



Commission for
Communications Regulation

Information Notice

Terminal Dues Agreements – Extension to Deadline for Compliance

Document No:	03/74
Date:	9 July 2003

In the report on Information Notice “Terminal Dues” ComReg 03/40 dated 4 April 2003, ComReg set out the following:

“Under Regulation 17(1) ComReg is required to monitor An Post’s compliance with its obligations in respect of its Agreements on Terminal Dues, and ComReg has powers available to it under Regulation 10(2) to require such compliance. The Commissioners have considered a report on the question of An Post’s compliance with its statutory requirements and they have decided that there is prima facie evidence of non-compliance. In the circumstances the Commissioners are requesting An Post to bring its Agreements on Terminal Dues into compliance with its obligations no later than 7 July 2003.17(1)” Foreword page 3.

ComReg has now received a representation from An Post to extend the current deadline of 7 July 2003 as, although considerable efforts to re-negotiate REIMS has been made, the company is not yet in a position to conclude revised terminal dues arrangements.

ComReg recognises that a multilateral agreement that is fair and equitable to all parties and that ensures that Terminal Dues are fixed in relation to costs would seem to be preferable to a series of bilateral agreements. We believe that it is worthwhile to give a further short period to identify the solution to this problem and note the requirement under S.I. No 616 of 2002, Regulation 10, Agreements on Terminal Dues:

*“(1) In order to ensure the cross-border provision of the universal service, a universal service provider **shall arrange** in its agreements on terminal dues for intra-Community cross-border mail that the following principles are respected:*

(a) terminal dues be fixed in relation to the costs of processing and delivering incoming cross-border mail. . .”

Given that An Post’s current financial difficulties in relation to inbound international mail must be rectified ComReg agrees to an extension of the deadline to 22 July 2003.

Isolde Goggin
Commissioner