



POSTAL SERVICES ACT 2000

Social and Environmental Guidance to the Postal Services Commission issued under section 43(2) of the Postal Services Act 2000

Guidance given by the Secretary of State to the Postal Services
Commission in accordance with section 43(2) of the Postal Services Act
2000 on 22 March 2001

Introduction

1. The Secretary of State hereby gives the following guidance under section 43(2) of the Postal Services Act 2000 to the Postal Services Commission about the making by the Commission of a contribution towards the attainment of the social and environmental policies referred to in the guidance.

2. The Postal Services Act 2000 (“the Act”) gives effect to the Government’s proposals in its White Paper of July 1999 for Post Office Reform including the introduction of a new independent postal regulator, the Postal Services Commission (“the Commission”). The Act gives the Commission social duties, the foremost of which is to exercise its functions in the manner which it considers is best calculated to ensure the provision of a universal postal service. This guidance is in addition to these statutory social duties. Section 43(1) of the Act requires the Commission, in exercising any of its functions, to have regard to any guidance given by the Secretary of State under that section. Section 43 (2) of the Act requires the Secretary of State to issue such guidance to the Commission from time to time.

3. The guidance draws together relevant aspects of the Government’s social and environmental policies so that the Commission can carry out its functions in a way that is alert to the wider policy picture and, where possible, supportive of it. The Act requires the Secretary of State to give social and environmental guidance, and not directions, to the Commission. It is not the purpose of the guidance to act as a means of instructing the Commission. For its part the Commission is required to have regard to the guidance. The Government intends the guidance to remain in place for some time – years rather than months - partly to reduce the regulatory uncertainty that frequent changes could produce, but also because of the broad nature of the guidance which reduces the need for change.

4. The guidance was laid in draft before each House of Parliament, in accordance with section 43(4) of the Act, on 8 February 2001. Since that time, the direction foreshadowed in paragraph 10.1 (Services for the blind) was given to the Commission on 14 March 2001. A copy of the direction is appended to this document.

Social and Environmental Guidance to the Postal Services
Commission issued under section 43(2) of the
Postal Services Act 2000

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Direction issued under section 41 of the Postal Services Act 2000

Social and Environmental Guidance to the Postal Services Commission

PREAMBLE (NOT PART OF THE GUIDANCE)

1.1 Section 43 of the Postal Services Act 2000 (“the Act”) provides that the Secretary of State is to give to the Postal Services Commission (“the Commission”) guidance about the making of a contribution by the Commission towards the attainment of the Government’s social and environmental policies. The Guidance is set out below.

General Principles

2.1 The Commission is required by the Act to have regard to this guidance when discharging its functions, though certain obligations of a social nature flow directly from the Act. In particular, the Commission’s prime duty – as laid down in section 3 – is to exercise its functions in the manner which it considers is best calculated to ensure the provision of a universal postal service. As described in more detail below, such a service providing regular nation-wide collection and delivery under a uniform tariff anywhere in the United Kingdom benefits social cohesion. The Commission’s secondary duties – including those set out in section 5 of the Act - also provide social as well as economic benefits, giving users the benefit of competition wherever appropriate and having regard to particular needs of specified groups of users. Subject to the duties above, the Commission is also required by the Act to seek to promote efficiency and economy by postal operators. It also should ensure that licence holders can finance the operations set out in their licences.

Sustainable Development

3.1 The Government has committed itself to pursuing the goal of sustainable development. Sustainable development is defined for these purposes as “a better quality of life for everyone, now and for generations to come.” The Government’s sustainable development strategy is set out in *A Better Quality of Life*¹ published by the Department for the Environment, Transport and the Regions (DETR) in May 1999. The strategy for sustainable development has four main aims which it is intended should all be taken forward together. Delivering the best possible quality of life for everyone means more than concentrating solely on economic growth and these four main aims should be pursued in parallel:

- social progress which recognises the needs of everyone;
- effective protection of the environment;
- prudent use of natural resources; and
- maintenance of high and stable levels of economic growth and employment.

3.2 Economic regulation of the licensed postal market does not take place in a vacuum. The ways in which the Commission carries out its functions has consequences for the social

¹ *A Better Quality of Life*, Cm 4345, DETR, May 1999

and environmental, as well as the economic, aspects of the pursuit of sustainable development.

3.3 The Government intends that the regulatory system should make an appropriate contribution towards achieving sustainable development. This means that economic regulation should be conducted in a way that is alert to and consistent with the Government's wider social and environmental goals. This guidance is intended to assist the Commission to exercise its functions to this end.

3.4 The Government expects that due consideration by the Commission of this guidance, and the giving of due weight to these matters in the exercise of its functions, will in practice help to secure an appropriate contribution by the Commission to the achievement of all sustainable development objectives, and will assist the securing of the proper integration of social and economic considerations in its decision-making.

THE GUIDANCE

4.1 The paragraphs that follow identify objectives of Government social and environmental policy. All these objectives are ones whose attainment may to a greater or lesser extent be affected by the way in which regulation of the postal sector is conducted. It is therefore appropriate that the Commission should have regard to these objectives in carrying out its functions.

Priorities

5.1 The Commission should give the highest priority to those parts of the guidance that bear on how it should carry out its statutory duty to exercise its functions in the manner which it considers is best calculated to ensure the provision of a universal postal service at a uniform tariff. In particular it should ensure that it is easily accessible to all (see section 9.4) and affordable for all, including vulnerable and low income groups (see section 9.6). The next priority should be given to considering the impact of any of its decisions on accessibility to public post offices and on the social functions that they perform, particularly in rural and urban deprived areas (see section 9.3).

Agents

6.1 The Commission should take account of the fact that licensees may deliver postal services with the assistance of agents. Where the Commission decides to reflect this guidance in the exercise of its functions it should:

- 6.1.1 ensure, where appropriate, that such third parties are subject to the effective control of the licensee to the effect that they will behave as if the licensee were themselves carrying out any function.

Codes of practice

7.1 The Government supports the development of industry codes of practice. The Commission should:

- 7.1.1 in having regard to the guidance also have regard to the desirability of promoting and supporting the development of appropriate initiatives, including industry codes of practice, to achieve its social and environmental objectives.

Social objectives and social policy

8.1 Section 5(2) of the Act requires the Commission (in respect of its function at section 5(1)) to have regard to the interests of vulnerable groups within society, namely disabled people or the chronically sick, pensioners, those on low incomes and those living in rural areas². Insofar as the question arises as to which people within these individual groups (who may have varying needs), the Commission should take particular account of:

- 8.1.1 the Government's own approach to these groups as expressed in any current policy documents³;
- 8.1.2 the policy of the Government to regard those on a low income as those in receipt of income related benefits (Income support, Income-based Jobseeker's Allowance, Housing Benefit, and Council Tax benefit) and those in receipt of tax credits (Working Family Tax Credit and Disabled Persons Credit).

8.2 The Government is committed to the creation of a fairer society through social progress that recognises the needs of everyone⁴. In particular the Government's aim of tackling poverty and social exclusion is relevant to the Commission's functions. This objective is broad in character. It is the policy of the Government that all postal service customers should have access to reliable, secure postal services at affordable prices and convenient access to public post offices.

8.3 In exercising its functions the Commission should have regard to:

- 8.3.1 whether some group or groups of consumers, particularly vulnerable consumers, are at risk of suffering adverse effects as a result of the regulation or operation of the postal market, or appear not to be deriving a due share of the benefits from any competition that may be introduced into the market;

² The Commission should use the Countryside Agency's definition of a rural area as being a settlement with a population of less than 10,000.

³ For example: "Opportunity for all – tackling poverty and social exclusion" (Cm 4445 Sept 1999) First annual report and "Opportunity for all – one year on: making a difference" (Cm 4865 Sept 2000) Second annual report, "Our Towns and Cities: the Future" (Cm 4911, Nov 2000), "Our Countryside: The Future a Fair Deal for Rural England" (Cm 4909, Nov 2000).

⁴ *A Better Quality of Life*, Cm 4345, DETR, May 1999

- 8.3.2 the scope for addressing any adverse effects of regulation or operation of the postal market or competition through the exercise of its functions.

Universal Postal Service

9.1 The Universal Postal Service (UPS) is a key part of effective communication within the UK (and between the UK and overseas). The Government believes that this service is essential to all parts of society and that business and individual consumers rely on it. Because of its prime importance, the Government has set out in section 4 of the Act a requirement for a universal postal service. The universal postal service extends to packets up to 20 kg and includes a provision that services must be affordable and subject to a uniform tariff. Chapters 2 and 6 of the Postal Services Directive⁵ include detailed requirements for the universal service. It is the Commission's primary statutory duty to exercise its functions in the manner which it considers best calculated to ensure that these are met.

9.2 Section 3 of the Act requires the Commission to exercise its functions in the manner it considers best calculated to ensure the provision of a UPS or part of such service. The Act gives the Commission the power to impose the provision of a UPS or part of such service as a licence condition upon postal providers. The Commission may set more detailed requirements in the licences it issues to postal operators. Section 5 of the Act makes it clear that the duty in section 5(1) and other duties are secondary to the duty to ensure the provision of a universal service. The Commission must have regard to the social objective of ensuring a universal postal service above other changes to further the interests of users of postal services.

9.3 The Commission should have regard in exercising its functions in relation to the universal postal service to:

- 9.3.1 the desirability of consultation with the bodies mentioned in paragraph 17.3.2 before significant changes to existing service features and standards are required of postal operators;
- 9.3.2 the need both to facilitate economic development by keeping the provision of the UPS under review in order to keep it up to date with developments in the market, and to take account of social developments, such as changes in distribution of the population, and changing needs of postal users both in general and in respect of vulnerable groups;
- 9.3.3 the impact that any of its decisions may have on the Post Office company's network of public post offices and the social functions that they perform particularly in rural and deprived urban areas. See also section 11 of this guidance.

⁵ 97/67/EC – Official Journal of the European Communities, 21 January 1998, page L15/14

Access

9.4 The Commission will set requirements for the provision of access points. Article 3(2) of the Directive requires the density of the points of contact and access points to take account of the needs of users. Access points are considered to be pillar-boxes and post offices (and other places/points clearly marked as such) provided for users to deposit postal items for collection by UPS providers. The Commission must consider, as part of its duty to ensure provision of the UPS, what number, type and distribution of access points are necessary as a minimum to ensure the minimum provision of the UPS.

9.5 The Government's view is that the Commission in exercising any of its functions related to access should:

- 9.5.1 take full account of the needs of the groups identified in section 8.1 when it takes account of the needs of users;
- 9.5.2 not make significant changes to the requirements for density of access points unless it can be demonstrated after consultation with users that this level of density no longer reflects the needs of users;
- 9.5.3 encourage operators to mark access points clearly so that they are easily identifiable.

Affordability

9.6 Section 3 of the Act requires the Commission to exercise its function in a manner that it considers best calculated to ensure the provision of a UPS. Section 4(1)(b) of the Act makes clear that a UPS is only being provided if services are affordable.

9.7 The Commission should have regard in exercising any function related to affordability:

- 9.7.1 to the incomes of those on low incomes as defined in section 8.1 above.

Payment for services

9.8 Government policy is that it should be possible to pay for postal services using commonly used payment methods and that those services should be affordable.

9.9 The Commission should have regard in exercising any function related to payment methods:

- 9.9.1 to the benefits for many consumers, and in particular vulnerable consumers, of simple pre-payment methods of payment for postal services (for example, stamps) continuing to be available. The Commission should encourage postal operators to use a wide range of outlets for them.

Security of services

9.10 A Quality of Life Counts⁶ objective is to reduce both crime and fear of crime.

9.11 The Government's view is that the Commission in exercising any of its functions related to security of services should:

9.11.1 facilitate and encourage postal operators and users to minimise damage to or the loss of or theft of mail or parcels and facilitate the protection of the security of public post offices for both postal and the other services they provide;

9.11.2 encourage operators to provide ready access to and publicity about registered mail and other special delivery services for all customers who require this degree of increased protection;

9.11.3 encourage postal operators to provide secure access points.

Ability to cope with peaks of work

9.12 The Government is committed to an efficient universal postal service being available at all times of the year.

9.13 The Commission should, in exercising any of its functions in relation to setting and monitoring quality of service standards and considering postal operators' ability to provide a universal postal service, have regard to:

9.13.1 the fact that consumers make increased use of postal services at times of certain festivals and events such as Christmas, Valentine's Day and Diwali and that the universal postal services operators should have the capacity to maintain the universal postal service at these times.

Services for the blind

10.1 The Government believes that there is a genuine need for free services for the blind and the partially sighted who are dependent on the post. Items of post in Braille, as well as talking books, are heavier and cost more to post than is the case for equivalent letters. Section 41 of the Postal Services Act 2000 gives specific power to the Government to require the Postal Services Commission to impose in certain licences, a condition that free postal services are to be provided to blind and partially sighted persons. The services to be provided, and the descriptions of blind and partially sighted persons, are to be set out in the direction. If such a direction is issued, it only comes into effect if it is 'switched on' by the Secretary of State using a further direction under section 41(2) of the Act. The Secretary of State is minded to issue a direction requiring a condition to be included in all licences which contain a universal service obligation but will only 'switch on' the condition if it is shown that

⁶ Quality of Life Counts, published December 1999 and available from DETR

voluntary arrangements provided by universal service providers fail to provide adequate free services to the blind and partially sighted.⁷

10.2 The Commission should, in exercising its functions, have regard to:

- 10.2.1 the desirability for the continued provision of free inland and reduced cost international postal services for the blind and partially sighted;
- 10.2.2 the desirability of establishing links with the Royal National Institute for the Blind and other groups representing blind and partially sighted users so that it is informed by their views and those of the Consumer Council for Postal Services (CCPS);
- 10.2.3 the need to ensure that the way services for the blind and partially sighted are delivered by universal service providers is clear and transparent and does not inhibit the use of such services;
- 10.2.4 the need for monitoring of the provision of services for the blind and partially sighted provided by universal service operators so that the Commission can keep the Secretary of State informed as to the provision of such services.

Access to public post offices

11.1 The Government believes that the Post Office company's network of public post offices are a vital part of the fabric of our country. They serve 28 million people every week, performing a vital role across the country especially in rural areas and deprived urban areas. It is committed to ensuring that people throughout the country, have convenient access to the services available in post offices. Government policy is to support the modernisation of the network and to work with the Post Office company, the National Federation of Sub-postmasters and others to achieve this. The Government values the network; it wants to see it thrive⁸.

11.2 It is however recognised that the network faces challenges. The Prime Minister commissioned the Performance and Innovation Unit (PIU) in October 1999 to draw up a strategy for its future. Their report, *Counter Revolution Modernising the Post Office Network*⁹, made 24 recommendations for future action. The Government announced on 28 June 2000¹⁰ that it accepts all of them and has set up a committee chaired by the Secretary of State for Trade and Industry to co-ordinate work on implementation.

11.3 In exercising its functions under section 42 of the Act of providing advice and information to the Secretary of State about public post offices and related functions the Commission should have regard to:

⁷ A consultation exercise was recently carried out under section 41(3) of the Postal Services Act on whether such a direction should be issued.

⁸ See the Prime Minister's Foreword to the PIU Report 'Counter Revolution Modernising the Post Office Network'

⁹ Available at <http://www.cabinet-office.gov.uk/innovation>

¹⁰ Statement of the Secretary of State for Trade and Industry on 28 June 2000. Hansard col 907.

11.3.1 the Government's commitment to maintain the rural network, and to prevent any avoidable closures of rural post offices; maintain convenient access and improve the quality of post offices in our towns and cities; and ensure that people in deprived urban neighbourhoods have convenient access to high quality post offices, as expressed both in policy statements already made and in any subsequent statements, and in the commitment to the programme of action under the PIU Report;

11.3.2 the possible impact of any decision it may make on the Post Office company's network of public post offices and the desire of the Government that it should wherever possible support both it, the Post Office company and the National Federation of Sub-Postmasters in maintaining the network noting in particular 11.3.1 above and 11.5 below;

11.3.3 the needs of the groups identified in section 8.1.

11.4 The Government recognises that rural post offices and those in deprived urban areas play a significant role in sustaining local communities, through providing local access to a range of information and services, often in conjunction with a retail facility on the same premises.

11.5 In exercising its functions the Commission should:

11.5.1 take account of any potential impact, either positive or negative, on the range and quality of non-postal services provided within or linked to rural post offices and post offices in urban deprived areas and the social and environmental benefits that these offer and of the need to retain a comprehensive national post office network.

Welsh Language

12.1 The Government has encouraged of the Post Office to adopt the principles of the Welsh Language Act 1993 when operating in Wales so that the needs of Welsh-speaking consumers are met.

12.2 In exercising its functions the Commission should:

12.2.1 encourage universal service providers operating in Wales to have regard to principles of the Welsh Language Act 1993.

Contact with customers

13.1 The Government supports the considerate handling of dealings with consumers generally.

13.2 In exercising its functions the Commission should have regard to:

- 13.2.1 the desirability of ensuring that matters raised with it, including allegations implying breach of licence conditions about dealings with customers or failure to meet its specified standards of performance, are handled in a way which is sensitive to consumers' needs;
 - 13.2.2 the desirability of ensuring that complaints handling is sensitive to the particular needs of the vulnerable groups of users identified in section 5(2) of the Act and in paragraph 8.1 above are met;
 - 13.2.3 where appropriate give feedback to licensees about the need for improvements to services highlighted by customer feedback both directly to them and to the CCPS. Where significant changes would be involved consultation should take place to ensure that views received from feedback do reflect wider opinion.
- 13.3 The Government recognises that under the Act complaints' handling is primarily for the CCPS.

Special services

- 14.1 The Government recognises the value of a number of special services provided by postal operators. For example, in some rural areas of the UK the Post Office runs a post bus which benefits people living in those areas. This service contributes to wider Government social and transport objectives. Another example is the Post Office's tradition of ensuring letters are sent in response to the many children who write to Father Christmas.
- 14.2 In carrying out its functions the Commission should have regard to:
- 14.2.1 the fact that postal operators, such as the Post Office company, may spend money on carrying out other non-postal activities that may have wider social benefits;
 - 14.2.2 in considering whether there is evidence of inefficiency or uneconomic activity by any postal operator, take account of the social benefits of this kind of activity, particularly for the groups identified in section 5(2) of the Act and the low income groups identified at paragraph 8.1 above.

Environmental objectives

15.1 The Government's sustainable development strategy sets out six broad objectives of environmental policy through which to pursue the overall goal of effective protection of the environment¹¹. Of particular relevance to the postal sector are the objectives of reducing air pollution, ensuring air quality continues to improve over the longer term and minimising waste to improve resource productivity¹². Postal operators are significant vehicle users.

¹¹ From Quality of Life Counts, a DETR-led report, published December 1999 and available from DETR. This is the follow-up report to A Better Quality of Life

¹² See DTI SUSTAINABLE DEVELOPMENT STRATEGY A strategy for simultaneously securing economic growth and environmental protection

15.2 In carrying out its functions, the Commission should encourage postal operators wherever consistent with delivering the universal postal service obligation at an affordable price and to the quality standards (including speed of delivery) set in legislation and by the Commission:

15.2.1 to create more efficient distribution systems and to look to fuel economy whenever possible;

15.2.2 to maximise the use of rail transport;

15.2.3 to maximise the use of bicycles or other non-motorised machinery for delivery purposes;

15.2.4 to minimise waste generation and recycle waste wherever possible in both vehicle use and other aspects of their operations;

15.2.5 to set up green housekeeping monitoring arrangements to look to promote the greatest possible efficiency in the use of diesel, petrol, electricity, gas, water and other resources;

15.2.6 to buy, stock and sell or use as appropriate, re-cycled products, in any public post office they operate (for example street furniture, mail sacks and stationery).

15.3 Another relevant objective is that of shaping our surroundings to be attractive. A part of this is aiming to have lower levels of traffic and reduce noise pollution. The Government recognises that excessive noise can be considered as a pollutant and may decrease the quality of life (see chapter 7 of *Quality of Life Counts*).

15.4 The Commission should have regard, in exercising its functions to:

15.4.1 any impact there might be from any changes to how licensed postal operators carry out their activities in respect of levels of traffic and the amount and timing of noise pollution this may cause.

15.5 As part of the objective of shaping our surroundings to be attractive, the Government supports actions which contribute to achieving attractive streets and buildings. This is relevant to postal services. The Post Office, for example, already has a large number of sorting offices, pillar boxes and a growing number of pouch boxes and stamp machines. It also approves signage for use on its own and sub-post offices.

15.6 In exercising its functions therefore, the Commission should have regard to:

15.6.1 the Government's policy, including planning policy, on attractive streets and on encouraging the design and maintenance of attractive buildings in keeping with their surroundings. It should however balance such considerations with the need to provide access as detailed in sections 9.4 and 10.1 of this guidance.

15.7 The Government supports the collection of information on international best practice in environmental matters.

15.8 In carrying out its functions the Commission should:

15.8.1 consider the desirability of using its powers under section 44 of the Act with a view to collecting such information from among postal operators in the UK and overseas and to publishing guidance.

Being a good corporate citizen

16.1 The DTI has published its own sustainable development strategy¹³. Its top-level priorities are:

16.1.1 improving resource productivity to reduce greenhouse gas emissions and reduce waste generation;

16.1.2 encouraging greater corporate social responsibility with the objective of securing a more widespread commitment among business to environmental and social responsibility and behaviour and to high standards of corporate governance.

16.2 In carrying out its functions the Commission should have regard to:

16.2.1 the DTI's sustainable development strategy.

Information, consultation and reporting

Information

17.1 The Commission should have regard to:

17.1.1 the desirability of collecting information relating to the postal services needs of the vulnerable groups of consumers, in particular the groups of users identified in section 5 of the Act and paragraph 8.1 of this guidance. Such information should include the accessibility, adequacy, affordability and range of the services provided by postal operators.

Consultation

17.2 The Government supports wide consultation. The Cabinet Office has prepared guidance on consultation, which applies to the Commission as a Non-Ministerial Government Department. The latest version of this is available at www.cabinet-office.gov.uk.

¹³ DTI SUSTAINABLE DEVELOPMENT STRATEGY A strategy for simultaneously securing economic growth and environmental protection. This is available at: www.dti.gov.uk/

17.3 In carrying out its functions the Commission:

17.3.1 shall have regard to the desirability of consulting, even when not required to do so, on proposals relating to the exercise of its powers;

17.3.2 shall, so far as is reasonably practicable, consult all bodies which appear to the Commission to have relevant expertise, in addition to consulting the CCPS and any other appropriate representative consumer body, relevant licensees, and other mandatory consultees.

Reporting

17.4 The Commission is required to produce an annual report and to publish information and advice more generally.

17.5 The Commission should in carrying out these functions have regard to the desirability of:

17.5.1 including an account of the social and environmental aspects of its work particularly the aspects covered in this guidance;

17.5.2 regularly disclosing performance on the social and environmental matters covered in this guidance and on any other relevant matters in these fields and encouraging licensed postal operators to do so;

17.5.3 providing customers with clear and readily available advice and information on its work, including its social and environmental implications.

17.6 The Government recognises that operators of universal postal services and post offices have an important part to play in developing an accurate picture of the situation of vulnerable customers.

17.7 In carrying out its functions the Commission should have regard to:

17.7.1 the desirability of encouraging postal operators to be open about the social dimension of their activity, in particular through systematic public reporting. This should include reporting on how accessible the services of postal operators are to e.g. rural and disabled users. The Department of the Environment, Transport and the Regions (DETR) has a series of publications on company environmental reporting that can be accessed at:
<http://www.environment.detr.gov.uk/envrp/index.htm> .

Annex A

Section 43 of the Postal Services Act 2000

43. - (1) The Commission shall, in exercising its functions, have regard to any guidance given by the Secretary of State under this section.

(2) The Secretary of State shall from time to time give guidance about the making by the Commission of a contribution towards the attainment of any social or environmental policies set out or referred to in the guidance.

(3) Before giving any such guidance, the Secretary of State shall consult-

- (a) the Commission,
- (b) the Council,
- (c) any universal service provider,
- (d) any licence holder under Part II who is not a universal service provider, and
- (e) such other persons as the Secretary of State considers appropriate.

(4) A draft of any guidance proposed to be given under this section shall be laid before each House of Parliament.

(5) Guidance shall not be given under this section until after the period of 40 days starting with-

- (a) the day on which the draft is laid before each House of Parliament, or
- (b) if the draft is laid before the House of Lords on one day and the House of Commons on another day, the later of those two days.

(6) If, before the end of that period, either House resolves that the guidance should not be given, the Secretary of State shall not give it.

(7) In reckoning any period of 40 days for the purposes of subsection (5) or (6), no account shall be taken of any time during which-

- (a) Parliament is dissolved or prorogued, or
- (b) both Houses are adjourned for more than four days.

(8) The Secretary of State shall publish any guidance given by him under this section in such manner as he considers appropriate.

TEXT OF DIRECTION TO POSTAL SERVICES COMMISSION

To: the Postal Services Commission

DIRECTIONS UNDER SECTION 41 OF THE POSTAL SERVICES ACT 2000

The Secretary of State, in exercise of his powers under section 41(1) of the Postal Services Act 2000 (“the Act”), after consultation with the Postal Services Commission (“the Commission”) and the Consumer Council for Postal Services, gives the Commission the following direction:

1. The Commission shall impose, as a condition of a relevant licence¹, a requirement that the licence holder provide the free postal services² specified below to the descriptions of blind and partially sighted persons specified below.

Free postal services

2. As regards destinations in the United Kingdom, the free postal services are services in connection with the delivery of postal packets³ containing the items set out in Annex A and weighing no more than 7 kg which aim for delivery no later than the next working day after posting or which, if that service is not provided by the operator, provide the nearest equivalent service.
3. As regards surface mail to all destinations other than in the United Kingdom, the free postal services are services in connection with the delivery of postal packets containing the items set out in Annex A and weighing no more than 7kg.
4. As regards airmail, the free postal services are
 - (a) services in connection with the delivery to destinations in the countries set out in Annex B of postal packets containing the items set out in Annex A and weighing no more than 1 kg;
 - (b) all other services in connection with the delivery of postal packets containing the items set out in Annex A and weighing no more than 7 kg.
5. The services referred to in paragraph 4(b) in connection with the delivery of postal packets by airmail will be considered to be free services if either no tariff is applied or, where the standard airmail tariff for the packet concerned exceeds the standard surface mail tariff for that packet, a tariff is applied which does not exceed that difference.

Descriptions of blind and partially sighted persons

6. The descriptions of blind and partially sighted persons are:

¹ “Relevant licence” is defined in section 41(4) of the Act.

² “Postal services” are defined in section 125(1) of the Act.

³ “Postal packet” is defined in section 125(1) of the Act.

- *persons registered as blind under the provisions of the National Assistance Act 1948; and*
- *partially sighted - persons whose standard of close-up vision, with spectacles, certified by an ophthalmologist, doctor or ophthalmic optician, is N12 (print size) or less.*

This direction to the Commission does not include a direction under section 41(2)(a) of the Act that the requirement shall come into force.

Date: 14 March 2001

Signed by: Alan Johnson, Minister for Competitiveness, Department of Trade and Industry

Items which can be sent free of charge

- a) books, papers and letters which are specifically prepared for use by blind people;
- b) papers sent to anyone to be specially prepared or impressed so blind people can use them;
- c) relief maps;
- d) machines, frames and attachments for making impressions for blind people to use;
- e) writing frames and attachments;
- f) Braille instruction manuals;
- g) games (including card games);
- h) mathematical appliances and attachments;
- i) 'talking books' and 'talking newspapers', which are recordings of readings from printed sources, such as books, journals, newspapers, periodicals or similar publications;
- j) equipment used to play talking books and newspapers;
- k) metal plates impressed or sent for impressing for use by blind people;
- l) supplies of covers, envelopes and labels for sending articles for use by blind people;
- m) watches, clocks, timers, tools and measuring equipment designed for blind people to use;
- n) walking sticks adapted for blind people;
- o) harnesses for guide dogs; or
- p) computer disks and CDs which are specifically prepared for blind people.

European countries

Albania, Andorra, Armenia, Austria, Azerbaijan, Azores, Balearic Islands, Belarus, Belgium, Bosnia-Herzegovina, Bulgaria, Canary Islands, Corsica, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Faeroe Islands, Finland, France, Georgia, Germany, Gibraltar, Greece, Greenland, Hungary, Iceland, Irish Republic, Italy, Kazakhstan, Kirghizstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Macedonia, Madeira, Malta, Moldova, Monaco, Montenegro, Netherlands, Norway, Poland, Portugal, Romania, Russia, San Marino, Serbia, Slovak Republic, Slovenia, Spain, Spitzbergen, Sweden, Switzerland, Tajikistan, Turkey, Turkmenistan, Ukraine, Uzbekistan, Vatican City State.