

**POST OFFICE (AMENDMENT) BILL 2013**

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**Explanatory Memorandum**

1. This Bill is promoted by the Department of Economic Development on behalf of the Isle of Man Post Office ("the Post Office").
2. The Bill makes amendments to the Post Office Act 1993 ("the 1993 Act") to update the powers of the Post Office, in order to reflect changes to the market and the operation of the Post Office since 1993.
3. *Clause 1* deals with the short title of the resulting Act.
4. *Clause 2* contains amendments to the 1993 Act as follows.
5. *Clause 2(2)* makes it clear that the duty of the Post Office under section 2 to provide a universal letter service does not limit its powers to provide other services under section 4.
6. *Clause 2(3)* replaces section 4(1) of the 1993 Act to provide a more up-to-date list of services which the Post Office may provide.
7. *Clause 2(4)* inserts a new section after the existing section 4 enabling the Department of Economic Development to amend that list.
8. *Clause 2(5)* makes it clear that schemes setting out the conditions under which the Post Office provides services may include compensation provisions to the extent permitted by section 19 of the 1993 Act.
9. *Clause 3* provides for the Act's automatic repeal (as it is a wholly amending Act). The amendments made to the 1993 Act will not be affected by its repeal.
10. The Bill has no resource implications.
11. In the opinion of the member moving the Bill its provisions are compatible with the Convention rights within the meaning of the Human Rights Act 2001.





*Ellan Vannin*

## POST OFFICE (AMENDMENT) BILL 2013

1 A **BILL** to amend the powers of the Isle of Man Post Office; and for connected  
2 purposes.

BE IT ENACTED by the Queen’s Most Excellent Majesty, by and with the advice and consent of the Council and Keys in Tynwald assembled, and by the authority of the same, as follows:—

### 3 1 Short title

4 The short title of this Act is the Post Office (Amendment) Act 2013.

### 5 2 Amendment of Post Office Act 1993

6 (1) The *Post Office Act 1993* is amended as follows.

7 (2) After section 2(3) insert —

8 “(3A) Subsection (1) shall not be taken to limit or abridge any of the  
9 powers of the Post Office under section 4.”.

10 (3) For section 4(1) substitute —

11 “(1) The Post Office may, within the Island and elsewhere, provide or  
12 perform the following services —

13 (a) the conveyance, transmission, storage, custody, handling,  
14 delivery or management, by physical or electronic means,  
15 of —

16 (i) postal packets;

17 (ii) goods of any description;

18 (iii) money;

19 (iv) intangible property; and

20 (v) information of any description and in any form;

21 (b) postal services (including the provision of private post  
22 boxes, whether physical or electronic, and self-service  
23 facilities);

- 1 (c) money services (including banking services, the transport  
2 and handling of cash, payment processing, money  
3 transmission and money exchange);
- 4 (d) the sale or supply by wholesale or retail of stamps, coins,  
5 stationery and other goods;
- 6 (e) the management, storage, handling, printing, manipulation  
7 and destruction of documents and information (whether in  
8 physical or electronic form);
- 9 (f) mail preparation and product distribution services;
- 10 (g) services involving the communication of information  
11 (including sounds and images) in electronic form;
- 12 (h) services in connection with identity verification and  
13 authentication of documents;
- 14 (i) commercial transactions, business support and transaction  
15 processing in partnership with, or on behalf of, other  
16 persons;
- 17 (j) services of any kind (whether or not falling within any of  
18 the above categories) for any public authority or other  
19 public institution (whether established in the Island or  
20 elsewhere).”.

21 (4) After section 4 insert —

22 **“4A Amendment of powers of Post Office**

- 23 (1) If it considers it expedient to do so, the Department may by order  
24 amend section 4(1).
- 25 (2) Before making an order under this section the Department shall  
26 consult the Post Office.
- 27 (3) An order under this section —
- 28 (a) may contain such consequential, incidental, supplemental  
29 and transitional provisions as the Department considers  
30 necessary or expedient for the purposes of the order,  
31 including amendment of this Act (other than this section)  
32 and any other enactment; and
- 33 (b) shall not have effect unless it is approved by Tynwald.”.

34 (5) In section 13(1) after “but so that” insert “, except for the purposes of  
35 section 19,”.

36 **3 Expiry**

37 This Act expires on the day after its promulgation; but its expiry does not affect  
38 the continuing operation of the amendments made by section 2.



IN THE KEYS

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**POST OFFICE (AMENDMENT) BILL 2013**

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**A BILL** to amend the powers of  
the Isle of Man Post Office; and  
for connected purposes.

Approved by the Council of Ministers  
for introduction in the House of Keys.

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MR RONAN

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JUNE 2013