

Commonwealth of Australia

Competition and Consumer Act 2010

**Price Notification Declaration
(Australia Post Letter Services) (No. 2) 2015**

I, BRUCE BILLSON, Minister for Small Business, make the following declaration under section 95X of the *Competition and Consumer Act 2010*.

Dated: 10 September 2015

BRUCE BILLSON
Minister for Small Business

1 Name of Declaration

This Declaration is the *Price Notification Declaration (Australia Post Letter Services) (No. 2) 2015*.

2 Commencement

This Declaration commences on the day after it is registered on the Federal Register of Legislative Instruments.

3 Revocation of earlier declaration

The *Price Notification Declaration (Australia Post Letter Services) 2015* dated 21 July 2015 is revoked.

4 Definitions

In this Declaration:

Act means the *Competition and Consumer Act 2010*.

Amendment Regulation means the *Australian Postal Corporation (Performance Standards) Amendment (Speed of Mail Delivery) Regulation 2015*.

Australia Post has the same meaning as in the Post Act.

convention has the same meaning as in the Post Act.

Post Act means the *Australian Postal Corporation Act 1989*.

5 Declaration of notified service and declared person

- (1) The provision of letter services by Australia Post for the carriage within Australia of letters is declared to be a notified service for the purposes of Part VIIA of the Act.
- (2) Subclause (1) does not apply to:
 - (a) letter services that are not reserved to Australia Post under Division 2 of Part 3 of the Post Act; and
 - (b) subject to subclause (4), letter services that involve the supply by Australia Post of a special service for which a special charge or additional fee is payable; and
 - (c) letter services under an incoming overseas mail service to which a convention applies.
- (3) For the purposes of this Declaration, a letter service involves the supply by Australia Post of a ***special service for which a special charge or additional fee is payable*** if:
 - (a) the letter service is supplied at a rate lower than the ordinary rate, subject to the sender meeting certain requirements of that letter service including, but not limited to, requirements in relation to:
 - (i) the volume of letters lodged; or
 - (ii) the format of letters lodged; or
 - (iii) the pre-sorting of letters lodged; or
 - (iv) the content of letters lodged; or
 - (v) the sender of letters lodged; or
 - (vi) the method of payment; or
 - (vii) the method of lodgement; or

- (b) the letter service is supplied at a rate higher than the ordinary rate on account of goods that are integral to the letter service being supplied by Australia Post as part of that letter service including, but not limited to, the following:
 - (i) an envelope; or
 - (ii) a packet; or
 - (iii) a parcel; or
 - (iv) a container; or
 - (v) a wrapper; or
 - (vi) a card; or
- (c) the letter service is supplied at a rate higher than the ordinary rate on account of additional features being supplied by Australia Post as part of that letter service including, but not limited to, the following:
 - (i) priority delivery; or
 - (ii) reply paid; or
 - (iii) carriage of non-rectangular-shaped articles.
- (4) A letter service of the description set out in Schedule 1 to the Amendment Regulation for ‘priority letters’ is a notified service under subclause (1) if:
 - (a) it is supplied at a rate exceeding 150 per cent of the ordinary rate; and
 - (b) the rate is not on account of the supply of any special service referred to in subclause (3) other than priority delivery.
- (5) To avoid doubt, before the commencement of Schedule 1 to the Amendment Regulation, a letter service of the description set out in that Schedule for ‘regular letters’ is a notified service, unless it is a letter service referred to in subclause (2).
- (6) Australia Post is declared to be a declared person in relation to the notified service under subclause (1).

6 Cessation

This Declaration ceases to have effect on 30 June 2025, unless revoked earlier.