



Postal Services Act 2011

2011 CHAPTER 5

PART 3

REGULATION OF POSTAL SERVICES

Persons providing services within scope of universal postal service

41 Notification condition

- (1) OFCOM may impose a notification condition on—
 - (a) every person providing, or intending to provide, a service within the scope of the universal postal service, or
 - (b) every person providing, or intending to provide, a service within the scope of the universal postal service of a specified description.
- (2) A notification condition is a condition requiring the person to give OFCOM—
 - (a) advance notice of the person's intention to provide a letters business on a specified scale (whether or not the person is currently providing a letters business or any other postal service), and
 - (b) where the person is already providing a letters business on a specified scale, advance notice of the person's intention to expand the business by a specified extent.
- (3) A specified scale or extent may be determined by reference to any specified factor.
- (4) The Secretary of State may at any time direct OFCOM to impose a notification condition.
- (5) The direction may (but need not) specify some or all of the provision to be contained in the condition.
- (6) Where a notification condition applies to a person at a time when the person is not providing a postal service—

Changes to legislation: There are currently no known outstanding effects for the Postal Services Act 2011, Section 41. (See end of Document for details)

- (a) Schedule 7 (enforcement of regulatory conditions) is to have effect as if paragraph 7(2) and (3) were omitted and as if, for the purposes of paragraph 11, the person were providing a postal service, and
- (b) Schedule 8 (information provisions) is to have effect as if the person were a person falling within paragraph 1(2) and as if, for the purposes of paragraph 8, the person were providing a postal service.

(7) In this section—

“advance notice” means written notice given at least a specified period of time before the person intends to do as mentioned in subsection (2)(a) or (b),

“a letters business” means a postal service which consists in the delivery of letters, and

“specified” means specified in the notification condition.

Commencement Information

II S. 41 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 41.