

### **Explanatory note**

Amendments to the Directive on the Modalities of Payment for Authorisations the Postal Services Act (Directive No. 1 of 2005)

The purpose of these amendments is to update references to applicable legislation, to do away with or amend provisions which are no longer applicable or which need to be updated to reflect changes in the law notably as a result of the administrative charges as reflected in the First Schedule of Postal Services (General) Regulations - SL 254.01 of the Laws of Malta.

### **Amendments**

In article 2 of the Directive the words “to ensure compliance with regulations 45(3), 46(3) and 47(5) of the aforesaid Regulations” is being substituted with the words “to ensure compliance with regulations 46 and 47 of the aforesaid Regulations”.

In the subtitle of Part II the words “paragraphs A) to C) of the Schedule to the Regulations” are being substituted with the words “paragraphs (a) and (b) of the First Schedule to the Regulations”.

Article 4.1.1 thereof is being deleted.

In article 4.1.2 is being renumbered as article 4.1 and is being substituted with the following:

“4.1 The fees established in paragraphs (a) and (b) of the First Schedule to the Regulations shall be payable to the Authority on the first day of every year during which an authorised provider is authorised to provide such postal services. A pro-rated proportion of the fee due for the first year, or part thereof, for which the authorised provider is authorised to provide postal services, shall be paid to the Authority immediately upon notification of the intention to provide services in accordance with article 8 of the Act and regulations 46 or 47 of the Regulations:

Provided that any fees due under paragraph (a) of the First Schedule shall be payable to the Authority in quarterly instalments on the first day of every quarter during which an authorised provider is authorised to provide postal services. Such fees due for the first three quarters during which an authorised provider is authorised to provide postal services shall be paid on the first day of the third quarter following the grant of a licence in accordance with article 8 of the Act and regulation 46 of the Regulations.”

Articles 5, 6 and 7 are being deleted. In the case of article 5 the applicable norms relating to the payment of variable fees have been factored in the amended article 4.1, whereas the provisions of articles 6 and 7 relate to the transition from the previous regime and are therefore no longer necessary.

In article 8 the words “30<sup>th</sup> November of the previous year” are being substituted by the words “30<sup>th</sup> September of the previous year”.