

Statutory Instrument No. 133 of 1976

POST OFFICE ACT
(Cap. 72:01)

POSTAL 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. Value may be supplemented
7. Postal orders to be completed
8. Crossing of postal orders
9. Repayment to remitter
10. Negotiability of postal order
11. Period of currency
12. Payment of postal orders
13. Receipting of postal order
14. Information as to payment
15. Duplicate postal order
16. Mutilated or defaced postal order
17. Applicant to be entitled to payment
18. Where payee dies intestate
19. Applicability of existing postal 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 Postal Order Regulations, 1976, and shall be deemed to have come into operation on 1st September, 1976.

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

Application and payment through post office agents **3.** (1) An application for a postal 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 post office authorized to transact postal order business, who shall then forward to the applicant a postal order for the amount required.

(2) A postal order may be sent through any post office agent to the office at which such postal order may be payable after it has been receipted, and the postmaster at such post office shall forward the amount of the postal order to the payee.

(3) In all cases under subregulations (1) and (2) the letters shall be registered and posted free of charge.

<p>4. Postal orders may be issued for payment in any country which may be notified by the Director from time to time, and, similarly, postal orders issued in such a country may be paid in Botswana.</p>	<p>Countries of payment</p>
<p>5. The rates of commission chargeable for the issue of postal orders shall be as specified in the Schedule.</p>	<p>Rates of commission</p>
<p>6. (1) Postal stamps not exceeding 9t in value and two in number may be affixed to a postal order to supplement its value and such postal order shall be cashed on presentation for the full value of the postal order and the postage stamps combined.</p>	<p>Value may be supplemented</p>
<p>(2) Any postage stamps affixed to a postal order in terms of subregulation (1) shall be affixed in the spaces set apart for the purpose and shall represent 1t or a multiple thereof.</p>	
<p>(3) Any postage stamp affixed to a postal order issued outside Botswana shall be a postage stamp of the country in which the postal order was issued and that country being agreeable to the encashment of the postage stamps when affixed to postal orders.</p>	
<p>(4) Postage stamps perforated with initials or marks, and embossed or impressed stamps cut out of envelopes, post-cards, wrappers, letter cards or other articles, shall not be affixed to a postal order.</p>	
<p>7. The remitter shall insert the name of the payee on the postal order before parting with it.</p>	<p>Postal orders to be completed</p>
<p>8. The remitter or payee of any postal order may cross the postal order except in cases where the regulations of the country of payment do not permit the crossing for payment through a bank of postal orders issued in Botswana.</p>	<p>Crossing of postal orders</p>
<p>9. A postal order in which the name of the payee has been inserted may be repaid to the remitter or payment transferred from one person to another upon application accompanied by such postal order and on payment of such fee as may be prescribed by the Director under section 4 of the Act.</p>	<p>Repayment to remitter</p>
<p>10. A postal order shall not be negotiable and only the rightful owner shall be entitled to the amount represented therein.</p>	<p>Negotiability of postal order</p>
<p>11. A postal order shall be valid for three months from the last day of the month in which it was issued, and after the expiration of such period no postal order shall be paid except with the written permission of the Director and on payment of such fee as may be prescribed by the Director under section 4 of the Act.</p>	<p>Period of currency</p>
<p>12. (1) Unless presented for payment through a bank, the payee shall sign his name in ink in the space provided for that purpose on the postal order and shall furnish such means of identification or proof of his authority to receive payment of the postal order as may be required by the paying officer.</p>	<p>Payment of postal orders</p>
<p>(2) Where the payee cannot write, his mark shall be attested by a witness in the presence of the paying officer.</p>	
<p>(3) The signature of the payee shall correspond in every particular with the name of the payee as stated in the postal order.</p>	
<p>(4) The Director may authorize the payment of a postal order purporting to be signed by the payee but in a different form from the name of the payee as stated in the postal order and such signature shall in all cases be a sufficient authority to the paying officer for the payment of the amount of</p>	

the order, and it shall not be necessary to prove that the receipt was signed by or under the authority of the payee.

Receipting of postal order

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

Information as to payment

14. (1) The Director may, upon application at any time within 12 months of the date of the issue of the postal order and on payment of such fee as may be prescribed by the Director under section 4 of the Act, furnish information as to the payment of the order to the remitter or the payee.

(2) The counterfoil shall accompany any application made under subregulation (1) and the applicant shall furnish all other information as may be requested by the Director.

Duplicate postal order

15. (1) The Director may direct any person to be issued with a duplicate postal order where the original order has been lost, destroyed or mutilated.

(2) A duplicate postal order may be issued only on application being made within 12 months of the date of issue of the original order, on payment of such fee as may be prescribed by the Director under section 4 of the Act, and upon production of the counterfoil of the original postal order as well as proof of the loss, destruction or mutilation of the original order, to the satisfaction of the Director.

(3) Notwithstanding subregulation (2), the Director may waive the requirement that the counterfoil of the original order should be produced.

(4) Where a duplicate order is issued, the applicant shall give an undertaking in writing to refund to the Director the amount of the duplicate postal order if the original order is subsequently paid or is subsequently proved to have been paid.

Mutilated or defaced postal order

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

Applicant to be entitled to payment

17. Where a postal order which complies with these Regulations is presented for payment, the officer to whom it is presented shall pay the amount of the postal order unless he has good reason for believing that the applicant is not entitled to receive payment.

Where payee dies intestate

18. (1) Where the payee of any postal order dies intestate before the payment of such order is effected and the letters of administration of the estate are not produced to the Director, the Director may pay the amount of such order either to the next-of-kin of the deceased payee or to such other person who, in the opinion of the Director, may be entitled to such payment.

(2) Any payment under subregulation (1) shall be a valid and effectual discharge against any demand or claim made upon the Director by any other person as being the lawful representative and such person may then have his remedy by recourse against the person who receives such payment.

Applicability of existing postal order fees, etc.

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

SCHEDULE

(reg. 5)

Commission Rates

<i>Denominations available</i>	<i>Commission</i>
10t	2t
20t	3t
30t	5t
40t	5t
50t	5t
60t	7t
70t	7t
80t	7t
90t	7t
P1,00	10t
P2,00	13t
P4,00	19t
P5,00	19t
P10,00	19t
P20,00	25t

MADE this 3rd day of September, 1976.

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

L2/7/59 II