

2019 No. 1429

POSTAL SERVICES

The Cross-border Parcel Delivery Services (EU Information Requirements) Regulations 2019

<i>Made</i>	- - - -	<i>29th October 2019</i>
<i>Laid before Parliament</i>		<i>31st October 2019</i>
<i>Coming into force</i>	- -	<i>23rd November 2019</i>

The Secretary of State makes these Regulations in exercise of the powers conferred by section 2(2) of the European Communities Act 1972(a).

The Secretary of State has been designated for the purposes of section 2(2) of the European Communities Act 1972 in relation to postal services(b).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Cross-border Parcel Delivery Services (EU Information Requirements) Regulations 2019 and come into force on 23rd November 2019.

(2) In these Regulations, “the 2011 Act” means the Postal Services Act 2011(c).

Amendments to the Postal Services Act 2011

2.—(1) Section 55 of the 2011 Act is amended as follows.

(2) In subsection (1), for “for requiring information to be provided”, substitute “about the provision of information”.

(3) In subsection (2)(b), after “those requirements” insert “and certain other requirements deriving from EU law”.

3.—(1) Schedule 8 to the 2011 Act is amended as follows.

(2) In paragraph 1(3)—

- (a) in paragraph (g), omit the final “and”;
- (b) in paragraph (h), insert “and” at the end;
- (c) after paragraph (h) insert—

“(i) the purposes for which OFCOM is entitled to request or receive information under Article 4, 5 or 6 of the EU parcel services regulation.”.

(a) 1972 c. 68. Section 2(2) was amended by section 27 of the Legislative and Regulatory Reform Act 2006 (c. 51) and section 3 of and Part I of the Schedule to the European Union (Amendment) Act 2008 (c. 27). It is prospectively repealed by section 1 of the European Union (Withdrawal) Act 2018 (c. 16) from exit day (see section 20 of that Act).

(b) S.I. 1998/1750.

(c) 2011 c. 5.

(3) In paragraph 4 after sub-paragraph (1) insert—

“(1A) If the information is required for a purpose given in paragraph 1(3)(i), the period must be consistent with any applicable period or date for the provision of the information laid down by Article 4, 5 or 6 of the EU parcel services regulation.”.

(4) In paragraph 5(1) for “, a requirement imposed under paragraph 1 or 3.”, substitute—

“—

(a) a requirement imposed under paragraph 1 or 3, or

(b) a requirement imposed by or under Article 4, 5 or 6 of the EU parcel services regulation.”.

(5) In paragraph 8(4), after “requirements imposed under paragraph 1 or 3” insert “or by or under Article 4, 5 or 6 of the EU parcel services regulation.”.

(6) After paragraph 15 insert—

“Interpretation

16. In this Schedule, “the EU parcel services regulation” means Regulation (EU) 2018/644 of the European Parliament and of the Council of 18th April 2018 on cross-border parcel delivery services(a).”.

29th October 2019

Kelly Tolhurst
Minister for Small Business, Consumer and Corporate Responsibility
Department for Business, Energy & Industrial Strategy

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations implement Regulation (EU) 2018/644 of the European Parliament and of the Council of 18 April 2018 on cross-border parcel delivery services to the extent that it has not been implemented by existing legislation and procedures. The EU parcel services regulation sets out the minimum harmonisation requirements for cross-border parcel delivery service providers.

Regulation 2 amends section 55 of the Postal Services Act 2011 and regulation 3 amends Schedule 8 to the Act to ensure that OFCOM’s information gathering powers and enforcement powers extend to infringements of the EU parcel services regulation.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen. An Explanatory Memorandum is published alongside this instrument on www.legislation.gov.uk.

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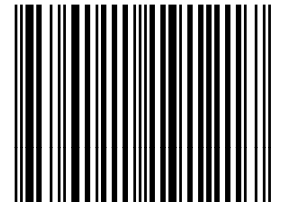
(a) OJ L112, 2.5.2018, p.18.

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