

Statutory Instrument No. 134 of 1976

POST OFFICE ACT
(Cap. 72:01)

POST OFFICE MONEY ORDER REGULATIONS, 1976

(Published on 10th September, 1976)

ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation and commencement
2. Offices and hours of issue, etc.
3. Application and payment through post office agents
4. Countries of payment
5. Rates of commission
6. Maximum amount
7. Form which may be used
8. All required information to be furnished
9. Crossing of money orders
10. Repayment and transfer payment
11. Alteration in name of payee or remitter
12. Remitter may stop payment
13. Duplicate money orders
14. Advice to office of payment
15. Period of validity
16. Payment of money orders
17. Receipting of money orders
18. Mutilated or defaced money orders
19. Applicant to be entitled to payment
20. Telegraphic money order service
21. Commission for telegraphic money orders
22. Repayment and transfer of telegraphic money orders
23. Regulations govern telegraphic money orders
24. Advice of payment
25. Advice of payment by telegraph
26. Search fee
27. Record of issues and payments
28. Applicability of existing money order fees, etc.

SCHEDULE

IN EXERCISE of the powers conferred by section 104 of the Post Office Act, His Excellency the President hereby makes the following Regulations —

Citation and commencement 1. These Regulations may be cited as the Post Office Money Order Regulations, 1976, and shall be deemed to have come into operation on 1st September, 1976.

Offices and hours of issue, etc. 2. Money orders shall be issued and paid at such offices and during such hours as may be notified from time to time by the Director.

- 3.** (1) An application for a money order, together with the money to be remitted and the commission payable thereon, shall be accepted by any post office agent for transmission to the postmaster of the nearest money order office, who shall then forward to the applicant a money order for the amount required. Application and payment through post office agents
- (2) A money order may be sent through any post office agent to the money order office at which such money order may be payable after it has been received, and the postmaster at such office shall forward the amount of the money order to the payee.
- (3) In all cases under subregulations (1) and (2) the letters shall be registered and posted free of charge.
- 4.** Money orders may be issued for payment in any country with which arrangements have been made for the direct exchange of money orders, or in any other country through the intermediary of a country with which a money order arrangement exists, and, similarly, money orders issued in such a country may be paid in Botswana. Countries of payment
- 5.** (1) The rates of commission chargeable for the issue of money orders shall be as specified in the Schedule. Rates of commission
- (2) A further commission which shall be charged at such rates as may from time to time be notified by the intermediate country may be levied on money orders issued for payment in a country with which arrangements do not exist for a direct exchange of money orders and such commission may be deducted by such intermediate country from the amount of such orders.
- 6.** No money order shall include a fractional part of it, and no single money order shall be issued or paid for a sum exceeding P500. Maximum amount
- 7.** Money orders shall only be issued on forms authorized by the Director Form which may be used
- 8.** The remitter shall furnish all information which may be required by the issuing officer on the form of requisition approved by the Director before any money order is issued. All required information to be furnished
- 9.** The remitter or payee of any money order may cross the money order except in cases where the regulations of the country of payment do not permit the crossings for payment through a bank of money orders issued in Botswana. Crossing of money orders
- 10.** (1) Any money order issued shall not be cancelled but may be repaid to the remitter or payment transferred from one office to another in Botswana on application by the remitter through the postmaster of the office of issue of the money order, or by the payee direct to the postmaster of the office at which the money order is payable and such postmaster shall issue a new money order payable at the money order office at which payment is requested for the amount of the original order, less the amount of a further commission equal to that which would be payable were the money being remitted for the first time. Repayment and transfer payment
- (2) Where repayment is sought in the case of a money order issued in Botswana and payable in another country, application for repayment shall be made by the remitter to the Director, who shall then seek the authority of the country in which the order was made payable for repayment to be made to the applicant.
- (3) The applicant shall specify in his application for repayment or transfer of the money order the information following —

- (a) date of issue;
- (b) amount of the money order;
- (c) the offices at which the money order was issued and payable; and
- (d) the names of the payee and the remitter as stated in the postmaster's advice.

Alteration
in name of
payee or
remitter

11. (1) The remitter of a money order may apply to have the name of either the payee or the remitter as specified in the original application altered, or, in the case of a crossed money order, to have the endorsement directing payment to be made through a bank cancelled on payment of such fee as may be prescribed by the Director under section 4 of the Act.

(2) An alteration may be made by telegraph on payment of such fee as may be prescribed by the Director under section 4 of the Act.

Remitter
may stop
payment

12. (1) The remitter shall control the money represented in the money order until the money order is paid, and may stop payment of that amount on payment of such fee as may be prescribed by the Director under section 4 of the Act and on application to the postmaster of the office at which the money order is payable in Botswana or, in the case of an order payable outside Botswana, to the Director.

(2) No liability shall attach to the Director if the order is paid in spite of such application.

Duplicate
money orders

13. (1) The remitter or the payee of a money order may obtain a duplicate thereof in the case of miscarriage or loss of a money order payable in Botswana or for any other sufficient reason on written application to the Director and payment of such fee as may be prescribed by the Director under section 4 of the Act.

(2) Full particulars of the money order referred to in the application shall be furnished by the applicant.

(3) The issue of duplicates of money orders payable outside Botswana shall be subject to the authority of the country of payment.

Advice to
office of
payment

14. The postmaster of the office of issue shall, by the first post after the issue of such money order, advise the postmaster of the office of payment to pay the amount thereof to the payee on presentation of the relevant money order.

Period of
validity

15. Subject to the regulations of the country of payment which stipulate a lesser period, a money order issued in Botswana shall be valid for 12 months after the last day of the month in which it was issued and shall be void after that date, but the Director may renew the validity of any money order issued in Botswana which has become void on application of either the remitter or the payee and on payment of the appropriate commission specified in the Schedule.

Payment of
money orders

16. (1) Unless presented for payment through a bank, the payee of a money order shall sign his name in ink in the space provided for that purpose, or, in the case of a telegraphic money order, on a form approved by the Director, and shall furnish such means of identification or proof of his authority to receive payment of the money order as may be required by the paying officer.

(2) Where the payee cannot write, his mark shall be attested by a witness in the presence of the paying officer.

(3) The signature of the payee shall correspond in every particular with the name of the payee as stated in the advice received by the paying postmaster from the issuing postmaster.

(4) The Director may authorize the payment of a money order purporting to be signed by the payee but in a form different from the name of the payee as stated in the advice and such signature shall in all cases be a sufficient authority to the postmaster for the payment of the money order, and it shall not be necessary to prove that the receipt was signed by or under the authority of the payee.

17. If a money order is not signed by the payee in the presence of the paying officer he may require the person presenting the order to sign his name again upon the order in his presence.

Receipting
of money
orders

18. Any money order presented for payment in a mutilated or defaced condition, or bearing signs of any erasure or alteration, may be refused payment.

Mutilated
or defaced
money orders

19. Where a money order which complies with these Regulations is presented for payment the officer to whom it is presented shall pay the amount of the money order if the postmaster has received the official advice unless he has good reason for believing that the applicant is not entitled to receive payment.

Applicant
to be entitled
to payment

20. Money may be remitted by telegraphic money order —

- (a) between such money order offices in Botswana connected by telegraph as may be notified from time to time by the Director; or
- (b) to or from any other country with which arrangements exist for an exchange of telegraphic money orders.

Telegraphic
money order
service

21. The commission for telegraphic money orders shall be the same as for the ordinary money order but in addition the telegraphic charges shall be such charge as may be prescribed by the Director under section 4 of the Act.

Commission
for tele-
graphic
money orders

22. (1) Application for repayment to the remitter of a telegraphic money order issued and payable within Botswana or for transfer of payment from one office to another may be made by telegraphs through the postmaster of any telegraphic money order office on payment of such fee as may be prescribed by the Director under section 4 of the Act.

Repayment
and transfer
of telegraphic
money orders

(2) If it is desired that repayment or transfer of payment should be effected by —

- (a) telegraphic money order, then a further commission equal to the original commission shall be deducted by the transferring office from the amount of such telegraphic money order; and
- (b) post, then a fresh commission at the rate of an ordinary money order only shall be deducted.

23. Telegraphic money orders shall be subject to the provisions of these Regulations governing ordinary money orders except where otherwise expressly provided.

Regulations
govern
telegraphic
money orders

24. (1) The remitter of any money order issued in Botswana for payment within Botswana or in any other country which may from time to time be notified by the Director may, either on the time of issue of such money order or subsequent thereto, and on payment of such fee as may be prescribed by the Director under section 4 of the Act, request to be advised of the date of payment of such money order only if the application for such advice is

Advice of
payment

made within 12 months from the date of the expiration of the currency of the money order.

(2) The remitter of a money order who seeks to be advised on payment of such money order shall furnish such particulars as may be required by the postmaster at the office at which application for such advice of payment is made.

(3) Where such money order has been paid, the postmaster at the office of payment shall forward to the remitter by the first post, free of charge, an advice of payment stating the date upon which the order was paid.

(4) Subject to subregulation (5), where such money order has not been paid at the time of the arrival of the advice of payment request at the office of payment, the advice of payment request shall be retained by the postmaster at such office until the order has been paid.

(5) If, after a period of one month from the date of arrival of the relative money order at the office of payment, a money order which has been the subject of a request in terms of subregulation (1) remains unpaid, the postmaster shall forward to the remitter, free of charge, an advice stating that the money order has not been claimed, and, if the money order is subsequently paid, payment thereof shall only be advised to the remitter except on a fresh application as provided for in subregulation (1).

(6) The Director shall not be responsible for any failure or delay in advising the remitter of the payment of any money order.

Advice of
payment by
telegraph

25. (1) The remitter of any telegraphic money order issued in Botswana for payment within Botswana or in any other country which may be notified from time to time by the Director for the purposes of these Regulations may, on application either at the time of issue of the money order or at any time thereafter within 12 months from the date of the expiration of the currency of the money order, and on payment of such fee as may be prescribed by the Director under section 4 of the Act, be advised by telegraph of the payment of such money order or of its non-payment at the expiration of a period not exceeding one month to be stated by the remitter.

(2) After payment of a money order in connexion with which a telegraphic advice of payment has been paid for by the remitter or in the case of its non-payment at the expiration of a period specified by the remitter as provided for in subregulation (1), the postmaster at the office of payment shall despatch to the remitter a telegram stating the date on which the order was paid or stating that the order remains unpaid.

(3) The period specified by the remitter as provided for in subregulation (1) shall not in any way be held to restrict the currency of any money order.

Search fee

26. Such fee as may be prescribed by the Director under section 4 of the Act shall be paid in respect of each month's accounts searched by the remitter or payee or an authorized representative where either of them desires information in regard to the issue or payment of any money order and is unable to specify the date of issue.

Record of
issues and
payment

27. The Director shall keep a record of every money order issued or paid under these Regulations for a period of not less than two years.

Applicability
of existing
money order
fees, etc.

28. On the coming into force of these Regulations any existing rates of commission in connexion with money orders shall be of no force or effect.

SCHEDULE

(reg. 5)

Money Order Commission - Table of Rates

<i>Amount of Money Order</i>	<i>Republic of Botswana</i>	<i>Republic of South Africa, Namibia, Lesotho, Swaziland, Malawi, Mozambique and Rhodesia</i>	<i>Other Countries</i>
	<i>P t</i>	<i>P t</i>	<i>P t</i>
10t to P50	0,50	0,60	0,80
P50,01 to P100	0,75		
P100,01 to P150	1,00		
P150,01 to P200	1,25		
P200,01 to P250	1,50		
P250,01 to P300	1,75		
P300,01 to P350	2,00		
P350,01 to P400	2,25		
P400,01 to P450	2,50		
P450,01 to P500	2,75		

MADE this 3rd day of September, 1976.

P.L. STEENKAMP,
*Permanent Secretary,
Office of the President.*

L2/7/59 II