

# POSTAL SERVICES ACT

## (CHAPTER 237A)

### POSTAL SERVICES REGULATIONS 2008

In exercise of the powers conferred by section 61 of the Postal Services Act, the Info-communications Development Authority of Singapore, with the approval of the Minister for Information, Communications and the Arts, hereby makes the following Regulations:

#### PART I

#### PRELIMINARY

##### **Citation and commencement**

1. These Regulations may be cited as the Postal Services Regulations 2008 and shall come into operation on 2nd May 2008.

##### **Definitions**

2. In these Regulations, unless the context otherwise requires —

"class licence" has the same meaning as in the Postal Services (Class Licence) Regulations 2005 (G.N. No. S 481/2005);

"foreign postal administration" means a postal operator that has been designated by a country outside Singapore as the postal administration for that country responsible for fulfilling the obligations under the UPU Acts;

"postal administration for Singapore" means a postal licensee that is designated by the Postal Authority as the postal administration responsible for fulfilling the obligations under the UPU Acts in Singapore;

"prohibited article" means any article referred to in regulation 3;

"UPU Acts" means the Constitution of the Universal Postal Union, the Universal Postal Convention and any agreements, regulations, rules, appendices, annotated acts and codes, manuals or arrangements issued thereunder, as amended from time to time, that are —

(a) published by the International Bureau of the Universal Postal Union in pursuance of the agreement concluded by the member countries concerned in the Universal Postal Union Congress; and

(b) applicable to Singapore.

#### PART II

### PROHIBITED OR RESTRICTED TRANSMISSION BY POST

##### **Prohibited articles**

3.—(1) Except as may be provided in regulation 4, no person shall —

(a) send by post, tender for posting or deliver to a postal licensee for posting; or

(b) convey, despatch or deliver by post,

any article specified in paragraph (2) (referred to in these Regulations as a prohibited article).

(2) A prohibited article is —

(a) any article consisting of or containing —

- (i) any arms, explosives or explosive precursors within the meaning of the Arms and Explosives Act (Cap. 13), or any truncheon, handcuffs, or such other weapon or equipment referred to in section 18 of the Private Investigation and Security Agencies Act (Cap. 249) or section 22A of the Miscellaneous Offences (Public Order and Nuisance) Act (Cap. 184);
- (ii) any biological agent specified in the First Schedule or Second Schedule to the Biological Agents and Toxins Act (Cap. 24A) or any toxin specified in the Fifth Schedule to that Act, except as authorised by that Act;
- (iii) any chemical weapon or scheduled chemical within the meaning of the Chemical Weapons (Prohibition) Act (Cap. 37B) or any radioactive material or irradiating apparatus within the meaning of the Radiation Protection Act (Cap. 262);
- (iv) any corrosive substance or explosive substance or any offensive weapon or scheduled weapon within the meaning of the Corrosive and Explosive Substances and Offensive Weapons Act (Cap. 65);
- (v) any hazardous substance within the meaning of the Environmental Protection and Management Act (Cap. 94A);
- (vi) any petroleum or flammable material within the meaning of Part VI of the Fire Safety Act (Cap. 109A);
- (vii) any controlled drug, or any controlled equipment, controlled material or controlled substance, within the meaning of the Misuse of Drugs Act (Cap. 185), except as authorised by that Act;
- (viii) any poison, including any preparation, solutions, compound, mixture or natural substance containing poisonous substances unless sent in accordance with the provisions of the Poisons Act (Cap. 234);
- (ix) any goods the import or export of which is prohibited under the Regulation of Imports and Exports Act (Cap. 272A);
- (x) any chewing gum, which is prohibited from being sold or advertised for sale under the Sale of Food (Prohibition of Chewing Gum) Regulations (Cap. 283, Rg 2);
- (xi) any other dangerous article or substance that is capable of posing a significant risk to health, safety or property when transported by air;
- (xii) any securities of any kind payable to bearer, bank notes, currency notes or travellers' cheques, unless sent by registered or insured post;
- (xiii) any lottery ticket or any advertisement of prizes or any other announcement relating to any public lottery, sweepstake or other gambling transaction;
- (xiv) any pamphlet, magazine, newsletter or other type of publication which is prohibited under any written law from being published, circulated or distributed in Singapore;

(b) any article liable to customs duty —

- (i) not sent by parcel post, or enclosed in a letter packet or small packet for delivery in a country or place which admits such parcels or packets; and
- (ii) in the case of letter packets and small packets, not posted in compliance with regulation 6; or

(c) any article which by the laws of the country or place in which the article is posted or to which the article is addressed (being a country or place outside Singapore), it is unlawful to send by post.

(3) In paragraph (2), "lottery ticket" and "public lottery" shall have the same meanings, respectively, assigned to them in the Common Gaming Houses Act (Cap. 49).

#### **Restricted postal articles**

**4.—(1)** Notwithstanding regulation 3 —

- (a) a person may send by post, tender for posting or deliver for posting any prohibited article to any holder of a class licence; and
- (b) any holder of a class licence may convey, despatch or deliver by post, any prohibited article that is packed in accordance with such terms and conditions as are determined by the holder of that class licence.

(2) Notwithstanding regulation 3 but without prejudice to paragraph (1), a postal article consisting of or containing any thing or substance specified in paragraph (3) may be —

- (a) sent by post, tendered for posting or delivered to a postal licensee for posting; or
- (b) conveyed, despatched or delivered by post,

if, and only if the postal article is packed in accordance with such terms and conditions as are —

(i) determined by the postal licensee conveying, despatching or delivering the postal article; and

(ii) approved by the Postal Authority.

(3) Paragraph (2) shall only apply to —

(a) celluloid and cinematograph films;

(b) radioactive substances; and

(c) perishable biological substances exchanged between officially recognised or qualified laboratories.

(4) For the purpose of paragraph (3)(c), whether a laboratory is officially recognised or qualified shall be determined by the Postal Authority.

#### **Unlawful transmission of prohibited articles**

5.—(1) Any person who contravenes regulation 3(1) shall be guilty of an offence.

(2) It shall be a defence for a postal licensee or any of its employees or agents who is charged with an offence under paragraph (1) to prove that —

(a) the postal licensee or the employee or agent thereof (as the case may be) took all reasonable and practicable steps to prevent the contravention of regulation 3(1), or there were no steps that he could reasonably be expected to have taken to prevent the contravention; and

(b) the postal licensee or the employee or agent thereof (as the case may be) neither knew, nor could reasonably have been expected to have known, that he was conveying, despatching or delivering by post any prohibited article.

## **PART III**

### **CONDITIONS ON TRANSMISSION OF POSTAL ARTICLES**

#### **Outgoing postal articles subject to customs duty**

6.—(1) The written laws for the time being in force in relation to customs duty shall apply in relation to goods contained in any outgoing postal article which is brought into or sent out of Singapore by post from or to any place outside Singapore as they apply in relation to goods otherwise imported, exported or removed into or out of Singapore from or to any such place.

(2) Any outgoing postal article containing any article liable to customs duty and addressed to a country or place outside Singapore which admits such postal articles must comply with such requirements as may be prescribed from time to time by the postal administration for Singapore through which the article is posted for purposes of implementing the UPU Acts.

(3) In this regulation, “outgoing postal article” means any postal article posted in Singapore and sent to a place outside Singapore, or in transit through Singapore to a place outside Singapore.

#### **When postage not prepaid**

7. The postage on a postal article shall not be deemed to be prepaid by means of a proper stamp if —

(a) the stamp has not been validly issued by a postal licensee as prepayment for postage by the postal licensee under section 19 of the Act;

(b) the stamp has been obliterated, defaced, torn, cut or otherwise rendered imperfect; or

(c) the stamp has been cut or otherwise separated from an embossed envelope or from a postcard.

#### **Postage evasion of correspondence in another country for delivery by postal administration for Singapore**

8.—(1) This regulation shall apply to every postal article that —

(a) is posted outside Singapore by or on behalf of a person residing in Singapore; and

(b) is addressed to the addressee at an address in Singapore.

(2) Whenever the postal administration for Singapore —

(a) discovers a postal article to which this regulation applies in the course of post, and the sum equivalent in Singapore currency at par to the postage paid on the postal article is less than the postage which would have been payable on such a postal article if it had been posted in Singapore; and

(b) has reasonable cause to believe that the postal article was posted with a view to benefiting from rates of postage,

the postal administration for Singapore may cause the postal article to be opened and examined by its employee to determine whether the postal article was so posted.

(3) Where the contents of a postal article to which this regulation applies have been examined under paragraph (2) and it is found not to be an article posted as described in that paragraph, the employee of the postal administration for Singapore must close the postal article up and return it to the normal course of carriage.

(4) Whenever the postal administration for Singapore —

(a) discovers a postal article to which this regulation applies in the course of post, and the sum equivalent in Singapore currency at par to the postage paid on the postal article is less than the postage which would have been payable on such a postal article if it had been posted in Singapore; and

(b) is satisfied that the postal article was so posted with a view to benefiting from rates of postage,

the postal administration for Singapore may —

(i) claim the postage which would have been payable on such postal article if it had been posted in Singapore from —

(A) the person from whom such postal article purports to come or by whom or on whose behalf it purports to have been sent (referred to in this regulation as the sender); or

(B) the foreign postal administration for the place at which such postal article was posted if the postal administration for Singapore is unable to recover the postage from the sender; or

(ii) if both the sender and the foreign postal administration concerned do not pay the postage which would have been payable on the postal article if it had been posted in Singapore —

(A) return the postal article to the country in which it was posted upon payment of the redirection cost by the sender or the foreign postal administration concerned; or

(B) dispose of the postal article under regulation 14 as if the postal article were an undelivered postal article to which regulation 12 or 13 applies.

(5) Whenever the postal administration for Singapore proposes to claim under paragraph (4) any sum in relation to a postal article to which this regulation applies, the postal administration for Singapore may retain the postal article until such sum has been paid to or recovered by it.

## **PART IV**

### **FREE POSTAGE**

#### **Free postage for items relating to prisoners of war and civilian internees**

**9.—**(1) Postal articles and postal financial services items addressed to or sent by prisoners of war, either directly or through the Information Bureaux and the Central Prisoners of War Information Agency of the Geneva Convention, shall be exempted from all postal charges.

(2) Paragraph (1) shall apply to postal articles and postal financial services items originating in other countries and addressed to or sent by civilian internees either directly or through the Information Bureaux and the Central Prisoners of War Information Agency.

(3) The Information Bureaux and the Central Prisoners of War Information Agency mentioned in paragraphs (1) and (2) shall enjoy exemption from postal charges in respect of postal articles and postal financial services items which concern the persons referred to in those paragraphs.

- (4) Postal articles addressed to or sent by prisoners of war in the manner referred to in paragraph (1) shall be admitted free of postage —
- (a) up to a weight of 5 kilogrammes; or
  - (b) up to a weight of 10 kilogrammes in the case of —
    - (i) postal articles whose contents cannot be split up; or
    - (ii) postal articles addressed to a camp or the prisoners' representatives at a camp ("hommes de confiance") for distribution to the prisoners.
- (5) No compensation either for loss, abstraction or damage shall be given in respect of such postal articles.
- (6) Notwithstanding anything in this regulation, the transmission by air mail of items relating to prisoners of war and civilian internees shall be subject to the prepayment of the appropriate air surcharge.
- (7) In this regulation —  
"civilian internee" is as defined by the Geneva Convention;  
"Geneva Convention" means the Geneva Convention of 12th August 1949 relating to the treatment of prisoners of war;  
"prisoners of war" include belligerents apprehended and interned in a neutral country.
- (8) This regulation shall only apply to the postal administration for Singapore.

#### **Literature for blind**

- 10.—**(1) Except as provided in paragraphs (2) and (3), no postage or any other fees or charges shall be charged and paid on any postal article containing literature for the blind.
- (2) If a postal article containing literature for the blind is intended for transmission by air mail, there shall be paid an air mail fee equivalent to the difference between the surface and air mail second-class postage rates.
- (3) The weight of the postal article containing literature for the blind must not exceed the weight that is allowed under the UPU Acts for free postage.
- (4) For the purposes of this regulation, the expression "literature for the blind" shall mean —
- (a) papers of any kind, periodicals and books, impressed in Braille or other special type for the use of the blind, including letters in writing used by the blind posted unsealed;
  - (b) plates bearing the characters of writing used by the blind; and
  - (c) sound records and the special paper intended solely for the use of the blind if sent by or addressed to an officially recognised institute for the blind.
- (5) For the purposes of paragraph (4)(c), whether an institute for the blind is officially recognised shall be determined by the Postal Authority.
- (6) This regulation shall only apply to the postal administration for Singapore.

## **PART V**

### **UNDELIVERED AND REDIRECTED POSTAL ARTICLES**

#### **Definitions of this Part**

- 11.—**(1) In this Part, unless the context otherwise requires —  
"air mail letter", "air mail postcard", "insured letter", "parcel", "postcard", "printed packet" and "registered postal article" shall refer to such items which are transmissible by post in accordance with the UPU Acts;  
"postal article" includes any air mail letter, air mail postcard, insured letter, parcel, postcard, printed packet and registered postal article, and any other postal article transmissible by post in accordance with the UPU Acts.
- (2) A postal article of which the addressee has refused to take delivery shall be treated as an undelivered article for the purposes of this Part.

#### **Undelivered incoming postal article sent by foreign postal administration**

- 12.—**(1) This regulation shall apply to any postal article (other than a parcel) that —

- (a) is posted outside Singapore and addressed to an addressee at an address in Singapore; and
  - (b) for any reason cannot be delivered by the postal administration for Singapore.
- (2) Subject to paragraphs (3) and (4) and regulation 14, every postal article to which this regulation applies shall be returned free of charge to the foreign postal administration for the place at which the postal article was posted.
- (3) A postal article to which this regulation applies may be destroyed by the postal administration for Singapore where —
- (a) the postal article is an unregistered printed packet (not being a printed packet containing books) and no request for its return to the sender appears thereon; or
  - (b) the postal article consists of a postcard without the sender's address.
- (4) An undelivered postal article to which this regulation applies shall —
- (a) in the case of an air mail letter or air mail postcard, be returned to its origin by the postal administration for Singapore by the quickest route (air or surface); and
  - (b) in any other case where return by air mail is desired, be returned to its origin by the postal administration for Singapore by air, subject to payment by the sender of the surcharges appropriate to the air conveyance.

#### **Undelivered postal article originating in Singapore**

- 13.—**(1) This regulation shall apply to any postal article (other than a parcel) that —
- (a) is posted inside Singapore and addressed to an addressee at an address outside Singapore; and
  - (b) for any reason cannot be delivered by the foreign postal administration.
- (2) Subject to paragraphs (3) and (4) and regulation 14, an undelivered postal article to which this regulation applies shall, when returned to the postal administration for Singapore by the foreign postal administration, be dealt with by the postal administration for Singapore as follows:
- (a) if practicable, it shall be redirected and forwarded to the addressee; or
  - (b) if it cannot be redirected and forwarded to the addressee, it shall, if the name and address of the sender appears on the outside, or can be ascertained by an employee authorised by the postal administration for Singapore to open such articles and bound to secrecy, be returned to the sender on payment of any charges due.
- (3) An undelivered postal article to which this regulation applies may be destroyed where —
- (a) the postal article is an unregistered printed packet (not being a printed packet containing books) and no request for its return to the sender appears thereon; or
  - (b) the postal article consists of a postcard without the sender's address.
- (4) Where an undelivered postal article to which this regulation applies is returned to the sender in accordance with paragraph (2) and —
- (a) the postage paid on that postal article is equal to or less than the postage which would have been payable on a postcard posted in Singapore and addressed to an addressee in Singapore, the sender of the undelivered postal article shall be charged with a second postage fee equal in amount to the postage originally chargeable, less the amount of any postage prepaid by the sender; or
  - (b) the postage paid on that postal article is greater than the postage which would have been payable on a postcard posted in Singapore and addressed to an addressee in Singapore, the undelivered postal article shall be returned to the sender free of charge.

#### **Disposal of undelivered postal articles**

- 14.—**(1) Subject to paragraph (2), undelivered postal articles to which regulation 12 or 13 applies and which cannot be disposed of under either of those regulations shall be retained by the postal administration for Singapore for such period, and shall be disposed of in such manner, as the postal administration for Singapore may specify in its terms of service.
- (2) At the end of the period referred to in paragraph (1) —
- (a) any such undelivered and unregistered postal article may be destroyed; and
  - (b) any undelivered and registered postal article, and any insured letter, with their contents shall be retained by the postal administration for Singapore for a period of one year, reckoned from and including the date the postal administration for Singapore cannot dispose of the article under regulation 12 or 13, and may be destroyed or otherwise disposed of in accordance with this regulation if not claimed within that period.

(3) If any undelivered postal article retained under paragraph (2)(b) remains unclaimed at the end of a period of one year, reckoned from and including the date the postal administration for Singapore cannot dispose of the article under regulation 12 or 13, the postal administration for Singapore may open the unclaimed and undelivered postal article and examine its contents, and shall —

(a) pay all moneys contained therein into the funds of the postal administration for Singapore for the benefit of any person entitled thereto; or

(b) sell such saleable property contained in the unclaimed and undelivered postal article by public auction or otherwise dispose of the property in any manner as it thinks fit, and the proceeds of the sale or disposal shall be paid into the funds of the postal administration for Singapore for the benefit of any person entitled thereto, after deducting any expenses incurred in carrying out the sale or disposal.

(4) No claim shall be allowed to the moneys or the proceeds of sale of property referred to in paragraph (3)(b) after the expiration of 2 years from the payment of the same into the funds of the postal administration for Singapore.

## **PART VI**

### **GENERAL**

#### **Application for postal licence**

**15.** An application for a postal licence (other than a class licence) shall —

(a) be made to the Postal Authority in such form and manner as the Postal Authority may determine;

(b) be supported by such information as the Postal Authority may require; and

(c) be accompanied by an application fee of \$1,000.

#### **Postal articles to buildings not provided with prescribed letter boxes to be held by postal licensee for collection by addressees**

**16.—**(1) Where letter boxes are not provided in any building in accordance with the specifications issued or approved by the Postal Authority under section 16 of the Act, all postal articles intended for delivery by a postal licensee to the occupants of the building but which cannot be so delivered shall be held by a postal licensee for a period of not less than 7 days at the serving delivery post office pending collection by the addressees.

(2) If any of the postal articles referred to in paragraph (1) is not collected after the period of 7 days, the postal article may be returned by the postal licensee to its sender.

(3) In this regulation, “building” includes a residential, commercial or an industrial building, any building of mixed residential, commercial or industrial use, and a shopping complex.

#### **Revocation**

**17.** The Postal Services Regulations (Rg 1) are revoked.

**Made this 24th day of April 2008.**

YONG YING-I

*Chairman,*

*Info-communications Development*

*Authority of Singapore.*