

## **Directive No. I of 2006**

### **Directive of 2006 on the Procedure relating to the change of certain services provided by the Universal Services Provider under the Postal Services Act**

The Malta Communications Authority in accordance with its powers under article 4 of the Malta Communications Authority Act (Cap. 418 of the Laws of Malta), regulation 24 of the Postal Services (General) Regulations, 2005, and regulation 4 of the Maltapost p.l.c. Licence (Modification) Regulations, 2004 has made the following Directive.

#### **Title and application**

1.1 The title of this directive is the Directive of 2006 on the Procedure relating to changes in certain services provided by the Universal Services Provider under the Postal Services Act.

1.2 The provisions of this Directive shall come into force on the date of its publication on the website of the Malta Communications Authority.

#### **Purpose**

2.1 The purpose of this Directive is to establish the procedure that the universal service provider must follow in effecting changes in relation to the days and, or times of opening of any post office however so described, and, or changes to the days of delivery and, or of collection of postal articles. The universal service provider is obliged to provide a regular service without interruption and therefore the scope of this directive is in respect of any changes as aforesaid that are deemed as being of an exceptional nature.

#### **Definitions**

3.1 Unless otherwise provided in this directive, the provisions of article 2 of the Postal Services Act and of regulation 2 of the Postal Services (General) Regulations, 2005 shall apply to this Directive.

3.2. For the purposes of this Directive the word "Authority" means the Malta Communications Authority.

#### **Services to which this Directive applies**

4.1 For the purposes of this Directive the word "services" shall unless the context otherwise requires, refer only to the following services provided by the universal services provider to the general public:

4.1.1 the days of the delivery of and, or of the collection of any postal articles, and

4.1.2 the days and times of the opening for the public of any postal office however so described including any branch and, or any sub post office run or operating for or on behalf of the universal service provider.

#### **Procedure universal service provider must follow to change a service**

5.1 The universal service provider shall when it needs to change the days and, or times of a service covered by this Directive, submit a request in writing to the Authority, which request the universal service provider must ensure is received by the Authority at least twenty days before the day when the universal services provider proposes to implement the requested change in the provision of the service:

Provided that the universal service provider in submitting any such request shall provide sufficient reason to justify the need to resort to any such change and shall provide the Authority with such contingency plans as are necessary in order to minimise as far as is reasonably possible in the circumstances, any inconvenience to the public.

#### **Period during which Authority must decide**

6.1 The Authority on receipt of a request made to it by the universal service provider in accordance with this directive, shall within five working days of such receipt, communicate its decision to the universal service provider, and in doing so shall publicise its decision on its website.

#### **Changes to a service require prior approval**

7.1 The universal service provider shall not without the prior express approval of the Authority undertake any changes to a service.

#### **Universal service provider to give notice to the public**

8.1 Without prejudice to the requirements under the other articles of this directive, the universal service provider shall not change the dates and, or times of a service as has been approved by the Authority in accordance with this Directive, without first giving adequate notice to the public, of any such change, which notice must be provided between three to five working days before the date when the universal service provider intends to effect such change in the service:

Provided that such change must be communicated to the public by the universal service provider in the various media, including Maltapost's own communications channels, and in so doing shall take all such reasonable measures as are necessary to ensure that the public is adequately informed of such changes:

Provided further that the universal service provider shall affix in a prominent place at all of its post office sites, adequate information advising the public about such changes and where applicable alternative arrangements being made to minimize the inconvenience to the public.