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**GAMBIA POSTAL SERVICES CORPORATION
ACT, 2005**

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Gambia Postal Services Corporation Act, 2005



THE GAMBIA

NO. 12 OF 2005

Assented to by The President,

this 20th day of January, 2006

YAHYA A. J. J. JAMMEH
President

AN ACT to establish The Gambia Postal Services Corporation and The Gambia Savings Bank and to provide for their functions and powers and other matters connected therewith.

[see section 1]

CHAPTER I - PRELIMINARY PROVISIONS

Short title and commencement

1. This Act may be cited as The Gambia Postal Services Corporation Act, 2005, and comes into force on such date as the Secretary of State may, by Order published in the *Gazette*, appoint.

Interpretation

2. In this Act, unless the context otherwise requires –

“assets” includes all property, movable or immovable and all estates, easements and rights, whether equitable or legal, in, to or out of property, choses-in-action, money and goodwill;

“Board” means the Board of Directors of the Corporation;

“Corporation” means the Gambia Postal Services Corporation established by section 3;

“Department of State” means the Department of State responsible for postal matters;

“former establishment” means the former Department of Posts established by the Post Office Act;

“liabilities” includes, debts, charges, duties obligations of every description whether present or future, actual or contingent and whether payable to be observed or performed in The Gambia or elsewhere;

“Managing Director” means the Managing Director of the Corporation;

“prescribed” means prescribed by rules or regulations under this Act;

“rights” includes all rights, powers, privileges and immunities, whether actual, contingent or prospective;

Cap. 73:01

“Secretary of State” means the Secretary of State responsible for postal matters;

“vesting date” means the date this Act comes into force.

CHAPTER II - THE GAMBIA POSTAL SERVICES CORPORATION

PART I - ESTABLISHMENT OF THE GAMBIA POSTAL SERVICES CORPORATION AND ITS BOARD OF DIRECTORS

Establishment of the Corporation

3. (1) There is hereby established a corporation to be known as The Gambia Postal Services Corporation.

(2) The Corporation is a body corporate with perpetual succession and a common seal and may -

- (a) sue or be sued in its corporate name;
- (b) enter into contracts and acquire, hold and dispose of property; and
- (c) so far as is possible for a body corporate, exercise the rights, powers and privileges and incur the liabilities and obligations of a natural person of full age and capacity.

(3) The application of the common seal of the corporation shall be authenticated by the signature of the Chairperson or such other person as may be authorised by the Corporation to sign on its behalf.

(4) Every document bearing the imprint of the seal of the Corporation is deemed to be properly sealed, unless the contrary is proved.

Establishment and composition of the Board of Directors

4 (1) There is hereby established for the Corporation a Board of Directors, which shall, subject to the provisions of this Act, carry out the functions and manage the affairs of the Corporation.

(2) The Board shall consist of -

- (a) a Chairperson;
- (b) one person to represent the Department of State;
- (c) one person to represent the Department of State for Finance and Economic Affairs;
- (d) three persons from the private sector; and
- (e) the Managing Director of the Corporation.

(3) The members of the Board, other than *ex-officio* members, shall be appointed by the President, after consultation with the Public Service Commission.

(4) The members shall appoint one of their number to be the Vice-Chairperson of the Board.

Tenure of office of members of the Board

5. (1) The members of the Board, other than *ex-officio* members, shall hold office for a term of three years and may be re-appointed for one further term.

(2) A person is not qualified to be a member or to continue to be a member of the Board if -

- (a) he or she is adjudged to be a person of unsound mind;
- (b) he or she has been convicted of an offence involving dishonesty or fraud and has not been granted a free pardon; or
- (c) in the case of a person who has professional qualifications, he or she is disqualified or suspended otherwise than at his request, from practising his or her profession by the order of a competent authority made in respect of him or her personally.

(3) A member of the Board may resign his or her office by notice in writing addressed to the President.

General powers of the Board

6. The Board shall give general directions as to the management of the property, business and funds of the Corporation and other matters relating to the Corporation.

Delegation of powers of the Board

7. For the purpose of discharging its functions under this Act, the Board may delegate to the Managing Director, the power to -

- (a) acquire or authorise the acquisition of any movable or immovable property and transfer or allocate any funds of the Corporation for that purpose;

- (b) authorise the disposal of securities of any kind belonging to the Corporation;
- (c) open and operate current, deposit or credit account on behalf of the Corporation at any bank or financial institution;
- (d) negotiate and obtain loans on behalf of the Corporation and determine the nature and conditions of such loans.

Meetings of the Board

8. (1) The Board shall meet for the discharge of its business at least once in every three months at such time and place as the Chairperson shall appoint.
- (2) The Chairperson shall, at the written request of the Managing Director or not less than four members of the Board, convene a special meeting of the Board to transact any extraordinary business on a date specified in the request.
- (3) A written notice of a special meeting of the Board shall -
- (a) be sent to each member not later than forty-eight hours before the meeting; and
 - (b) specify the business for which the meeting is being convened.
- (4) The quorum of the Board at any meeting shall be four, including the Chairperson or the Managing Director.

- (5) The Board shall take decisions by a simple majority of the votes of members present and, where there is an equality of votes, the person presiding shall have a casting vote.
- (6) The Chairperson shall preside at every meeting of the Board at which he or she is present, and in his or her absence, the Vice Chairperson shall preside and where both the Chairperson and Vice Chairperson are absent, the members of the Board present shall appoint one of their numbers to preside at the meeting.
- (7) The minutes of every meeting of the Board shall be recorded, and signed by the Chairperson or the person who presided at the meeting after confirmation by the Board.
- (8) The Board may at any time co-opt a person to be an adviser at any of its meetings, but no person so co-opted shall be entitled to vote at any meeting of the Board.
- (9) The validity of any proceeding of the Board shall not be affected by -
- (a) a vacancy in its membership;
 - (b) a defect in the appointment of any of its members; or
 - (c) reason that a person not entitled to do so, took part in the proceeding.
- (10) Subject to this section, the Board may regulate its own procedure.

Absence of
Managing
Director from
meetings

9. If the office of Managing Director is vacant or the Managing Director is for any reason unable to attend a meeting of the Board, the person for the time being carrying out the duties of the Managing Director shall attend the meetings and may participate in its deliberations.

Disclosure of
interest

10. (1) A member of the Board who has an interest in a company or an undertaking with which the Corporation proposes to enter into a contract shall -

- (a) disclose the nature of his or her interest to the Board, and
- (b) not participate in any deliberation and voting of the Board in respect of the contract.

(2) The President may, on the recommendation of the Secretary of State, remove from the Board a member who contravenes the provisions of subsection (1).

Transaction of
business without
meeting

11. A resolution is a valid resolution of the Board if-

- (a) it is signed or assented to by a majority of the members; and
- (b) proper notice of the proposed resolution was given to each member and to the Managing Director,

notwithstanding that it was not passed at a meeting of the Board.

Protection of
members of the
Board

12. No action, suit, prosecution or other proceedings shall be brought or instituted against a member of the Board personally in respect of anything done in pursuance, execution or intended execution of any of the provisions of this Act.

Allowances to
members of the
Board

13. Members of the Board and persons co-opted to the Board shall be paid such allowances as the Secretary of State may approve.

PART II - FUNCTIONS

Role of Secre-
tary of State

14. (1) The Secretary of State shall be responsible for the general direction and control of the postal sector in The Gambia and shall in particular -

- (a) liaise between the postal industry and the Government; and
- (b) in consultation with the Board, determine the capital structure of the Corporation.

(2) The Secretary of State may give to the Corporation directives of a general nature as to the performance by the Corporation of its functions under this Act.

(3) Without prejudice to subsection (2), the Secretary may, if it appears to him or her to be necessary or expedient to do so and after consultation with the Corporation, give such directions as are necessary -

- (a) where there is a public emergency, in the public interest or in the interest of the public security, national defence or relations with the government of any other country; or

(b) in order to –

(i) discharge or facilitate the discharge of an obligation binding on The Gambia by virtue of its being a member of an international organisation or a party to an international agreement,

(ii) attain or facilitate the attainment of any other object, which, in the opinion of the Secretary of State, is requisite or expedient in view of The Gambia, being a member of an international organisation or a party to an agreement, or

(iii) enable The Gambia to become a member of an international organisation or a party to an international agreement.

(4) A direction given under subsection (2) or (3) may include provision for –

(a) the interception or determination of a postal article in the course of transmission by post; and

(b) the postal article to be delivered to any officer mentioned in the direction, to be dealt with in such manner as the Secretary of State may direct.

(5) Notwithstanding any other duty imposed on the Corporation by this Act, the Corporation shall give effect to any direction given under subsection (2) or (3).

Functions and powers of the Corporation

(6) The Corporation shall not disclose any direction given under subsection (2) and (3) if the Secretary of State notifies the Corporation that the disclosure of the direction is against public interest.

(7) The Secretary of State may –

(a) pay compensation for any damage caused to the Corporation by reason of its compliance with a direction of the Secretary of State under subsection (2) or (3);

(b) make grants to the Corporation for defraying or contributing towards any losses which the Corporation may sustain by reason of compliance with a direction of the Secretary of State under any other provision of this Act.

(8) If any doubt arises as to –

(a) the existence of public emergency; or

(b) whether an act done under this section was in the public interest or in the interest of public security, national defence or relations with the government of another country,

a certificate signed by the Secretary of State is conclusive evidence of the matters stated in the certificate.

15. The functions of the Corporation are to –

- (a) provide a national postal service within The Gambia and between places out-side The Gambia;
- (b) provide a savings bank service in The Gambia;
- (c) meet the industrial, commercial, social and household needs of The Gambia for a comprehensive and efficient postal and savings banking services and so far as the Corporation considers reasonably practicable, satisfy all reasonable demands for those services throughout The Gambia;
- (d) provide services by which funds may be remitted, whether by means of money orders, postal orders or otherwise as the Corporation may deem appropriate;
- (e) provide counter services for –
 - (i) the businesses of the Corporation and Government, and
 - (ii) such other businesses as the Corporation thinks fit, provided that they are compatible with those services and with other principal functions set out in this subsection;
- (f) ensure that charges for services are kept at the minimum rates consistent with meeting approved financial targets;

- (g) ensure that revenues are not less than sufficient to –
 - (i) meet all charges properly chargeable to revenue account, including depreciation of assets and proper allocation to general reserve, taking one year with another,
 - (ii) generate a reasonable proportion of capital needs, and
 - (iii) repay borrowings; and
- (h) carry out such other activities as are reasonably necessary, proper, incidental or ancillary to its other functions.

Functions and powers of the Board

16. (1) The Board shall give general directions for the management of the affairs of the Corporation and ensure -

- (a) that the Corporation provides efficient postal services within and from The Gambia;
- (b) the fullest development, consistent with the economy, of the undertaking of the Corporation;
- (c) that the undertaking of the Corporation is operated efficiently, economically and with due regard to safety;
- (d) that the financial administration of the Corporation is conducted in accor-

- (e) that the Corporation provides all reasonable facilities for the transmission of postal articles by means of special services for the remission of money orders, postal orders and other money transfer instruments.

(2) The Board has power to –

- (a) approve the development programme of the Corporation;
- (b) approve the annual and any revised budget of the Corporation;
- (c) decide where monies of the Corporation should be invested;
- (d) approve monies to be borrowed by the Corporation;
- (e) determine major policies of the Corporation; and
- (f) do such other things as are necessary for carrying out its functions under this Act.

PART III – MANAGEMENT AND STAFF

17. (1) There shall be an officer of the Corporation to be known as the Managing Director who shall be appointed by the President after consultation with the Board and the Public Service Commission.

(2) The Managing Director shall be –

Managing
Director

- (a) the Chief Executive of the Corporation; and
- (b) responsible for the execution and implementation of the policy of the Board and the transaction of the day-to-day business of the Corporation.

(3) The Board may delegate to the Managing Director such of its functions as are necessary to enable him or her to transact efficiently the day-to-day business of the Corporation, and for that purpose, the Board may, from time to time, issue written instructions.

Appointment of
Secretary and
other staff

18. (1) The Board shall designate an officer from amongst the staff of the Corporation to be the Secretary to the Board.

(2) The Secretary shall –

- (a) keep the books and records and conduct the correspondences of the Board;
- (b) prepare the agenda and record the minutes of meetings of the Board; and
- (c) perform such other functions as may be assigned to him or her by the Board or Managing Director.

(3) The Board shall appoint for the Corporation such employees as it may think necessary for the due discharge of the functions of the Corporation, on such terms as to remuneration or otherwise as it may determine.

(4) The Board shall be responsible for the discipline and removal of employees of the Corporation.

(5) The Board shall, with the approval of the Secretary of State, make regulations establishing schemes for pensions, gratuities and other retirement benefits in respect of employees of the Corporation.

(6) Regulations made under subsection (3) may include provisions for the grant of benefits to the dependants of the employees of the Corporation or their legal representatives.

(7) The Corporation shall, for the purpose of achieving maximum efficiency in the discharge of its functions under this Act, institute schemes for the training of its employees in administration, management and other skills with a view to securing the benefit of their knowledge, experience and expertise in the conduct of the operations of the Corporation.

PART IV - CAPITAL AND OTHER FINANCIAL PROVISIONS OF THE CORPORATION

Capital of the Corporation

19. (1) The initial authorised capital of the Corporation shall not be less than two times such a sum as shall be sufficient to meet -

- (a) the level of the total investment already undertaken in the Corporation, or in the postal services of the former establishment;

Authorised
capital

- (b) capital investment planned during the short and long terms in the Corporation; and

- (c) the working capital of the Corporation.

(2) The authorised capital of the Corporation shall be such an amount and of such nominal value as shall be determined by the Corporation in consultation with the Secretary of State and the Secretary of State responsible for finance.

(3) The Corporation may, with the approval of the Secretary of State and of the Secretary of State responsible for finance, increase the level of its authorised capital.

Issued capital

20. (1) The Corporation shall, as a result of its taking over the liabilities of the postal services of the former establishment, issue shares equal to -

- (a) the total re-valued assets of the postal services of the Corporation, less any loans;

- (b) any investment undertaken by the Corporation which requires additional capital to be met by Government, and the shares shall be issued to that effect; and

- (c) the working capital, required to sustain the operations of the Corporation.

(2) The issued capital as determined under subsection (1) shall be allotted to the Government.

(3) The Corporation may incorporate any subsidiary company which shall –

- (a) be wholly or partly owned by the Corporation; and
- (b) have such share capital as shall be determined by the Corporation.

Corporate financing

21. (1) There is hereby established a fund to be known as a Capital Contribution Fund.

(2) The Corporation may, with the prior approval of the Secretary of State and the Secretary of State responsible for finance, impose a capital contribution levy as a percentage of the tariff charged for the services offered by the Corporation.

(3) The levy so imposed shall be accumulated in the Capital Contribution Fund, and shall be used for meeting the development expenditure of the Corporation, and for such other specific purpose as shall be determined by the Corporation.

Dividends

22. (1) The Corporation may, after consultation with the Secretary of State responsible for finance, declare a dividend of such amount as shall be recommended by the Board.

(2) The Board may, before recommending any dividend, set aside out of the profits, any amount as reserves, to be applied for any purpose for which the profits of the Corporation may be applied.

Capitalisation of profits

23. The Board may resolve to capitalise any sum for the time being standing to the credit of any reserve account or profit and loss account or otherwise available for distribution and that the sum so capitalised be applied in issuing bonus shares to the Government.

Other Financial Provisions

Fund of the Corporation

24. The Corporation shall maintain a fund into which shall be paid –

- (a) sums appropriated to it by the National Assembly;
- (b) loans granted to the Corporation;
- (c) such proportion of the profits from the Bank as may be determined by the Secretary of State with the approval of the Secretary of State responsible for finance;
- (d) grants and gifts, provided that the terms and conditions attached to any grant or gift are not inconsistent with the functions of the Corporation or Board; and
- (e) such other sums as may accrue to the Corporation from any source.

Expenses of the Corporation

25. The Corporation may, from time to time, apply the proceeds of the fund established in pursuance of section 24 to –

- (a) the cost of administration of the Corporation;

- (b) the reimbursement to members of the Board or any committee set up by the Board for such expenses as may be authorised by the Board, in accordance with the rates approved by the Secretary of State;
- (c) the payments of salaries, fees and other remuneration, allowances, pensions and gratuities payable to members of the Board, employees of the Corporation or experts, professionals or agents appointed by the Corporation;
- (d) the maintenance of any property acquired or vested in the Corporation; and
- (e) meeting such other expenses as may be approved by the Board.

26. (1) The Corporation shall, within three months before the end of each financial year, make and submit to the Secretary of State for approval, estimates of the income and expenditure of the Corporation for the ensuing year.

(2) The Corporation shall keep proper records and accounts of its incomes and expenditure.

(3) The Corporation shall prepare a statement of accounts in respect of each financial year.

(4) The Corporation shall, within three months of the end of each financial year, submit to the Auditor General for auditing, its statement of accounts for the preceding year.

Estimates,
accounts
and audit

(5) The audited accounts of the Corporation and the Auditor General's report on those accounts shall form part of the Auditor General's overall annual report to the National Assembly.

Annual report

27. (1) The Board shall, not later than three months after the end of each financial year, submit to the Secretary of State, in respect of the financial year, an annual report on the activities of the Corporation.

(2) The report under subsection (1) shall include -

- (a) information with regard to the activities and policy of the Corporation;
- (b) a copy of the audited accounts of the Corporation in respect of that year together with the Auditor General's report on the accounts; and
- (c) such other information as the Secretary of State may request in writing.

(3) The Secretary of State shall, as soon as possible after receiving the annual report, cause it to be laid before the National Assembly.

(4) The Managing Director shall also, from time to time, provide the Secretary of State with such information relating to the affairs of the Corporation as the Secretary of State may request in writing.

Exemption from
duties

28. The Corporation shall be exempted from such taxes and duties as the Secretary of State responsible for finance may approve.

PART V - LEGAL PROCEEDINGS

Notice of legal action

29. (1) No action shall be brought against the Corporation unless at least one month's written notice of the intention to bring the action has been served on the Corporation by the intending plaintiff or his or her agent.

(2) The notice shall state the cause of action, the name and place of abode of the intending plaintiff and the relief, which he or she claims.

Service of process

30. The notice referred to in section 29 and any summons, notice or other document required or authorized to be served on the Corporation in connection with a suit by or against the Corporation may be served by delivering it or sending it by registered post addressed to the Managing Director.

Execution of judgment

31. In an action or suit against the Corporation, no-

- (a) execution or attachment or process in the nature thereof shall be issued against the Corporation, or
- (b) sums of money which may by judgment of the court be awarded against the Corporation shall be paid by the Corporation from its funds,

before the expiration of at least three months from the date of the judgment of the court.

Representation

32. In a suit against the Corporation, the Corporation may be represented in court at any stage of the proceedings by an officer or other

employee of the Corporation duly authorised in writing by the Corporation in that behalf.

Indemnity

33. An officer of the Corporation or any person acting on the direction of an officer of the Corporation is not personally liable in respect of any matter or thing done by him or her in good faith for the purposes of this Act.

CHAPTER III - POSTAL SERVICES OF THE CORPORATION

PART I - PRELIMINARY

Interpretation of this Chapter

34. (1) In this Chapter, unless the context otherwise requires -

"contract vessel" means a vessel under contract to convey mails;

"fictitious stamp" means any facsimile or imitation or representation, whether on paper or otherwise, of any stamp for denoting any rate of postage of The Gambia or any other country;

"foreign parcel" means a parcel -

- (a) either posted in The Gambia and addressed to a place outside The Gambia;
- (b) posted in a place outside The Gambia and addressed to a place in The Gambia; or
- (c) in transit through The Gambia to a place outside The Gambia;

"inland parcel" means a parcel posted in The Gambia for delivery within The Gambia;

"letter" means any form of written communication, enclosed or un-enclosed, that is directed to a particular person or address, and includes any envelope, packet, parcel, container and wrapper containing the communication;

"mail" includes every conveyance by which a postal article is carried, and also a person or animal employed or used in conveying or delivering a postal article;

"mailbag" includes any bag, box, parcel and other envelope and covering in which a postal article is conveyed, whether it does or does not contain a postal article;

"master of vessel" means a person in charge of a vessel, except a sea pilot;

"officer of the Corporation" includes the Managing Director and any other person employed in the business of the Corporation or on behalf of the Corporation;

"packet" includes a letter;

"post office" means a house, building, room, vehicle, vessel, carriage or place where a postal article is received or delivered or deposited, or in which it is sorted, made up or despatched;

"post office letter box" includes any pillar box, wall box and other box and receptacle provided by the permission or under the authority of the Corporation for the purpose of receiving postal articles for transmission by or under its authority;

"postage" means the duty charged for the transmission of a postal article;

"postage stamp" or "stamp" means any label, stamp or stamped impression for denoting any rate of postage payable in respect of a postal article and includes an adhesive postage stamp printed, embossed, impressed or otherwise indicated on any envelope, wrapper, postcard or other article, whether or not the postage stamp is issued under this Act or by the Government of a foreign country;

"postal article" includes a letter, postcard, newspaper, book, document, pamphlet, pattern or sample packet, parcel, package or any other article whatsoever transmitted by post;

"transit", in relation to a postal article, means transit through and between post offices within or outside The Gambia.

"valuable security" includes -

- (a) any order or other security whatsoever which entitles or evidences the title of a person or body corporate to any share or interest in a public stock or fund, or in any foreign State or to a deposit in a bank;

- (b) any debenture, deed, bond, bill, note, warrant, order or other security whatsoever for money or for payment of money, or of any foreign State; and
- (c) any document of title to lands or goods.

(2) For the purpose of this Act –

- (a) a postal article is deemed to be "in course of transmission" by post from the time of its being posted at or delivered to the post office to the time of its being delivered to or taken delivery of by the addressee or otherwise disposed of under the provisions of this Act;
- (b) a postal article shall be deemed to cease to be a postal article from the time of its being delivered to, or taken delivery of, by the addressee or of its being returned or delivered to the sender or otherwise disposed of under the provisions of this Act;
- (c) the placing of an article in any receiving box for the deposit of postal articles, or the delivery of a postal article to an officer of the Corporation in the course of his or her duties shall be deemed to be delivery to a post office;
- (d) the delivery of a postal article -
 - (i) at the house or office, private mail bag or a private letter box of the

addressee or to the addressee (or to his or her servant or agent or other person considered to be authorised to receive the article according to the usual manner of delivering postal articles to the addressee), or

- (ii) where the addressee is a guest or is resident at a hotel, to the proprietor or manager of the hotel or to his or her agent,

shall be deemed to be delivery to the addressee.

PART II - REGULATION OF THE POSTAL SERVICES

Establishment of post offices

35. The Corporation –

- (a) may, from time to time, establish post offices, sub-post offices and postal agencies at such places as it thinks fit;
- (b) shall provide receiving boxes for the deposit of postal articles, and cause the boxes to be cleared as often as public convenience reasonably requires; and
- (c) may provide private mailbags and private letter boxes for the delivery of mails.

Establishment of
money order
offices

36. The Managing Director may, with the approval of the Board, from time to time, determine what post offices, postal orders or money orders may be issued and paid, subject to conditions as to the amount and duties payable on them and otherwise as he or she may, from time to time, determine.

Exclusive
privilege of the
Corporation

37. (1) Subject to the provisions of this Act, the Corporation has the exclusive privilege of -

- (a) conveying all letters from one place to another, between which postal communication has been established; and
- (b) performing all the incidental services of receiving, collecting, conveying, sending, despatching and delivering all letters from one place to another, between which postal communication has been established.

(2) The exclusive privilege conferred by subsection (1) does not extend to -

- (a) letters by a private friend in his or her way, journey or travel, so long as the letters are delivered to the person to whom they are directed;
- (b) letters sent by a messenger on a purpose concerning the private affairs or business of the sender or the receiver;
- (c) commissions or returns of commissions, affidavits and writs, process or proceedings or returns thereof issuing out of a Court;

- (d) letters to be sent out of The Gambia by a vessel which is not a contract vessel;
- (e) letters of merchants, owners of vessels of merchandise or the cargo or loading in the vessels, sent by the vessels of merchandise, or by a person employed by their owners for the carriage of the letters according to their directions and delivered to the persons to whom they are directed, without paying or receiving hire or reward, advantage or profit whatsoever for them;
- (f) letters concerning goods or merchandise sent by common carriers, to be delivered with the goods to which the letters relate without receiving hire or reward, advantage or other profit for receiving or delivering the letters; and
- (g) letters weighing more than two kilograms or such other weight as the Secretary of State may, by Order published in the *Gazette*, specify.

(3) Nothing contained in this section authorises a person to make a collection of the excepted letters for the purpose of sending them in the manner authorised by subsection (1).

Special
prohibition

38. The following persons shall not, except with the written permission of the Corporation, carry letters, or receive or collect or deliver letters, whether or not they receive hire or reward for it -

- (a) common carriers, except letters concerning goods on board the carriers;
- (b) officers of the Corporation, except in the performance of their duties;
- (c) owners, masters or commanders of vessels sailing or passing between ports or places within The Gambia, except letters belonging to the owners of the vessels or letters concerning goods on board or carried for the Corporation;
- (d) passengers, members of the crew or other persons on board any vessel mentioned in paragraph (c); and
- (e) owners of, members of the crew of or other persons on board vessels, passing or re-passing on a river or creek within The Gambia, except with respect to places in The Gambia where postal communications have not been established, or letters carried for the Corporation.

Power of Corporation to enter into contracts

39. Notwithstanding the provisions of section 37, the Corporation may, from time to time, enter into such contracts as may be necessary for the conveyance of postal articles or otherwise for carrying into effect the provisions of this Act.

Adoption of the Postal Union terms, etc

40. (1) The Secretary of State may, from time to time, by Order published in the *Gazette* -

- (a) adopt the terms, stipulations, conditions or regulations agreed on by the Universal Postal Union for or with respect to or in relation to the transmission of postal articles; and
- (b) declare that those terms, stipulations conditions or regulations or any part or modification thereof shall be in force within The Gambia.

(2) An Order, when published in the *Gazette*, shall have the same force and effect as if the provisions contained in the Order were part of this Act.

Power to deal with matter improperly posted

41. A postmaster or officer in charge of a post office may detain a postal article which is posted contrary to the provisions of this Act, or any regulations made under it and may open the postal article and either -

- (a) return it to the sender or forward it to the place of its destination, charged, in either case, with the appropriate rate of postage; or
- (b) deal with or dispose of it in accordance with regulations made under this Act or in such other manner as the Corporation, with the approval of the Secretary of State, may, from time to time, authorise or direct.

Inspection and disposal of postal articles suspected or found to be of fraudulent

42. (1) An officer of the Corporation not below the rank of Head Postmaster may, if he or she suspects that a postal article -

- (a) is calculated or is likely to cause the addressee or any other person to be deluded or defrauded; or
- (b) contains false pretences made with a view to obtaining money or other property from the addressee,

he or she shall deliver all or any part of the postal article to the police and, where necessary, for further proceeding under this Act or any other law.

(2) The Managing Director or other officer so appointed may open and inspect a postal article submitted to him or her under subsection (1).

(3) If on an inspection under subsection (2), it appears to the Managing Director or the other officer so appointed that the postal article -

- (a) consists wholly or partly of any matter calculated or likely to cause the addressee, or any other person to be deluded or defrauded; or
- (b) contains false pretences made with a view to obtaining money or other property from the addressee,

he or she shall deliver all or any part of the postal article to the police and, where necessary, for further proceeding under this Act or any other law.

Inspection and disposal of postal articles suspected or found to contain application, etc. for fraudulent advertisements

43. (1) An officer of the Corporation not below the rank of Head Postmaster may, if he or she suspects that a postal article consists of or contains an application for, or reply to, an advertisement which, if sent through the post office would be liable to be dealt with under subsections (1) and (2) of section 42, detain the article and submit it to -

- (a) the Managing Director; or
- (b) such other officer of the Corporation above the rank of Head Postmaster as the Managing Director may in writing appoint for that purpose.

(2) The Managing Director or other officer so appointed may open and inspect the postal article submitted to him or her under subsection (2).

(3) If on an inspection under subsection (2), it appears to the Managing Director or the officer so appointed, that the postal article consists wholly or partly of an application for, or a reply to, an advertisement, which if sent through the post office would be liable to be dealt with under subsections (1) and (2) of section 42, he or she shall deliver -

- (a) all or any part of the postal article to the police for investigation; and
- (b) where necessary, for further proceedings under this Act or any other law.

(4) A money order, postal order or any other remittance comprised in a postal article to which this section relates shall be returned to its sender unless the sender is the person who issued the advertisement, in which case the money order, postal order or other remittance shall be forwarded to the addressee unless it is required for any further proceedings under this Act or any other law.

44 (1) If the Managing Director --

- (a) has reason to believe that a postal article contains goods in respect of which an offence is being or is about to be committed; or
- (b) is requested to do so by a police officer not below the rank of Superintendent of Police,

he or she may, by notice in writing, require the attendance at the post office at a specified time of the addressee of the postal article, or of his or her agent, and of the person, if any, who made the request, or of his or her agent.

(2) On an attendance in pursuance of a notice under subsection (1), the addressee or his or her agent shall open the postal article in the presence of an officer of the Corporation deputed for that purpose by the Managing Director and of any other person named or referred to in the notice who attends.

Power to deal with postal articles containing goods in respect of which an offence is being committed

(3) If the addressee or his or her agent fails to attend in pursuance of the notice under subsection (1) or refuses to open the article, the officer of the Corporation shall open the postal article in the presence of any of the persons named or referred to in the notice who attends

(4) In all cases, a postal article, after being opened under this section, shall be delivered to the addressee unless it is required for the purpose of any further proceedings under this Act or any other law.

Detention of postal article with fictitious stamp

45. (1) The Managing Director may detain and withhold from delivery a postal article which --

- (a) has or contains a fictitious postage stamp;
- (b) bears any postage stamp, the surface of which is smeared or coated with mucilage or any other substance; or
- (c) purports to be prepaid with a postage stamp which has been previously used to prepay the postage in any other postal article or for the payment of any revenue, duty or tax.

(2) A postal article detained under subsection (1) shall be dealt with in such manner as the Managing Director may direct, but shall not be delivered to the addressee until the addressee has given such --

- (a) information with regard to the name and address of the sender; and

(b) other particulars as the Managing Director may require.

Detention,
opening, etc. of
postal articles

46. (1) A mailbag may be detained or opened under the written authority of the Managing Director.

(2) The Managing Director may, in the interest of justice or in any individual circumstance, which appears to him or her to warrant such a course, grant authority for opening or returning any specified postal article.

Articles posted
by mistake

47. (1) When an article is delivered to the Corporation and has thereby become liable to postage and the Managing Director is satisfied that the article has been delivered to the Corporation by mistake, the Managing Director may cause the article to be opened in the presence of an officer of the Corporation who may return the article without charge to the person concerned.

(2) Where an article delivered by mistake contains a letter or manuscript liable to postage, the Managing Director shall retain the article until the full rate of postage on the letter or manuscript has been paid.

Power to deal
with postal
articles
improperly
posted

48. A postmaster or an officer in charge of a post office may detain a postal article which has been posted contrary to the provisions of this Act and may deal with the postal article in such manner as may be prescribed.

Landing of
contract vessels
without payment
of duty

49. A contract vessel may be landed and taken to the nearest post office without its entry, and without the customs duty on it being first paid and secured.

Officers of
Corporation to
be deemed
customs officers

50. An officer of the Corporation is, in relation to any of his or her dealings with foreign parcels under the provisions of this Act, deemed to be an officer of Department of Customs, and is protected in like manner as provided by the Customs Act.

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Mails and post
offices deemed
to be ware-
houses

51. Every mail and every post office shall, in respect of any foreign parcel carried or in it, be deemed to be a warehouse or place in which foreign parcels may be kept and secured without payment of duty on its first entry.

Examination of
foreign parcels

52. (1) The Corporation shall appoint an officer who shall examine every foreign parcel at the port of departure from or on arrival in The Gambia, as the case may be, or at such other place as the Managing Director may direct.

(2) An officer appointed under subsection (1) may –

(a) open a foreign parcel for customs examination; and

(b) do on behalf of the exporter or importer all other things in relation to the parcel and the goods contained in the parcel, that are required by the customs laws to be done by the exporter or importer.

Declaration of
value of foreign
parcel to stand
as the invoice

53. (1) Where there is a declaration of the contents of a foreign parcel and of the value of the contents accompanying or fixed to the parcel, the declaration shall stand in the place of and be treated as though it were the entry outwards or inwards of the parcel duly made by the exporter or importer under the customs laws of The Gambia.

(2) Where the contents of a foreign parcel do not agree with a declaration and it appears to the officer of the Corporation examining the parcel that there was –

- (a) an intent to defraud, in the making of the declaration, the parcel and its contents shall be treated as goods liable to forfeiture; or
- (b) no intent to defraud, in the making of the declaration, the officer may waive the forfeiture of the parcel and its contents.

54. If a foreign parcel is delivered to or received by the addressee without payment of the appropriate customs duty, the amount of duty, as fixed by the officer of the Corporation at the time of the arrival of the parcel in The Gambia, shall be recovered from the addressee by an officer of the Corporation as postage, in like manner as an underpaid or unpaid postage is recoverable under the provisions of this Act.

55. If at any time while a foreign or inland parcel remains in the possession of an officer of the Corporation, it becomes offensive or injurious to the officer or any other person, or to other parcels, it may be dealt with forthwith or disposed of in such manner as the Managing Director may in his or her discretion direct or authorise.

Liability of addressee receiving foreign parcel without paying duty

Offensive or injurious foreign parcels

Compensation is payable for loss of registered postal articles

56 (1) Subject to the provisions of this section, compensation may be paid voluntarily and as an act of grace if it is proved to the satisfaction of the Managing Director that a letter or packet duly admitted for registration has been entirely lost whilst in the Corporation's custody, except where the loss occurs as a result of tempest, shipwreck, earthquake, war or such similar cause.

(2) The final decision on all questions of compensation rests with the postal administration of the country in which the loss has taken place, but no compensation is payable except in the loss of the entire letter or packet, and no claim shall be admitted if made more than six months after the letter or packet was posted.

(3) In the case of a packet posted in The Gambia and addressed to a place in The Gambia, the compensation paid shall not exceed the value of the article lost, and compensation may be paid for the loss of the contents of a packet if –

- (a) it is proved to the satisfaction of the Managing Director that the loss occurred in the post and that the packing and securing of the cover were adequate;
- (b) in the case for the loss of banknotes, money orders, postal orders, cheques, coupons, bonds and similar documents, which are enclosed in one of the registered envelopes supplied by the Corporation, that particulars sufficient for the identification of those documents have been furnished.

(4) No compensation shall be paid in any circumstance for the loss of a postal order unless the name of the payee and of the office at which payment is to be made has been filled in.

(5) No claim for compensation for the loss of any of the contents of a packet shall be entertained if delivery of the packet has been accepted without comments.

57. (1) Compensation for the loss or damage in the post of an insured letter or parcel -

- (a) shall not exceed the amount of the actual loss or damage;
- (b) shall not be paid for a packet containing any prohibited article or for any packet which has been delivered without external trace of injury and has been accepted without comments; or
- (c) arising from tempest, shipwreck, earthquake, war or such similar cause, shall be admitted if made not more than a year after the packet was posted.

(2) No legal liability to give compensation in respect of any packet for which an insurance fee has been paid attaches to the Managing Director either personally or in his or her official capacity.

(3) The final decision on all questions of compensation shall rest with the postal administration of the country in which the loss has taken place.

Compensation payable for loss or damage of insured articles

Instances where compensation is not payable

58. Compensation is not payable-

- (a) for damage to a fragile article whether sent by letter or parcel post;
- (b) for damage by water in any case where a parcel was transported for any portion of its journey by "carrier", "runner" or "canoe"; or
- (c) in the case of accidents or in respect of an article which cannot be accounted for in consequence of the destruction of official documents through a cause beyond control.

Waiver of claim by sender of parcel

59. The sender of a parcel may waive his or her claim for compensation in favour of the addressee.

PART III - STAMPS AND DUTIES

Stamps, envelopes etc., to be issued only by the Corporation

60. The Corporation has the exclusive privilege of issuing stamps, stamped envelopes, stamped wrappers, letter-sheet envelopes, envelopes for registered postal articles and postal cards.

Discontinuance of dyes from which stamps are printed

61. (1) Whenever the Corporation -

- (a) determines to discontinue the use of any dye from which stamps issued in accordance with the provisions of section 60 have been printed; and
- (b) gives public notice in the *Gazette* of the discontinuance, including the date a

new dye is to be provided, not being less than twenty-eight days after the date the notice is published,

the dye shall not be a lawful dye for denoting the payment of any duty of postage, whether or not a new dye has been provided within the date stated in the notice.

(2) If a stamp printed from a dye, which has been discontinued, is used for denoting the payment of postage after the day specified in subsection (1), the postal article to which the stamp is affixed shall be dealt with as though the stamp were not so affixed.

Retailers of stamps

62. The Corporation may appoint such persons as it deems fit to retail stamps, stamped envelopes, stamped wrappers, letter-sheet envelopes, envelopes for registered postal articles and postal cards under such conditions as may be prescribed.

Rates of postage

63. The Corporation may, from time to time, with the approval of the Secretary of State or the appropriate authority, determine the rates of postage to be charged for the transmission of the different descriptions of postal articles by the Corporation.

Appropriation of duties

64. The money received from the several postages and other duties imposed under this Part of this Act shall form part of the general revenue of the Corporation.

Postage to be paid by stamps affixed before posting

65. (1) A postage imposed under this Act shall be paid by means of stamps, which shall be affixed, before posting, to all postal articles liable to the postage to the amount of the rates payable on them.

(2) If a postal article is underpaid with stamp or does not have a stamp on it, the amount to be paid on the article shall be double the unpaid or underpaid postage.

(3) The person to whom a postal article is addressed shall, on its delivery to him or her or to any other person on his or her behalf, pay any unpaid or underpaid postage due on the article unless he or she or the person refuses to receive it, in which case double postage may be recovered from the sender of the postal article.

Franking of correspondence

66. (1) The Managing Director may, on application, authorise commercial and banking establishments, corporations or other institutions to use franking machines to frank their heavy postings instead of affixing stamps.

(2) Appropriate financial deposits shall be made beforehand to cover any franked postings, authorised under subsection (1) at all times.

(3) Any establishment, corporation or institution using franking machines shall bring the franking machines for setting whenever the money deposited is exhausted.

(4) All franked postings shall be presented with appropriate completed forms for cross-checking and acceptance by the Corporation.

Power to
exempt from
payment of
postage

67. (1) The Secretary of State may, by notice in the *Gazette*, exempt any person or class or body of persons from the payment of postage for the transmission within The Gambia by the Corporation of any postal article or class of postal articles.

(2) An exemption granted under the provisions of subsection (1) shall be subject to such conditions or limitations as the Secretary of State may think fit to impose and may be for a specified period.

(3) A person transmitting a postal article containing a paper or literature printed for blind persons is exempted from paying postage for its transmission by the Corporation within The Gambia, if-

- (a) the paper or literature does not bear an inscription; or
- (b) the postal article does not contain a document,

which has the character of current or personal correspondence.

(4) The Government shall reimburse the Corporation for any postage due on a postal article transmitted within The Gambia by the Corporation for a person exempted under subsection (1).

Persons liable
for postage on
letters arriving in
The Gambia
without postage

68. Where the postage payable on a postal article arriving in The Gambia for delivery in The Gambia is not duly prepaid, the person to whom the postal matter is addressed shall, on the delivery of the postal article to him or her or to any other person on his or her behalf, pay the postage unless he or she or the person refuses to receive it.

Recovery of
postage due

69. All postage imposed by or under this Act may be sued for and recovered with full costs of suit before any Magistrate on the complaint of an officer of the Corporation in charge of a post office.

Corporation
mark *prima facie*
evidence

70. In every proceeding for the recovery of any postage or other sum alleged to be due to the Corporation under this Act in respect of a postal article -

- (a) the production of a postal article having on it the official mark of the Corporation denoting that the article has been refused or unclaimed or that the addressee is dead or cannot be found, shall be *prima facie* evidence of the fact so denoted; and
- (b) the person from whom the postal article purports to have come shall, until the contrary is proved, be deemed to be its sender.

Evidence of
amount of
postage due

71. The official mark on a postal article denoting that a postage or any other sum is due in respect of the article to the Corporation or to the postal administration of any foreign country shall be *prima facie* evidence that the sum denoted is due.

PART IV – MAILS BY VESSELS

Duty of masters of vessels arriving at any port to deliver mail

72. A master of a vessel arriving at a port or place in The Gambia shall –

- (a) without delay, cause all postal articles and every mailbag on board, which is within the exclusive privilege conferred on the Corporation by section 37, to be delivered to such officer of the Corporation as may be authorised to receive them; and
- (b) make the declaration contained in the Schedule to this Act before an officer of the Corporation.

Schedule

Duty of masters of non-contract vessels to carry mail

73. A master of a vessel, not being a contract vessel, about to depart from a port or place in The Gambia to a port or place in or beyond the limits of The Gambia shall –

- (a) receive on board, any mailbag delivered to him or her by an officer of the Corporation for conveyance;
- (b) issue a receipt for the mailbag so delivered in such form as may be prescribed; and
- (c) without delay, deliver the mailbag at the port or place of destination.

Gratuities to masters of non-contract vessels for conveyance of postal packets

74. (1) The Corporation or its authorised agent shall pay a master or an agent of a vessel, not being a contract vessel, leaving a port or place in The Gambia, such gratuity as may be determined by the Corporation.

(2) Before payment is made under subsection (1), an officer of the Corporation may require the master of a vessel to produce a certificate from the post office of destination that the postal articles have been duly received from him or her.

(3) A gratuity is not payable under this section –

- (a) for a second transmission of a postal article;
- (b) on a postal article to be delivered to a post office in The Gambia for onward transmission by a contract vessel;
- (c) unless application for payment is made within twelve months from the date of despatch;
- (d) if there has been unreasonable delay on the part of the master in delivery of the postal article at the post office of destination; or if the postal article is damaged in transit in consequence of insufficient care being taken of it.

(4) If the master of a vessel satisfies the Corporation or its agent that he or she will not return to The Gambia within the twelve months specified under subsection (3)(c), the Corporation or its agent may pay the gratuity in advance.

Gratuities for parcels

75. (1) The Corporation shall pay to every master of a vessel, not being a contract vessel, leaving one port, or place in The Gambia for another, a gratuity in accordance with the inter-national tariff for all parcels delivered to the master for conveyance.

(2) Payment under this section shall be made subject to the conditions and exceptions contained in section 74.

76. (1) A customs officer at a port in The Gambia may search any vessel for letters which may be on board contrary to this Act, and may seize all the letters and forward them to the nearest post office.

(2) The Corporation may award to an officer who seizes and forwards letters under subsection (1) any portion, not exceeding half of the penalty which is recovered for the contravention.

77. (1) The owner, charterer or consignee of a vessel, not being a contract vessel, and the owner, consignee or the shipper of goods on board shall have his or her letters by the vessel -

- (a) free from postage if delivered at the port on the ship's arrival; and
- (b) if delivered at or by the post office, on payment of the postage as prepaid inland letters delivered from one part of The Gambia to another.

(2) The exemption under subsection (1) does not apply unless -

- (a) the letters brought by any one vessel to any one person do not collectively exceed one hundred and seventy grams in weight;

(b) the owner, charterer or consignee in described as such on the address and superscription; and

(b) in the case of the owner, shipper or consignee of goods, it appears by the ship's manifest that he or she has goods on board the vessel.

PART V - EMERGENCY AND OTHER POWERS

Non-postal communications to or from The Gambia prohibited during war

78. (1) Notwithstanding the other provisions of this Act, a person who, during the continuance of a state of war between The Gambia and any foreign power, without lawful authority -

- (a) transmits, otherwise than through the post; or
- (b) conveys between a place in The Gambia and a place outside The Gambia; or
- (c) receives or has in his or her possession for transmission or conveyance,

a letter, document or any other postal article for any other person, commits an offence and is liable on summary conviction to imprisonment for a term not exceeding twelve months.

(2) This section does not apply to a letter, which under section 77, is exempt from postage or to any other class of letters or written messages that may be for the time being exempted by Order made by the President.

Interception of postal article during emergencies

79. (1) On the occurrence of any public emergency or in the interest of public safety or tranquillity, the Secretary of State may, by order in writing, direct that a postal article or class or description of postal articles be intercepted or detained or be delivered to an officer of the Government mentioned in the order or be disposed of in such manner as the Secretary of State may direct.

(2) If a doubt arises as to the existence of a public emergency or as to whether an act done under subsection (1) was in the interest of public safety or tranquillity, a certificate signed by the Secretary of State charged with responsibility for matters relating to public safety and public order shall be conclusive proof of the point.

Sending letters, etc in invisible ink, etc, prohibited

80. A person who sends from The Gambia, whether by post or otherwise, a letter, document or any other postal article containing a matter written in a medium which is not visible unless subjected to heat or some other treatment, commits an offence and is liable on summary conviction to imprisonment for a term not exceeding twelve months.

Prevention of conveyance of letters, etc, out of Gambia into The Gambia

81. (1) A person landing or embarking at a place in The Gambia shall, on being required to do so by an officer of the Corporation or a police officer-

- (a) make a declaration as to whether or not he or she is carrying or conveying a letter, document or any other postal article intended to be transmitted by post or otherwise delivered; and

- (b) produce to the officer, the letter, document or postal article.

(2) An officer of the Corporation authorised in that behalf or a police officer may -

- (a) search a person landing or embarking under subsection (1) and his or her baggage, with a view to ascertaining whether the person is carrying or conveying a letter, document or postal article intended to be transmitted by post or otherwise delivered; and

- (b) examine any letter, document or other postal article produced to him or her or found during the search.

PART VI - OFFENCES AND PENALTIES

False declaration, etc,

82. A person who -

- (a) knowingly makes a false declaration under section 72; or
- (b) on being required to produce a letter, document or postal article, refuses or neglects to do so,

commits an offence and is liable on summary conviction to imprisonment for a term not exceeding twelve months.

Contravention of the exclusive privilege of the Corporation

83. (1) Subject to this Act, a person who -

- (a) conveys, otherwise than by the Corporation, letters required to be conveyed by post under this Act shall, for every letter so conveyed, forfeit fifty dalasis;
- (b) is in the practice of conveying, otherwise than by the Corporation, letters required to be conveyed by post under this Act shall, for every week during which the practice continues, forfeit one thousand dalasis;
- (c) performs, otherwise than by post, a service incidental to conveying letters from place to place, whether by receiving, or by taking up, or by collecting, or by ordering, or by despatching, or by carrying, or by re-carrying, or by delivering a letter required to be conveyed by post, shall, for every letter, forfeit fifty dalasis;
- (d) is in the practice of performing any incidental service mentioned in paragraph (c) shall, for every week during which the practice continues, forfeit one thousand dalasis;
- (e) sends or causes to be sent a letter required to be conveyed by post, or either tender or deliver a letter so required to be conveyed in order to be sent, otherwise than by post, shall for every such letter, forfeit fifty dalasis;

- (f) is in the practice of committing any of the acts mentioned in paragraph (e) shall, for every week during which the practice continues, forfeit one thousand dalasis;
- (g) collects excepted letters for the purpose of conveying or sending, otherwise than by post, shall, for every such letter, forfeit fifty dalasis; or
- (h) is in the practice of collecting excepted letters as mentioned in paragraph (g) shall, for every week during which the practice continues, forfeit one thousand dalasis.

(2) The penalties specified in subsection (1) shall be incurred whether or not –

- (a) the letter is sent alone or with anything else; or
- (b) the incidental service is performed in respect of a letter sent or to be sent alone or together with some other letter or thing.

(3) In a proceeding by action or otherwise for the recovery of a penalty incurred under the section, the onus shall lie on the party proceeded against to prove that the act in respect of which the penalty is alleged to have been incurred was done in conformity with this Act.

(4) The court in which a person seeks to recover a penalty under this section may reduce the amount of the penalty.

Detaining ship's letters required to be sent to the post office

84. (1) A master, an officer, a crew or passenger of a vessel, who knowingly has in his or her possession, a letter required to be sent to the post office, after the master has delivered his or her bag of the ship's letters to the proper officer, shall, for every letter, forfeit fifty dalasis.

(2) A person shall be held to be in possession of a letter under subsection (1) if the letter is in his or her baggage or on his or her person, or otherwise in his or her custody.

(3) A person who detains a letter after a demand has been made for it shall, for every letter so detained, forfeit one hundred dalasis.

(4) The court in which the Corporation seeks to recover a penalty under this section may reduce the amount of the penalty.

85. A master of a vessel who –

- (a) opens a sealed mailbag with which he or she is entrusted for conveyance;
- (b) takes a postal article out of a mailbag with which he or she entrusted for conveyance;
- (c) does not duly deliver a mailbag with its contents on his or her arrival in port without unavoidable delay;
- (d) refuses or wilfully neglects to make a declaration required by this Act; or

Offences by masters of vessels

- (e) breaks bulk or makes entry before all letters on board have been delivered in accordance with this Act,

commits an offence and is liable on conviction to a fine not exceeding one thousand dalasis.

Refusal to deliver letters to quarantine officer

86. A master of a vessel or any other person who, quarantine, neglects or refuses to deliver to the person appointed to superintend the quarantine, letters in his or her possession, commits an offence and is liable on conviction to a fine not exceeding one thousand dalasis.

Offence by customs officer

87. A customs officer who fails, as required by this Act, to prevent a vessel from reporting until the vessel has complied with the requirements of this Act, commits an offence and is liable on conviction to a fine not exceeding one thousand dalasis.

Officers of the Corporation

88. An officer of the Corporation who wilfully and knowingly uses or causes to be used, in payment of postage, a postage stamp, postal card, stamped envelope or stamped wrapper, which has been used before for a like purpose, commits an offence and is liable on conviction to imprisonment for a term not exceeding six months.

Officers of the Corporation using stamps a second time, etc.

89. An officer of the Corporation who wilfully or unlawfully-

- (a) removes or attempts to remove a cancelling or defacing mark from a postage stamp, stamped envelope, stamped wrapper or postal card, with intent to use it or cause it to be used a second time or to sell or offer it for sale; or

- (b) removes from a postal article deposited in or received at a post office or any other place, the stamp affixed to it in payment of postage, with intent to use it a second time for a like purpose, or to sell or offer it for sale,

commits an offence and is liable on conviction to imprisonment for a term not exceeding six months.

Other persons using and removing stamps

90. A person not employed in the Corporation who does any of the acts referred to in section 88 or 89 commits an offence and is liable on conviction to a fine not exceeding one thousand dalasis.

Forging stamps, etc.

91. A person who –

- (a) forges or counterfeits a postage stamp or a stamp printed on a stamped envelope, stamped wrapper, postal card or a dye, plate or an engraving;
- (b) makes or prints or knowingly uses or sells or has in his or her possession with intent to use or sell a paper resembling or apparently intended to resemble a stamped envelope, stamped wrapper or postal card; or
- (c) without due authority, and with intent to defraud, makes, prints, authorities or procures to be made or printed a postage stamp, stamped envelope, stamped wrapper or postal card of the kind autho-

commits an offence and is liable on conviction to imprisonment for a term not exceeding seven years.

Forgery or acts contributory to forgery

92. (1) A person who –

- (a) makes, deals in or sells, or knowingly utters or uses for any postal purpose a fictitious stamp;
- (b) without lawful excuse, has in his or her possession a fictitious stamp; or
- (c) makes, or without lawful excuse has in his or her possession, any dye, plate, instrument or material for making a fictitious stamp,

commits an offence and is liable on conviction to imprisonment for a term not exceeding seven years.

(2) A stamp, dye, plate, instrument or a material found in the possession of a person in contravention of this section shall be forfeited.

Fraudulent manufacture, etc., of postal identity cards

93. A person who fraudulently manufactures, circulates or uses a postal identity card commits an offence and is liable on conviction to imprisonment for a term not exceeding seven years.

Sending prohibited articles through the post

94. (1) A person who sends or attempts to send a prohibited article through the post commits an offence and is liable on conviction to imprisonment for a term not exceeding ten years.

(2) A postal article is deemed to be a prohibited article if it –

- (a) contains narcotics or psychotropic substances;
- (b) contains explosive, flammable or other dangerous substance or radioactive material;
- (c) contains obscene or immoral publication;
- (d) contains a live animal;
- (e) has on its outside or cover or enclosed in it -
 - (i) a cleaned, forged, counterfeit or fictitious stamp,
 - (ii) an unauthorised surcharged postage stamp,
 - (iii) a facsimile, an imitation or a representation of a stamp for denoting a rate of duty or postage, including a stamp for denoting a rate of duty or postage of a foreign country, or
 - (iv) a postage stamp, stamped envelope, stamped wrapper or postal card which has been used to pre-pay postal article;

- (f) contains an article which by its nature or its packing may expose employees of the Corporation to danger, or soil or damage other items or postal equipment;
- (g) is an uninsured letter or parcel containing a coin, banknote, currency note or security of any kind payable to bearer, travellers' cheque, platinum, gold or silver, whether manufactured or not, precious stone, jewel or other valuable article; or
- (h) contains an article, the importation of which is prohibited in the country of destination.

(3) A postal article wrongly admitted and containing an article mentioned in paragraphs (a), (b) or (c) of subsection (2) shall in no circumstances be forwarded to its destination, delivered to the addressee, returned to sender or country of origin.

(4) The Corporation may, from time to time, with the approval of the Secretary of State, by an Order published in the *Gazette*, add to the number of prohibited articles mentioned in this section.

Defiling post
office letter
boxes

95. A person who –

- (a) wilfully or maliciously defiles, injures, tears down, removes, or destroys a post office letter box; or

- (b) places or attempts to place in or against any post office letter box fire, match, light, explosive substance or fluid; or
- (c) commits a nuisance in or against a post office letter box; or
- (d) does, or attempts to do, anything likely to injure a post office letter box, its appurtenances or contents.

commits an offence and is liable on summary conviction to imprisonment for a term not exceeding twelve months.

Defacing post office, etc.

96. A person who –

- (a) without due authority, affixes or attempts to affix any placard, advertisement, notice, list, document, board or thing on, paints or tars, a post office or post office letter box; or
- (b) in any way disfigures a post office or post office box,

commits an offence and is liable on conviction to a fine of not less than one thousand dalasis.

Prohibition of imitation of post offices

97. (1) No person shall, without authority from the Corporation, place or maintain, or permit to be placed or maintained in or on a house, wall, door, window, box, post, pillar or any other place belonging to him or her or under his or her control the following words, letters or marks –

- (a) "Post Office";

- (b) "letter box" accompanied with words, letters or marks which signify or imply or may reasonably lead the public to believe, that it is a post office letter box; or
- (c) words, letters or marks which signify or imply or may lead the public to believe that a house or place is a post office or that a box is a post office letter box.

(2) A person required by a notice given by the Corporation to remove the words, letters or marks referred to in subsection (1), or to remove or effectually close up a letter box belonging to him or her or under his or her control, which has been a post office letter box, shall comply with the requirement of the notice.

(3) A person who contravenes the provisions of this section commits an offence and is liable on conviction to a fine not exceeding five hundred dalasis, and if the offence is continued after a previous conviction, to a fine not exceeding one hundred dalasis for each day during which the offence continues.

Negligence by persons employed by the Corporation

98. A person employed to convey or deliver a mailbag or postal article who, whilst the mailbag or postal matter is in his or her custody, care or possession –

- (a) leaves the mailbag or postal article;
- (b) is drunk, careless or negligent or otherwise misconducts himself or herself in a way that endangers the safety of a mailbag or any postal article;

- (c) collects, receives, conveys or delivers a letter, otherwise than in the ordinary course of the post;
- (d) gives any false information of an assault or of an attempt to rob him or her;
- (e) loiters on the road or passage or wilfully misspends his or her time so as to retard or delay the progress or arrival of a mailbag or any postal article; or
- (f) does not use due and proper care and diligence to convey a mailbag or postal matter safely at the rate of speed appointed by and according to the regulations of the Corporation for the time being in force,

commits an offence and is liable on conviction to a fine of not less than one thousand dalasis or imprisonment for a term not exceeding three months or to both the fine and imprisonment.

Opening or
delaying postal
matter

99. (1) An officer or agent of the Corporation who, contrary to his or her duty -

- (a) returns, opens or procures, or causes to be returned, opened or procured a postal article; or
- (b) wilfully detains or delays, or causes to be detained or delayed, a postal article,

commits an offence and is liable on conviction to a fine not exceeding five thousand dalasis or imprisonment for a term not exceeding two years,

(2) Nothing contained in subsection (1) extends to the opening, detaining or delaying of a postal article-

- (a) returned for want of a true direction;
- (b) returned by reason that the person to whom it was directed is dead or cannot be found, or refused it, or refused or neglected to pay the postage; or
- (c) in obedience to an express warrant in writing under the hand of the President.

Embezzlement,
etc., of postal
articles

100. An officer or agent of the Corporation who steals secrets or destroys any postal article commits an offence and is liable on conviction -

- (a) to imprisonment for a term not exceeding seven years; and
- (b) if the postal article so stolen, embezzled, secreted or destroyed, contains any chattel or money whatsoever, or any valuable security, to imprisonment for a term not exceeding ten years.

Stealing money,
etc., out of
postal matters

101. A person who steals, from or out of a postal matter, any chattel, money or valuable security, commits an offence and is liable to imprisonment, for a term not exceeding ten years.

Stealing mail-
bags, or postal
matters sent by
mail

102. A person who -

- (a) steals a mailbag or a postal article from a mailbag; or

- (b) steals a postal article from a post office, or from any office of the Corporation or from a mailbag; or
- (c) stops a mailbag with intent to rob or search it,

commits an offence and is liable on conviction to imprisonment for a term not exceeding ten years.

Stealing postal matters sent by contract vessels

103. A person who steals or unlawfully -

- (a) takes away a mailbag sent by a contract vessel; or
- (b) takes a letter out of a mailbag,

commits an offence and is liable on conviction to imprisonment for a term not exceeding ten years.

Receiving stolen or embezzled property sent by post

104. (1) A person who receives a postal article, mailbag, chattel, money or valuable security, the stealing, taking, embezzling or secreting of which constitutes an offence under this Act, knowing it to have been -

- (a) stolen, taken, embezzled or secreted; and
- (b) sent or intended to be sent by the post,

commits an offence.

(2) A person who commits an offence under subsection (1) is liable on conviction to imprisonment for a term not exceeding ten years.

Fraudulently retaining or wilfully secreting, keeping or detaining postal matters

105. A person who -

- (a) fraudulently retains or wilfully secretes, keeps or detains; and
- (b) when required by an officer of the Corporation to deliver up, neglects or refuses to deliver up,

a postal matter which should have been delivered to any other person, or which has been sent, whether or not it was found by the person secreting, keeping, detaining or neglecting or refusing to deliver it up, or by any other person, commits an offence and is liable on conviction to imprisonment for a term not exceeding twelve months.

Forging postal orders, etc

106. A person who -

- (a) forges or alters; or
- (b) knowing it to be forged or altered, offers, utters, disposes of or puts off,

a draft, warrant or an order of the Corporation or of the Managing Director or other officer of the Corporation, for money or for payment of money, with intent to defraud a person, commits an offence and is liable to imprisonment for a term not exceeding ten years.

Forging or altering superscriptions

107. A person who -

- (a) forges or counterfeits the handwriting of another person in the superscription of a postal article;

- (b) alters or changes the superscription on a postal article; or
- (c) writes or sends by the post, or causes to be written or sent by the post, a postal article, the superscription on which, in whole or in part, is forged or counterfeited, or altered with intent to avoid the payment of the postage,

commits an offence and is liable on conviction to imprisonment for a term not exceeding ten years.

Endeavouring to procure the commission of an offence

108. A person who solicits or endeavours to procure another person to commit an offence punishable under this Act commits an offence and is liable to imprisonment for a term not exceeding two years.

PART VII - LEGAL PROCEDURE

Property of mailbag, postal article, or chattel, etc. sent by the post to be in the Corporation

109. Where an offence is committed in respect of a mailbag or any postal article or chattel, money, or valuable security, sent by the post, the property of the mailbag, postal article, chattel, money, or the valuable security, shall be in the Corporation and it shall not be necessary to allege or to prove that the mailbag, postal article, chattel or valuable security was of any value.

Details of employment unnecessary in information against employees

110. In an action against an officer or agent of the Corporation for any offence under this Act, it may be alleged that the offender was an officer or agent of the Corporation at the time of committing the offence without stating further the nature or particulars of the employment.

Power of the Corporation to sue for postage dues, etc.

111. The Corporation may institute a suit or action in respect of –

- (a) a postage imposed by or pursuant to this Act;
- (b) the rental of private letter boxes erected in any post office;
- (c) a damage done to the property of the Corporation; or
- (d) a charge for special service performed by the Corporation.

PART VIII - PROTECTION OF OFFICERS

Obstructing postal service

112. (1) A person who –

- (a) wilfully obstructs or incites another person to obstruct an officer of the Corporation in the execution of his or her duty; or
- (b) whilst in a post office or within any premises belonging to or used by the Corporation obstructs the course of business of the post office,

commits an offence and is liable on conviction to a fine not exceeding five thousand dalasis.

(2) An officer of the Corporation may require a person committing an offence under subsection (1) to leave the post office or premises, and if the person refuses or fails to comply with the request, he or she –

- (a) is liable to a further fine not exceeding ten thousand dalasis; and
- (b) may be removed from the post office or premises by an officer of the Corporation or a police officer.

Limitation of actions

113. (1) An action against the Corporation for anything done by an officer of the Corporation in execution or intended execution of his or her duties under this Act shall be commenced not later than three months after the cause thereof arose.

(2) Notice in writing of an action and of the cause of action shall be given to the defendant at least one month before the commencement of the action.

(3) In an action, the defendant may plead generally that the act complained of was done in execution of duties under this Act, and give this Act and the special matter in evidence at the hearing.

CHAPTER IV – THE GAMBIA SAVINGS BANK

PART I - PRELIMINARY

114. In this Chapter, except the context otherwise requires –

“Bank” means The Gambia Savings Bank established under section 115;

“prescribed” means prescribed by rules made under this Act;

Interpretation of this Chapter

“revenue of the Bank” does not include moneys received on deposit;

“supervisory authority” means the body for the time being responsible for regulating the activities of financial institutions in The Gambia.

PART II – ESTABLISHMENT AND MANAGEMENT OF THE GAMBIA SAVINGS BANK

Establishment of The Gambia Savings Bank

115. (1) There is hereby established a bank to be known as The Gambia Savings Bank.

(2) The Bank shall be a body corporate, with perpetual succession and a common seal and may sue and be sued in its corporate name.

Management of the Bank

116. (1) The Bank shall be under the management and control of the Corporation.

(2) The Corporation may, subject to the provisions of this Act and rules made under it, take such steps as may be desirable for the proper management of thrift and for the proper encouragement and promotion of the activities of the Bank.

Managing Director

117. (1) The Managing Director of the Corporation is –

- (a) also the Chief Executive of the Corporation and
- (b) responsible for the execution and implementation of the policies of the Bank and the transaction of the day-to-day business of the Bank.

(2) The Board may delegate to the Managing Director such of its functions as are necessary to enable him or her to transact efficiently the day-to-day business of the Bank, and for that purpose the Board may, from time to time, issue written instructions.

Appointment of other staff

118. (1) The Board shall appoint for the Bank such persons as it may think necessary for the due discharge of the functions of the Bank, on such terms as to remuneration or otherwise as it may determine.

(2) The Board shall be responsible for the discipline and removal of persons employed for the Bank.

(3) The Board shall adopt suitable policies in respect of conditions of service of staff, which shall be compatible with the standards of practice in other banks.

(4) The Board shall, with the approval of the Secretary of State, make regulations establishing schemes for pensions, gratuities and other retirement benefits in respect of persons employed for the Bank.

(5) Regulations made under subsection (4) may include provisions for the grant of benefits to the dependants of the persons employed for the Bank.

PART III - BRANCHES, DEPOSITS AND INTEREST

Opening and closure of Bank

119. The Managing Director may, with the approval of the Board and in accordance with the procedure laid down by the supervisory authority, open a branch of the Bank at any post office in

The Gambia and may, with the like approval and procedure, close a branch of the Bank.

Deposits and repayments

120. Deposits of money to be paid into the Bank shall be received and repaid under such conditions as may be prescribed.

Security

121. (1) The repayment of moneys deposited in the Bank, together with interest payable on the moneys, is guaranteed by the Corporation.

(2) Accordingly, if at any time the assets of the Bank are insufficient to pay the lawful claims of the depositor, the Board shall cause the deficiency to be met out of the assets of the Corporation.

Interest

122. (1) The interest to be payable on deposits shall be determined by the Board and shall not be equal to or be above the Treasury Bills rate at the time of declaration of the rates.

(2) Interest shall –

- (a) not be payable on any deposit that is less than one hundred dalasis or on any fraction of a dalasi;
- (b) not begin to accrue until the first day of the month next following the day of deposit; and
- (c) cease on the last day of the month preceding that in which the deposit is withdrawn.

(3) Interest on deposits shall, subject to the provisions of subsection (2), be calculated to the thirty-first day of December in every year and shall then be added to and become part of any principal money remaining on deposit.

(4) Accounts that have not been active for one year shall be considered dormant and shall cease to attract interest thereafter.

PART IV - CAPITAL AND OTHER FINANCIAL PROVISIONS

Assigned capital

123. (1) The assigned capital of the Bank shall be the net assets of the Bank at the vesting date of the Corporation.

(2) The supervisory authority may, at any time, alter the net assets of the Bank.

(3) In this section, "net assets" means total assets less total liabilities.

Accounts

124. The annual accounts of the revenue and expenditure of the Bank and of deposits received and repaid and interest credited to depositors during the year ended on the 31st day of December of every year, together with a statement of the assets and liabilities of the Bank, shall –

- (a) after being audited by the Auditor General be presented to the Board not later than the 31st day of March of the succeeding year; and

- (b) as soon as practicable after its presentation to the Board, be published in a newspaper of general circulation in The Gambia after due clearance has been obtained from the supervisory authority.

Surpluses and deficits

125. (1) If in any year the revenue of the Bank –

- (a) is insufficient to defray the interests due to depositors the deficiency shall be met out of the funds of the Corporation; or
- (b) is more than sufficient to defray the interests due to depositors and all expenses under this Act, then the Board may direct the transfer of the surplus or any portion of it to the funds of the Corporation.

(2) A transfer shall not be made under subsection (1) (b) unless –

- (a) the assets of the Bank will thereafter exceed its liabilities by not less than fifteen *per cent* of the liabilities to depositors; and
- (b) the transfer is not in violation of the requirements of the supervisory authority.

(3) If, on the 31st day of December in any year, the assets of the Bank exceed its liabilities by more than fifteen *per cent* of the liabilities to depositors, the Board may direct that the surplus over fifteen *per cent* or any portion of it, be transferred to the funds of the Corporation.

PART V - SUPPLEMENTARY

Names of
depositors, etc,
not to be
disclosed

126. (1) The Bank or an employee of the Bank shall not disclose the name of a depositor or the amount deposited or withdrawn by a depositor except in due course of law or to such person or persons as may be appointed in carrying out the provisions of this Chapter.

(2) A person who contravenes the provisions of subsection (1) commits an offence and is liable on conviction to a fine not exceeding five thousand dalasis or imprisonment for a term not exceeding twelve months or to both the fine and imprisonment.

Settlement of
disputes

127. (1) Where a dispute arises between -

- (a) the Managing Director or the officer managing and controlling a branch of the Bank; and
- (b) an individual depositor in the branch, or any executor, administrator, or next-of-kin of a depositor, or any creditor or assignee of a depositor who has become bankrupt or insolvent, or any person claiming to be an executor, administrator, next-of-kin, creditor or assignee, or to be entitled to any money deposited in the Bank,

the matter in dispute shall be referred to a panel of arbitrators constituted under subsection (2).

(2) The panel of arbitrators shall consist of three arbitrators -

- (a) one to be appointed by each of the two parties; and
- (b) the third to be appointed jointly by the two parties.

(3) An award, order or a determination made by the arbitrators shall be binding and conclusive on all parties, and shall be final to all intents and purposes.

Non-liability of
the Corporation

128. (1) The Corporation, Managing Director or other officer of the Corporation shall not be liable for any payment made or thing done by the Corporation, Managing Director or officer in the performance of their duties under this Chapter or rules made under it, but a person may recover sums lawfully due to him or her from the person to whom the payment was made.

(2) The exemption from liability specified in subsection (1) shall not apply if the payment made or thing done by the Corporation, Managing Director or other officer of the Corporation was made or done wilfully or negligently.

Power to make
rules

129. (1) The Corporation may, in consultation with the Secretary of State, make rules for the management and regulation of the Bank.

(2) In particular and without prejudice to the generality of the provisions of subsection (1), the rules may -

- (a) prescribe limits of deposits;
- (b) prescribe the modes of making deposits;
- (c) prescribe the modes of withdrawing deposits and interest;
- (d) regulate deposits by illiterates, minors, guardians, trustees, trade unions, friendly societies and other charitable bodies;
- (e) prescribe conditions for the withdrawal of moneys by illiterates, minors, guardians, trustees, trade unions, friendly societies and other charitable bodies;
- (f) prescribe the modes of dealing with the deposits of deceased or insane persons;
- (g) prescribe penalties not exceeding a fine of one thousand dalasis for the breach of any such rule;
- (h) provide for legal remedies in the event of wilful contravention of this Act;
- (i) authorise the Managing Director to enter into an arrangement with a Post Office Savings Bank in any foreign country for the transfer of any sums

standing to the credit of depositors from those Savings Banks to the Bank, and vice versa, and prescribe conditions for the transfers.

(3) All rules made in pursuance of this section shall be published in the *Gazette* and a local newspaper of general circulation and shall come into operation on the date of the publication or on such other date as may be specified in the rules.

CHAPTER V - MISCELLANEOUS

Penalty for offences, where not already specified

130. A person who contravenes any provision of this Act or of any regulation made under it commits an offence and, except where otherwise provided, is liable, on summary conviction, to a fine not exceeding ten thousand dalasis.

Regulations

131. The Corporation may, with the approval of the Secretary of State, from time to time, make regulations to give effect to the provisions of this Act, and may in particular make regulations for -

- (a) the guidance, conduct and discipline of the officers and servants of the Corporation in the performance of their several duties, with power to impose penalties for neglect or misconduct;
- (b) the franking of postal article sent by the Corporation;
- (c) the guidance and control of the public dealing with the Authority;

- (d) declaring what articles may be transmitted as postal article;
- (e) the classification of postal article so as to establish a standard by which postage shall be apportioned according to the nature of postal article;
- (f) dealing with postal articles posted after the hour fixed for the closing of any mail, whether inland or foreign, with power to charge extra postage on any postal article posted late, and intended to be forwarded forthwith;
- (g) prescribing forms for use under this Act;
- (h) the registration of postal articles and for the receiving, safe keeping and delivering of registered postal articles;
- (i) regulating the issue and payment of postal orders and post office orders for the payment of money and the conduct of business connected therewith;
- (j) the disposal and rental of private letter boxes erected in any Post Office with power to fix the amount and conditions of payment to be made by holders for the use of the boxes, and for the delivering of postal article by means of the boxes;

- (k) the delivering of post matters by private bags made up in Post Office to be dropped at any place along the route by which mail is conveyed, with power to fix the amount and conditions of payment to be made for this special service so rendered;
- (l) the imposition of a storage charge for unclaimed parcels and for regulation of the period during which undelivered postal article shall remain in any post office, and after which period the postal article shall be sent to the Returned Letter Office, and return there from to the senders of postal article which cannot be delivered to the addresses, and for the disposal by delivery or otherwise of other postal article;
- (m) the conditions under which and the manner in which special services shall be performed by the Corporation for the convenience of individuals, with powers to fix the amounts and conditions of payment for the special services generally; and
- (n) regulating the business of the Corporation, and for the better carrying out of the purposes and provisions of this Act.

Repeal of Cap.
73:01 and
Cap. 73:02
and transitional
provisions

132. (1) The Post Office Act and the Savings Bank Act are hereby repealed.

(2) The Department of Post and the Post Office Savings Bank established under the repealed Acts are hereby consequentially dissolved.

(3) As from the commencement of this Act, all the rights, assets, liabilities and obligations of the dissolved Department of Post and Post Office Savings Bank existing immediately before the commencement of this Act shall be transferred to the Corporation and Bank, as the case may be.

(4) Any action or proceeding in any court, or any judgment, decision or order which was enforceable by or against the dissolved Department of Post or Post Office Savings Bank immediately before the commencement of this Act may be continued and enforced by or against the Corporation or Bank, as the case may be.

(5) A person who was in the employment of the dissolved Department of Post or Post Office Savings Bank immediately before the commencement of this Act may be transferred to and be deemed to be appointed by the Corporation or Bank, as the case may be, until he or she vacates the office or his or her appointment is terminated.

(6) Where an employee who by virtue of his or her qualification could not be absorbed by the Corporation or Bank, as the case may be, and is made redundant, a redundancy package shall be paid to the employee in relation to his or her length of service and in accordance with the Secretary of State.

(7) All post offices or other postal establishments in existence in The Gambia before the commencement of this Act, are deemed to be established under this Act.

(8) All stamps, stamped envelopes, stamped wrappers, letter-sheet envelopes, envelopes for registered postal articles and postal cards and any other thing issued by the dissolved Department of Post and in use immediately before the commencement of the Act, are deemed to be issued by the Corporation.

(9) All deposits in the dissolved Post Office Savings Bank shall be transferred to the Bank and all the depositors shall be deemed to be depositors in the Bank.

(10) The Secretary of State may within twelve months of the commencement of this Act, by order published in the *Gazette*, make any further transitional provisions as may be necessary for the purposes of this Act.

SCHEDULE

Section 72

THE GAMBIA POSTAL SERVICES CORPORATION

DECLARATION TO BE MADE BY MASTERS OF VESSELS


I do solemnly declare that I have to the best of my knowledge and belief caused to be delivered to the proper officer of the Gambia Postal Services Corporation at every letter, bag, and all postal packets that were on board the vessel under my command except

Declared atthisday of.....20..

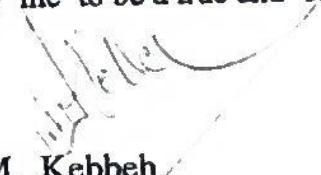
(signed).....
Master of Vessel

(signed).....
Officer of The Gambia Postal Services Corporation

PASSED in the National Assembly this Fourteenth day of December in the year of Our Lord Two Thousand and Five


D. C. M. Kebbeh
Clerk of the National Assembly.

THIS PRINTED IMPRESSION has been carefully compared by me with the Bill which has passed in the National Assembly, and found by me to be a true and correct copy of the said Bill.


D. C. M. Kebbeh
Clerk of the National Assembly.