

**2012 No. 1095 (C. 34)**

**POSTAL SERVICES**

**The Postal Services Act 2011 (Commencement No. 3 and  
Saving Provisions) Order 2012**

*Made* - - - -

*16th April 2012*

The Secretary of State makes the following Order in exercise of the powers conferred by section 93(3) and (4) of the Postal Services Act 2011(a):

**Citation**

1. This Order may be cited as the Postal Services Act 2011 (Commencement No. 3 and Saving Provisions) Order 2012.

**Interpretation**

2. In this Order—

- “the 2011 Act” means the Postal Services Act 2011;
- “the 2000 Act” means the Postal Services Act 2000(b);
- “the commencement date” means 23rd April 2012;
- “the Schedule” means Schedule 12 to the 2011 Act.

**Provisions coming into force on 23<sup>rd</sup> April 2012**

3.—(1) Subject to paragraph (2), paragraphs 38 to 41 and 147 of the Schedule come into force on the commencement date.

(2) The amendment made to section 112(1) of the 2000 Act (which prohibits the issue of postal and money orders otherwise than in accordance with a scheme) by paragraph 39(2) of the Schedule comes into force immediately after the coming into force of a scheme made under section 112(2) as amended by that paragraph.

**Saving provision: Exclusion of liability in relation to postal and money orders**

4.—(1) The amendments made to section 111 of the 2000 Act (which provides for the exclusion of liability in relation to postal and money orders) by paragraph 38 of the Schedule do not affect any right or liability which has accrued or will accrue in relation to any postal or money order issued before the coming into force of a scheme made under section 112(2) of the 2000 Act as amended by paragraph 39(2) of the Schedule.

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(a) 2011 c. 5.  
(b) 2000 c. 26.

(2) Any reference to a Post Office company in section 111 shall have effect, in relation to any postal or money order to which paragraph (1) applies, as if it were a reference to the original holding company within the meaning of section 15 of the 2011 Act (general interpretation).

**Saving provisions: recoupment of losses on wrongly paid money orders**

5.—(1) The amendments made to section 113 of the 2000 Act (which provides for the recoupment of losses on wrongly paid money orders) by paragraph 40 of the Schedule do not affect any right or liability which has accrued or will accrue in relation to a money order issued before the coming into force of a scheme made under section 112(2) of the 2000 Act as amended by paragraph 39(2) of the Schedule.

(2) Any reference to a Post Office company in section 113 shall have effect, in relation to any money order to which paragraph (1) applies, as if it were a reference to the original holding company within the meaning of section 15 of the 2011 Act.

**Saving provisions: payment of seamen's wages**

6.—(1) The provisions of section 30(10) of the Merchant Shipping Act 1995(a) prior to the commencement date continue to apply to the payment of seamen's wages by any money or postal order issued before the coming into force of a scheme made under section 112(2) of the 2000 Act as amended by paragraph 39(2) of the Schedule.

(2) Any reference to a Post Office company in section 30(10) shall have effect, in relation to any money or postal order to which paragraph (1) applies, as if it were a reference to the original holding company within the meaning of section 15 of the 2011 Act.

*Norman Lamb*

Parliamentary Under Secretary of State for Employment Relations, Consumer and Postal Affairs  
16th April 2012

Department for Business, Innovation and Skills

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(a) 1995 c. 21.

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force paragraphs 38 to 41 and 147 of Schedule 12 (minor and consequential amendments) to the Postal Services Act 2011 (c.5), and makes saving provisions, in relation to the operation of postal and money order schemes.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

The following provisions of the Postal Services Act 2011 have been brought into force by a commencement order made before the date of this Order.

| <i>Provision</i>   | <i>Date of Commencement</i> | <i>S.I. No.</i> |
|--|-----------------------------|-----------------|
| Section 1  | 20th December 2011          | 2011/3044       |
| Sections 2 to 8 and Schedule 1   | 1st October 2011            | 2011/2329       |
| Sections 9 to 10 and Schedule 2  | 1st October 2011            | 2011/2329       |
| Sections 11 to 42 and Schedule 3   | 1st October 2011            | 2011/2329       |
| Sections 44 to 52 and Schedule 5   | 1st October 2011            | 2011/2329       |
| Section 53 and Schedule 6  | 1st October 2011            | 2011/2329       |
| Section 54 and Schedule 7  | 1st October 2011            | 2011/2329       |
| Section 55 and Schedule 8  | 1st October 2011            | 2011/2329       |
| Sections 56 to 64 (1)  | 1st October 2011            | 2011/2329       |
| Section 64(2) to (6)   | 15th September 2011         | 2011/2329       |
| Section 65   | 1st October 2011            | 2011/2329       |
| Sections 67 to 73 and Schedules 10 and 11  | 1st October 2011            | 2011/2329       |
| Sections 74 to 88  | 1st October 2011            | 2011/2329       |
| Sections 91(1) and (2) and paragraphs 1 to 37, 42 to 146 and 148 to 191 of Schedule 12 | 1st October 2011            | 2022/2329       |

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STATUTORY INSTRUMENTS

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