

CONSOLIDATED VERSION OF NOTIFICATION CONDITION 1
AS AT JULY 2013 (including annotations)¹

SCHEDULE TO THE NOTIFICATION UNDER SECTION 41(1) OF THE POSTAL
SERVICES ACT 2011

NOTIFICATION CONDITION 1

1.1 Application, Definitions and Interpretation

N1.1.1	This Notification Condition shall apply to any person who is providing, or is intending to provide, a <u>service within the scope of the universal service</u> of a description specified in Condition N1.2.1 of this Notification Condition.
N1.1.2	In this Notification Condition— (a) “ Act ” means the Postal Services Act 2011 (c.5); (b) “ letters ” has the same meaning as set out in section 65(1) of the Act save that it does not include postal packets as defined in subsection (b) of that definition; (c) “ letters business ” has the same meaning as set out in section 41(7) of the Act, save that the meaning of “letters” in that definition shall have the meaning set out in this Notification Condition; (d) “ Relevant Period ” means any period of three consecutive months.
N1.1.3	For the purpose of interpreting this Notification Condition— (a) except in so far as the context otherwise requires, words or expressions shall have the meaning assigned to them in paragraph 2 of this Part above and otherwise any word or expression shall have the same meaning as it has been ascribed for the purpose of Part 3 of the Act;

¹ This consolidated version of Notification Condition 1 is provided as an aid to understanding but is not the legal instrument making the notification. It is recommended that you consult the relevant notification(s) for the Notification Conditions as these contain an explanation of the reasons for the decision to issue a notification. While every reasonable effort is made to ensure that the information provided in this document is accurate, no guarantees for the currency or accuracy of information are made. The original notification and the subsequent notifications modifying the Notification Conditions are signed by an authorised person, and the definitive version is that which has been so signed and which is the original printed version held by Ofcom. For the avoidance of doubt, in the case of any difference between texts, the signed version held by Ofcom shall take precedence over the electronic or printed version. You are advised to seek your own legal advice on the operation of the Notification Conditions.

	<p>(b) headings and titles shall be disregarded;</p> <p>(c) expressions cognate with those referred to in this Notification Condition shall be construed accordingly; and</p> <p>(d) the Interpretation Act 1978 (c. 30) shall apply as if this Notification Condition were an Act of Parliament.</p>
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1.2. Requirement to notify intention to provide specified delivery services

N1.2.1	<p>Any person must give written notice to <u>OFCOM</u> at least three months before the person intends to do any of the following:</p> <p>(a) provide a <u>letters business</u> consisting of the delivery of at least two and a half million <u>letters</u> in all or any part of the United Kingdom within a <u>Relevant Period</u>;</p> <p>(b) where the person is already providing a <u>letters business</u> that meets the specification set out in subparagraph (a) of this Condition N1.2.1, and regardless of whether the person has previously made one or more notifications under this Condition, the expansion of that <u>letters business</u> through the delivery of an additional two and a half million or more <u>letters</u> in all or any part of the United Kingdom within a <u>Relevant Period</u>.</p>
N1.2.2	<p>Written notice given to <u>OFCOM</u> pursuant to Condition N1.2.1 must include the following information:</p> <p>(a) details of the forecast volume of <u>letters</u> to be delivered within the <u>Relevant Period</u> to which the notification relates;</p> <p>(b) details of the geographical areas in which the <u>letters business</u> to which the notification relates is forecast to operate; and</p> <p>(c) details of when the <u>letters business</u> to which the notification relates is to be put into effect.</p>
N1.2.3	<p>This Notification Conditions shall not apply to such extent as <u>OFCOM</u> may direct.</p>
N1.2.4	<p>Any person to whom this Notification Condition applies shall comply with any direction <u>OFCOM</u> may make from time to time under this Notification Condition.</p>

Table of terms defined in the Act

This table is provided for information and does not form a part of this condition. We make no representations as to its accuracy or completeness. Please refer to the Act.

<i>Defined term</i>	<i>Section of the Act</i>
<i>Service within the scope of the universal service</i>	<i>40</i>
<i>OFCOM</i>	<i>90</i>