

## **Resolution C 6/2012**

### **Continuation of the study on extraterritorial offices of exchange, international mail processing centres, and issues surrounding the designation of multiple operators in a single country**

Congress,

Recognizing

that the UPU policy on extraterritorial offices of exchange (ETOE) and registration of international mail processing centre (IMPC) codes, established by Congress resolutions C 44/2004 and C 63/2008, is still in force,

Reaffirming

that an ETOE is defined as an office or facility operated by or in connection with a designated operator on the territory of another country, and that these offices are established by designated operators for commercial purposes to draw business in markets outside their own national territory,

Bearing in mind

that, in accordance with article 2 of the Convention, adopted at the Bucharest Congress, UPU member countries notify the International Bureau of their operator or operators officially designated to operate postal services and to fulfil the obligations arising from the Acts of the Union on their territory,

Also recognizing

that ETOEs are not in the same situation as designated operators (DOs) executing the obligations arising from the Acts of the Union,

Noting

that, since the 2008 Congress, the number of ETOEs has increased from 110 in 2008 to 141 in 2011,

Also noting

that these ETOEs are operated by 18 DOs in 23 member countries, that some ETOEs are being operated by non-DOs and are registered as IMPCs, and that the registration of IMPC codes for non-DOs has been suspended since 2007,

Acknowledging

that the national policies of UPU member countries on ETOEs are very diverse,

Convinced

that there remain legitimate operational concerns with respect to the handling of items received from ETOEs in areas such as identification of the operator sending the mail, return of verification notes, undeliverable items, correct and fair remuneration for the delivery of items received, application of UPU procedures, and forms for Customs and airlines,

Also convinced

that this could represent a risk to the integrity of the global postal network and of the Union and should be addressed in a transparent and progressive manner,

Further noting

the results of the study conducted by an external consultant on the impact of the new postal market players on the UPU mission and activities, which showed that there were an increasing number of bilateral agreements between DOs and non-DOs (all types of mail service providers, including DOs from one country operating in another country as non-DOs), and that these bilateral agreements complemented the multilateral agreements that already existed,

Noting in addition

that a number of recommendations were proposed in the light of the study conducted by an external consultant, within the framework of the work of the CA Committee 1 Interconnectivity Project Group

(IPG), on the implications of the existence of multiple DOs in a single country for international mail exchanges under the Acts of the Union,

Also acknowledging

the work already done by the POC in reviewing the technical standards, including standard S34, in order to facilitate identification of sending operators,

*Invites*

UPU member countries:

- to provide the International Bureau with the latest information on their national policies on ETOEs and IMPC registration;
- to respect the conditions laid down in resolutions C 44/2004 and C 63/2008;
- to respect the national policies defined by other UPU members,

*Instructs*

the Council of Administration, in consultation with the Postal Operations Council,

- to conduct a study, with the aim of producing a definitive policy, on the conditions of access for non-DOs to IMPC codes, as well as to other UPU products, such as the International Postal System applications (IPS, IPS Light), POST\*Net and POST\*Clear, in order to manage these access conditions in a properly regulated manner, and in the interests of transparency and efficiency;
- to study the fundamental principles to be considered by any member country which designates multiple operators to operate postal services and fulfil the obligations arising from the Acts of the Union on its territory, including their rights and obligations, and, when necessary, to develop proposals for Congress,

*Also instructs*

the Postal Operations Council:

- to study all operational recommendations resulting from the IPG's study on the implications of the existence of multiple DOs in a single country for international mail exchanges under the Acts of the Union and, where appropriate, to implement them as quickly as possible;
- to continue to study ways and means whereby UPU technical standards could better respond to the needs of the postal environment in which multiple DOs exist in a single country and other stakeholders are involved,

*Further instructs*

the International Bureau, in liaison with the POC:

- to manage the IMPC registration process, to maintain and publish the list of active IMPCs, and to make this list readily accessible;
- to publish the modifications regarding IMPC code list 108 as key information;
- to provide updated IMPC codes in a timely manner;
- to advise all operators regularly of withdrawn IMPC codes;
- to collect and share the latest information on UPU member country policies concerning ETOEs.

(Proposal 19, Committee 3, 2nd meeting)