



Commission for  
**Communications Regulation**

## Decision Notice & Response to Consultation

### **Postal Services - Universal Service Obligation, Tariff Principles and miscellaneous issues**

**Directions to An Post under the European Communities  
(Postal Services) Regulations 2002, S.I. No. 616 of  
2002**

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| <b>Decision No:</b> | <b>D11/03</b>      |
| <b>Document No:</b> | <b>03/50</b>       |
| <b>Date:</b>        | <b>13 May 2003</b> |

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## 1 Foreword

The key responsibility of the Commission for Communications Regulation (ComReg) in respect of the postal sector is to ensure the availability of an affordable high quality Universal Postal Service. In November last year we published a consultation paper which described in some detail what exactly is required from a universal service provider. This paper discussed a number of very important issues concerning the rights of the consumer, such as access to the services, the guarantee of daily delivery, the publication of information about what is on offer, and complaints procedures. The paper also raised the very interesting question of why Ireland is one of the few countries without a proper Postcode system.

This was one of our most successful consultations ever, generating around one thousand responses. Although one of the issues raised, the use of Roadside Letter Boxes, generated most of the media interest, and the issue of Postcodes generated very significant interest among stakeholders in the postal sector, there are many other issues that will be of direct relevance to all users of the post.

### *Access to Postal Services*

ComReg is required to issue Directions to An Post to ensure that the density of access points where mail can be posted takes account of the needs of users. There are three inter-related issues - location, frequency and timing. All have an impact on costs and quality. In issuing such Directions we must balance the needs of consumers with the cost of providing the facilities.

The proposals we put forward for consultation therefore envisaged that, as a minimum, there should be a posting point as near to the commercial centre of each town as practical from which a collection is made on five days a week (i.e. Monday to Friday, excluding public holidays) no earlier than 5.30 pm to secure next day delivery nationwide. No problem you may say, but there are towns in Ireland –some quite near to Dublin - which do not have such facilities.

Furthermore in those cities and towns where, as of 6 November 2002, collections were made on Saturdays, Sundays or Bank Holidays, or where there was a clearance after 6pm on Monday to Friday to secure next day delivery locally, the question was asked as to whether this standard of service should continue to be provided from a restricted number of posting points so that no one in these towns has to travel more than 3km to post a letter on these days / times.

These are significant issues for An Post's customers in many towns outside of Dublin because under An Post's automation strategy all mail processing will be concentrated onto four hubs – Dublin, Cork, Port Laoise and Athlone. As part of this plan An Post are bringing forward the latest time of posting for nationwide delivery and eliminating later collections for local delivery.

The issue ComReg has had to decide is whether to require An Post to continue to provide the later collections for local mail, or whether it should be left to the market to decide whether there is a need for such a service. On balance we came down in favour of the latter.

*Information about the Universal Service*

ComReg is also required to determine how An Post should provide users with regular, detailed and up to date information about the Universal Service. Having reviewed the position we felt that the most important point is to ensure that customers are clearly informed about the services which are provided in accordance with the state's guarantee. The best way of safeguarding the universal service is if customers know exactly what they have a right to expect in terms of Price, Quality, Service Standards, and the Conditions relating to particular Services. A key issue is to ensure transparency between the universal service, and the "value added" services that it provides in competition with other service providers.

*Postcodes*

We believe that there is potentially a lot of merit in introducing postcodes. The responses received show that the case for postcodes is even stronger than we believed. The next step therefore will be to call a conference of postal service providers and representatives of other postal sector stakeholders to consider the best way forward.

*Roadside Letterboxes*

We also noted the growing trend for people to install letter boxes at their garden gate in order to increase home security, coupled with an earlier experiment whereby An Post supplied roadside letter boxes to selected customers to speed up deliveries. In some areas already 40%-50% of homes have roadside letterboxes, although in other areas the proportion is negligible.

The Consultation Paper proposed that An Post should continue a programme to persuade rural residents to use roadside letterboxes by mutual agreement. The last three words are very important. There clearly are merits in roadside letterboxes, in particular the benefits to customers in terms of increased security and more cost efficient deliveries. On the other hand the Commission is of the view that vulnerable groups, such as the elderly and the disabled, who depend on delivery to the front door, should be protected. It also notes that packages/parcels have to be delivered to the front door and these are according to the OECD the fastest growing sector of the market.

The Commission also considers that An Post has a number of other options to make rural deliveries more efficient. For example, the option of collecting mail every morning from a post office or delivery office free of charge might be attractive to some customers and very cost effective for An Post.

An Post has made the case that persuasion will not work and that making the provision of roadside letterboxes mandatory is necessary to achieve the full benefits. At the beginning of the year An Post initiated a tendering process for 525,000 roadside letterboxes, and said, in response to our consultation, that it wanted to install these boxes as part of a mandatory programme, about 100,000 of which would be installed on public roads, often some distance from the addressee's home. The Commission's view is that widespread mandatory provision is neither possible in legal terms, nor desirable. The EU Postal Directives include an obligation to guarantee a daily delivery to the home or premises of every natural and legal person.

While there is provision for ComReg to allow a derogation, this is not a power that can be used to allow An Post to avoid the obligation to make daily deliveries to the home or premises of a very substantial proportion of legal or natural persons. The responses to the consultation suggest that there may, however, be some exceptional circumstances where it may be appropriate to grant a derogation and a further consultation will be held on this in the autumn.

We would like to thank everyone who responded to this consultation for taking the time to do so.

**Etain Doyle,**

**Chairperson**

**Commission for Communications Regulation.**

## 2 Introduction

The Commission for Communications Regulation (“ComReg”) is responsible for the regulation of Universal Postal Services in Ireland in accordance with National and EC legislation. ComReg is the National Regulatory Authority (“NRA”) for the purposes of that legislation.

In carrying out its functions under the legislation, ComReg is obliged to take into account the views of interested parties. At the beginning of November 2002 ComReg launched a consultation on the Universal Service Obligation, Tariff Principles and other issues governing the provision of the Universal Postal Service in Ireland.

In some instances the proposals merely codified existing practice, in others there is now a legal requirement to set more specific obligations for bodies charged with providing the Universal Postal Service guaranteed under the European “Postal Directive”<sup>1</sup>.

The process involved the publication of a consultation document ODTR 02/95 which addressed the following key issues in relation to the scope of the Universal Service Obligation with which An Post, as designated Universal Service Provider (USP), must comply:

- Access to the Postal Service
- Guarantee of Daily Delivery
- Postcodes
- Tariff Principles & Terminal Dues Principles
- Information to be provided by the USP
- Complaints & Dispute Resolution Procedure Guidelines

An extension to the consultation period was announced on 18 December 2002 to give interested parties more time to prepare their responses. The responses received to the consultation paper have been of assistance to the Commission in helping them to form a view on the consultation issues.

The media coverage allotted to the consultation issues served to highlight the strength of feeling and significance perceived by the public, both business and domestic postal users, on a number of the issues addressed by the paper which resulted in the Office receiving just over 1000 responses from the organisations and individuals listed in Appendix E.

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<sup>1</sup> Directive 97/67/EC of the European Parliament and of the Council of 15 December 1997 on common rules for the development of the internal market of Community postal services and the improvement of quality of service. OJ L 15 21.1.1998, p. 14, as amended by Directive 2002/39/EC of the European Parliament and of the Council of 10 June 2002 amending Directive 97/67/EC with regard to the further opening to competition of Community postal services OJ L 176 5.7.2002, p. 21.

It could be said that approximately 250 responses dealt with a variety of issues raised in the paper without any specific pattern of responding being identifiable as pertinent in the overall context. The remaining 750 responses largely concentrated on:

- the issue of whether Roadside Letterboxes should be installed in rural areas to replace delivery to the home or premises in the traditional way and of these;
- a substantial number also raised the concerns of rural communities who felt that the introduction of postcodes would only serve to remove town land names thereby losing the local heritage of which Ireland is so rich.

With the exception of material marked as confidential, the written comments of respondents are available for inspection at the ComReg's office in Dublin.

All points raised have been taken into account, although readers will appreciate that it is not feasible to refer to every point made by every respondent in a document of this nature.

ComReg wishes to express their thanks to everyone who contributed to the consultation.

## **2.1 Format of this Document**

This report deals with the main issues raised during the consultation, each under three sub-headings:

- A summary of the consultation topic.
- A summary of the views of respondents.
- Commission's Position.

The document is then concluded by comments bringing the analysis together, accompanied by ComReg's decision.

This paper does not constitute legal, commercial or technical advice. ComReg is not bound by it, except where there is a formal Direction or other document issued in fulfilment of a statutory obligation. All other aspects of this response to the consultation are without prejudice to the legal position of ComReg and to its rights and duties under legislation.



### 3 Background

#### 3.1 Legislation

##### 3.1.1 *The European Communities (Postal Services) Regulations 2002 (S.I. No. 616/2002)*

The EC “Postal Directive”<sup>2</sup> establishes a harmonised regulatory framework for postal services throughout the European Union and for securing improvements in the Quality of Service provided. It defines a decision-making process regarding further opening of the postal market to competition. It was transposed into national law by the European Communities (Postal Services) Regulations, 2000, S.I. No.310 of 2000, which have now been revoked and replaced by the European Communities (Postal Services) Regulations, 2002, S.I. No.616 of 2002 (“the Postal Regulations”),

These Regulations set out a very broad framework of the universal service requirement. A function of ComReg is to put flesh on the bones of these Regulations; taking cognisance of the modern needs of business and domestic consumers in tandem with ensuring that the Universal Postal Service remains a protected and viable service nationwide.

Regulation 4 lays down the parameters of the universal service. Regulation 5 states the requirements of the universal service. Regulation 6 specifies the information to be provided by the Universal Service Provider (USP) in respect of the universal service, Regulation 9 the Tariff Principles to be observed, and Regulation 15 the procedures for dealing with user’s complaints.

The following specific obligations on ComReg were addressed by the consultation:

- |                      |   |
|----------------------|---|
| Regulation 3 (2)     | ‘The Regulator shall, from time to time, decide that which constitutes a significant number of addresses in relation to direct mail and <b><i>shall publish his or her decision</i></b> in Iris Oifigiúil.’   |
| Regulation 4 (1) (b) | ‘The Regulator, after consultation..., <b><i>shall issue directions</i></b> to a universal service provider – in respect of the quality of postal service to be provided, and to ensure the density of the points of contact and of access points takes account of the needs of users’. |
| Regulation 4 (1) (c) | ‘The Regulator <b><i>shall publish details of any directions...</i></b> in Iris Oifigiúil’.   |
| Regulation 4 (3) (b) | ‘The Regulator <b><i>may issue directions...</i></b> for the purpose on ensuring compliance by the provider of its  |

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<sup>2</sup> Directive 97/67/EC of the European Parliament and of the Council of 15 December 1997 on common rules for the development of the internal market of Community postal services and the improvement of quality of service. OJ L 15 21.1.1998, p. 14, as amended by Directive 2002/39/EC of the European Parliament and of the Council of 10 June 2002 amending Directive 97/67/EC with regard to the further opening to competition of Community postal services OJ L 176 5.7.2002, p. 21.

obligations under subparagraph (a) and with the requirements of Regulations 5’

Regulation 4 (3) (a) states

‘A universal service provider **shall guarantee**, on every working day and not less than 5 days a week, save in circumstances or geographical conditions deemed exceptional by the Regulator, as a minimum:

one clearance; and

one delivery to the home or premises...or, by way of derogation, under conditions at the discretion of the Regulator, one delivery to appropriate installations’

Regulation 5 states

‘A universal service provider **shall** meet the following requirements with respect to provision of the universal service –

(a) The service shall guarantee compliance with essential requirements,

(b) An identical service shall be offered to users under comparable conditions,

(c) The service shall be made available without any form of discrimination whatsoever, ...,’

(d) The service shall not be interrupted...except in cases of force majeure, and

(e) The service shall evolve in response to technical...and to the needs of users’

Regulation 4 (3) (c)

‘The Regulator **shall communicate** any exception or derogation granted...to the Commission and to all national regulatory authorities in other Member States’

Regulation 6 (2)

‘Information referred to in paragraph (1) shall be published at least annually by the universal service provider concerned **in a manner determined by the Regulator**.

References in such information to technical standards will be references to those standards ...drawn up by the European Committee for Standardisation (CEN).

Regulation 6 (1) states

‘A universal service provider shall provide users ... information on the particular features of the universal service, ... conditions of access to the service, as well as to prices and quality standard levels’

Regulation 15

‘A universal service provider and a postal service provider with an annual turnover of €500,000, exclusive of VAT, **shall, in accordance with guidelines laid down by the Regulator** in consultation with the provider, draw up transparent, simple and inexpensive procedures for dealing with users complaints, ...’. ‘These procedures shall enable disputes to be settled fairly...with provision ... for a system of reimbursement or compensation or both’.

Regulation 18 (1)

‘A direction issued by the Regulator under these Regulations **shall be in writing, state the reasons on which it is based and be addressed to the universal service provider concerned, ... be delivered by hand or by registered or certified post to the registered address of the provider** and shall be deemed to have been delivered as of the date so delivered.

### 3.2 Purpose of USO

The regulatory objectives for the postal sector are very different from those for the telecommunications and broadcasting sectors. While the European Treaties require that there should be freedom to provide postal services, there is a fear amongst legislators that market liberalisation might impact on the availability of traditional postal services at “affordable” prices. It is for this reason that the EC Postal Directives require member states to:

*“... ensure that the provision of the universal service is guaranteed and shall notify the Commission of the steps it has taken to fulfil this obligation and, in particular, the identity of its universal service provider(s). Each Member State shall determine in accordance with Community law the obligations and rights assigned to the universal service provider(s) and shall publish them.” [Article 4]*

There has been a concern that in the past, as state controlled monopolies, the public postal operators have reduced services and quality in response to wage increases rather than by seeking to improve efficiency. The Postal Directives therefore require Regulators to ensure that quality is not allowed to fall as an alternative to improving efficiency:

*‘... possibility that, where they are granted special or exclusive rights, postal operators may let the quality of the service decline and omit to take necessary steps to improve service quality.’<sup>3</sup>*

<sup>3</sup> Notice from the Commission on the application of the competition rules to the postal sector and on the assessment of certain State measures relating to postal services (98/C 39/02)

The EC Postal Directives note that there is a need to provide special protection for services in rural areas:

*“Whereas the disparities observed in the postal sector have considerable implications for those sectors of activity which rely especially on postal services and effectively impede the progress towards internal Community cohesion, in that the regions deprived of postal services of sufficiently high quality find themselves at a disadvantage as regards both their letter service and the distribution of goods.”* [Recital 7 of Directive 97/37/EC]

and

*“The rural postal network inter alia in mountain and island regions plays an essential role in integrating businesses into the national/global economy and in maintaining cohesion in social and employment terms in rural mountain and island regions.”* [Recital 6 of Directive 2002/39/EC]

### **3.3 Definition Of Terms**

In attempting to codify the obligations of service providers there is a practical problem of defining some commonly used terms such as City, Town, Rural, Public Road, as well as the different types of mail. The following are the definitions that have been used in this consultation and in the Decisions made following the consultation.

#### **3.3.1 Town and Rural Areas**

The terms “town” and “rural” are used quite frequently but they can mean different things to different people. ComReg proposes therefore to use the definitions used by the Central Statistics Office (CSO) for the purposes of the 1996 Census of Population.

For all Census between 1966 and 1996 the population in the Aggregate Town Area of the state has been defined as “those persons living in population clusters of 1,500 or more inhabitants”.

“The population residing in all areas outside clusters of 1,500 or more inhabitants” is classified as belonging to the Aggregate Rural Area.

The CSO uses the actual boundaries of towns as they have been built rather than the area controlled by the Local Authority. Indeed many towns defined by the CSO such as Mitchelstown (Co. Cork), Skerries (Fingal) or Donegal do not have any official status for local government purposes.

#### **3.3.2 City**

There are five City Councils - Dublin, Cork, Limerick, Galway and Waterford – and as for towns the CSO amends the boundaries according to the growth in population, to include the suburbs or environs.

#### **3.3.3 Public Road**

Section 2 of the Roads Act, 1993 (no. 14 of 1993) defines “public road” as:

"a road over which a public right of way exists and the responsibility for the maintenance of which lies on a road authority;"

#### 3.3.4 "Single piece" mail

This is correspondence, documents, publications or goods other than "Bulk Mail" originating from an individual residential or business customer (the sender) and deposited directly with An Post, or any other service provider, for conveyance by post and delivery to the addressee. It falls into two different categories.

- standard envelopes

This comprises correspondence in standard envelopes, ie envelopes no larger than C4 and weighing no more than 100g, which do not require special facilities at either the collection or delivery stage. This makes up about 80% of total mail volumes and will be within the area reserved to An Post until at least 2006 under current EU Directives.

- packets, parcels and registered items

This comprises correspondence in larger envelopes or packages, or documents and goods weighing up to 20 kg per item, or which requires specific services such as Registration in addition to normal postage. Because of the size of the item or the service required the item must be handed to an authorised representative of the Universal Service Provider and/or be delivered personally to someone at the address on the item (or if that is not possible, to be made available for collection from the premises of the Universal Service Provider).

#### 3.3.5 Bulk Mail

This comprises correspondence, documents or publications consisting of a substantial number of similar items which are deposited with An Post, or any other service provider, at the same place and at the same time to be conveyed and delivered to the addressees indicated on the items themselves or on their wrapping.

There are specific issues in relation to the ability of An Post to accept this mail other than in Dublin which are discussed at section 4.6 below.

#### 3.3.6 Direct Mail

Direct Mail is a particular form of Bulk Mail. The Regulations define it as:

"a communication consisting solely of advertising, marketing or publicity material and comprising an identical message, except for the addressee's name, address and identifying number as well as other modifications which do not alter the nature of the message, which is sent to a significant number of addressees, to be conveyed and delivered at the address indicated by the sender on the item itself or on its wrapping and includes cross-border as well as domestic mail. Bills, invoices, financial statements or other non-identical messages and communications combining direct mail with other items within the same wrapping shall not be included as direct mail."

Regulation 3(2) requires the Director to interpret the term significant number of addressees and to publish an appropriate definition from time to time, and this is addressed in Section 4.7 of the Report

## 4 Access to the Postal Service

### 4.1 Summary of Consultation Issue

Due to the well established postal access network throughout the country, the issue of ensuring adequate density of access points to the postal service is not a major issue of concern to ComReg. The one exception may be in the case of newly developed areas which are awaiting completion of the whole estate before postal services are made available to all residents.

The consultation proposal intended to codify the existing practices as well as to ensure that parity of access points existed for all users throughout the State. The paper also recognised that the frequency and timing of collections from those access points played an equally important role in the quality of service the customer receives. The availability of outlets to purchase postage stamps cannot be ignored as another important link in ensuring that access to the universal postal service is guaranteed.

Different mail streams often require separate treatment. Packets, parcels, Insured and Registered mail items have to be brought to the local Post Office, or handed to an authorised official of the service provider, eg the existing arrangement that postmen in rural areas will accept such items from customers on their delivery route.

Bulk Mail, including Direct Mail, was also considered. In general it would not be possible for such mail to be posted in normal pillar boxes; therefore, it is important that customers have access to the appropriate postal services at convenient locations.

In that context the consultation paper proposed the following **minimum** measures as meeting the requirements of the universal service within the meaning of the Regulations and meeting the consumer's right of access to postal services:

- (a) There should be a posting point as near to the commercial centre of each town as practical from which a collection is made on five days a week (i.e. Monday to Friday, excluding public holidays) no earlier than 5.30 pm to secure next day delivery nationwide.<sup>4</sup>
- (b) In addition to the availability of posting points as described in (a) above, posting points for single piece mail in standard envelopes shall be provided so that no one has to travel more than 1km within the town area to post a letter, subject to the same requirements as regards frequency and timing.
- (c) Also in addition to the availability of posting points as described in (a) above, additional posting points for single piece mail in standard envelopes shall be provided in rural areas so that no one has to travel more than 3km to post a letter, subject to the same requirements as regards frequency. The existing arrangements requiring postmen on delivery in rural areas to also collect mail from customers on their route must be maintained.

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<sup>4</sup> In towns where the latest collection time is currently earlier than 5.30pm because of geographic location it is intended that current arrangements should be maintained.

- (d) In those cities and towns where collections are currently made on Saturdays, Sundays or Bank Holidays, or where there is currently a clearance after 6pm on Monday to Friday to secure next day delivery locally, this standard of service should continue to be provided from a restricted number of posting points so that no one in these towns has to travel more than 3km to post a letter on these days / times.
- (e) There should be a facility to buy postage stamps, appropriate to the rates for mail in standard envelopes, at a retail outlet in the vicinity of every pillar / wall box in town areas. In this context vicinity can be defined as within 100 metres of the nearest retail outlet which need not be a post-office and may be automated. [It was noted that ComReg has no function or powers in relation to the location or number of retail post offices.] Existing arrangements whereby postmen in rural areas sell stamps should be retained.

With regard to access points for Bulk/Direct Mail, ComReg proposed to only intervene should a dispute arise on a case by case basis at the invitation of a specific customer when it can be shown that the normal process of commercial negotiation has been exhausted.

ComReg is also required to interpret the term "significant number of addressees" in relation to the definition of Direct Mail and to publish an appropriate definition from time to time. An Post generally applies a minimum size of 2000 items for access to Direct Mail services, but this number is relatively large for many businesses / not for profit organisations operating in rural areas who may wish to use Direct Mail.

Each of the five proposed directions to An Post, together with the proposals in relation to the posting of Bulk Mail and Definition of Direct Mail are considered in turn.

#### **4.2 Facility to post all types of postal items up to 5.30pm for next day delivery nationwide**

The proposal in this regard was that:

- (a) There should be a posting point as near to the commercial centre of each town as practical from which a collection is made on five days a week (i.e. Monday to Friday, excluding public holidays) no earlier than 5.30 pm to secure next day delivery nationwide.<sup>5</sup>

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<sup>5</sup> In towns where the latest collection time is currently earlier than 5.30pm because of geographic location it is intended that current arrangements should be maintained.



**Question 2 asked if, as a minimum standard there should be a posting point for all mail as near to the commercial centre of each town as practical from which a collection is made no earlier than 5.30 pm to secure next day delivery nationwide.**

#### 4.2.1 Views of Respondents

Of the 41 respondents who specifically answered this question the vast majority were in favour. A number of respondents suggested a later posting time. The General Council of County Councils stated as follows:

*‘the operating patterns of mail collection from some sub-offices in city and suburban areas seem to belong to a previous generation. For example, this organisation can identify a sub-office in a city area where franked mail must be deposited by 4pm for collection. This is one hour too early in the modern business context’*

An Post agreed with the posting point element but stated that they couldn’t guarantee a latest time of posting no earlier than 5.30pm. The definition of town was also challenged. As set out in section 3.3.1 it is proposed to use the definitions used by the Central Statistics Office (CSO) for the purposes of the 1996 Census of Population *“those persons living in population clusters of 1,500 or more inhabitants”*. An Post argue that a threshold of 5,000 would be more appropriate and point out that the threshold adopted by the Royal Mail in Britain has recently been increased from 6,300 to 10,000.

#### 4.2.2 Commission’s Position:

##### ***Latest Time of Posting***

There is a conflict between consumer requirement for a later cut off point for posting and An Post’s ability to provide same. To insist on a later cut off time would impose additional costs and put Quality of Service at risk, while the 5.30pm cut off seemed to be generally acceptable.

It is noted that An Post says it cannot provide 5.30 p.m. collections everywhere. The proposal in the consultation paper noted by way of footnote that “in towns where the latest collection time is currently<sup>6</sup> earlier than 5.30pm because of geographic location it is intended that current arrangements should be maintained”. For the record these towns are:

|           |                                  |
|-----------|----------------------------------|
| Co. Cork  | Bantry 5.10pm, Skibbereen 5.15pm |
| Co. Cavan | Cootehill 5.15pm                 |

<sup>6</sup> Paper ComReg 02/113 subsequently confirmed that this meant as of the date of publication of the original consultation paper, ie 6 November 2002.

|             |  |
|-------------|--|
| Co. Donegal | Ballybofey-Stranorlar 4.20pm, Ballyshannon 4.20pm, Buncrana 4.30pm, Bundoran 4.00pm, Carndonagh 3.50pm, Lifford 3.30pm |
| Co. Kerry   | Dingle 3.45pm  |
| Co. Mayo    | Ballina 5.25pm.  |

There are 18 other towns where the latest collection time is currently earlier than 5.30pm. In most cases these are “new” towns in the hinterlands of Dublin and Cork, or in the South East Region, where the service currently provided reflects their historical status as small rural villages rather than the urban / suburban status they now have. For example Kilcullen, Co Kildare, (latest time of posting currently 5pm) is designated as a Primary Development Centre in the Government’s National Spatial Strategy<sup>7</sup>, others such as Leixlip (population 13,451 in 1996) are already substantial towns in their own right. The Commission takes the view that it is not unreasonable that the service provided in these developing areas should be the same as in other longer established towns of similar size.

There are also nine other towns where the current posting time is in the range 5.25pm to 6.00pm, and where An Post wish to advance the latest time of posting to between 4.00 pm and 5.05pm. There are no exceptional geographical conditions which would justify the Commission amending the proposal put to consultation.

In all other cases An Post has no difficulty in meeting the proposed 5.30pm latest posting time, but it must be remembered that in most cases this is significantly earlier than the latest posting time available when the consultation paper was published.

Taking into account the representations received from users of the post, and their representative organisations, the Commission are of the view that the proposal as put to consultation represents a reasonable balance between meeting the needs of users while avoiding imposing significant additional obligations on An Post.

### ***Definition of Town***

An Post also suggested that the definition of town should be revised, and in particular that it should be confined to towns with a population of at least 5,000. An Post made comparison with Britain, but this is to ignore the fundamental geographic / demographic differences between Britain and Ireland:

|   |  |          |           |
|---|--|----------|-----------|
| - | population density per km <sup>2</sup> | 244.2 GB | 55.3 IRL; |
| - | % living in Urban Area                 | 89% GB   | 59% IRL   |

The latter, incidentally is based on the 1,500 limit used by the CSO and similar bodies in other countries.

In an Irish context ComReg notes that the Government’s National Spatial Strategy, while generally confirming the 1,500 population limit used by the CSO, also

<sup>7</sup> By Ministerial Direction under Section 13 of the Communications Regulation Act, 2002, ComReg is obliged, inter alia, to have regard to the National Spatial Strategy.

includes “certain smaller towns under 1,000 population” along parts of the west coast. The Strategy notes the important local roles such towns’ play, particularly the point where wider communities access such towns for local services and employment. To adopt the 5,000 limit advocated by An Post would be to exclude County Towns such as Roscommon, Carrick on Shannon and Lifford<sup>8</sup> as well as important centres such as Birr, Fermoy, Gorey, Kilrush, and Westport.

#### **4.3 Additional posting points for single piece mail in standard envelopes**

The proposal in this regard distinguished between town and rural areas:

- (b) In addition to the availability of posting points as described in (a) above, posting points for single piece mail in standard envelopes shall be provided so that no one has to travel more than 1km within the town area to post a letter, subject to the same requirements as regards frequency and timing.
- (c) Also in addition to the availability of posting points as described in (a) above, additional posting points for single piece mail in standard envelopes shall be provided in rural areas so that no one has to travel more than 3km to post a letter, subject to the same requirements as regards frequency. The existing arrangements requiring postmen on delivery in rural areas to also collect mail from customers on their route must be maintained.

**Question 1 asked if, as a minimum standard, no one should travel more than 1km within a town area, or 3km within rural area, to post a letter in a standard envelope.**

**Question 4 asked if you agreed with the proposals in respect of rural/less populated areas.**

##### *4.3.1 Views of Respondents*

Of the 37 respondents who specifically answered question 1 the vast majority were in favour. One response suggested a minimum distance of 500m within a town area while balancing this with the comment “*as the post was collected in rural areas, 5km would be acceptable*”.

The General Council of County Councils highlighted the need to bear in mind the needs in new housing developments.

*‘There is a particular problem in the context of new housing developments which An Post does not seem to install post boxes to capture the posting potential of significant new suburban populations’.*

<sup>8</sup> Lifford had a population of 1,275 (Census 1996) but ComReg has decided, exceptionally, to include it with the definition of a “Town” in view of its status as a “County Town” in the National Spatial Strategy.

Of the 36 respondents who specifically answered question 4, 20 were in favour and 16 were against. The negative response to this question appeared in the main to be influenced by a negative reaction to An Post's proposals in relation to rural deliveries and the installation of roadside letter boxes.

An Post objected to these proposals on the basis that it would increase the cost of the USO to follow rigidities of distance criteria and suggested that it should give precedence to the volume threshold criteria it currently applies (50 items a day town areas, 20 items a day rural areas) over any distance proposals.

It also suggested that ComReg should adopt the UK policy which states that:

*'the Licensee shall be regarded as having met its obligations... if–*

*...99% of ...potential users... are within 500 metres of a post office letter box...*

*the premises of not less than 95% of ...potential users of postal services are within 5 kilometres of such an access point...*

*...the premises of not less than 95% of users or potential users of postal services are within 10 kilometres of such an access point....'* (as cited by An Post)

An Post confirmed that it would continue to supply/sell stamps and collect mail on rural delivery routes.

An Post's concerns about the definition of "town" are also relevant to this topic.

An Post also expressed concerns about the definition of "Standard Envelope" (see section 3.3.4), principally in the context of access to postal services. An Post argues that width criteria should be adopted to avoid "creating confusion with mail processing sizes", and point out that the width of the current boxes ranges from 120.7mm to 267mm, viz:

|                     |                         |         |
|---------------------|-------------------------|---------|
| Modern designs      | Pedestal Box            | 267mm   |
|                     | Street lamp-mounted box | 203.2mm |
| Traditional designs | Pillar Boxes            | 203.2mm |
|                     | Wall mounted boxes      | 158.8mm |
|                     | Street lamp-mounted box | 120.7mm |

#### 4.3.2 Commission's Position:

There are two aspects to be dealt with in this question, i.e. the availability of pillar boxes etc and the size of the opening in the pillar box.

##### ***Availability of pillar boxes etc***

Apart from An Post, most respondents considered that the proposals put to consultation were acceptable. It is considered that the limits of 1km (in town areas)

and 3km (in rural areas) suggested for the distance to reach a pillar box should meet the requirements of the majority of users while imposing no additional costs on An Post compared with their current standards, and possibly allowing for removal of some redundant facilities.

It is not clear that alternative arrangements based on meeting the proposed standards in 99% of cases would materially benefit An Post and some consumers could be particularly affected. For example, if the proposal that no one should travel more than 3km to post a letter in a rural area was subject to a 99% compliance threshold this would leave some 6,000 households outside of any regulatory protection. ComReg is specifically charged with ensuring that the density of access points meets the needs of users.

### ***Size of the opening in the pillar box***

An Post's sorting machines are of a modern design and their specifications reflect the International Standard sizes for paper and envelopes that came into common usage in the 1970's. Pricing schemes are being adjusted to reflect the cost savings that can be achieved by machine sorting, compared with manual sorting. A distinction is made between two types of standard envelopes; Post Office Preferred Envelopes & Postcards (broadly up to C5 size – 229 mm x 162 mm x 5mm) and Larger Envelopes (broadly up to C4 size – 324 mm x 229mm x 25 mm).

By contrast many of An Post's pillar boxes were installed before the foundation of the State and the width of the pillar box opening reflects the paper and envelope sizes in common usage at that time. The width of the opening in the traditional design of pillar box (203.2 mm) is narrower than the width of a C4 envelope (229 mm), or the A4 sheet of paper (210 mm) that it might contain. This is not a material issue as it is possible to post the envelope through the opening by folding or flexing the envelope.

The proposed direction as set out in the consultation paper does not require that the opening in the pillar box etc is as wide as a C4 envelope, only that it is capable of accepting "*envelopes no larger than C4 and weighing no more than 100g, which do not require special facilities at either the collection or delivery stage*". This requirement can of course be met by folding the envelope if necessary.

### ***Review of proposed Direction***

The proposed Direction is the first formal statement of what An Post is required to do and can be reviewed from time to time if necessary. The intention is not to require An Post to install more pillar boxes etc, or to replace existing boxes with larger ones, except where this is necessary because of delays in responding to new housing developments or if warranted by increased business. Rather it is to ensure that existing standards are maintained, while making provision for An Post some scope for updating their network of access points to reflect current requirements.

#### 4.4 Weekend / Bank Holiday Collections, and late evening collections for local delivery

The proposal in this regard was that:

- (d) In those cities and towns where collections are currently made on Saturdays, Sundays or Bank Holidays, or where there is currently a clearance after 6pm on Monday to Friday to secure next day delivery locally, this standard of service should continue to be provided from a restricted number of posting points so that no one in these towns has to travel more than 3km to post a letter on these days / times.

**Question 3 asked whether existing arrangements for mail posted after 5.30 pm and on Saturdays, Sundays and Bank Holidays should be maintained.**

##### 4.4.1 Views of Respondents

Of the 34 respondents who specifically answered this question the vast majority were in favour. One Respondent suggested there should be more Saturday collections and another stressed the importance of Saturday mail being delivered the next working day. However, another respondent doesn't see the need for collection if the mail cannot be delivered the next day.

An Post stated that it is a matter for it to decide and this service does not fall within the scope of Regulation 4 (3) (b) of the Regulations. It argues that "*it is no longer economical to provide the service of late collection*" and that it "*reserves the right to revise the provision of the services outlined in question 3 in response to supply (e.g. costs, technology) and/or demand (e.g. volumes) conditions*".

##### 4.4.2 Commission's Position:

ComReg notes An Post's Statement regarding Regulation 4 (3) (b) which only requires An Post to guarantee one clearance each day, 5 days a week. However, Regulation 4 (1) (b) requires ComReg to issue directions in respect of quality of service to be provided, and to ensure the density of the points of contact and of access points takes account of the needs of users. In this context ComReg takes the view that to adequately ensure that the provision of 4 (1) (b) is met it is necessary to distinguish, as the consultation paper did, different densities for different types of access.

In this context it seems reasonable for ComReg to consider the need for *limited* access at weekends, as well as collecting mail for local delivery late in the evening, and to further restrict this to the position as at 6 November 2002 also seems reasonable.

The problem is that as part of its automation strategy An Post envisages centralising the processing of all mail at four centralised hubs and that this will make it impossible for them to continue to provide late evening collections for local mail. There does however seem to be an ability to comply if An Post wishes to, e.g., by opening mail boxes at each delivery office and extracting local letters posted since the last collection for nationwide delivery.

The response to the Consultation suggests that there is a demand for late evening and weekend services. The issue is whether An Post should be required to continue to provide services that meet that demand, or whether An Post should have the freedom to decide how best to respond to market requirements. On balance the Commission's position is that while ComReg expects An Post to maintain the density of access points for late evening and weekend collections at the present level it does not propose to direct An Post to do so. It will however keep the needs of customers for such services, and how the market responds to that need (either in terms of provision by An Post or any other service provider) under review. It is of course a fundamental principle of competition law that a company cannot claim a monopoly over a service it does not provide.

#### 4.5 Facility to buy postage stamps

The proposal in this regard was that:

- (e) There should be a facility to buy postage stamps, appropriate to the rates for mail in standard envelopes, at a retail outlet in the vicinity of every pillar / wall box in town areas. In this context vicinity can be defined as within 100 metres of the nearest retail outlet which need not be a post-office and may be automated. [It was noted that ComReg has no function or powers in relation to the location or number of retail post offices.] Existing arrangements whereby postmen in rural areas sell stamps should be retained.

##### 4.5.1 Views of Respondents

An Post claims there is no need for this level of density of outlets to purchase postage stamps and it would only create a costly bureaucracy. On the other hand it states that stamps are already sold at in excess of 5,300 outlets and that the network will expand to some 6,000 outlets by the end of the year. Another respondent suggested the distance should be 300m instead of 100m

##### 4.5.2 Commission's Position:

It should be noted that the specific proposal in the Consultation Paper only relates to town areas and that it leaves the option open to An Post to make arrangements for the sale of stamps (of specific denominations only) with whichever retail outlet it chooses to deal with, so long as it is within the 100m radius of the nearest shop to the pillar box.

The figures submitted by An Post in respect of sales outlets for stamps suggest that there is already a good match between the number of post-boxes *in town areas* and stamp sales outlets. There is certainly no intention that the proposed codification of existing standards would lead to an increased obligation on An Post.

#### 4.6 Facility to post bulk mail

The proposal in this regard was that, in accordance with normal commercial practice, it was to be expected that "bulk mail" customers will negotiate access arrangements that meet their specific requirements directly with An Post. But where the customer is required by law to use the services of An Post this could affect the customer's bargaining power. The Director therefore proposed only to intervene on a case by

case basis at the invitation of a specific customer when it can be shown that the normal process of commercial negotiation is not working properly:

**Question 5 asked if you agree that the density of access points for Bulk Mail / Direct Mail should be agreed individually between An Post and each company presenting such mail, and that the Director should only issue specific Directions to An Post if such agreements cannot be reached.**

#### 4.6.1 Views of Respondents

Of the 31 respondents who specifically answered this question the vast majority were in favour. FEDMA<sup>9</sup> stated that the Regulator should facilitate access to the network and that Bulk mail customers should be allowed to avail of discounts based on avoided costs. There were only two negative responses, one of which stated that competition should be allowed and the other, An Post.

An Post argued that

*" the Regulators proposals have been overtaken by Regulation 9 (3), which requires special tariffs for bulk mail to be applied to all customers on a transparent and non-discriminatory basis, both for tariffs and associated conditions, therefore normal process of commercial negotiation will not apply."*

*"An post does not accept that the Regulator has the power to intervene in commercial negotiations on a case by case basis and would not envisage or support a role for the Regulator in terms of such interventions"*

#### 4.6.2 Commission's Position:

The consultation paper is not about tariffs or other conditions applying to Bulk Mail, it is simply about points of access for Bulk postings and whether these are sufficient to meet the needs of users.

In the Notice from the [European] Commission on the application of the competition rules to the postal sector and on the assessment of certain State measures relating to postal services, (OJ 98 C 39 2) it is provided that:

*'operators should provide the universal service postal service by affording non-discriminatory access to customers or intermediaries at appropriate public points of access, in accordance with the needs of those users. Access conditions including contracts (when offered) should be transparent, published in an appropriate manner and offered on a non-discriminatory basis'* [section 8 (b) (vii) Non-discriminatory access to the postal network]

<sup>9</sup> Federation of European Direct Mail Associations



It is not appropriate or practical at this time for ComReg to specify the precise density of points of access for bulk mail. An Post must meet the needs of its customers. If the customer is not satisfied they have the right to ask ComReg to issue a direction under Regulation 4(1)(b) to ensure compliance with the obligations. This approach seemed reasonable to the majority of respondents.

#### 4.7 Definition of Direct Mail

While the Consultation Paper indicated that ComReg was minded to decide that 2000 shall be the “significant number of addressees” for the purposes of Regulation 3(2) there was a particular wish to hear from businesses and not for profit organisations that would benefit from a lower figure.

**Question 6 asked if you agree that 2000 should be the “significant number of addressees” for the purposes of Regulation 3(2).**

##### 4.7.1 Views of Respondents

Of the 37 respondents who specifically answered this question 24 were in favour. Those who disagreed made suggestions of 250 to 1000 as the preferred number of mail pieces. FEDMA suggested that the definition should be based on 100 units for each local delivery office.

An Post argued that in order to achieve savings in processing, a minimum quantity of mail is required and that, from an operational perspective, the 2,000 items suggested is regarded as the minimum volume which would generate and justify cost savings sharing with the customer.

##### 4.7.2 Commission’s Position:

While An Post's statement that 2,000 items is the minimum number that would generate cost savings, this would only be the case for *unsorted* mail. A feature of Direct Mail is that it is generally pre-sorted so that it can be despatched directly to an intermediate sorting office or the local delivery office. Some direct mail will be of a much localised nature and the suggestion of FEDMA that 100 items for the same delivery office should be a quantifying criterion seems sensible, if coupled with the 2,000 limit for nationwide distribution.

ComReg has recently learnt that the majority of signatories to the REIMS II agreement on Terminal Dues have signed a supplementary agreement which defines Direct Mail as 500 mail items. As An Post are not signatories to this agreement it should not be taken into account at this stage, but the position should be kept under review.

This issue is somewhat academic as the proposal to liberalise the Direct Mail market before the remainder of the postal market has been dropped. Nevertheless, there is a statutory requirement to define the market. The question is whether 2000 mail items, which is An Post’s current limit and which has met with strong support should prevail or whether it should be reduced to 500 in line with the decision of the REIMS II agreement or 100 mail items per local delivery office as suggested by FEDMA. On balance the Commission’s Position is 2000 for nationwide delivery or 100 pieces for one specific local delivery office.

## 4.8 Direction to An Post Under Regulation 4(1)

### Decision No 1

The decision of the Commission for Communications Regulation is:

That under Regulation 4(1)(b) of the European Communities (Postal Services) Regulations, 2002, S.I. 616 of 2002, An Post is required to comply with the following MINIMUM measures in providing the universal service within the meaning of the Regulations and meeting the consumer's right of access to postal services. For the purposes of this Direction the following definitions will apply:

|                     |   |
|---------------------|---|
| Town area           | The population residing in clusters of 1,500 or more inhabitants" or as defined by the Central Statistics Office for the purposes on the Census of Population, Aggregate Town Area, or any County Town as set out in the Government's National Spatial Strategy.  |
| "Single piece" mail | <p>This is correspondence, documents, publications or goods other than "Bulk Mail" originating from an individual residential or business customer (the sender) and deposited directly with An Post, or any other service provider, for conveyance by post and delivery to the addressee. It falls into two different categories.</p> <ul style="list-style-type: none"><li>• standard envelopes</li></ul> <p>This comprises correspondence in standard envelopes, i.e. envelopes no larger than C4 and weighing no more than 100g, which do not require special facilities at either the collection or delivery stage.</p> <ul style="list-style-type: none"><li>• packets, parcels and registered items</li></ul> <p>This comprises correspondence in larger envelopes or packages, or documents and goods weighing up to 20 kg per item, or which requires specific services such as Registration in addition to normal postage.</p> |
| Bulk Mail           | This comprises correspondence, documents or publications consisting of a substantial number of similar items which are deposited with An Post, or any other service provider, at the same place and at the same time to be conveyed and delivered to the addressees indicated on the items themselves or on their wrapping.   |
| Direct Mail         | <p>is a particular form of Bulk Mail. The Regulations define it as:</p> <p>"a communication consisting solely of advertising, marketing or publicity material and comprising an identical message, except for the addressee's name,</p>   |

address and identifying number as well as other modifications which do not alter the nature of the message, which is sent to a significant number of addressees, to be conveyed and delivered at the address indicated by the sender on the item itself or on its wrapping and includes cross-border as well as domestic mail. Bills, invoices, financial statements or other non-identical messages and communications combining direct mail with other items within the same wrapping shall not be included as direct mail."

**Direction:**

- (a) There should be a posting point as near to the commercial centre of each town as practical from which a collection is made on five days a week (i.e. Monday to Friday, excluding public holidays) no earlier than 5.30 pm to secure next day delivery nationwide. The following are the only exceptions to this requirement:
- |             |   |
|-------------|---|
| Co. Cork    | Bantry 5.10pm, Skibbereen 5.15pm  |
| Co. Cavan   | Cootehill 5.15pm  |
| Co. Donegal | Ballybofey-Stranorlar 4.20pm,<br>Ballyshannon 4.20pm, Buncrana 4.30pm,<br>Bundoran 4.00pm, Carndonagh 3.50pm,<br>Lifford 3.30pm |
| Co. Kerry   | Dingle 3.45pm   |
| Co. Mayo    | Ballina 5.25pm  |
- (b) In addition to the availability of posting points as described in (a) above, posting points for single piece mail in standard envelopes shall be provided so that no one has to travel more than 1km within the town area to post a letter, subject to the same requirements as regards frequency and timing.
- (c) Also in addition to the availability of posting points as described in (a) above, additional posting points for single piece mail in standard envelopes shall be provided in rural areas so that no one has to travel more than 3km to post a letter, subject to the same requirements as regards frequency. The existing arrangements requiring postmen on delivery in rural areas to also collect mail from customers on their route must be maintained.
- (d) There should be a facility to buy postage stamps, appropriate to the rates for mail in standard envelopes, at a retail outlet in the vicinity of every pillar / wall box in town areas. In this context vicinity can be defined as within 100 metres of the nearest retail outlet which need not be a post-office and may be automated. Existing arrangements whereby postmen in rural areas sell stamps should be retained.

- (e) 2000 for nationwide delivery or 100 pieces for one specific local delivery office shall be the "significant number of addressees" for the purposes of Regulation 3(2)

This Direction is intended to codify the existing standard of universal service as currently provided by An Post in a manner that is consistent with the needs of users. It is not intended to create any significant new regulatory obligation on An Post and will be reviewed from time to time.

The Commission for Communications Regulation does not propose to issue any Direction at this stage in respect of access to postal services on Saturdays, Sundays or Bank Holidays, or where there is currently a clearance after 6pm on Monday to Friday to secure next day delivery locally. The availability of such services, whether provided by An Post or any other service provider, will however be kept under review.

With regard to access points for Bulk/Direct Mail, ComReg do not propose to issue a Direction to An Post at this time but will intervene on a case by case basis at the invitation of any specific customer when it can be shown that the normal process of commercial negotiation has been exhausted.

## 5 Daily Delivery Obligation

### 5.1 Summary of Consultation Issue

An Post, as designated universal service provider, is statutorily obliged to guarantee delivery of mail 5 days a week to the home or premises of every natural and legal person in the State under Regulation 4(3)(a) [S. I. 616 of 2002]. The paper discussed whether any currently agreed delivery point could be accepted as complying with the statutory obligation and whether An Post should continue its programme to *persuade* rural residents to use roadside letterboxes by mutual agreement.

The number of delivery points is increasing by about 5% per annum due to new housing construction and other new buildings. The Consultation Paper proposed that the onus should be on An Post to agree with the developers of new housing and other new buildings, at the planning stage, what should be the most appropriate delivery arrangements (within certain parameters set out in the paper).

The paper also dealt with the actions to be taken if An Post was unable to effect delivery and the issue of the timing of deliveries.

#### 5.1.1 Views of Respondents

An overwhelming number of the responses concerned this aspect of the paper; many responding in narrative style rather than dealing with each specific question. The rural community and its extended community groups and rural regeneration committees vehemently objected to the installation of a rural roadside post box and strongly argued for the continuation and upgrading of the current door to door service provided by the local post man. Many of the arguments put forward were on behalf of or from the elderly, disabled, lone occupants and sick who would clearly be unable to collect mail on a daily basis should there be a requirement to travel any distance to do so. Many also praised the social aspect of meeting the postman on a regular basis. Representations objected in the strongest possible fashion to any change of plan, compulsion, coercion or persuasion programme to install a letterbox on the roadside to receive mail.

### 5.2 Obligation to deliver to the Home or Premises of every natural or legal person – Existing Premises

The Consultation Paper recognised that over the years a number of alternative delivery arrangements have been made by mutual agreement between An Post and its customers. While in urban areas the concept of "delivery to the home or premises" of the addressee might be described in terms of the postman approaching the main entrance door of the premises, and "posting" the letters through a letterplate in the door provided specifically for that purpose, this is by no means a ubiquitous practice. For example, in modern apartment developments a nest of letterboxes is often positioned at the entrance to each block of apartments, and frequently modern houses on substantial plots have electronically controlled gates to prevent access with a letterbox provided adjacent to the gate.

The Paper therefore indicated that it was proposed to take the view that delivery arrangements currently in place will meet the new statutory obligation.

**Question 7 asked whether, in the cases of existing residential buildings and commercial premises, the currently agreed delivery point should be regarded as complying with the statutory obligation? If you disagree, please state why.**

### 5.2.1 Views of Respondents

The vast majority of the responses that were written in general terms opposed the introduction of roadside letter boxes and could therefore be taken as favouring this proposal, with the caveat of emphasising that "mutual agreement" meant precisely that, and not some form of "take it or leave it" offer.

Of the 94 respondents who specifically answered this question 48 were in favour and 46 were against, of which 35 would support the mandatory introduction of "garden gate boxes" but An Post stated that it can no longer bear the costs involved in delivering to residential customers whose houses are in excess of a specific distance from the public road (10 metres) or where the delivery point is not compliant with the CEN Standard for postal delivery boxes (EN 13724).

### 5.2.2 Commission's Position:

A strict interpretation of the current Regulations would require An Post to deliver to the "home or premises" even where the addressee wanted delivery to some alternative location and An Post agreed. However this strict obligation is tempered in cases where alternative arrangements have been entered into between an addressee and An Post because of the legal principle of "waiver".

#### **Decision No 2**

**In deciding whether there is compliance with the obligation to deliver to the home or premises of every natural or legal person the Commission will regard any delivery point agreed between An Post and the addressee as complying with the statutory obligation.**

### **5.3 Obligation to deliver to the Home or Premises of every natural or legal person – New Premises**

With regard to new housing and other new buildings the Consultation Paper proposed that the onus should be on An Post to agree with the developers, at the planning stage, what should be the most appropriate delivery arrangements. In this context it acknowledged that there must be some restraint on what either party can ask of the other. The following criteria were suggested:

- (1) No fee or charge should be payable to An Post in respect of the agreed alternative.

- (2) The arrangements must be accessible to all other providers of postal services - any arrangements which require the delivery postman to use keys or codes to gain access are not acceptable unless all other service providers have access to the keys and codes if necessary.
- (3) There must be no discrimination between addressees in terms of arrangements that are acceptable to An Post.
- (4) The home or premises must have either a letterplate in an exterior door of the premises or a letterbox if An Post is to be obliged to deliver mail to the premises. There is an Irish Standard<sup>10</sup> that specifies the size and position of a letterplate that should be provided in a door. A new European Standard<sup>11</sup> has recently been adopted which specifies the dimensions for a letterplate or a letterbox - details are set out at Appendix B.
- (5) There should be some limit to the distance from the nearest public road that the postman should be required to travel to access the letterplate / letterbox, or in "duplex" developments, the number of steps that the postman needs to climb. Unfortunately neither the Irish Standard, nor the European Standard, referred to above deal with the issue of location in relation to the boundary of the property. In these circumstances the Director will be guided by the views of interested parties, and in particular of representative bodies, as to what distance is reasonable.
- (6) It is not always possible for the postmen to access the home or premises directly from the public road. For example it is the practice for some residential developments not to be taken in charge by local authorities and for access to be controlled by electronic gates<sup>12</sup>. Where there is no direct access from the public road it seems reasonable that delivery should be effected by delivery to a roadside letterbox, complying with the Irish/European standards, at an agreed location accessible from the public road.

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<sup>10</sup> I.S. 195:1976 - compiled by the Institute for Industrial Research and Standards (IIRS)

<sup>11</sup> EN 13724 Apertures of private letter boxes and letter plates Requirements and test methods.

<sup>12</sup> This example must be distinguished from the case where a new estate is being built and it is intended that the new roads would become public roads once the development is completed.

**Question 8 asked whether, in the case of new housing and other new buildings, the onus should be on An Post to agree with the developers, at the planning stage, what should be the most appropriate delivery arrangements? If you disagree, please state why.**

**Question 10 (a) asked whether the criteria against which the Commission will judge whether there is mutual agreement on delivery arrangements reasonable? If not what alterations would you suggest?**

**Question 10 (b) asked what distance should a postman be required to cross private property from the public road to access the letterplate / letterbox? Please give your reasons.**

### 5.3.1 Views of Respondents

There was little consensus about the answers to question 8, with those disagreeing divided between those arguing that agreement should only be made with the actual occupants once the building is completed, that An Post should specify its requirements on a take it or leave it basis, and others putting the onus on Developers to reach agreement with An Post.

An Post takes the view that the onus should be on the developer to meet the conditions set down by An Post.

Of the 84 respondents who specifically answered question 10(a) 37 were in favour and 20 were against because they supported the mandatory provision of roadside boxes, while 27 were against because they opposed any change to the status quo.

An Post's view is that the criteria are unworkable and that it "cannot agree that no fee or charge should be payable in respect of any agreed alternative delivery arrangements". An Post also points out that reference is not made to the current level of discretion necessary for An Post to curtail delivery services where there is no access to premises, no postbox, health and safety risks to employees, etc.

Of the respondents who specifically answered question 10(b) there was a consensus of around 10 metres, although suggestions of up to 300 metres were made and a substantial number either suggested delivery to the house or delivery to the point agreed between addressee and An Post.

An Post suggested 10 metres as a reasonable distance.

### 5.3.2 Commission's Position:

An Post suggests that the onus should be on developers to comply with conditions set down by An Post. In law the obligation is on An Post to deliver to the home or premises or every legal or natural person. If the home or premises only has a letterplate on the front door then that is where An Post will have to make its delivery, unless An Post persuades the occupant of the new home to install a garden gate box



or other safe place at which to make deliveries. Similarly with apartment and duplex developments, once the development is built An Post will have to make deliveries to whatever arrangements are put in place.

Nevertheless it is reasonable that An Post should only be expected to deliver to a point which is accessible and in the case of multi-storey apartments to a nest of boxes on the ground floor. The design of estates and apartments blocks (including proposals for electronic gates to estates, and nests of letterboxes for apartment blocks) is decided by local planning authorities following the submission of planning applications by developers. An Post, like everyone else, has the right to make its views known when such planning applications are made. If it does not do so it will be necessary to agree any changes to what the planning authority has approved with the occupants.

From the point of view of responding to the consultation the Commission have decided that no distinction will be made between existing delivery points and new delivery points.

### **Decision No 3**

**In deciding whether there is compliance with the obligation to deliver to the home or premises of every natural or legal person the Commission will make no distinction between existing delivery points and new delivery points.**

## **5.4 Roadside Letterboxes**

Much of the media interest in this consultation has centred on something that is not even in it! At the start of this year An Post published details of its intention to seek tenders for the supply of 525,000 Roadside Letter Boxes, and subsequently disclosed in response to this consultation that they wished to implement a programme to *require* rural (and some urban) residents to accept roadside letter boxes, in some rural areas at a substantial distance from the addressee's home. It is clear that it was objections to this proposal that gave rise to the majority of the submissions received about the Consultation Paper.

The Consultation Paper had however recognised that there were many advantages of introducing roadside letterboxes, *by voluntary agreement*, and therefore

**Question 9 had asked whether An Post should continue its programme to persuade rural residents to use roadside letterboxes by mutual agreement?**

### *5.4.1 Views of Respondents*

The majority of respondents were opposed to the introduction of Roadside Letter Boxes, certainly on the scale envisaged by An Post, and with any hint of compulsion.

Quite a number of respondents agreed that An Post should continue its programme to persuade the public to accept roadside letter boxes by mutual agreement and pointed to the positive aspects of the proposals, e.g. a smaller risk of accidents. Others believed that it should be mandatory as city dwellers should not have to bear the brunt for the costs of providing door to door delivery for rural residents and that the actual costs should be represented in the cost of postage should the traditional rural delivery service continue. County Development Boards view the postal service from a competitive stance as paramount to the sustainability and economic viability of enterprise particularly in the country and from a social perspective, the quality of life is important to retain and encourage people to remain in the countryside. For example, the Roscommon County Development Board submission states:

*“The small business sector is very dependent on postal services. If it costs more for a small business to locate in a county like Roscommon or if services here are worse than in other areas then future development of this county is at risk.”*

Of the 73 respondents who specifically answered this question 35 were in favour, albeit with concerns about the meaning of "persuasion" and others were divided between those who felt that no voluntary scheme would be effective and those who were opposed to Roadside Letterboxes in any circumstances.

An Post expressed the view that international experience has shown that alternative arrangements to deliver at the door can only be implemented on a mandatory basis, and that the savings from a voluntary scheme would be negligible.

An Post also claimed that from a commercial stance it is imperative that it introduces mandatory 'roadside letterboxes' with exception only for the elderly/infirm and those dependent on social care. It claims that it is essential to install letterboxes in order to prepare for liberalisation of the postal market, reduce labour costs (particularly delivery postmen, which represent approx. 60% of costs) and become profitable which will in the long run reduce the size and cost of the universal service obligations.

#### 5.4.2 Commission's Position:

An Post have made the argument that because of the concept of adverse selection (i.e. that those customers who would generate the most efficiencies for An Post would be the least likely to volunteer) a voluntary scheme would not generate significant savings. On the basis of confidential figures submitted by An Post, ComReg estimates that in very round terms about 40% of the proposed boxes generate 95% of the savings. These savings / efficiencies would arise principally from the installation of some 100,000 "end of lane" boxes some distance from the addressees home or premises (about 7% of all delivery points), and from the installation of boxes at the "garden gate" where the house is set back from the road by at least 30 metres .

The case against a large scale programme of roadside letterboxes was made in the submission of the General Council of County Councils:

*“As a general rule, this organisation would suggest that An Post/postal provider should look at issues such as rural delivery and the maintenance*

*of rural post offices, as business assets giving the company unparalleled access to a clientele throughout the state. Instead of treating such activities as burdens they should be looked on as unique marketing opportunities to be developed as part of the business.’*

The reality is that the number of items of mail per head of population posted in Ireland is only half the European average and a fraction of that in some countries such as Sweden, the Netherlands and the United States. Furthermore it must be remembered that the delivery of packages/parcels will always necessitate delivery to the front door, and that this is, according to the OECD, the fastest growing sector of the market<sup>13</sup>.

While the Commission went to consultation on the basis that it would prefer An Post proceed on the basis of mutual agreement between addressee and An Post, it has had to consider the possibility that such agreements have not or cannot be reached.

In this case there are three issues to be considered:-

- (a) What is An Post’s legal obligation in relation to delivery of postal items?
- (b) What is meant by “home or premises”?
- (c) Are there any restrictions as to where on the home or premises delivery must be made?

In relation to (a), as indicated above, An Post’s legal obligation under the Regulations is to deliver to the “home or premises”.

In relation to (b), under the common law a “home” or “premises” is given a broad interpretation and includes more than simply the addressee’s house. It can extend to lands appurtenant to the house (including a garden) and other structures on the land. In theory therefore, the obligation to deliver to the home or premises of every natural or legal person could be discharged by delivery to any building, garden or portion of ground occupied by the addressee.

But does this mean that An Post could meet its legal obligations, say, by simply depositing a letter in the garden? The answer is no. The letter belongs to the addressee and An Post owes a common law “duty of care” to the rightful owner of the letter.

In addition, there are other relevant legislative provisions which are intended to regulate what An Post may or may not do with postal items. For example, An Post may only open a letter in certain specified circumstances (see sections 83 (b) and 84 of the 1983 Act). It may only return a letter to the sender in specified circumstances (see section 83 (a) of the 1983 Act).

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<sup>13</sup> OECD Document on Promoting Competition in the Postal Sector, 1999.

Regulation 5(a) also specifically requires that the universal service “*shall guarantee compliance with the essential requirements*” which are defined in Regulation 2(1) as the:

*“general non-economic reasons which can induce the State to impose conditions on the supply of postal services such as the confidentiality of correspondence, ... and, where justified, data protection, environmental protection and regional planning*

The importance of the “duty of care” is also emphasised by section 57 of the 1908 Act (still extant) which places specific obligations on the postman.

ComReg’s understanding therefore is that while there is an obligation under the Regulations to deliver “to the home or premises of every natural or legal person” An Post also has a “duty of care” to the owner of the postal item which means that delivery must be effected either by handing the postal item to the addressee personally or by leaving it in a “safe” place at the home or premises, e.g. posting it through a letterplate in the front door, leaving it in a locked box at the garden gate or in any other receptacle provided for the purpose by the addressee.

In some European countries there is a formal legal requirement, usually in primary legislation<sup>14</sup>, placed on an addressee or other occupier of any home or premises to install a letterplate<sup>15</sup> in the door to a house, or a letterbox at or within a certain distance of the road. Crucially there is no such provision in Irish law.

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<sup>14</sup> **Netherlands:** Section 9.2 and 10 of the Postal Act. Postal items qualifying for delivery in a letterbox may be considered undeliverable if, at the address stated, there is no letterbox complying with the regulations laid down.

**Luxembourg:** Art.7 (5), Art.9 (3), 9(4), Art.12 (2) of the Postal Act. Delivery must take place in appropriate installations placed at the end of the public ways or any other appropriate place, so as to ensure an easy, open, direct and safe access. Other delivery methods have to be approved by the Regulator and validated through contract between the operator and the user. The refusal to place a delivery installation is considered as a refusal to accept the postal service. A list of affected addresses is established and notified to the regulator.

**Austria:** Section 27 of the Postal Act. Section 2, 6, & 7 of the Ordinance on the universal postal service. If the addressee's residential or business address can only be reached with unusual difficulty, or if an appropriate and accessible installation for the delivery of mail is not available or the delivery is unusually difficult or involves danger for the deliverer, the recipient can be excluded from delivery. The recipient must be informed of this and he must be given the opportunity to fulfil the missing prerequisites for delivery.

**Finland:** Section 12, 13 and 14 of the Postal services Act No 313/2001 (6 April 2002). Section 5 of Ministry of Transport and Communications Decision No 111/1999 on postal services. Items of correspondence shall be distributed in one-family houses to an installation or structure which, taking into account the local circumstances, is located within a reasonable distance from the address location of the addressee of the postal item.

The method of delivery may also be determined taking into account local conditions, the particular personal needs of the recipient or other appropriate grounds.

The Finnish Communications Regulatory Authority shall, where necessary, issue further general instructions on the placing of installations and minor structures required by the reception and distribution of items of correspondence.

If the recipient and the postal company have not entered into an agreement on the arrangement for the receipt of mail and the question has not been determined by a legally valid decision, a postal company is entitled to retain the recipient’s letter mail for collection at the branch determined in accordance with the address of the recipient.

It is quite clear therefore that An Post and its staff<sup>16</sup> have a duty of care, and that this means they must deliver to the home of the addressee in the way the addressee wishes. Those wishes may be expressed implicitly or explicitly. If there is a letterplate on the front door, it can be presumed that is where the addressee wants his mail delivered. If there is a letterbox at the entrance to the grounds and locked gates, then that is presumably where the addressee wants his mail delivered. In some rural areas the custom and practice would be for the postman to sound the horn of his van and the Bean (nó Fear) a tíghe would come and collect the mail personally.

What is quite clear is that there is currently no provision in law that would allow An Post to legally oblige an addressee to install a letterbox at the entrance to the grounds of his home. Similarly, while An Post can offer to provide such a box, the offer does not have to be accepted. If however the offer is accepted An Post can then fulfil its legal obligation to deliver to the home or premises by delivering letters into that box, but there is, under current legislation, no legal obligation on the occupier / addressee to accept the offer. It might however be an attractive offer if it relieves the occupier / addressee of the cost of providing a Letter Plate on the door of the house.

Furthermore, there is no legal obligation on an occupier/ addressee to accept the offer of a letterbox not situated on their premises but situated somewhere away from there and there is currently no legal basis for An Post to make the introduction of such letterboxes mandatory.

What cannot be ignored, however, is that in some areas already 40%-50% of homes already have roadside letter boxes, while in other areas the proportion is negligible. Clearly some customers do see merits in roadside letterboxes, and this proportion has grown over time. On the other hand, the Commission is of the view that vulnerable

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**Spain:** Article 37 of the Regulation 1829/99 of 3rd December 1999, provides for the possibility, in the case of isolated houses, sparsely populated areas and strong building development, as well as in exceptional geographical conditions, for the postal authorities to issue specific rules for the delivery of mail.

**Germany:** Sections 2.4, 3.3 and 4 of the Postal Universal Service Ordinance (PUDLV) allows, in the case of letter mail, that the addressee can be excluded from delivery if its address can only be reached with undue difficulty or in the absence of a suitable or accessible receptacle.

**Denmark:** According to the Postal Act and other relevant legislation, the distribution of items to individual addressees or groups of addressees in rural districts may be limited in certain circumstances if authorised by the Postal Inspectorate:

- 1) in the case of particularly remote or inaccessible places or
- 2) for parcels, when necessary under particular circumstances.

Rules are provided concerning postal delivery boxes and centrally-placed postal delivery facilities in the case of summer cottages.

Post Denmark may fail to deliver post to households which do not comply with the requirements for the provision of postal delivery boxes/postal delivery facilities.

**Belgium:** According to Article 142, §2 of the 21 March 1991 Act distribution must be ensured to all addresses in Belgium as long as a mailbox has been installed according to the rules in the Postal Act and other secondary legislation (e.g Arreté Royale and Arreté Ministeriel of 12th January 1970).

<sup>15</sup> ie, the flap on a door to enable letters to be delivered through the door so that the postman will not have to wait for the door to be opened.

<sup>16</sup> An Post is vicariously liable for the torts (including negligence) of its employees.

groups, such as the elderly and the disabled, who depend on delivery to the front door, should be protected. It also notes that packages/parcels have to be delivered to the front door and these are according to the OECD the fastest growing sector of the market.

The Commission also considers that An Post has a number of other options to make rural deliveries more efficient. For example, the option of collecting mail every morning from a post office or delivery office free of charge might be attractive to some customers and very cost effective for An Post.

The Commission's view is that widespread mandatory provision is neither possible in legal terms, nor desirable and that the full benefits from roadside letterboxes will only be realised if the concept is promoted in a highly attractive and non intrusive manner.

#### **Decision No 4**

**The legal obligation on An Post is to deliver to the home or premises of every legal or natural person. Nevertheless there can be considerable advantages for both An Post and Addressees from the introduction of Roadside Letterboxes. An Post should therefore seek the agreement of addressees to the use of "garden gate" boxes, particularly in rural areas, and to offer alternative arrangements such as collection from delivery offices without payment of a fee. ComReg accepts that any such alternative arrangements that have been mutually agreed will fulfil the legal obligation.**

### **5.5 The power to allow a derogation**

While there is provision for ComReg to grant a derogation from the legal obligation to deliver to the home or premises of every natural or legal person this is not a power that can be used to allow An Post to avoid the obligation to make daily deliveries to the home or premises of a significant number of addressees. The responses to the consultation suggest that there may, however, be some exceptional circumstances where it may be appropriate to grant a derogation and therefore it is proposed to hold a further consultation will therefore be held on this in the autumn. This will codify the current level of discretion allowing An Post to curtail delivery services where there is no access to premises, health and safety risks to employees, etc. It should also deal with the exemptions from daily delivery to islands off the coast (less than 0.1% of addressees) where this is not possible.

In its submission to the Consultation An Post concedes that the element of its plan which would require some rural residents to accept delivery into roadside letterboxes erected on the public road some distance from their property could only be implemented if ComReg granted a derogation from the delivery obligation.

However while ComReg may (subject to conditions it may specify) grant An Post a derogation from complying with its statutory obligation to deliver to the home or premises, this is not an unfettered power. In particular, it cannot be used to frustrate the objectives of the law. Furthermore, the power must be lawfully exercised. It can only be exercised after proper procedures, including consultation with all interested parties, have been followed.

Where the case for a derogation is based on economic considerations ComReg must obviously insist on evidence of the operator having taken all reasonable steps to solve the problem in other more acceptable ways

In this connection the first criterion must, of course, be that it has tried the mutual agreement option and failed. When customers are free to make up their own mind they do so in a rational forward-thinking way. It is not surprising that in some areas already 40%-50% of homes have roadside letter boxes.

The alternative arrangements to delivery to the home or premises (or to the acceptance of the offer to provide and install a box at the entrance to same) should be attractive. Some of the objections raised in the responses to this consultation included the difficulty of knowing when the mail might be delivered to an "end of lane" box, concerns about security, and difficulties with neighbours, etc. The offer of collection from the local delivery office, without payment of any fee, might be a more attractive option for some addressees, given that mail will be available from a fixed time, early in the day, in conditions of relative security. In addition it would avoid the capital cost of providing and installing the roadside letterbox.

The second criterion must be that An Post has explored every option to reduce costs by delivering other items besides letters at the same time. For example while An Post's SDS Division provides dedicated parcel deliveries in Dublin and other large centres it uses the public postal network in rural areas. Evidence that it has offered similar facilities to SDS's competitors and other companies making rural deliveries would be necessary.

In this connection it should also be remembered that the delivery of packages/parcels will always necessitate delivery to the front door, and that packages/parcels are, according to the OECD, the fastest growing sector of the market.

The third factor must be that any derogation would be a reasonable restriction on the statutory rights of a small percentage of addressees rather than a blanket restriction on a much larger group.

An Post's (and its predecessor's) published requirement over the several decades was "*to facilitate delivery, a Letter Box should be affixed to the door of every building at which letters are delivered*" An Post themselves wanted front door letterplates, and of a certain specification, to be specified in the Building Regulations and lobbied for them as recently as 3 years ago. Bearing these considerations in mind, it would be difficult to argue that it would frustrate the objects of the legislation to grant a derogation to allow An Post to deliver to an appropriate installation when no such letterbox / letterplate has been provided.

Similarly it might not be unreasonable on the ground of equity to allow a derogation where the offer of a roadside letterbox at the Garden Gate was refused in

circumstances where most addressees in similar circumstances had accepted such an offer. In practice this would only be considered in cases where the home was set back from the public road by a considerable distance, for example 30 metres or more.

In summary therefore there might be a case for granting a derogation from the obligation to deliver to the home or premises of every natural or legal person where:

- Access to the premises is denied (e.g. locked gates),
- There are health and safety risks to employees (e.g. dangerous dogs)
- Where there is no letterplate in the front door, and no other safe place where delivery can be effected.
- Where the home or premises are set back from the public road by 30 metres or more and the offer of a “roadside letterbox” or collection from An Post’s premises was rejected, providing that such an offer was accepted by a significant majority of addressees in the same class.

As already stated, the needs of vulnerable users will need to be taken account of.

However, before any decision to grant any derogation can be taken, a further consultation will be undertaken. This will set out very clearly the circumstances in which a derogation may be considered and also, if after due consideration, it was decided to grant a derogation, the procedures required, under the terms of derogation, to be put in place to effect delivery to appropriate installations would also need to be defined clearly. All interested parties must get an opportunity to voice their opinions in relation to how such a derogation from the legal obligation to deliver to the home or premises would be affected and ComReg would need to satisfy itself that the basis considered for granting a derogation would not be inconsistent with the objectives of the Directives and the needs of all users.

The Commission propose to hold a further Consultation later this year on this issue.

## **5.6 Action to be taken if An Post is Unable to effect delivery**

There are some items of mail, e.g. packets, parcels and registered items, where the item must be delivered personally either because they are too large to fit through the aperture of the letterplate / letterbox or because proof of delivery is required by the person sending the item. Also there are some items of mail that cannot be delivered because the size of the letterplate / letterbox is smaller than that set out in the Irish/European Standard. It is not always the case that there is someone at home when the postman calls, either because of working hours or holidays.

The paper suggested that in these cases it seems reasonable to expect An Post to make one attempt at delivery in person, and that if delivery cannot be effected for a notice to be left stating that an attempt was made at delivery, and stating how the item can be obtained by the addressee. As a minimum the addressee should be given the option of collecting the item from an office of An Post, within reasonable distance from the address, within a specified period and during specified hours.

Two questions were asked.



**Question 11 (a) How long should a Universal Service Provider such as An Post be required to make available for collection from a local office mail that cannot be delivered, and during what hours should it be made available for collection?**

**Question 11 (b) Do you agree that An Post should only be required to make one attempt at delivery, on the basis that a note is left for the addressee, stating the alternative collection arrangements? If not please state your reasons. What other alternatives do you think should apply?**

#### *5.6.1 Views of Respondents*

54 respondents specifically answered question 11(a) with suggestions ranging from 3 days to 5 years, with the average being of the order of two weeks to allow for holidays etc. Some respondents suggested the need to make allowances to cater for working people by providing early morning or late evening collections. Other issues raised concern the location of the collection point being in a neighbouring town.

An Post states that current arrangements (holding mail for up to one week and making it available from 9.00 am to 5.30pm) are generally acceptable to customers.

Of the 48 respondents who specifically answered question 11(b) only 21 were in favour. Most of the 27 against suggested two or three attempts, with one suggesting that An Post should telephone the addressee and another suggesting that a second attempt should be made providing the addressee requested it.

An Post agreed with the proposed approach.

#### *5.6.2 Commission's Position*

It must be borne in mind that in some instances it is necessary for undeliverable mail to be returned to sender within a specified timescale, so it is necessary to balance the needs of the customer who may be away (on business or holiday) with the need of the sender to know whether a letter has been delivered and to minimise the cost of storage for An Post.

It is therefore recommended that mail should be made available for collection on six days at least between the hours of 9am and 1pm, not including the day of attempted delivery, if there is a facility to collect mail on a Saturday, or for five days if there is the facility to collect mail between the hours of 7am and 9 am in the morning.

The Commission's Position is broadly aimed at codifying present arrangements while giving addressees who are at work during the week an opportunity to collect in the early morning or on Saturday. Similarly, there is flexibility to provide the collection facility at a delivery office (which will generally be staffed early in the morning, but not on Saturdays or in the afternoon) or at a post office (which will normally be open only during office hours, but also on Saturdays).

It is important to stress that the collection point must be in the same town as the addressee.

With regard to the number of attempts at delivery that should be made the issue really is whether An Post is likely to effect delivery on the second attempt. If so there is a case for making the second attempt. In reality the probability is that the second attempt will not result in any response either. In these circumstances all that will result is a delay of one working day before the recipient is advised that the item is available for collection.

**Decision No 5**

**The Commission recommends that An Post should only make one attempt at delivery and that it should make Mail available for collection at a designated point in the same or nearest town:**

- **for six days at least between the hours of 9am and 1pm, not including the day of attempted delivery, if there is a facility to collect mail on a Saturday, or**
- **for five days if there is the facility to collect mail between the hours of 7am and 9 am in the morning.**

## **5.7 Time Of Delivery**

While there is a specific statutory requirement to guarantee one delivery on five days each week, there is no specific statutory requirement as regards the time of that delivery. The Consultation therefore suggested that An Post should be free to organise its daily deliveries in such a way as best meets the requirements of a majority of its customers in the most economical way. In general this will mean that An Post should continue to effect deliveries in business districts first, and deliver to residential districts and rural areas during the course of the day.

**Question 12: do you agree that that An Post should be free to organise its daily deliveries in such a way as best meets the requirements of a majority of its customers in the most economical way? If you disagree, please state how conflicting demands of customers could be met while achieving the economies of scale inherent in a "once over the ground" delivery network.**

### *5.7.1 Views of Respondents*

In general there was agreement to this proposal.

### *5.7.2 Commission's Position*

The Commission accepts this position.

## 6 Postcodes

### 6.1 Summary of Consultation Issue

Postcodes are important in that they would eliminate the problem associated with Irish addresses. An Post states that 40% of addresses in Ireland are non unique. Ireland is one of the few countries without a Postal Code. Representations from the Bulk Mail Industry as well as utility and emergency services have indicated to ComReg that there are many advantages to having a postcode system for Ireland. There are many other uses which a postcode system could facilitate such as credit scoring by financial institutions, health risk analysis by the Health Boards and other bodies who depend on statistical information in the compilation of various studies of general interest.

The postcode question raised in the consultation paper did not categorically ask whether a postcode system should or should not be put in place. It requested views from interested parties as to the advantages, disadvantages, costs of introducing postcodes in Ireland and what organisation would be best placed to allocate them.

**Question 13: what do you see as the advantages and disadvantages of introducing Postcodes in Ireland? Which would be the most appropriate organisation to allocate them, and how should they be funded?**

### 6.2 Views of Respondents

This aspect of the consultation attracted the attention of a large section of the population. The responses can be categorised into four broad headings to include: responses from the operators, users, non postal bodies and the circular letter group.

The direct marketing industry, bulk mail consolidators and express industry expressed an overdue need to introduce postcodes. They state that the absence of a postcode is inefficient and as a result they are losing money.

The health care industry strongly favours the introduction of postcodes, particularly in the analysis of disease and other health matters, but also pointing to difficulties in contacting patients by post.

Many other research industries claim that postcodes would result in more robust analysis of statistical data received as postcodes would pinpoint information down to specific geographic locations, therefore solutions may be more easily identified. In this context it is worth quoting from the response of the Central Statistics Office:

*"In common with any organisation which uses bulk mailing to send out forms, this office considers that significant efficiencies can be gained through the use of an agreed Postcode system. As well as the direct business saving which would accrue there would be major benefits to the overall statistical system."*

As stated in the Introduction to this paper a significant number of respondents from rural areas opposed both the introduction of postcodes as well as the installation of roadside letter boxes. The basis for opposition was primarily in relation to the loss

of town land names and the strong local history which was part and parcel of those names. Others objected stating that it would only create another layer on the address, that the knowledge of the local post person was sufficient to ensure delivery to the correct address.

A Mail Preparation Company submitted that its mail which is prepared pre-sorted and delivered to An Post has a high level of delivery success rate. This it is believed to be as a result of the fact that pre-sorted mail does not have to be OCR<sup>17</sup> read. It is suggested that this begs the question as to the efficiency of An Posts current internal system, which An Post claims is adequate to meet its needs without a postcode. Some respondents submitted detailed suggestions as to the structure of a postcode system, including worked examples.

An Post does not support the introduction of a public postcode in Ireland. It argues that it already operates a state of the art postcode, that it would not be viable because of the non-unique address outside Dublin, that compliance would be a major problem and that it would not improve quality.

### **6.3 Commission's Position:**

There is clearly an overwhelming case for investigating the issue of introducing a postcode system in Ireland particularly when the An Post postman is no longer the only person making deliveries. An investigation of the matter can only be done by representatives of all the stakeholders in the postal sector. Such an investigation would have to address the concerns of those in rural areas, and demonstrate how the traditional townland structures and use of Irish can be combined with the use of a postcode. Structure, funding and promotion would also need to be addressed.

The Commission recognises that there is a wide range of interest and proposes to contact the Minister to discuss this matter, and to convene a conference of all postal service providers and representatives of major users of the post and other stakeholders to consider this matter in more detail, once the authorisation procedures required by Regulation 7 are put in place. ComReg should make a more detailed report on the issues raised in response to this consultation for such a conference.

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<sup>17</sup> Optical Character Recognition

## 7 Tariff Principles & Terminal Dues Principles

The current consultation paper addressed the outstanding issue of responding to the consultation paper published back in 2001, ODTR 01/35 and the need to provide clarity in respect of tariff principles set out in Regulation 10(1) of S. I. 310 of 2000. The paper also stated that a further consultation would be published once the amending Postal Directive would be transposed into National Law.

*The Director will publish a further consultation paper on this subject after publication of the legislation transposing the amending Postal Directive, recently approved by the European Council and European Parliament<sup>18</sup>.*

As regards the Terminal Dues Principles the paper noted the losses being incurred on handling incoming international mail and advised that a Consultation Paper on compliance with the Terminal Dues Principles would be published shortly.

In the event ComReg has decided not to consult on the matter at this time. Instead ComReg has directed An Post to re-negotiate its terms and conditions under the REIMS II agreement in an effort to curb the losses which are currently experienced under this agreement. (see Information Notice: Terminal Dues Agreements, 03/40)

An Post complained that the absence of clarity in relation to the application of Tariff Principles in Ireland is disappointing. It feels that the Commission's Position of proposing to deal with this in a case by case scenario will lead to price adjustment delays and economic uncertainty, both for its customers and An Post. It notes ComReg's intention regarding a future consultation paper.

This section of the consultation paper did not ask any specific questions, but simply set out how ComReg would deal with the issues pending a further consultation. No decision concerning a consultation is needed at this stage. A further consultation will be necessary later in the year. ComReg has, as stated above, already dealt with the Terminal Dues matter.

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<sup>18</sup> Directive 2002/39/EC of the European Parliament and of the Council of 10 June 2002 amending Directive 97/67/EC with regard to the further opening to competition of Community postal services

## **8 Information to be provided by the USP**

### **8.1 Summary of Consultation Issue**

The paper addressed the two issues of what information should be provided and by what media should it be conveyed.

The information to be provided was considered under the four headings of Price, Quality, Service Standards and Conditions relating to particular Services.

A variety of ways for communicating the information was listed to include making the information available at posting points, notice at all post offices, available in written form at all post offices which could be taken and studied later, available at selected post offices or on request by post for subsequent reference, made available over the internet, through advertising media and also made available in the Company's Annual Report.

The paper stated there was a need for transparent information on prices, fees and charges for all parts of the Universal Service and the associated conditions and a number of suggestions were put forward for consultation. The paper also provided that separate booklets should be made available to differentiate between services within and outside the scope of the universal service to ensure complete transparency between the two groups of services.

The paper put forward a number of suggestions as to what customers may reasonably expect to know with regard to quality of service targets within the universal service area and how information on whether these targets are met should be communicated to An Posts customers.

Information on service standards which may reasonably be expected by customers was deemed to include the latest posting time to secure next day delivery for local and national mail, whether that collection has already been made and if so, where one may find a later collection point within the vicinity which would secure next day delivery.

As some of An Post's services have special criteria which must be met in advance of availing of the service the paper put forward that all of the criteria to be met should be made available in a booklet form for the customer to ensure that an informed choice can be made.

The paper also asked whether there was any other information which should be made available in relation to the universal service.

There were five specific questions:

**Question 14 asked if you agree that detailed information about prices and associated conditions for all aspects of the Universal Postal Service should be published by An Post within the framework set out in paragraph 6.2 of the consultation paper.**

**Question 15 asked if you agree that detailed information about quality targets and achievements should be published by An Post within the framework set out in paragraph 6.3 of the consultation paper.**

**Question 16 asked if you agree that information about the time of the last collection to secure next day delivery for both local and national delivery and whether that collection has been made should be published by An Post within the framework set out in paragraph 6.4 of the consultation paper.**

**Question 17 asked if you agree that detailed information about the conditions relating to particular services should be published by An Post within the framework set out in paragraph 6.5 of the consultation paper.**

**Question 18 asked if there is any other information that An Post should be required to publish in respect of the Universal Service.**

## **8.2 Views of Respondents**

Of the 30 responses which specifically referred to question 14 about information on pricing and conditions only 3 responded negatively, 2 of which came from the general public, one stating that the current system is fine and the other objecting to the aspect in the proposal which would require An Post to issue revised prices booklets as tariffs are adjusted to all business customers and to place advertisement in appropriate national advertising media to this effect.

An Post disagreed in so far as it would be obliged to publish two separate booklets for USO / non-USO services and suggested that one publication would cater for both categories of services. It feels also that information currently published covers the majority of ordinary postal transactions.

The majority of the 27 respondents referring to Question 15 (Quality Targets and Achievements) supported the proposal. One suggested that targets and results should be analysed geographically.

An Post states it is concerned at the practical implications and costs of maintaining up-to-date information notices and maintains that the proposal outlined in the consultation paper exceeds the requirement to inform the customer.

Of the 30 respondents who replied to the specific question about the time of the last collection each day (Question 16), there was one negative response from a member of the general public without stating why. Another stated that, with the central sortation programme in existence, local mail will soon be a thing of the past. An Post agreed but expressed reservations about providing information over the phone.

2 respondents from the general public out of a total of 29 who responded to the question 17 (Detailed Conditions) disagreed with this proposal, one stating that it is a commercial decision to be taken by An Post. An Post agreed so long as the information can be published in the price brochure.

Of the 24 respondents to Question 18 (additional information) 18 responses see no need for any additional information to be published in respect of the Universal Service. One suggested publishing an annual statement analysing the costs associated with the USO; another suggested that An Post should publish information on its persuasion plans to encourage rural dwellers to accept Roadside Letterboxes together with details of its negotiations with developers. Other suggestions included; provision of information on complaints and resolution thereof; provision of Irish signs and material to customers *as gaeilge*; and a comparison of An Post's rates vis a vis other EU countries as well as US, Canada, Australia and Japan.

An Post stated that it currently publishes comprehensive information on the USO.

### **8.3 Commission's Position:**

ComReg has to determine how An Post should provide users with regular, detailed and up to date information about the Universal Service. The best way of safeguarding the universal service is if customers know exactly what they have a right to expect in terms of Price, Quality, Service Standards, and the Conditions relating to particular Services.

One of the key issues is to ensure transparency between the universal service that An Post is required to provide, and the "value added" services that it provides in the competitive market. The real danger is that it is competitive services that are being advertised while the costs are attributed to the USO services. The universal service needs to be promoted also.

Also the legal obligations of An Post are also very different in respect of the universal service and the "value added" services it has chosen to offer. For example it is not subject to section 39 of the Sale of Goods and Services Act 1980 in respect of the universal services.

An Post questions the need for a separate booklet for targets and conditions of service and ComReg agrees that this information may be published in one booklet along with prices. Notices are regularly displayed in Post Offices and it is entirely appropriate that Quality of Service target and achievements should be displayed in this way.

An Post has accepted the basic principle that information on pillar boxes should show latest time of posting, not times of collection, which is an important move. It also agreed to indicate whether that collection has been made with the need to put a process in place whereby tablets indicating the time of collection are replaced, i.e., when the 5.30pm collection has been made, a tablet should be inserted indicating



that mail posted after that time will not achieve delivery tomorrow, but the following day. A telephone number is important so that complaints about collections made early, lack of tablets, etc can be reported.

With regard to the suggestions for additional information ComReg has an obligation to monitor the costs and benefits of the USO under Regulation 12 (7) of 616 of 2002 but the Regulation requires that such information is treated in confidence. It is difficult to make comparisons of prices with other countries. ComReg tends to do so as part of a price increase application, but it would not be appropriate to require An Post to do so as part of an information booklet giving details of the universal service it provides.

In summary, the Direction to be given to An Post should contain the broad provisions outlined in the Consultation Paper. However, ComReg agrees that published targets and performance achieved may be published together with the prices brochure, but it is essential that information about the services falling within the universal service obligation is published separately from the ‘value added’ services.

In many instances what was proposed is to codify what already happens in practice, e.g. notices at post offices, price brochures etc. It should not lead to additional cost. Pillar box notices will need to be replaced from time to time and should be phased in to spread the cost involved. Eolaí an Phoist, An Post Guide, should be maintained up to date with latest amendments to all conditions, services, prices and latest times of posting and collection for all town areas.

**Decision No 6**

**The requirements set out in Appendix C shall be advised to An Post and any other universal service providers**

## **9 Complaints & Dispute Resolution Procedure Guidelines**

### **9.1 Summary of Consultation Issue**

ComReg is required to provide guidelines for complaints and dispute resolution procedures to be drawn up by USP's and where warranted, make provision for a system of reimbursement and/or compensation. The current regulations (S.I. 616 of 2002) extended this requirement to all postal service providers.

There is a European Standard, EN 14012, which was approved on 20<sup>th</sup> December 2002 by CEN TC 331, the European Standardisation Committee for postal services, which may receive mandatory status from the European Commission.

The consultation put forward the following elements which were considered fundamental to drawing up a Code of Practice for dealing with consumer complaints and redress issues.

- Points of Contact with all the relevant contact information should a customer wish to make an enquiry or lodge a complaint to include a low call or free phone number.
- Records of Complaints for ease of follow up attention and resolution and also for submitting statistics for regular publication in the ComReg Quarterly Review/ Annual Report.
- Process of lodging complaints for resolution which sets out the steps in which a customer should follow as well as the steps which the service provider will adhere to in processing the complaint to resolution. The steps to be taken should be flexible and easily understood for the specific category of complaint.
- Maximum response times which can be guaranteed depending on the nature or category of complaint will be contained in the Direction. Categories of Complaint were put forward in line with the European Standard but were not deemed to be exhaustive.
- Should response times for particular categories of complaints not be met the proposal asked for comments as to the provision of financial compensation for failure to meet the stated response targets.
- Right to seek independent advice was also put forward should a customer not be entirely happy with the resolution concluded. This may involve seeking assistance from the Ombudsman Office, Director of Consumer Affairs or other. ComReg has no statutory role in relation to the resolution of complaints but is happy to refer complainants to the relevant body. The direction considered that the right to seek other forms of redress should only be allowed once the provisions of the established postal service provider's code of practice have been completely exhausted.

The Code of Practice should be kept up to date and may require an annual review. It will only be of value if it is published and made available for viewing by all its customers.

The following specific questions were asked:

**Question 19 (a) asked what in your view are the key important points that should be included in the scope and contents of the guidelines on complaints procedures which the Director is required to draw up.**

**Questions 19 (b) asked what additions and deletions would you like to see in the subjects set out in Section 7.4 when the final guidelines are issued.**

## **9.2 Views of Respondents**

The consultation paper pointed to what it considered as key in providing guidelines to postal service providers obliged to draw up a Code of Practice for dealing with complaints and redress. Respondents were asked to point out which of these they viewed as particularly important for inclusion in any approved Code of Practice.

Of the 7 responses specifically referring to this question (19(a)), 3 of them agreed with the proposal suggested in the paper. Another stated that the present An Post system is fine. Others suggested that the key points should include; right to seek independent advice; publication and approval of Code of Practice; records of complaints; and a process for lodging complaints.

An Post suggested that any procedures put in place should be transparent, simple and inexpensive to include: readily identifiable procedures, ease of access, methods of complaint, category of complaints and customer friendly language.

Of the 11 respondents specifically referring to question 19(b), the additional suggestions to be included in the Code included a provision for compensation should An Post fail to meet standards which are published. A suggestion was also put forward that there should be two tier targets, minimum and best practice. Procedures should be simple, straight forward and inexpensive with ease of access for complaint and prompt resolution.

An Post submitted that written complaints should be kept as simple as possible and the Code of Practice documentation needs to be customer friendly and easily read. It also suggested that it should be submitted 3 months from date the guidelines are issued by ComReg in its Direction and the coming into force of EN 14012, the European Standard, which has been approved.

## **9.3 Commission's Position:**

It is intended to issue guidelines to An Post in line with those proposed in the consultation paper. The Code will have to be approved by ComReg in consultation with the provider so it is not essential at this stage to ensure that all the i's are dotted and the t's are all crossed. Each Code submitted can be assessed on its merits in line with the guidelines issued and additional criteria may be negotiated.

The consultation paper stated that maximum response times for different categories of complaints, in line with the relevant European Standard, would be issued in the Direction. While it is accepted that there was no specific question in relation to this

matter the paper failed to attract suggestions in this area, possibly due to the attention afforded to other aspects of the paper such as the Guarantee of Daily Delivery and Roadside letter box concerns. However, ComReg will require An Post to state the maximum response time they intend to adhere to for each category in line with accepted best practice, and international postal agreements.

Also the consultation raised the matter of financial compensation should An Post fail to meet the stated response targets. An Post, as a universal service provider, is legally obliged to put in place a process, where warranted, for reimbursement or compensation or both should these targets not be achieved and/or for certain categories of complaint should they arise. In this context ComReg requires An Post, when submitting a formal Code of Practice for approval, to outline its plans for compensation or reimbursement or both which may, if considered necessary, form the subject of a further consultation.

**Decision No 7**

**The guidelines set out in Appendix D shall be advised to An Post and other service providers. An Post shall be required to submit its Code of Practice for approval no later than 13 August 2003, to include its proposals for compensation / re-imbusement.**

## 10 Regulatory Impact Assessment

### Regulatory Impact Assessment

On 21 February, the Minister for Communications, Marine and Natural Resources issued a series of policy directions to ComReg following a public consultation. Included was a Direction in relation to Regulatory Impact Assessment (RIA). The text of the Direction is as follows:

*“The Commission, before deciding to impose regulatory obligations on undertakings in the market for electronic communications or for the purposes of the management and use of the radio frequency spectrum or for the purposes of the regulation of the postal sector, shall conduct a Regulatory Impact Assessment in accordance with European and International best practice and otherwise in accordance with measures that may be adopted under the Government’s Better Regulation programme.”*

In its Consultation Document, “Future Regulation of Electronic Networks and Services – ComReg Consultation Procedures” (Document 03/31 of 18 March 2003), the Commission stated that it would issue an Information Note on how it intended to implement this policy direction following a review of the issues involved. In accordance with the Direction, ComReg is currently reviewing best international practice and practice by equivalent European National Regulatory Authorities. In the Consultation Document, ComReg set out its view that, because of the need to conclude decisions on a number of matters which were currently under consideration, it would be counter-productive to defer these regulatory decisions until the format and methodology of RIAs were established. It pointed out that many features of an RIA already formed part of its initial investigation and major reviews of regulatory measures, and these were outlined in consultation papers and responses (where possible, subject to the constraint of commercial confidentiality). In particular, in the consultation process affected entities were provided with the opportunity to specify the impact on them of particular measures.

In relation to this paper, in the main, ComReg’s obligation is to monitor compliance with obligations placed on An Post or any other universal provider by statute or Ministerial Regulations. In some instances ComReg is required to put flesh on the bones of these obligations by issuing Directions or Guidelines. In the present paper the intent has been to codify existing practice in a way which is understandable by An Post’s customers, while giving An Post some freedom to update their network to reflect current conditions. The intention is that there should be no overall increase in the obligations on An Post. To this end the requirements set out in this paper will be reviewed from time to time.

## **APPENDIX A – LIST OF DIRECTIONS**

For ease of reference, the following is a list of Directions as set out in this Decision Notice

### **Direction 1:**

**The decision of the Commission for Communications Regulation is:**

**That under Regulation 4(1)(b) of the European Communities (Postal Services) Regulations, 2002, S.I. 616 of 2002, An Post is required to comply with the following MINIMUM measures in providing the universal service within the meaning of the Regulations and meeting the consumer's right of access to postal services. For the purposes of this Direction the following definitions will apply:**

**Town area**            **The population residing in clusters of 1,500 or more inhabitants" or as defined by the Central Statistics Office for the purposes on the Census of Population, Aggregate Town Area, or any County Town as set out in the Government's National Spatial Strategy.**

**Single piece" mail**        **This is correspondence, documents, publications or goods other than "Bulk Mail" originating from an individual residential or business customer (the sender) and deposited directly with An Post, or any other service provider, for conveyance by post and delivery to the addressee. It falls into two different categories.**

- **standard envelopes**

**This comprises correspondence in standard envelopes, i.e. envelopes no larger than C4 and weighing no more than 100g, which do not require special facilities at either the collection or delivery stage.**

- **packets, parcels and registered items**

**This comprises correspondence in larger envelopes or packages, or documents and goods weighing up to 20 kg per item, or which requires specific services such as Registration in addition to normal postage.**

**Bulk Mail**

**This comprises correspondence, documents or publications consisting of a substantial number of similar items which are deposited with An Post, or any other service provider, at the same place and at the same time to be conveyed and delivered to the addressees indicated on the items themselves or on their wrapping.**

**Direct Mail**

**is a particular form of Bulk Mail. The Regulations define it as:**

**"a communication consisting solely of advertising, marketing or publicity material and comprising an identical message, except for the addressee's name, address and identifying number as well as other modifications which do not alter the nature of the message, which is sent to a significant number of addressees, to be conveyed and delivered at the address indicated by the sender on the item itself or on its wrapping and includes cross-border as well as domestic mail. Bills, invoices, financial statements or other non-identical messages and communications combining direct mail with other items within the same wrapping shall not be included as direct mail."**

**Direction:**

**(a) There should be a posting point as near to the commercial centre of each town as practical from which a collection is made on five days a week (i.e. Monday to Friday, excluding public holidays) no earlier than 5.30 pm to secure next day delivery nationwide. The following are the only exceptions to this requirement:**

**Co. Cork                      Bantry 5.10pm, Skibbereen 5.15pm**

**Co. Cavan                    Cootehill 5.15pm**

**Co. Donegal                Ballybofey-Stranorlar 4.20pm, Ballyshannon  
4.20pm, Buncrana 4.30pm, Bundoran 4.00pm,  
Carndonagh 3.50pm, Lifford 3.30pm**

**Co. Kerry                    Dingle 3.45pm**

**Co. Mayo                    Ballina 5.25pm.**

**(b) In addition to the availability of posting points as described at (a) above, posting points for single piece mail in standard envelopes shall be provided so that no one has to travel more than 1km within the town area to post a letter, subject to the same requirements as regards frequency and timing.**

**(c) Also in addition to the availability of posting points as described at (a) above, additional posting points for single piece mail in standard envelopes shall be provided in rural areas so that no one has to travel more than 3km to post a letter, subject to the same requirements as regards frequency. The existing arrangements requiring postmen on delivery in rural areas to also collect mail from customers on their route must be maintained.**



**(d) There should be a facility to buy postage stamps, appropriate to the rates for mail in standard envelopes, at a retail outlet in the vicinity of every pillar / wall box in town areas. In this context vicinity can be defined as within 100 metres of the nearest retail outlet which need not be a post-office and may be automated. Existing arrangements whereby postmen in rural areas sell stamps should be retained.**

**(e) 2000 for nationwide delivery or 100 pieces for one specific local delivery office shall be the "significant number of addressees" for the purposes of Regulation 3(2)**

**This Direction is intended to codify the existing standard of universal service as currently provided by An Post in a manner that is consistent with the needs of users. It is not intended to create any significant regulatory obligation on An Post and will be reviewed from time to time.**

**The Commission for Communications Regulation does not propose to issue any Direction at this stage in respect of access to postal services on Saturdays, Sundays or Bank Holidays, or where there is currently a clearance after 6pm on Monday to Friday to secure next day delivery locally. The availability of such services, whether provided by An Post or any other service provider, will however be kept under review.**

**With regard to access points for Bulk/Direct Mail, ComReg do not propose to issue a Direction to An Post at this time but will intervene on a case by case basis at the invitation of any specific customer when it can be shown that the normal process of commercial negotiation has been exhausted.**

**Direction 2:**

**In deciding whether there is compliance with the obligation to deliver to the home or premises of every natural or legal person the Commission will regard any delivery point agreed between An Post and the addressee as complying with the statutory obligation.**

**Decision No 3**

**In deciding whether there is compliance with the obligation to deliver to the home or premises of every natural or legal person the Commission will make no distinction between existing delivery points and new delivery points.**

**Decision No 4**

**The legal obligation on An Post is to deliver to the home or premises of every legal or natural person. Nevertheless there are considerable advantages to both An Post and Addressees from the introduction of Roadside Letterboxes. An Post should therefore seek the agreement of addressees to the use of "garden gate" boxes, particularly in rural areas, and to offer alternative arrangements such as collection from delivery offices without payment of a fee. ComReg accepts that any such alternative arrangements that have been mutually agreed will fulfil the legal obligation.**

**Decision No 5**

**The Commission recommends that An Post should only make one attempt at delivery and that it should make Mail available for collection at a designated point in the same or nearest town:**

- **for six days at least between the hours of 9am and 1pm, not including the day of attempted delivery, if there is a facility to collect mail on a Saturday, or**
- **for five days if there is the facility to collect mail between the hours of 7am and 9 am in the morning.**

**Direction 6**

**The requirements set out in Appendix C shall be advised to An Post and any other universal service providers.**

**Decision No 7**

**The guidelines set out in Appendix D shall be advised to An Post and other service providers. An Post shall be required to submit its Code of Practice for approval no later than 13 August 2003, to include its proposals for compensation / re-imburement.**

## **APPENDIX B – SUMMARY OF EUROPEAN STANDARD FOR LETTER BOXES AND LETTERPLATES**

There are a number of different types of apertures using different classification criteria:

Four types of Aperture:

- Type 1 aperture for outdoor use private letter box
- Type 2 apertures for indoor use private letter box
- Type 3 apertures of slide through box
- Type 4 apertures of letterplate (fixed to doors or side-panels)

Two sizes:

- Size 1 For width wise posting
- Size 2. For lengthwise posting

Two grades of Corrosion

- Grade 3 Standard Corrosion resistance
- Grade 4 Extended Corrosion resistance

Two grades of Security

- Grade 1 Standard Prevention
- Grade 2 Improved Prevention

Dimensions of the Aperture

|        |            |     |       |     |       |
|--------|------------|-----|-------|-----|-------|
| Size 1 | Short side | min | 30mm  | max | 35mm* |
|        | Long side  | min | 325mm | max | 400mm |
| Size 2 | Short side | min | 30mm  | max | 35mm* |
|        | Long side  | min | 230mm | max | 280mm |

\* max 40mm allowed for Type 4 apertures if the distance between the bottom of the aperture and the top of a 40mm high pile of less post items is at least 640mm.

## **APPENDIX C – INFORMATION TO BE PROVIDED BY AN POST**

### **Media to be used to convey information about the Universal Postal Service:**

- (a) Information to be available at the point of posting
- (b) Information to be available by way of notice at all post offices
- (c) Information to be available in written form at all post offices for subsequent reference at home or business premises
- (d) Information to be available in written form at selected post offices, or on request by post, for subsequent reference at home or business premises
- (e) Information to be made available over the internet
- (f) Information to be made available through advertising media.
- (g) Information to be made available in the Company's Annual Report.

### **PRICES**

The following information shall be made available in respect of prices, fees, charges for all parts of the Universal Service, and the associated conditions. Conditions for availing of specific services should also be provided in the prices booklet:

- (a) Comprehensive information in this regard should be made available by way of notice prominently displayed in all offices owned or controlled by An Post and used for the provision of the Universal Service.
- (b) The same information should be made available over the Internet.
- (c) A booklet setting out the current prices and associated conditions should also be available for subsequent reference at home or business premises from all post offices. This booklet will also include conditions to be met to avail of specific services.
- (d) Copies of the booklet referred to above should be sent to all business customers whenever tariffs are adjusted, or should the conditions for availing of specific services change, and advertisements should be placed in appropriate national advertising media.
- (e) To ensure transparency all notices, booklets and advertisements should clearly differentiate between services pertaining to the USO and commercial services outside the scope of the USO.

## **QUALITY**

With regard to quality targets and the performance achievement of those targets, the following information shall be made available:

- (a) Comprehensive information in respect of targets for all aspects of the Universal Service should be made available by way of notice prominently displayed in all offices owned or controlled by An Post and used for the provision of the Universal Service.
- (b) The same information should be made available over the Internet.
- (c) A booklet setting out the targets should also be available for subsequent reference at home or business premises from larger post offices, or on request by post.
- (d) The target and the achievement against the target for single piece priority mail calculated in accordance with European Standard EN 13850 should also be published for the latest quarter and the latest calendar year by way of notice displayed prominently in all post offices and on the Internet after the 1st quarter of 2003 (quarterly results) and from early 2004 (annual results).
- (e) From mid 2004 the latest annual targets together with performance achieved against the annual target should also be displayed prominently at all posting points.

## **SERVICE STANDARDS**

The following information regarding service standards shall be made available:

- (a) The time of the last collection to secure next day delivery for both local and national delivery should be made available by way of notice prominently displayed in all offices owned or controlled by An Post and used for the provision of the Universal Service.
- (b) The same information should be made available over the Internet.
- (c) The time of the last collection to secure next day delivery for both local and national delivery should be prominently displayed at all posting points together with an indicator showing whether that collection has been made from that particular point.
- (d) If applicable, additional information concerning the location of posting points where a later collection is provided to secure next day delivery locally should be prominently displayed.
- (e) A free phone telephone number should also be provided to report any irregularities (e.g. apparent interference with the pillar box or questions about whether a collection has or has not been made).

## **OTHER INFORMATION**

- It is important that An Post's customers have adequate access to Eolaí an Phoist, An Post Guide, either by purchase, or by inspection at a Post Office. To this end it should be maintained up to date with latest amendments to all conditions, services, prices and latest times of posting and collection for all town areas.
- Therefore, it is recommended that An Post publish a Notice in all its Post Offices announcing the existence and availability of this Guide for reference purposes. All amendments to the Guide should be published in a standard format, and a consolidated version of the Guide should be published at regular intervals and made available as soon as possible thereafter.
- Where the subject matter is covered by a European Standard there should be a reference to the European Standard and where it can be studied.

## **APPENDIX D – COMPLAINTS AND REDRESS GUIDELINES**

ComReg believes that the Code of Practice would apply to the treatment of verbal and written complaints with a complaint being any expression of dissatisfaction or grievance made to a postal service provider by a customer or member of the public but does not include a request for information.

The following guidelines shall be used by An Post, and any other postal service providers authorised to provide postal services under Regulation 7, in drawing up a Code of Practice to deal with Consumer Complaints and Redress. The Code of Practice shall be drawn up taking on board the guidelines provided below as well as bearing in mind the provisions of the of the European Standard, EN 14012:

### *Points of Contact*

Customers should have clear and up to date information on how to contact the service provider in the event of enquiries or complaints. The postal service provider should make available specific details of contact names (if appropriate) and addresses for contact in person or by post; an e-mail address for contact by e-mail; and hours of opening (if public office), telephone number (hours of manual operation, hours when recording facility will be in place) and fax numbers.

In an effort to minimise the cost to consumers of making a complaint, ComReg believes that operators should offer a low call or free phone telephone number or other alternative for low cost access such as e-mail, mailing address or Internet web page form.

### *Records of complaints*

Postal service providers shall specify the means by which customers' complaints will be recorded and action logged. It is proposed that there should be a minimum time of retention of records of complaints following resolution of the dispute.

Postal service providers shall submit statistics of complaints on a frequent basis for publication in ComReg's Quarterly Review as well as publishing them annually in their Annual Report.

### *Process of lodging complaints for resolution*

Postal service providers shall clearly specify all the procedures which customers and providers of the postal services should follow in the event of a particular category of complaint. The steps to be used by either party should be flexible and easily understood. Good practice should result in customers being kept informed of the progress of their complaint when an immediate resolution is not possible.



*Response times*

Postal service providers shall specify a guaranteed response time for different categories of complaint, bearing in mind that different categories of complaints require different levels of investigation.

*Category of complaints*

As different categories require different response times it would be useful to distinguish the nature of complaints received. ComReg proposes the following categories of customer complaints which are non-exhaustive.

| <b>Category of Complaint</b>   |
|--|
| Items lost or substantially delayed  |
| Item damaged   |
| Item arriving late (specifying no of days late)  |
| Mail Delivery or Collection  |
| <ul style="list-style-type: none"> <li>- Time of delivery</li> <li>- Failure to make daily Delivery to home or premises</li> <li>- Collection times/collection failures</li> </ul> |
| Mis-Delivery   |
| Access to customer service information   |
| Underpaid Mail   |
| Tariffs for single piece mail /discount schemes & conditions   |
| Registered items   |
| Change of Address  |
| Behaviour and competence of postal personnel   |
| How complaints are treated   |
| Other (not included in above)  |

In order to ensure that response times for specific categories of customer complaint are adhered to and also to give the postal service provider an opportunity to demonstrate its commitment to meeting those response times, postal service providers should indicate the process for compensation and/or reimbursement it plans to implement in its formal Code of Practice.

*Right to seek independent advice*

Postal service providers shall clearly specify a customer's right to seek other forms of redress. This right to seek other forms of redress or independent advice should only be allowed when the mechanics of the postal service provider's established Code of Practice have been exhausted.

*Submission of Code of Practice for Approval*

Postal service providers shall submit a formal Code of Practice for approval 3 months from the date of publication of ComReg's Decision Notice and Response to Consultation.

*Publication of the Code of Practice*

Postal service providers shall publish its Code of Practice and ensure that it is readily available for viewing by all its customers. The Code of Practice shall be kept up to date on an annual basis.

The media used to publish the Code of Practice shall be the same as those used to publish the terms and conditions relating to the Universal Postal Service – see Appendix C above.

## **APPENDIX E – LIST OF RESPONDENTS**

**An Post**

**European Express Association**

**FedEx Europe**

**IAIEC**

**Nightline**

**Securicor Omega**

**Bank of Ireland**

**CCM Recruitment International**

**Central Statistics Office**

**Chambers of Commerce of Ireland**

**Consumers Association of Ireland**

**Cork Teleworking**

**DAFIL**

**Department of Public Health**

**Department of the Environment**

**Des Cullen Cars**

**Donegal County Council**

**Eastern Regional Health Authority**

**Eircom Ltd**

**Envirocoat Ltd**

**ESB**

**Everson Typography**

**Fagan Office Supplies**

**Federation of European Direct Marketing**

**Associations**

**Finance Life**

**Finbarr Galvin Ltd**

**General Council of County Councils**

**Geo Directory**

**Grogan Research**

**IBEC**

**IDMA**

**Institute of Public Health**

**Irish Cervical Screening Programme Office**

**Irish Creamery Milk Suppliers Association**

**Kerry County Council**

**Kompass Ireland**

**Leitrim County Council**

**Mapflow**

**Marketing Partners**

**Mayor of Loughrea**

**Mid-Western Health Board**

**Minister for Community Rural & Gaeltacht  
Affairs**

**Minister for Social and Family Affairs**  
**Minister of State at Department of Agriculture & Food**  
**Missionaries of the Scard Heart**  
**Mitsubishi Electric Europe**  
**National Cancer Registry**  
**National Disease Surveillance Centre**  
**National Statistics Board**  
**National University of Ireland, Maynooth**  
**NIRSA, National University of Ireland, Maynooth**  
**North Western Health Board**  
**O'Sullivan's Marine Ltd**  
**Ogilvy & Mather Group**  
**Oifigeach Forbartha,**  
**Open University, Milton Keynes**  
**OSI**  
**Precision Marketing Information Ltd**  
**Reach**  
**Sligo County Council**  
**Small Firms Association**  
**South Eastern Health Board**  
**South West Regional Authority**  
**Spectrum Print Management**  
**Sweeney Mc Cann Solicitors**  
**The Economic & Social Research Institute**  
**The Economic and Social Research Institute**  
**The Equality Authority**  
**The Federation of Irish Beekeepers' Association**  
**The Society of Chartered Surveyors**  
**Thurles Chamber of Commerce**  
**TICo Group**  
**University College Cork**  
**University of Leicester**  
**Mr Noel O'Flynn TD**  
**Mr Denis Naughten, TD**  
**Mr Michael Finneran, TD MCC**  
**Mr Trevor Sargent, TD**  
**Aclare Community Alert**  
**Araglen Community Council**  
**Augrim Kilmore Development Association**  
**Ballinamore Area Community Council Ltd**  
**Ballyduff Community Council**  
**Ballyforan/Dysart Community Alert**  
**Ballygar Parish**  
**Buncrana Care of the Aged Committee**  
**Comhairle Paroiste Ard a Ratha**

**Community Development Working group of the FORUM Project**

**Culdaff Care of the aged**

**Disabled Drivers Association**

**Drumboylan ICA Guild**

**Falon & Inch Community Care**

**Federation President, Irish Women's Association**

**Inishowen Care of the Aged Committee**

**Irish Rural Dwellers Association**

**Kilroys Superstores**

**Laois Rural Regeneration Partnership**

**Louisburgh Community Project**

**Muintir na Tire**

**Parish of Kiltoom & Cam**

**Parish of Tulsk**

**Sec. Donabate Parish Council**

**Slieve Bloom Association**

**Tarmonbarry Parish**

**The West Cavan Comm. Centre**

**The Wild Geese Restaurant**

**Tumna Shannon Dev**

**West Cavan Community Council**

**Westmeath Community & Voluntary County**

**Forum**

|             |          |                   |
|-------------|----------|-------------------|
| Adair       |          | Chris             |
| Adair       | Ms & Mr  | Mary              |
| Ascough     | Mr.      | Sean              |
| Askins      | Mr & Mrs | Joan              |
| Bailey      | Ms.      | Christopher       |
| Bailey      |          | Sarah             |
| Ballyedmond | Mr.      | Donlon & Family   |
| Barnicle    | Mrs.     | Gerard & Jean     |
| Barnicle    | Mrs.     | Paddy & Christine |
| Barrett     | Mr,      | Maurice           |
| Barry       | Ms.      | Bernard           |
| Barry       | Mr.      | Richard           |
| Bartley     | Mr & Mrs | Mary              |
| Bartley     | Mr.      | Myles             |
| Battles     | Mr & Mrs | Brian & Kathleen  |
| Behan       | Ms.      | Gerard & Marcella |
| Beirne      | Mr & Mrs | Charles           |
| Beirne      | Mr & Mrs | Edel              |
| Beirne      | Ms.      | Joseph            |
| Berine      | Mr.      | Brigid            |
| Berkley     | Mr & Mrs | John              |
| Bernie      | Mr.      | Francis           |
| Blackmore   | Ms.      | Maura             |

|           |          |                   |
|-----------|----------|-------------------|
| Boland    | Ms.      | L                 |
| Boran     | Ms.      | Josephine         |
| Bourke    | Mrs.     | William           |
| Brady     | Mrs.     | Bridie            |
| Brady     | Ms.      | Jennifer          |
| Brady     | Mr.      | Martin & P.J      |
| Brady     | Mr.      | Pat & Mariead     |
| Bray      | Mr.      | Agnes             |
| Brennan   | Ms.      | Joe               |
| Brennan   | Ms.      | John              |
| Brodigan  | Mrs.     | Elizabeth         |
| Brodigan  | Ms.      | Elizabeth         |
| Brogan    | Ms.      | Bridget           |
| Brogan    | Ms.      | Brigid            |
| Brogan    | Ms.      | Brigid            |
| Bronolly  | Mr.      | Amelia            |
| Brown     | Ms.      | Ann               |
| Burke     | Mr.      | Geraldine         |
| Burke     | Mrs      | Jean              |
| Burke     | Mr/Ms    | Padraic           |
| Burke     | Mr.      | Sybil & Luke      |
| Burns     | Ms.      | Philomena         |
| Byrne     | Ms.      | Jason             |
| Byrne     | Ms.      | John & Una        |
| Cahill    | Ms.      | Nuala             |
| Carney    | Mr.      | Frank & Josephine |
| Carney    | Ms.      | James             |
| Carney    | Mr.      | Kathleen          |
| Carr      | Mr.      | Hugh              |
| Carr      | Ms.      | Tony              |
| Carroll   | Mr.      | Agnes             |
| Carroll   | Mr & Mrs | John              |
| Carroll   | Mr.      | Peter             |
| Carty     | Ms.      | Catherine         |
| Casey     | Mrs.     | James             |
| Casey     | Mr       | Michael           |
| Caulfield | Mr & Mrs | Seamus            |
| Chogher   | Ms.      | Ann               |
| Clancy    | Ms.      | Alice             |
| Clancy    | Mr.      | Thomas            |
| Clarke    | Ms.      | Audrey            |
| Clarke    | Mrs      | Joe               |
| Clarke    | Mr.      | Sarah             |
| Clavin    | Ms.      | Edward            |
| Clifford  | Mr.      | Avril             |
| Clifford  | Miss.    | Bride             |

|          |          |                  |
|----------|----------|------------------|
| Clifford | Mr.      | Donal            |
| Clifford | Ms.      | Michelle         |
| Clogher  | Ms.      | Eamon            |
| Clogher  | Mr.      | Kevin            |
| Clogher  | Ms.      | Pat & Reg        |
| Clogher  | Mr.      | Teresa           |
| Coachan  | Mrs.     | K                |
| Coffey   | Ms.      | Mary             |
| Cogger   | Mr.      | Eddie & Beatrice |
| Colgan   | Ms.      | John             |
| Collins  | Mr       | Diarmuid         |
| Conlon   | Ms.      | Anne             |
| Conlon   | Rev      | Oliver           |
| Conlon   | Ms.      | P                |
| Connell  | Ms.      | Nora             |
| Connolly | Ms.      | Isobell          |
| Connolly | Mr & Mrs | Jim              |
| Connolly | Ms.      | Michael          |
| Connolly | Ms.      | Ross             |
| Connor   | Mr.      | Brendan          |
| Conroy   | Mr.      | Kitty            |
| Conroy   | Ms.      | Mattie           |
| Conroy   | Ms.      | Michael          |
| Conroy   | Mr.      | Michael          |
| Conway   | Ms       | J                |
| Coote    | Mr.      | Maria            |
| Corcoran | The      | Alfred           |
| Corcoran | Mrs.     | Mary             |
| Corcoran | Fr       | P.J.             |
| Costello | Ms.      | Eileen           |
| Costello | Mr & Mrs | Paddy            |
| Cotter   | Mr.      | Con & Maureen    |
| Cotter   | Ms. & Ms | Suzanne          |
| Coughlan | Dr.      | Margaret & John  |
| Coughlan | Mr & Mrs | Michael          |
| Cox, P.P | Mr./Ms   | Seamus           |
| Coyle    | Mr.      | Anne & Eamon     |
| Coyle    | Mr.      | PJ & Lily        |
| Coyne    | Mr       | Margaret         |
| Creen    | Mr.      | Mary             |
| Cronin   | Mrs.     | T.J              |
| Crosby   | Mr.      | Tom              |
| Crosby   | Mr.      | Tom              |
| Cunnane  | Mr.      | Nuala            |
| Cunney   | Ms       | Linda            |
| Cunney   | Mr/Ms    | P.J              |
| Cunniffe | Dr.      | Denise & Maureen |

|                 |          |                    |
|-----------------|----------|--------------------|
| Cunningham      | Mr.      | Michael            |
| Cunningham      | The      | Eileen             |
| Cunningham      | Mr & Mrs | Margaret           |
| Cunningham      | Ms.      | Michael            |
| Curneen         | Mr.      | Mary               |
| Curneen         | Ms       | Patrick            |
| Curner          | Ms.      | James              |
| Curraghborg     | Mr.      | Tommy & Nancy      |
| Curran          | Ms       | Delia              |
| Dalgleish       | Ms.      | James              |
| Dalton          | Ms.      | Aodh               |
| De Buitler      | Mr.      | Catherine          |
| De Nash         | Mr & Ms  | Brendan            |
| De Nash         | Mr.      | John               |
| Deacy           | Mr & Mrs | Marie              |
| Deane           | Mr.      | Kenneth & Emily    |
| Deasey          | Mr       | Michael            |
| Delaney         | Mrs.     | Paula              |
| Dempsey         | Mr & Mrs | Mary               |
| Dempsey         | Ms.      | Peggy              |
| Denpsey         | Mr.      | Anthony            |
| Derryglad       | Ms.      | Elizabeth          |
| Descion         | Ms & Ms  | John               |
| Devaney         | Ms.      | Padraic J          |
| Devaney         | Mr.      | Patricia J         |
| Dillion         | Mrs      | John & Val         |
| Dixon           | Mr.      | Kathleen           |
| Dockery         | Mr & Mrs | Patrick & Margaret |
| Doherty         | Ms       | Thomas             |
| Dolan           | Mr       | Kevin & Joan       |
| Dolan           | Ms.      | Margaret           |
| Dolan           | Mr       | Sean               |
| Dolan           | Mr.      | William            |
| Donnelly        | Ms.      | Kieran & Trish     |
| Donoghue        | Mr.      | Joe                |
| Donoghue        | Ms.      | Joseph             |
| Donohue         | Mr       | Maraget            |
| Doonan          | Mr & Mrs | John               |
| Douglas         | Ms.      | Carmel             |
| Dowd            | Mr & Mrs | Mary               |
| Dowd            | Mr.      | Thomas & Kathleen  |
| Dowd and Family | Mr & Mrs | Seamus & Irene     |
| Doyle           | Mr.      | Lena               |
| Doyle           | Ms.      | Monica             |
| Doyle           | Mr.      | Teresa             |
| Doyle           | Mr.      | Tom                |
| Doyle           | Mr.      | Tommie             |



|              |          |                     |
|--------------|----------|---------------------|
| Duffiay      | Mr.      | Noreen & Breege     |
| Duffy        | Ms.      | Brian & Nora        |
| Duffy        | Mr & Mrs | Joseph              |
| Duggan       | Mr & Mrs | John                |
| Dunleavy     | Mr.      | Mary                |
| Dunleavy     | Mrs.     | Michael & Ann       |
| Dunne        | Mr.      | Alice & Tommy       |
| Dunne        | Ms.      | John                |
| Duream       | Mr.      | Peggy               |
| Durkan       | Mr       | Marion              |
| Durkan       | Mr.      | Maureen             |
| Egan         | Mr.      | Christina           |
| Egan         | Mr,      | Laurena             |
| Egan         | Ms & Mr  | Laurena             |
| Fallon       | Ms.      | Bernard & Catherine |
| Fallon       | Mr.      | Brian & Mary        |
| Fallon       | Ms.      | Eamonn              |
| Fallon       | Ms.      | Eileen              |
| Fallon       | Mrs.     | John                |
| Fallon       | Mrs.     | Liz                 |
| Falvey       | Ms.      | Conor               |
| Family       | Mr.      | Casey               |
| Family       | Ms.      | Congle              |
| Family       | Ms.      | Harkin              |
| Family       | Mr.      | Healy               |
| Family       | Ms.      | Kirraine            |
| Family       | Mr.      | McCormack           |
| Family       | The      | McDonnell           |
| Family       | Mr.      | Quinlan             |
| Family       | Mr.      | Shaw                |
| Famliy       | Mr & Mrs | Carroll             |
| Farrell      | Ms.      | Mary                |
| Fay          | Mss      | Frank               |
| Fee          | Ms.      | Vincent             |
| Feely        | Mr & Mrs | Nora                |
| Feeney       | Ms.      | E.                  |
| Feeney       | Ms.      | Gerard              |
| Feeney       |          | Martina             |
| Feeney       | Mr.      | Noel & Carmel       |
| Feeney       | Mr.      | Thomas              |
| Fenton       | Mr.      | Mary                |
| Finerty      | Mr.      | John & Teresa       |
| Finerty & Co | Mr.      | Terese              |
| Finnegan     | Mr.      | Charlie & Bridie    |
| Fitmaurice   | Ms.      | Brain               |
| Fitzgerald   | Ms.      | Eithne              |
| Fitzgerald   | Mr & Mrs | Mary                |

|             |          |                     |
|-------------|----------|---------------------|
| Fitzpatrick | Mr.      | Eddie               |
| Fitzpatrick | Ms.      | Elizabeth           |
| Fitzpatrick | Mr.      | Kathleen            |
| Fitzsimions | Ms.      | Rose                |
| Flanagan    | Mr.      | Margaret            |
| Flanagan    | Ms & Mr  | Marty               |
| Flannery    | Ms.      | Eileen              |
| Flavin      | Ms.      | Finbar              |
| Flynn       | Ms.      | Adrian              |
| Flynn       | Ms.      | Carmel              |
| Flynn       | Ms.      | Elizabeth           |
| Flynn       | Mr & Mrs | John                |
| Flynn       | Mr.      | John & Elizabeth    |
| Folan       | Mr.      | Patrick & Christina |
| Forde       | Ms.      | Phil                |
| Forgetig    | Ms.      | Michael             |
| Fowley      | Mr.      | Gerard              |
| Fowley      | Mr.      | Mary Agnes          |
| Furey       | Mr.      | Mary                |
| Gacgui      | Mr.      | William             |
| Gaffney     | Mr.      | Elizabeth           |
| Gallagher   | Mr.      | Brendan             |
| Gallagher   | Ms.      | Denis               |
| Gallagher   | Mr.      | Gabriel             |
| Gallagher   | Ms       | Jancinta            |
| Gallagher   | Ms.      | Martin & Kathleen   |
| Gallagher   | Ms.      | Nancy               |
| Gallagher   |          | P.L                 |
| Gallagher   | Ms       | Pat                 |
| Gallagher   | Mr.      | Philomena           |
| Gallagher   | Mr.      | Vincent             |
| Gallagher   | Mr       | W                   |
| Galvin      | Mr.      | Mary                |
| Galvin      | Mr.      | Maureen & George    |
| Gargan      | Mr.      | Mabel               |
| Garrahan    | Ms.      | Margaret            |
| Garthy      | Mrs.     | Ruth                |
| Garvey      | Mr.      | John & Mary Ellen   |
| Gately      | Ms.      | Catriona            |
| Gavin       | Ms.      | Joseph              |
| Gavin       | Ms.      | Kathleen            |
| Gearty      | Ms       | Joseph & Bernadette |
| Geelan      | Mr.      | Maura               |
| Geraghly    | Ms.      | Michael             |
| Geraghty    | Mr.      | Anthony             |
| Gildea      | Mr.      | Mary                |

|            |          |                 |
|------------|----------|-----------------|
| Gill       | Mr./Ms   | Henry & Anne    |
| Gilligan   | Mr & Ms  | Angela          |
| Gilmartin  | Mr.      | Elizabeth       |
| Ginty      | Ms       | Aidan           |
| Ginty      | Mr       | Bernadette      |
| Ginty      | Ms.      | Denise          |
| Ginty      | Mr/Ms    | Dolores         |
| Ginty      | Ms.      | Patricia        |
| Ginty      | Mr.      | Shane           |
| Ginty      | Mr       | Vincent         |
| Ginty      | Mr & Mrs | Willie          |
| Goggin     | Mrs.     | Brian           |
| Goggins    | Mr.      | Patrick J       |
| Goldrick   |          | Beatrice        |
| Goldrick   | Ms.      | Brid            |
| Goldrick   | Ms.      | Declan          |
| Goldrick   | Ms.      | James           |
| Gordon     | Dr.      | Anne            |
| Gorman     | Ms.      | Joe & Helen     |
| Graham     | Mrs.     | Liam            |
| Grealy     | Mr.      | P.B             |
| Greer      | Ms.      | Ashley          |
| Gruxnle    | Mr & Mrs | Patrick         |
| Guinn      | Dr       | Catherine       |
| Hanleu     | Ms.      | Mary            |
| Hanley     | Ms.      | Ann             |
| Hannan     | Ms.      | Michael         |
| Hannon     | Ms.      | Catherine       |
| Harrington | Mrs.     | Mary            |
| Harrington | Mr.      | Paddy           |
| Harrison   | Mr.      | Jolene          |
| Harte      | Mr.      | Jim             |
| Harte      | Mr.      | Mona            |
| Harte      | Mr.      | Rosaleen        |
| Harvey     | Ms.      | Ellen           |
| Harvey     |          | Patrick & Ellen |
| Hasting    | Ms.      | Margaret        |
| Haugh      | Ms. & Mr | Teresa          |
| Hayes      | Mr       | Anne            |
| Hayes      | Mr & Mrs | Tom             |
| Healy      | Mr.      | Maurice & Mary  |
| Heaney     | Ms.      | Nancy & Val     |
| Heath      | Mr.      | Margaret        |
| Hegarty    | Mr.      | Mary Ellen      |
| Henderson  | Mr.      | Frances         |
| Hennigan   | Ms.      | Teresa          |

|          |          |                    |
|----------|----------|--------------------|
| Hevehan  | Mr & Mrs | Liam               |
| Hevehan  | Ms.      | Mary               |
| Heverin  | Ms.      | Mary               |
| Higgins  | Mr/Ms    | Aisling            |
| Higgins  | Mr & Mrs | Bernard            |
| Higgins  | Ms.      | Eithne             |
| Higgins  | Ms       | Joan               |
| Higgins  | Mr & Mrs | John               |
| Higgins  | Mr.      | JP                 |
| Hoey     | Mr.      | Margaret           |
| Hogan    | Mr       | Daniel             |
| Holleran | Ms.      | T                  |
| Hopkins  |          | James              |
| Hopper   | Mr.      | Siobhan            |
| Howard   | Ms.      | Adrian             |
| Howard   | Mr.      | Elaine             |
| Howey    | Ms.      | Martin & Monica    |
| Huaghton | Ms.      | Mary               |
| Hudson   | Mr.      | Edward             |
| Hunt     | Rev      | M                  |
| Hunt     | Mrs      | Patrick & Kathleen |
| Hurley   | Ms.      | Marie C            |
| Hyland   | Mr & Mrs | Conor              |
| Hyland   |          | Mary               |
| Hyland   | Ms.      | Paul               |
| Hyland   |          | Sean               |
| Hyland   | Ms.      | Val                |
| Hynes    | Mr.      | Eamon              |
| Hynes    | Ms.      | Margaret           |
| Igoe     | Mr.      | Derval             |
| Johnson  | Mr.      | Michael            |
| Johnson  | Mr.      | Richard            |
| Johnston | Ms       | Aidan              |
| Johnston | Mr & Mrs | James              |
| Johnston | Ms.      | Shelia             |
| Jones    | Ms.      | Karina             |
| Jones    | Ms.      | Michael & Freda    |
| Judge    | Mr. & Ms | James & Winnie     |
| Kane     | Mr.      | Betty              |
| Kavanagh | Mr.      | Brian & Pauline    |
| Kavanagh | Mr.      | Bridget            |
| Kavanagh | Ms.      | Bridget            |
| Kavanagh | Mr.      | Gerry              |
| Kavanagh | Ms.      | William            |
| Keane    | Ms.      | Evelyn & Seamus    |
| Keane    | Ms.      | Martin & Rosmary   |

|                |          |                     |
|----------------|----------|---------------------|
| Keane          | Ms.      | Mary                |
| Keane          | Ms.      | Tom                 |
| Keating        | Mr.      | Daniel              |
| Keating        | Mr & Mrs | Mary                |
| Keating        | Ms.      | Mia                 |
| Keegan         | Mr       | Anthony             |
| Keely          | Mr       | John & Mary         |
| Keighery       | Mr.      | Patrick & Bridie    |
| Kelchine       |          | Mary                |
| Kelly          | Mr.      | Ann                 |
| Kelly          |          | Darragh             |
| Kelly          |          | Dermot & Anne Marie |
| Kelly          | Mr./Ms.  | Eileen              |
| Kelly          | Mr & Mrs | Elizabeth           |
| Kelly          | Mrs      | Francis             |
| Kelly          | Mr.      | Frank & Mary        |
| Kelly          | Mr & Mrs | James               |
| Kelly          |          | John Henry          |
| Kelly          | Ms.      | JW                  |
| Kelly          | Ms.      | Kathleen            |
| Kelly          | Ms.      | Kathleen            |
| Kelly          | Mr.      | Margaret            |
| Kelly          | Mr & Mrs | Mary                |
| Kelly          | Ms.      | Mary Ann            |
| Kelly          | Mr & Mrs | Michael             |
| Kelly          | Mr       | Michelle            |
| Kelly          | Ms.      | Nancy               |
| Kelly          | Ms.      | Noreen              |
| Kelly          | The      | Paul                |
| Kelly          | Mr       | Peggie              |
| Kelly          | Ms.      | Shelia              |
| Kelly          | Mr.      | Tommie & Doreen     |
| Kelly          | Mr & Mrs | Vincent             |
| Kelly & Family | Mr & Ms  | Chrstitine          |
| Kennedy        | Mr & Mrs | John                |
| Kenny          | Ms.      | Liam                |
| Kerins         | Ms.      | Patrick             |
| Kielty         | Mr & Mrs | John                |
| Kielty         | Mr.      | Michael             |
| Kilchine       | Mr.      | James               |
| Kilgarriff     | Mrs.     | Sinead              |
| Killalea       | Mr       | Vincent             |
| Killalea       | Ms.      | Vincent             |
| Killelea       | Ms.      | John                |
| King           | The      | Maureen             |
| Kinsella       | Mr.      | Denis               |

|               |          |                     |
|---------------|----------|---------------------|
| Kinsella      | Mr & Mrs |                     |
| Kinsella Jnr  | Ms.      | Edward              |
| Kinsella Snr  | Ms.      | Edward              |
| Laifeartaigh  | Ms.      | Marie Mhic          |
| Lee           | Mr.      | Hugh A              |
| Lennon        | Mr.      | Laura               |
| Leon          | Mr & Mrs | Claire              |
| Linley        | Ms.      | Mary                |
| Loftus        | Mr & Mrs | Eileen              |
| Loftus        | Ms.      | Patrick             |
| Lohan         | Mr.      | Anne                |
| Lohan         | Mr.      | Michael & Catherine |
| Long          | Ms       | Perry               |
| Longford      | Mr.      | Eamonn              |
| Looby         | Mr.      | Bridget             |
| Looby         | Mr.      | Denis               |
| Loughlin      | Mr.      | John                |
| Lribbin Lurry | Mr & Mrs | Sinead              |
| Ludden        | Mr.      | Michael             |
| Lunney        | Mr/Ms    | Phil                |
| Lynch         | Mr & Mrs | Marion              |
| Lynch         | Mr.      | Mary                |
| Lynch         | Mr.      | Michael             |
| Lynskey       | Mr.      | Emily               |
| Lyons         | Ms.      | David               |
| Lyons         | Ms.      | David               |
| Lyons         | Ms.      | Liam                |
| Madden        | The      | Sean                |
| Maguire       | Mr.      | Alice               |
| Maher         | Ms.      | Anne                |
| Mahony        | Ms.      | Patrick             |
| Malaoney      | Ms.      | Paddy               |
| Maloney       | Ms       | Eileen              |
| Maloney       | Mr.      | Margaret            |
| Mangan        | Ms.      | Joe & Anne          |
| Manmon        | Mr.      | Kathleen            |
| Mannion       | Mr.      | Martin              |
| Mannion       | Mr & Mrs | Thomas              |
| Marie         | Mr.      | Anna                |
| Mattimoe      | Mr.      | Pat                 |
| Mc Cormack    | Mr & Ms  | M                   |
| Mc Greevy     | Mr & Mrs | Mary                |
| Mc Hale       | Ms.      | Patricia & Gerard   |
| Mc Hugh       | Ms.      | Mary                |
| Mc Kenny      | Mr.      | Joseph              |
| Mc Kenny      | Ms       | Kate                |

|              |          |                |
|--------------|----------|----------------|
| Mc Laughlin  | Ms.      | Margaret       |
| Mc Laughlin  | Ms.      | Nan            |
| Mc Leernan   | Dr.      | John           |
| Mc Mahon     | Ms.      | Peggy          |
| Mc Namara    | Mr.      | Edel           |
| Mc Phillips  | Ms.      | Philomena      |
| Mc Ternan    | Mr.      | Eileen         |
| Mc Ternan    | Mr.      | May            |
| McAndrew     | Mr.      | Kathleen       |
| McAuley      | Ms.      | Paul           |
| McCabe       | Ms.      | Mary           |
| McCabe       | Ms.      |                |
| McCartan     | Ms.      | Patrick        |
| McCarthy     | Mrs      | Michael        |
| McCoy        | Ms.      | John           |
| McCullen     | Mr.      | John           |
| McDermott    | Ms.      | Annmaire       |
| McDermott    | Ms.      | Michael        |
| McDermott    | Mr & Mrs | Patrick        |
| McDonagh     | Ms.      | William        |
| McDonnell    | Mr.      | Denise         |
| McDonnell    | Ms.      | Mary           |
| McDonnell    | Mr.      | Mary           |
| McDonnell    | Ms.      | Sean & Peggy   |
| McDonnell    | Ms.      | Thomas & Ellie |
| McGillicuddy | Ms.      | John           |
| McGinnell    | Mr.      | Patrick        |
| McGowan      | Ms.      | Christine      |
| McGowan      | Mr       | John           |
| McGowan      | Mr.      | Mae            |
| McGowan      | Mr.      | Margaret       |
| McGowan      | Ms.      | Michael        |
| McGrath      | Ms.      | Maureen        |
| McGrath      | Mr & Ms  | Patrick        |
| McGrath      | Mr.      | Tom & Mary     |
| McGreevy     | Mr & Ms  | Michael        |
| McGuinness   | Ms.      | Patrick        |
| McHale       | Ms.      | Mary           |
| McHugh       | Ms.      | Kathleen       |
| McHugh       | Ms.      | Raymond        |
| McKenny      | Mr.      | Margaret       |
| McKreg       | Mrs.     | Hugh           |
| McLaughlin   | Ms.      | Nora           |
| McLoughlin   | Mr.      | Eithne         |
| McMahon      | Mr & Mrs | Paul           |
| McMullin     | Ms.      | Catherine      |
| McNicholas   | Mrs      | E              |

|                  |           |                    |
|------------------|-----------|--------------------|
| McNulty          |           | Annie              |
| McNulty          | Ms.       | Thomas             |
| McPhilips        | Mr & Mrs. | Philomena          |
| McSweeney        | Mr.       | Anne               |
| McTernan         | Mr        | Claire             |
| McTernan         | Mr        | Garry              |
| McTigue          | Mr & Mrs  | Geraldine          |
| Mee              | Mrs.      | Bridie             |
| Meehar           | Ms.       | Patrick            |
| Mellody          |           | Mary               |
| MhicOireachtaigh | Mr & Mrs  | Sabha              |
| Mills            | Mr & Mrs  | John               |
| Minhy            | Ms.       | Thomas & Phyllis   |
| Mitchell         | Ms.       | Alfie              |
| Moffett          | Mr.       | Fergus             |
| Moffett          | Ms.       | Ita                |
| Molloy           | Mr.       | Michael & Julie    |
| Moloney          | Mr.       | John               |
| Moloney          | Ms.       | M                  |
| Moloney          | Mr & Mrs  | Paddy & Annie      |
| Moly             | Mr.       | Margaret           |
| Monaghan         | Ms.       | Annie              |
| Monaghan         | Ms.       | Eamon              |
| Monaghan         | Ms.       | Patrick            |
| Monaghan         | Ms.       | Thomas             |
| Moore            | Mr.       | Bridget            |
| Morahan          | Mr & Mrs  | Frank              |
| Morahan          | MS.       | Frank              |
| Moran            | Ms.       | Margaret           |
| Morley           | Mr & Mrs  | Patrick & Kathleen |
| Mulhern          | Mr & Mrs  | Paddy              |
| Mullen           | Mr.       | Catherine          |
| Mullervy         | Ms.       | Maura              |
| Mulligan         | Mr.       | Alice              |
| Mulligan         | Ms.       | Josephine          |
| Mulligan         | Mr.       | Marthe             |
| Mulligan         | Ms        | Teresa             |
| Mulligan         | Mr.       | Thomas & Bridget   |
| Mulrenna         | Mr.       | Benny & Doherty    |
| Mulvey           | Ms.       | Michael            |
| Murphy           | Mr.       | Bridget            |
| Murphy           | Ms.       | Elis               |
| Murphy           | Mrs.      | John               |
| Murphy           | Ms.       | Mary               |
| Murphy           | Mr & Ms   | Mary               |
| Murphy           | Ms.       | Mary               |



|                  |          |                   |
|------------------|----------|-------------------|
| Murphy           | Mr.      | Maureen           |
| Murphy           | Ms.      | Phyllis           |
| Murphy           | Mr.      | Sean              |
| Murphy           | Ms.      | Tommy & Mura      |
| Murray           | Mr.      | Alphonsus         |
| Murray           | Mr.      | Breege            |
| Murray           | Ms.      | Mae               |
| Murray           | Mr.      | Maura             |
| Murray           | Mr.      | Patrick           |
| Murray           | Mr.      | PJ                |
| Murtagh          |          | Sean              |
| Neary            |          | Ann               |
| Needham          | Ms.      | Teresa            |
| Nerney           | Ms.      | Una               |
| Ni an Fhailghigh | Mr.      | Peig              |
| Ni Chonghoile    | Mr.      | Brid              |
| Normanly         | Mr.      | John              |
| O'Brien          | Ms.      | Annie             |
| O'Brien          | Mr.      | Donal             |
| O'Brien          | Mr.      | Eveleen           |
| O'Brien          | Mr.      | P                 |
| O'Brien          | Ms.      | Seamus            |
| O'Connallain     | Mr & Ms  | Patricia & Cathal |
| O'Connell        | Mrs.     | Margaret          |
| O'Connor         | Mr.      | Kevin             |
| O'Connor         | Ms.      | Mary Jo           |
| O'Connor         | The      | Noreen            |
| O'Connor         | Mrs.     | P                 |
| O'Connor         | Mr & Mrs | Veronica          |
| O'Cormack        | Mr & Mrs | Maureen           |
| O'Donnell        |          | Elizabeth         |
| O'Donnell        | Ms.      | Mary P            |
| O'Donnell        | Mr & Mrs | P.                |
| O'Donnell        | Rev      | Shelia            |
| O'Donovan        | Ms.      | Moria             |
| O'Dwyer          | Mr.      | John              |
| O'Farrell        | Ms.      | Katie             |
| O'Farrell        | Ms.      | Sandra            |
| O'Fenash         | Mr & Mrs | Patricia          |
| O'Grady          | Mrs.     | Seamus            |
| O'Hairtnedia     | Ms.      | D.E               |
| O'Hara           | Ms.      | Eamon             |
| O'Hara           | Ms.      | Michael           |
| O'Hara           | The      | Peggy             |
| O'Hara           | Mrs      | Philomena         |
| O'Keeffe         | Mr       | Marie             |
| O'Keeffe         | Ms.      | Mary              |

|             |          |                   |
|-------------|----------|-------------------|
| O'Leary     |          | Ann               |
| O'Mahoney   | Ms.      | Nora              |
| O'Mahony    | Ms.      | Brid              |
| O'Mahony    | Ms.      | Dan               |
| O'Mahony    | Mrs.     | Gerard            |
| O'Muirthile | Mr.      | Barra             |
| O'Neill     | Mr.      | C.M.              |
| O'Neill     | Mr.      | Eugene            |
| O'Neill     | Mr.      | Jenny             |
| O'Reilly    | Mr.      | Bernard & Teresa  |
| O'Rourke    | Ms.      | Gabrielle         |
| O'Shea      | Mr       | Donal             |
| O'Shea      | Mr & Mrs | Michael           |
| O'Shea      | Ms.      | Michelle          |
| O'Shea      | Ms.      | Patricia          |
| O'Sullivan  | The      | Alan              |
| O'Sullivan  |          | Barry             |
| O'Sullivan  | Mr.      | Brian             |
| O'Sullivan  | Mr.      | Eileen            |
| O'Sullivan  | Prof.    | Eileen & Timothy  |
| O'Sullivan  | Mr & Mrs | John              |
| O'Sullivan  | Mr & Mrs | John              |
| O'Sullivan  | Mr.      | Kay               |
| O'Sullivan  | Mr & Mrs | Mary              |
| O'Sullivan  | Mr.      | Naill             |
| O'Sullivan  | The      | Naimh             |
| O'Sullivan  | Mr.      | Rosemary          |
| O'Sullivan  | Ms       | Tim P             |
| Otarrell    | Mr,      | Kerryann          |
| P Conlon    |          | Martin            |
| Pennick     | Ms.      | Joseph            |
| Peyton      | Ms.      | Tony              |
| Philips     | Ms.      | Joan              |
| Prendergast | Ms.      | John & Clare      |
| Price       | Mr.      | Thomas Peter      |
| Quinlan     | Mr.      | Thomas            |
| Quinn       | Mr.      | Cathleen          |
| Quinn       | Ms.      | Eileen            |
| Quinn       | Ms.      | Fergal & Kathleen |
| Quinn       | Mr       | Padraigh & Elaine |
| Quinn       | Ms       | Sinead            |
| R.S.M       | Mr./Ms.  | Margaret          |
| Rafferty    | Mr.      | Joe               |
| Rattiga     | Mr       | James             |
| Redmond     | Mr.      | Elizabeth         |
| Regan       | Mr.      | Mary T.           |

|            |          |                    |
|------------|----------|--------------------|
| Reilly     | Mr.      | Mary               |
| Reilly     | Ms       | Mary               |
| Reynia     | Mr.      | Mary               |
| Reynolds   | Ms.      | Sean               |
| Rooney     | Mr.      | Maisie             |
| Ross       | Ms.      | Derek              |
| Rowley     | Mr.      | B. Philomena       |
| Rowley     | Ms.      | Mary               |
| Rowley     | Ms       | Owen & Lena        |
| Ruane      | Mr.      | Patrick            |
| Ruddy      | Mrs.     | Martin             |
| Russell    | Mr.      | George             |
| Ryall      | Mrs.     | Della              |
| Ryan       | Dr.      | Caroline           |
| Ryan       | Mr.      | Thomas             |
| Sanderson  | MS.      | Deborah            |
| Schaart    | Mr.      | Roel               |
| Scott      | Ms.      | Maye               |
| Scully     | Mr.      | Brendan & Bernie   |
| Scully     | Mr & Mrs | Sarah              |
| Sexton     | Mr.      | Luke               |
| Seymour    | Ms & Mr  | Helen              |
| Shanagher  | Mr.      | Mary               |
| Shanley    | Ms.      | John               |
| Sheridan   | Ms.      | B                  |
| Sheridan   | Mr.      | Sean               |
| Signe      | Mr.      | Phil               |
| Siney      | Mr.      | Thomas             |
| Smith      | Ms.      | Catherine          |
| Smith      | Ms.      | Seamus & Geraldine |
| Spellman   | Mr.      | Mary               |
| Spillane   | Ms.      | Anne               |
| Stenson    | Ms.      | Breege             |
| Stevens    | Ms.      | Edel               |
| Stevens    | Mr.      | Tim                |
| Stroker    | Ms.      | Oliver             |
| Sweeney    | Mr       | Michael            |
| Sweeney    | Mr.      | Thomas             |
| Sweeney    | Ms.      | Veronica           |
| T Gatley   | Ms.      | Mary               |
| Thompson   | Mr.      | Edward             |
| Thompson   | Mr.      | Francis            |
| Tiernan    | Mr.      | James              |
| Treacy     | Mrs.     | Una                |
| Tulsk      | Mr.      | Michael            |
| Ui Bhaoill | Ms.      | Caitlin Bn         |

|         |          |                 |
|---------|----------|-----------------|
| Vizzard | Mrs.     | Angela          |
| Vizzard | Mr & Mrs | Angela          |
| Walsh   | Miss.    | Bridget         |
| Walsh   | Mr.      | Delia           |
| Walsh   | Mr.      | Jarlath         |
| Walsh   | Mr.      | Seamus          |
| Walsh   | Ms.      | Timothy         |
| Ward    | Ms.      | Evelyn          |
| Ward    | Ms.      | Kevin           |
| Ward    | Ms.      | Mary            |
| Ward    | Ms.      | Mary & Patrick  |
| Ward    | Ms.      | Patrick         |
| Ward    | Mr.      | Peter           |
| Ward    | Ms.      | Teresa & Edward |
| Ward    | Mr & Mrs | Tony            |
| Warer   | Mr.      | John            |
| Werroy  | Mr.      | Bert            |
| White   | Mr & Mrs | Catherine       |
| White   | Mr       | Mary            |
| Wymbs   | Mr.      | Allie           |

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