POSTAL AND TELECOMMUNICATIONS AMENDMENT BILL 1983

Date Introduced: 9 November 1983
House: House of Representatives
Presented by: Hon. M. Duffy, M.P., Minister for Communications

Short Digest of Bill

Purpose

To again permit Australia Post to operate a courier service, similar to that operating from 1975 to 1981, and to permit agency business, representing private firms, to be conducted.

Background

The Australian Postal Commission (APC) was created in 1975. The Post Office functions of the earlier Postmaster-General's Department, which combined telecommunications and postal responsibilities, were examined by a Commission of Inquiry in 1974 chaired by Sir James Vernon[1]. At that time, the Post Office provided agency services for the Taxation Office, the Australian Broadcasting Commission in respect of licence fees, and the Commonwealth Savings Bank. The service was charged for on a direct costs plus administration loading basis, with a small profit margin in the case of a commercial activity such as banking[2].

The report of the Bradley Committee of Inquiry into the Monopoly position of the Australian Postal Commission, in August 1982, referred to a reduction in agency revenue from 17 per cent to 11 per cent of total revenue in the period from 1975-76 to 1980-81. The principal user of agency services, Telecom, was expected to gradually diminish requirements. The Committee recommended that post offices be authorized to provide agency services for both public and private sector principals subject to a revenue limit at each post office, and considering the workload in each office and the potential usefulness of the agency in remote areas[3]. The Committee also recommended that the APC be authorized to offer electronic mail services, a public access method of communication by electronic means rather than physical carriage. "Electronic mail" was regarded as an enhanced service rather than a new service distinct from and in
substitution for traditional postal services. For this reason, exemption from the APC monopoly was considered appropriate for hard copy inputs to and outputs from electronic mail systems[4].

Domestic facsimile transmission services were offered by the Courier-Fax service from 1979 until the associated Courier service was abolished on 30 June 1981. The Courier service in 1980/81 encompassed 41 centres throughout Australia, with 333 vehicles and 286 Courier drivers. Its abolition followed the Review of Commonwealth Functions' recommendations. In its stead, a new service, Australia Post Express, was instituted[5].

Main Provisions

Section 10 permits courier service by permitting transfer between points nominated by the customer, rather than recognised Australia Post offices and postboxes (clause 5).

New section 10A authorizes electronic mail services, defined in terms of transmission partly by electromagnetic means and partly in the form of hard copy.

Clause 11 amends the section 85 prohibition on carrying letters for reward. Private services where the charge is 10 times the postal scale charge or more will be exempt from the Australia Post monopoly, the higher fee evidencing a separate, specialized market.

The Bill redefines "postal article" to include courier and electronic mail items, and similarly extends provisions relating to theft etc. in clauses 12 to 21. Reward provisions are augmented by an increased $1000 reward for information relating to offences, or $10,000 in cases of stealing.

Clause 6 amends section 12 to permit private and public sector agency services. Extensive provisions specify the constitutional extent of the facility in terms of the parties to whom and the places in which it may be provided.

Meetings of the Commission are to follow the model of meetings of the Parliament House Construction Authority. The minimum retiring age for postal officers is lowered from 60 to 55 years, a change introduced in respect of the public service generally by the Commonwealth Employees (Redeployment and Retirement) Act 1979.
Clause 27 would apply section 50 of the Acts Interpretation Act 1901 to by-laws, so that eventual repeal of a by-law does not affect earlier acquired rights.

For further information, if required, contact:

29 November 1983
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References
