Changes to Legislation: as of 3 November 2026, this Act is up to date with all changes known to be in force.



Number 24 *of* 1983

POSTAL AND TELECOMMUNICATIONS SERVICES ACT 1983

REVISED

Updated to 20 July 2026

This Revised Act is an administrative consolidation of the *Postal and Telecommunications Services Act 1983*. It is prepared by the Law Reform Commission in accordance with its function under the *Law Reform Commission Act 1975* (3/1975) to keep the law under review and to undertake revision and consolidation of statute law.

All Acts up to and including the *Postal and Telecommunications Services (Amendment) Act 2026* (28/2026), enacted 20 July 2026, and all statutory instruments up to and including the *Central Bank Act 1942 (Section 32D) Regulations 2026* (S.I. No. 348 of 2026), made 20 July 2026, were considered in the preparation of this Revised Act.

Disclaimer: While every care has been taken in the preparation of this Revised Act, the Law Reform Commission can assume no responsibility for and give no guarantees, undertakings or warranties concerning the accuracy, completeness or up to date nature of the information provided and does not accept any liability whatsoever arising from any errors or omissions. Please notify any errors, omissions and comments by email to revisedacts@lawreform.ie.

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POSTAL AND TELECOMMUNICATIONS SERVICES ACT 1983

REVISED

Updated to 20 July 2026

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Number 24 *of* 1983

POSTAL AND TELECOMMUNICATIONS SERVICES ACT 1983

REVISED

Updated to 20 July 2026

AN ACT TO PROVIDE FOR THE REORGANISATION OF THE POSTAL AND TELECOMMUNICATIONS SERVICES, TO CONSTITUTE AUTHORITIES FOR THAT PURPOSE AND TO MAKE PROVISION FOR THE ASSIGNMENT TO THOSE AUTHORITIES OF FUNCTIONS HERETOFORE EXERCISED BY THE MINISTER FOR POSTS AND TELEGRAPHS; TO REPEAL, AMEND OR ADAPT ENACTMENTS RELATING TO THE POSTAL AND TELECOMMUNICATIONS SERVICES AND THE SAVINGS BANKS AND TO MAKE OTHER PROVISIONS IN RELATION TO THE MATTERS AFORESAID. [13*th July*, 1983]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

PART I

Preliminary and General

Short title.

1.—This Act may be cited as the Postal and Telecommunications Services Act, 1983.

Interpretation.

2.—(1) In this Act, except where the context otherwise requires—

"company" means the postal company or the telecommunications company, as the case may require;

"the Companies Acts" means the Companies Act, 1963, and the Acts which by virtue of any enactment are to be construed with it as one Act;

F1**[**"Commission" means the Commission for Communications Regulation established by Part 2 of the Communications Regulation Act 2002;**]**

F2**[**"the Director" means the Director of Telecommunications Regulation;**]**

"functions" includes powers and duties;

"Minister" means the Minister for Posts and Telegraphs;

"postal company" means the company referred to in *section 10 (1) (a)*;

"recognised trade unions and staff associations" means trade unions and staff associations recognised by the company for the purposes of negotiations which are concerned with the remuneration or conditions of employment, or the working conditions, of employees;

"recognised unions and associations" means unions and associations recognised by the postal company for the purpose of negotiations which are concerned with the contracts entered into by the company with postmasters;

"State authority" means an authority being—

(*a*) a Minister of the Government,

(*b*) the Commissioners of Public Works in Ireland,

(*c*) the Irish Land Commission;

"telecommunications company" means the company referred to in *section 10 (1) (b)*;

"vesting day" means the day appointed under *section 9 (2)* to be the vesting day.

(2) Any word or expression to which a particular meaning is assigned by the Post Office Acts, 1908 to 1951, the Post Office Savings Bank Acts, 1861 to 1958, or the Telegraph Acts, 1863 to 1916, has in this Act, except where the context otherwise requires, the meaning so assigned.

(3) A reference in this Act to a Part or section is to a Part or section of this Act, unless it is indicated that reference to some other enactment is intended.

(4) A reference in this Act to a subsection, paragraph or subparagraph is to the subsection, paragraph or subparagraph of the provision in which the reference occurs, unless it is indicated that reference to some other provision is intended.

(5) A reference in this Act to any enactment shall be construed as a reference to that enactment as amended or adapted by or under any subsequent enactment.

(6) Where any function of either company is, under the memorandum of association of a subsidiary (within the meaning of section 155 of the Companies Act, 1963) of that company, a function of the subsidiary every provision of this Act or any other enactment relating to the company shall, in respect of that function, apply to the subsidiary as it applies to the company.

Laying of orders and regulations before Houses of Oireachtas.

3.—Every order (other than an order under *paragraph 2* of the *Second Schedule*) and every regulation F3**[**made by the Minister or the Minister for Finance under this Act**]** F4**[**...**]** shall be laid before each House of the Oireachtas as soon as may be after it is made and, if a resolution annulling the order or regulation is passed by either such House within the next subsequent 21 days on which that House has sat after the order or regulation is laid before it, the order or regulation shall be annulled accordingly but without prejudice to the validity of anything previously done thereunder.

Penalties.

4.—(1) A person guilty of an offence under—

(*a*) section 45 of the Telegraph Act, 1863,

(*b*) section 6 of the Telegraph Act, 1869,

(*c*) section 11 of the Post Office (Protection) Act, 1884,

(*d*) F5**[**...**]**

(*e*) F6**[**...**]**

(*f*) *section 37*, *63*, F5**[**...**]**, *87*, *98* or *99* of this Act,

shall be liable—

(i) on summary conviction, to a fine not exceeding £800 or, at the discretion of the court, to imprisonment for a term not exceeding 12 months or to both the fine and the imprisonment, or

(ii) on conviction on indictment, to a fine not exceeding £50,000 or, at the discretion of the court, to imprisonment for a term not exceeding 5 years or to both the fine and the imprisonment.

(2) On conviction of a person on indictment for an offence to which *subsection (1)* relates the court may, in addition to any other penalty, order any apparatus, equipment or other thing used to commit the offence to be forfeited.

(3) Section 13 of the Criminal Procedure Act, 1967, shall apply in relation to an offence to which *subsection (1)* relates as if, in lieu of the penalties provided for in *subsection (3)* of the said section, there were specified therein the penalties provided for in *subsection (1) (i)* of this section, and the reference in subsection (2) *(a)* of the said section 13 to the penalties provided for in the said subsection (3) shall be construed and have effect accordingly.

(4) Where an offence to which *subsection (1)* relates is committed by a body corporate and is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any person (or any person acting on his behalf) being a director, manager, or secretary of such body, that person or the person so acting, as the case may be, shall also be guilty of that offence.

Proceedings.

5.—(1) Summary proceedings for an offence under *section 37* may be brought and prosecuted by the postal company F7**[**...**]**.

(2) F8**[**...**]**

(3) F7**[**...**]**

(4) Summary proceedings for an offence under—

(*a*) F9**[**...**]**

(*b*) the F10**[**Stamp Duties Consolidation Act 1999**]**,

(*c*) F11**[**...**]**

(*d*) the Post Office Savings Bank Acts, 1861 to 1958,

(*e*) the Forgery Act, 1913,

(*f*) the Misuse of Drugs Act, 1977,

(*g*) the Post Office Acts, 1908 to 1951,

in relation to any function of the postal company may be brought and prosecuted by the postal company.

(5) F7**[**...**]**

(6) Summary proceedings may be brought and prosecuted by the Minister for an offence under section 6 of the Telegraph Act, 1869, or under *section 37, 63*, F9**[**...**]** *87* or *98* of this Act.

(7) Notwithstanding section 10 (4) of the Petty Sessions (Ireland) Act, 1851, summary proceedings for an offence to which any provision of this Act relates may be instituted within 12 months from the date of the offence.

Expenses.

6.—The expenses incurred by the Minister in the administration of this Act shall, to such extent as may be sanctioned by the Minister for Finance, be paid out of moneys provided by the Oireachtas.

Repeals and revocations.

7.—The enactments specified in the *Third Schedule* are hereby repealed or revoked with effect from the vesting day to the extent specified in the third column.

Consequential amendment of enactments.

8.—(1) Every enactment mentioned in the *Fourth Schedule* shall, on and after the vesting day, have effect as amended in the third column and shall be construed accordingly.

(2) The Minister may, for the purpose of giving full effect to the assignment of functions under this Act to either company, by order adapt any enactment with the consent of any other Minister responsible for the administration of that enactment.

PART II

ESTABLISHMENT OF AN POST AND BORD TELECOM ÉIREANN

Formation of companies.

9.—(1) The Minister, after consultation with the Minister for Finance, shall cause two limited companies conforming to the conditions laid down in this Act to be formed and registered under the Companies Acts.

(2) The Minister shall by order appoint a day to be the vesting day for each of the two companies as soon as practicable after the companies have been registered.

Names and capital formation of companies.

10.—(1) The names of the companies shall be, respectively—

(*a*) An Post or, in the English language, The Post Office, and

(*b*) F12**[**...**]**

(2) Each company shall be exempt from the requirement of section 6 (1) (a) of the Companies Act, 1963, to include the word "limited" or "teoranta" in its title.

(3) (*a*) Subject to *paragraph (c)*, the authorised share capital of An Post shall be an amount not exceeding the total of the following—

(i) the value of the property to be transferred to the company on the vesting day under *sections 40* and *41*,

(ii) the amount of money which may be made available to the company under *section 29 (1)* to finance capital works, and

(iii) the amount of working capital to be made available to the company under *section 31*,

divided into shares of one pound each.

(*b*) F13**[**...**]**

(*c*) The totals obtained under *paragraphs (a)* and *(b)* shall, if required, be rounded upwards to the nearest £500,000 or £1,000,000, as the case may be.

(*d*) Each company may, with the consent of the Minister and the Minister for Finance, divide the shares in its share capital into several classes and attach thereto respectively any preferential, deferred, qualified or special rights, privileges or conditions.

Form of memorandum of association.

11.—The memorandum of association of each company shall be in such form consistent with this Act as may be approved of by the Minister with the consent of the Minister for Finance.

Principal objects of postal company.

12.—(1) The principal objects of the postal company shall be stated in its memorandum of association to be—

(*a*) to provide a national postal service within the State and between the State and places outside the State,

(*b*) to meet the industrial, commercial, social and household needs of the State for comprehensive and efficient postal services and, so far as the company considers reasonably practicable, to satisfy all reasonable demands for such services throughout the State,

(*c*) to provide services by which money may be remitted (whether by means of money orders, postal orders or otherwise) as the company thinks fit,

(*d*) to provide counter services for the company's own and Government business and, provided that they are compatible with those services and with the other principal objects set out in this subsection, for others as the company thinks fit, and

(*e*) to provide such consultancy, advisory, training and contract services inside and outside the State as the company thinks fit.

(2) Nothing in this section shall prevent or restrict the inclusion among the objects of the company as stated in its memorandum of association of all such objects and powers as are reasonably necessary or proper for or incidental or ancillary to the due attainment of the principal objects aforesaid and are not inconsistent with this Act.

(3) The company shall have power to do anything which appears to it to be requisite, advantageous or incidental to, or which appears to it to facilitate, either directly or indirectly, the performance by it of its functions as specified in this Act or in its memorandum of association and is not inconsistent with any enactment for the time being in force.

General duty of postal company.

13.—(1) It shall be the general duty of the postal company to conduct the company's affairs so as to ensure that—

(*a*) charges for services are kept at the minimum rates consistent with meeting approved financial targets, and

(*b*) revenues of the company 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) remunerate capital and repay borrowings.

(2) Nothing in *section 12* or this section shall be construed as imposing on the company, either directly or indirectly, any form of duty or liability enforceable by proceedings before any court to which it would not otherwise be subject.

Principal objects of telecommunications company.

14.—F14**[**...**]**

General duty of telecommunications company.

15.—(1) F15**[**...**]**

(2) Nothing in *section 14* or this section shall be construed as imposing on the company, either directly or indirectly, any form of duty or liability enforceable by proceedings before any court to which it would not otherwise be subject.

Articles of association.

16.—(1) F16**[**...**]**

(2) The articles of association of each company shall provide that—

(*a*) the number of directors (including the chairman) shall be at least 12 or such greater number as the Minister with the consent of the Minister for Finance may determine from time to time;

(*b*) the chairman and other directors shall be appointed and may be removed from office by the Minister with the consent of the Minister for Finance;

(*c*) the remuneration of the chairman and other directors shall be determined by the Minister with the consent of the Minister for the Public Service;

(*d*) no person shall be appointed as auditor of the company without the approval of the Minister given with the consent of the Minister for Finance;

(*e*) the company shall, in consultation and agreement with recognised trade unions and staff associations, set up machinery for the purposes of negotiations concerned with the pay and conditions of service of its staff;

(*f*) the company shall not invest in any other undertaking without the approval of the Minister given with the consent of the Minister for Finance.

(3) The articles of association of the postal company shall provide that the company shall, in consultation and agreement with recognised unions and associations, set up machinery for the purposes of negotiations concerning the remuneration and other contractual conditions of postmasters.

Restriction on alteration of memorandum or articles of association.

17.—Notwithstanding anything contained in the Companies Acts, no alteration in the memorandum of association or articles of association of either company shall be valid or effectual unless made with the prior approval of the Minister given F17**[**with the consent of the Minister for Public Expenditure and Reform**]**. Any proposed alteration shall be notified by the company to recognised trade unions and staff associations and recognised unions and associations.

Issue of shares to the Minister in consideration of transfer of property.

18.—(1) The postal company shall issue shares to the Minister to the value of the property transferred to it on the vesting day in accordance with *sections 40* and *41*.

(2) The telecommunications company shall issue shares to the Minister to the value of the property transferred to it on the vesting day in accordance with *sections 40* and *41*, less the amount by which sums issued by the Minister for Finance under the Telecommunications Capital Acts, 1924 to 1981, which have not been repaid before that day exceed the sum of £355,000,000 plus the amount of the outstanding liability of the Minister to Irish Telecommunications Investments Limited immediately before the vesting day.

(3) The Minister, with the consent of the Minister for Finance and following consultation with the company concerned, shall issue as soon as possible after the vesting day a certificate certifying the sum which in his opinion represents the value of the property transferred to the company.

(4) Each company, after receipt of the certificate, shall issue to the Minister without payment by him fully paid-up shares of the company equal in nominal value to the sum so certified in respect of that company subject, in the case of the telecommunications company, to the adjustment of that sum as provided in *subsection (2)*.

Issue of shares to Minister for Finance.

19.—(1) The postal company shall issue to the Minister for Finance one share of one pound in the share capital of the company.

(2) F18**[**...**]**

(3) Subject to *subsection (4)*, the Minister for Finance may exercise in respect of his share in the share capital of each company all the rights and powers of a holder of such shares and, where a right or power is exercisable by attorney, exercise it by his attorney.

(4) The Minister for Finance shall not transfer or alienate his share in the share capital of either company.

Issue of shares to subscribers to memorandum of association of each company.

20.—(1) One share in the share capital of the postal company shall be allotted to each of the subscribers to the memorandum of association of that company.

(2) F19**[**...**]**

(3) The cost of such shares shall be advanced to the subscribers out of the Central Fund or the growing produce thereof.

Restriction on issue of share capital.

21.—No issue of share capital shall be made other than those referred to in *sections 18, 19, 20, 29* and *31* F20**[**, and in section 68 of the Finance Act, 1985**]**.

Acquisition of shares and exercise of powers by the Minister.

22.—(1) The Minister may take up by subscription shares in each company.

(2) The Minister may, subject to this Act, exercise in respect of the shares of each company held by him all the rights and powers of a holder of such shares and, where a right or power is exercisable by attorney, exercise it by his attorney.

Transfer by Minister of shares.

23.—(1) The Minister may, from time to time as occasion requires for the purpose of compliance with so much of the Companies Acts as requires that there shall always be at least two members of each company, transfer to any person one of his shares in such company.

(2) Save as authorised by *subsection 1*, the Minister shall not transfer or alienate any of his shares in either company.

Provision of money for share subscriptions.

24.—(1) All money required by the Minister to meet payments required to be made by him in respect of shares taken up by him shall F21**[**, with the consent of the Minister for Public Expenditure and Reform,**]** be advanced to him by the Minister for Finance out of the Central Fund or the growing produce thereof.

(2) The Minister for Finance shall have power to borrow money or to create and issue securities for the purpose of *subsection (1)* and shall pay all money so borrowed into the Exchequer.

(3) The principal of and interest on any securities issued under this section shall be a charge on the Central Fund or the growing produce thereof.

Obligation of shareholder (other than the Minister) to hold share in trust.

25.—(1) A member of either company (other than the Minister) shall hold his share in the company issued under *section 20* in trust for the Minister and shall accordingly be bound to pay all dividends and other money which he receives in respect of the share to the Minister for the benefit of the Exchequer and to transfer, as and when required by the Minister, the share to the Minister or a person nominated in that behalf by the Minister.

(2) Save when required pursuant to *subsection (1)*, such member shall not transfer or alienate his share.

Payment of dividends, etc., into Exchequer.

26.—(1) All amounts representing dividends or other money received by the Minister in respect of shares of either company shall be paid into or disposed of for the benefit of the Exchequer in such manner as the Minister for Finance may direct.

(2) All amounts representing dividends or other money received by the Minister for Finance in respect of his share in the share capital of either company and all amounts representing repayment of or interest on loans received or recovered by him from either company shall be paid into or disposed of for the benefit of the Exchequer in such manner as he may direct.

Power to borrow.

27.—(1) (*a*) Each company may, by means of the issue of debentures or otherwise, borrow money (including money in a currency other than the currency of the State) for capital purposes including working capital but, where a borrowing is not from the Minister for Finance, it shall require the consent of the Minister F23**[**, the Minister for Public Expenditure and Reform**]** and the Minister for Finance.

(*b*) The aggregate at any one time of borrowings by the postal company under *paragraph (a)* shall not exceed £58,500,000.

(*c*) F24**[**...**]**

(*d*) For the purposes of this subsection moneys borrowed in a currency other than the currency of the State shall be deemed to be the equivalent in the currency of the State of the actual moneys borrowed, such equivalent being calculated according to the rate of exchange at the time of the borrowing for that currency and the currency of the State.

(2) Each company may borrow money (including money in a currency other than the currency of the State) temporarily but the aggregate at any one time of such borrowing shall not exceed such amount as has been approved by the Minister with the consent of the Minister for Finance F23**[**and the Minister for Public Expenditure and Reform**]**.

(3) (*a*) Without prejudice to *section 2 (6)*, references in *subsections (1)* and *(2)* to either company include references to a subsidiary (within the meaning of section 155 of the Companies Act, 1963) of that company.

(b) Where either company and a subsidiary thereof have at any one time borrowings under this section, the limits on borrowings provided for apply to the aggregate at any one time of borrowings by the company concerned and the subsidiary and, in the case of *subsections (1) (c)* and *(2)*, borrowings before the vesting day by Irish Telecommunications Investments Limited.

Guaranteeing by Minister for Finance of borrowings.

28.—(1) The Minister for Finance, after consultation with the Minister, may guarantee, in such form and manner and in such money (including money in a currency other than the currency of the State) and on such terms and conditions as he thinks fit, the due repayment by either company of the principal of any money borrowed by that company or the due payment of instalments or other amounts of money owed by the company under a contract entered into by the company or the payment of interest on any money, instalment or amount or both the repayment of principal or payment of such instalments or amounts, as the case may be, and payment of the interest, and any such guarantee may include a guarantee of payment of commission and incidental expenses arising in connection with such borrowings or such contract.

(2) The Minister for Finance shall not so exercise the powers conferred on him by this section that the amount, or the aggregate amount, of money which he may at any one time be liable to pay on foot of any guarantee or guarantees under this section for the time being in force, together with the amount of money (if any) which he has previously paid on foot of any guarantee under this section and which has not been repaid by the company, exceeds—

(*a*) £8,500,000 in the case of the postal company, or

(*b*) £1,400,000,000 in the case of the telecommunications company.

(3) For the purpose of calculating the amount of borrowings or instalments or other money guaranteed by the Minister for Finance under this section by reference to the limit on money in subsection (2), the equivalent in the currency of the State of borrowings or instalments or other money in a foreign currency shall be calculated at the exchange rate prevailing at the time of the giving of the guarantee.

(4) Where a guarantee under this section is or has been given, the company shall, if the Minister for Finance so requires, give to him such security (including, in particular, debentures) as may be specified in the requirement for the purposes of securing to the said Minister the repayment of any money which he may be liable to pay or has paid under the guarantee.

(5) The Minister for Finance shall, as soon as may be after the expiration of every financial year, lay before each House of the Oireachtas a statement setting out with respect to each guarantee under this section given during that year or given at any time before, and in force at, the commencement of that year—

(*a*) particulars of the guarantee,

(*b*) in case any payment has been made by him under the guarantee before the end of that year, the amount of the payment and the amount (if any) repaid to him on foot of the payment,

(*c*) the amount of money covered by the guarantee which was outstanding at the end of that year.

(6) Money paid by the Minister for Finance under a guarantee under this section shall be repaid to him (with interest thereon at such rate or rates as he appoints) by the company within two years from the date of payment by the said Minister.

(7) Where the whole or any part of the money required by subsection (6) to be repaid to the Minister for Finance has not been repaid in accordance with that subsection, the amount so remaining outstanding shall be repaid to the Central Fund out of moneys provided by the Oireachtas.

(8) Notwithstanding the provision of money under *subsection (7)* to repay the amount to the Central Fund, the company shall remain liable to the Minister for Finance in respect of that amount and that amount (with interest thereon at such rate or rates as the said Minister appoints) shall be repaid to the said Minister by the company at such times and in such instalments as he appoints and, in default of repayment as aforesaid and without prejudice to any other method of recovery, shall be recoverable as a simple contract debt in any court of competent jurisdiction.

(9) In relation to a guarantee under this section in money in a currency other than the currency of the State—

(*a*) each of the references to principal, each of the references to instalments or other amounts of money, each of the references to interest and the reference to commission and incidental expenses in *subsection (1)* shall be taken as referring to the equivalent in the currency of the State of the actual principal, the actual instalments or other amounts of money, the actual interest or the actual commission and incidental expenses, as may be appropriate;

(*b*) the reference to the amount of money in *subsection (5) (c)* shall be taken as referring to the equivalent in the currency of the State of the actual amount of money, such equivalent being calculated according to the rate of exchange for the time being for that currency and the currency of the State;

(*c*) each of the references to money in *subsections (6)* to *(8)* shall be taken as referring to the cost in the currency of the State of the actual money.

(10) (*a*) Without prejudice to section 2 (6), references in this section to either company include references to a subsidiary (within the meaning of section 155 of the Companies Act, 1963) of that company.

(*b*) Where there are in force at any one time guarantees under or by virtue of this section in respect of either company and of a subsidiary thereof, the relevant limit specified in *subsection (2)* shall apply to the aggregate of the amounts which the Minister for Finance is at any one time liable to pay under such guarantees.

(11) (*a*) Notwithstanding the repeal of the Irish Telecommunications Investments Limited Act, 1981, all guarantees given under that Act before the vesting day by the Minister for Finance of borrowings or of payment of instalments or other amounts of money by Irish Telecommunications Investments Limited shall continue in force as if they were given by him under this section.

(*b*) This subsection is without prejudice to section 21 of the Interpretation Act, 1937.

Financing of capital works and grants for current expenditure.

29.—(1) F25**[**(*a*) The Minister for Finance may, on the request of the Minister for Public Expenditure and Reform and after consultation with the Minister, make available to the postal company a sum not exceeding €63,500,000 to finance capital works.**]**

(*b*) Such sum may be made available either—

(i) by way of loans on such terms as to repayment, interest and other matters as may be determined by the Minister for Finance, F26**[**following

consultation by him with the Minister for Public Expenditure and Reform,**]** or

(ii) by way of purchase of shares in the company (such shares to be issued to the Minister), or

(iii) by way of both such loans and purchase.

(2) During the period of three years from the vesting day, the Minister for Finance, after consultation with the Minister, may make available to the postal company grants of an amount not exceeding £20,000,000 for current expenditure.

F27**[**Financing for the purposes of maintaining post office network and countering consequences of Brexit.

29A.—(1) The Minister may, out of such monies as are available to him or her from monies provided by the Oireachtas, with the consent of the Minister for Public Expenditure, National Development Plan Delivery and Reform, make available to the postal company a sum not exceeding F28**[**€105,000,000**]** for the purposes of maintaining a network of post offices.

(2) The Minister may, out of such monies as are available to him or her from the Brexit Adjustment Reserve established under Regulation (EU) 2021/1755 of the European Parliament and of the Council of 6 October 2021[10], with the consent of the Minister for Public Expenditure, National Development Plan Delivery and Reform, make available to the postal company a sum not exceeding €25,000,000 for the purposes of providing support to the postal company to counter the adverse economic and social consequences of the withdrawal of the United Kingdom from the European Union.

(3) Any amounts made available to the postal company under *subsection (1)* or *(2)* shall be provided in such form and manner and on such terms and conditions as may be agreed between the Minister and the company with the consent of the Minister for Public Expenditure, National Development Plan Delivery and Reform.**]**

Provision of money for payments out of Central Fund.

30.—(1) All money from time to time required by the Minister for Finance to meet sums which may become payable by him under section 28 or 29 shall be advanced out of the Central Fund or the growing produce thereof.

(2) The Minister for Finance may, for the purpose of providing for advances out of the Central Fund under this section, borrow on the security of the Central Fund or the growing produce thereof any sums required for the purpose and, for the purpose of such borrowing, he may create and issue securities bearing interest at such rate and subject to such conditions as to repayment, redemption or any other matter as he thinks fit, and shall pay all sums so borrowed into the Exchequer.

(3) The principal of and interest on all securities issued under this section and the expenses incurred in connection with the issue of the securities shall be charged on and payable out of the Central Fund or the growing produce thereof.

Provision of working capital for each company.

31.—(1) F29**[**Upon the request of the Minister for Public Expenditure and Reform, the**]** Minister for Finance shall make available as working capital—

(*a*) to the postal company, an amount not exceeding £10,000,000, and

(*b*) F30**[**...**]**

(2) Liabilities of the Minister and the companies under *sections 85*, *93* and *101* may, subject to the approval of the Minister and the Minister for Finance, be discharged by due account being taken of them, along with other properly reckonable amounts, in the calculation of the working capital to be made available to the companies under *subsection (1)*.

(3) Each company shall issue to the Minister shares to the value of the working capital made available to it under *subsection (1)*.

(4) Money required to be paid by the Minister for Finance under this section shall be advanced out of the Central Fund or the growing produce thereof.

[10] OJ No. L357, 8.10.2021, p. 1

Accounts and audits.

32.—(1) Each company shall keep, in such form as may be approved of by the Minister with the consent of the Minister for Finance, all proper and usual accounts of all money received by or expended by it, including a profit and loss account and a balance sheet, and, in particular, shall keep in such from as aforesaid all such special accounts as the Minister may from time to time direct.

(2) Accounts kept in pursuance of this section shall be submitted annually by the company to an auditor for audit and, immediately after the audit, a copy of the profit and loss account and of the balance sheet and of such other (if any) of the accounts as the Minister may direct and a copy of the auditor's report on the accounts shall be presented to the Minister who shall cause copies thereof to be laid before each House of the Oireachtas.

Annual report and furnishing of information to Minister.

33.—(1) As soon as may be after the end of each accounting year, each company shall make a report to the Minister of its activities during that year and the Minister shall cause copies of the report to be laid before each House of the Oireachtas.

(2) After such period as the Minister may determine, every annual report shall include information, in such form as the Minister may direct after consultation with the company and with the consent of the Minister for Finance, regarding the cost-effectiveness of the operations of the company.

(3) Each company shall, if so required by the Minister, furnish to him such information as he may require in respect of any balance sheet, account or report of the company or in relation to the policy and operations of the company other than day-to-operations.

Employee directors.

34.—F31**[...]**

Remuneration, etc., of directors appointed under *section 34*.

35.—F32**[...]**

Disclosure by directors of certain interests.

36.—(1) Where at a meeting of the directors of either company any of the following matters arises, namely—

(*a*) an arrangement to which the company is a party or a proposed such arrangement, or

(*b*) a contract or other agreement with the company or a proposed such contract or other agreement,

then any director of the company present at the meeting who otherwise than in his capacity as such a director is in any way, whether directly or indirectly, interested in the matter shall at the meeting disclose to the company the fact of such interest and the nature thereof and shall not vote on a decision relating to the matter and, where an interest is disclosed pursuant to this section, the disclosure shall be recorded in the minutes of the meeting concerned and, for so long as the matter to which the disclosure relates is being dealt with by the meeting, the director by whom the disclosure is made shall not be counted in the quorum for the meeting.

(2) Where at a meeting of the directors of either company a question arises as to whether or not a course of conduct, if pursued by a director of the company, would be a failure by him to comply with the requirements of *subsection (1)*, the question may be determined by the chairman of the meeting whose decision shall be final and where such a question is so determined particulars of the determination shall be recorded in the minutes of the meeting.

(3) Section 194 of the Companies Act, 1963, shall not apply to a director of either company.

Prohibition on unauthorised disclosure of information.

37.—(1) A person shall not disclose confidential information obtained by him while performing duties as a director or member of staff of, or an adviser or consultant to, the postal company or the telecommunications company or as a postmaster unless he is duly authorised to do so.

(2) A person who contravenes *subsection (1)* shall be guilty of an offence.

(3) In this section—

"confidential" means that which is expressed to be confidential either as regards particular information or as regards information of a particular class or description;

"duly authorised" means authorised by the company or by some person authorised in that behalf by the company.

Membership of House of Oireachtas or European Assembly.

38.—(1) Where a director of either company is nominated as a member of Seanad Éireann or as a candidate for election to either House of the Oireachtas or to the Assembly of the European Communities or is appointed to such Assembly, he shall thereupon cease to be a director of the company.

(2) Where a person who is an officer or servant of either company is nominated as a member of Seanad Éireann or as a candidate for election to either House of the Oireachtas or to the Assembly of the European Communities or is appointed to such Assembly, he shall stand seconded from employment by the company and shall not be paid by, or be entitled to receive from, the company any remuneration or allowances—

(*a*) in case he is nominated as a member of Seanad Éireann or is appointed to such Assembly, in respect of the period commencing on such nomination or appointment, as the case may be, and ending when he ceases to be a member of Seanad Éireann or such Assembly,

(*b*) in case he is nominated as a candidate for election to either such House or to such Assembly, in respect of the period commencing on his nomination and ending when he ceases to be a member of that House or that Assembly, as the case may be, or fails to be elected or withdraws his candidature, as may be appropriate.

(3) A person who is, for the time being, entitled under the Standing Orders of either House of the Oireachtas to sit therein or who is a member of the Assembly of the European Communities shall, while he is so entitled or is such a member, be disqualified from becoming a director of either company or an officer or servant of either company.

(4) *Subsection (2)* shall be construed as prohibiting, inter alia, the reckoning of a period mentioned in *paragraph (a)* or *(b)* of that subsection as service with either company for the purposes of any superannuation benefit.

Appointment of Chief Executives of the companies.

39.—(1) The person who on the passing of this Act is employed as Chief Executive of the Interim Board for Posts (An Bord Poist) established by the Minister before the passing of this Act shall, if so employed immediately before the establishment of the Interim Postal Board under *section 50*, be the Chief Executive of that Board and shall, if so employed by that Board immediately before the vesting day, be deemed to have been appointed by the board of the postal company to be the Chief Executive of that company on the conditions on which he was so employed.

(2) The person who on the passing of this Act is employed as Chief Executive of the Interim Board for Telecommunications (An Bord Telecom) established by the Minister before the passing of this Act shall, if so employed immediately before the establishment of the Interim Telecommunications Board under *section 50*, be the Chief Executive of that Board and shall, if so employed by that Board immediately before the vesting day, be deemed to have been appointed by the board of the telecommunications company to be the Chief Executive of that company on the conditions on which he was so employed.

(3) Every Chief Executive other than a Chief Executive to whom *subsection (1)* or *(2)* applies shall be appointed by the board of the company concerned.

PART III

PROVISIONS APPLICABLE TO BOTH COMPANIES

Transfer of land.

40.—(1) On the vesting day all land which, immediately before that day, was vested in the Minister and was used for the purposes of functions assigned by this Act to one company and was not used in connection with the functions assigned to the other company and all rights, powers and privileges relating to or connected with such land shall, without any conveyance or assignment, stand vested in the first-mentioned company for all the estate or interest for which immediately before the vesting day it was vested in the Minister but subject to all trusts and equities affecting the land subsisting and capable of being performed.

(2) All land vested in the Minister immediately before the vesting day and used partly in connection with functions assigned to one company and partly in connection with functions assigned to the other company and all rights, powers and privileges relating to or connected with such land shall, subject to such exceptions as may be specified by the Minister, without any conveyance or assignment, stand vested on the vesting day in the postal company for all the estate or interest for which immediately before the vesting day it was vested in the Minister but subject to all trusts and equities affecting the land subsisting and capable of being performed.

(3) The Minister may on his own initiative and shall on the application of either company issue a certificate in respect of specified land certifying, as he thinks proper, that the land vested in one or other company under this section or did not so vest in either company and the certificate shall be conclusive evidence of the facts so certified.

(4) F33**[**...**]**

(5) Arrangements under *subsection (4)* may be made by way of lease, licence or other form of agreement at such rents or consideration and on such other terms as may be agreed between the two companies and in fixing the terms of any such agreement regard shall be had to that portion of the cost of the land which had been borne by advances under the Telecommunications Capital Acts, 1924 to 1981.

Transfer of other property.

41.—(1) On the vesting day all property other than land, including choses-in-action, which immediately before that day was the property of the Minister and was used in connection with the functions assigned by this Act to either company shall stand vested in that company without any assignment.

(2) The Minister may on his own initiative and shall on the application of either company issue a certificate in respect of specified property, certifying, as he thinks proper, that the property vested in one or other company under this section or did not so vest in either company and the certificate shall be conclusive evidence of the facts so certified.

(3) Every chose-in-action transferred by *subsection (1)* to a company may, after the vesting day, be sued on, recovered or enforced by the company in its own name and it shall not be necessary for the company or the Minister to give notice to the person bound by the chose-in-action of the transfer effected by that subsection.

Transfer of rights and liabilities.

42.—(1) All rights and liabilities of the Minister arising by virtue of any contract or commitment (expressed or implied) entered into by him or by the Commissioners of Public Works in Ireland or by the Industrial Development Authority on his behalf before the vesting day in relation to functions assigned to either company under this Act shall on that day stand transferred to that company.

(2) The Minister may on his own initiative and shall on the application of either company issue a certificate in respect of a specified contract or commitment certifying, as he thinks proper, that the rights and liabilities of the Minister thereunder were transferred on the vesting day to one or other company under this section or were not so transferred to either company and the certificate shall be conclusive evidence of the facts so certified.

(3) Every right and liability transferred by *subsection (1)* to a company may, on and after the vesting day, be sued on, recovered or enforced by or against the company in its own name and it shall not be necessary for the company or the Minister to give notice to the person whose right or liability is transferred by this section of such transfer.

Exemption from stamp duty.

43.—F34**[**...**]**

Acquisition of land.

44.—(1) Each company may, in accordance with the *Second Schedule*, acquire compulsorily any land or any easement or other right over land for the purpose of providing a site for, or approaches to, any building or structure intended to be used for the purpose of its exclusive privilege under *section 63* or *87*, as the case may be.

(2) No person shall be entitled to acquire compulsorily, except with the consent of the Minister, any land or any easement or other right in respect of land vested in either company.

(3) A company shall not be entitled to acquire under this section any land, easement or other right belonging to the State or a State authority except with the consent of the State authority concerned.

(4) The telecommunications company shall not be entitled to exercise any rights under the Telegraph Acts, 1863 to 1916, in relation to the execution of works affecting any land, easement or other right belonging to the State or a State authority except with the consent of the State authority concerned.

Provisions applicable to staff transferred to companies.

45.—(1) (*a*) The postal company shall accept into its employment F35**[**with effect from the vesting day**]** in accordance with the terms of this Act every person who immediately before the vesting day is a member of the staff of the Department of Posts and Telegraphs and is designated F36**[**whether before, on or after the vesting day**]** by the Minister for employment by that company.

(*b*) The telecommunications company shall accept into its employment F35**[**with effect from the vesting day**]** in accordance with the terms of this Act every person who immediately before the vesting day is a member of that staff and is designated F36**[**whether before, on or after the vesting day**]** by the Minister for employment by that company.

(2) Save in accordance with a collective agreement negotiated with any recognised trade union or staff association concerned, a member of the staff of the Department of Posts and Telegraphs who is transferred F35**[**with effect from the vesting day**]** to either company shall not, while in the service of the company, receive a lesser scale of pay or be brought to less beneficial conditions of service than the scale of pay to which he was entitled and the conditions of service to which he was subject immediately before the vesting day.

(3) Until such time as the scales of pay and conditions of service of staff so transferred are varied by the company, following consultation with recognised trade unions and staff associations, the scales of pay to which they were entitled and the conditions of service, restrictions, requirements and obligations to which they were subject before their transfer shall continue to apply to them and may be exercised or imposed by the board or the Chief Executive, as the case may be, of the relevant company while they are in its service. As provided in *subsection (2)*, no such variation shall operate to worsen the scales of pay and conditions of service applicable to such staff immediately before the vesting day, save in accordance with a collective agreement negotiated with any recognised trade union or staff association concerned.

(4) The conditions in regard to tenure of office which are granted by either company in relation to a member of the staff so transferred shall not, while he is in the service of the company, be less favourable to him than those prevailing for the time being in the civil service; any alteration in the conditions in regard to tenure of office of any such member shall not be less favourable to him than the prevailing conditions in the civil service at the time of such alteration, save in

accordance with a collective agreement negotiated with any recognised trade union or staff association concerned. If a dispute arises between either company and any such member as to conditions prevailing in the civil service, the matter shall be determined by the Minister for the Public Service after consultation with the Minister.

(5) In relation to staff transferred to either company, previous service in the civil service shall be reckonable for the purposes of, but subject to any other exceptions or exclusions in, the Holidays (Employees) Act, 1973, the Minimum Notice and Terms of Employment Act, 1973, and the Unfair Dismissals Act, 1977.

Superannuation.

46.—(1) Each company shall prepare and submit to the Minister a scheme or schemes for the granting of pensions, gratuities and other allowances on retirement or death to or in respect of such members of the staff of the company as it may think fit F37**[**, or in respect of such persons who were members of the staff of the Department of Posts and Telegraphs and who retired or died before the vesting day as the Minister for Finance may specify**]**.

(2) Every such scheme shall fix the time and conditions of retirement for all persons to or in respect of whom pensions, gratuities or allowances are payable under the scheme, and different times and conditions may be fixed in respect of different classes of persons.

(3) Subject to subsection (4), every such scheme may be amended or revoked by a subsequent scheme submitted and approved of under this section.

F38**[**(4) Every scheme under this section shall provide for not less favourable conditions in respect of persons who are or were members of the staff of the postal company and who, immediately before the vesting day, were members of the staff of the Department of Posts and Telegraphs than those to which they were entitled immediately before the vesting day.

(4A) Every scheme for the granting of pensions, gratuities and other allowances on retirement or death to or in respect of—

(*a*) persons who are or were members of the staff of the telecommunications company and who, immediately before the vesting day, were members of the staff of the Department of Posts and Telegraphs, or

(*b*) those persons who were members of the staff of the Department of Posts and Telegraphs and who retired or died before the vesting day as the Minister for Finance may specify, shall provide for not less favourable conditions in respect of those persons than those to which they were entitled immediately before the vesting day.**]**

(5) Disbursement of pensions, gratuities and other allowances which may be granted to or in respect of persons F38**[**referred to in *subsections (4)* and *(4A)***]** shall not be on less favourable conditions than would apply if the benefits referred to had continued to be paid out of moneys provided by the Oireachtas.

(6) A scheme submitted by a company under this section shall, if approved of by the Minister with the concurrence of the Minister for the Public Service, be carried out by the company in accordance with its terms.

(7) No pension, gratuity or allowance shall be granted by either company on the resignation, retirement or death of a member of the staff of the company otherwise than in accordance with a scheme under this section.

(8) Where a superannuation allowance falls due for payment to or in respect of a person to whom *subsection (4)* applies in the period beginning on the vesting day and ending immediately before the coming into operation of a scheme submitted by a company and approved of under this section, the allowance shall be calculated and paid by the company in accordance with such superannuation scheme, or such enactments in relation to superannuation, as applied to such person immediately before the vesting day and, for that purpose, his pensionable service with the company shall be aggregated with his previous pensionable service.

(9) F37**[**Notwithstanding the provisions of any other enactment or obligation of law**]** the F39**[**Minister for Finance shall, on the request of the Minister for Public Expenditure and Reform,**]** make such contribution as may, F39**[**with the consent of the Minister for Public Expenditure and Reform**]**, be specified in a scheme or schemes under this section towards the pensions, gratuities and other allowances related to reckonable service given before the vesting day which may be granted to or in respect of persons who, immediately before that day, were members of the staff of the Department of Posts and Telegraphs F37**[**or who were members of the staff of the Department of Posts and Telegraphs and who retired or died before the vesting day**]**, and such scheme or schemes shall, with the like consent, fix the manner and times of the payment of such contribution.

(10) F40**[**...**]**

(11) Moneys required to be paid by the Minister for Finance under this section shall be advanced out of the Central Fund or the growing produce thereof.

Provision for certain welfare funds.

47.—A fund or trust, the objects of which are the provision of benefits for the relief of persons who are or who have been officers or servants of the Minister or of the relatives or dependants of such persons, may be administered by the trustees or managers of the fund so as to include provision for members of the staff of either company and their relatives and dependants and any deed, rules or regulations of the fund or trust shall be construed and have effect accordingly.

Users' Councils.

48.—F41**[**...**]**

Functions of Users' Councils.

49.—F42**[**...**]**

Appointment of interim postal and telecommunications boards.

50.—(1) As soon as may be after the passing of this Act the Minister shall appoint an interim board for each company which shall be entitled, respectively, An Bord Poist or, in the English language, the Interim Postal Board and An Bord Telecom or, in the English language, the Interim Telecommunications Board.

(2) The Interim Board for a company shall have the following functions—

(*a*) to prepare for the assumption of the powers, duties and responsibilities to be assigned on the vesting day to that company under this Act,

(*b*) to perform at the request of the Minister any of the functions to be assigned under this Act to that company.

(3) An Interim Board shall consist of such number of members not exceeding 12 as the Minister may decide.

(4) (*a*) The Minister shall appoint to be a member of the Interim Postal Board—

(i) the person who was appointed by him on the nomination of staff organisations as a member of the Interim Board for Posts (An Bord Poist) which was established by the Minister before the passing of this Act, and

(ii) the postmaster who was appointed by him as a member of that Interim Board for Posts.

(*b*) The Minister shall appoint to be a member of the Interim Telecommunications Board each person who was appointed by him on the nomination of staff organizations as a member of the Interim Board for Telecommunications (An Bord Telecom) which was established by the Minister before the passing of this Act.

(5) While the appointment of a member of an Interim Board may be made without limit as to time, a member shall, unless his membership earlier ceases by death, resignation or termination, cease to be a member on the vesting day.

(6) An Interim Board may settle its own rules of procedure.

(7) A person who is, for the time being, entitled under the Standing Orders of either House of the Oireachtas to sit therein as a member or who is a member of the Assembly of the European Communities shall, while he is so entitled or is such a member, be disqualified from becoming a member of an Interim Board or a member of the staff of an Interim Board.

(8) A member of an Interim Board who is nominated as a member of Seanad Éireann or as a candidate for election to either House of the Oireachtas or to the Assembly of the European Communities or is appointed to such Assembly shall thereupon cease to be a member of the Interim Board.

(9) A member of an Interim Board may resign his office by letter addressed to the Minister and the resignation shall take effect on the date of receipt of the letter by the Minister.

(10) The Minister may remove a member of an Interim Board from office.

(11) The remuneration of members of an Interim Board shall be determined by the Minister with the consent of the Minister for the Public Service and shall not be less than that paid to them as members of the Interim Board for Posts (An Bord Poist) or the Interim Board for Telecommunications (An Bord Telecom) established by the Minister before the passing of this Act.

(12) Expenses incurred by an Interim Board shall form part of the expenses of the Minister in the administration of this Act.

(13) The accounts of an Interim Board shall be kept in such form as may be required by the Minister, with the consent of the Minister for Finance, and shall be audited by the Comptroller and Auditor General.

(14) Each Interim Board shall stand dissolved on the vesting day and its rights and liabilities shall stand transferred to the appropriate company on that day.

Loss-making services provided by direction of the Minister.

51.—(1) Where—

(*a*) the Minister considers, having regard to the statutory obligations of the postal or telecommunications company to provide postal or telecommunications services, that specified postal or telecommunications services should be provided or maintained in the public interest and, with the consent of the Minister for Finance, so directs the board of the company concerned, and

(*b*) that company considers that provision of such services is not necessary by reference to its statutory functions to provide postal or telecommunications services, and

(*c*) that company satisfies the Minister that, over a period of at least 12 months, it has sustained a loss in the provision or maintenance of such services,

the Minister shall certify that the services were provided or maintained in accordance with a direction by him and such certificate shall entitle the company to increase its charges to compensate for the losses incurred provided such losses were not allowed for in any previous increase in charges.

(2) The Minister may require an audit of the books and records of the company concerned to determine that such losses have been incurred and are likely to continue to be incurred and were not allowed for in any previous increase in charges.

(3) Before giving a direction to the company to provide or maintain services the Minister shall obtain details from the company of the cost of providing such services and the company shall supply such information to the Minister on request.

Non-application of certain enactments to companies.

52.—(1) F43**[**...**]**

(2) The Prices Acts, 1958 to 1972, shall not apply to activities carried on by or on behalf of either company.

Power of Commissioners of Public Works to undertake work.

53.—(1) The Commissioners of Public Works in Ireland shall have power to undertake work at the request of either company.

(2) In the exercise of the power conferred by *subsection (1)*, the said Commissioners shall, in respect of any new work undertaken by them at the request of either company on or after the vesting day, be deemed not to be a State authority for the purposes of the Local Government (Planning and Development) Acts, 1963 and 1976, and, accordingly, section 61 shall apply.

Charge of rates on property of companies.

54.—Property vested in either company on the vesting day shall, from the commencement of the next following financial year, cease to be exempt from the rate chargeable by a local authority notwithstanding that the property may appear as exempt on a valuation list.

Transitional provision regarding taxation of motor fleet.

55.—Where an application for a motor vehicle licence is made to a licensing authority before the vesting day by an interim board appointed by the Minister under *section 50*, the application shall be granted if it is accompanied by a certificate from the Minister or from an authorised officer of the Minister certifying that the vehicles to be covered by the licence are the property of the Minister and will be assigned in accordance with *section 41* to the company concerned on the vesting day.

Liability for loss occurring before vesting day.

56.—F44**[**...**]**

Continuance of pending legal proceedings.

57.—F45**[**...**]**

Continuance of certain notices, certificates, declarations and bonds.

58.—From the vesting day—

(*a*) every notice, certificate and declaration given by or to the Minister,

(*b*) every court order directed to any person, and

(*c*) every bond given by any person to the Minister,

which relates to functions assigned under this Act to the telecommunications company or the postal company, as the case may be, shall, where its operation, effect or term has not ceased or expired before the vesting day, continue in force and have effect as if the functions of the Minister were on that day performable by such company.

Continuance of licences and permissions granted by the Minister.

59.—(1) Every licence or permission granted by the Minister under the Post Office Acts, 1908 to 1969, or the Stamp Duties Management Act, 1891, and in force immediately before the vesting day, shall continue in force as if granted by the postal company or by the telecommunications company, as the case may require.

(2) Every licence or permission granted by the Minister under the Telegraph Acts, 1863 to 1953, which relates to the exclusive privilege assigned to the telecommunications company under *section 87* and is in force immediately before the vesting day, shall continue in force as if granted by the telecommunications company.

Continuance of planning consultations.

60.—For the purposes of section 84 of the Local Government (Planning and Development) Act, 1963—

(*a*) any consultation which is completed before the vesting day between the Minister and a planning authority in relation to the construction or extension of a building which from that day is to be used in connection with the functions assigned by this Act to either company shall have effect as if the company were a party to that consultation,

(*b*) any such consultation which is commenced by the Minister but which is not completed before the vesting day in relation to the construction or extension of any building which from that day is to be used as aforesaid shall be completed by the company concerned and not by the Minister.

Restriction of liability of companies under Planning Acts.

61.—(1) In the case of any development (not being exempted development for the purposes of the Local Government (Planning and Development) Acts, 1963 to 1982, or any development to which *section 60* relates) commenced by either company during the period of two years from the vesting day, permission under Part IV of the Local Government (Planning and Development) Act, 1963, shall not be required if the following conditions are complied with, namely—

(*a*) that the company consults with the planning authority concerned to such extent as the Minister for the Environment may determine, and

(*b*) that, if any objection which may be raised by the planning authority is not resolved, or if any condition specified by the planning authority is not acceptable to the company, the company consults with that Minister on the objection or condition, as the case may be, and

(*c*) that, in carrying out the development, the company complies with such conditions (if any) as the planning authority or that Minister, as the case may be, may specify.

(2) (*a*) When consulted under *subsection (1)*, the planning authority or the said Minister, as the case may be, shall have the same power to specify conditions as is conferred by section 26 of the Local Government (Planning and Development) Act, 1963, in relation to an application under Part IV of that Act.

(*b*) Section 27 of the Local Government (Planning and Development) Act, 1976, shall apply with any necessary modification where development, not being exempted development as aforesaid or any development to which *section 60* relates, has been commenced by either company but has not been, or is not being, carried out in accordance with the provisions of this section.

PART IV

THE POSTAL COMPANY

Postal company.

62.—In this Part "company" means the postal company.

Exclusive privilege of the postal company.

63.—F46**[...]**

Limitation of liability of the postal company.

64.—F47**[...]**

Delivery of postal packets.

65.—F48**[...]**

Inviolability of mails and immunity of staff from prosecution.

66.—F49**[...]**

Provision of banking services.

67.—(1) The company may, after consultation with the Minister and as authorised by order of the Minister for Finance (made after consultation with the Central Bank), provide banking services, including the service commonly known as the Giro System and also including the lending of money.

(2) Any such order may—

(*a*) specify the services which the company may provide,

(*b*) contain such other provisions in relation thereto, including provisions concerning the application of the Currency and Central Bank Acts, 1927 to 1971, and any other enactment, as the Minister for Finance, after consultation with the Minister, the company, the Central Bank and any other appropriate Minister, considers necessary or desirable.

(3) For so long as an order under *subsection (1)* is in force, the company shall be deemed to be a bank and a banker for the purposes of the Bankers' Books Evidence Acts, 1879 and 1959, in respect of the services specified in the order and the Moneylenders Acts, 1900 and 1933, shall not apply in relation to such services.

(4) The Minister for Finance, after consultation as aforesaid, may by order amend or revoke an order made under *subsection (1)*.

Money orders and postal orders.

68.—(1) Money orders and postal orders issued by the Minister before the vesting day which are unpaid on the vesting day shall be deemed to have been issued by the company and shall have effect accordingly.

(2) Money orders and postal orders issued by the company shall be exempt from stamp duty.

(3) The company shall not be required to hold a licence under the Central Bank Act, 1971, by reason of services in relation to money orders and postal orders provided by it.

(4) The Revenue Commissioners shall not have or exercise any functions in relation to postal orders or money orders issued by the company except in relation to the printing thereof at the request of the company.

(5) Section 20 of the Finance Act, 1911, shall not apply to money orders or postal orders issued by the company.

Postage stamps and supplementary insurance stamps.

69.—(1) All stamps which were current immediately before the vesting day for denoting duties of postage shall remain valid on and after that day.

(2) F50**[**sections 139 to 144 and 147 and 149 of the Stamp Duties Consolidation Act 1999**]**, shall apply to postage stamps issued by the company. In those sections, references to a licence shall include references to an authorisation by the company.

(3) All postage stamps and related dies and other articles seized under F50**[**section 140 or 141 of the Stamp Duties Consolidation Act 1999**]**, shall be delivered to the company.

(4) The company may, with the consent of the Minister, provide for the design and issue of postage stamps.

(5) F50**[**section 10(5) of the Stamp Duties Consolidation Act, 1999**]**, shall apply to postage stamps issued by the company.

(6) Section 20 of the Finance Act, 1911, shall not apply to postage stamps issued by the company.

(7) The Revenue Commissioners shall not have or exercise any functions in relation to postage stamps issued by the company except in relation to the printing thereof at the request of the company.

(8) Where there is a suspected offence involving postage stamps or supplementary insurance stamps (within the meaning of section 247 of the Social Welfare (Consolidation) Act, 1981)—

(*a*) the company may exercise the powers contained in F50**[**section 142(2) of the Stamp Duties Consolidation Act 1999**]**, but only on foot of a warrant issued by a Justice of the District Court, in the case of postage stamps, and

on foot of a warrant issued by the Revenue Commissioners or by a Justice of the District Court, in the case of supplementary insurance stamps, and

(*b*) for the purposes of the said section 18 (2) a Justice of the District Court, upon the information on oath of an officer of the company or of a member of the Garda Síochána, may grant a warrant.

Charges and other terms applicable to services.

70.—(1) Subject to this Act, the company may make, as respects any of the postal services provided by it, a scheme providing for—

(*a*) either or both of the following—

(i) all charges which (save in so far as may otherwise be agreed between the company and a person availing himself of any such service) are to be made by it,

(ii) the other terms and conditions which (save as aforesaid) are to be applicable to those services,

(*b*) the prohibition of transmission of objectionable matter.

F51**[**(2) The company shall not increase any charge under a scheme under this section relating to a postal service reserved for the company under Regulation 8 of the European Communities (Postal Services) Regulations 2002 (S.I. No. _ of 2002) without the concurrence of the Commission for Communications Regulation.**]**

(3) A scheme made under this section may amend or revoke any previous scheme made under this section and any regulations to which section 72 (1) relates.

(4) A scheme under this section shall come into operation on such day as is specified therein.

(5) Every scheme under this section shall be published as soon as may be.

Evidence as to sum due for services provided by the company.

71.—F52**[**...**]**

Transitional provisions as to regulations under Post Office Acts, 1908 to 1969.

72.—F53**[**...**]**

Grant of licences for the provision of postal services.

73.—F54**[**...**]**

Schemes for free postage for electoral candidates.

74.—F55**[**...**]**

Recoupment of free postage for elections, referenda and messages to certain organs of State.

75.—F56**[**...**]**

Issue of television and other licences.

76.—F57**[...]**

Summary proceedings under Wireless Telegraphy Acts, 1926 to 1972.

77.—F58**[...]**

Payment by postal company of moneys received for television and other licences.

78.—F59**[...]**

Recoupment of postal company for cost of issue of television and other licences.

79.—F60**[...]**

Hours of business of telegraph offices under control of postal company.

80.—The company may, after consultation with the telecommunications company, determine the hours during which telegraph offices under its control shall, on and after the vesting day, be open for the transaction of telegraph business and, in the event of a difference between the companies, the question may be referred by either company to the Minister whose decision shall be final.

Postmaster director.

81.—(1) The Minister shall appoint to be a director of the company one postmaster elected in accordance with this section.

(2) An appointment under this section shall be in writing and shall specify the day on and from which and the period during which it is to have effect, which period shall be determined by the Minister.

(3) The term of office of a director who is appointed under this section shall, unless he sooner dies, resigns, ceases to be a postmaster, becomes disqualified or is removed from office, terminate on the expiration of the period for which he was appointed.

(4) The Minister may appoint a postmaster eligible to be nominated as a candidate at an election under this section to fill a casual vacancy arising by reason of an event mentioned in *subsection (3)* for the remainder of the term of office of the director whose vacancy is to be filled.

(5) A director appointed under this section shall, subject to this section, be eligible for nomination as a candidate and for election at an election.

(6) An election for the purposes of this section shall be held within 12 months after the vesting day or such longer period as may be agreed between the company and recognised unions and associations representing postmasters and in each third year thereafter.

(7) *Part II* of the *First Schedule* shall apply for the purposes of an election under this section.

(8) (*a*) The Minister shall appoint to be a director of the company the postmaster who was appointed by him as a member of the Interim Board for Posts (An Bord Poist), which was established by the Minister before the passing of this Act, if that person is—

(i) appointed to be a member of the Interim Postal Board under *section 50*, and

(ii) is a member of that Board immediately before the vesting day.

(*b*) The term of office of a director appointed under *paragraph (a)* shall begin on the vesting day, may be terminated by the Minister and shall, at the latest, cease on the day on which a director is appointed after elections under this section.

Entry of staff of company to harbours and Customs-free airport.

82.—F61**[**...**]**

Powers as to the transmission of postal packets.

83.—F62**[**...**]**

Prohibition on opening, etc., of postal packets.

84.—F63**[**...**]**

Transitional financial provisions.

85.—(1) The company shall pay to or in respect of every member of the staff of the Department of Posts and Telegraphs transferred to the service of the company any amount due to or in respect of that member in respect of service with the Department and unpaid on the vesting day and the company shall, with the concurrence of the Minister for Finance, be reimbursed by the Minister.

(2) The Minister shall, with the concurrence of the Minister for Finance, pay to the company an amount equal to advance payments received by him in respect of postal services to be provided by the company.

(3) The company shall be entitled to receive from the Minister, with the concurrence of the Minister for Finance, an amount equivalent to the value of money orders and postal orders issued before the vesting day on which payment is outstanding on the vesting day.

(4) The company shall pay to the Minister an amount equivalent to the cash on hands in post offices at the close of business on the last working day before the vesting day.

(5) All sums required to be paid under this section shall become due and payable on such date as the Minister, in consultation with the company and with the concurrence of the Minister for Finance, may determine.

(6) The company shall supply the Minister with such information, records and documents as the Minister may require for the purposes of this section and the Minister and his officers shall have the right to inspect and take copies of all relevant records and documents of the company.

(7) In the event of a disagreement as to any amount to be paid by the company to the Minister or by the Minister to the company under this section the decision of the Minister, given with the concurrence of the Minister for Finance, shall be final.

PART V

The Telecommunications Company

Telecommunications company.

86.—In this Part "company" means the telecommunications company.

Exclusive privilege of the telecommunications company.

87.—F64**[**...**]**

Limitation of liability of the telecommunications company.

88.—F65**[**...**]**

(2) F66**[**...**]**

(3) F67**[**...**]**

Grant of licences for the provision of telecommunications services.

89.—F68**[**...**]**

Charges and other terms applicable to services.

90.—(1) F69**[**...**]**

(2) F70**[**...**]**

(3) F69**[**...**]**

(4) F69**[**...**]**

(5) F69**[**...**]**

Evidence as to sum due for telecommunications services.

91.—F71**[**...**]**

Transitional provisions as to regulations under Telegraph Acts, 1863 to 1953.

92.—F72**[**...**]**

Transfer to the company of deposits paid to the Minister for telephone and telex charges.

93.—Any sum of money paid to the Minister before the vesting day as security for payment of any charge due in respect of telecommunications services which is not repaid before the vesting day shall be transferred by the Minister to the company as soon as may be after the vesting day.

Continuance of proceedings for settlement of disputes.

94.—All proceedings in the nature of arbitration for the settlement of disputes and differences or the recovery of expenses under the Telegraph Acts, 1863 to 1953, which are pending on the vesting day and to which the Minister is a party shall be continued with the substitution for the Minister of the company.

Precabling of housing and industrial estates.

95.—(1) The Minister, after consultation with the Minister for the Environment, may make regulations requiring persons engaged in the provision of housing and industrial estates and other building developments (including developments by local authorities) to provide such facilities as would enable telecommunications services to be provided in those buildings in the most expeditious and efficient manner.

(2) The regulations may specify the categories of development to which the regulations are to apply by reference to size, location and other relevant matters.

(3) The regulations may specify the types of facilities to be supplied or works to be carried out and may set out the conditions to be observed in the provision or construction of those facilities.

(4) F73**[**...**]**

(5) The regulations may specify any other relevant matters which the Minister considers to be desirable or necessary.

Control of telecommunications services.

96.—The company may—

(*a*) F74**[**...**]**

(*b*) F74**[**...**]**

(*c*) F74**[**...**]**

(*d*) prohibit transmission of objectionable messages,

(*e*) F74**[**...**]**

Irish Telecommunications Investments Limited.

97.—(1) The shares in Irish Telecommunications Investments Limited held immediately before the vesting day by nominees of the Minister and the Minister for Finance, respectively, shall on that day stand transferred to such persons (one of whom may be the telecommunications company) as are nominated in that behalf by the telecommunications company with the concurrence of the said Ministers and shall be held by such persons in trust for the company.

(2) The memorandum of association and articles of association of Irish Telecommunications Investments Limited shall be appropriately amended with effect on the vesting day, with the concurrence of the said Ministers, to take account of the transfer effected by *subsection (1)*.

Prohibition on interception of telecommunications messages.

98.—(1) A person who—

(*a*) intercepts or attempts to intercept, or

(*b*) authorises, suffers or permits another person to intercept, or

(*c*) does anything that will enable him or another person to intercept,

telecommunications messages being transmitted by the company or who discloses the existence, substance or purport of any such message which has been intercepted or uses for any purpose any information obtained from any such message shall be guilty of an offence.

(2) *Subsection (1)* shall not apply to any person who is acting—

(*a*) (i) for the purpose of an investigation by a member of the Garda Síochána of a suspected offence under section 13 of the Post Office (Amendment) Act, 1951 (which refers to telecommunications messages of an obscene, menacing or similar character) on the complaint of a person claiming to have received such a message, or

(ii) in pursuance of a direction issued by the Minister under *section 110*, or

(iii) under other lawful authority, or

(*b*) in the course of and to the extent required by his operating duties or duties for or in connection with the installation or maintenance of a line, apparatus or equipment for the transmission of telecommunications messages by the company.

F75**[**(2A) A person employed by the company who discloses to any person any information concerning the use made of telecommunications services provided for any other person by the company shall be guilty of an offence unless the disclosure is made—

(*a*) at the request or with the consent of that other person,

(*b*) for the prevention or detection of crime or for the purpose of any criminal proceedings,

(*c*) in the interests of the security of the State,

(*d*) in pursuance of an order of a court,

(*e*) for the purpose of civil proceedings in any court, F76**[**...**]**

(*f*) to another person to whom he is required, in the course of his duty as such employee, to make such F77**[**disclosure, or**]**

F78**[**(*g*) to an officer of the Minister or an authorised officer of the Director for the purpose of any monitoring in accordance with *section III (8)*.**]**

(2B) A request by a member of the Garda Síochána to a person employed by the company to make a disclosure in accordance with the provisions of *subsection (2A)* shall be in writing and be signed by a member of the Garda Síochána not below the rank of chief superintendent.

(2C) A request by an officer of the Defence Forces to a person employed by the company to make a disclosure in accordance with the provisions of *subsection (2A)* shall be in writing and be signed by an officer of the Permanent Defence Force who holds an army rank not below that of colonel.**]**

F78**[**(2D) A request by an officer of the Minister or an authorised officer of the Director to a person employed by the company to make a disclosure in accordance with the provisions of *subsection (2A)* shall be in writing and, as the case may be, signed by an officer of the Minister authorised in that behalf by the Minister or an authorised officer of the Director authorised in that behalf by the Director.**]**

F79**[**(2E) A request by a designated officer of the Police Ombudsman to a person employed by the company to make a disclosure in accordance with the provisions of *subsection (2A)* shall be in writing and be signed by a senior designated officer of the Police Ombudsman authorised by the Police Ombudsman for the purposes of this section.**]**

(3) F80**[**...**]**

(4) (*a*) The Minister may make regulations prohibiting the provision or operation of overhearing facilities in relation to any apparatus (including private branch telephone exchanges) connected to the network of the company otherwise than in accordance with such conditions as he considers to be reasonable and prescribes in the regulations.

(*b*) A person who contravenes any regulation under this subsection shall be guilty of an offence.

F81**[**(5) A person who discloses the existence, substance or purport of a telecommunications message that was transmitted by the Minister before the vesting day and intercepted or who uses for any purpose any information obtained from any such message shall be guilty of an offence.

(6) In this section "intercept" means listen to, or record by any means, in the course of its transmission, a telecommunications message but does not include such listening or recording where either the person on whose behalf the message is transmitted or the person intended to receive the message has consented to the listening or recording, and cognate words shall be construed accordingly.**]**
F82**[**Neither does it include any filtering mechanisms or processes utilised by undertakings for the purposes of preventing unsolicited commercial emails where such a service has been requested or accepted by a subscriber or user, having first been provided with clear and comprehensive information about the purposes of such filtering.**]**

F79**[**(7) In this section—

"Act of 2024 means the Policing, Security and Community Safety Act 2024;

"designated officer of the Police Ombudsman" means a designated officer within the meaning of the Act of 2024;

"senior designated officer of the Police Ombudsman" means a senior designated officer within the meaning of the Act of 2024.**]**

Fraudulent use of telecommunications system.

99.—(1) A person who wilfully causes the company to suffer loss in respect of any rental, fee or charge properly payable for the use of the telecommunications system or any part of the system or who by any false statement or misrepresentation or otherwise with intent to defraud avoids or attempts to avoid payment of any such rental, fee or charge shall be guilty of an offence.

(2) A person who connects or causes to be connected any apparatus or device to, or places or causes to be placed any apparatus or device in association or conjunction with, the telecommunications system operated by the company or any part of the system the effect of which might result in the provision by the company of a service to any person without payment of the appropriate rental, fee or charge shall be guilty of an offence.

Repayment of certain advances under Telecommunications Capital Acts, 1924 to 1981.

100.—(1) Notwithstanding anything in the Telecommunications Capital Acts, 1924 to 1981, the company shall become liable on the vesting day to pay to the Minister for Finance the amount by which sums issued by him under those Acts which have not been repaid before that day exceed the sum of £355,000,000 plus the amount of the outstanding liability of the Minister to Irish Telecommunications Investments Limited immediately before the vesting day, together with the interest on that amount at such rate or rates as he, after consultation with the Minister and the company, may appoint.

(2) The company shall pay to the Minister for Finance the moneys due under *subsection (1)* at such times and in such instalments as he, after consultation with the Minister and the company, may appoint.

(3) (*a*) If the company fails to make a payment as required under *subsection (2)*, the company shall remain liable to the Minister for Finance in respect of the unpaid amount and interest on the unpaid amount at such rate or rates as he may appoint shall become payable immediately by the company.

(*b*) Interest due under *paragraph (a)* together with the unpaid amount shall be a debt due to the Minister for Finance and, without prejudice to any other method of recovery, shall be recoverable by him as a simple contract debt in any court of competent jurisdiction.

(4) All moneys paid by the company to the Minister for Finance under this section shall be paid into or disposed of for the benefit of the Exchequer in such manner as he may direct.

Transitional financial provisions.

101.—(1) The company shall pay to or in respect of every member of the staff of the Department of Posts and Telegraphs transferred to the service of the company any amount due to or in respect of that member in respect of service with the Department and unpaid on the vesting day and the company shall, with the concurrence of the Minister for Finance, be reimbursed by the Minister.

(2) The Minister shall, with the concurrence of the Minister for Finance, pay to the company an amount equal to advance payments received by him in respect of telecommunications services to be provided by the company.

(3) The company shall pay to the Minister an amount equal to sums collected by it on or after the vesting day in respect of services provided by the Minister before the vesting day in respect of functions assigned by this Act to the company.

(4) All sums required to be paid under this section shall become due and payable on such date as the Minister, in consultation with the company and with the concurrence of the Minister for Finance, may determine.

(5) The company shall supply the Minister with such information, records and documents as the Minister may require for the purposes of this section and the Minister and his officers shall have the right to inspect and take copies of all relevant records and documents of the company.

(6) In the event of a disagreement as to any amount to be paid by the company to the Minister or by the Minister to the company under this section the decision of the Minister, given with the concurrence of the Minister for Finance, shall be final.

PART VI

POST OFFICE SAVINGS BANK AND OTHER SAVINGS SERVICES

Definitions.

102.—In this Part—

"company" means the postal company;

"Savings Bank" means the Post Office Savings Bank established under the Post Office Savings Bank Acts, 1861 to 1958.

Post Office Savings Bank.

103.—(1) The company may, with the consent of the Minister for Finance given after consultation with the Minister, make regulations for the control and operation of the Savings Bank pursuant to the Post Office Savings Bank Acts, 1861 to 1958, and this Act.

(2) Regulations in force immediately before the vesting day under the Post Office Savings Bank Acts, 1861 to 1958, in relation to the operation of the Savings Bank including regulations to which *subsection (4)* relates, shall continue in force and shall, with the substitution for references to the Minister for Posts and Telegraphs or the Postmaster General and his Department or officers, of references to the company and its officers, respectively, unless otherwise provided in the *Third* or *Fourth Schedule*, have effect on and after the vesting day as if they were regulations made under *subsection (1)* and may be amended or revoked by regulations under this section.

(3) The Minister for Finance, after consultation with the Minister and the company, may direct the company to make regulations under *subsection (1)* or to amend or revoke regulations made under that subsection or continued in force under *subsection (2)* and the company shall comply with that direction.

(4) Regulations made before the commencement of this section by the Minister with the consent of the Minister for Finance in purported exercise of powers conferred by the Post Office Savings Bank Acts, 1861 to 1958, or any of those Acts shall be deemed to be and always to have been valid notwithstanding that they may not have been made in the manner authorised by those Acts.

Savings Bank business.

104.—(1) The company may—

(*a*) appoint such of its offices as it may specify to be Savings Bank offices,

(*b*) authorise any of its officers to transact Savings Bank business otherwise than at a Savings Bank office,

(*c*) direct when Savings Bank business shall be transacted,

(*d*) require the surrender and cancellation of a deposit book and issue a replacement,

(*e*) pay any sum in respect of any amount on deposit in the Savings Bank without production of a deposit book if it is satisfied that the claimant is entitled to the payment, and

(*f*) at its absolute discretion accept or refuse any nomination.

(2) (*a*) A warrant issued by the company in accordance with regulations to which *section 103* relates shall be a valid discharge to the company in respect of the amount to which the warrant applies.

(*b*) The transfer of an account made by the company in accordance with such regulations shall operate as a valid discharge by the transferor to the company in respect of the amount of the transfer.

(3) (*a*) Notwithstanding anything in the Post Office Savings Bank Acts, 1861 to 1958, the Minister for Finance, after consultation with the Minister, the company and the Central Bank, may authorise the company to undertake any business of banking which is, in the opinion of the Minister for Finance, calculated to encourage thrift and within the financial capacity of the Savings Bank.

(*b*) The Minister for Finance, after consultation with the Minister, the company and the Central Bank, may by order make such provision concerning the application of any enactment to that business as he, after consultation as aforesaid and with any other appropriate Minister, considers necessary or desirable.

(*c*) The Minister for Finance, after consultation as aforesaid, may by order amend or revoke an order made under *paragraph (b)*.

Limitation of liability.

105.—In respect of any loss, damage or injury suffered by any person arising out of any payment made or action taken in accordance with the Post Office Savings Bank Acts, 1861 to 1958, or this Act or regulations thereunder—

(*a*) the company shall be immune from all liability except for money lawfully due to him by the company, and

(*b*) the officers and servants of the company shall be immune from civil liability except at the suit of the company.

Post Office Savings Bank cheques, warrants and other documents.

106.—(1) Every cheque, warrant, order, power of attorney or other document executed by the company in relation solely to the business of the Savings Bank shall be exempt from stamp duty.

(2) Declarations, deposit books, acknowledgements, notices of withdrawal, warrants and all documents and correspondence relating to the business of the Savings Bank and passing between the company and any person within the State or from the company to any depositor with the Savings Bank outside the State may be transmitted free of any charge for postage.

(3) The company shall be entitled to be recouped out of the Savings Bank's funds for the loss of postage which it incurs by reason of *subsection (2)*.

Non-disclosure of information relating to deposits.

107.—Section 4 of the Post Office Savings Bank Act, 1861 (which restricts the disclosure of information relating to deposits) shall not apply to the disclosure of information required for the purpose of proceedings in respect of an offence.

Disputes before Registrar of Friendly Societies.

108.—(1) Where, on the vesting day, proceedings are pending on any reference to the Registrar of Friendly Societies in respect of a dispute relating to an account in the Savings Bank, the proceedings shall continue with the substitution of the company for the Minister as a party to the reference.

(2) Where, on the vesting day, proceedings are pending before the Registrar of Friendly Societies under section 30 (3) of the Finance Act, 1940, on a reference relating to a savings certificate, the proceedings shall continue with the substitution of the company for the Minister as a party to the reference.

Recoupment of company for cost of managing savings services.

109.—(1) (*a*) An appropriate sum shall be paid to the company in respect of work done by the company in the exercise of powers conferred on it by this Part as follows—

(i) from the moneys of the Savings Bank for work done in respect of the Savings Bank, and

(ii) from the Exchequer for work done in respect of other Government savings services.

(*b*) The appropriate sum payable to the company, the manner in which and the intervals at which it is to be paid shall be decided by the company with the consent of the Minister for Finance.

(2) (*a*) The company shall pay to the Minister for Finance promptly the amounts received by the company for deposit in the Savings Bank or in other Government savings services.

(*b*) The manner of payment and the periods for which payments are to be made shall be determined by the said Minister after consultation with the company.

(3) The company shall furnish such information as the Minister for Finance may require for the purposes of this section.

PART VII

Functions of Minister for Posts and Telegraphs

General ministerial powers in relation to postal and telecommunications services.

110.—(1) The Minister may issue directions in writing to either company requiring the company—

(*a*) to comply with policy decisions of a general kind made by the Government concerning the development of the postal or telecommunications services of which he may advise the company from time to time,

(*b*) to do (or refrain from doing) anything which he may specify from time to time as necessary in the national interest or to enable the Government or the State to become a member of an international organisation or a party to an international agreement or to discharge its obligations as a member of an international organisation or as a party to an international agreement,

(*c*) to perform such work or provide or maintain such services for a State authority as may be specified in the direction.

(2) Any direction under this section to a company to perform work or provide or maintain services which involves the payment of moneys by the Exchequer shall be given only with the consent of the Minister for Finance.

(3) A company shall comply with every direction given to it under this section.

(4) (*a*) A direction to either company under this section except a direction which relates to any international organisation or agreement or to public order or security shall, if the company so requests in writing, be given by the Minister by order.

(*b*) Such an order shall remain in force for a specified period of not more than twelve months unless extended or revoked by order of the Minister.

(5) The Minister may stipulate, in consultation with either company and with the consent of the Minister for Finance, financial targets (including payment of dividends in respect of shares in the company) to be achieved by the company.

F83**[**(6) F84**[**Subject to *subsection (8)*, a person who**]**, without reasonable excuse, does not comply with a direction under this section is guilty of an offence and liable—

(*a*) on summary conviction, to a fine not exceeding €5,000, or

(*b*) on conviction on indictment, to a fine.

(7) Proceedings for an offence under *subsection (6)*, including any appeal or subsequent proceedings, shall be held *in camera*.**]**

F85**[**(8) In the case of An Post and any other postal service provider (within the meaning of the Communications Regulation (Postal Services) Act 2011), *subsection (6)* applies only in respect of non-compliance by An Post or any such postal service provider, as the case may be, with directions issued under this section for the purposes of section 53 of the Communications Regulation (Postal Services) Act 2011 and the Interception of Postal Packets and Telecommunications Messages (Regulation) Act 1993.**]**

Grant of licences for the provision of postal and telecommunications services.

111.—F86**[**...**]**

Section 34.

FIRST SCHEDULE

Election of Certain Directors

Part I

F87**[**...**]**

Part II

Postmaster Director of An Post

Section 81.

1. (1) The Secretary of the company (or a person selected by him after consultation with representatives of postmasters) shall be the returning officer for each election of a director in accordance with section 81.

(2) The returning officer shall not be entitled to be nominated as, or to nominate, act as agent for or promote the interests of, a candidate at the election.

(3) The returning officer may authorise any person to exercise designated functions on his behalf and *subparagraph (2)* shall apply to any such person.

2. (1) A poll shall be conducted where there are two or more candidates.

(2) Voting shall be by secret ballot and on the basis of proportional representation by means of a single transferable vote.

(3) Presiding officers at the poll and polling clerks shall be appointed by the returning officer.

(4) The election shall be held in accordance with arrangements made by the returning officer.

(5) The returning officer shall be required to give due notice of these arrangements to the electorate and to designate premises as an election office.

(6) All arrangements for an election shall be subject to the consent of the Minister.

3. (1) The returning officer shall fix the nomination day and give notice of the election not later than 10 weeks before that day.

(2) The nomination day shall be not earlier than 6 weeks after the day on which the eligibility of voters and candidates is determined in accordance with *paragraphs 11* and *12*, respectively.

4. If there is only one candidate the returning officer shall declare him elected.

5. (1) The returning officer may take a preliminary poll, at the request of one or more recognised unions or associations representing at least 15 per cent, of the electorate, to ascertain whether or not a majority of the electorate is in favour of proceeding with the election.

(2) The preliminary poll shall be undertaken in accordance with arrangements made by the returning officer and duly notified to the electorate.

(3) If a majority at the preliminary poll opposes the election, the holding of the election shall be deferred for 3 years.

(4) The arrangements for a preliminary poll shall be subject to the consent of the Minister.

6. If the nomination of candidates or any poll is interrupted or cannot be proceeded with the returning officer may adjourn the nomination or poll for such period as he considers appropriate to enable him, on its expiration, to proceed with or complete the nomination or poll.

7. On receipt of a notification from the returning officer of the name of the candidate elected or declared elected under *paragraph 4*, the Minister shall, in accordance with *section 81*, appoint him as a director of the company.

8. The returning officer shall place the remaining candidates in order of votes credited to each at the last count in which he was involved.

9. In choosing a person to fill a casual vacancy the Minister shall select the next eligible candidate, if any, on the voting list under *paragraph 8*. Where two or more candidates are credited with an equal number of votes the Minister shall select one of them by lot.

10. The company shall bear the cost of holding the election except costs incurred by candidates expressly on their own behalf.

11. Every postmaster who, on the day specified by the returning officer and on the day on which the poll is taken—

(*a*) is not less than twenty-one years of age, and

(*b*) has been a postmaster for a continuous period of not less than one year ending immediately before that day,

shall be entitled to vote at an election or preliminary poll.

12. (1) Every postmaster who, on the day specified by the returning officer under *paragraph 11* is not less than twenty-one years of age and has been a postmaster for a continuous period of not less than three years ending immediately before that day shall be eligible to be nominated as a candidate at an election.

(2) Nominations shall be made in the manner prescribed by the returning officer.

(3) A candidate may be nominated by a recognised union or association representing postmasters or jointly by two or more such bodies but no such body shall be entitled both to nominate one or more candidates of its own accord and to nominate one or more candidates jointly with another such body or bodies.

(4) The returning officer shall rule on the validity of nominations. His decision shall be final.

13. The returning officer shall prepare and maintain a list of eligible voters and candidates.

14. The returning officer shall prepare and maintain a list of recognised unions and associations for the purposes of this Part.

Section 44.

SECOND SCHEDULE

PROVISIONS RELATING TO COMPULSORY ACQUISITION

Application for acquisition order.

1. (1) Where a company proposes to acquire any land, easement or other right over land under *section 44* the company may apply to the Minister for an order under this Schedule authorising it to acquire the property compulsorily and the application shall be accompanied by such maps, plans and books of reference as are referred to in *paragraph 5*.

(2) The company shall publish the prescribed notice of the application in *Iris Oifigiúil* and in one or more newspapers circulating in the locality in which the property is situate and serve a copy of the notice on every person who appears to the company to have an estate or interest in the property, so far as it is reasonably practicable to ascertain such persons.

(3) The notice shall include a provision notifying persons having an estate or interest in the property that they have a right to lodge with the Minister within a prescribed time an objection to the making of an order and specify the times and places where the maps, plans and books of reference deposited in accordance with *paragraph 5* may be inspected.

(4) The Minister shall—

(*a*) appoint an arbitrator to hear and determine any objection, or

(*b*) if in his opinion the objection is of such a nature that it can be determined without arbitration, himself decide on the application and he may, if he thinks fit, appoint an adviser to assist him in relation thereto.

(5) The Minister shall publish prescribed notice of every hearing by arbitration in *Iris Oifigiúil* and in one or more newspapers circulating in the locality in which the property is situate.

(6) The company and any person having an estate or interest in the property shall be entitled to be heard and adduce evidence at the arbitration.

Making of acquisition order.

2. (1) Where no objection to the application of the company is lodged within the prescribed time or any such objection is rejected by the Minister, the Minister shall make an order authorising the company to acquire the property compulsorily in accordance with the terms of its application.

(2) Where the arbitrator decides that no objection to the application is sustainable the Minister shall make the order in accordance with its terms.

(3) Where the arbitrator recommends, in consequence of any objection, that the order should be made with modifications, whether by the exclusion of any part of the property comprised in the application or subject to any other variation, the Minister shall, unless the company withdraws its application, make the order subject to such modifications.

(4) Where the arbitrator upholds an objection the Minister shall not make the order.

Entry on land, etc., before conveyance.

3. (1) At any time after the making of an acquisition order and before conveyance or ascertainment of price, the company may, subject to this paragraph, enter on and take possession of the land to be acquired or exercise the right to be acquired.

(2) Where the company exercises any power under the foregoing subparagraph, it shall be liable to pay, to the occupier of the land which is to be acquired or in respect of which the right is to be exercised, interest on the amount of the price payable to such occupier at such rate as F88**[**the Minister for Public Expenditure and Reform, with the approval of the Minister for Finance, shall**]** from time to time determine for the purposes of this Schedule from the date of entry until payment of the price.

(3) The company shall not—

(*a*) enter on or take possession of any land under this paragraph without giving to the occupier at least three months' previous notice in writing of its intention so to do,

(*b*) exercise any right under this paragraph without giving the occupier of the land in respect of which the right is to be exercised at least three months' previous notice in writing of its intention so to do.

Service of notice.

4. (1) A notice under this Schedule may be served on any person by sending it by registered post in an envelope addressed to him at his usual or last known address.

(2) Where, for any reason, the envelope cannot be so addressed, it may be addressed to the person for whom it is intended in either of the following ways:

(*a*) by the description "the occupier" without stating his name,

(*b*) at the land to which the notice relates.

Deposit of maps, plans, etc.

5. (1) The company shall cause maps, plans and books of reference to be deposited in accordance with this paragraph.

(2) The maps and plans shall be sufficient in quantity and character to show on adequate scales the land or right proposed to be acquired.

(3) The books of reference shall contain the names of the owners or reputed owners, lessees or reputed lessees, and occupiers of the land which is proposed to be acquired or in respect of which the right is proposed to be exercised.

(4) The maps, plans and books of reference shall be deposited at the registered office of the company and at such other places as the company considers suitable and shall remain so deposited for at least three months and shall, while so deposited, be open to inspection by any person, free of charge, between the hours of ten o'clock in the morning and four o'clock in the afternoon on every day except Saturdays, Sundays and bank holidays.

Assessment of price.

6. (1) The amount of the price to be paid by the company for any land acquired to the several persons entitled thereto or having estates or interests therein, or for any right acquired to the several persons entitled to or having estates or interests in the land in respect of which the right is exercised, shall, in default of agreement, be fixed under and in accordance with the Acquisition of Land (Assessment of Compensation) Act, 1919.

(2) Sections 69 to 83 of the Lands Clauses Consolidation Act, 1845, shall apply to the said price and to the conveyance to the company of the land or right acquired, and for the purpose of the application the company shall be deemed to be the promoters of the undertaking.

Interpretation.

7. In this Schedule "prescribed" means prescribed by regulations made by the Minister.

Section 7.

THIRD SCHEDULE

REPEAL AND REVOCATION OF ENACTMENTS

PART I

Repeal of Statutes

Session and Chapter or Number and Year	Short Title	Extent of Repeal
26 & 27 Vict., c. 112.	Telegraph Act, 1863.	Section 9. In section 12—

		the words "The company shall not place a telegraph over, along or across a street or public road, or a post in or upon a street or public road, except with the consent of the body having the control of such street or public road; and"; the words "or to any mansion,"; the words "or mansion,". In section 13, the words from "Where any landowner" to "Provided, that". Section 16. In section 23— the words from "stating that they have" to "or public road, and"; the words from "And they shall not" to "of such advertisement". Sections 25, 31, 43, 44, 46, 49, 50, 51 and 53.
29 and 30 Vict., c. 3.	Telegraph Act Amendment Act, 1866.	The whole Act.
31 & 32 Vict., c. 110.	Telegraph Act, 1868.	In section 2, the words from "and the term" to the end of the section. Sections 4 to 8, 10, 11, 12, 14, 16, 18, 19, 20, 22, 23 and 24.
32 & 33 Vict., c. 73.	Telegraph Act, 1869.	Sections 5 and 7 to 22.
41 & 42 Vict., c. 76.	Telegraph Act, 1878.	In section 10, the word "All" at the beginning of the section. Section 14.
45 & 46 Vict., c. 74.	Post Office (Parcels) Act, 1882.	The whole Act, except sections 1 and 14.
48 & 49 Vict., c. 58.	Telegraph Act, 1885.	The whole Act.
54 & 55 Vict., c. 38.	Stamp Duties Management Act, 1891.	Section 7.
54 & 55 Vict., c. 39.	Stamp Act, 1891.	In section 7, the word "duties" where it last occurs.
55 & 56 Vict., c. 59.	Telegraph Act, 1892.	Sections 1, 4(2), 5, 10 and 12.
60 & 61 Vict., c. 41.	Post Office and Telegraph Act, 1897.	The whole Act.
62 & 63 Vict., c. 38.	Telegraph Act, 1899.	Sections 1, 2(2) and 3.

8 Edw. 7, c. 33.	Telegraph (Construction) Act, 1908.	Section 7.
8 Edw. 7, c. 48.	Post Office Act, 1908.	Sections 1 to 4, 5(3), 10 to 17, 24, 31, 33 to 43, 45, 46, 47, 54 and 56. In section 65 (2), the words "by order of the Revenue Commissioners". Paragraphs (*b*) and (*c*) of section 71(1). Sections 82 to 86 and 88.
1 & 2 Geo. 5, c. 26	Telephone Transfer Act, 1911.	The whole Act.
1 & 2 Geo. 5, c. 39	Telegraph (Construction) Act, 1911.	Sections 4, 5 and 6(2).
3 & 4 Geo. 5, c. 11	Post Office Act, 1913.	The whole Act.
10 & 11 Geo. 5, c. 40.	Post Office Telegraph Act, 1920.	The whole Act.
No. 16 of 1924.	Ministers and Secretaries Act, 1924.	In Part I of the Schedule, the words in brackets after the reference to the Post Office Savings Bank.
No. 8. of 1927.	Telephone Capital Act, 1927.	Section 4, and any enactment insofar as it incorporates that section.
No. 10 of 1928.	Telegraph Act, 1928.	The whole Act.
No. 40 of 1936.	Air Navigation and Transport Act, 1936.	Section 54.
No. 7 of 1937.	Post Office (Evasion of Postage) Act, 1937.	In section 1, the definition of the expression "the Minister".
No. 17 of 1951.	Post Office (Amendment) Act, 1951.	In Section 1, the definition of the expression "the Minister". Sections 5, 6, 8(3), 10 and 11.
No. 27 of 1953.	Telegraph Act, 1953.	The whole Act.
No. 18 of 1969.	Post Office (Amendment) Act, 1969.	The whole Act.
No. 27 of 1981.	Irish Telecommunications Investments Limited Act, 1981.	The whole Act.
No. 8 of 1983.	Irish Telecommunications Investments Limited (Amendment) Act, 1983.	The whole Act.

PART II

Revocation of Statutory Instruments

Number and year	Title	Extent of Revocation

S.R. & O. No. 1138 of 1903.	Money Order Regulations, 1903.	In regulation 20(2), the words "over the Minister for Posts and Telegraphs' telegraphs".
S.R. & O. No. 1089 of 1905.	Postal Order (Inland) Regulations, 1905.	In regulation 8, the words "with the concurrence of the Minister for Finance".
S.R. & O. No. 118 of 1908	Money Order Amendment (No. 2) Regulations, 1908.	In regulation 3, the words "holding office under the State".
S.R. & O. No. 1532 of 1921.	Post Office Savings Bank Regulations, 1921.	Regulations 18(4) and 44. In regulation 83(2), the words "by the Controller". Regulations 84(2), 84(3), 84(4), 87, 89, 91, 93 and 95 to 97.
S.R. & O. No. 202 of 1939.	Inland Post Warrant, 1939.	Regulations 3(1), 61 to 64 and 66.
S.I. No. 267 of 1949.	Foreign Post Warrant, 1949.	Regulations 3(12), 22, 56, 57 and 60.
S.I. No. 418 of 1953.	Foregin Parcel Post Warrant, 1953.	Regulations 3(1), 23 and 35.
S.I. No. 13 of 1958.	Road Vehicles (Registration and Licensing) Regulations, 1958.	In regulation 1(5), the words from "post office vehicle" to "Telegraphs". In regulation 18 (*c*) and 22(4)(*a*), the words "or a post office vehicle". In regulation 18 (*cc*), the words "and in the case of a post office vehicle — the Department of Posts and Telegraphs". In regulation 19 (3), the words "or in the case of a post office vehicle, on the receipt of an application from a duly authorised officer of the Department of Posts and Telegraphs". In regulation 22(4)(*b*), the words "or a post office vehicle ceases to be used as a post office vehicle".
S.I. No. 195 of 1980.	Telephone Regulations, 1980.	Regulations 24, 25(1)(*b*), 25(2), 34 and 36(*a*). In regulations 36(*b*) and 37, the words "in accordance with Regulation 34 of these Regulations".

		In regulation 40(1)(*b*), the words "in the *Iris Oifigiúil* and also". In regulation 41, the words from "An account prepared" to "the amount so payable". In regulation 42, the words from "The Minister" to "agreement" and the words "pursant to the provisions of Regulation 34 of these Regulations". In regulation 47, the words "pursant to Regulation 34 of these Regulations". Regulations 49 (2), 49 (3) and 50.
S.I. No. 196 of 1980.	Telegraph (Inland Written Telegram) Regulations, 1980.	Regulations 4(2), 24 and 43.
S.I. No. 197 of 1980.	Telex Regulations, 1980.	Regulations 11, 12(1)(*b*), 12(2), 17 and 19(*a*). In regulations 19 and 20, the words "in accordance with Regulation 17 of these Regulations". In regulation 23(1)(*b*), the words "in the *Iris Oifigiúil* and also". In regulation 24, the words from "Any account" to "the amount so payable". In regulation 25, the words from "The Minister may" to "in the agreement" and the words "pursuant to Regulation 17 of these Regulations". In regulation 29, the words "pursuant to Regulation 17 of these Regulations". Regulations 31(2), 31(3) and 32.
S.I. No. 198 of 1980.	Telegraph (Foreign Written Telegram) Regulations, 1980.	In regulation 3, the definition of "the Minister". Regulations 18(3) and 25.
S.I. No. 45 of 1982.	District Court (Fees) Order, 1982.	In Article 6, the words "other than the Minister for Posts and Telegraphs".

Section 8 (1).

FOURTH SCHEDULE

Consequential Amendment of Enachments

PART I

Amendment of Statutes

Session and Chapter or Number and Year	Short Title	Amendment
1 & 2 Vict., c. 98.	Railways (Conveyance of Mails) Act, 1838.	For references to the Minister for Posts and Telegraphs there shall be substituted references to An Post. For references to the Post Office or officers or servants of the Post Office there shall be substituted references to An Post or its officers or servants. In section 4, for "Her Majesty's" there shall be substituted "its". In section 10, for references to the Royal Arms there shall be substituted references to the symbol of An Post. In section 13, for references to "Her Majesty, Her Heirs and Successors" there shall be substituted references of An Post.
10 & 11 Vict., c. 85.	Post Office (Duties) Act, 1847.	In section 16, for references to the Minister for Posts and Telegraphs and to the Post Office there shall be substituted references to An Post.
20 & 21 Vict., c. 60.	Irish Bankrupt and Insolvent Act, 1857.	In section 312, for references to the Minister for Posts and Telegraphs and the officers acting under him there shall be substituted references to An Post and the officers acting under it.
24 Vict., c. 14	Post Office Savings Bank Act, 1861.	For references to the Minister for Posts and Telegraphs there shall be substituted references to An Post. In section 2, the words "nor of any sum not a multiple thereof" shall be deleted.

		In section 3, for the words "Post Office" there shall be substituted "office designated by An Post". In section 5, for the words "the Office of the Minister for Posts and Telegraphs" there shall be substituted "An Post". In section 10, for the words "the chief office of the Minister for Posts and Telegraphs" there shall be substituted "an office designated by An Post". In section 11, the words "in his Department" shall be deleted.
26 Vict., c. 14.	Post Office Savings Bank Act, 1863.	In section 1, for references to the Minister for Posts and Telegraphs there shall be substituted references to An Post. In section 3, for the words "through the Post Office" there shall be substituted "through the post".
26 & 27 Vict., c. 87.	Trustee Savings Banks Act, 1863.	In section 48, for the words "Post Office" there shall be substituted "Post".
26 & 27 Vict., c. 112.	Telegraph Act, 1863.	In section 2— there shall be substituted for the words "Special Act of Parliament" the words "any enactment"; subsection (2) shall be deleted. In section 10— the words "has obtained consent to the placing, or by virtue of the powers of the company under this Act" shall be deleted; there shall be inserted after the word "under" the words "over, along or across or a post in or upon". In section 21— the words from "or place any work under" to "the following provisions" shall be deleted; the following shall be substituted for paragraph (1):

"(1) Twenty-one days at least before the company proceeds to place any work under, in, upon, over, along or across any land or building they shall publish a notice describing the intended placing of such work by leaving such notice at the land or building affected;";

the words "by virtue of the authority so conferred" in paragraphs (2) and (3) and paragraph (4) shall be deleted.

In section 22, there shall be inserted after the words "dwelling house" in the first two places where they occur the words "which is not adjoining to or near a street or public road".

For section 24, there shall be substituted:

"24.—At any time during the next twenty-one days after the publication of a notice under section 21 of this Act or after the last publication of a notice under section 23 of this Act, the owner, lessee or occupier of any land or building affected may give to the company notice of his objection to their intended works as prejudicially affecting such land or building and, if the company and the objector are unable to resolve the matter, the company shall refer it to the arbitrator.".

In section 26, for the words "such copy of notice of objection, the Board of Trade" there shall be substituted the words "a copy of such notice of objection, the arbitrator".

For section 27, there shall be substituted:

"27.—On hearing any such objection, the arbitrator—

(1) may if he sees fit award to the owner, lessee or occupier of the property affected full

compensation (the amount thereof to be determined, in the case of difference, by the arbitrator) for any damage done to him, or

(2) may require the company to remove its works or to make such modifications or alterations to its works or intended works as he sees fit.".

In sections 28 and 29, for the words "Board of Trade" there shall be substituted the word "arbitrator".

In section 32, for the words from "The company shall not" to "the control thereof" there shall be substituted the words "Subject to this Act, where the company intends to proceed with the placing of any work under, in, upon, over, along or across any railway or canal the depth, course and position at and in which the same is to be placed shall be settled between the company and the persons having control of the railway or canal. In the event of disagreement, the matter shall be referred to an arbitrator whose decision shall be final.".

In section 33, for the words "the Board of Trade" there shall be substituted the words "an arbitrator".

For section 34, there shall be substituted:

"34.—The reasonable expenses and remuneration of the arbitrator (to be settled in case of difference by the Minister for Posts and Telegraphs) shall be paid by the company.".

In section 45, for the words from "or improperly divulges" to "twenty pounds" there shall be substituted the words "he shall be guilty of an offence".

		In section 52, the words from "one week from" to the end of the section shall be deleted and the words "such emergency exists" shall be substituted.
31 & 32 Vict., c. 110.	Telegraph Act, 1868.	In sections 3, 9 and 21, for references to the Minister for Posts and Telegraphs there shall be substituted references to Bord Telecom Éireann. In section 17, for references to the Minister for Posts and Telegraphs there shall be substituted references to Bord Telecom Éireann or An Post acting as its agent. In section 21, for the words "employed under the Post Office" there shall be substituted "employed by Bord Telecom Éireann or An Post acting as its agent" in both places where those words occur.
31 & 32 Vict., c. 119.	Regulation of Railways Act, 1868.	In section 36, for references to the Minister for Posts and Telegraphs and the Post Office there shall be substituted references to An Post. In section 37— for references to the Minister for Posts and Telegraphs there shall be substituted references to An Post; the words "by the Minister for Posts and Telegraphs or some Secretary or Assistant Secretary to the Post Office, or" shall be deleted.
32 & 33 Vict., c. 73.	Telegraph Act, 1869.	In section 4— the words from "within" to "herein-after provided" (where those words first occur) and the words "within that kingdom" shall be deleted; for the words "as herein-after provided" there shall be substituted "as provided by *section 87 (1)* of the *Postal and Telecommunications Services Act, 1983*". In section 6—

		for the words from "shall, on summary conviction," to "not exceeding five pounds" there shall be substituted "shall be guilty of an offence"; there shall be inserted after the words "the like penalty". the words "In any proceeding in relation to that offence it shall lie upon the person proceeded against to prove that the act or omission in respect of which the offence is alleged to have been committed was done in conformity with section 4 of this Act or in accordance with the terms and conditions of a licence granted by the Minister for Posts and Telegraphs under *section 111 (2)* of the *Postal and Telecommunications Services Act, 1983*.". In section 23, for the reference to the Post Office there shall be substituted a reference to Bord Telecom Éireann or An Post acting as its agent.
36 & 37 Vict., c. 48.	Regulation of Railways Act, 1873.	In sections 18 and 19, for references to the Minister for Posts and Telegraphs there shall be substituted references to An Post.
37 & 38 Vict., c. 73.	Post Office Savings Bank Act, 1874.	In section 2— for references to the Minister for Posts and Telegraphs there shall be substituted references to An Post; the words, from "The regulations made" to the end of the section shall be deleted. In section 3, for the words "shall be laid by the Minister for Posts and Telegraphs" there shall be substituted "shall be submitted by An Post to the Minister for Finance, who shall have it laid".
38 & 39 Vict., c. 63.	Sale of Food and Drugs Act, 1875.	In section 16—

		for the words "post office" there shall be substituted "post"; for "regulations" there shall be substituted "schemes"; for the reference to the Minister for Posts and Telegraphs there shall be substituted a reference to An Post.
39 & 40 Vict., c. 36.	Customs Consolidation Act, 1876.	In section 215, as amended by section 7 of the Revenue Act, 1889, for references to the Minister for Posts and Telegraphs and the Post Office there shall be substituted references to An Post.
39 & 40 Vict., c. 52.	Savings Banks (Barrister) Act, 1876.	In section 2, for the reference to the Minister for Posts and Telegraphs there shall be substituted a reference to An Post.
41 & 42 Vict., c. 76.	Telegraph Act, 1878.	In sections 2 to 5, 8, 12 and 13, for references to the Minister for Posts and Telegraphs there shall be substituted references to Bord Telecom Éireann. In section 3, there shall be deleted the words "a street or public road, or", the words from "or where any proprietors" to "such railway or canal,", the words "proprietors, lessees, directors or persons (as the case may be)," and the words "proprietors, lessees, directors or persons". In section 4, the words from "or having power" to "a street or public road" shall be deleted. In sections 6, 7 and 9, for references to the Minister for Posts and Telegraphs or his agents there shall be substituted references to Bord Telecom Éireann or its agents. In section 7 (8), for the words "post-master or sub-postmaster of the postal telegraph office" there shall be substituted "officer in charge of the office of Bord Telecom Éireann". In section 12—

		for the words from "a secretary or assistant secretary" to "for the purpose by the Minister for Posts and Telegraphs" there shall be substituted "an officer of Bord Telecom Éireann"; for the words from "the General Post Office" to "assistant secretary of the Department of Posts and Telegraphs" there shall be substituted "an office designated by Bord Telecom Éireann"; for the words "the superintending engineer of the Minister for Posts and Telegraphs" there shall be substituted "the district manager".
43 & 44 Vict., c. 36.	Savings Banks Act, 1880.	In section 4, for the words "with the consent of the Minister for Posts and Telegraphs" there shall be substituted "in consultation with An Post". In section 5, for the reference to the Minister for Posts and Telegraphs in the definition of the expression "savings banks authority" there shall be substituted a reference to An Post.
45 & 46 Vict., c. 74.	Post Office (Parcels) Act, 1882.	In section 14, for references to the Minister for Posts and Telegraphs and to the Post Office there shall be substituted references to An Post.
46 & 47 Vict., c. 47.	Provident Nominations and Small Intestacies Act, 1883.	In section 2— for the reference to the Minister for Posts and Telegraphs there shall be substituted a reference to An Post; for the reference to the General Post Office there shall be substituted a reference to an office designated by An Post.
47 & 48 Vict., c. 76.	Post Office (Protection) Act, 1884.	In section 11—

		for the words from "a misdemeanour" to "two hundred pounds" there shall be substituted the words"an offence"; the words "a post office, or" and "the post office or" shall be deleted.
50 & 51 Vict., c. 40.	Savings Banks Act, 1887.	In section 1, for the reference to the Minister for Posts and Telegraphs there shall be substituted a reference to An Post.
53 & 54 Vict., c. 59.	Public Health Acts Amendment Act, 1890.	In section 15 (1), for the reference to the Minister for Posts and Telegraphs there shall be substituted a reference to Bord Telecom Éireann.
54 & 55 Vict., c. 21.	Savings Banks Act, 1891.	In section 12 (2), for the reference to the Minister for Posts and Telegraphs there shall be substituted a reference to An Post.
55 & 56 Vict., c. 59.	Telegraph Act, 1892.	In sections 4, 6 and 9, for references to the Minister for Posts and Telegraphs there shall be substituted references to Bord Telecom Éireann. In section 4(1)— there shall be inserted after the word "required" where it occurs for the first time the words "or any road authority or persons having control over any railway or canal with whom the placing of the telegraphic line would have been required to be settled"; there shall be inserted after the word "building" the words "railway or canal"; there shall be inserted after the word "consent" where it occurs "or were otherwise a difference".
56 & 57 Vict., c. 38.	Conveyance of Mails Act, 1893.	For references to the Minister for Posts and Telegraphs and the Post Office there shall be substituted references to An Post.

		In section 1, the words "or under the Post Office (Parcels) Act, 1882," and the words from "and this provision" to the end of the section shall be deleted. In section 2 (3), for the words "who is at the time either Minister for Posts and Telegraphs or a secretary or assistant secretary of the Post Office or the Inspector General of Mails" there shall be substituted "who is so authorised by An Post".
62 & 63 Vict., c. 38.	Telegraph Act, 1899.	In section 2 (1), after the words "the Minister for Posts and Telegraphs" there shall be inserted "or Bord Telecom Éireann".
4 Edw. 7, c. 8.	Savings Banks Act, 1904.	For references to the Minister for Posts and Telegraphs there shall be substituted references to An Post.
8 Edw. 7, c. 8.	Post Office Savings Bank Act, 1908.	In sections 1, for the reference to the Minister for Posts and Telegraphs there shall be substituted a reference to An Post.
8 Edw. 7, c. 33.	Telegraph (Construction) Act, 1908.	In sections 3 and 5, for references to the Minister for Posts and Telegraphs there shall be substituted references to Bord Telecom Éireann.
8 Edw. 7, c. 48.	Post Office Act, 1908.	In sections 18, 19, 21, 23, 25, 27, 32, 49 (1), 64, 74, 79 (4), 80 and 81 (1), for references to the Minister for Posts and Telegraphs or officers of the Minister there shall be substituted references to An Post or its officers. In sections 8, 9, 23, 26, 27, 28, 30, 32, 50, 51, 53, 55, 63 (1) and 87, for references to the Post Office or officers of the Post Office there shall be substituted references to An Post or its officers.

References to Post Office regulations or to any warrant or regulations made under the Act shall be construed as references to a scheme made under *section 70* of the *Postal and Telecommunications Services Act, 1983*.

In sections 44 (1), 48, 49 (2), 49 (3), 62 (1), 66, 73 and 76, for references to the Minister for Posts and Telegraphs or officers of the Minister there shall be substituted references to An Post or Bord Telecom Éireann or their officers, as the case may require.

In sections 44 (1), 58, 67, 73 and 78, for references to the Post Office or officers of the Post Office there shall be substituted references to An Post or Bord Telecom Éireann or their officers, as the case may require.

In sections 7 (1), 74 and 87, references to "this Act" shall be construed as including the *Postal and Telecommunications Services Act, 1983*.

In section 7 (1), for the words "in like manner" to the end of the subsection there shall be substituted "in any court of competent jurisdiction as if it were a simple contract debt".

In section 9—

the words ", British colonial," shall be deleted and after the word "foreign" there shall be inserted "postal administration";

for the words from "as postage" to the end of the section there shall be substituted "as if it were a simple contract debt".

In section 21—

for the reference to the General Post Office in Dublin there shall be substituted a reference to the registered office of An Post;

	the words "not exceeding twenty-five pence" shall be deleted.
	In section 23 (1), there shall be deleted the words "So long as the Minister for Finance sees fit," and "for the use of the State" and the words from "and all poundage" to the end of the subsection.
	In section 23 (3), the words "or the Post Office Revenue, or the Central Fund," shall be deleted.
	In section 23, there shall be inserted the following subsection:
"(5) For the purposes of this section the expression 'money order' shall include a postal order.".	
	In section 50, after paragraph (*b*), there shall be inserted the following paragraph:—
"(*bb*) steals a postal packet from a mail box; or".	
	In section 50 (*c*), after the words "by post", there shall be inserted "or in a mail box".
	After section 53 there shall be inserted the following new section:—
"53A—Any person who unlawfully and maliciously damages or interferes with a mail box shall be guilty of an offence.".	
	In section 62 (1), after the words "in or on" there shall be inserted "or in association or conjunction with".
	In section 62 (2), for the words from "shall be liable" to "shillings" there shall be substituted "shall be guilty of an offence".
	In section 63 (3), for the words "in the Post Office" there shall be substituted "by An Post".

		In section 66 (1) (*a*), the word "postal" before "telegraph office" shall be deleted.
		In section 67, after the words "post office" there shall be inserted "or office of Bord Telecom Éireann".
		In section 73, the words ", without in either case naming the person who is Minister for Posts and Telegraphs," shall be deleted.
		In section 79 (4), the words "Scotland or" and "out of moneys provided by Parliament" shall be deleted.
		In section 81 (2)—
		for the words "the Minister for Posts and Telegraphs or any secretary or assistant secretary of the Post Office" there shall be substituted "an authorised officer of An Post";
		for the second reference to the Minister for Posts and Telegraphs there shall be substituted a reference to An Post.
		In section 87, at (*b*) of the proviso, the words "not exceeding the maximum amount fixed by this Act for postal orders," shall be deleted.
		In section 89—
		in the definition of the expression "postage", for the word "duty" there shall be substituted "sum";
		the definition of the expression "inland" shall be deleted;
		in the definition of the expression "mail", for the reference to the Post Office there shall be substituted a reference to An Post;

in the definition of the expression "officer of the Post Office", for the references to the Post Office and the second reference to the Minister for Posts and Telegraphs there shall be substituted references to An Post and the words "the Minister for Posts and Telegraphs, and" shall be deleted;

there shall be inserted a new definition as follows:

> "The expression 'officer of Bord Telecom Éireann' includes any person employed in any business of Bord Telecom Éireann whether employed by Bord Telecom Éireann or by any person under it or on its behalf:";

in the definition of the expression "post office", for the reference to the Post Office there shall be substituted a reference to An Post;

in the definition of the expression "post office letter box", for references to the Minister for Posts and Telegraphs there shall be substituted references to An Post;

for the definition of the expression "the purpose of the Post Office", there shall be substituted the following:

> "The expression 'the purpose of An Post' means any purpose of any of the Post Office Acts or of any Acts for the time being in force relating to money orders, telegraphs or Post Office savings banks, and includes any purpose relating to or in connection with the execution of the duties for the time being undertaken by An Post or any of its officers:";

		the definition of the expression "Post Office regulations" shall be deleted; there shall be inserted a new definition as follows: "The expression 'the purpose of Bord Telecom Éireann' means any purpose of any of the Post Office Acts or of any Acts for the time being in force relating to telegraphs and includes any purpose relating to or in connection with the execution of the duties for the time being undertaken by Bord Telecom Éireann or any of its officers:". In section 90 (*c*), after the words "that person's postal packets," there shall be inserted "or under an arrangement authorised under the provisions of *section 65* of the *Postal and Telecommunications Services Act, 1983*,".
9 Edw. 7, c. 20.	Telegraph (Arbitration) Act, 1909.	In section 1— for the reference to the Minister for Posts and Telegraphs there shall be substituted a reference to Bord Telecom Éireann; there shall be inserted after the word "licence" the words "granted by Bord Telecom Éireann"; there shall be inserted after the word "agreement" the words "to which Bord Telecom Éirann is a party".
1 & 2 Geo. 5, c. 39.	Telegraph (Construction) Act, 1911.	In sections 1, 2 and 3, for references to the Minister for Posts and Telegraphs there shall be substituted references to Bord Telecom Éireann.
1 & 2 Geo. 5, c. 48.	Finance Act, 1911.	In section 20, for the references to the Minister for Posts and Telegraphs there shall be substituted a references to An Post.

3 & 4 Geo. 5, c. 27.	Forgery Act, 1913.	In section 18 (1), for references to the Post Office money orders and postal orders in the definition of "revenue paper", there shall be substituted a reference to money orders and postal orders issued by An Post.
6 & 7 Geo. 5, c. 40.	Telegraph (Construction) Act, 1916.	In section 1, 2 and 4, for references to the Minister for Posts and Telegraphs there shall be substituted references to Bord Telecom Éireann.
6 & 7 Geo. 5, c. 50.	Larceny Act, 1916.	In section 12 and 18, for the references to the Post Office there shall be substituted references to An Post.
10 & 11 Geo. 5, c. 12.	Savings Bank Act, 1920.	In section 3, 6 and 10, for references to the Minister for Posts and Telegraphs there shall be substituted references to An Post. In section 6(1), after the word "laid" there shall be substituted the words "by the Minister for Finance".
No. 12 of 1923.	Electoral Act, 1923.	In rule 3 (5) of the Fourth Schedule, for the references to the post office date stamp there shall be substituted a references to the date stamp of An Post. In rule 1 (2) of the Fifth Schedule, as amended by the Electoral Act, 1963, for the reference to post office notices there shall be substituted a reference to notices of An Post.
No. 38 of 1923.	Prevention of Electoral Abuses Act, 1923.	In section 50 (1), for the words "regulations to be made from time to time by the Minister for Posts and Telegraphs" there shall be substituted "such conditions as may be determined by An Post". In section 50 (2), for the reference to the Minister for Posts and Telegraphs there shall be substituted a reference to An Post.

No. 17 of 1925.	Firearms Act, 1925.	In section 19, for the reference to the Minister for Posts and Telegraphs there shall be substituted reference to An Post.
No. 26 of 1925.	Shannon Electricity Act, 1925.	In section 17, for the reference to the Minister for Posts and Telegraphs and the Department of Posts and Telegraphs there shall be substituted reference to An Post or Bord Telecom Éireann, as the case may require.
No. 28 of 1925.	Finance Act, 1925.	In sections 37 (3) and 37 (5), for references to the Post Office and the Minister for Posts and Telegraphs there shall be substituted references to An Post.
No. 27 of 1927.	Electricity (Supply) Act, 1927.	In section 112, for the reference to the Minister for Posts and Telegraphs there shall be substituted a reference to Bord Telecom Éireann.
No. 27 of 1931.	Betting Act, 1931.	In sections 23 and 29, for references to the Minister for Posts and Telegraphs there shall be substituted references to An Post or Bord Telecom Éireann. In section 34 (1), for references to the Minister for Posts and Telegraphs there shall be substituted references to An Post. In section 34 (2), for the words "the Minister for Posts and Telegraphs" there shall be substituted "Bord Telecom Éireann or An Post acting as its agent". In section 34 (2), for the word "him" there shall be substituted the words "Bord Telecom Éireann or An Post".
No. 2 of 1932.	Road Transport Act, 1932.	In section 24 (3), for the reference to the Minister for Posts and Telegraphs there shall be substituted a reference to An Post.

No. 8 of 1933.	Road Transport Act, 1933.	In sections 2 and 66 (2), for references to the Minister for Posts and Telegraphs there shall be substituted references to An Post.
No. 38 of 1934.	Electricity (Supply) (Amendment) (No. 2) Act, 1934.	In section 9, for "the Minister for Posts and Telegraphs" and "the Department of Posts and Telegraphs" there shall be substituted "An Post or Bord Telecom Éireann, as the case may be".
No. 54 of 1936.	Liffey Reservoir Act, 1936.	In sections 14 and 27, for "the Minister for Posts and Telegraphs" and "the Department of Posts and Telegraphs" there shall be substituted "An Post or Bord Telecom Éireann, as the case may be".
No. 7 of 1937.	Post Office (Evasion of Postage) Act, 1937.	In sections 3, 4 and 5, for references to the Minister for Posts and Telegraphs there shall be substituted references to An Post. In section 5, the reference to any warrant or regulations made under the Post Office Act, 1908 shall be construed as a reference to a scheme made under *section 70* of the *Postal and Telecommunications Services Act, 1983*.
No. 30 of 1937.	Seanad Electoral (University Members) Act, 1937.	In section 28, for the reference to the Minister for Posts and Telegraphs there shall be substituted a reference to An Post. In rule 5 of the Second Schedule, for the references to the post office date stamp there shall be substituted a references to the date stamp of An Post.
No. 32 of 1937.	Presidential Elections Act, 1937.	In section 34 (1), for the words "regulations made under this section by the Minister for Posts and Telegraphs" there shall be substituted "such conditions as may be determined by An Post".

		In section 34 (3), for references to the Minister for Posts and Telegraphs there shall be substituted references to An Post. In section 34 (4), for the words "Regulations made by the Minister for Posts and Telegraphs under this section may make provision" there shall be substituted "Such conditions as may be determined by An Post may require".
No. 4 of 1938.	Shops (Conditions of Employment) Act, 1938.	In section 4 (2) (*b*), for references to the Minister for Posts and Telegraphs and Post Office there shall be substituted references to An Post.
No. 14 of 1940.	Finance Act, 1940.	In section 30, for references to the Minister for Posts and Telegraphs there shall be substituted references to An Post. In section 31 (3) (*e*), (*f*) and (*g*), for references to the Minister for Posts and Telegraphs there shall be substituted references to the Minister for Finance.
No. 8 of 1942.	Referendum Act, 1942.	In rules 3 and 4 of the First Schedule, for references to the Minister for Posts and Telegraphs and the Post Office there shall be substituted references to An Post.
No. 14 of 1942.	Finance Act, 1942.	In section 23— paragraphs (*b*) and (*c*) of subsection (1) shall be deleted; in subsection (3), for the words from "The Minister for Posts and Telegraphs" to "Minister for Finance" there shall be substituted "The Minister for Finance may by order".
No. 22 of 1942.	Central Bank Act., 1942.	In section 56 (5), for the reference to the Minister for Posts and Telegraphs there shall be substituted a reference to An Post.

No. 21 of 1944.	Transport Act, 1944.	In section 109 (1), for "the Minister for Posts and Telegraphs" there shall be substituted "An Post or Bord Telecom Éireann, as the case may be".
No. 12 of 1945.	Electricity (Supply) (Amendment) Act., 1945.	In section 44, for "the Minister for Posts and Telegraphs" in both places where that expression occurs and "the Department of Posts and Telegraphs" there shall be substituted "An Post or Bord Telecom Éireann, as the case may be".
No. 10 of 1946.	Turf Development Act, 1946.	In section 26, for "the Minister for Posts and Telegraphs" and "the Department of Posts and Telegraphs" there shall be substituted "An Post or Bord Telecom Éireann, as the case may be".
No. 42 of 1947.	Seanad Electoral (Panel Members) Act, 1947.	In section 84, for the reference to the Minister for Posts and Telegraphs there shall be substituted a reference to An Post. In rule 6 of the First Schedule and in rule 6 of the Third Schedule, for references to the post office date stamp there shall be substituted references to the date stamp of An Post.
No. 12 of 1950.	Transport Act, 1950.	In sections 26 (4) and 64 (1), for references to the Minister for Posts and Telegraphs there shall be substituted references to An Post. In section 62, for references to the Minister for Posts and Telegraphs there shall be substituted references to Bord Telecom Éireann. In section 63, for references to the Minister for Posts and Telegraphs there shall be substituted references to An Post or Bord Telecom Éireann, as the case may require.

No. 17 of 1951.	Post Office (Amendment) Act, 1951.	For references to the Minister for Posts and Telegraphs there shall be substituted references to An Post. In section 9 (3), for the references to the General Post Office in Dublin there shall be substituted a reference to the registered office of An Post. In section 12 (3), the word "postal" shall be deleted. For section 13 (1), there shall be substituted:

	"(1) A person who— (*a*) sends, by means of the telecommunications system operated by Bord Telecom Éireann, any message or other matter which is grossly offensive or of an indecent, obscene or menacing character, whether addressed to an operator or any other person, or (*b*) sends by those means, for the purpose of causing annoyance, inconvenience or needless anxiety to another, a message which he knows to be false or persistently makes use of those means for that purpose, shall be guilty of an offence.".	
No. 1 of 1952.	Undeveloped Areas Act, 1952.	In Article 12 of the Second Schedule, for "the Minister for Posts and Telegraphs" and "the Department of Posts and Telegraphs" there shall be substituted "An Post or Bord Telecom Éireann, as the case may be".
No. 30 of 1954.	Exchange Control Act, 1954.	In section 18 (2), for the reference to the Minister for Posts and Telegraphs there shall be substituted a reference to An Post.

No. 2 of 1956.	Gaming and Lotteries Act, 1956.	In section 49 (1), for "The Minister for Posts and Telegraphs"there shall be substituted "An Post or Bord Telecom Éireann, as the case may require".
No. 19 of 1958.	Transport Act, 1958.	In section 3, for the reference to the Minister for Posts and Telegraphs there shall be substituted a reference to An Post.
No. 23 of 1958.	Savings Banks Act, 1958.	In section 1, in the definition of the expression "the Minister" for the reference to the Minister for Posts and Telegraphs there shall be substituted a reference to the Minister for Finance. In section 5 (2), the words "for Finance" shall be deleted and after "1861" there shall be inserted "by An Post with the consent of the Minister".
No. 23 of 1963.	Finance Act, 1963.	In section 33, for the reference to the Post Office there shall be substituted a reference to An Post.
No. 6 of 1967.	Income Tax Act, 1967.	In section 175 (3), for the reference to the Minister for Posts and Telegraphs there shall be substituted a reference to An Post.
No. 39 of 1976.	Wildlife Act, 1976.	In section 53 (4), for references to the Minister for Posts and Telegraphs there shall be substituted references to An Post.
No. 30 of 1977.	European Assembly Elections Act, 1977.	In section 20 (2), for the reference to the Minister for Posts and Telegraphs, there shall be substituted a reference to An Post. In rules 18 (1) and 18 (2) of the First Schedule, for references to the Minister for Posts and Telegraphs there shall be substituted references to An Post.

		In rule 26 (4) of the First Schedule, for the reference to the post office date stamp there shall be substituted a reference to the date stamp of An Post.
No. 40 of 1979.	Payment of Wages Act, 1979.	In section 3 (3) (*d*), for the reference to the Minister for Posts and Telegraphs there shall be substituted a reference to An Post.
No. 16 of 1980.	Sale of Goods and Supply of Services Act, 1980.	In section 48 (4), for the words "telephone directory" there shall be substituted the word "directories" and for the reference to the Department of Posts and Telegraphs there shall be substituted a reference to Bord Telecom Éireann.
No. 1 of 1981.	Social Welfare (Consolidation) Act, 1981.	In sections 112 (1) and 232(2), for the words "with the consent of the Minister for Posts and Telegraphs" there shall be substituted "in consultation with An Post" and for references to the Post Office there shall be substituted references to An Post. In section 170, for the words "in conjunction with the Minister for Posts and Telegraphs" there shall be substituted "in consultation with An Post" and for references to the Post Office there shall be substituted references to An Post. In sections 189 (2) and 248, for the words "with the consent of the Minister for Posts and Telegraphs" there shall be substituted "in consultation with An Post". In section 234 (*b*) (v), for the reference to the Minister for Posts and Telegraphs there shall be substituted a reference to Bord Telecom Éireann. In section 249, for the reference to the Minister for Posts and Telegraphs there shall be substituted a reference to An post.

No. 9 of 1981.	Malicious Injuries Act, 1981.	In section 12 (3), for the words "post office money orders" there shall be substituted "money orders issued by An Post".
No. 30 of 1981.	Fire Services Act, 1981.	In section 12, for references to the Minister for Posts and Telegraphs there shall be substituted references to Bord Telecom Éireann.

FOURTH SCHEDULE
PART II

Amendment of Statutory Instruments

Number and Year	Title	Amendment
—	Foreign Parcels (Customs) Warrant, 1885.	For references to the Minister for Posts and Telegraphs and the Post Office there shall be substituted references to An Post.
S.R. & O. No. 1138 of 1903.	Money Order Regulations, 1903.	In regulation 3(3)(*a*), for the reference to £50 there shall be substituted a reference to £100. In regulation 4, for the reference to the Chief Money Order Office in London there shall be substituted a reference to a nominated office of An Post; for the words from "authorised" to "thereunder" there shall be substituted "fixed by schemes of Bord Telecom Éireann". In regulation 9, for the reference to the Chief Money Order Office in London there shall be substituted a reference to a nominated office of An Post. In regulation 16, for the words "the Minister for Posts and Telegraphs" there shall be substituted "such officer of An Post as is nominated for the purpose of this regulation". In regulations 23(*d*), 27, 28(2)(*b*) and 28(4), for the words from "the Telegraph Acts" to "thereunder" there shall be substituted "schemes made by Bord Telecom Éireann".

		In regulation 28(5), for the words "the post office" there shall be substituted "An Post or Bord Telecom Éireann". In regulation 28(6), for the reference to the Minister for Posts and Telegraphs there shall be substituted a reference to An Post or Bord Telecom Éireann. In regulation 29, for the reference to the Accountant, General Post Office, Dublin there shall be substituted a reference to an authorised officer of An Post.
S.R. & O. No. 1089 of 1905.	Postal Order (Inland) Regulations, 1905.	In regulation 3, the words "holding office under the State" shall be deleted and there shall be inserted after the word "officers" the words "or persons". In regulation 17, for the reference to the Minister for Posts and Telegraphs there shall be substituted a reference to such officer of An Post as is nominated for the purpose.
S.R. & O. No. 118 of 1908.	Money Order Amendment (No. 2) Regulations, 1908.	In regulation 5, for the reference to the office of the Post Office Accountant in Dublin there shall be substituted a reference to a nominated office of An Post.
S.R. & O. No. 524 of 1914.	Inland Revenue and Post Office (Powers and Duties) Order, 1914.	For the reference to the Minister for Posts and Telegraphs there shall be substituted a reference to An Post.
S.R. & O. No. 1532 of 1921.	Post Office Savings Bank Regulations, 1921.	For references to the Post Office, where they occur other than in the expression "Post Office Savings Bank", there shall be substituted references to An Post. For references to the Controller of the Post Office Savings Bank (except in regulation 29 (2)) there shall be substituted references to a nominated officer of An Post.

		In regulation 2, the following shall be inserted: "The expression 'postmaster' includes an officer in charge of a Savings Bank office.". In regulation 4 (1) (*b*), for the words "Post Offices which the Minister for Posts and Telegraphs" there shall be substituted "offices which An Post". Regulation 4 (2) (4) shall be deleted. In regulation 12 (2), for the words "the Minister for Posts and Telegraphs" there shall be substituted "the Minister for Finance after consultation with An Post". In regulation 29 (1), for the reference to £50 there shall be substituted a reference to £100. In regulation 29 (2), the words "the Controller of the Post Office Savings Bank, or by" and "other" shall be deleted. In regulation 52, for the words from "the Telegraph Acts" to "there-under" there shall be substituted "a scheme made by Bord Telecom Éireann".
S.R. & O. No. 2001 of 1921.	Old Age Pensions Consolidated Regulations, 1921.	In regulation 30, for the reference to the Minister for Posts and Telegraphs there shall be substituted a reference to An Post.
S.R. & O. No. 31 of 1925.	Revenue and Post Office (Powers and Duties) (No. 2) Order, 1925.	In Article 3, for the reference to the Minister for Posts and Telegraphs there shall be substituted a reference to An Post.
—	Savings Certificates Rules, 1926.	For references to the Minister for Posts and Telegraphs there shall be substituted references, to An Post, save in rules 4 and 46, where there shall be substituted references to the Minister for Finance.

		For references to the Accountant, Department of Posts and Telegraphs there shall be substituted references to a nominated officer of An Post.
—		In rule 2— for the words "the Minister for Posts and Telegraphs" there shall be substituted "An Post with the consent of the Minister for Finance"; the following shall be inserted: "The expression 'An Post', for the purposes of rules 7, 10, 11 and 42, includes other agents authorised to transact Savings Certificates business.". In rule 4, for the reference to officers of the Department of Posts and Telegraphs there shall be substituted a reference to officers of An Post. In rule 46 (5), for the words "nor the Minister for Posts and Telegraphs" there shall be substituted "nor An Post"
S.R. & O. No. 202 of 1939.	Inland Post Warrant, 1939.	In regulation 16, for the reference to the General Post Office, Dublin there shall be substituted a reference to the registered office of An Post. In entry number 4 in column 1 of the First Schedule, for the reference to the General Post Office there shall be substituted a reference to the registered office of An Post.
S.R. & O. No. 336 of 1940.	Trustee Savings Banks Regulations, 1940.	In regulation 8 (1), for the reference to the Department of Posts and Telegraphs there shall be substituted a reference to the Department of Finance. In regulations 9, 10, 11 and 12, for references to the Secretary of the Department of Posts and Telegraphs there shall be substituted references to the Secretary of the Department of Finance.

S.R. & O. No. 363 of 1940.	Savings Certificates (Fees on Determination of Disputes) Order, 1940.	In Article 3, for the reference to the Minister for Posts and Telegraphs there shall be substituted a reference to An Post.
S.R. & O. No. 152 of 1943.	Insurance (Intermittent Unemployment) (Powers in relation to Supplementary Insurance Stamps) Order, 1943.	In Article 2, for the words "the Minister for Posts and Telegraphs to the exclusion of" there shall be substituted "An Post concurrently with".
S.R. & O. No. 434 of 1943.	Intermittent Unemployment (Supplementary Insurance Stamps) Regulations, 1943.	In the Schedule, under the heading for the Stamp Duties Management Act, 1891— for references to the Minister for Posts and Telegraphs and the Department of Posts and Telegraphs there shall be substituted references to An Post; in the entry for section 18, for the words "he may by warrant under his hand" there shall be substituted "it may, subject to *section 69 (8)* of the *Postal and Telecommunications Services Act, 1983*,".
S.R. & O. No. 137 of 1947.	Customs-Free Airport (Customs and Excise) Regulations, 1947.	In regulation 13, for the reference to the Minister for Posts and Telegraphs there shall be substituted a reference to An Post.
S.I. No. 170 of 1948.	Infectious Diseases (Shipping) Regulations, 1948.	In regulation 35, for the reference to the Minister for Posts and Telegraphs there shall be substituted a reference to An Post.
S.I. No. 320 of 1949.	Wireless Telegraphy (Business Radio Licence) Regulations, 1949.	In the First Schedule and in paragraph 14 (3) of the Second Schedule, for the words "the Minister's privileges under the Telegraph Acts, 1863-1928" there shall be substituted "the privilege of Bord Telecom Éireann under *section 87* of the *Postal and Telecommunications Services Act, 1983*".

S.I. No. 37 of 1957.	Newspapers (Special Service for Conveyance by Post Office Mail Vans) Warrant, 1957.	In regulation 3— the words from "'the Minister' means" to "Posts and Telegraphs" and the words "with the consent of the Minister for Finance pursuant to the Post Office Act, 1908" shall be deleted; for the reference to Post Office mail vans there shall be substituted a reference to mail vans of An Post. In regulation 5, for the reference to a Post Office starting point of the mail motor vans there shall be substituted a reference to a starting point designated by An Post for mail motor vans.
S.I. No. 236 of 1957.	Savings Certificates (Savings Gift Tokens) Rules, 1957.	In rule 2 (1), for the words "at a Post Office approved of by the Minister for Posts and Telegraphs" there shall be substituted "at an office of An Post approved by the Minister for Finance". In rule 2 (2), for the reference to the Minister for Posts and Telegraphs there shall be substituted a reference to An Post. In rule 3— for the reference to officers of the Department of Posts and Telegraphs there shall be substituted a reference to officers of An Post; for the reference to the Minister for Posts and Telegraphs there shall be substituted a reference to the Minister for Finance.
S.I. No. 128 of 1965.	Local Elections Regulations, 1965.	In regulation 33 (6), for the reference to the Post Office date stamp there shall be substituted a reference to the date stamp of An Post.

S.I. No. 19 of 1966.	Savings Banks (Disputes) Order, 1966.	In the Schedule, for the reference to the Minister for Posts and Telegraphs there shall be substituted a reference to An Post.
S.I. No. 228 of 1968.	Trustee Savings Banks Regulations, 1968.	In regulations 3 and 5, for references to the Minister for Posts and Telegraphs there shall be substituted references to the Minister. In regulations 7, 8 and 9, for references to the Secretary of the Department of Posts and Telegraphs there shall be substituted references to the Secretary of the Department of Finance.
S.I. No. 67 of 1974.	Wireless Telegraphy (Wired Broadcast Relay Licence) Regulations, 1974.	In Article 6 of the Schedule, for the reference to the Minister for Posts and Telegraphs there shall be substituted a reference to Bord Telecom Éireann.
S.I. No. 32 of 1979.	Misuse of Drugs Regulations, 1979.	In Article 11, for the reference to the Minister for Posts and Telegraphs, there shall be substituted a reference to An Post.
S.I. No. 195 of 1980.	Telephone Regulations, 1980.	In regulation 4, in the following definitions— "call office", for the expression "the Minister", there shall be substituted "Bord Telecom Éireann or An Post, as the case may require"; "certified", for the words "the Minister or by a duly authorised officer of the Department of Posts and Telegraphs", there shall be substituted "an officer of Bord Telecom Éireann" and the words "and any such certificate shall be *prima facie* evidence of the matter certified" shall be deleted; for the definition of "coin-box" there shall be substituted: "'coin-box' means a receptacle for coins connected to a telephone instrument which is connected to an exchange line provided under an agreement;";

		the following definition shall be inserted: "'fixtures and accessories' means fixtures and accessories supplied by Bord Telecom Éireann in connection with an exchange line or private telephone circuit supplied by it;"; the definition of "the Minister" shall be deleted. At the end of regulation 26 (1), there shall be inserted the following— "provided that the foregoing shall not operate to prevent licensees of the Minister for Posts and Telegraphs from connecting type-approved apparatus to the connecting point of the telegraphic line supplied by Bord Telecom Éireann". In regulation 54— for "the Minister" there shall be substituted "Bord Telecom Éireann or An Post, as the case may require"; for references to "a Post Office" there shall be substituted references to "an office of An Post or Bord Telecom Éireann or of an agent of either company"; for "an officer of the Post Office" there shall be substituted "an officer of An Post or Bord Telecom Éireann".
S.I. No. 196 of 1980.	Telegraph (Inland Written Telegram) Regulations, 1980.	In regulation 3— in the definition of "overnight telegram" for references to the Minister there shall be substituted references to Bord Telecom Éireann or An Post acting as its agent; the definition of "the Minister" shall be deleted. In regulation 11, for the reference to the Minister there shall be substituted a reference to Bord Telecom Éireann with the consent of An Post.

		In regulation 22, for "the Secretary of the Department of Posts and Telegraphs, Dublin 1," there shall be substituted "Bord Telecom Éireann or An Post, as the case may require". In regulation 25, for the words from "the Minister" to "as he" there shall be substituted "Bord Telecom Éireann or An Post acting as its agent and subject to such directions (if any) as it". In regulation 30 (*c*), for the word "Postmaster" there shall be substituted "officer-in-charge". In regulations 33, 35 and 37, for "the Minister" there shall be substituted "Bord Telecom Éireann or An Post, as the case may require". In regulation 40 (3) (*b*), for the reference to the General Post Office in Dublin there shall be substituted a reference to the registered office of An Post.
S.I. No. 197 of 1980.	Telex Regulations, 1980.	In regulation 4— in the definition of "certified", for "The Minister" there shall be substituted "an officer of Bord Telecom Éireann"; the following shall be inserted: "'fixtures and accessories' means fixtures and accessories supplied by Bord Telecom Éireann in connection with an installation supplied by it;"; the definition of "the Minister" shall be deleted. At the end of regulation 13 (2), there shall be inserted the following: "provided that the foregoing shall not operate to prevent licensees of the Minister for Posts and Telegraphs from connecting type-approved sending and receiving apparatus to the connecting point of a telex line supplied by Bord Telecom Éireann".

		In regulation 35 (2), there shall be inserted after the word "installation" the words "or sending and receiving apparatus supplied by a licensee of the Minister for Posts and Telegraphs". In regulation 36 (1), there shall be inserted after the word "thereof" the words "or sending and receiving apparatus supplied by a licensee of the Minister for Posts and Telegraphs". In regulation 36 (2), there shall be inserted after the word "installation" the words "or sending and receiving apparatus supplied by a licensee of the Minister for Posts and Telegraphs".
S.I. No. 198 of 1980.	Telegraph (Foreign Written Telegram) Regulations, 1980.	In regulations 5 (3), 5 (4) (*b*) and 10, for references to the Minister there shall be substituted references to Bord Telecom Éireann or An Post acting as its agent. In regulation 6, for the words "the Department" there shall be substituted "Bord Telecom Éireann or An Post". In regulation 13— for the words "may be" there shall be substituted "which are"; for the words ", recognised for the purposes of these Regulations by the Minister. They" there shall be substituted "to which the Geneva Conventions of 1949 relate". In regulations 15 and 16, for references to the Minister there shall be substituted references to Bord Telecom Éireann with the consent of An Post. In Regulation 18 (1), after the word "addressed" there shall be inserted the words "by an authorised representative and only".

S.I. No. 8 of 1982.	Wireless Telegraphy (Personal Radio Licence) Regulations, 1982.	In regulation 17, for the words "the Minister's privileges under the Telegraph Acts, 1863 to 1953" there shall be substituted "the privilege of the Minister under section 4 of the Telegraph Act, 1869, or the privilege of Bord Telecom Éireann under *section 87* of the *Postal and Telecommunications Services Act, 1983*".
S.I. No. 321 of 1982.	Misuse of Drugs (Safe Custody) Regulations, 1982.	In Article 4 (2) (*d*), for the reference to the Minister for Posts and Telegraphs, there shall be substituted a reference to An Post.

Section 111(10)(g) of the Postal and Telecommunications Services Act 1983.

F89[FIFTH SCHEDULE

NOTICE OF APPEAL

TAKE NOTICE THAT, I of being aggrieved by the (refusal of the Director to grant a licence)* (decision by the Director to revoke a licence)* (decision by the Director to suspend a licence)* (decision by the Director to amend a licence)* (decision by the Director to impose specific measures under section 111(4)(a) of the Postal and Telecommunications Services Act, 1983 , on the holder of a licence)* hereby appeal against such (refusal)* (decision)* to the Judge sitting at the (District)* (High)* Court to be held on the day of , 19 .

*Delete where not applicable.

Dated this day of , 19 .

Appellant

Solicitor for the Appellant

(To the District Court Clerk at)*

(To the High Court Registrar at the Central Office, Four Courts, Dublin)

*To the Director, Office of the Director of Telecommunications Regulation, Abbey Court, Irish Life Centre, Lower Abbey Street, Dublin 1.

*Delete where not applicable.]

Number 24 *of* 1983

POSTAL AND TELECOMMUNICATIONS SERVICES ACT 1983

REVISED

Updated to 20 July 2026

About this Revised Act

This Revised Act presents the text of the Act as it has been amended since enactment, and preserves the format in which it was passed.

Related legislation

Postal and Telecommunications Services Acts 1983 to 1999: this Act is one of a group of Acts included in this collective citation (*Postal and Telecommunications Services (Amendment) Act 1999* (5/1999), s. 11(3)). The Acts in this group are:

- *Postal and Telecommunications Services Acts 1983*
- *Postal and Telecommunications Services Acts 1984*
- *Postal and Telecommunications Services (Amendment) Act 1999*, ss. 1, 11 in so far as they relate to s. 7, and ss. 4, 5, 7

Annotations

This Revised Act is not annotated and only shows textual amendments. An annotated version of this revision is also available which shows textual and non-textual amendments and their sources. It also shows editorial notes including statutory instruments made pursuant to the Act and previous affecting provisions.

Material not updated in this revision

Where other legislation is amended by this Act, those amendments may have been superseded by other amendments in other legislation, or the amended legislation may have been repealed or revoked. This information is not represented in this revision but will be reflected in a revision of the amended legislation if one is available. A list of legislative changes to any Act, and to statutory instruments from 1972, may be found linked from the page of the Act or statutory instrument at
www.irishstatutebook.ie.