



# Postal Services Act 2000

## 2000 CHAPTER 26

### PART II

#### LICENCES FOR POSTAL SERVICES

##### *Licences*

#### **[<sup>F1</sup>12B Licences: determination of applications**

(1) For the purposes of this section—

“non-reservable service” means a service of conveying letters from one place to another, where each letter has either or both of the following characteristics, namely—

- (a) that it is conveyed in consideration of a payment of not less than [<sup>F2</sup>65 pence] made by or on behalf of the person for whom it is conveyed, or
- (b) that it weighs not less than [<sup>F2</sup>50 grams];

“reservable service” means a service of conveying letters from one place to another, where each letter—

- (a) is conveyed in consideration of a payment of less than [<sup>F3</sup>65 pence] made by or on behalf of the person for whom it is conveyed, and
- (b) weighs less than [<sup>F3</sup>50 grams];

and subsection (6) of section 6 applies as it applies for the purposes of that section.

(2) Where an application for a licence seeks authority for the provision of a reservable service which no person (other than a universal service provider) is authorised by a licence to provide in the manner sought in the application—

- (a) in a case where the application seeks authority for the provision of that service alone, the Commission shall grant a licence if, and only if, it is satisfied that the requirements of subsections (5) and (6) will be met in relation to the licence (if and when it is granted), and

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*Status: Point in time view as at 01/01/2006. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Postal Services Act 2000, Section 12B. (See end of Document for details)*

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- (b) in any other case, the Commission shall grant a licence so far as the application relates to the provision of that service if, and only if, it is satisfied that (if and when the licence is granted) those requirements will be met in relation to so much of the licence as relates to the provision of that service.
- (3) Where an application for a licence seeks authority for the provision of a reservable service which a person (other than a universal service provider) is authorised by a licence to provide in the manner sought in the application—
  - (a) in a case where the application seeks authority for the provision of that service alone, the Commission shall grant a licence if, and only if, it is satisfied that the requirements of subsection (5) will be met in relation to the licence (if and when it is granted), and
  - (b) in any other case, the Commission shall grant a licence so far as the application relates to the provision of that service if, and only if, it is satisfied that (if and when the licence is granted) those requirements will be met in relation to so much of the licence as relates to the provision of that service.
- (4) Where an application for a licence seeks authority for the provision of a non-reservable service, the Commission—
  - (a) in a case where the application seeks authority for the provision of that service alone, shall grant a licence if, and only if, it is satisfied that the requirements of subsection (5) will be met in relation to the licence (if and when it is granted), and
  - (b) in any other case, shall grant a licence so far as the application relates to the provision of that service if, and only if, it is satisfied that (if and when the licence is granted) those requirements will be met in relation to so much of the licence as relates to the provision of that service.
- (5) The requirements of this subsection are—
  - (a) that the licence includes provisions designed to safeguard the provision of a universal postal service,
  - (b) that the licence includes provisions designed to ensure that the holder complies with such requirements as the Commission considers necessary for the purpose of—
    - (i) safeguarding confidentiality in connection with the sending, conveyance and delivery of letters;
    - (ii) safeguarding security where dangerous goods are transported;
    - (iii) safeguarding the confidentiality of information conveyed;
    - (iv) preserving privacy;
    - (v) protecting the environment;
    - (vi) promoting such policies as the Secretary of State may from time to time have in respect of regional planning and development, and
  - (c) that the holder of the licence is in a position to comply with any requirement imposed on him by provision made under paragraph (a) or (b).
- (6) The requirement of this subsection is that—
  - (a) the grant of the licence, and
  - (b) the grant to the holder or any other person of any licence of a similar nature, does not endanger the ability of a universal service provider to provide basic postal services.

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- (7) In subsection (6) “basic postal services”, in relation to a universal service provider, means such postal services as he is required to provide in the discharge of any duty to provide a universal postal service, or part of such a service,—
- (a) imposed under section 3(2) as a condition of his licence,
  - (b) included in his licence as a condition by virtue of section 13(1), or
  - (c) imposed on him by an order under section 102(2).]

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**Textual Amendments**

- F1** S. 12B inserted (1.1.2003) by [S.I. 2002/3050, reg. 6](#)
- F2** Words in s. 12B substituted (1.1.2006) by [Postal Services \(EC Directive\) Regulations 2002 \(S.I. 2002/3050\), regs. 1\(5\), 8\(a\)](#)
- F3** Words in s. 12B substituted (1.1.2006) by [Postal Services \(EC Directive\) Regulations 2002 \(S.I. 2002/3050\), regs. 1\(5\), 8\(b\)](#)

**Status:**

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**Changes to legislation:**

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