

Reprint
as at 20 September 2007

**Tokelau Post Office Regulations
1991**

(SR 1991/3)

Tokelau Post Office Regulations 1991: revoked, on 20 September 2007, by section 9(2) of the Tokelau Amendment Act 2007 (2007 No 84).

PURSUANT to the Tokelau Act 1948, Her Excellency the Governor-General, acting by and with the advice of the Executive Council, hereby makes the following regulation.

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Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this eprint.

A general outline of these changes is set out in the notes at the end of this eprint, together with other explanatory material about this eprint.

These regulations are administered in the Ministry of Foreign Affairs and Trade .

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1 Title and commencement

- (1) These regulations may be cited as the Tokelau Post Office Regulations 1991.
- (2) These regulations shall come into force on the 1st day of March 1991.

Interpretation

2 Interpretation

- (1) In these regulations, unless the context otherwise requires,—
 - Administrator** means the Administrator of Tokelau
 - Administration Officer** means any employee of the Tokelau Public Service who holds office as an Administration Officer in a village in Tokelau
 - Fictitious stamp** means any copy, imitation, or representation, whether on paper or otherwise, of any postage stamp for the time being valid for use in Tokelau or in any country outside Tokelau
 - General Fono** has the meaning given to that term by section 2(3) of the Tokelau Act 1948
 - Letter box** means a letter box provided by the Tokelau Administration for the deposit of postal articles for transmission by post
 - Postage** means the charge payable for the transmission of postal articles by post

Postage stamp means an impression or adhesive label on any stationery denoting payment of the postage in respect of a postal article

Postal article—

- (i) Means a letter, newspaper, parcel, or other article that is in the course of transmission; and
- (ii) Includes an article which, although it has been delivered within the meaning of regulation 3(3) of these regulations, has not reached the hands of the addressee; but
- (iii) Does not include a telegram:

Postal officer means any member of the Tokelau Public Service who is designated as a postal officer under regulation 5 of these regulations; and, except in regulation 22 of these regulations, includes any person who is engaged by the Official Secretary to deliver postal articles, or telegrams, or both

Post office means the Administration Office of each village in Tokelau

Radiocommunication means any transmission, emission, or reception of signs, signals, writing, images, sounds, or intelligence of any nature by radio waves

Radio transmitter means any apparatus intended for the purpose of transmitting radiocommunications, whether or not the apparatus is capable of receiving radiocommunications

Telegram—

- (i) Means any communication that is in the course of transmission to a distance by any apparatus other than a telephone; and
- (ii) Includes a telegram which, although it has been delivered within the meaning of regulation 3(3) of these regulations, has not reached the hands of the addressee:

Territorial limits of Tokelau means the outer limits of the territorial sea of Tokelau.

- (2) In these regulations, a reference to a numbered form is a reference to the form so numbered in Schedule 4 to these regulations.

3 Further definitions

- (1) For the purposes of these regulations, a postal article or telegram is in the course of transmission,—
 - (i) In the case of a postal article, from the time when it is posted until the time when it is delivered to the addressee;
 - (ii) In the case of a telegram, from the time when it is accepted by a postal officer for transmission until when it is delivered to the addressee.
- (2) An article shall be deemed to have been posted when, for the purpose of being conveyed or delivered by post, it has been put into a letter box, or delivered at a post office, or accepted by a postal officer in the course of that postal officer's duty.
- (3) Subject to subclause (4) of this regulation, a postal article (other than a registered postal article) or a telegram shall be deemed to be delivered to the addressee when it is delivered by a postal officer to any person who may reasonably be considered to be authorised to receive the postal article or telegram in the absence of the addressee.
- (4) Subclause (3) of this regulation shall not apply in any case where the addressee has, by notice in writing to a postal officer on the island on which the addressee resides, requested that postal articles and telegrams addressed to the addressee be delivered personally to the addressee, and that notice has not been revoked.

Part 1**Postal and telegraph services***Postal services***4 Postal services**

- (1) The Administrator shall establish and operate postal services in Tokelau.
- (2) The Administrator may, from time to time, make arrangements with the postal authority of any country other than Tokelau for the establishment and operation of postal services between Tokelau and that other country or through Tokelau or any other country.

5 Postal officers

The Official Secretary may from time to time designate any member of the Tokelau Public Service as a postal officer, and may at any time revoke any such designation.

6 Contracts in relation to conveyance of mail

The Administrator may from time to time enter into contracts with any person for or in respect of the conveyance, by such means and upon such terms and conditions as the Administrator thinks fit, of postal articles to, from, or within Tokelau.

7 Delivery of mail from vessels

- (1) On the arrival of a vessel at any island of Tokelau, whether or not from beyond Tokelau, the person in charge of that vessel shall deliver to an Administration Officer on that island all postal articles that are on board the vessel and are intended for discharge at that island.
- (2) Every person commits an offence against these regulations who, being the person in charge of a vessel when it arrives at an island of Tokelau, whether or not from beyond Tokelau, fails without reasonable excuse to deliver to an Administration Officer on that island all postal articles that are on board that vessel and are intended for discharge at that island.

Telegraph services

8 Telegraph services

- (1) The Administrator shall establish and operate telegraph communications in Tokelau.
- (2) The Administrator may, from time to time, make arrangements with the appropriate telegraph authority of any country other than Tokelau for the establishment and operation of telegraph communications between Tokelau and that other country, or through Tokelau or any other country, or between Tokelau and ships or aircraft.

*Postage stamps***9 Postage stamps**

- (1) The Administrator shall from time to time cause to be produced such postage stamps as the Administrator considers necessary.
- (2) The Administrator shall determine the denomination, form, design, content, and material of postage stamps produced under this regulation.

10 Postage stamps may be declared no longer valid

- (1) The Administrator may at any time, by notice published in accordance with subclause (2) of this regulation, declare that any postage stamp produced under regulation 9 of these regulations is not valid for use as a postage stamp.
- (2) A copy of every notice issued under subclause (1) of this regulation—
 - (i) Shall, as soon as practicable after it is issued, be publicly notified at the office for Tokelau Affairs at Apia in Western Samoa, and at every post office; and
 - (ii) Shall be printed in Tokelauan and in English in the first available issue of *Te Vakai* published after the issuing of the notice.
- (3) Every notice issued under subclause (1) of this regulation shall come into force on the date specified for that purpose in the notice, but no such notice shall come into force until a copy of the notice is publicly notified in accordance with subclause (2)(i) of this regulation.
- (4) On the coming into force of a notice issued under subclause (1) of this regulation, all postage stamps to which it applies shall cease to be valid for use as postage stamps.

11 Destruction of postage stamps no longer required or valid

The Administrator may from time to time issue directions relating to the destruction, by postal officers, of stamps that are in the possession of postal officers and that are no longer required for use or are no longer valid for use as postage stamps.

Registered post

12 Registration of postal articles

- (1) Any person may, on payment of the fee specified in Schedule 1 to these regulations (which fee is in addition to any postage payable), send a postal article by registered post.
- (2) Where the sender of any postal article requires it to be registered, the sender shall present that postal article at a post office, and the postal officer accepting the postal article shall give the sender a duly completed receipt for it in form 1.
- (3) Every postal article accepted for registration shall be given a number that uniquely identifies the postal article.

13 Acknowledgment of delivery of registered postal article

On the delivery of a registered postal article to the addressee, the addressee shall give the person delivering the postal article a receipt for it, and such receipt shall be sufficient evidence that the postal article has been duly delivered.

14 Compensation for loss, etc, of registered postal article

- (1) Notwithstanding anything in regulation 38 of these regulations, registration of a postal article in accordance with regulation 12 of these regulations shall entitle the sender of the article to the payment of compensation for the loss of the article, or for damage to the article, or for any loss resulting from any delay in the delivery of the article.
- (2) The compensation payable in respect of any registered postal article shall not exceed \$20.
- (3) No compensation shall be payable in respect of—
 - (i) A registered postal article containing any item that may not lawfully be sent by post:
 - (ii) A registered postal article lost or damaged where the loss or damage arises from any cause beyond the control of the Administrator:
 - (iii) A registered postal article lost or damaged where the loss or damage arises wholly or in part because of insufficient or faulty packing or fastening by the sender or the sender's agent, or incomplete, faulty, or incorrect addressing or affixing of address by the sender or the

sender's agent, or because of any other fault or neglect on the part of the sender or the sender's agent, or by any cause subsequent to the delivery of the article.

Postage and telegram charges

15 Postage charges

- (1) The rates of postage in respect of postal articles posted in Tokelau for delivery in Tokelau or outside Tokelau shall be as from time to time fixed by the Administrator by notice after consultation by the Administrator with the General Fono.
- (2) A copy of every notice issued under subclause (1) of this regulation—
 - (i) Shall as soon as practicable after it is issued be publicly notified at the Office for Tokelau Affairs at Apia in Western Samoa, and at every post office; and
 - (ii) Shall be printed in Tokelauan and in English in the first available issue of *Te Vakai* published after the issuing of the notice.
- (3) Every notice issued under subclause (1) of this regulation shall come into force on the date specified for that purpose in the notice, but no such notice shall come into force until a copy of the notice is publicly notified in accordance with subclause (2)(i) of this regulation.
- (4) Any notice under this regulation may be in like manner amended or revoked at any time.
- (5) In fixing the rates of postage in respect of postal articles posted in Tokelau for delivery outside Tokelau, the Administrator shall have regard to all relevant international conventions relating to postal services.
- (6) If no rates of postage are for the time being fixed under subclause (1) of this regulation, the rates of postage shall be as specified in Schedule 1 to these regulations.

16 Insufficient postage

No postal officer shall transmit or deliver any postal article in respect of which the postage has been underpaid or is unpaid.

17 Telegram charges

- (1) The charges payable in respect of telegrams lodged for transmission in Tokelau for delivery in Tokelau or outside Tokelau shall be as specified in Schedule 2 to these regulations.
- (2) No postal officer shall transmit any telegram unless the charge payable in respect of the transmission of that telegram has been paid.

18 Payment of charges

Payment of all charges payable under these regulations in respect of the transmission of any postal article or telegram shall be made by way of valid postage stamps impressed on or affixed to the postal article or telegram.

19 Certain stamps not available for postage

The following stamps shall not be recognised in payment of any charges payable under these regulations in respect of the transmission of any postal article or telegram:

- (i) Stamps that have been defaced or otherwise rendered imperfect:
- (ii) Stamps that have been previously used:
- (iii) Stamps issued by other postal administrations.

Detention and opening of postal articles

20 Definition of unlawful postal article

For the purposes of regulations 21 to 25 of these regulations, the term **unlawful postal article** means—

- (i) Any postal article (other than a letter), or any telegram, that contains any matter of a seditious or indecent nature:
- (ii) Any postal article that has been posted in contravention of regulation 37(1) of these regulations:
- (iii) Any postal article that is in contravention or has been posted in contravention of any enactment or regulations for the time being in force in Tokelau and relating to customs or excise.

21 Detention of suspected unlawful postal articles

Where any postal officer has reasonable cause to suspect that any postal article or telegram is an unlawful postal article, that postal officer may detain that postal article or telegram for opening and examination in accordance with regulation 22 of these regulations.

22 Opening and examination of unlawful postal articles

- (1) Any postal article or telegram that is detained pursuant to regulation 21 of these regulations may be opened and examined by a postal officer.
- (2) Unless it is impracticable to do so, the opening and examination of a postal article or telegram pursuant to subclause (1) of this regulation shall be carried out at a post office in the presence of a constable.

23 Disposal of postal articles opened under these regulations

- (1) If any postal article opened or examined by a postal officer under regulation 22 of these regulations is found to be an unlawful postal article, the postal article shall be forfeited, and shall be destroyed or otherwise disposed of in accordance with the directions of the Official Secretary.
- (2) If any postal article or telegram opened or examined under regulation 22 of these regulations is found not to be an unlawful postal article, it shall be forwarded to its destination as if it had not been so opened or examined.

24 Record of opening of postal articles

Where any postal article or telegram is opened or examined by a postal officer under regulation 22 of these regulations, that postal officer shall make and preserve a written record of—

- (i) The details of the opening or examination of that postal article or telegram; and
- (ii) If the postal article or telegram was destroyed or disposed of under regulation 23 of these regulations, details of its destruction or disposal.

25 Notification of opening of postal article

Where a postal article or telegram is opened by a postal officer under regulation 22 of these regulations, that postal officer shall, in every case, and whether or not the postal article or telegram is found to be an unlawful postal article, give notice of that opening to the addressee if known, and, if not known, to the sender if known.

26 No relief from liability

The detention, opening, examination, destruction, or disposal under these regulations of a postal article or telegram shall not relieve any person from liability for any offence against these regulations.

27 No right to compensation

No person shall have any right to compensation, nor shall any liability be incurred by the Government of New Zealand or any of its employees or agents, or by the Administrator, or by any employee or agent of the Tokelau Administration, by reason of the detention, opening, examination, forfeiture, destruction, or disposal of a postal article or its enclosure, or a telegram, under the powers conferred by regulations 21 to 23 of these regulations.

Money orders

28 Money orders

The Administrator may make such arrangements as may be necessary, including arrangements with the appropriate authority of any country other than Tokelau, so that money may be transmitted, whether within or to or from Tokelau, through the medium of the postal system, by means of money orders.

29 Money orders not transferable

The rights and liabilities under a money order issued in Tokelau for the transmission of money for payment in Tokelau or overseas shall not be transferable from one person to another, but may vest by operation of law.

30 Charges for money orders

The charges payable in respect of money orders issued in Tokelau shall be as specified in Schedule 3 to these regulations.

31 Offence

- (1) Every postal officer commits an offence against these regulations who with fraudulent intent grants or issues a money order.
- (2) Every postal officer who reissues a money order previously paid shall be presumed, until the contrary is proved, to have issued the order with a fraudulent intent.

*Miscellaneous provisions***32 Priority communications**

- (1) Subject to subclause (2) of this regulation, every postal officer shall, if requested by an officer of the Tokelau Administration, give first priority to the transmission of a postal article or telegram sent by or on behalf of the Tokelau Administration.
- (2) Notwithstanding subclause (1) of this regulation, every postal officer shall, on request, give first priority to the transmission of any urgent postal article or urgent telegram—
 - (i) That relates to the safety of members of the public or of any individual member of the public; or
 - (ii) That relates to the health of members of the public.

33 Limits of size and weight of postal articles

- (1) The limits of size and weight applicable to postal articles posted in Tokelau for delivery in Tokelau or outside Tokelau shall be as from time to time fixed by the Administrator by notice.
- (2) In fixing the limits of size and weight that are to apply to postal articles posted in Tokelau for delivery outside Tokelau, the Administrator shall have regard to all relevant international conventions relating to postal services.
- (3) A copy of every notice issued under subclause (1) of this regulation—

- (i) Shall as soon as practicable after it is issued be publicly notified at the Office for Tokelau Affairs at Apia in Western Samoa, and at every post office; and
 - (ii) Shall be printed in Tokelauan and in English in the first available issue of *Te Vakai* published after the issuing of the notice.
- (4) Every notice issued under subclause (1) of this regulation shall come into force on the date specified for that purpose in the notice, but no such notice shall come into force until a copy of the notice is publicly notified in accordance with subclause (3)(i) of this regulation.
- (5) Any notice under this regulation may be in like manner amended or revoked at any time.

34 Literature for the blind

- (1) No postage is payable in respect of literature for the blind, and such literature shall be exempt from any limits fixed pursuant to regulation 33 of these regulations.
- (2) For the purpose of this regulation, the term **literature for the blind** means—
- (i) Reading material in raised characters for the use of the blind:
 - (ii) The special paper intended solely for the use of the blind:
 - (iii) Plates for embossing literature for the use of the blind:
 - (iv) Sound recordings for the use of the blind.
- (3) Where any postal article is posted as being exempt from postage under this regulation, every postal officer is entitled to examine the contents of that postal article in order to discover whether it is in fact exempt.
- (4) Every person commits an offence against these regulations who, knowing that a postal article is not exempt from postage, posts that postal article as exempt from postage.

35 Interception and return of postal articles

- (1) No postal article posted in Tokelau shall be intercepted and returned to the sender at the sender's request except upon the written authority of—

- (i) An Administration Officer on the island on which the letter was posted; or
 - (ii) The Official Secretary.
- (2) Every application to the Official Secretary or an Administration Officer to obtain written authority for the interception and return of a postal article shall be in form 2.
- (3) Every person commits an offence against these regulations who contravenes subclause (1) of this regulation.

36 Undelivered postal articles or telegrams

- (1) Where—
- (i) A postal article or telegram cannot be delivered, whether because the addressee cannot be found, or because of incorrect, faulty, or incomplete addressing, or for any other reason; or
 - (ii) A postal article or telegram cannot be delivered because the postage or charge payable in respect of that postal article or telegram is unpaid or underpaid,—
- that postal article or telegram shall, if the sender is known, be returned to the sender.
- (2) Where any postal article or telegram cannot be delivered for any of the reasons referred to in subclause (1) of this regulation, and the sender is not known, the postal officer who has possession of that postal article or telegram shall retain it for not less than 1 month, and shall then dispose of it in accordance with the directions of the Official Secretary.

37 Posting prohibited articles

- (1) No person shall post or cause to be posted any postal article that is or contains—
- (i) Anything dangerous or destructive or explosive or noxious;
 - (ii) Any living creature;
 - (iii) Anything likely to injure or damage any other postal article or any postal officer;
 - (iv) Anything that may lawfully be possessed in Tokelau by the addressee of the postal article;
 - (v) Anything that, in the circumstances of the particular case, the addressee of the postal article may not lawfully

import into the country (not being Tokelau) in which the postal article is intended to be delivered:

- (vi) Anything that, in the circumstances of the particular case, may not lawfully be possessed, by the addressee of the postal article, in the country (not being Tokelau) in which the postal article is intended to be delivered.
- (2) Every person commits an offence against these regulations who, without reasonable excuse, posts or causes to be posted any postal article knowing that it is or it contains anything the posting of which is prohibited by subclause (1) of this regulation.

38 Limitation of liability

- (1) Subject to subclause (2) of this regulation and to regulation 14 of these regulations, no person shall have any right to compensation, nor shall any liability be imposed on the Government of New Zealand or any of its employees or agents, or on the Administrator or any employee or agent of the Tokelau Administration, by reason of—
- (i) Any loss, default, delay, or omission in relation to any postal article or telegram:
 - (ii) Any delay in, or refusal of the payment of, any money order:
 - (iii) Any neglect, omission, or mistake in the issue or payment of any money order.
- (2) No liability shall be imposed on any postal officer by reason of—
- (i) Any loss, default, delay or omission in relation to any postal article or telegram; or
 - (ii) Any delay in, or refusal of the payment of, any money order; or
 - (iii) Any neglect, omission, or mistake in the issue or payment of any money order,—
- unless it is proved to the satisfaction of the Court before which any proceedings are taken that the defendant in the proceedings has acted in bad faith or without reasonable care.

*Offences***39 Offences by postal officer**

- (1) Every person commits an offence against these regulations who, being a postal officer,—
- (i) Contrary to that person's duty, opens, or causes or allows to be opened, any postal article or telegram, or wilfully delays or detains a postal article or telegram, or causes or allows a postal article or telegram to be delayed or detained; or
 - (ii) Wilfully or negligently fails to transmit or deliver any postal article or telegram, or negligently loses any postal article or telegram (whether or not that postal article or telegram is later recovered), or wilfully damages or destroys any postal article or telegram; or
 - (iii) Divulges to any person, except so far as is lawfully permitted, any information from or as to the contents of a postal article or telegram, being information that has come to the postal officer in the course of that postal officer's duty.
- (2) Every person commits an offence against these regulations who,—
- (i) Being a person engaged by the Tokelau Administration to convey or deliver postal articles or telegrams, fails to take all reasonable steps to ensure the safety of any postal article or telegram while it is being conveyed or delivered by that person; or
 - (ii) Being a person who has contracted with the Administrator to convey postal articles to, from, or within Tokelau, fails to take all reasonable steps to ensure the safety of any postal article while it is being conveyed by that person.

40 Offences relating to letter boxes

Every person commits an offence against these regulations who—

- (i) Wilfully damages or destroys any letter box, or the contents of a letter box; or
- (ii) Puts into any letter box any matter or thing likely to injure any postal article or any person; or

- (iii) Without lawful excuse, removes a letter box from the site on which it has been erected.

41 Unlawful opening or delaying of mail

Every person commits an offence against these regulations who, not being a postal officer acting in the course of that postal officer's duties,—

- (i) Without lawful excuse, opens or causes to be opened any postal article or telegram that is not intended for that person; or
- (ii) Without lawful excuse, does any act or thing so that any postal article or telegram is prevented or delayed from reaching the person for whom it is intended.

42 Unlawful retention or destruction of mail

Every person (other than a postal officer acting in the course of that postal officer's duties) commits an offence against these regulations who, having received or acquired a postal article or telegram that is not intended for that person,—

- (i) Without lawful excuse, retains, damages, or destroys that postal article or telegram; or
- (ii) When required by a postal officer to deliver up the postal article or telegram, fails to do so.

43 Divulging of contents of postal article or telegram opened in error

Every person (other than a postal officer acting in the course of that postal officer's duties) commits an offence against these regulations who, having examined the contents of a postal article or telegram not intended for that person, divulges, without lawful excuse, to any other person any information obtained by that person from or as to the contents of that postal article, or, as the case requires, from the contents of that telegram.

44 Sending false telegram

Every person commits an offence against these regulations who—

- (i) Wilfully sends or delivers or causes to be sent or delivered to any postal officer for the purposes of being

transmitted as a telegram any message that purports to be signed or sent by any other person and which has been signed or sent without that other person's authority; or

- (ii) Wrongfully signs any such message with the name of some other person without that person's authority, or with the name of some fictitious person; or
- (iii) Wilfully and without the authority of the sender alters any such message.

45 Interference with telegraph services

Every person commits an offence against these regulations who, without lawful excuse, destroys, damages, or interferes with any line used for the transmission of telegrams.

46 Offences relating to stamps

- (1) Every person commits an offence against these regulations who,—
 - (i) For the purposes of the payment of any charges payable in respect of the transmission of any postal article or telegram, uses any fictitious stamp, or any stamp that has been previously used, or that has ceased to be valid for use as a postage stamp, or that has been defaced or otherwise rendered imperfect; or
 - (ii) Without lawful excuse, has in that person's possession any fictitious stamp, or any die, plate, instrument, or materials for making any fictitious stamp.
- (2) Where, in any proceedings, a Court finds that a person has committed an offence against subclause (1)(ii) of these regulations, the Court may order any stamp, die, plate, instrument, or materials in relation to which the offence has been committed to be forfeited.
- (3) Any stamp, die, plate, instrument, or materials forfeited under subclause (2) of this regulation may be sold, destroyed, or otherwise disposed of as the Administrator may direct.

Part 2 **Radio transmitters**

Licensing of radio transmitters

47 Radio transmitters not to be possessed or operated without licence or approval

- (1) Subject to subclause (2) of this regulation and to regulations 53 and 54 of these regulations, no person shall have in that person's possession, or operate, a radio transmitter in Tokelau except pursuant to—
 - (i) A licence granted by the Official Secretary under regulation 48 of these regulations; or
 - (ii) An approval granted by the Administrator under regulation 50 of these regulations.
- (2) Nothing in this regulation applies in respect of a radio transmitter to which regulation 52 of these regulations applies.

48 Short term radio licences

- (1) Any person who wishes to possess or operate a radio transmitter in Tokelau for a period of not more than 1 month may make application in form 3 to the Official Secretary.
- (2) Every such application shall be accompanied by a fee of \$50 in respect of each transmitter to which the application relates.
- (3) On receiving an application made under subclause (1) of this regulation, the Official Secretary may grant a licence to the applicant or decline to do so.
- (4) Every licence granted under this regulation shall be in such form as the Official Secretary thinks fit.
- (5) Any licence granted under this regulation may be granted subject to such terms, conditions, and restrictions as the Official Secretary thinks fit and as are specified in the licence.
- (6) Subject to regulation 49 of these regulations, every licence granted under this regulation shall be valid for such period (not exceeding 1 month) as is specified in the licence, and shall then expire.

49 Revocation or modification of short term radio licence

The Official Secretary may, at any time, by notice in writing to the holder of a licence granted under regulation 48 of these regulations,—

- (i) Revoke the licence:
- (ii) Modify the terms, conditions, or restrictions that apply to the licence.

50 Long term approval to possess or operate radio transmitter

- (1) Any person who wishes to possess or operate a radio transmitter in Tokelau for a period of more than 1 month may apply to the Administrator for approval to possess or operate that radio transmitter.
- (2) Every such application shall be made in such manner as the Administrator may specify, either generally or in any particular case, and shall be accompanied by—
 - (i) Such information as the Administrator may reasonably require, either generally or in any particular case, in order to determine whether to grant the approval:
 - (ii) Such reasonable fee (if any) as the Administrator may from time to time determine.
- (3) On receiving an application made under subclause (1) of this regulation, the Administrator may grant an approval to the applicant or decline to do so.
- (4) Every approval granted under this regulation shall be in such form as the Administrator thinks fit.
- (5) Any approval granted under this regulation may be granted subject to such terms, conditions, and restrictions as the Administrator thinks fit and as are specified in the approval.
- (6) Subject to regulation 51 of these regulations, every approval granted under this regulation shall be valid for such period (being not less than 1 month) as is specified in the approval, and shall then expire.
- (7) The Administrator may from time to time revalidate any approval granted under this regulation upon the payment of such reasonable fee (if any) as the Administrator may from time to time determine.

51 Revocation or modification of long term approval

The Administrator may, at any time, by notice in writing to the holder of an approval granted under regulation 50 of these regulations,—

- (i) Revoke the approval:
- (ii) Modify the terms, conditions, or restrictions that apply to the approval.

52 Radio transmissions within territorial limits

(1) This regulation applies to radio transmitters on—

- (i) Merchant ships and aircraft of whatever nationality or registration; and
- (ii) Foreign ships of war and foreign military aircraft,— within the territorial limits of Tokelau.

(2) Subject to regulations 53 and 54 of these regulations, no person shall use any radio transmitter to which this regulation applies—

- (i) Unless a valid licence or authority has been issued in respect of that transmitter by an International Telecommunication Union administration which New Zealand is required to recognise under the International Telecommunications Convention; and
- (ii) Except in accordance with any instructions given to the operator of the transmitter by the Administrator.

53 Exemption for employees of Tokelau Public Service

Nothing in regulation 47 or regulation 52 of these regulations shall apply in respect of the possession or operation of any radio transmitter by any person employed in the Tokelau Public Service, where the radio transmitter is possessed or operated in the course of that person's duties as such an employee.

54 Distress calls

Nothing in regulation 47 or regulation 52 of these regulations shall prohibit any person in distress from using any means at that person's disposal to attract attention, indicate the person's position, and obtain assistance.

55 Offences

Every person commits an offence against these regulations who—

- (i) In contravention of regulation 47 of these regulations, has in that person's possession, or operates, in Tokelau, any radio transmitter:
- (ii) In contravention of subclause (2) of regulation 52 of these regulations, operates a radio transmitter to which that regulation applies:
- (iii) Fails to comply with any term, condition, or restriction imposed pursuant to regulation 48 of these regulations on any licence granted to that person under that regulation:
- (iv) Fails to comply with any term, condition, or restriction imposed pursuant to regulation 50 of these regulations on any approval granted to that person under that regulation:
- (v) Furnishes any information that to that person's knowledge is false or misleading in a material particular in connection with an application for approval under regulation 50 of these regulations.

Part 3**Miscellaneous provisions***Penalties***56 Penalties**

Every person who commits an offence against these regulations is liable on conviction to imprisonment for a term not exceeding 3 months or to a fine not exceeding \$150.

*Revocation and saving***57 Revocation and saving**

- (1) Regulation 11 of the Tokelau (New Zealand Laws) Regulations 1969 (SR 1969/109) is hereby revoked.
- (2) Every postage stamp that is valid for use in Tokelau immediately before the commencement of these regulations shall, for

the purposes of these regulations, be deemed to be a postage stamp produced under regulation 9 of these regulations.

Schedule 1
Postal charges

Regs 12, 15

1

Internal

1. Letters and Parcels
 - Letters..... 40 cents for each letter
 - Parcels not exceeding 10 kg \$2.00 for each parcel
2. Registration fee (payable in addition to postage \$1.00 for each item

2

Overseas

1. *Surface Mail*

(i) Letters, Post Cards, Printed Matter, and Small Packets:

Weight	Charge for each item			
	Letters	Post Cards	Printed Matter	Small Packets
Not more than 20g	40 cents	25 cents	25 cents	-
Over 20g but not more than 100g	\$1.00	-	50 cents	50 cents
Over 100g but not more than 250g	\$2.00	-	\$1.00	\$1.00
Over 250g but not more than 500g	\$4.00	-	\$2.00	\$2.00

2—continued

Over 500g but not more than 1kg	\$7.00	-	\$3.00	\$3.00
Over 1kg but not more than 2kg	\$12.00	-	\$4.00	-
Each additional 1kg up to 5kg (books and pamphlets only)	-	-	\$2.00	-

(ii) Registration fee (payable in addition to postage) \$1.00 for each item

2. *Air Mail*

(i) Letters, Post Cards, Printed Matter, and Small Packets:

Item	Charge for each item according to postal zone (as determined in accordance with Notes 1 to 4)			
	Zone I	Zone II	Zone III	Zone IV
Letters				
Not more than 10g	45 cents	60 cents	70 cents	80 cents
Each additional 10g	20 cents	30 cents	4 cents	45 cents
Aerogrammes	40 cents	50 cents	50 cents	50 cents
Post Cards.....	40 cents	50 cents	50 cents	50 cents
Printed Matter				
Not more than 20g	40 cents	70 cents	85 cents	\$1.00
Each additional 20g	30 cents	60 cents	75 cents	90 cents

2—continued

Small Packets				
Not more than 100g	\$1.40	\$2.90	\$3.60	\$4.30
Over 100g but not more than 250g	\$3.00	\$6.70	\$8.50	\$10.30
Over 250g but not more than 500g	\$6.00	\$13.40	\$17.00	\$20.60
Over 500g but not more than 1kg	\$11.60	\$26.00	\$33.50	\$40.80

(ii) Registration fee (payable in addition to postage) \$1.00 for each item.

NOTES

For the purposes of Part 2 of Schedule 1, the overseas postal zones are as follows:

1. Zone I (Pacific Countries):

Australia	New Zealand
Cook Islands	Niue
Federated States of Micronesia	Papua New Guinea
Fiji	Solomon Islands
French Polynesia	Tonga
Kiribati	Tuvalu
Marshall Islands	US Samoa

2—continued

Nauru	Vanuatu
New Caledonia	Western Samoa
2. Zone II (North America and Asia):	
Afghanistan	Jamaica
Antigua and Barbuda	Japan
Bahamas	Korea, Democratic People's Republic of
Barbados	Korea, Republic of
Bermuda	Laos Republic
Bhutan	Malaysia
Cambodia	Maldives
Canada	Mexico
China	Mongolia
Colombia	Myanmar
Costa Rica	Nepal
Cuba	Nicaragua
Dominican Republic	Pakistan
El Salvador	Panama
Equador	Philippines
Greenland	Singapore
Grenada	Sri Lanka
Guyana	Surinam
Haiti	Taiwan

2—continued

Honduras	Thailand
Hong Kong	Trinidad and Tabago
Iceland	USA
India	Venezuela
Indonesia	Vietnam

3. Zone III (Europe, Middle East, and South America):

Abu Dhabi	Bahrain
Albania	Bolivia
Algeria	Brazil
Argentina	Bulgaria
Austria	Chile
Cyprus	Muscat
Czechoslovakia	Netherlands
Denmark	Norway
Dubai	Oman
Egypt	Paraguay
France	Peru
Germany	Poland
Greece	Portugal
Hungary	Qatar
Iran	Romania
Iraq	Saudi Arabia

2—continued

Ireland	Spain
Israel	Sweden
Italy	Switzerland
Jordan	Syria
Kuwait	Tunisia
Lebanon	Turkey
Libya	Uruguay
Liechtenstein	USSR
Luxemburg	United Kingdom
Malta	Vatican City
Monaco	Yemen
Morocco	Yugoslavia
4. Zone IV (Africa):	
Angola	Mali
Benin	Mauritania
Botswana	Mauritius
Burkina Faso	Mozambique
Burundi	Namibia
Cameroon	Niger
Central African Republic	Nigeria
Chad	Reunion
Congo	Rwanda

2—continued

Cote D'Ivoire	Senegal
Djibouti	Seychelles
Ethiopia	Sierra Leone
Gabon	Somalia
Gambia	South Africa
Ghana	Sudan
Guinea	Tanzania
Guinea-Bissau	Togo
Kenya	Uganda
Lesotho	Zaire
Liberia	Zambia
Madagascar	Zimbabwe
Malawi	

Schedule 2
Telegram charges

Reg 17

The charge payable in respect of a telegram shall be 15 cents for each word in the telegram, plus a charge of \$2.00 for each telegram.

Schedule 3
Charges for money orders

Reg 30

1. Money orders payable in Tokelau

Amount of money order

Charge

Not more than \$20	\$0.50
Over \$20 but not more than \$40	\$1.00
Over \$40 but not more than \$60	\$1.50
Over \$60 but not more than \$80	\$2.00
Over \$80 but not more than \$100	\$2.50
Over \$100	\$3.00

2. Money orders payable outside Tokelau

<i>Amount of money order</i>	<i>Charge</i>
Not more than \$20	\$1.00
Over \$20 but not more than \$40	\$2.00
Over \$40 but not more than \$60	\$3.00
Over \$60 but not more than \$80	\$4.00
Over \$80 but not more than \$100	\$5.00
Over \$100	\$6.00

Schedule 4**Forms**

Form 1

Reg 12

Receipt for registration of postal article

Name of sender: *[Insert name.]*Address of sender: *[Insert address.]*Fee received: *[Insert amount.]*Registration number: *[Insert number.]*Post Office where registered: *[Insert name of post office.]*.....
Signature of Postal Officer.....
Date

Reg 35

Form 2
Application for interception and return of postal
article

(Regulation 35, Tokelau Post Office Regulations 1991)

To: The Official Secretary (*or* An Administration Officer in the village of [*State village*])

I, [*Full name*], of [*Address*], apply for written authority for the interception and return of a postal article sent by me.

The postal article is addressed to: [*Insert name and address of addressee.*]

The postal article is as follows: [*Here describe the postal article.*]

.....
Signature of Applicant

.....
Date

Reg 48

Form 3
Application for short term radio licence

(Regulation 48, Tokelau Post Office Regulations 1991)

To: The Official Secretary

I, [*Full name*], of [*Address*] apply for a short term radio licence in respect of [*Here insert description of radio transmitter to be licenced, including make and serial number (if any).*].

.....
Signature of Applicant

.....
Date

MARIE SHROFF,
Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 1 March 1991, make provision for the operation of postal and telegraph services in Tokelau, and regulate the operation of radio transmitters in Tokelau.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 24 January 1991.

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Notes

1 General

This is an eprint of the Tokelau Post Office Regulations 1991. It incorporates all the amendments to the Tokelau Post Office Regulations 1991 as at 20 September 2007. The list of amendments at the end of these notes specifies all the amendments incorporated into this eprint since 3 September 2007. Relevant provisions of any amending enactments that contain transitional, savings, or application provisions are also included, after the Principal enactment, in chronological order.

2 About this eprint

This eprint has not been officialised. For more information about officialisation, please see "Making online legislation official" under "Status of legislation on this site" in the About section of this website.

3 List of amendments incorporated in this eprint (most recent first)

Tokelau Amendment Act 2007 (2007 No 84): section 9(2)
