



Class 1 Postal Licence

Application Procedures & Application Form

I APPLICATION PROCEDURE

All applicants must complete an official application form.

1.1 Review of Application

The JCRA will review applications received with a view to establishing that:

- the application, if applicable and the declaration, is in due form and has been properly and fully completed;
- the service falls within the licence type applied for;
- the applicant is not disqualified from holding the licence concerned; and
- the appropriate application fee has been paid.

If the JCRA considers that the application has not been properly completed, or that the information provided by the applicant is insufficient to support the application, the JCRA shall contact the applicant within 56 days of the original application in order to seek further information or to request that the application be resubmitted. Please note that in such cases, the award of any licence to the applicant may be delayed.

1.2 Evaluation of Application

In evaluating an application for a licence, the JCRA is required to meet its duties under Article 8 of the Postal Services (Jersey) Law 2004 ('the Law'). The JCRA will take into account, *inter alia*, whether the grant of a licence would help to ensure that:

- all current and prospective demands for postal services are provided both within Jersey and between Jersey and the rest of the world; and
- the short-term and long-term interests of postal users in Jersey are both furthered and protected.

(The full duties of the Authority under Article 8 of the Law are attached in Appendix 1).

1.3 Decision on Grant of Licence

The JCRA will endeavour to deal with all applications as quickly as possible. In any event, the JCRA will aim to notify the Applicant of its decision in relation to the grant of a licence within 56 days of receipt of the licence application provided that the application is in due form and has been properly and fully completed.

If additional information is required after the original application has been submitted, it may be necessary to extend the 56 day period. A decision on the grant of a licence will then be issued, within 56 days of such time at which the JCRA considers the application to be in due form, properly and fully completed, with sufficient information having been received. If sufficient information is not provided, it is likely to result in the refusal – automatic or otherwise – of the application.

In accordance with its duty under Article 24 of the Law, the JCRA will issue to the Applicant an initial notice of its proposal to grant or refuse a licence. It is a requirement of the Law to publish this notice in the Jersey Gazette, whereby the JCRA will seek comments on the proposal. The comment period is 28 days.

If no comments are received, the proposed action takes immediate effect at the end of the comment period.

If comments are received, the JCRA will consider them and issue a public final notice, stating whether or not it should proceed with granting a licence in light of any representations or objections that have been made. It will simultaneously issue the Applicant with a final notification of its decision.

1.4 Exercise of Rights

Provided the relevant application fee has been paid, an Applicant will be entitled to exercise the rights conferred by the relevant licence upon receipt of the final notification of the JCRA's decision to grant the licence.

II POSTAL SERVICE OPERATOR'S LICENCE APPLICATION FORM

GENERAL INFORMATION

- *This application form must be completed fully in type or block letters;*
 - *Applicants are expected to attach extra pages setting out the information required in Part 2 of this form, or wherever more space is required;*
 - *Any attached pages must be typed and A4-size. The information on extra pages must be presented clearly and numbered in accordance with this form;*
 - *Applicants are required to submit 2 full hard copies of the application, plus an electronic copy, including any attachments; and*
 - *Completed forms must be sent to: The Jersey Competition Regulatory Authority, 1-9 Union Street, Salisbury House, St Helier, Jersey, JE2 3RF, Channel Islands. Envelopes should be marked for the attention of the Executive Director.*
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PART 1: CONTACT AND BUSINESS DETAILS OF APPLICANT

1.1 Details of Applicant Organisation

Name of Applicant
Address of Applicant
Website of Applicant (if applicable)

1.2 Trading name

Name under which Applicant proposes to trade
Registered office address (if different to that in 1.1)

1.3 For companies or other bodies corporate

Registered number

1.4 For overseas applicants only

Address in Jersey for service of process or other notices

1.5 Details of designated contact person within Applicant Organisation

Name

Position held in Applicant Organisation

Address (if different from that in 1.1)

Telephone Number

Mobile Telephone Number

Fax number

E-mail address

1.6 If the Applicant is a company, partnership, co-operative or other body, please give the name(s) and private address(es) of each of the current directors, company secretary, partners, or members of the committee of management. *(Applicants must provide the names and addresses of all relevant individuals. If more space is required please attach an extra page.)*

Name	Name
Position	Position
Address	Address

Name	Name
Position	Position
Address	Address

Name	Name
Address	Address

PART 2: SERVICE DETAILS

SECTION A

A.1 Information on Service Details and Charges

A.1a	<p>Details of the products and services provided by the Applicant and the terms on which they are available, including:</p> <ul style="list-style-type: none">• types of mail the applicant proposes to carry under this licence;• targeted customer base;• likely geographical coverage;• proposed timescale for commencement of licensed operations; and• forecast of volume and revenue for the applicant's licensed postal services business for at least the first year and the basis upon which such forecasts have been prepared.
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A.2 Protecting the integrity of mail

A.2a	<p>Please provide, in relation to any of the persons named in response to question 1.6 above:</p> <ul style="list-style-type: none">• please provide a copy of the applicant's registration under the Data Protection (Jersey) Law 2005; and• please provide details on how the licensee proposes to comply with protecting the Integrity of Mail.
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A.3 Application of standard template licence conditions

A.3a	<p>If the applicant believes any of the standard template licence conditions should not apply to it, please indicate which these are and provide reasons in each case. The standard templates may be downloaded from the JCRA website. (www.jcra.je/postal)</p>
A.3b	<p>Please indicate if there are any other conditions the applicant believes should be included in its licence.</p>

A.4 Information relating to customer service

A.4a	<p>Details of quality of service targets supported by the Applicant.</p>
A.4b	<p>Details of current contracts with all classes of customers (please provide copies).</p>

A.4c	Details of measures adopted by the Applicant for the effective and fair resolution of complaints made by customers and other operators who are customers of the Applicant.
A.4d	Details of measures adopted by the Applicant to ensure transparent publication of all terms and conditions including charges for services.
A.4e	Details of any Code of Practice in relation to customers, including withdrawal of service from customers.

A.5 Postal Services (Jersey) Law 2004 - Article 8

A.5a	Applicants should state how their proposal for conducting postal services activities satisfies the primary and secondary considerations, detailed in Article 8 of the Law. (Please refer to Appendix 1).
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A.6 Other

A.6a	<p>Please provide, in relation to any of the persons named in response to question 1.6 above:</p> <ul style="list-style-type: none"> • full details of any disqualification orders or undertakings under the The Bankruptcy (Désastre) (Jersey) Law 1990, the Companies (Jersey) Law 1991 or the UK Company Directors Disqualification Act, 1986.
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SECTION B

DECLARATION

Please note: this declaration constitutes an agreement to abide by the condition of the licence, if awarded, as well as confirmation that the information furnished is complete and accurate in all respects. Where there is more than one signatory, each individual must fill out a separate declaration. Photocopies of the original form are acceptable.

All Applicants are to complete this declaration, which must be signed:

- in the case of an individual, by the person in whose name the application is made;
- in the case of a partnership, by each of the partners;

- in the case of a company or other body corporate, by a director, company secretary or other authorised officer;
- in the case of a co-operative or other body, by the secretary of the co-operative or other body; and
- I enclose the licence application fee of £500 (Class I licence)

Name of Applicant
Full name of Signatory
Position held in Applicant Organisation

On behalf of the Applicant, I declare that:

- this application is made in accordance with the Postal Services (Jersey) Law 2004;
- the information provided in respect of this application is true, accurate and complete in all respects and is not misleading;
- all information that may be relevant to this application has been fully and properly disclosed to the JCRA; and
- I am authorised to make this declaration on behalf of the Applicant named above.

Signed:

Date:

APPENDIX 1

Article 8 Duties of Committee and Authority

- (1) The Economic Development Committee and the Authority shall each have a primary duty to perform its functions under this Law in such a manner as it considers is best calculated to ensure the following:
 - (a) that (so far as in its view is reasonably practicable) such postal services are provided, both within Jersey and between Jersey and the rest of the world, as to satisfy all current and prospective demands for them, wherever arising;
 - (b) that the company, to the extent that it is or is to be licensed under this Law, has sufficient financial resources to discharge, during the period when this subparagraph is in force, its liabilities under securities issued by the company to the States.

- (2) In so far as it is consistent with paragraph (1), the Economic Development Committee and the Authority shall each have a duty:
 - (a) to perform its functions under this Law in such a manner as it considers is best calculated to protect and further the short-term and long-term interests of users within Jersey of postal services, and to perform them, wherever it considers it appropriate, by promoting competition among persons engaged in commercial activities connected with postal services in Jersey;
 - (b) to perform its functions under this Law, in such a manner as it considers is best calculated to promote efficiency, economy and effectiveness in commercial activities connected with postal services in Jersey;
 - (c) to perform its functions under this Law in such manner as it considers is best calculated to further the economic interests of Jersey;
 - (d) to perform its functions under this Law in such manner as it considers is best calculated to impose a minimum of restriction on persons engaged in commercial activities connected with postal services in Jersey;
 - (e) in performing its functions under this Law, to have regard to the need to ensure that persons engaged in commercial activities connected with postal services in Jersey have sufficient financial and other resources to conduct those activities; and
 - (f) in performing its functions under this Law, to have regard to any special needs of persons who are disabled or have limited financial resources or have particular needs.

- (3) The Economic Development Committee and the Authority shall in considering whether the postal services referred to in paragraph (1)(a) satisfy the demands referred to in that subparagraph, have regard to:
 - (a) whether the services are rapid, of high quality and reliable;
 - (b) whether the services are affordable by and accessible to the highest number of practicable of business and domestic users;
 - (c) whether the services are provided at times, at places and in ways, that meet the demands of the highest number practicable of business and domestic users;

- (d) whether users are able to express their views about the provision of the services;
and
 - (e) any objectives that the States prescribe by Regulations, including, but not limited to:
 - i) the provision of a universal postal service, a social postal service or any form of subsidized postal service; and
 - ii) the provision of certain services at uniform tariffs or at subsidized tariffs.
- (4) In paragraph (1)(b)-
“liabilities” means any liabilities, debts or obligations (whether present or future and whether vested or contingent);
“securities issued by the company to the States” means securities issued by one company to another company, by the company to the States, or by the company to any body corporate wholly owned directly or indirectly by the States.
- (5) Paragraphs (1)(b) and (4), and this paragraph, shall cease to be in force on the tenth anniversary of the date when they come into force.