

PUBLIC CONSULTATION
regarding the Decision
on reporting statistical data by the providers of postal services

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On the grounds of the provisions of Article 38 paragraphs (1), (3) and (5) and of Article 44 paragraph f) of the Emergency Government Ordinance no.79/2002, approved, with modifications and completions, by Law no.591/2002, as well as of Article 49 paragraph (3) subparagraph a) and of Article 50 of the Government Ordinance no.31/2002 on postal services, approved, with modifications and completions, by Law no. 642/2002,

THE PRESIDENT OF THE NATIONAL REGULATORY AUTHORITY FOR COMMUNICATIONS

issues the following:

DECISION on reporting statistical data by the providers of postal services

Art.1. – The present decision was drawn up in order to impose on the providers of postal services the obligation to send statistical data, on a regular basis, to the National Regulatory Authority for Communications, hereinafter referred to as *ANRC*, with a view to elaborating reports, studies, analyses and other such documents in the field of postal services, as well as with a view to monitoring and controlling the enforcement of the provisions of the legal regulations in force.

Art.2. – The present decision sets out indicators for the provision of postal services, and itemises the information categories for each indicator.

Art.3. – (1) The postal service providers have the obligation to report ANRC, on a regular basis, the values of the indicators provided in Article 2, in the standard form and in the conditions laid down in the annex herewith enclosed.

(2) The statistical data provided in the annex shall be sent on a yearly basis, not later than March 15, for the reporting period of the previous year.

Art.4. – (1) The documents containing the values of the indicators provided in Article 2 may be sent to the *ANRC* headquarters or territorial offices monitoring the respective provider, in one of the following manners:

- a) by registration, personally or by the provider's representative, upon signature;
- b) by registered letter, with confirmation receipt;
- c) in electronic format, with enclosed or logically attached extensive electronic signature, based on an authorized certificate and generated by means of a secured device for electronic signatures.

(2) The sending date shall be the date of registration in the ANRC General Register of Incoming/Outgoing Correspondence, the confirmation date on the confirmation receipt of the

registered letter or the confirmation date upon receiving the electronic document, as the case may be.

Art.5. – In case of breach of the obligation provided in Article 3 paragraph (1), ANRC may enforce the administrative fines set out in Article 60 paragraph (1) subparagraph a) of the Government Ordinance no.31/2002 on postal services, approved, with modifications and completions, by Law no. 642/2002.

Art.6. – The present Decision shall be published in the Official Monitor of Romania, Part I, and shall enter in force within 3 days since the publication.

**PRESIDENT,
ION SMEEIANU**

**Bucharest, August..., 2004
Nr..../EN**

QUESTIONNAIRE FOR THE PROVIDERS OF POSTAL SERVICES

- Statistical data for the year:

Postal service provider:

Headquarters:

Signature and seal of the company representative.....

For the purposes of the present Questionnaire, the following terms shall be defined as follows:

a) Postal services: services available to the public, consisting of the clearance, sorting, transport and delivery to the addressees of postal items, whose provision has professional character and is made in consideration of a profit; based on the criterion of the **postal service characteristics**, these services are classified as follows:

- value added services: postal services whose characteristics („value-added”) meet particular requirements of the users. Such characteristics are, for instance: the clearance of the postal item from an address specified by the sender, the delivery of the postal item to the addressee in person or to his authorised representative, upon signature, delivery on appointment, guaranteed time of delivery, more than one attempt at delivery, delivery according to the priority or sequence specified by the sender, confirmation of delivery to the sender, the possibility to effect a change of destination or of addressee in course of transit or if delivery to the primary destination fails, electronic monitoring of the postal item during the transit and other characteristics of this kind. The accelerated delivery of the postal item, the transmission to or receipt by a provider of postal services of a postal item’s content, by electronic means, for the purpose of sorting, printing or preparation of mail („hybrid mail”) **do not represent additional characteristics within the meaning of this definition.**

- non-value added services: postal items that do not feature „value-added” characteristics, within the meaning of the above definition.

b) Postal item: an item addressed in the final form in which it is to be conveyed and delivered, by non-electronic means, at the address indicated by the sender; items of correspondence, as well as books, catalogues, newspapers, periodicals and postal packages containing goods with or without commercial value are included in this category; *this category shall also include postal items that do not mention the addressee’s address on the package, as it is specified in the service rendered by the provider*, based on the criterion of the **location of clearance and delivery of the postal items**, these items are classified as follows:

- domestic postal item: a postal item sent from Romania to an address which is located on the Romanian territory;

- cross-border postal item: a postal item sent from Romania to an address which is not located in the Romanian territory or sent from outside Romania to an address located in the Romanian territory.

c) Item of correspondence: a communication in written form, printed, impressed or recorded on any kind of physical medium, to be conveyed and delivered, by non-electronic means, at the address indicated by the sender on the item itself or on its wrapping. Thus, the two essential characteristics of an item of correspondence are: 1. the message in written, impressed or imprinted form, addressed by the sender to the addressee and 2. mentioning the address of the addressee. Printed matter (books, catalogues, newspapers and periodicals) are postal items, but shall not be regarded as items of correspondence.

d) Postal package: postal item containing goods with or without commercial value; postal packages shall not contain other postal items.

e) Direct mail: postal items to be conveyed and delivered at the address indicated by the sender on the item itself or on its wrapping, posted as lots of minimum 1000 items in the same access point, by the same sender, in the same transport, 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. The upper side of the postal item

containing direct mail shall bear the mention „Advertising“. The following **do not represent direct mail**: bills, invoices, financial statements and other non-identical messages, as well as postal items combining direct mail with other items within the same wrapping. Postal items which are direct mail are not regarded as items of correspondence.

- f) Express services: services featuring at least the following three „added values“: 1. clearance of the postal items from an address specified by the sender, 2. delivery time guarantee and 3. electronic monitoring of the items during the transfer to the addressee.
- g) Document exchange services: provision of means, including the supply of ad hoc premises as well as transportation by a third party, allowing self-delivery by mutual exchange of postal items between the users subscribing to this service.
- h) *Financial-postal services* – the set of cashing in, payment and funds transfer services, offered by the providers of postal services through the public postal network, as regulated by the Universal Postal Union;
- i) Full-time employees: all the company’s employees who accomplish their jobs during the usual work schedule. The usual work schedule means the number of the weekly work hours established by the company as a full time programme, according to the legal provisions.
- j) Part-time employees: all the company’s employees who accomplish their jobs during a shorter period than the usual work schedule, as it is defined above.

Indicators				Number of processed items		Comments ¹	
				In the period 01.01 – 30.06	In the period 01.07 – 31.12		
1. Postal services within the scope of universal service:	1.1. Postal items, weighing up to 2 kg (including 2 kg):	a) domestic (total):				1	
		b) cross-border	incoming (total)			2	
			outgoing (total)			3	
	Of which:	- items of correspondence:	a) domestic:	≤ 20g			4
				21 – 50g			5
				51 – 100g			6
				101 – 250g			7
				251 – 500g			8
				501 – 1000g			9
				1001 – 2000g			10
			b) cross-border: (outgoing)	≤ 20g			11
				21 – 50g			12
				51 – 100g			13
				101 – 250g			14
				251 – 500g			15
				501 – 1000g			16
				1001 – 2000g			17
	- printed matter items:	a) domestic (total):				18	
		b) cross-border	incoming (total)			19	
	- registered items:		b) cross-border	outgoing (total)			20
		a) domestic (total):				21	
	- insured items:	b) cross-border	incoming (total)			22	
			outgoing (total)			23	
			a) domestic (total):				24
			b) cross-border	incoming (total)			25
				outgoing (total)			26
	1.2. Packages, weighing between 2 kg and 10 kg (including 10 kg):		a) domestic (total):				27
		b) cross-border	incoming (total)			28	
			outgoing (total)			29	
1.3 Packages, weighing between 10 kg and 20 kg (including 20 kg):		b) cross border (total), incoming:				30	

¹ Should you not have enough space for comments, these may be made on a separate sheet, bearing the respective current number;

Indicators (continued)			Number of processed items		Comments ¹		
			In the period 01.01 – 30.06	In the period 01.01 – 30.06			
2. Postal services outside the scope of universal service:	2.1. Postal items which are the object of value-added services, weighing up to 2 kg (including 2 kg):		a) domestic (total):			31	
			b) cross-border (total):			32	
	Of which:	- items of correspondence:	- Express service:	a) domestic:			33
				b) cross-border:			34
		- printed matter:	- others:	a) domestic:			35
				b) cross-border:			36
		- direct mail:	- Express service:	a) domestic:			37
				b) cross-border:			38
			- others:	a) domestic:			39
				b) cross-border:			40
		- Express service:	a) domestic:			41	
			b) cross-border:			42	
		- others:	a) domestic:			43	
			b) cross-border:			44	
	2.2. Postal items which are the object of value-added services, weighing between 2 kg and 10 kg (including 10 kg):						
	Of which:	- Express service:	a) domestic (total):				45
			b) cross-border	incoming (total):			46
				outgoing (total)			47
		- others:	a) domestic (total):				48
			b) cross-border	incoming (total):			49
outgoing (total)						50	
2.3. Postal packages which are the object of value-added services, weighing between 10 kg and 50 kg (including 50 kg):							
Of which:	- Express service:	a) domestic (total):				51	
		b) cross-border	incoming (total):			52	
			outgoing (total)			53	
	- others:	a) domestic (total):				54	
		b) cross-border	incoming (total):			55	
			outgoing (total)			56	
2.4. Postal packages which are the object of non-value-added services, weighing between 10 kg and 50 kg (including 50 kg):							
		a) domestic (total):				57	
		b) cross-border (total):				58	

Indicators (continued)	Number of processed items		Comments ¹
	In the period 01.01 – 30.06	In the period 01.01 – 30.06	
3. Document exchange services:	a) domestic (total):		59
	b) cross-border (total):		60
4. Financial-postal services:	a) domestic (total):		61
	b) cross-border (total):		62

Indicator	Indicator value on 30.06	Indicator value on 31.12	Comments
Full-time employees			63
Part-time employees			64
Total no. of employees			65

As well, the providers will attach the questionnaire the list of tariffs charged for the services they provide and the promotions and tariff discounts they make for certain parameters (ex.: traffic, physical volume, client loyalty..).