

POST OFFICE (DELIVERY) REGULATIONS, 2019

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S.I. 2019 No. 60

Post Office Act

CAP. 27A

POST OFFICE (DELIVERY) REGULATIONS, 2019

The Minister, in exercise of the powers conferred on him by sections 59(1)(l) of the *Post Office Act*, makes the following Regulations:

PART I

PRELIMINARY

Citation

1. These Regulations may be cited as the *Post Office (Delivery) Regulations, 2019*.

Definition

2.(1) In these Regulations,

“Chief Town Planner” means the Chief Town Planner referred to in the *Town and Country Planning Act, Cap. 240*;

“cluster box unit” means a privately owned group of boxes which is designed for the reception of mail by the occupants of an apartment building, a condominium, a commercial building or an office complex;

“commercial building” includes an office building or a hotel which

- (a) is no less than 2 storeys in height;
- (b) has the capacity for multiple occupancy; and
- (c) is not used as an apartment building;

“hold mail service” means the hold mail service referred to in regulations 2 and 8 of the *Post Office (Miscellaneous Services) Regulations, 1980* (S.I. 1980 No. 204);

“mail delivery point” means a place that contains a receptacle for the delivery of mail;

“mail room” means a room designed for the receipt, storage or dispatch of mail;

“office complex” means a building that contains at least 3 offices;

“post office box” means a numbered lockable private letter box that is provided to a person by the Post Office and for which the person pays rent in accordance with the *Post Office (Private Letter Box) Regulations, 1980* (S.I. 1980 No. 182);

“public place” includes a public road;

“premises” means a residence, an apartment building, a condominium, a commercial building or an office complex;

“receptacle” includes a mail box, a letter slot and a cluster box unit;

“road” has the meaning assigned to it in section 2(1) of the *Town and Country Planning Act, Cap. 240*;

“signalling or communication device” means a remote camera which detects whether there is mail within a mail box or a cluster box unit.

(2) For the purposes of these Regulations, reference to “an officer” means an officer of the Post Office.

PART II

DELIVERY OF MAIL

Designation of mail delivery points and receptacles

3.(1) The Postmaster-General shall determine the type of receptacles for receipt of mail.

(2) A receptacle for a mail delivery point shall include a mail box, a letter slot and a cluster box unit.

(3) The Postmaster-General shall

(a) designate mail delivery points for premises;

(b) determine the location of mail delivery points for premises; and

(c) determine the design and location of receptacles for mail delivery points.

(4) The Postmaster-General shall by notice published in

(a) the *Official Gazette*; and

(b) at least one daily newspaper in circulation in Barbados,

issue guidelines to the members of the public on the location and the design of receptacles.

(5) Where a notice is published in accordance with paragraph (4), the notice shall be available for inspection by the public at each Post Office.

(6) An officer shall deliver mail addressed to premises at a mail delivery point which is designated in accordance with this regulation.

Mail delivery points

4.(1) An officer shall not deliver mail to a mail delivery point which is located above a ground floor level of premises.

(2) Notwithstanding paragraph (1), where premises have more than one storey, an owner of the premises may apply in writing to the Postmaster-General for approval for mail deliveries to be made to a mail delivery point which is above a ground floor level.

(3) Where the Postmaster-General receives an application in accordance with paragraph (2), the Postmaster-General shall within one month of the receipt of the application

(a) reply to the applicant in writing; and

(b) state in the reply his decision and the reasons for the decision.

(4) Where the Postmaster-General approves an application submitted pursuant to paragraph (3), the location of the mail delivery point shall be subject to any conditions which the Postmaster-General may impose.

(5) Notwithstanding paragraph (1), paragraph (3) and regulation 27 of the *Post Office (Inland Letter Post) Regulations, 1980* (S.I. 1980 No. 181), an officer shall not deliver mail to any mail delivery point where the delivery of the mail to that point

(a) may expose the officer to personal risk; or

(b) may endanger another person.

(6) For the purposes of this regulation “personal risk” includes danger or a threat of danger to the health or the life of an officer.

Identifiers on receptacles

5. Where the Chief Town Planner assigns a number or any other identifier to premises, the owner of the premises shall cause the number or other identifier to be located in a conspicuous position on a receptacle located at a mail delivery point for the premises.

Mail delivery point at a residence

6.(1) The owner of a residence shall ensure that the mail delivery point for the residence is located as close as practicable to the boundary of the residence and on the road where the residence is situated.

(2) The receptacle at a mail delivery point for a residence is a mail box.

(3) Where there is more than one mail box for a residence, the owner of the residence shall ensure that the mail boxes are located together.

(4) Where the requirements at paragraphs (1), (2) or (3) are not practical, the owner of the residence may apply to the Postmaster-General for written approval to

(a) fasten the mail box or mail boxes

(i) securely or adjacent to any entrance door which is readily accessible to an officer;

(ii) securely to a wall or fence of the residence which is readily accessible to an officer; or

(b) cut a letter slot in

(i) any entrance door of the residence which is readily accessible to an officer;

(ii) a panel adjacent to any entrance door of the residence which is readily accessible to an officer.

(5) Where the requirements at paragraph (4) are not practical, the owner of the residence shall notify the Postmaster-General in writing that the requirements are not practical and state in the notice the reason why the requirements are not practical.

(6) Where the Postmaster-General is notified in accordance with paragraph (5), the Postmaster-General shall

- (a) determine whether he reasonably believes that the requirements are not practical;
- (b) respond in writing within one month of receipt of the notice; and
- (c) state his determination and the reasons for his determination in the response.

(7) Where the Postmaster-General determines that the requirements are not practical, the Postmaster-General may, in writing, authorise an officer to deliver mail to the residence in accordance with any conditions which he may impose.

Mail delivery point for an apartment building or a condominium

7.(1) The owner of an apartment building or a condominium shall ensure that the mail delivery point for the apartment building or the condominium is

- (a) located as close as practicable to the boundary of the apartment building or condominium and on the road where the apartment building or condominium is situated;
- (b) on a ground floor level of the apartment building or condominium; or
- (c) adjacent to the entrance of the apartment building or condominium and in a location that is readily accessible to an officer.

(2) The receptacle at a mail delivery point for an apartment building or a condominium is a cluster box unit.

(3) Notwithstanding paragraphs (1) and (2), an officer may deliver mail to an apartment building or a condominium where

- (a) the apartment building or condominium has a receptionist area on the ground floor; and

(b) the owner authorises a person assigned to the receptionist area to collect mail addressed to occupants of the apartment building or condominium.

(4) Where the requirements set out in paragraphs (1), (2) or (3) are not practical, the owner shall inform the Postmaster-General in writing that the requirements are not practical and paragraphs (5), (6) and (7) of regulation 6 shall apply with such modifications and adaptations as may be necessary to this regulation.

Mail delivery point for an office complex

8.(1) A mail delivery point for an office complex shall be located as close as practicable to the boundary of the office complex and on the road where the office complex is situated.

(2) The receptacle at a mail delivery point for an office complex is a mail box.

(3) Where the requirements set out in paragraph (1) or (2) are not practical, paragraph (4) of regulation 6 shall apply with such modifications and adaptations as may be necessary to this regulation.

(4) Where the requirements set out in paragraph (3) are not practical, the owner of the office complex shall inform the Postmaster-General in writing that the requirements are not practical and paragraphs (5) and (6) of regulation 6 shall apply with such modifications and adaptations as may be necessary to this regulation.

(5) Subject to paragraph (4), where the Postmaster-General determines that the requirements are not practical, the Postmaster-General may in writing authorise

(a) the owner of the office complex to provide a cluster box unit as the receptacle at the mail delivery point for the office complex; or

(b) an officer to deliver mail to the office complex in accordance with such conditions which he may impose.

(6) Where pursuant to paragraph (5) the Postmaster-General authorises an owner of an office complex to provide a cluster box unit at the mail delivery point of the office complex, the owner shall ensure that

- (a) the cluster box unit is installed with a mail room; or
- (b) where the installation of a mail room is not practical, a secured space is provided for the temporary storage and sorting of mail addressed to the office complex.

Mail delivery point for a commercial building

9.(1) A mail delivery point for a commercial building shall be located as close as practicable to the boundary of the commercial building and on the road where the commercial building is situated.

(2) The receptacle at a mail delivery point for a commercial building is a mail box.

(3) Where the commercial building requires more than one mail box for the collection of mail, the owner of the building shall provide a cluster box unit for the collection of mail.

(4) Where the owner provides a cluster box unit for a commercial building, paragraph (6) of regulation 8 shall apply with such modifications and adaptations as may be necessary to this regulation.

(5) Where the requirements set out in paragraph (1), (2) (3) or (4) are not practical,

- (a) the owner may apply to the Postmaster-General in writing to fasten a mail box or, where applicable, mail boxes to the commercial building in accordance with paragraph 4(a) of regulation 6; or
- (b) where applicable, an officer may deliver mail to the office complex in accordance with paragraph 3 of regulation 7.

(6) Where the requirements at paragraph (5) are not practical, the owner shall inform the Postmaster-General in writing that the requirements are not practical

and paragraphs (5), (6) and (7) of regulation 6 shall apply with such modifications and adaptations as may be necessary to this regulation.

Non-compliance by owners of premises

10.(1) Where an owner of premises fails, where applicable, to comply with regulations 5, 6, 7, 8 or 9, the delivery of the mail addressed to the premises may be delayed or the mail may not be delivered.

(2) Subject to paragraph (1), where the mail is not delivered, the Postmaster-General shall return the mail to its sender within 3 days of non-delivery of the mail.

Deliveries to post office boxes

11. Notwithstanding regulations 8 and 9, where mail is addressed to the physical address of a company or a business and the company or business has a post office box, the officer shall deliver the mail of the company or the business, respectively, to its post office box.

Provision of mail boxes and letter slots

12.(1) Where mail is to be delivered to a mail delivery point which should have a mail box or a letter slot and the delivery point

- (a) does not have a mail box or a letter slot; or
- (b) has a mail box or a letter slot that does not meet the requirements of these Regulations,

the Postmaster-General shall in writing notify the person responsible for providing the mail box or letter slot of the information stated at paragraph (2).

(2) The notification referred to in paragraph (1) shall state, where applicable, the following:

- (a) a mail box or a letter slot should be provided in accordance with these Regulations at the mail delivery point;

- (b) the mail box or letter slot should be provided within one month from the date of the notice;
 - (c) where the mail box or letter slot is not provided within the period stipulated in the notice, there shall be a suspension of the delivery of mail to the mail delivery point until the mail box or letter slot is provided in accordance with these Regulations;
 - (d) where there is suspension of the delivery of mail, all mail which is to be received at the mail delivery point shall be subject to hold mail service;
 - (e) where the Postmaster-General subjects mail to hold mail service, the mail shall be held at the Post Office designated for the district where the mail delivery point is located for a period of one month;
 - (f) the Postmaster-General shall not release the mail to the person to whom the mail is addressed or a person authorised to collect the mail unless the fee payable for the hold mail service is paid before the end of the one month period;
 - (g) subject to subparagraphs (e) and (f), where the fee payable for the hold mail service is not paid or the fee is paid and the mail is not collected before the end of the one month period, the Postmaster-General shall return the mail to its sender within 3 days after the one month period ends.
- (3) Where the person responsible for providing the mail box or letter slot is not
- (a) the person who receives mail at the mail delivery point; or
 - (b) the only person who receives mail at the mail delivery point,
- that person shall, on receipt of the notice referred to in paragraph (1), immediately inform any person or, where applicable, any other person, who receives mail at the mail delivery point of the content of the notice.

- (4) Where the person who receives a notice pursuant to paragraph (1) causes a mail box or a letter slot to be provided, he shall
- (a) ensure that the specifications of the mail box or the letter slot comply with these Regulations; and
 - (b) notify the Postmaster-General in writing of the existence of the mail box or letter slot.
- (5) Where the Postmaster-General approves the mail box or the letter slot, the Postmaster-General shall authorise an officer to make mail deliveries to the mail delivery point.

Provision of cluster box units

13.(1) Where mail is addressed to an apartment building, a condominium, a commercial building or an office complex which should have a cluster box unit and the apartment building, condominium, commercial building or office complex

- (a) does not have a cluster box unit; or
- (b) has a cluster box unit that does not comply with these Regulations,

regulation 12 shall apply with such modifications and adaptations as may be necessary to this regulation.

Delivered mail

14. Mail is deemed to be delivered to a person where an officer delivers the mail to a mail delivery point at the address of the person as shown on the mail.

Excessive mail deliveries

15.(1) Where the Postmaster-General determines that the volume of mail received by a person at his address is not practical for normal mail delivery at a mail delivery point for the address, the Postmaster-General shall notify the person in writing of his determination and request that the person rent a post office box

in accordance with the *Post Office (Private Letter Box) Regulations, 1980* (S.I. 1980 No. 182) within one month of the date of the notice.

(2) Where a person receives a notice pursuant to paragraph (1) and the person fails to rent a post office box within the one month period as stated in the notice, the Postmaster-General shall

- (a) suspend the delivery of mail of the person to the mail delivery point; and
- (b) subject all mail to be received by the person at the address to hold mail service.

(3) Where the Postmaster-General subjects mail to hold mail service, the mail shall be held at the Post Office designated for the district where the mail delivery point for the address is located for a period of one month.

(4) Subject to paragraph (3), the Postmaster-General shall not release mail to the person to whom the mail is addressed or a person authorised to collect the mail unless the fee payable for the hold mail service is paid before the end of the one month period.

(5) Where

- (a) the fee payable for hold mail service is not paid before the end of the one month period; or
- (b) the fee payable for hold mail service is paid before the end of the one month period and the mail is not collected by the person before the end of the one month period,

the Postmaster-General shall return the mail to its sender within 3 days after the one month period ends.

Return of mail to sender

16. Where the Post Office receives mail which contains an incorrect address or which contains an insufficient address, the Postmaster-General shall

return the mail to its sender within 3 days of discovery that the mail contains an incorrect address or an insufficient address.

PART III

SERVICES

Hold mail service

17. A person who desires a Post Office to hold mail addressed to him for a specified period shall apply to the Postmaster-General in accordance with the *Post Office (Miscellaneous Services) Regulations, 1980* (S.I. 1980 No. 204) for hold mail service.

Mail redirection service

18. Where a person has changed his address and desires his mail to be redirected to another address in Barbados, the person shall apply to the Postmaster-General in accordance with the *Post Office (Miscellaneous Services) Regulations, 1980* (S.I. 1980 No. 204) for his mail to be redirected to the other address.

PART IV

RECEPTACLES FOR MAIL

Erection of receptacles by Postmaster-General

19.(1) The Postmaster-General may in any public place install, erect or relocate a receptacle which is to be used for the collection, delivery or storage of mail.

(2) No person shall

(a) destroy, damage, relocate or remove a receptacle; or

(b) permit or cause another person to destroy, damage, relocate or remove a receptacle,

without the written authorisation of the Postmaster-General.

(3) A person who contravenes paragraph (2) is guilty of an offence and is liable on summary conviction to a fine of \$5 000 or to imprisonment for a term of 6 months or to both.

Mail boxes

20.(1) Where a mail box is used as a receptacle for mail at a residence, a commercial building or an office complex, the owner of the residence, commercial building or office complex shall ensure that the mail box complies with the requirements stated in paragraph (2).

(2) A mail box shall be

(a) constructed of a sturdy material that contains an opening which allows an officer to insert bulky mail with ease;

(b) placed in a position that it is readily accessible to an officer;

(c) placed no farther than the closest entrance door of the residence, the commercial building or the office complex is from the road.

(3) Where a mail box has a slot, the owner shall ensure that the slot measures not less than 13.5 cm in length by 4 cm in width and that the slot is located on or near the top of the mail box.

Mail boxes for cluster box units

21. Where a cluster box unit is used as a receptacle for mail at an apartment building, a condominium, a commercial building or an office complex, the owner

of the apartment building, condominium, commercial building or office complex shall ensure that

- (a) each person to whom mail is addressed at the apartment building, condominium, commercial building or office complex has a mail box in the cluster box unit;
- (b) each mail box is equipped with a door with a lock through which mail may be obtained by the person to whom the mail is addressed and that the door may be locked by that person;
- (c) the dimensions of each mail box in the cluster box unit is not less than 13.5 cm in length by 12.5 cm in width by 35 cm in depth;
- (d) each mail box bears a number that corresponds with the number of the space that the person occupies in the apartment building, condominium, commercial building or office complex; and
- (e) the number in the slot of each mail box in the cluster box unit is readily visible to an officer.

Letter slots

22.(1) Where a letter slot is used as a receptacle for the collection of mail at a residence or at an office complex, the owner of the residence or the office complex shall ensure that the dimensions of the letter slot are in accordance with the requirements stated in paragraph (2).

(2) A letter slot shall

- (a) measure not less than 17.5 cm in length by 4 cm in width;
- (b) be placed not more than 125 cm in height and not less than 60 cm in height from the ground floor level of the residence or office complex;
- (c) be placed no farther than the closest entrance door of the residence or the office complex is from the road.

Cluster box units

23.(1) Where a cluster box unit is used as a receptacle for mail at an apartment building, a condominium, a commercial building or an office complex, the owner of the apartment building, condominium, commercial building or office complex shall ensure that the cluster box unit

- (a) is not more than 170 cm in height or not less than 45 cm in height from the ground floor level of the apartment building, condominium, commercial building or office complex;
- (b) is installed in such a manner as to prevent the loss or trapping of mail, damage to mail delivered or injury to an officer;
- (c) is constructed in a manner that an officer shall have access to the mail boxes in the cluster box unit by means of either
 - (i) a master lock on the front of the unit which when installed is not more than 170 cm in height from the ground floor level of the apartment building, condominium, commercial building or office complex; or
 - (ii) a mail room;
- (d) is readily accessible to the users of the cluster box unit;
- (e) is readily accessible to officers;
- (f) is kept clean and in good repair;
- (g) is regularly inspected to ensure that the unit and its mail boxes complies with these Regulations; and
- (h) does not contain a signalling or communication device.

(2) Where the means of access to a cluster box unit at subparagraph (c) of paragraph (1) is not practical and the apartment building, condominium, commercial building or office complex has an open space or a foyer, the owner

of the apartment building, condominium, commercial building or office complex shall

- (a) place the cluster box unit in the open space or foyer;
 - (b) ensure that the open space or foyer is adequately lit for the users of the cluster box unit and the officers;
 - (c) ensure that there is a cupboard type door on the rear of the assembly of the mail boxes in the cluster box unit;
 - (d) ensure that the cupboard type door
 - (i) is constructed of metal;
 - (ii) is so hinged that the hinge or the hinge pin of the door cannot be removed from the outside when the door is closed;
 - (iii) has a master lock which anchors firmly through the thickness of the door;
 - (iv) prevents unauthorised entry when closed; and
 - (e) ensure that the lock for the cupboard type door is
 - (i) a master lock issued by the Postmaster-General; and
 - (ii) fitted in such a manner that when the door at the rear of the assembly of the mail boxes is locked, the bolt of the lock is engaged in the metal of the door to a depth of at least 4.5 mm.
- (3) An officer shall supervise the installation of the lock referred to in subparagraphs (d) and (e) of paragraph (2).
- (4) Where the means of access to a cluster box unit as described in subparagraph (c) of paragraph (1) is not practical and the apartment building, condominium, commercial building or office complex does not have an open space or a foyer, paragraphs (5), (6) and (7) of regulation 6 shall apply with such modifications and adaptations as may be necessary to this regulation.

Mail rooms

24.(1) Where a cluster box unit located at a commercial building or an office complex is installed with a mail room, the owner of the commercial building or office complex shall permit an officer to use the mail room to store and sort mail that is addressed to the occupants of the commercial building or office complex.

(2) The owner of the commercial building or office complex shall ensure that the mail room

- (a) is situated at the rear of the cluster box unit;
- (b) is adequately lit for the users of the mail room;
- (c) is adequately ventilated;
- (d) is easily accessible by officers;
- (e) is kept clean and in good repair; and
- (f) is regularly inspected to ensure that it is in compliance with these Regulations; and
- (g) has a minimum work space which is 90 cm in width along the length of the cluster box unit;

(3) Notwithstanding subparagraph (g) of paragraph (2), where the Postmaster-General reasonably believes that additional storage space is required within the mail room, the Postmaster-General shall notify the owner of the commercial building or office complex in writing of the need for additional storage space.

(4) The Postmaster-General shall state in the notice the following information:

- (a) the specifications of the required storage space;
- (b) that the required storage space should be provided within 6 months from the date of the notice;

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- (c) that where the required storage space is not provided by the end of the 6 month period, there shall be a suspension of the delivery of mail to the commercial building or office complex;
- (d) that where the delivery of mail is suspended, all mail addressed to the commercial building or the office complex shall be subject to hold mail service until there is compliance with the requirement for additional storage space.
- (5) Where a person fails to comply with paragraph (1) or (2), the Postmaster General shall notify the person in writing of the following information:
- (a) the failure to comply with paragraph (1) or (2);
- (b) the person is required to become compliant with paragraph (1) or (2) within one month from the date stated on the notice;
- (c) after the end of one month there shall be a suspension of the delivery of mail to the commercial building or office complex; and
- (d) where the delivery of mail is suspended, all mail addressed to the commercial building or the office complex shall be subject to hold mail service until there is compliance with paragraph (1) or (2).
- (6) Where a person receives a notice pursuant to paragraph (3) or (5), the person shall immediately inform the occupants of the commercial building or the office complex of the content of the notice.
- (7) Where pursuant to this regulation the Postmaster-General subjects mail to hold mail service, the mail shall be held at the Post Office designated for the district where the commercial building or office complex is located for a period of one month.
- (8) The Postmaster-General shall not release mail which is subject to hold mail service to the person to whom the mail is addressed or a person authorised to collect the mail unless the fee payable for the hold mail service is paid before the end of the one month period.

- (9) Where the fee payable for hold mail service is
- (a) not paid before the end of the one month period; or
 - (b) paid before the end of the one month period and the mail is not collected by the person to whom the mail is addressed or the person authorised to collect the mail before the end of the one month period,

the Postmaster-General shall return the mail to its sender within 3 days after the one month period ends.

(10) Notwithstanding paragraphs (3) to (9), where the requirements of paragraph (1), (2) or (3) are not practical, the person shall

- (a) notify the Postmaster-General in writing which requirements are not practical; and
- (b) state in the notice the reason why the requirements are not practical.

(11) Where the Postmaster-General receives a notice in accordance with paragraph (10) and determines that the requirements are not practical, the Postmaster-General may, in writing, exempt the owner of the commercial building or the office complex from the requirement of providing a mail room.

Space for storage and sorting of mail

25.(1) Where a commercial building or an office complex requires a secured space for the temporary storage and sorting of mail, the owner of the commercial building or the office complex shall ensure that the space is

- (a) not less than 5 feet in width;
- (b) secured with a master lock issued by the Postmaster-General;
- (c) adequately lit for the users of the space;
- (d) adequately ventilated;
- (e) kept clean and in good repair; and

- (f) regularly inspected to ensure that it is in compliance with these Regulations.
- (2) Paragraphs (5) to (11) of regulation 24 shall apply with such modifications and adaptations as may be necessary to this regulation.

Made by the Minister this 7th day of August, 2019.

EDMUND G. HINKSON
Minister Responsible for Postal Services