail bag or letter and any other person who shall knowingly or negligently detain or keep in his possession or shall neglect or refuse to deliver any mail bag or loose letter except as aforesaid after such demand made as aforesaid shall on conviction thereof forfeit and pay any sum not exceeding two hundred pounds.

9 Provisions of "Post Office Act 1858" as to declaration by masters refusal of clearance &c. to apply to all letters on board such packets whether addressed to persons in New Zealand or not.

If the Postmaster-General issues any such order as aforesaid the provisions contained in the thirtieth and thirty-first sections of "The Post Office Act 1858" shall thenceforth with respect to any packet plying and subsidized as aforesaid apply to all mail bags and letters except as aforesaid on board such packet on its arrival in any port in New Zealand whether they be directed to any person in New Zealand or not.

10 Principal officer of Customs may search for and seize letters &c. on board contrary to this Act.

The principal officer of Customs at every port in New Zealand may search any such packet plying and subsidized as aforesaid for mail bags and letters which may be on board such vessel contrary to the provisions of this Act and may seize all such mail bags and letters and forward them to the nearest Post Office and the officer who shall so seize and send them shall be entitled to such part of any penalty which may be recovered for any such offence as the Postmaster-General shall in each case determine.

11 Postmaster may send back to Foreign Country letters arriving in New Zealand by such packets for delivery in any such Colony.

Whenever any vessel plying and subsidized as aforesaid shall arrive from any British Possession or Foreign Country with any mail bags or letters on board except as aforesaid addressed to any person in any Colony as to which any such order as aforesaid shall have been issued or intended to be carried to or delivered at any port or place in such Colony the Postmaster-General may if he thinks fit instead of permitting the transmission of such mail bags or letters to such Colony send back the same by the first convenient opportunity to the Post Office of the country from which they were brought.

12 And may send back to Colony letters brought from there for delivery in any Foreign Country by any such packet.

Whenever any vessel plying and subsidized as aforesaid shall arrive from any Colony as to which any such order shall have been issued with any mail bags or letters on board except as aforesaid addressed to any person in any country other than New Zealand or intended to be carried to or delivered at any port or place in any such country the Postmaster-General may if he thinks fit instead of permitting the transmission of such mail bags or letters to such country send back the same by the first convenient opportunity to the Post Office of the Colony from which they were brought.

13 Penalty for receiving letters to be posted in the Colony.

If it shall appear to the Governor that any person or persons in New Zealand receive letters or newspapers from any place beyond New Zealand for the purpose of posting them to be sent to any Colony as to which any such order shall have been issued as aforesaid by vessels plying and subsidized as aforesaid or that any person or persons post any such letters or newspapers in order that they may be sent to any such Colony by any such vessels or that any person or persons in New Zealand receive letters or newspapers from any such Colony by any such vessels for the purpose of posting them to be sent to any place beyond New Zealand or that any person or persons post any such letters or newspapers as last aforesaid in order that they may be sent to any place beyond New Zealand the Governor in Council may from time to time make rules and regulations for the purpose of preventing and prohibiting any person or persons from posting any such letters or newspapers to be sent by the post as aforesaid and for punishing persons offending against such regulations and the Governor in Council may for the purpose of giving effect to the rules and regulations so to be made provide by such regulations for the imposition of any penalty not exceeding one hundred pounds for any one offence against such rules and regulations.