

POST AND TELEGRAPH.

No. 17 of 1923.

An Act to amend the *Post and Telegraph Act*
1901-1916.

[Assented to 1st September, 1923.]

BE it enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

1.—(1.) This Act may be cited as the *Post and Telegraph Act* 1923. Short title and citation.

(2.) The *Post and Telegraph Act* 1901-1916 is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Post and Telegraph Act* 1901-1923.

2. Section forty-six of the Principal Act is repealed and the following section inserted in its stead:—

“46.—(1.) Every postal article which remains undelivered at any post-office to which it has been transmitted for delivery shall, save as in this Act otherwise provided, be kept thereat for delivery for such time as is prescribed. Undelivered postal articles.

“(2.) As soon as possible after the expiration of the prescribed time the postmaster at every such post-office shall transmit to the General Post Office or to such other post-office as the Postmaster-General directs every postal article that has been kept for the prescribed time, and which is transmissible at a rate of not less than One penny for two ounces, and thereupon every such postal article so transmitted and any postal article which remains undelivered at the General Post Office or at such other post-office as the Postmaster-General directs beyond the prescribed time shall be dealt with as in this Act provided.

“(3.) Every postal article (other than a newspaper) which is transmissible at a rate of less than One penny for two ounces and which remains undelivered at any post office to which it has been transmitted for delivery shall, at such post offices as the Postmaster-General directs, be dealt with in such manner as is prescribed.

“(4.) Notwithstanding anything contained in this Act, when any letter or packet bears an indorsement by the sender to the effect that if it remains undelivered for a certain specified time not less than seven days it may be returned to him, the postmaster at the post office to which the letter or packet has been transmitted for delivery shall, as soon as possible after the time so specified,

transmit it to the indorsed address, and, if it be refused at the specified address, it shall be deemed to be undelivered and unclaimed and dealt with accordingly.

“(5.) Where a postal article (other than a newspaper) posted in the Commonwealth for delivery therein which—

- (a) bears on the front of the cover the name and address of the sender, and
- (b) does not bear the indorsement referred to in the last preceding sub-section,

remains undelivered, for such time as is prescribed, at the post office to which it has been transmitted for delivery, the postmaster at that post office shall, as soon as possible after the expiration of the time so prescribed, transmit it to the sender at the address specified, and if it be refused at such address it shall be deemed to be undelivered and unclaimed and dealt with accordingly.

“(6.) Every newspaper which remains undelivered at any post office to which it has been transmitted for delivery shall, upon payment within the prescribed time of the rate of postage applicable to printed papers, be returned to the sender, and, upon the expiration of such prescribed time, every undelivered newspaper, for the return of which such rate of postage has not been paid, shall be dealt with in such manner as is prescribed.”

Disposal of
dead letters.

3. Section forty-eight of the Principal Act is amended—

- (a) by inserting, after the words “General Post Office” (first and second occurring), the words “or at a post office directed by the Postmaster-General in pursuance of section forty-six of this Act” ;
- (b) by omitting the words “to the proper authorities” and inserting in their stead the words “in accordance with the request of the proper authorities” ; and
- (c) by omitting the words “or if originally posted in another State be returned to the General Post Office of that State”.

Opened postal
articles, how
dealt with.

4. Section fifty of the Principal Act is amended—

- (a) by inserting therein after the words “Deputy Postmaster-General” the words “, and the postmaster at every post office directed by the Postmaster-General in pursuance of section forty-six of this Act,” ;
- (b) by inserting therein, after the words “liable to pay” (first occurring), the word “double” ; and
- (c) by adding at the end thereof the words “and on refusal to pay such postage shall be liable to a penalty not less than Two pounds and not exceeding Five pounds”.

5. Section fifty-one of the Principal Act is repealed and the following section inserted in its stead :—

“51.—(1.) Every undelivered letter or packet which is opened under the provisions of this Act and found to contain any valuable

Opened letters
and packets
containing
anything
of value,
how dealt with.

or saleable enclosure shall be dealt with in accordance with the provisions of this section :—

- (a) A memorandum of the contents of the letter or packet shall be made and preserved ;
- (b) If the whereabouts of the person to whom the letter or packet is addressed are known, the letter or packet shall be forwarded by registered post to him ;
- (c) If the whereabouts of the person to whom the letter or packet is addressed are not known, the letter or packet shall be returned by registered post to the writer or sender thereof, if his whereabouts are known, and if they are not known, the letter or packet shall be destroyed and its contents forfeited.

“(2.) It shall be a condition of the forwarding or returning of any letter or packet under this section that the person to whom it is forwarded or returned shall, at the time of the delivery of the letter or packet, pay to the Postmaster-General the cost of the registration of such letter or packet.

“(3.) Notwithstanding anything contained in this section, if the contents of any letter or packet have been posted, or are in fraud or violation of this Act, or any Act relating to the Customs, or of any regulation or order made under the authority of this Act, or with intent to evade payment of the postage properly chargeable on the letter or packet, such letter or packet shall be destroyed and its contents forfeited :

Provided that the Postmaster-General may, if he thinks fit, direct that the letter or packet be restored to the writer or sender thereof.

“(4.) The contents of any letter or packet forfeited in pursuance of this section shall be dealt with in the following manner :—

- (a) If it is money or a security or order for money payable to bearer, it shall be paid into the Consolidated Revenue Fund ;
- (b) If it is not money or a security or order for money payable to bearer, it shall be destroyed, sold or converted into money or otherwise disposed of in such manner as the Postmaster-General directs.

“(5.) The proceeds of the sale of the contents of any letter or packet under this section shall be paid into the Consolidated Revenue Fund.”.

6. Section eighty-five of the Principal Act is amended—

- (a) by adding, at the end of sub-section (1.), the following proviso :—

“Provided further that where any wire or cord is erected, along a road or commonly used wagon track, as close to the fence as practicable, it may, except at places where traffic is required to pass under the wire or cord, be less than twelve feet but not less than eight feet from the surface.”;

Works on
lands, &c.

- (b) by inserting in sub-section (2.), after the words "erection upon", the words "or laying under"; and
- (c) by inserting in sub-section (2.), after the words "telegraph line", the words "whether erected or laid before or after the commencement of this Act,".

7. After section eighty-five of the Principal Act, the following section is inserted:—

Removal of line consequent upon opening of new roads.

"85A. Where subsequently to the erection of a telegraph line, whether erected before or after the commencement of this Act, it becomes necessary, owing to the subdivision of any land, to remove the line or any pole, the cost of such removal shall be borne by the person responsible for the subdivision of the land."

WAR SERVICE HOMES.

No. 18 of 1923.

An Act to amend the *War Service Homes Act 1918-1920.*

[Assented to 1st September, 1923.]

BE it enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

Short title and citation.

- 1.—(1.) This Act may be cited as the *War Service Homes Act 1923.*
- (2.) The *War Service Homes Act 1918-1920* is in this Act referred to as the Principal Act.
- (3.) The Principal Act, as amended by this Act, may be cited as the *War Service Homes Act 1918-1923.*

Definition of dwelling-house.

2. Section four of the Principal Act is amended by omitting therefrom the definition of "Dwelling-house" and inserting in its stead the following definition:—

" 'Dwelling-house' includes—

- (a) a house or building used or to be used by a person, who is included in paragraph (b) or (d) of the definition of 'Australian Soldier', as a hospital, sanatorium or nursing home; and