

# Postal services: common rules for the development of the services and improvement of quality of service

1995/0221(COD) - 15/12/1997 - Final act

**OBJECTIVE:** to establish an internal market in the postal sector and guarantee the maintenance of a universal service of good quality. **COMMUNITY MEASURE:** European Parliament and Council Directive 97/67/EC on common rules for the development of the internal market of Community postal services and improving the quality of service. **CONTENT:** the directive relates to the following: 1) the provision of a universal postal service within the Community: the Member States are to ensure that users have the right to a universal service corresponding to the provision of high-quality postal services on a permanent basis, and at affordable prices, throughout the territory of the Union. The provider of the service must guarantee at minimum that post is collected and distributed every working day and not less than five days per week. The universal service comprises at minimum the collection, sorting, transport and delivery of postal items up to 2 kg in weight and packages up to 10 kg in weight, together with the provision of a registered mail service. Member States have the right to increase the limit for packages to 20 kg, it being understood that the universal service for such packages must be provided for in intra-Community dealings. The users must regularly receive accurate and updated information on the characteristics of the universal service being provided. 2) criteria defining the services likely to be reserved to providers of the universal service and the conditions governing the provision of non-reserved services: Two criteria are retained for defining the scope of services reserved for domestic mail: - a weight limit to be applied to domestic mail of less than 350 g.; - a price limit calculated as follows : five times the public tariff for a standard item of correspondence in each Member State (normally a letter weighing 20 g.). The directive provides, insofar as it is necessary to maintain a universal service, for the possibility of reserving cross-border mail and mailshots. The European Parliament and the Council are to decide, by 1 January 2000 at the latest (on the basis of a Commission proposal to be presented before the end of 1998), on how the progressive and controlled liberalisation of the postal services sector is to be pursued, primarily with a view to the liberalisation of mailshots and cross-border mail, as well as to a re-examination of weight and price limits, with effect from 1 January 2003. Exchanges of documents are not likely to be reserved. The directive stipulates that only general authorisations may be used for non-reserved services which do not form part of the universal service, while authorisations taking the form of individual licences may be used for non-reserved services which fall within the scope of the universal service. 3) tariff principles and the transparency of accounts for the provision of the universal service: the directive requires that prices shall be reasonable and based on costs and that tariffs shall be transparent and non-discriminatory. Universal service providers shall, in their balance sheets, keep separate accounts at least for each of the services included in the reserved sector, on one hand, and for non-reserved services, on the other. 4) the setting of quality standards for the provision of the universal service and the introduction of a system designed to ensure that these standards are adhered to: as far as intra-Community mail is concerned, 85% of standard items must be delivered within three working days of posting and 97% within five days. The directive provides for the quality control of the service by independent bodies at least one a year. The national regulatory authorities may grant exceptions from the quality standards, after having informed the Commission of this. The former are required to take corrective measures if monitoring of performance levels reveals that quality standards are not being respected, in the case either of national or of intra-Community cross-border services. The Member States may provide for the introduction of a system of reimbursement and/or compensation within the scope of the regulations on the settlement of disputes, but only when this is warranted. 5) the creation of independent national regulatory authorities: each Member State appoints one or several national regulatory authorities for the postal sector, which are to be legally distinct from and independent of the operators of the postal services. The Commission is to be notified of these authorities. The Commission shall, by 31 December 2000 at the

latest, submit a report on the application of the directive, accompanied if necessary by proposals. ENTRY INTO FORCE: 10/02/1998 DEADLINE FOR TRANSPOSITION: 10/02/1999.