



# Postal Services Act 2011

## 2011 CHAPTER 5

### PART 3

#### REGULATION OF POSTAL SERVICES

##### *Persons providing services within scope of universal postal service*

#### **40 Services within scope of the universal postal service**

- (1) A postal service is within the scope of the universal postal service if—
- (a) the service falls within the description of a service set out in the universal postal service order, or
  - (b) the service would fall within the description of a service set out in that order but for the fact that—
    - (i) in the case of a service consisting of the delivery or collection of letters or other postal packets, the delivery or collection is not made on each of the days required by section 31 (see requirements 1 and 2),
    - (ii) the service is not provided throughout the United Kingdom, or
    - (iii) the service is not provided at an affordable price in accordance with a public tariff which is uniform throughout the United Kingdom, or
  - (c) in the opinion of OFCOM the service is of a kind that, from the point of view of users of postal services, could reasonably be said to be interchangeable with a service of a description set out in that order.
- (2) In this section any reference to a service includes a part of a service.

#### **Commencement Information**

**II** S. 40 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 40.