



# Postal Services Act 2000

## 2000 CHAPTER 26

### PART II

#### LICENCES FOR POSTAL SERVICES

##### *Licences*

#### **11 Licences: general**

- (1) The Commission may, on an application by a person under section 12, grant a licence to that person authorising him to do anything which—
  - (a) would otherwise contravene section 6(1), and
  - (b) is specified in the licence or determined by or under it.
- (2) A licence shall not be valid unless it is in writing.
- (3) A licence shall not be transferred.
- (4) A licence shall, unless it previously ceases to have effect in accordance with its provisions, continue in force for the period specified in it or determined by or under it.

#### **12 Licences: grant**

- (1) An application for a licence shall be made in writing to the Commission in accordance with such requirements as the Commission may specify.
- (2) The Commission may, in particular, require the application to be accompanied by such reasonable application fee as it may determine.
- (3) Before granting a licence the Commission shall—
  - (a) publish a notice in such manner as the Commission considers appropriate for bringing it to the attention of persons likely to be affected by the grant,
  - (b) serve a copy of the notice on the Council, and

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*Status: This is the original version (as it was originally enacted).*

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- (c) consider any representations made in accordance with the notice and not withdrawn.
- (4) The notice shall—
  - (a) state that the Commission proposes to grant the licence and the reasons for so proposing, and
  - (b) state the period (not less than 28 days starting with the date of publication of the notice) within which representations may be made regarding the proposed licence.
- (5) As soon as practicable after granting a licence the Commission shall send a copy of it to the Secretary of State and the Council.

### **13 Licences: conditions and other provisions**

- (1) A licence may include such provisions as the Commission considers appropriate; and a provision need not relate to anything authorised by the licence.
- (2) The provisions of a licence may, in particular, require a payment to the Commission on the grant of the licence, or payments while the licence is in force, or both, of such amount or amounts as may be specified in the licence or determined by or under it.
- (3) Such provisions of a licence as the Commission considers appropriate may be expressed as conditions.
- (4) The Commission shall consult any person who is to be granted a licence about any conditions that the Commission proposes to include in the licence (other than any condition which the Commission is required to include in the licence by virtue of this Act).
- (5) References in this Act to a condition of a licence are to a provision of a licence which is expressed as a condition.
- (6) Subject to subsection (7) no action shall lie or, in Scotland, be competent in respect of a contravention by a licence holder of a condition of his licence.
- (7) Subsection (6) does not affect—
  - (a) a right of action in respect of an act or omission which takes place in the course of the provision of any postal services or the doing of anything else to which the condition relates,
  - (b) the power to make an order under section 22 or 23, confirm an order made under section 23 or impose a penalty under section 30,
  - (c) the duty to comply with any such order or pay any such penalty and a power to bring proceedings in respect of such a duty.