

Draft Order laid before Parliament under section 122(12) of the Postal Services Act 2000, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2001 No.

POSTAL SERVICES

**The Postal Services Act 2000 (Determination of
Turnover for Penalties) (Amendment) Order 2001**

<i>Made</i>	- - - -	<i>2001</i>
<i>Coming into force</i>	- -	<i>2001</i>

Whereas a draft of this Order has been laid before Parliament in accordance with section 122(12) of the Postal Services Act 2000(1);

And whereas the said draft as so laid has been approved by resolution of each House of Parliament;
Now, therefore, the Secretary of State, in exercise of the powers conferred upon her by section 30(2) of the Postal Services Act 2000 hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Postal Services Act 2000 (Determination of Turnover for Penalties) (Amendment) Order 2001 and shall come into force on the day after the day on which it is made.

Amendment of the Postal Services Act (Determination of Turnover for Penalties) Order 2001

2.—(1) The Postal Services Act 2000 (Determination of Turnover for Penalties) Order 2001(2) shall be amended in accordance with paragraph (2) below.

(2) In article 2(2), after “but less than”, there shall be inserted “or equal to”.

2001

Minister of State for E-Commerce and
Competitiveness,
Department of Trade and Industry

(1) 2000 c. 26.
(2) S.I.2001/1135.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends article 2(2) of the Postal Services Act (Determination of Turnover for Penalties) Order 2001 (“the principal order”).

The principal order specifies the way to determine the turnover of a licence holder for the purposes of section 30(2) of the Postal Services Act 2000 (which sets the maximum penalty that the Postal Services Commission (“the Commission”) may impose on a licence holder for contravention of a condition of his licence). The principal order does so by reference to the licence holder’s annual turnover and a multiplier based on the length of time that the Commission is satisfied that the contravention has lasted. Where this is more than one year, but less than two years, the multiplier is two. For a contravention lasting more than two years, the multiplier is three. No multiplier applies where the Commission is satisfied that the contravention has lasted for one year or less or for exactly two years.

The amendment made by this Order has the effect of introducing a multiplier of two where the Commission is satisfied that the contravention has lasted for exactly two years.