



# Postal Services Act 2011

## 2011 CHAPTER 5

### PART 4

#### SPECIAL ADMINISTRATION REGIME

##### *Modifications of regulatory conditions etc*

#### **82 Regulatory powers exercisable during postal administration**

- (1) This section applies if a postal administration order has been made.
- (2) The Secretary of State may by order modify the universal postal service order made by OFCOM under section 30.

An order under this subsection is subject to negative resolution procedure.

- (3) Before modifying that order, the Secretary of State must consult—
  - (a) OFCOM, and
  - (b) such other persons as the Secretary of State considers appropriate.

<sup>F1</sup>(4) .....

- (5) The Secretary of State may by order amend section 31.
- (6) An order under subsection (5)—
  - (a) is subject to approval after being made, and
  - (b) may include such amendments of Part 3 as the Secretary of State considers necessary or expedient in consequence of any provision made by the order.
- (7) The Secretary of State may modify or revoke any regulatory condition if the Secretary of State considers it appropriate to do so for, or in connection with, achieving the objective of the postal administration.
- (8) The Secretary of State's power to make modifications includes power to make incidental, supplementary, consequential, transitional or transitory modifications.

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*Changes to legislation: There are currently no known outstanding effects for the Postal Services Act 2011, Section 82. (See end of Document for details)*

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- (9) Before modifying or revoking a regulatory condition, the Secretary of State must consult—
- (a) OFCOM,
  - (b) the person whose condition is being modified or revoked, and
  - (c) such other persons as the Secretary of State considers appropriate.
- (10) The Secretary of State must publish every modification or revocation of a regulatory condition made under this section.
- (11) The publication must be in such manner as the Secretary of State considers appropriate.
- (12) The provisions of Part 3 (including section 29) other than—
- (a) sections 57 to 60 (appeals), and
  - (b) paragraph 3 of Schedule 6 (procedure for modifying or revoking regulatory conditions),
- apply in relation to the modification or revocation by the Secretary of State of regulatory conditions as they apply in relation to the modification or revocation by OFCOM of regulatory conditions.
- (13) The power conferred by subsection (2) or (5) may not be exercised at any time after the postal administration order has ceased to be in force.
- (14) Any duty to consult under this section may be met by consultation before the making of the postal administration order.

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**Textual Amendments**

- F1** S. 82(4) omitted (31.1.2020) by virtue of [The Postal and Parcel Services \(Amendment etc.\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1417\)](#), regs. 1, **3(4)(d)**; 2020 c. 1, Sch. 5 para. 1(1)
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**Commencement Information**

- I1** S. 82 in force at 1.10.2011 by [S.I. 2011/2329](#), **art. 3**

**Changes to legislation:**

There are currently no known outstanding effects for the Postal Services Act 2011, Section 82.