



TNT Post UK Limited (Whistl)
Termination of Class I Postal
Licence issued in Jersey
P1203J

Initial Notice and
proposed licence amendment

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Introduction

TNT Post UK Limited (“TNT”) holds a Class I postal operator’s licence in Jersey¹ issued under the *Postal Services (Jersey) Law 2004* (the “Postal Law”) on 24 February 2012 for a term of ten years.

TNT has changed its name to Whistl UK Limited and trades as Whistl in the UK. The company has not been active in Jersey (under either brand) and it has informed the JCRA it wishes to terminate its postal operator’s licence.

Given that the company has not been active in Jersey and has no intention of entering the market, the JCRA proposes to accept the request and terminate the licence. On this basis, the JCRA is content to terminate the Class I postal operator’s licence issued to TNT before the completion of its ten year term.

Licence Termination & Proposed Licence Revision

In the absence of a formal process under the Postal Law for the voluntary termination of a postal operator’s licence, the JCRA proposes to terminate the licence by amending the term from a fixed ten year term from the date of issue, to introduce a fixed end date for the licence.

Because a licence amendment is the exercise of a specified regulatory function under Article 24 of the Postal Law, the JCRA is required to publish and consult on the proposal in the form of an Initial Notice. In order to allow sufficient notice and an appropriate period of consultation the JCRA proposes to amend the licence so that it will end on 31 May 2016.

The relevant section in the current Class I Postal Licence is as follows:

11. TERM AND RENEWAL

11.1 The Licence commences on the Licence Commencement Date and continues, subject to the Licensee’s compliance with the Conditions and the Law, and subject to any revocation or suspension by the JCRA, for the Term.

And condition 1.1 of the licence states that:

“Term”: means, subject to Condition 11, a period of ten (10) years from the Licence Commencement Date;

¹ Full text of the original licence can be found on CICRA’s website, www.cicra.je

The JCRA propose to make the following modification to the definition in Licence condition 1.1 of the licence:

“Term”: means, subject to Condition 11, a period ~~of ten (10) years~~ from the Licence Commencement Date until 31 May 2016;

This consultation constitutes a formal Initial Notice of the proposal to change TNT’s licence to bring it to an end by amending the term of the licence, in accordance with the *Postal Services (Jersey) Law 2004*, Article 24 (1).

This revision does not affect any other licences issued by the JCRA.

Consultation

Interested parties have a period to respond to this Initial Notice. Responses should be made in writing to the JCRA, preferably by email to info@cicra.je , or to the address below:

JCRA
2nd Floor Salisbury House
1-9 Union Street
St Helier
Jersey
JE2 3RF

The deadline for responses is **5.00pm on 18 May 2015**. All responses should be clearly marked: *“TNT Postal Licence”*.

It is the JCRA’s normal practice to publish consultation responses on its website. Respondents must state if any part of their response is confidential and it should be clearly marked as such.

Conclusion and Next Steps

The JCRA will consider responses received to this Initial Notice and proposed licence amendment and if appropriate will amend the proposal accordingly. If significant changes are required, the JCRA will issue a revised Initial Notice.

If no responses are received to this Initial Notice, it will automatically take effect 29 days after publication on 18 May 2016.

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