

*These notes refer to the Postal Services Act 2011
(c.5) which received Royal Assent on 13 June 2011*

POSTAL SERVICES ACT 2011

EXPLANATORY NOTES

TRANSPOSITION OF EUROPEAN DIRECTIVES

504. This Act includes provision giving effect to Directive [2008/6/EC](#) of the European Parliament and of the Council of 20 February 2008, which amends Directive [97/67/EC](#) with regard to the full accomplishment of the internal market of Community postal services. Directive [97/67/EC](#) was previously amended by Directive [2002/39/EC](#). References are to the consolidated version of the Directive. A Transposition Note setting out how the Government will transpose into UK law the main elements of the Directive is annexed to these Explanatory Notes.
505. The Directive provides that member States must ensure the provision of the universal service is guaranteed and must include certain minimum requirements (see Articles 3 and 4 of the Directive). Section 29 provides that the primary duty of OFCOM is to carry out their functions in a way that will secure the provision of a universal postal service. Section 30 provides that OFCOM must by order set out a description of services that should be provided in the United Kingdom as a universal postal service. Section 31 provides that the universal postal service must include the minimum requirements of the universal postal service, as set out in Article 3 of the Directive. The Act enables OFCOM to impose conditions on providers of postal services and it is through these conditions that the relevant obligations of the Directive will be secured. In particular, section 35 provides for the designation of a universal service provider and sections 28 and 36 to 39 provide for the imposition of conditions on the universal service provider to ensure that Article 6 and parts of Article 11a and Article 14 are implemented.