

## FINAL DECISION

### on statistical indicators of postal services

#### Preamble

1. By determination of 11 March 2009, approval was given to a final decision on the set of statistical indicators to be submitted to this Authority on a quarterly basis by postal service providers.

On 27 April 2012, Law No 17/2012, of 26 April, took effect transposing to the national legal system Directive 2008/6/EC of the European Parliament and of the Council, of 20 February 2008. Law No 17/2012, of 26 April, lays down the legal regime that governs the provision of postal services, under a full competition regime, on national territory, as well as of international services to or from national territory.

It is thus necessary to adapt the collected statistical information to the new regulatory framework, replacing the current set of statistical indicators operated under a competition regime for a new form.

2. In this context, a new set of statistical data was drawn up, which may be found in annex hereto.

Definitions, categories and weight steps indicated in Law No 17/2012, of 26 April, have generally been adopted, and the experience of countries where the liberalisation process occurred earlier was taken into account.

In comparison with former indicators in force, the main changes introduced are as follows:

- a) References to reserved area indicators were removed from section I. Services which remain reserved [paragraph 2b) of article 3 and paragraph 3 of article 57 of Law No 17/2012, of 26 April], must be reported on a case-by-case basis in Part II, which is to be answered exclusively by the concessionaire/universal service provider;
- b) Definitions of services indicated in the new law were adopted. In particular, the maximum weight limit for postal parcels (previously, 20 Kgs) was removed.
- c) As regards traffic of items of correspondence, editorial mail and postal parcels not covered by the category of express mail, the existing indicator has been subdivided into weight categories ( $\leq 2$  Kgs/ $> 2$  Kgs in the case of items of correspondence and editorial mail and  $\leq 10$  Kgs/ $> 10$  Kgs in the case of postal parcels), so as to break down traffic covered by new limits of the universal service;
- d) For the same reason, direct mail is identified separately, and is now excluded from the scope of the universal service, having been created a new sub-category for postal parcels received from the EU, with two weight steps ( $\leq 20$  Kgs/ $> 20$  Kgs);
- e) Editorial mail traffic is also broken down to improve awareness of these markets and to facilitate answers to questionnaires from EUROSTAT and the European Regulators Group for Postal Services (ERGP);

- f) Revenue indicators now have a breakdown level similar to that of traffic, for the reasons stated in points above;
  - g) New bulk mail indicators, which, according to information from operators, now represents a considerable and increasing proportion of total traffic, have been adopted, these indicators being monitoring so that the respective markets may be characterized and analysed. This type of mail also deserves a reference in the new Law;
  - h) New indicators concerning access to the network, postal infrastructure and services (pursuant to articles 38 and 39 of Law No 17/2012, of 26 April) have been introduced, which, according to experience from markets where the liberalization process is well underway, will be an essential reality for the knowledge of the market and the development of competition. Indicators which have been introduced are the associated volume of traffic and revenues they generate.
3. In addition to the above-mentioned new indicators, the collection of which has been justified, it is still necessary to maintain the collection of indicators included in the preceding form.

The intention is to collect traffic, revenue and postal network indicators that allow the assessment, in particular, of the level of development and use of postal networks and services, the development of competition and the relative position of providers and their evolution over time. This information is also requested by several international bodies to evaluate the development of the sector in several countries and the implementation of regulatory measures.

Indicators concerned are as follows:

- a) Postal traffic indicators broken down by type of traffic (addressed postal items, editorial mail, direct mail and postal parcels) and by agreement of access to the network/infrastructure/services.

These indicators are broken down, in most cases, into the categories of express and non-express mail. This breakdown detail is required to achieve the above-mentioned targets and to meet requests from international bodies towards which ICP - ANACOM has reporting duties;

- b) Revenue indicators

The only financial indicator in this new questionnaire refers to revenues, as in the previous questionnaire. Revenues are broken down by type of object (items of correspondence, editorial mail, direct mail and postal parcels), express or non-express mail within the category of express mail, and by the various weight steps mentioned in point 2., for the reasons mentioned therein. Indicators of revenues from agreements of access to the network/infrastructure/services have also been introduced, as referred to in point 2.

A new "Other revenues" indicator has been included, to allow the identification and analysis of the evolution of possible new segments of business and other services;

- c) Postal network indicators.

Former postal network indicators are maintained, namely human resources, distribution centres, points of access and vehicles, post office boxes, letter boxes, and points solely for the purchase of stamps. These indicators enable an evaluation of the development of postal networks and postal services, including postal coverage and density, their collection having been imposed on ICP-ANACOM within the scope of its data reporting obligations towards the European Commission;

- d) Traffic and revenues by product and by offer of access to the network and postal infrastructures of the universal postal service concessionaire.

In addition to the set of indicators in the previous questionnaire, that aimed to replace the quarterly form on the activity of the concessioned postal services - information required to monitor activities carried out in the scope of the concession - new indicators on offers of access to the network/infrastructure/postal services have been included (without prejudice to any additional information required to be attached, to monitor compliance with obligations associated thereto);

- e) As before, there is a column for remarks of a qualitative nature.

Providers may use this column to justify significant variations, which may not be explained by existing trends or seasonal factors.

Moreover, this column must also be used in the case of indicators on access to the network/infrastructure/postal services, to insert network/infrastructure/postal service elements concerned.

4. Service providers shall be granted a period of 30 consecutive days to implement these indicators. Providers concerned are required to send this information on a regular basis as from the (calendar) quarter following the quarter in which the implementation period ends.
5. Where information is not immediately available, postal service providers are required to:
  - a) Submit estimates of the values in question, indicating the assumptions used for the respective calculation;
  - b) Submit the final information by the quarter following closure of the undertaking's accounts for the year to which the statistics refer;

After this date, information on the year concerned shall be deemed to be final. Any inaccuracies that are reported or detected after that date may be considered failures to comply with reporting obligations, under the law in force.

6. The information collected in this scope may be published by ICP - ANACOM<sup>1</sup>.
7. In accordance with paragraphs 1a) and 3 b) and c) of article 45 of Law No 17/2012, of 26 April, as well as paragraph 1 g) of Base VIII of the Bases of Concession of the Universal Postal Service, approved in annex to Decree-Law No 458/99, of 4 November, as amended by Decree-Law No 116/2003 of 12 June, and by Decree-Law No 112/2006 of 9 June, the

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<sup>1</sup> In this context, see determination of the Management Board of ICP - ANACOM of 2 February 2012, on the confidentiality in the information provided to the regulator by companies providing postal services, available at <http://www.anacom.pt/render.jsp?contentId=1116771>.

attached set of indicators shall be submitted to ICP-ANACOM no later than the thirtieth day of the month following the end of each quarter, by email to [dee.stats@anacom.pt](mailto:dee.stats@anacom.pt), or through a future Extranet that may be implemented, or by mail to the following address:

ICP-ANACOM

DIC – Direção de Informação e Consumidores

Av. José Malhoa, 12

1099-017 Lisbon

Contacts above may also be used to request any additional clarification that may be required.

## POSTAL SERVICES (1)

Undertaking:
Persons filling in the questionnaire:
Telephone No of persons filling in the questionnaire:
E-mail:
Quarter which the information concerns:

### I. INDICATORS TO BE SUBMITTED BY POSTAL SERVICE PROVIDERS [INDIVIDUAL LICENSE, GENERAL AUTHORIZATION, and CONCESSIONAIRE (article 57 of Law No 17/2012, of 26 de April)]

#### A. POSTAL TRAFFIC (4)

A.1. Items of correspondence (5)	Unit	EXPRESS MAIL (2)	NON-EXPRESS MAIL (3)		Remarks (12)
			Up to 2 Kg. (inclusive)	> 2 Kg.	
A.1.1 National (8)	No. items in the quarter				
(of which), bulk mail (11)	No. items in the quarter				
A.1.2 Outgoing international (9)	No. items in the quarter				
(of which), bulk mail (11)	No. items in the quarter				
A.1.3 Incoming international (10)	No. items in the quarter				

A.2. Books, catalogues, newspapers and other periodicals	Unit	EXPRESS MAIL (2)	NON-EXPRESS MAIL (3)		Remarks (12)
			Up to 2 Kg. (inclusive)	> 2 Kg.	
A.2.1 National (8)	No. items in the quarter				
(of which), bulk mail (11)	No. items in the quarter				
A.2.2 Outgoing international (9)	No. items in the quarter				
(of which), bulk mail (11)	No. items in the quarter				
A.2.3 Incoming international (10)	No. items in the quarter				

A.3. Direct mail (6)	Unit	Total traffic	Remarks (12)
A.3.1 National (8)	No. items in the quarter		
(of which), bulk mail (11)	No. items in the quarter		
A.3.2 Outgoing international (9)	No. items in the quarter		
(of which), bulk mail (11)	No. items in the quarter		
A.3.3 Incoming international (10)	No. items in the quarter		

A.4. Postal parcels (7)	Unit	EXPRESS MAIL (2)	NON-EXPRESS MAIL (3)		Remarks (12)
			Up to 10 Kg. (inclusive)	> 10 Kg.	
A.4.1 National (8)	No. items in the quarter				
(of which), bulk mail (11)	No. items in the quarter				
A.4.2 Outgoing international (9)	No. items in the quarter				
(of which), bulk mail (11)	No. items in the quarter				
A.4.3 Incoming international (10)	No. items in the quarter				
(of which), from EU countries	No. items in the quarter				

#### B. ACCESS to NETWORKS / INFRASTRUCTURE ELEMENTS / POSTAL SERVICES (cf. articles 38 and 39 of Law No 17/2012, of 26 April)

(Information to be reported by providers of networks/infrastructures/services, pursuant to articles 38 and 39 of Law No 17/2012, of 26 April)	Unit	No. of items	Remarks (12) In this field, the indication of covered network elements / network infrastructure /services is required
B.1. Agreements for access to networks/postal infrastructure elements /postal services			
Agreement/provider 1 (name)	No. items in the quarter		
Agreement/provider 2 (name)	No. items in the quarter		
Agreement/provider 3 (name)	No. items in the quarter		
Agreement/provider 4 (name)	No. items in the quarter		
Agreement/provider (...) (name)	No. items in the quarter		

#### C. SERVICE REVENUES by the end of the reporting period (13)

C.1. Items of correspondence (5)	Unit	EXPRESS MAIL (2)	NON-EXPRESS MAIL (3)		Remarks (12)
			Up to 2 Kg. (inclusive)	> 2 Kg.	
C.1.1 National (8)	Euro				
(of which), bulk mail (11)	Euro				
C.1.2 Outgoing international (9)	Euro				
(of which), bulk mail (11)	Euro				
C.1.3 Incoming international (10)	Euro				

C.2. Books, catalogues, newspapers and other periodicals	Unit	EXPRESS MAIL (2)	NON-EXPRESS MAIL (3)		Remarks (12)
			Up to 2 Kg. (inclusive)	> 2 Kg.	
C.2.1 National (8)	Euro				
(of which), bulk mail (11)	Euro				
C.2.2 Outgoing international (9)	Euro				
(of which), bulk mail (11)	Euro				
C.2.3 Incoming international (10)	Euro				

C.3. Direct mail (6)	Unit	Total traffic	Remarks (12)
C.3.1 National (8)	Euro		
(of which), bulk mail (11)	Euro		
C.3.2 Outgoing international (9)	Euro		
(of which), bulk mail (11)	Euro		
C.3.3 Incoming international (10)	Euro		

C.4. Postal parcels (7)	Unit	EXPRESS MAIL (2)	NON-EXPRESS MAIL (3)		Remarks (12)
			Up to 10 Kg. (inclusive)	> 10 Kg.	
C.4.1 National (8)	Euro				
(of which), bulk mail (11)	Euro				
C.4.2 Outgoing international (9)	Euro				
(of which), bulk mail (11)	Euro				
C.4.3 Incoming international (10)	Euro				
(of which), from EU countries	Euro				

C.5. Other revenues from postal services (not to be entered in the preceding categories)	Unit	Value of revenues	Remarks (12)
C.5.1 Other revenues (to be specified in the Remarks column)	Euro		
(of which) Revenues from the provision to other postal providers of access to network/infrastructures/services pursuant to articles 38 and 39 of Law No 17/2012, of 26 de April.	Euro		

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**D. HUMAN RESOURCES and MATERIAL RESOURCES (by the end of the reporting period)**

<b>D.1 HUMAN RESOURCES</b>	<b>Unit</b>	<b>Number</b>	<b>Remarks (12)</b>
D.1.1. Number of workers(14)	1 worker		

<b>D.1.2 MATERIAL RESOURCES</b>	<b>Unit</b>	<b>Number</b>	<b>Remarks (12)</b>
D.1.2.1. Points of Access (15), of which:	1 point of access		

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D.1.2.1.1. Letter boxes (16)	1 letter box		
D.1.2.2. Post office boxes (17)	1 post office box		
D.1.2.3. Points solely for the purchase of stamps, of which:	1 point		
D.1.2.3.1. Stamp vending machines	1 stamp vending machine		
D.1.2.4. Distribution centres (18)	1 distribution centre		
D.1.2.5. Vehicle fleet (19)	1 vehicle		

**II. INDICATORS TO BE SUBMITTED BY THE CONCESSIONAIRE/UNIVERSAL SERVICE PROVIDER**  
(article 57 of Law No 17/2012, of 26 April)

<b>A. TRAFFIC BROKEN DOWN BY PRODUCT (20)</b>	<b>Unit</b>	<b>month 1</b>	<b>month 2</b>	<b>month 3</b>	<b>Remarks (12)</b>
<b>A.1. ITEMS OF CORRESPONDENCE AND EDITORIAL MAIL (books, catalogues, newspapers and other periodicals)</b>					
<b>A.1.1. National</b>					
Product 1	No. items in the month				
Product 2	No. items in the month				
Product 3	No. items in the month				
Product 4	No. items in the month				
Product 5	No. items in the month				
Product 6	No. items in the month				
Product 7	No. items in the month				
Product 8	No. items in the month				
Product (...)	No. items in the month				
<b>A.1.2. Outgoing international</b>					
Product 1	No. items in the month				
Product 2	No. items in the month				
Product 3	No. items in the month				
Product 4	No. items in the month				
Product 5	No. items in the month				
Product 6	No. items in the month				
Product 7	No. items in the month				
Product 8	No. items in the month				
Product 9	No. items in the month				
Product 10	No. items in the month				
Product (...)	No. items in the month				
<b>A.1.3. Incoming international</b>					
Product Line 1	No. items in the month				
Product Line 2	No. items in the month				
Product Line 3	No. items in the month				
Product Line 4	No. items in the month				
Product Line 5	No. items in the month				
Product Line (...)	No. items in the month				
<b>A.2. POSTAL PARCELS</b>					
<b>A.2.1. National</b>					
Product 1	No. items in the month				
Product (...)	No. items in the month				
<b>A.2.2. Outgoing international</b>					
Product 1	No. items in the month				
Product (...)	No. items in the month				
<b>A.2.3. Incoming international</b>					
Product Line 1	No. items in the month				
Product Line (...)	No. items in the month				
<b>A.3. AGREEMENTS FOR ACCESS TO THE NETWORK / INFRASTRUCTURE ELEMENTS / POSTAL SERVICES (cf. articles 38 and 39 of Law No 17/2012, of 26 April)</b>					
Offer 1 (name)	No. items in the month				
Offer 2 (name)	No. items in the month				
Offer 3 (name)	No. items in the month				
Offer 4 (name)	No. items in the month				
Offer (...)	No. items in the month				

<b>B. REVENUES BROKEN DOWN BY PRODUCT (21)</b>	<b>Unit</b>	<b>month 1</b>	<b>month 2</b>	<b>month 3</b>	<b>Remarks (12)</b>
<b>B.1. ITEMS OF CORRESPONDENCE AND EDITORIAL MAIL (books, catalogues, newspapers and other periodicals)</b>					
<b>B.1.1. National</b>					
Product 1	Euro				
Product 2	Euro				
Product 3	Euro				
Product 4	Euro				
Product 5	Euro				
Product 6	Euro				
Product 7	Euro				
Product 8	Euro				
Product (...)	Euro				
<b>B.1.2. Outgoing international</b>					
Product 1	Euro				
Product 2	Euro				
Product 3	Euro				
Product 4	Euro				
Product 5	Euro				
Product 6	Euro				
Product 7	Euro				
Product 8	Euro				
Product 9	Euro				
Product 10	Euro				
Product (...)	Euro				
<b>B.1.3. Incoming international</b>					
Product Line 1	Euro				
Product Line 2	Euro				
Product Line 3	Euro				
Product Line 4	Euro				
Product Line 5	Euro				
Product Line (...)	Euro				
<b>B.2. POSTAL PARCELS</b>					
<b>B.2.1. National</b>					
Product 1	Euro				
Product (...)	Euro				
<b>B.2.2. Outgoing international</b>					
Product 1	Euro				
Product (...)	Euro				
<b>B.2.3. Incoming international</b>					
Product Line 1	Euro				
Product Line (...)	Euro				
<b>B.3. AGREEMENTS FOR ACCESS TO THE NETWORK / INFRASTRUCTURE ELEMENTS / POSTAL SERVICES (cf. articles 38 and 39 of Law No 17/2012, of 26 April)</b>					
Offer 1 (name)	Euro				
Offer 2 (name)	Euro				
Offer 3 (name)	Euro				
Offer 4 (name)	Euro				
Offer (...)	Euro				

## POSTAL SERVICES - DEFINITIONS AND NOTES

- 1** Postal service is the activity which integrates the operations of clearance, sorting, transport and distribution of items addressed in the final form, in compliance with physical and technical specifications that allow them to be sorted by a postal network as well as delivered at the address indicated on the object itself or on its wrapping (cf. article 4, paragraphs 1 and 3 of Law No 17/2012, of 26 April). This service covers the following types of postal items: items of correspondence, including direct mail, books, catalogues, newspapers and other periodicals and postal parcels (cf. article 4, paragraphs 1 and 3 and article 5 of Law No 17/2012, of 26 April).
- 2** Express mail services refer to added value services, characterized by the clearance, sorting, transport and distribution of postal items with an increased promptness, differing from regular postal services for a set of additional characteristics, such as predefined delivery deadlines; registered postal items; guarantee of provider liability, by means of insurance through which the sender is previously aware of how he may be compensated of damages suffered; tracking and tracing of postal items along the provider's operational circuit, allowing the identification of the delivery status and the provision of information to the customer (vd. article 12, paragraph 2, of Law No 17/2012, of 26 April). Commonly known as "courier" services, such services are not covered by the scope of the universal service.
- 3** Non-express mail services concern basic postal services mentioned in paragraph 1 of article 12 of Law No 17/2012, of 26 April (that is, services without the express mail characteristics described in point 2.) Among non-express mail services, items of correspondence, catalogues, books, newspapers and other periodicals up to 2 Kgs and postal parcels up to 10 Kgs, postal parcels received from other Member States of the European Union and weighing up to 20 kgs are included in the scope of the universal service (cf. article 12, paragraphs 1, 2 and 3 of Law No 17/2012, of 26 April).
- 4** This category includes postal items (that is, items addressed in the final form, in compliance with physical and technical specifications that allow them to be sorted by a postal network as well as delivered at the address indicated on the object itself or on its wrapping - cf. article 4, paragraphs 1 and 3, and article 5, of Law No 17/2012, of 26 April) namely:
  - a) Items of correspondence (that is, communications in written form on any kind of physical medium), excluding direct mail;
  - b) Books, catalogues, newspapers and other periodicals;
  - c) Direct mail;
  - d) Postal parcels.Traffic covered by agreements of access to the network and to postal infrastructures of third parties must also be accounted for here under the respective categories. Postal service providers that use the network/infrastructures/postal services of third parties to provide their own services must account for traffic concerned under this section; postal service providers that provide their networks/infrastructures/postal services to other postal service providers must not account for the traffic covered by these agreements here.  
Registered mail services used in court or administrative proceedings (article 3, paragraph 2 b) of Law No 17/2012, of 26 April) must also be accounted for in this section.
- 5** Items of correspondence mean postal items consisting on a communication in written form on any kind of physical medium (cf. article 5, paragraph 1 a) of Law No 17/2012, of 26 April). Direct mail was excluded from this indicator.
- 6** Direct mail means items of correspondence comprising an identical message which is sent to a significant number of addressees, exclusively for advertising, marketing or publicity purposes (cf. article 5, paragraph 2, of Law No 17/2012, of 26 April).
- 7** A postal parcel is a postal item consisting of a package containing merchandise or objects with or without commercial value (cf. article 5, paragraph 1 c) of Law No 17/2012, of 26 April).
- 8** National postal item - Item from and to Portugal.
- 9** Outgoing international postal item - Item from Portugal to a third country.
- 10** Incoming international postal item - Item from a third country to Portugal. It must be confirmed that all items are accounted for and not only those that are paid by the addressee.
- 11** Bulk mail means mail delivered to postal service providers by bodies usually known as bulk mailers, integrators or large clients on a franchise, retainer or contract basis, or other, which are generally subject to compliance with specific conditions as regards the number of items, weight, sorting, delivery location and schedule. Delivered items include bills, account statements, direct mail, books, catalogues, newspapers or other periodicals (see also reference in article 14, paragraph 2, of Law No 17/2012, of 26 April).
- 12** Column provided for entering remarks of a qualitative nature. In case of significant variations, providers are required to fill in the column with a justification or an explanation for the variation occurred. In section B, this column must be used to enter covered network elements/infrastructures/services.
- 13** Values of sales and services provided that are related to the various postal services indicated, accumulated at the end since the beginning of the year until the end of the reporting period (quarter), in Euro, net of discounts and excluding VAT.
- 14** Number of workers by the end of the period. Subcontracted workers must not be accounted for.
- 15** Physical facilities where customers may deposit mail with the postal network. Includes letter boxes.
- 16** Boxes for the deposit of postal items on the public highway or post offices. The number of geographic points where letter boxes are located must be accounted for, that is, places with more than one letter box shall be accounted for as a single letter box.
- 17** Service which allows users to receive mail at a post office and not at their actual postal address.
- 18** Physical space where postal items are sorted according to their destination area.
- 19** Owned and/or subcontracted fleet of vehicles for the provision of postal services.
- 20** Enter the commercial name of the product and report traffic on a case-by-case basis for all. All products related to concessionated services and offers of access to the network/infrastructures/postal services should be included.  
The two following provisions must be identified separately: the registered mail service used in court or administrative proceedings, mentioned in article 3, paragraph 2 b) of Law No 17/2012, of 26 April, on the one hand, and remaining registered mail, on the other.
- 21**  
Revenues of the concessionaire of the universal postal service shall only include revenues from concessionated postal services and offers of access to the network/infrastructures/postal services.  
The two following provisions must be identified separately: the registered mail service used in court or administrative proceedings, mentioned in article 3, paragraph 2 b) of Law No 17/2012, of 26 April, on the one hand, and remaining registered mail, on the other.