



Postcodes as an Integral Part of a Postal Address

Report on Consultation and Decision Notice

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1. INTRODUCTION

In October 2016 the Malta Communications Authority (MCA), on behalf of the Government of Malta, published a consultation document proposing to amend regulation 15 of the 'Postal Services (General) Regulations' (S.L. 254.01 of the Laws of Malta) to require addressed postal articles to include a postcode.

In order to ensure a reasonable transition, in its consultation document the MCA proposed a number of regulatory conditions to be met by the Universal Service Provider, currently MaltaPost plc ('MaltaPost'), before the amended regulations become applicable. A number of individuals and entities provided feedback to the consultation which is treated in the next section of this document.

As specified in the consultation document, the concept of postcodes was introduced in Malta by MaltaPost in 1991. The objective was to facilitate the sorting and distribution of postal articles in order to increase efficiency and reduce potential mis-deliveries and other errors from taking place. The original five (5) character postcode format comprised of 3 letters and 2 digits was updated to accommodate demands in 2007 with a new seven (7) character alpha-numeric postcode format comprising of three (3) letters and four (4) digits (e.g. FRN1913), which is still currently applicable and is not envisaged to change for a number of years.

From a number of mail-related studies it transpires that the majority of postal users¹ do not include postcodes in their mail items, negatively impacting smooth mail sorting and distribution processes.

Taking this into consideration the use of postcodes is also being introduced in other emerging technologies (e.g. e-commerce, in GPSs etc.), at times also requiring the inclusion of postcodes as a compulsory field, hence the need to take appropriate action to ensure a postcode is included in an address has become more pronounced.

The initiative to consider the postcode as an integral part of an address is also supported by the Data Governance Council, the national forum for all data related proposals and recommendations on the basis of which decisions will be taken before any drafting is made for legislation to provide for generic registers and standards applicable at the national level.

As stated in the consultation document, the addition of postcodes as an integral part of a postal address had to take place as follows:

- a) By means of an amendment to the Postal Services (General) Regulations as specified in Section 3 of this document, and
- b) By means of Decision Notice issued by the MCA, in order to ensure a reasonable transition, establishing the regulatory conditions which are to be met by MaltaPost as the Universal Service Provider as specified in Section 4 of this decision.

¹ In accordance with the latest MaltaPost's Real Mail Study – 61% of Single Piece Mail users and 72% of Bulk Mail users did not use the postcode.

2. CONSULTATION HIGHLIGHTS & FEEDBACK

2.1 CONSULTATION HIGHLIGHTS

The main components of the consultation document entitled '*Postcodes to be Considered as an Integral Part of a Postal Address*' published on the 21st October 2016 included:

- Proposed legal amendments,
- Proposed conditions on the universal service provider, and
- Consultation questions.

Proposed legal amendments:

In order to achieve the objective in ensuring a wider use of postcodes the consultation document proposed updating the text found under regulation 15 of the 'Postal Services (General) Regulations' (SL 254.01) as follows:

1) All locally addressed postal articles shall include a postcode written immediately after the town or village of the address:

Provided that locally addressed postal articles which do not include a postcode shall still be delivered:

Provided further that a postal operator shall not incur any liability for compensation to any person whether by reason of delay, or mis-delivery, of any postal article in the course of transmission by post which is caused by a missing or erroneous postcode.

2) Sub-regulation (1) shall only be applicable once the Authority determines the conditions to be adhered to by the universal service provider in relation to the effective implementation of the subregulation, and the Authority subsequently is satisfied that the universal service provider is complying with all such conditions:

Provided that the Authority may from time to time vary such conditions.

Proposed conditions on the universal service provider

In order to ensure that the measures being taken for postcodes to be considered as an integral part of the address would have the least impact on the general public, especially during the initial phase of its introduction, in the consultation document the MCA had proposed that the updated text found in sub-regulations (1) and (2) of regulation 15 of the 'Postal Services (General) Regulations' (SL 254.01) would only be applicable once the Authority is satisfied that the following conditions are met by the Universal Service Provider, currently MaltaPost, namely:

- *A simple and easy to use postcode finder will be accessible from MaltaPost's website homepage including an interface that caters specifically for smartphone based users;*
- *Third parties (in particular bulk mail senders) requiring a full postcode database will be provided with one at no cost;*
- *The current postcode format shall be maintained and may only be changed/updated once/if approved a priori by the MCA, and then only if justified by extraordinary circumstances;*
- *An extensive information programme to be undertaken by MaltaPost to inform the general public. This could include, and not limited to, various media (online, social media, television, radio, newspapers etc.), conspicuous printed matter in all the MaltaPost branches (including*

sub-post offices), flyers posted in all letterboxes, and also personalised post-code information to all residences and businesses;

The consultation stated that the MCA will issue a public notice when it is satisfied that MaltaPost is complying with all these conditions, and intends to ensure that at least a six-month timeframe would be applicable from publication of this Decision to coming into force. It also stated that the MCA will continue monitoring implementation and may specify any other conditions in the future considered as reasonable.

Consultation questions

The consultation document included two primary consultation questions, namely:

- 1. Do you have any comments with respect to amending the Postal Services (General) Regulations (SL 254.01) for postcodes to be considered as an integral part of a postal address?*
- 2. Do you agree with the conditions which are proposed to be established for the Universal Service Provider, currently MaltaPost?*

2.2 CONSULTATION FEEDBACK

Interested parties and stakeholders were invited to submit written comments and representations on the consultation published on the 21st October 2016 by the 11th November 2016.

The MCA received feedback from MaltaPost plc (MaltaPost), GO plc (GO), Kerċem Local Council, and 5 individuals within the stipulated timeframe. From the feedback received, MaltaPost was the only respondent that commented specifically to the consultation questions whilst some of the other respondents made reference to the contents of some of the consultation questions in their general context. The following is a summary of the feedback received:

Specific feedback on consultation question 1

Do you have any comments with respect to amending the Postal Services (General) Regulations (SL 254.01) for postcodes to be considered as an integral part of a postal address?

MaltaPost stated that it concurs with the proposed legislative amendment as documented in the Consultation document;

Specific feedback on consultation question 2

Do you agree with the conditions which are proposed to be established for the Universal Service Provider, currently MaltaPost?

MaltaPost agrees with the terms defined in the consultation document.

Feedback on the proposed conditions on the Universal Service Provider

A simple and easy to use postcode finder will be accessible from MaltaPost's website homepage including an interface that caters specifically for smartphones based users;

MaltaPost stated that its clients can already avail of a free postcode lookup facility through its website and is presently evaluating the possibility of simplifying access from smartphones, tablets and other mobile terminals.

Note: The MCA shall be retaining this condition in its Decision.

Third parties (in particular bulk mail senders) requiring a full postcode database will be provided with one at no cost.

MaltaPost stated that it is already providing entities with access to the whole postcode database, and the current conditions based on the MCA decision notice of 2009 should remain unchanged.

GO's feedback in relation to the postcode database was extensive and it believes that this provision is particularly relevant, and that an eventual decision should elaborate how this obligation shall be met. GO commented that MaltaPost should ensure that it harmonises its database to the extent possible with other similar ones such as that managed by the Electoral Commission. GO is of the opinion that database information should be made available electronically and in a structured rather than a linear or 'string' format.

Note: The MCA shall be retaining this condition on MaltaPost unless it is satisfied that any other entity, which could include a Governmental department or entity, makes available a database with equivalent functionality to third parties at no extra cost.

The current postcode format shall be maintained and may only be changed/updated once/if approved a priori by the MCA and then only if justified by extraordinary circumstances;

As the custodian and originator of Malta's postcode system, MaltaPost stated that it endeavoured to ensure that the current postcode format is as future proof as possible. MaltaPost also maintained that postcode changes are sometimes necessary which would reflect Malta's road network and at times receives requests for personalised postcodes that comply with the postcode format.

Note: The MCA shall be retaining this condition in its Decision.

An extensive information programme to be undertaken by MaltaPost to inform the general public. This could include, and not limited to, various media (online, social media, television, radio, Newspapers etc.), conspicuous printed matter in all the MaltaPost branches (including sub-post offices), flyers posted in all letterboxes, and also personalised post-code information to all residences and businesses.

MaltaPost stated that it planning awareness initiatives, leveraging multiple channels of communication as well as its own postal network, that seek to inform and incentivize the general public about proper postcode adoption.

Note: The MCA shall be retaining this condition in its Decision.

General Feedback

The 'Kumitat Amministrattiv' from within the Kerċem Local Council proposed the assignment of a specific postcode for the 'Santa Luċija' hamlet as in the case of other similar hamlets. Responses

from a number of individuals included the proposal of including the postcode in street name plaques, assure that every property in Malta has a clear house number and a sub-indicator when applicable, that it should be obligatory on financial institutions and utility operators to formally contact customers to update their postcode.

Note: The MCA's remit is limited to laying out the conditions on the Universal Service Provider, currently MaltaPost.

3. LEGAL AMENDMENTS AND DECISION ON CONDITIONS ON THE UNIVERSAL SERVICE PROVIDER

The MCA has considered the feedback received during the consultation period and the following parts of this section lay out the way forward.

3.1 LEGAL AMENDMENTS

Following the MCA's consultation, regulation 15 of the 'Postal Services (General) Regulations' (SL 254.01) has been updated to reflect the following:

From:

- 1) *All locally addressed postal articles may include a postcode written immediately after the town or village of the address:
Provided that locally addressed postal articles which do not include a postcode shall still be delivered.*
- 2) *The universal service provider or providers as the case may be shall submit to the Authority updated lists of postcodes and shall publish them in a manner that ensures reasonable publicity including but not limited to affixation on the notice board of each of its post offices.*

To:

- 1) ***All locally addressed postal articles shall include a postcode written immediately after the town or village of the address:
Provided that locally addressed postal articles which do not include a postcode shall still be delivered:
Provided further that a postal operator shall not incur any liability for compensation to any person whether by reason of delay or of mis-delivery of any postal article in the course of transmission which is caused by a missing or erroneous postcode.***
- 2) ***The provisions of sub-regulation (1) shall only apply once the Authority determines the conditions to be adhered to by the universal service provider in relation to the effective implementation of the aforesaid sub-regulation, and the Authority subsequently is satisfied that the universal service provider is complying with all such conditions:
Provided that the Authority may from time to time vary such conditions.***

3.2 CONDITIONS ON THE UNIVERSAL SERVICE PROVIDER

As per the consultation document the updated sub-regulations (1) and (2) of regulation 15 of the 'Postal Services (General) Regulations' (SL 254.01) (as specified in section 3.1), shall only be applicable once a number of conditions as set by the Authority are adhered to by the universal service provider to the same Authority's satisfaction.

Decision – Condition on the universal service provider

Sub-regulations (1) and (2) of regulation 15 of the 'Postal Services (General) Regulations' (SL 254.01) shall only be applicable once the following conditions are met by the Universal Service Provider, currently MaltaPost, and the Authority subsequently is satisfied it is complying with all such conditions:

- A simple and easy to use postcode finder will be accessible from MaltaPost's website homepage including an interface that caters specifically for smartphone based users;
- Third parties (in particular bulk mail senders) requiring a full postcode database will be provided with one at no cost²;
- The current postcode format shall be maintained and may only be changed/updated once/if approved a priori by the MCA, and then only if justified by extraordinary circumstances;
- An extensive information programme to be undertaken by MaltaPost to inform the general public. This could include, and not limited to, various media (online, social media, television, radio, newspapers etc.), conspicuous printed matter in all the MaltaPost branches (including sub-post offices), flyers posted in all letterboxes, and also personalised post-code information to all residences and businesses;

The MCA will issue a public notice when it is satisfied that MaltaPost is complying with all such conditions, and at least a six-month timeframe would be applicable from publication of this Decision to coming into force;

The MCA will continue monitoring implementation and may specify any other conditions set by the MCA in the future considered as reasonable.

² Unless the MCA is satisfied that any other entity, which could include a Governmental department or entity, makes available a database with equivalent functionality to third parties at no extra cost

4. WAY FORWARD

The MCA will keep monitoring any developments occurring in this particular area, and reserves the right, in accordance with its powers at law, to revisit and propose changes to this Decision whenever it is deemed necessary.