

**CONSOLIDATED VERSION OF CONSUMER PROTECTION CONDITION 5
AS AT JULY 2013 (including annotations)¹**

**SCHEDULE TO THE NOTIFICATION UNDER SECTION 51(1) OF THE POSTAL
SERVICES ACT 2011**

**CONSUMER PROTECTION CONDITION 5:
DELIVERY**

1. Application, Definitions and Interpretation

CP 5.1.1	This consumer protection condition (“ CP Condition ”) shall apply to <u>regulated postal operators</u> .
CP 5.1.2	In this CP Condition— (a) “ Act ” means the Postal Services Act 2011 (c.5); (b) “ appointed day ” means 1 October 2011; (c) “ DUSP condition ” means a designated USP condition imposed under s.36 of the Act; (d) “ regulated postal operator ” means a <u>postal operator</u> which provides services in relation to which, had those services been carried out prior to the <u>appointed day</u> , it would have been required to hold a licence under the Postal Services Act 2000; (e) “ regulated postal service ” means a <u>postal service</u> the provision of which, had it been carried out prior to the <u>Appointed Day</u> , would have required the provider to hold a licence under the Postal Services Act 2000; and (f) “ USO service ” means a service provided pursuant to an obligation imposed by a <u>DUSP condition</u> .
CP 5.1.3	For the purpose of interpreting this CP Condition— (a) except in so far as the context otherwise requires, any word or expression shall have the same meaning as it has been ascribed for the purpose of Part 3 of the Act ² ;

¹ This consolidated version of Consumer Protection Condition 5 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 Consumer Protection 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 Consumer Protection 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 Consumer Protection Conditions.

	<p>(b) headings and titles shall be disregarded;</p> <p>(c) expressions cognate with those referred to in this CP Condition shall be construed accordingly;</p> <p>(d) the Interpretation Act 1978 (c. 30) shall apply as if this CP Condition were an Act of Parliament</p>
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² A table for information identifying such defined terms is provided at the end of this condition. This table is intended only as a guide and does not form a part of this condition. We make no representations as to its accuracy or completeness.

2. Delivery

CP 5.2	A <u>regulated postal operator</u> , in relation to a <u>regulated postal service</u> or a <u>USO service</u> , shall use reasonable endeavours to deliver appropriately, or procure the delivery of, any <u>postal packets</u> it receives in the course of its business as a <u>postal operator</u> , within a reasonable time.
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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</i>
<i>postal operator</i>	27(3)
<i>postal packet</i>	27(2)