

POST OFFICE (PO)

Case No. OCAC 564/95

Complaint against PO - loss of a speedpost item and ineffective investigation

Ms A arranged to despatch by speedpost to Europe some original shipping documents for the purpose of clearing a consignment of goods at the point of destination.

2. The goods arrived at the port but the documents were reported lost in the mail. Ms A demanded that any charges incurred as a result of the delay be indemnified by PO.

3. PO's liability for the loss of speedpost items is governed by the Post Office Ordinance, an abridged version is available for public information in the PO Guide and the Speedpost Service Guide obtainable at PO outlets. Under the ordinance, PO is basically exempted from compensation claims arising from the loss, damage or delay of a speedpost item. As a general practice, PO would usually refund the postage as an ex-gratia payment for any loss of item.

4. The Department's Performance Pledge provides that at least an interim reply would be issued within 10 days of receipt of any suggestions or complaints by members of the public. In this instance PO immediately responded to Ms A's report of the loss of the item. It wrote twice each to the originating air carrier and the transit air carrier, six times to the air carrier's European agent and four times to Ms A, followed by a refund for postage and a written apology.

5. There was documentary evidence suggesting the speedpost item, one of 24 items in four mailbags under two enumerated despatches vanished during air transit to Europe. The mailbags somehow resurfaced over a month later in the country of destination without documents or proof of routing.

6. The carrier which had ownership and custody of the item during transit accepted responsibility for the loss which largely exonerated PO though it remained accountable as principal to Ms A. This Office however finds no maladministration on the part of PO on account of the copious evidence available indicating its exercise of due diligence.

7. Because of the large volume of mails handled by PO and its dependence on an international network to effect mail delivery, this Office considers under the circumstances PO had conducted its service correctly, had made every effort to assist Ms A in locating the lost mail item and had acted responsibly and thoroughly in following up on her complaint.

8. This Office therefore finds the complaint **unsubstantiated**.