

No. 134.

THE POST OFFICE LAW.
CAP. 281 AND LAW 44 OF 1953.

ORDER IN COUNCIL No. 3131

MADE UNDER SECTIONS 7 AND 11.

Cap. 281
44 of 1953. In exercise of the powers conferred upon him by sections 7 and 11 of the Post Office Law, the Governor, with the advice of the Executive Council, hereby makes the Order following :—

Citation. 1. This Order may be cited as the Franking (Postage Meters) Machines Order, 1960.

Interpreta-
tion.

2. In this Order, unless the context otherwise requires—

“franking machine” means a franking (postage meter) machine designed for making impressions denoting pre-payment of postage on postal packets ;

“franked” with its grammatical variations and cognate expressions means marked or stamped with a licensed franking machine with an impression denoting pre-payment of postage and “franked mail” means postal packets which have been franked ;

“licensed franking machine” means a franking machine in respect of which a licence has issued pursuant to paragraph 3 ;

“licensee” means, with respect to a franking machine, the owner thereof to whom a licence has issued pursuant to paragraph 3 ;

“owner” includes hirer ;

“postmaster” means the postmaster of the post office at which a franking machine is licensed or intended to be licensed and includes the authorised representative of such postmaster ;

“sealing equipment” means a sealing press and associated apparatus used to seal a franking machine which has been set to register a pre-determined number of impressions ; and

“supplier” means an authorised supplier as defined in paragraph 4 and includes the authorised agents of any such supplier.

Issue of
licences.

3.—(1) Subject to the provisions of this Order the licensee of a licensed franking machine may use or cause to be used such machine for the payment of postage on postal packets delivered for conveyance by post in the Colony or elsewhere.

(2) The owner of a franking machine may make application in writing to the postmaster for a licence in respect of such machine and every application shall contain the particulars following :—

(i) the name of the applicant ;

(ii) the address of the premises at which the franking machine shall be used ;

(iii) the post office or post offices at which franked mail shall be delivered for conveyance ; and

(iv) details of the franking machine as under :—

(a) make and pattern ;

(b) name of supplier ; and

(c) identification numbers of the machine and dies.

(3) Where an application is made as aforesaid the franking machine in respect of which the same is made together with agreement of sale or hire between the owner and the supplier shall be produced to the postmaster for inspection and there shall be delivered to him the sealing equipment of such machine.

(4) On the application of the owner of a franking machine as aforesaid the Postmaster-General may, subject to the provisions of this Order, issue to such owner a licence in respect of such machine.

(5) A licence issued pursuant to this paragraph shall be in such form as the Postmaster-General shall determine or approve.

4.—(1) A licence shall not be issued in respect of a franking machine unless—

- (i) it has been supplied to an intending licensee by an authorised supplier ;
- (ii) it is a franking machine of the locking type ;
- (iii) it has been supplied subject to the conditions that the dies for making the impressions shall remain the property of the supplier and that sealing equipment in respect thereof shall be made available to the Postmaster-General ; and
- (iv) sealing equipment in respect thereof has been delivered to the postmaster for and on behalf of the Postmaster-General.

Licences to issue only in respect of certain franking machines.

(2) For the purposes of this paragraph—

“ authorised supplier ” means—

(i) Messrs. Universal Postal Frankers Ltd.,
Frankopost Works,
Angel Road,

LONDON N.18 ; or

(ii) Messrs. Roneo Neopost Ltd.,
34-35 High Holborn,

LONDON W.C.1 ; or

(iii) any other supplier of franking machines as shall be approved by the Postmaster-General ; and

“ franking machine of the locking type ” means a franking machine which may be set to register a pre-determined number of impressions and which ceases to function when such number of impressions has been made until reset.

5.—(1) Every licence shall expire on the thirty-first day of December of the year in which it is issued :

Renewal of licences and charges.

Provided that the Postmaster-General or the postmaster may by appropriate endorsement on an existing licence renew such licence for a period not exceeding one year.

(2) There shall be payable by the licensee on the issue or renewal of a licence a charge of four pounds in respect of a licence for one year or at the rate of three hundred and fifty mils for each month or part of a month in the case of a licence for a shorter period.

6.—(1) Every licence shall be issued subject to the conditions set forth in the Schedule to this Order.

Conditions.

(2) On the issue of a licence the Postmaster-General may impose such other conditions as he may deem fitting :

Provided that any such conditions shall be specified in writing on the licence.

7. It shall be the responsibility of the licensee to ensure that the use of any franking machine shall not cause any infringement of any Law relating to rights patent and the issue of a licence in respect of a franking machine shall not render the Postmaster-General or the Government liable in respect of any such infringement.

Infringement of Patents Law.

8.—(1) If the Postmaster-General or postmaster is satisfied that a licensed franking machine is mechanically defective in any way he may suspend the licence issued in respect thereof until such time as there shall be rendered to him a certificate from the suppliers dated subsequently to the noting of the defect and certifying that they have examined the franking machine and that it is serviceable.

Suspension and cancellation of licences.

(2) The Postmaster-General may cancel any licence issued under the provisions of this Order if he is satisfied that there has been a breach of any condition imposed pursuant to paragraph 6 :

Provided that a licensee whose licence has been cancelled may appeal to the Governor and the decision of the Governor on any such appeal shall be final.

9. The provisions of the Post Office Law and any other Orders made thereunder with respect of postal packets shall apply to franked mail except as provided in this Order.

SCHEDULE.

Conditions of the issue of a licence in respect of a franking machine.

1. The franking machine shall be used at the address specified in the licence for denoting the pre-payment of postage on postal packets and for no other purpose.

2. Impressions made by a franking machine shall be coloured red.

3. The franking machine shall not be used until payment has been made in advance for a pre-determined number of impressions and the machine set and sealed by the postmaster accordingly.

4. The seal on a franking machine set and sealed by the postmaster shall not be broken or interfered with except by the postmaster or in his presence.

5. Impressions shall be made only on addressed envelopes or addressed wrappers of postal packets and not on blank paper subsequently affixed to postal packets.

6. The name and address of the licensee shall be printed or embossed on all envelopes or wrappers used for franked mail.

7. Franked mail shall be delivered for conveyance only to such post office or post offices as shall be specified in the licence and there shall accompany each consignment thereof a docket giving the particulars following :—

(i) the name of the licensee ;

(ii) the date and hour when the franking of the consignment was completed and the number of impressions registered on the franking machine at such time ; and

(iii) the date and hour of delivery at the post office.

8. Franked mail delivered for conveyance as aforesaid shall be in separate lots according to whether the destination is in Cyprus or elsewhere and each lot shall be divided into separate bundles according to the rate of postage.

9. Franked mail shall be delivered for conveyance as aforesaid so far as is practicable on the day it is franked and in any case not later than twenty-four hours after the time of franking.

10. Franked mail not delivered for conveyance as provided in paragraphs 7, 8 and 9 of this Schedule may be regarded by the postmaster as postal packets in respect of which postage is unpaid and surcharged accordingly.

11.—(1) If postal packets are franked in error or if the franking of postal packets is unacceptable to the postmaster on account of a defect in the mechanism of the franking machine, the postmaster may on the application of the licensee and on production of the envelopes or wrappers of the postal packets with the erroneous or defective impressions, make refund of the pre-paid postage in respect thereof subject to the payment of a charge amounting to five per centum of any sum refunded.

(2) If a licence has expired or is suspended or cancelled the postmaster shall refund to the licensee, if the franking machine is produced to him, any pre-paid postage in respect of impressions which he is satisfied have not been expended.

12. The licensee shall cause the franking machine to be delivered to the postmaster when it requires to be re-set and sealed and at such other time or times as the postmaster shall by notice in writing require.

13. The licensee shall permit the postmaster to examine the franking machine on the premises whereof it is licensed to be used at all reasonable times during normal office hours.

14. The licensee shall cause the franking machine to be maintained in serviceable condition and shall once in every calendar year and at any time on demand in writing by the postmaster render to him a certificate from the suppliers dated not earlier than seven days from the date of the rendering thereof and certifying that they have examined the machine and that the same is in serviceable condition.

Made this 20th day of April, 1960.

By Command of His Excellency the Governor,

T. E. MARKANTONIS,
Clerk of the Executive Council.

(M.C.W. 633/59.)

No. 135.

THE AIR TRANSPORT (LICENSING OF AIR SERVICES)
REGULATIONS, 1948 TO 1953.

APPOINTMENT OF LICENSING AUTHORITY UNDER REGULATION 5.

In exercise of the powers vested in him by Regulation 5 of the Air Transport (Licensing of Air Services) Regulations, 1948 to 1953, His Excellency the Governor has been pleased to direct that the Licensing Authority for the purposes of the said Regulations shall consist of three members and does hereby appoint the officers whose names appear in the first column of the Schedule hereto as members of the said Authority to hold office for the period specified against their names in the second column of the said Schedule.

SCHEDULE.

Members	Terms of Office
Panayiotis Michael Kazamias, <i>Chairman</i> ..	From 11th April, 1960 to 31st December, 1960.
Andreas Christodoulou Patsalides	From 11th April, 1960 to 31st December, 1960.
Mehmet Sedat Faiz	From 11th April, 1960 to 31st December, 1960.

Made this 23rd day of April, 1960.

By Command of His Excellency the Governor,

G. P. CASSELS,
Acting Administrative Secretary.

(M.C.W. 167/59.)