*Draft Order laid before Parliament under section 122(12) of the Postal Services Act 2000, for approval by resolution of each House of Parliament.*

DRAFT STATUTORY INSTRUMENTS

# 2003 No.

# POSTAL SERVICES

## The Postal Services Act 2000 (Consequential Modifications) Order 2003

| | |
|---|---|
| *Made - - - -* | *2003* |
| *Coming into force - -* | *2003* |

Whereas a draft of this Order has been laid before and approved by a resolution of each House of Parliament in accordance with section 122(12) of the Postal Services Act 2000(**1**);

Now, therefore, the Secretary of State, in exercise of the powers conferred upon her by sections 122(2) and 127(1) and (2) of that Act, hereby makes the following Order:

### Citation, commencement and extent

**1.**—(1) This Order may be cited as the Postal Services Act 2000 (Consequential Modifications) Order 2003.

(2) This Order shall come into force on the day after the day on which it is made.

(3) This Order does not extend to the Channel Islands or the Isle of Man.

(4) Subject to paragraph (3), any modification by this Order of an enactment has the same extent as the enactment modified.

### Post Office Works Act 1959 and Post Office Subway Act 1966

**2.**—(1) Any provision of the Post Office Works Act 1959(**2**), and the Post Office Subway Act 1966(**3**), which was in force immediately before the day on which this Order comes into force and contained references to the Post Office shall (including references which have effect as such references), so far as necessary for preserving its effect on and after that day, have effect as if those references were references to the Post Office company.

(2) Subject to paragraph (3), any function exercisable by the Post Office company by virtue of paragraph (1) shall be exercisable concurrently by any relevant subsidiary of the Post Office

(**1**) 2000 c. 26.
(**2**) 1959 c. 43, as amended by section 22 of the Post Office Act 1969 (c. 48.).
(**3**) 1966 c. 25, as amended by section 22 of the Post Office Act 1969 (c. 48.).

company; and references which have effect by virtue of paragraph (1) as references to the Post Office company shall be construed accordingly.

(3) Anything which by virtue of this paragraph must be done by or in relation to the Post Office company and any relevant subsidiary of the Post Office company shall, so far as the context permits, be taken as done if it is done by or in relation to one of them.

(4) In the Acts to which this article applies references to the purpose or purposes of the Post Office shall be construed as references to the purpose or purposes of the businesses of the Post Office company and its relevant subsidiaries so far as those businesses relate to the provision of postal services.

(5) In this article "the Post Office company" and "relevant subsidiary" have the same meanings as in Part IV of the Postal Services Act 2000.

### Other modifications

**3.**—(1) The amendments specified in Schedule 1 shall have effect.

(2) The repeals and revocations specified in Schedule 2 shall have effect.

### Transitional and saving provisions

**4.**—(1) The repeal by this Order of the entry relating to the provision of a universal postal service in Schedule 4 to the Public Health Act 1961(**4**) does not affect any permission granted, annulment made, or confirmation given, by virtue of that section before the coming into force of this Order.

(2) The modifications in this Order to the Theft Act 1968(**5**) and the Theft Act (Northern Ireland) 1969(**6**) do not apply in relation to offences committed before the coming into force of this Order.

(3) The repeal by this Order of a saving on the previous repeal of an enactment does not affect the operation of the saving so far as it remains capable of having effect.

Minister of State for Energy, E-Commerce and
Postal Services
2003 Department of Trade and Industry

(**4**) 1961 c. 64.
(**5**) 1968 c. 60.
(**6**) 1969 c. 16 (NI).