Commonwealth of Australia

Competition and Consumer Act 2010

Price Notification Declaration (Australia Post Letter Services) (No. 2) 2011

I, WAYNE SWAN, Deputy Prime Minister and Treasurer, make the following declaration under section 95X of the *Competition and Consumer Act 2010*.

Dated 18 October 2011

WAYNE SWAN
Deputy Prime Minister and Treasurer

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1 Name of Declaration

This Declaration is the *Price Notification Declaration (Australia Post Letter Services) (No. 2) 2011*.

2 Commencement

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

3 Revocation of earlier declaration

The *Price Notification for Australia Post's Reserved Letter Services* dated 23 February 2011 is revoked.

4 Definitions

In this Declaration:

Act means the *Competition and Consumer Act 2010*.

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, other than letter services to which subclause (2) applies, is declared to be a notified service for the purposes of Part VIIA of the Act.

(2) This subclause applies to:

(a) letter services that are not reserved to Australia Post under Division 2 of Part 3 of the Post Act; and

(b) 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) 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 1 August 2016, unless revoked earlier.