

1985

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

THE SENATE

*Presented pursuant to leave granted and  
read 1<sup>o</sup>, 7 November 1985*

(SENATOR LEWIS)

A B I L L

FOR

**An Act to amend the Postal Services Act 1975 to  
allow for the continuance of postal services  
when the Australian Postal Commission is not  
able effectively to provide those services**

BE IT ENACTED by the Queen, and the  
Senate and the House of Representatives  
of the Commonwealth of Australia, as follows:

**Short title, &c.**

5           1.(1) This Act may be cited as the  
Postal Services Amendment (Continuance  
of Postal Services) Act 1985.

10           (2) The Postal Services Act 1975<sup>1</sup>  
is in this Act referred to as the Principal  
Act.

**Commencement**

2. This Act shall come into operation  
on the day on which it receives the Royal  
Assent.

15           **Letters not to be carried for reward**

3. Section 85 of the Principal Act  
is amended by adding at the end thereof  
the following sub-sections:

"(3) Where the Minister, after consultation with the Commission, is satisfied that, by reason of an industrial dispute or for any other reason, the Commission is unable to operate its postal services in such a manner as will meet the social, industrial and commercial needs of the Australian people for postal services - 5

(a) throughout Australia; or

(b) in a particular part of Australia, 10

the Minister may, by notice published in the Gazette, suspend the operation of sub-section (1) throughout Australia or in that part of Australia, as the case requires, until the notice is revoked. 15

"(4) The Minister shall, by notice published in the Gazette, revoke a notice under sub-section (3) suspending the operation of sub-section (1) throughout Australia or in a part of Australia, upon becoming satisfied, after consultation with the Commission, that the Commission is then able to operate its postal services in such a manner as will meet the social, industrial and commercial needs of the Australian people - 20 25

(a) in a case where the operation of sub-section (1) is suspended throughout Australia - for postal services throughout Australia or in a particular part of Australia; or 30

(b) in a case where the operation of sub-section (1) is suspended in a particular part of Australia - for postal services in that part of Australia. 35

5       "(5) Where, while a notice under sub-section (3) is in force suspending the operation of sub-section (1) in a particular part of Australia, a notice is made under sub-section (3) suspending the operation of sub-section (1) throughout Australia, the first-mentioned notice shall be deemed to be revoked by the second-mentioned notice.

10       "(6) While a notice under sub-section (3) is in force suspending the operation of sub-section (1) throughout Australia, any person may -

15           (a) carry or convey a letter for reward;  
              or

20           (b) cause a letter to be carried or conveyed for reward, otherwise than by the Commission,  
              from a place within Australia for delivery at a place within or outside Australia or from a place outside Australia for delivery within Australia.

25       "(7) While a notice under sub-section (3) is in force suspending the operation of sub-section (1) in a particular part of Australia, any person may -

30           (a) carry or convey a letter for reward;  
              or

35           (b) cause a letter to be carried for reward otherwise than by the Commission,  
              from a place within that part of Australia for delivery at a place within or outside that part of Australia or from a place outside that part of Australia for delivery within that part of Australia.

"(8) Where a notice under sub-section (3) is revoked, sub-section (1) does not apply to the carriage or conveyance of a letter for reward after the revocation of that notice if -

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(a) that letter had been received or accepted for carriage or conveyance before that notice was revoked; and

(b) the carriage or conveyance of that letter for reward would have been authorized by sub-section (6) or (7), as the case requires, if that notice had not been revoked.

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"(9) In this section -

'Australia' includes -

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(a) the prescribed external Territories; and

(b) the adjacent areas in respect of the States and Territories;

'industrial dispute' has the same meaning as it has in the Conciliation and Arbitration Act 1904 and includes a dispute (including a threatened, impending or probable dispute) as to industrial matters (within the meaning of that Act) that does not extend beyond the limits of any one State."

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NOTE

1. No.54, 1975, as amended. For previous amendments, see Nos. 36 and 170, 1978; No. 7, 1979; No.177, 1980; Nos. 61 and 74, 1981; No.80, 1982; Nos. 39, 92, 115 and 147, 1983; and Nos 18, 72 and 165, 1984.