

SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 4791 GIBRALTAR Thursday 10th December 2020

LEGAL NOTICE NO. 438 OF 2020

EUROPEAN UNION (WITHDRAWAL) ACT 2019 THE POST OFFICE (EU EXIT) REGULATIONS 2020

In exercise of the powers conferred upon him by section 11 of the European Union (Withdrawal) Act 2019 and all other enabling powers, the Minister has made the following Regulations –

Title.

1. These Regulations may be cited as The Post Office (EU Exit) Regulations 2020.

Commencement.

2. These Regulations come into operation on 1 January 2021.

Amendments to the Post Office Act.

- 3.(1) The Post Office Act is amended in accordance with the provisions of this regulation.

(2) In section 2(1)-

- (a) delete the word “Commission” and its meaning;
- (b) for “cross-border mail”, for the words “to a Member State” substitute “to a member country of the Universal Postal Union”;
- (c) delete the word “Directive” and its meaning; and
- (d) for “universal service provider”, delete the words “, the identity of which has been notified to the Commission in accordance with section 4C”.

(3) In section 3, delete subsection (2).

(4) In section 4, delete subsection (4).

(5) In section 4A-

- (a) delete subsection (4); and

- (b) in subsection (7), for the words “a Member State” substitute “a member country of the Universal Postal Union”.
- (6) In section 4B-
- (a) for subsection (1) substitute-
 - “(1) The Authority shall ensure that the provision of the universal service is guaranteed.”;
 - (b) in subsection (2), delete the words “, in accordance with European Union law,”; and
 - (c) delete subsection (4).
- (7) In section 4C(2), delete the words “in accordance with European Union law”.
- (8) In section 4D, delete subsections (3) and (4).
- (9) In section 4E(2), delete the words “, or in accordance with any other means compatible with the requirements of European Union law”.
- (10) In section 4K, in subsection (1)(a), delete the words “intra-European Union”;
- (11) In section 4L-
- (a) for subsection (5) substitute-
 - “(5) Other cost accounting systems may be applied only if they are compatible with subsection (2) and have been approved by the Authority.”;
 - (b) for subsection (7) substitute-
 - “(7) The Authority shall keep available, to an adequate level of detail, information on the cost accounting systems applied by a universal service provider.”; and
 - (c) in subsection (8), delete the words “and to the Commission”.
- (12) In section 4M, delete the words “European Union and Gibraltar”.
- (13) In section 4N, in subsection (2), substitute-
- “(2) The quality-of-service standards for cross-border mail shall be as set out in Schedule 2.”.

(14) In section 4O-

- (a) in subsection (1)(b), delete the words “intra-European Union”;
- (b) delete subsection (2); and
- (c) in subsection (4), delete the words “, and in such case it shall ensure that the Commission is notified forthwith”.

(15) In section 4S(5), delete the words “any European Union or”.

(16) In Schedule 2-

- (a) in the heading and first time it appears in the first paragraph, delete the words “intra-European Union”;
- (b) in the heading of the table, delete the words “Intra-Community”;
- (c) in the second paragraph-
 - (i) for the words “intra-European Union” substitute “cross-border”; and
 - (ii) for the words “Member States” substitute “countries”.

Revocation of Commission Decision of 10 August 2010 establishing the European Regulators Group for Postal Services.

4. Commission Decision of 10 August 2010 establishing the European Regulators Group for Postal Services is revoked.

Revocation of Regulation (EU) 2018/644 of the European Parliament and of the Council of 18 April 2018 on cross-border parcel delivery services.

5. Regulation (EU) 2018/644 of the European Parliament and of the Council of 18 April 2018 on cross-border parcel delivery services is revoked.

Dated: 10th December 2020.

V DARYANANI,
Minister for Postal Services.