

COMMISSION OF CODIFICATION.

NOTE

for the Committee of Translation

The Department of Post and Telegraph is preparing a new "Postal Act" which has been submitted for advice to the Commission of Codification.

According to this Act, the liability of the Department, as a carrier of postal articles (letters, parcels, etc.) has been limited. It is generally admitted, in all countries, that the Department of Post, being a public service, cannot be bound exactly by the same rules as an ordinary carrier. For instance, the Department incurs no liability for the loss, damage or delay in the transportation of ordinary letters or post cards: its liability exists in case of registered postal articles up to a certain amount fixed by the postal regulations, etc.

The Committee remembers that the position of the State Railways Department is the same, and that special provisions to that effect have been made in the Draft Law on Railways which is now under translation.

This special position has been specified in Section 538 of the Draft Code on Obligations which reads as follows:

"The carriage of goods or passengers by State Railways is governed by the regulations and bye-laws of the Royal Railways Department....."

To meet also the position of the Department of Post and Telegraph, which is the same, the Committee of