

Public Enterprises Bill 2019 (Bill No. 4 of 2019) – Submission

Post Fiji (Pte) Limited proposed submission is provided below.

Part	Clause	Sub-Clause	Suggested changes (if any)	Explanation
Part 1 Preliminary	2	“spouse”	Include a husband or wife or a defacto partner, considered to be in relationship	Spouse needs to capture husband and wife and defacto as well as opposed to just defacto only
7 – financial transparency Financial records	56 (2)	Inclusion of a sub-clause (d)	It is the sole responsibility of a public enterprise to designate a person to be responsible for financial records retention. The designated person should have appropriate knowledge of and access to departmental financial data for retention periods and legal and audit requirements. This may be converted in a form by using electronic transactions so that the retention becomes easily available including steps necessary to ensure originals are easily readable at all material times.	It has been noted with Post Fiji that Money Order Original Receipts fades away within 3 months. This has been raised by Police and FICAC if department can re-look at its processes and policies and ensure it makes copies. Also originals do go missing and request has been made by statutory authority that electronic copies should be kept as mandatory.

Schedule 2 – Consequential Amendments

Proposing if this section can also consider the reviewing of the Post and Telecommunications Decree 1989 [Decree No. 37]. Post Fiji is requesting for consideration of separating Postal Sector and Telecommunications in separate Decree. Post Fiji requests that a new Postal Bill be designed specifically for the organization incorporating Universal Postal Union requirements for the postal sector.

Post Fiji is also requesting that “Sub-Division B – Theft of Postal Articles” under the Crimes Act 2009 be included in the proposed Postal Bill. (*Please refer to attached **Appendix 1***)

APPENDIX

Sub-Division B — Theft Of Postal Articles

Theft offences involving postal articles

302. A person commits a summary offence if he or she —

(a) steals a mail bag; or

(b) steals from a mail bag, post office, office of the post office, or mail, any postal packet in course of transmission by post; or

(c) steals any chattel, money or valuable security out of a postal packet in course of transmission by post; or

(d) stops a mail with intent to rob the mail.

Penalty — Imprisonment for 5 years.

Embezzlement by officer of post office

303. A person commits a summary offence if he or she, being an officer of the post office, steals or embezzles a postal packet in course of transmission by post. Penalty —

(a) if the postal packet contains any chattel, money or valuable security - Imprisonment for 10 years; and

(b) in all other cases — Imprisonment for 5 years.

304. for the purposes of sections 302 and 303—

(a) a postal packet shall be deemed to be in course of transmission by post from the time of its being delivered to a post office to the time of its being delivered to, or collected by, the person to whom it is addressed;

(b) the delivery of a postal packet of any description to a letter carrier or other person authorised to receive postal packets of that description for the post shall be a delivery to a post office; and

(c) the delivery of a postal packet at the house or office of the person to whom the packet is addressed or to him or her (or to his or her employee or agent or other person considered to be authorised to receive the packet) according to the usual manner of delivering that person's postal packets shall be a delivery to the person addressed.