



**REPUBLIC OF LITHUANIA  
POST OFFICE LAW NO. VIII-1141 OF AMENDMENT  
THE LAW**

in 2024 November 7 No. XIV-3077  
Vilnius

**Article 1. Postal Law of the Republic of Lithuania no. VIII-1141 new edition**

Amend the Postal Law of the Republic of Lithuania No. VIII-1141 and set it out as follows:

**" REPUBLIC OF LITHUANIA  
POST OFFICE  
THE LAW**

**CHAPTER I  
GENERAL PROVISIONS**

**Article 1. Purpose and application of the law**

1. This law regulates the activities of postal service provision, establishes the system of postal policy-making and regulatory institutions for postal service provision activities, the rights and obligations of postal service providers and users, the responsibility and compensation of postal service providers.

2. This law does not apply to diplomatic post activities.

3. The provisions of this law are harmonized with the legal acts of the European Union specified in the annex to this law.

**2 . Basic concepts of this law**

1. **Person** - a natural person, legal entity or other organization, as well as their division.

2. **Final billing for international postal service** (hereinafter referred to as "final settlement") - provision of remuneration to the universal postal service provider for the collection, sorting, transportation and delivery of incoming international postal parcels to the recipients of the postal parcels in the receiving country.

3. **Redemption postal parcel** - postal parcel, delivered to the recipient of the postal parcel when he pays the postal service provider the amount of money indicated by the sender of the postal parcel.

4. **Assessed postal item** - postal item, in case of damage or loss of which the sender of the postal item is compensated for the proven value of the postal item, but not higher than the amount of its assessment indicated by the sender of the postal item when submitting it for sending.

5. **Correspondence parcel** - postal parcel, which consists of a message written on any physical material, to be sent and delivered to the address indicated on it. Books, catalogues, newspapers and other periodicals are not considered items of correspondence.

6. **Post machine** - postal service provision device, through which the sender of the postal item can present the postal item for dispatch and/or the recipient of the postal item can collect it directly, without the participation of the postal service provider or his representative.

7. **Postage stamp** - valid postage stamp of the Republic of Lithuania, postage block, marked envelope and postcard (postcard), marked aerogram, stamp stamp or special approved stamp for payment for postal service.

8. **Postal service** - collection, sorting, transportation and delivery of postal items.

9. **User of the postal service** (hereinafter - the user) - the sender of the postal item or the recipient of the postal item.

10. **Postal service provider** - a natural person or legal entity or other organization providing postal service, as well as their division.

11. **Postal service delivery point** - a part of the postal network where senders of postal items can present postal items for dispatch and/or recipients of postal items can collect them.

12. **Postal parcel** - a parcel addressed and ready for dispatch, including correspondence parcels and postal parcels to be delivered by postal service providers.

13. **Postal parcel** - registered mail weighing up to 50 kilograms a postal package consisting of item(s) or product(s), including those of no commercial value.

14. **Postal shipments recipient** (hereinafter - the recipient) - the person to whom the postal item is addressed.

15. **Mail shipments sender** (hereinafter - sender) - a person who is indicated as the sender on the postal item. If the sender of the postal item is not indicated on the postal item, the person who submits the postal item to the postal service provider for delivery to the recipient of the postal item is considered to be the sender.

16. **Delivery of postal items** is a set of actions performed from the sorting of postal items to their delivery to recipients of postal items through the postal network.

17. **Sorting of postal parcels** - the set of actions performed with postal parcels from their arrival at the postal parcel sorting place to their presentation for transport or delivery - classification according to various criteria necessary for delivery.

18. **Collection of postal parcels** – the actions of the postal service provider, during which postal parcels are collected from the senders of postal parcels or the places of postal service provision.

19. **The postal network** is a set of infrastructure elements and other means used to provide the postal service.

20. **Delivery of periodicals to subscribers of rural residential areas and cities that are located in sparsely and moderately densely populated residential areas** - newspapers and magazines, except those classified as publications of an erotic and/or violent nature and those with more than 50 percent of the text consisting of advertising, acceptance from publishers, distribution and presentation of rural residential areas and cities that fall into sparsely and moderately densely populated residential areas, for subscribers.

21. **Registered postal item** - postal item, for which, at the request of the sender of the postal item, evidence is provided that it was delivered by signature or in another way, which ensures the delivery of the postal item and the receipt of data confirming this.

22. **Regulatory accounting** - internal accounting maintained by the universal postal service provider for regulatory purposes, which includes separation of accounting, distribution of assets, equity, liabilities, income and costs.

23. **Regulatory accounting reports** – for regulatory purposes, the universal postal service provider prepares and submits a detailed set of reports, documents and other information to the Communications Regulatory Authority of the Republic of Lithuania.

24. **Regulatory accounting system** - the set of principles, methods, rules, processes and tools used to manage the regulatory accounting of the universal postal service provider, prepare and submit regulatory accounting reports.

25. **International mail** is a mail sent from one country to another.

26. **Distribution point for international postal parcels** (hereinafter - parcel distribution point) - international postal parcel distribution point operating in accordance with the conditions established by the Universal Postal Union and this law, established in the Republic of Lithuania by an operator appointed by another state.

27. **Universal postal service** – a public service is considered to be a postal service of the quality prescribed by legal acts, which must be provided at an affordable price throughout the territory of the Republic of Lithuania to all users of the postal service who wish to receive such a service.

28. **Universal postal service revenue cap** (hereinafter referred to as the income ceiling) - for regulatory purposes, the maximum amount of revenue allowed for the provision of this service has been set for the universal postal service provider.

29. **Universal postal service provider** - postal service provider, obliged by the Government of the Republic of Lithuania to provide universal postal service in the territory of the Republic of Lithuania.

30. **Member State** - a member state of the European Union or a state of the European Economic Area.

31. Other concepts used in this law are understood as defined in 2003. May 26 In the regulation of the European Parliament and the Council [\(EC\) no. 1059/2003](#) on the establishment of the common classification of territorial statistical units (NUTS) with all amendments, in the Universal Postal Convention of the Universal Postal Union, in the Postal Correspondence Regulation, in the Postal Parcel Regulation, in the Law on Public Administration of the Republic of Lithuania, in the Law on Public Information of the Republic of Lithuania, in the Administrative Units of the Territory of the Republic of Lithuania and in the Law on their Limits, the Law on the Protection of Consumer Rights of the Republic of Lithuania, the Law on Advertising of the Republic of Lithuania and the Law on the Audit of Financial Statements of the Republic of Lithuania.

## CHAPTER II

### REGULATION SYSTEM FOR FORMATION OF POSTAL AREA POLICY AND REGULATION OF POSTAL SERVICE PROVISION ACTIVITIES

#### **3 . Functions of the Ministry of Communications of the Republic of Lithuania in the field of postal services**

1. The Ministry of Transport forms the state policy in the field of postal services, as well as organizes, coordinates and controls its implementation.

2. Ministry of Transport:

1) prepares drafts of laws, implementing laws and other legal acts related to the activity of providing postal services and ensuring the economic development and competitiveness of the postal sector;

2) measures are taken to ensure that the development of the universal postal service corresponds to technical progress, economic and social circumstances and the needs of users;

3) prepares and submits to the Government for approval the draft description of the procedure for the obligation of the universal postal service provider;

4) notifies the European Commission about the postal service provider(s) obliged to provide the universal postal service in the territory of the Republic of Lithuania, about the state institution specified in Article 4, Part 1 of this law, as well as about the opportunities created for users and postal service providers to use information specified in Article 15, Part 2, Clause 2 of this Law;

5) determines the requirements for the provision of the universal postal service, including the requirements for the universal postal service provider's network and the quality of the universal postal service;

6) submits to the Government for approval the draft rules for compensation of the unprofitable universal postal service, which also set the criteria for determining an unreasonably high financial burden;

7) submits to the Government for approval the draft rules for the compensation of loss-making periodical delivery service to subscribers in rural residential areas and cities that are located in sparsely and moderately densely populated residential areas;

8) prepares and submits to the Government, for approval, the criteria for determining service rates for subscribers of the delivery of periodicals in rural residential areas and cities that fall into sparsely and moderately densely populated residential areas, as well as the highest rates for this service, as well as cities that fall into sparsely and moderately densely populated residential areas, and some cities that fall into sparsely and moderately densely populated residential areas areas, the list is authorized to be approved by the Ministry of Transport or another institution authorized by the Government - approves this list or submits it for approval to an institution authorized by the Government ;

9) after declaring a state-level emergency, state of emergency or mobilization, assesses the need to establish exceptional conditions for the provision of the universal postal service and, if necessary, establishes them;

10) determines the mandatory application of Lithuanian standards and other publications, international and European specifications and/or recommendations related to the provision of postal services;

11) cooperates with institutions of foreign countries responsible for the postal sector, represents the Republic of Lithuania in international organizations according to competence;

12) performs other functions established in legal acts regulating the activities of postal service provision.

#### **Article 4. Functions of the Communications Regulatory Authority in the postal area**

1. The Communications Regulatory Authority is the national regulatory authority of the Republic of Lithuania in accordance with the provisions of European Union legal acts regulating public relations related to the regulatory subject of this law. Communications regulatory authorities status, financing and other operational aspects are determined in the Electronic Communications Law of the Republic of Lithuania.

2. Communications Regulatory Authority:

- 1) supervises compliance with the provisions of this law and its implementing legal acts;
- 2) implements the provisions of this law and its implementing legal acts;
- 3) is responsible for supervising the implementation of the provisions of Regulation [\(EU\) 2018/644](#) ;
- 4) according to competence, provides information at the request of the European Commission;
- 5) participates in the preparation of the draft description of the procedure for the obligation of the universal postal service provider;
- 6) approves the methodology for determining the upper limit of income and determines the upper limit of income;
- 7) approves the technical tasks of checking regulatory accounting reports and checking the regulatory accounting system;
- 8) determines the requirements applied to the universal postal service tariff determination methodology approved by the universal postal service provider;
- 9) prepares and submits to the Ministry of Transport a draft of the compensation rules for the unprofitable universal postal service, which also set the criteria for determining an unreasonably high financial burden;
- 10) prepares and submits to the Ministry of Transport the draft rules for compensating the loss-making service of the delivery of periodicals to subscribers in rural residential areas and cities that are located in sparsely and moderately densely populated residential areas;
- 11) approves the rules for providing the postal service;
- 12) submit proposals to the Ministry of Transport regarding the postal network requirements of the universal postal service provider;
- 13) informs the Ministry of Communications about how the provider of the universal postal service complies with the requirements for the provision of the universal postal service established by the Minister of Communications;
- 14) determines the requirements of regulatory accounting and regulatory accounting system ;

15) examines disputes between users and postal service providers, approves rules for handling disputes between users, other than users, and postal service providers;

16) approves the rules for handling disputes between postal service providers and examines disputes between postal service providers;

17) approves the rules for calculating losses of the universal postal service;

18) investigates and examines violations of Regulation [\(EU\) 2018/644](#) and this law and imposes sanctions on violators;

19) supervises the application of tariffs for the universal postal service;

20) publishes information necessary for the development of an open and competitive market and, taking into account the legal acts regulating the protection of confidential information, confirms the rules for the publication of this information, including the scope of the information provided;

21) cooperates with the regulatory authorities of the postal service provision of foreign countries, participates in the activities of international organizations and European Union institutions, committees and working groups according to their competence;

22) submit proposals to the Ministry of Transport and Communications regarding the mandatory application of Lithuanian standards and other publications, international and European specifications and/or recommendations related to the provision of postal services;

23) performs other functions established by the laws and other legal acts of the Republic of Lithuania.

3. The Communications Regulatory Authority, while performing the functions assigned to it in this law, has the rights granted to it in this and other laws.

## **CHAPTER III**

### **PRINCIPLES OF REGULATION OF POSTAL SERVICE PROVISION ACTIVITIES**

#### **Article 5. Right to provide postal service**

1. A person has the right to provide a postal service without a separate prior permission from the state authorities, in compliance with the provisions of this law and other legal acts, but must inform the Communications Regulatory Service about this by submitting a notification about the start of the postal service provision (hereinafter - the notification) .

2. The notification can be submitted through the National Information System for the delivery of electronic parcels using the postal network (hereinafter - the E. delivery system) , other electronic communications means, by mail, by contacting the Communications Regulatory Service directly, as well as through the contact center specified in the Services Act of the Republic of

Lithuania .

3. The Communications Regulatory Authority determines in the rules of postal service provision what information and/or documents a person must submit together with the notification. The Communications Regulatory Authority may require the submission of only such information and documents as are necessary to identify and enter a person in the list of postal service providers (name and surname or title, code, address, other contact information, a brief description of the postal service that the person intends to provide , description, date of start of postal service provision and other information).

4. The Communications Regulatory Authority shall enter the person in the list of postal service providers no later than within 3 working days from the date of receipt of the appropriate notification and notify the person who submitted the notification. The notification is considered appropriate if all the information and/or documents required to be submitted according to the postal service provision rules referred to in paragraph 3 of this article have been submitted, or the person has clarified and/or supplemented the notification and/or submitted together with it within the deadline set in paragraph 5 of this article. information and/or documents.

5. The Communications Regulatory Authority, upon receiving a notification and determining that not all of the information and/or documents required by the postal service provision rules specified in Part 3 of this article have been submitted, informs the person about this no later than within 5 working days from the date of receipt of the notification and sets a deadline of no less than 5 working days for eliminating deficiencies identified by the Communications Regulatory Authority. In such a case, the term specified in paragraph 4 of this article shall be counted from the date of receipt of the revised and/or supplemented notification, information and/or documents at the Communications Regulatory Office.

6. If the person does not eliminate the deficiencies within the deadline set in paragraph 5 of this article or provides false data, the Communications Regulatory Authority shall not register the person in the list of postal service providers and shall inform the person about this within 3 working days at the latest and indicate the reasons for not being entered in the list of postal service providers.

7. A postal service provider is removed from the list of postal service providers if:

1) the postal service provider notified the termination of activity and/or provision of the postal service;

2) The Communications Regulatory Authority has determined that the postal service provider has ceased operations and/or the provision of postal services;

3) the postal service provider dies or expires;

4) there is a valid court order to liquidate the postal service provider, when it is a legal

person or other organization, due to the bankruptcy of the postal service provider;

5) The Communications Regulatory Authority has determined that the postal service provider provided false information and/or documents in the notification and/or together with it;

6) the postal service provider did not submit reports on the postal service provided to the Communications Regulatory Authority for one year or submitted reports in which they indicated that they did not perform activities of providing postal services;

7) the economic sanction referred to in paragraph 3 of Article 25 of this law has been imposed on the postal service provider.

8. The Communications Regulatory Authority, before removing the postal service provider from the list of postal service providers in accordance with clauses 5 and 6 of paragraph 7 of this article, warns the postal service provider about its possible deletion from the list of postal service providers and provides an opportunity within a period determined by the Communications Regulatory Authority of no less than 20 working days to provide the necessary corrected data or reports of the provided postal service.

9. The Communications Regulatory Authority shall notify the postal service provider of removal from the list of postal service providers no later than within 3 working days and indicate the basis for its removal from the list of postal service providers.

10. A postal service provider that has terminated its activity and/or provision of postal service must notify the Communications Regulatory Authority of this within 10 working days from the date of termination of its activity and/or provision of postal service in the manner specified in paragraph 2 of this article.

11. For public information purposes, the list of postal service providers is publicly published on the website of the Communications Regulatory Authority.

12. Persons who provide postal service and have not reported it to the Communications Regulatory Authority shall be liable in accordance with the procedure and conditions set forth in Chapter VI of this law.

#### **Article 6. Parcel distribution locations**

1. In order to establish a parcel distribution center in the Republic of Lithuania, the designated operator of another country must apply to the Ministry of Transport for permission to obtain a special code (s) granted by the Universal Postal Union for the establishment and operation of a parcel distribution center. The Minister of Transport makes a decision on the establishment and operation of a parcel distribution center in the Republic of Lithuania no later than within 20 working days from the date of receipt of the request, taking into account the requirements established by the Universal Postal Union and following the principle of reciprocity, that is, taking

into account whether the state in which the designated operator who submitted the request is established enables the designated operator of the Republic of Lithuania to establish a parcel distribution place in its territory and carry out activities in it. If the state in which the designated operator who submitted the application is established does not provide the opportunity for the operator designated by the Republic of Lithuania to establish a parcel distribution site on its territory and carry out activities there, the permit for the establishment and operation of a parcel distribution site is also not issued to the operator designated by this state. The Minister of Transport, having made a decision to allow an operator appointed by another state to establish a parcel distribution center in the Republic of Lithuania and to carry out activities there, shall inform the Universal Postal Union about this within 20 working days from the date of the decision.

2. The operator appointed by another state, having established a parcel distribution point in the Republic of Lithuania and performing activities there, must comply with the following requirements:

1) to mark the parcels distributed at the parcel distribution point in accordance with the requirements established by the Universal Postal Union;

2) comply with the requirements established by the Universal Postal Convention of the Universal Postal Union;

3) parcels cannot be distributed at the distribution point collected from users in the Republic of Lithuania or from the distribution point of parcels provided for delivery to users in the Republic of Lithuania;

4) to provide the Communications Regulatory Authority with information about postal distribution activities carried out at the parcel distribution site in accordance with the procedure and conditions established by the Communications Regulatory Authority.

3. If the operator designated by another state, having established a parcel distribution point in the Republic of Lithuania and carrying out activities there, does not comply with the requirements set out in this article, the Minister of Transport has the right to cancel the decision to allow the operator designated by the relevant state to establish a parcel distribution point in the Republic of Lithuania and carry out activities there within 20 working days must notify the Universal Postal Union within days of the decision being made. After revoking the decision to allow the establishment of a parcel distribution center in the Republic of Lithuania and to carry out activities there, the operator appointed by another state, as a result of which this decision was taken, does not have the right to carry out relevant activities in the Republic of Lithuania.

#### **Article 7. Use of the mail network**

In order to ensure the interests of users and promote effective competition, the postal

service provider managing the postal network must actively cooperate with another postal service provider when it applies to enter into a contract for this postal network, including the postal code system, address database, subscription use of mailboxes, postal machines, information on change of address, forwarding and return to sender services. The contract for the use of the postal network must be concluded in accordance with non-discriminatory, proportionate and transparent conditions. For using the postal network of another postal service provider, the postal service provider pays the fee agreed upon by the parties to the contract on the use of the postal network. If disputes arise between postal service providers regarding the conclusion of a contract for the use of the postal network and/or its execution, the postal service provider has the right to apply to the Communications Regulatory Office with a request to examine the dispute in accordance with the procedure established in Article 8 of this law.

#### **Article 8. Settlement of disputes between postal service providers**

1. In the event of a dispute between postal service providers regarding the public relations regulated by this law, the postal service provider has the right to apply to the Communications Regulatory Office to resolve the dispute in advance out of court. The postal service provider also has the right to apply directly to the court.

2. The provisions of the Law on Electronic Communications *relating* to the examination of disputes between business entities providing electronic communications networks and/or services, as well as the rules for handling disputes between postal service providers approved by the Council of the Communications Regulatory Authority, shall apply *mutatis mutandis* to the examination of disputes between postal service providers. The rules for handling disputes of postal service providers determine the form, content and submission of requests for dispute resolution, requirements for collection and submission of evidence, as well as the parties' conciliation procedure, dispute handling procedure and other rules for handling disputes.

### **CHAPTER IV PROVISION OF POSTAL SERVICE**

#### **Article 9. Rights and obligations of postal service providers and users**

1. The postal service provider must:

1) approve the description of the postal service provision procedure, which must specify the postal service provision procedure and conditions, the postal service rates provided, the duration of delivery of postal parcels, the expected responsibility of the postal service provider, the procedure for handling complaints and compensation for damages, as well as other information

related to providing and using the postal service ;

2) publicly publish information on the locations of postal service provision, the information referred to in Article 6.719, Part 1 of the Civil Code of the Republic of Lithuania, the procedure and conditions for handling complaints and compensation of damages, as well as the description of the postal service provision procedure approved by the postal service provider, on its website or in another way information affecting the user's decision to use the postal service; the information specified in this point must be complete, clear, relevant and presented in a form understandable to users;

3) deliver registered, assessed postal parcels by signature or in another way that ensures the delivery of postal parcels and receipt of data confirming this, to the recipient specified by the sender or another person instructed by the recipient to collect the postal parcel, and other postal parcels to be placed in mailboxes or delivered in another way ; if it is impossible to perform the actions specified in this point, the postal service provider must notify the recipient thereof;

4) postal items addressed to a person to his place of work or education, dormitory, place of military service, hospital, sanatorium, camp or place of imprisonment, to be delivered to their administration or to persons authorized by it;

5) to store a postal item that cannot be delivered to the recipient or returned to the sender, when the sender (recipient) refuses to pick it up or when the recipient (sender) does not live at the specified address, for one month, except in cases where international legal acts determine a different storage term for such postal items. If the sender (recipient) does not collect the postal item within the period of storage of postal items set in this point, even though a written notification has been sent to him, the postal service provider must notify the State Tax Inspectorate under the Ministry of Finance of the Republic of Lithuania about such property (except for cases where it is unrealizable), to add to the notification a mark of the postal service provider that the sender (recipient) is invited to pick up the postal item did not arrive or refused the postal item, and to transfer such property to the ownership of the state. If the items in such postal items are unsaleable, the postal service provider recognizes them as waste and removes (destroys, disposes of) them in accordance with the Waste Management Law of the Republic of Lithuania. The items contained in postal items are recognized as non-realizable in accordance with the rules of the transfer, accounting, storage, realization, return and recognition of waste of ownerless, confiscated, state-inherited, property transferred to the state, material evidence, treasures and finds approved by the Government;

6) respond to the user's complaint related to the provision of the postal service within 10 working days from the date of receipt of the complaint;

7) indicate on the postal item, add to the postal item or otherwise provide information from

which the postal service provider can be determined, the date of receipt of the postal item and the date of its delivery to the recipient;

8) to provide the Communications Regulatory Authority with reports on its postal service provision activities, including information on the managed postal network and applied environmental sustainability practices, in accordance with the procedure and conditions established by it;

9) to return to the sender undelivered postal items or undelivered to the recipient when terminating the activities of providing the postal service;

10) make it possible for users to contact him by address, permanent residence or other publicly announced address address.

2. A postal service provider that delivers postal parcels by signature or in another way, which ensures the delivery of postal parcels and the receipt of data confirming this , must comply with the following requirements:

1) if it is not possible to deliver the postal item by signature or in another way that ensures the delivery of the postal item and the receipt of data confirming this, the postal service provider must inform the recipient about the postal item - leave a message in the recipient's inbox or through the E. delivery system, if the recipient's electronic the delivery box is active, or by other means of electronic communication ensuring the receipt of such notification;

2) to store documents or other information confirming the delivery of the postal item by signature or in another way, which ensures the delivery of the postal item and the receipt of data confirming this , for 6 months from the date of delivery of the postal item; when there is a dispute between the postal service provider and the user regarding the delivery of the postal parcel, the postal service provider must keep these documents or other information until the day the dispute is resolved;

3) to return the mail item to the sender, if it was not possible to deliver it after performing the steps specified in point 1 of this part. The postal service provider has the right to agree with the sender on actions other than those specified in this point regarding such mail.

3. Postal parcels are transported by vehicles of postal service providers or carriers with whom transport contracts have been concluded. Mere carriage of postal items is not considered a postal service.

4. The sender is responsible for the contents of the postal package, as well as the proper packaging and addressing of the postal package.

5. If the postal service provider determines that the received mail contains items (goods) that are forbidden to be sent, it returns them to the sender or these items (goods) are confiscated in the cases and procedures established by law. If a postal parcel together with items (goods)

prohibited to be sent is confiscated in cases and according to the procedure established by law, the postal service provider shall notify the sender thereof and specify the confiscated items (goods).

6. Inbox boxes are installed by recipients. Incoming letter boxes must be installed in an easily accessible place: in each stairwell of an apartment building no higher than the second floor, enabling postal service providers to access them without hindrance, or at the entrance of each stairwell; in companies, institutions, organizations - at the main entrances. The owners of houses located in individual or gardener's associations install mailboxes at the entrance to their plots or on the walls, fences, and posts of houses adjacent to the street. The mailboxes must be locked, clearly and clearly numbered, the name of the company, institution or organization must be legibly written on the mailboxes of companies, institutions or organizations. Only one address and /or the name of one company, institution or organization can be indicated on the inbox .

7. If the recipient does not install an inbox or if it does not meet the requirements set forth in paragraph 6 of this article and as a result it is impossible to deliver the postal item, the postal service provider through the E. delivery system, if the recipient's electronic delivery box is active, or by other methods that ensure the receipt of such a message, including other means of electronic communication, informs the recipient about the received postal item and indicates where and when the recipient can come to collect it. If it is not possible to inform the recipient, the postal service provider informs the sender about this through the E. delivery system, if his electronic delivery box is active, or by other methods that ensure the receipt of such a notification, including other means of electronic communication.

8. The types, maximum and minimum dimensions of postal items sent through the postal network of the universal postal service provider must comply with the requirements established by the Universal Postal Union in the Universal Postal Convention, the Postal Correspondence Regulation and the Postal Parcel Regulation.

9. Advertising by mail can only be provided with the consent of the advertising user or at his request. Compliance with this provision is monitored and persons who violate this provision are liable in accordance with the procedure established by the Law on Advertising.

the procedure and conditions for the implementation of the rights and duties of postal service providers and users established in this law in the rules of postal service provision .

11. The postal service provider must submit to the Communications Regulatory Authority at its request and within a period of not less than 5 working days a description of the procedure for the provision of its proposed postal service and/or other documents establishing the standard, i.e. the same for all users of the same category, offered postal service provision conditions (hereinafter together - postal service provision documents). The Communications Regulatory Authority assesses the compliance of the postal service provision conditions established in them with the

requirements of this law and its implementing legal acts no later than within 20 working days from the date of receipt of the postal service provision documents. According to its competence, the Communications Regulatory Authority has the right to demand that the postal service provider change the postal service provision conditions established in the postal service provision documents. The postal service provider must change the postal service provision documents within the deadline set by the Communications Regulatory Authority, no less than 20 working days from the date of receipt of the request by the Communications Regulatory Authority, so that the postal service provision conditions established therein comply with the requirements of this law and its implementing legislation.

#### **Article 10. Mail confidentiality and data protection**

1. Postal service providers must guarantee users the confidentiality of the content of postal items, unless otherwise stipulated in this or other laws.

2. An employee of the postal service provider, having reasonable suspicions that the postal package may contain items (goods) prohibited from being sent, upon receiving the postal package, has the right to check whether it does not contain items (goods) prohibited from being sent, and, if such items (goods) are found, must not accept mail.

3. Postal service providers are prohibited from providing individuals with information about other persons' use of the postal service or providing conditions for receiving this information, unless otherwise provided for in this or other laws.

#### **Article 11. Liability and compensation of postal service providers**

1. The sender has the right to submit a claim for compensation for lost postal items, missing, missing or damaged items (goods) to the postal service provider within 6 months from the date of dispatch of the postal item. Claims made after the deadline established in this section shall not be considered.

2. The recipient has in writing or in another way specified by the postal service provider to inform the postal service provider, by signature or in another way, that ensures the delivery of the postal item and the receipt of data confirming this, the delivered damaged postal item, the missing or damaged items (goods) sent no later than within 3 working days from the date of delivery of the postal item. Providing this information does not entitle the recipient to claim compensation from the postal service provider.

3. Damage due to lost, damaged postal items shall be compensated in accordance with this law. Damage due to lost, damaged international postal items by the universal postal service provider is compensated in accordance with the provisions of the Universal Postal Convention of

the Universal Postal Union, the Postal Correspondence Regulation and the Postal Parcel Regulation. Indirect losses, lost income and non-material damage are not included in the compensation amount. The sender must prove the extent of the damage suffered by providing the postal service provider with evidence confirming the extent of the damage.

4. If mail parcels disappear or are damaged due to the postal service provider's fault, items (goods) are missing or items (goods) are damaged, the postal service provider shall compensate:

1) for a lost registered mail item, as well as for a part of missing or damaged items (goods) or damaged all items (goods) sent in a registered mail item, an amount equal to double the shipping costs;

2) for a lost estimated postal parcel - an amount equal to the shipping costs and the value of the lost estimated postal parcel, based on documents or other supporting data, but is not greater than the estimated amount;

3) for part of the missing or damaged items (goods) in the assessed postal package with the description of the items (goods) - an amount equal to the shipping costs and the value of the missing or damaged item (goods) specified in the description of the items (goods), based on documents or other supporting data, but is not greater than the amount of the assessment of the entire assessed mail.

5. If the recipient does not pay the ransom postage fee due to the fault of the postal service provider and as a result the postal parcel is not delivered to the recipient, the postal service provider pays the sender the amount of the ransom postage fee specified by him.

6. If the postal service provider returns the registered postal item to the sender due to his own fault, he shall compensate the sender for the shipping costs.

7. The postal service provider, upon receiving a justified claim submitted within the time limit set in paragraph 1 of this article, compensates for the damage:

1) for a postal item sent in the Republic of Lithuania, no later than within 20 working days from the date of submission of the claim;

2) for international mail - no later than within 60 working days from the date of submission of the claim.

8. The postal service provider is not responsible and does not compensate for damage if:

1) lost prohibited items (goods) sent in postal packages;

*force majeure* occurred when sending postal parcels, as a result of which the postal parcel disappeared, if items (goods) are missing from the parcel or they are damaged, it is not possible to determine what happened to the postal parcel, because the documents required for proof were destroyed, and the postal service provider guilt cannot be proven otherwise;

3) the damage occurred due to the fault of the sender, because he violated the requirements

of the postal service provider regarding items (goods) packaging, or due to the special characteristics of the item (goods) being sent;

4) to confiscate the postal parcel, the items (goods) sent in it or their parts in the cases and according to the procedure established by the laws and other legal acts of the sending or receiving country;

5) when delivering by signature or in another way that ensures the delivery of the postal item and the receipt of data confirming this, the registered or assessed postal item, the packaging, sticker with a special seal, adhesive tape, seal or tying string are intact, the weight of the postal item or the parcel is as specified;

6) the recipient accepted the postal item and confirmed that he received it, except for the case specified in paragraph 2 of this article;

7) the postal parcel was not received due to the fault of the person to whom the recipient instructed to collect it;

8) the postal parcel is lost or damaged in a country where compensation for damages is not provided for;

9) sending parcels of secograms, correspondence of prisoners of war and interned civilians.

9. The provisions of this article apply to postal service providers, unless otherwise stipulated in contracts with senders. If the postal service provider's contract with the sender stipulates a worse situation for the sender than provided for in this article, the provisions of this article shall apply.

## **Article 12. Settlement of disputes between users and postal service providers out of court**

1. A user who believes that the postal service provider has violated his rights or legitimate interests must first contact the postal service provider in writing and specify his requirements. In the event of a dispute between the user and the postal service provider, the user has the right to apply to the Communications Regulatory Office for this out-of-court procedure to resolve his dispute with the postal service provider. The user also has the right to apply directly to the court.

2. For the examination of disputes between users, other than users, and postal service providers, as well as procedural decisions of the Communications Regulatory Authority, including decisions to refuse to examine the dispute, to suspend or terminate the examination of the dispute, which prevent further examination of the dispute, for the appeal of the decisions of the Communications Regulatory Authority, adopted after examining the disputes of users and postal service providers, for entry into force and enforcement, for the parties to the dispute to go to court after the adoption of the decision of the Communications Regulatory Authority on the merits of

the dispute, the provisions of the Law on Electronic Communications regarding the handling of disputes between final recipients of services, except for consumers, and providers of electronic communications services shall apply *mutatis mutandis*.

3. Disputes between users and postal service providers are examined in accordance with the procedure established by the Consumer Rights Protection Law.

### **Article 13. Universal postal service**

1. The provision of the following universal postal service must be ensured in the territory of the Republic of Lithuania:

- 1) collection, sorting, transportation and delivery of postal items up to 2 kilograms;
- 2) collection, sorting, transportation and delivery of postal parcels weighing up to 10 kilograms;
- 3) collection, sorting, transportation and delivery of registered and assessed postal items;
- 4) delivery of postal parcels of up to 20 kilograms received from other member states.

2. 1-3 of Part 1 of this Article The universal postal service referred to in points includes domestic and international postal service.

3. If the universal postal service provider sends postal parcels in large quantities or has agreed with the sender on the place of collection of these postal parcels, delivery terms and other conditions, such postal service provided by him is not considered a universal postal service. A large quantity is considered when one sender submits 50 or more postal items to the universal postal service provider at one time.

4. A postal service with added value is not classified as a universal postal service. Postal service is considered to have added value if:

- 1) postal items are delivered and collected at the user's desired time and/or desired location;
- 2) confirmation of the delivery of the postal item is provided, the possibility to change the course of delivery of the postal item is provided;
- 3) it is possible to receive information about the location of the postal item at any time;
- 4) other value-added services are provided.

5. If the provision of the universal postal service was unprofitable and caused an unreasonably high financial burden to the universal postal service provider, the losses incurred by the universal postal service provider in the part of the universal postal service, the quality of which met the requirements of legal acts, shall be compensated with the funds of the state budget in accordance with the rules for compensation of the unprofitable universal postal service approved by the Government. Losses of the universal postal service are calculated according to the procedure established in the rules for calculating losses of the universal postal service approved by the

Council of the Communications Regulatory Authority.

6. In order to make a decision on the compensation of the losses incurred in the provision of the universal postal service, the conclusion of the Communications Regulatory Authority on the reasonableness of the amount of the losses requested for compensation must be obtained. The conclusion shall be submitted by the Communications Regulatory Authority no later than within 60 working days from the date of receipt of all the information required for the conclusion. The Minister of Communications shall make a decision on the compensation of losses incurred in the provision of the universal postal service no later than within 20 working days from the date of receipt of all the information necessary to make the decision. The terms specified in this part may be extended by a reasoned decision of the Communications Regulatory Authority or the Minister of Communications, respectively, but no longer than 20 working days.

#### **Article 14. Obligation of the universal postal service provider**

1. The Government, in accordance with its established procedure, obliges the postal service provider to provide universal postal service throughout the territory of the Republic of Lithuania for 9 years.

2. The government must ensure the continuity of the obligation of the universal postal service provider.

3. The person(s) who may be obliged to provide the universal postal service must meet the following requirements:

- 1) be included in the list of postal service providers;
- 2) manage a postal network that meets the requirements set by the Minister of Communications, or substantiate with objective data that they will manage such a postal network until the obligation to provide universal postal service comes into force;
- 3) for at least one year prior to the submission of the request to be obliged to provide the universal postal service, continuously engaged in the activity of providing the postal service.

4. The Government approves the description of the procedure for the obligation of the universal postal service provider, which determines the procedure for the obligation of the universal postal service provider(s), which must be based on the principles of transparency, non-discrimination and proportionality, guarantee the continuity of the provision of the universal postal service, and ensure social and territorial cohesion.

#### **Article 15. Rights and obligations of the universal postal service provider**

1. The universal postal service provider does not have the right to transfer the provision of the universal postal service to another postal service provider, but this does not limit the right of

the universal postal service provider to use third parties to provide the universal postal service. The provider of the universal postal service is responsible for the universal postal service that meets the requirements of legal acts, submission in accordance with the procedure established by this law.

2. The universal postal service provider must:

1) ensure uninterrupted provision of the universal postal service on the territory of the Republic of Lithuania to all users under the same conditions in accordance with the quality requirements of the universal postal service established by the Minister of Communications, except for the case specified in point 9 of Article 3, Part 2 of this Law;

2) to provide detailed and constantly updated information to users and postal service providers about the universal postal service, the possibility of using it, its prices and quality requirements, or Lithuanian standards and other publications at the postal service locations and on its website;

3) in accordance with the requirements of the postal network of the universal postal service provider established by the Minister of Communications, to install the number of postal service locations that meet the needs of users;

4) comply with the quality requirements of the universal postal service established by the Minister of Communications, organize a quality inspection of the universal postal service every year, publish the results of such inspection on its website and submit it to the Communications Regulatory Authority;

5) to put postage stamps into circulation and withdraw them from circulation in accordance with the rules for the issuance, withdrawal from circulation and accounting of postage stamps approved by the Minister of Communications;

6) to compensate the costs of sending correspondence packages of security documents, prisoners of war and interned persons;

7) publish an annual report on the provided universal postal service on its website, including the number of complaints examined and information on how they were resolved;

8) handle regulation accounting in accordance with the requirements of regulatory accounting and regulatory accounting system established by the Communications Regulatory Authority ; clearly distinguish each universal postal service and each postal or other service not related to the universal postal service in the regulatory accounting system;

9) to approve the methodology for setting tariffs for the universal postal service that meets the requirements established by the Communications Regulatory Authority and to publish it on its website; determine the tariffs of the universal postal service that meet the requirements of this law;

10) carry out an inspection of regulatory accounting reports and submit to the

Communications Regulatory Authority regulatory accounting reports, an inspection report of regulatory accounting reports and/or a conclusion;

11) carry out an inspection of the regulatory accounting system and submit a regulatory accounting system inspection report and/or conclusion to the Communications Regulatory Authority;

12) to apply mandatory Lithuanian standards and other publications, international and European specifications and/or recommendations related to the provision of postal services determined by the Minister of Communications;

13) according to 7 of this law the provisions of the article to enable other postal service providers to use the postal network under transparent, proportionate and non-discriminatory conditions;

14) when determining the final settlement, adhere to the following principles: determine the size of the final settlement taking into account the costs of collection, sorting, transportation and delivery of incoming international postal items, provisions of international agreements; link the final settlement with the quality of the universal postal service; ensure that final settlements are transparent, non-discriminatory and comparable to universal postal service rewards.

3. The universal postal service provider has the right to apply specific tariffs according to concluded contracts with users. The provider of the universal postal service must apply these tariffs and the conditions related to them principles of transparency and non-discrimination. In determining such rates, the costs not incurred must be weighed against the costs of a regular universal postal service. Tariffs must be the same for all users of the same category.

4. The provider of the universal postal service has the exclusive right to put postage stamps into circulation and withdraw them from circulation.

#### **Article 16. Income ceiling**

1. The upper limit of income is determined by the Communications Regulatory Authority, following this law and the methodology for determining the upper limit of income approved by the Council of the Communications Regulatory Authority. The set upper limit of income cannot exceed the sum of the costs incurred by the universal postal service provider for the provision of the universal postal service and the amount of reasonable profit applicable to this service .

2. The revenue ceiling is set for the period of the 3rd financial year of the universal postal service provider (hereinafter referred to as the regulatory period). The regulatory period can be extended once for a period specified in a reasoned decision of the Communications Regulatory Authority, which cannot be longer than the 3 financial years of the universal postal service provider.

3. The upper limit of income is determined no later than within 50 working days from the date of receipt of all information provided by the universal postal service provider, necessary for determining the upper limit of income, at the Communications Regulatory Service. The terms and scope of information submission are determined in the methodology for determining the upper limit of income.

4. During the regulatory period, the Communications Regulatory Authority has the right to adjust the upper limit of income once during the financial year of the universal postal service provider, in accordance with the procedure and conditions established in the methodology for determining the upper limit of income. The revenue cap must be adjusted when there is a material change in one or more of the factors on the basis of which the revenue cap was established, including a change in inflation, taxes and other objective factors beyond the control of the universal postal service provider. The revised revenue ceiling applies from the first day of the next financial year of the universal postal service provider.

5. The amount of reasonable profit applicable to the universal postal service is determined by the Council of the Communications Regulatory Authority, following the methodology for determining the upper limit of income. When determining the amount of reasonable profit, the Communications Regulatory Authority has the right to take into account the annual interest rate of loans granted by the Bank of Lithuania to non-financial corporations, the annual interest rate of Government securities auctions, the risk of the state's creditworthiness, the capital structure of the universal postal service provider and other economic factors directly affecting the determination of the amount of reasonable profit.

6. The Communications Regulatory Authority determines the efficiency indicator applicable to the activities of the universal postal service provider in connection with the provision of the universal postal service during the regulatory period (hereinafter referred to as the operational efficiency indicator). When the provider of the universal postal service, without violating the requirements for the provision of the universal postal service, exceeds the established operational efficiency indicator, for a certain regulatory period, he has the right to receive a higher profit than the amount of reasonable profit determined by the Communications Regulatory Authority, in accordance with the procedure established in the methodology for determining the upper limit of income.

### **Article 17. Universal postal service rates**

1. The tariffs of the universal postal service must be available to all users and reasonable universal postal service costs, calculated according to the income capping methodology, are transparent and non-discriminatory.

2. The affordability of the tariffs of the universal postal service is assessed taking into account the costs of the specific universal postal service and the average of the tariffs of a similar postal service provided in the Member States, recalculated by applying purchasing power parity.

3. The responsibility to prove the conformity of the tariffs of the universal postal service with the requirements established in this law rests with the provider of the universal postal service.

4. Universal postal service tariffs are determined by the universal postal service provider in accordance with its approved methodology for determining universal postal service tariffs, complying with the requirements set forth in this article and not exceeding the income ceiling.

5. The provider of the universal postal service, no later than within 30 working days from the date of setting or adjusting the upper income limit:

- 1) calculates the tariffs of the universal postal service;
- 2) if the weighted average of all calculated tariffs for the universal postal service differs from the weighted average of the corresponding applicable tariffs by less than 10 percent and the nature of the provided universal postal service does not change, submit the calculated tariffs for the universal postal service to the Communications Regulatory Authority, indicate their changes compared to the relevant applicable tariffs, and applies the calculated tariffs under the conditions and terms established in part 9 of this article;

- 3) if all the weighted average of the calculated universal postal service rates differs from the weighted average of the applicable rates by 10 percent or more, or the nature of the universal postal service provided changes, provides the calculated universal postal service rates, their cost justification, an assessment of accessibility and the universal postal service provider's approved determination of universal postal service rates methodology for the Communications Regulatory Authority. In the case specified in this point, the new tariffs of the universal postal service can be applied only if it is established in accordance with the procedure established in this article that they meet the requirements of legal acts and are correctly calculated.

6. The Communications Regulatory Authority shall evaluate the compliance of these universal postal service tariffs with the requirements of legal acts, their calculation, no later than within 20 working days from the date of receiving the rates of the universal postal service specified in point 3 of paragraph 5 of this article and all the information necessary for their assessment at the Communications Regulatory Authority correctness and having established that the tariffs of the universal postal service do not meet the requirements of legal acts and/or are calculated incorrectly, submits written instructions to the provider of the universal postal service regarding the specification of specific tariffs for the universal postal service.

7. In the case referred to in paragraph 6 of this article, the provider of the universal postal service must, no later than within 20 working days from the day of receiving the instructions of

the Communications Regulatory Authority, adjust the specified rates of the universal postal service and submit them to the Communications Regulatory Authority. The Communications Regulatory Authority assesses whether the instructions of the Communications Regulatory Authority regarding the revision of the universal postal service tariffs have been properly implemented no later than within 20 working days from the date of receipt of revised universal postal service tariffs. If the Communications Regulatory Authority determines that the instructions of the Communications Regulatory Authority regarding the revision of the tariffs of the universal postal service have not been properly implemented, it is considered that the tariffs of the universal postal service specified in point 3 of paragraph 5 of this article do not meet the requirements of legal acts and/or are incorrectly calculated and cannot be applied.

8. If the Communications Regulatory Authority does not issue instructions regarding the revision of the tariffs of the universal postal service within the deadline specified in paragraph 6 of this article or does not inform within the deadline specified in paragraph 7 of this article that the instructions regarding the revision of the tariffs of the universal postal service have not been properly implemented, it is considered that paragraph 5 of this article The tariffs of the universal postal service specified in point 3 meet the requirements of legal acts, are correctly calculated and can be applied under the conditions and terms set out in part 9 of this article.

9. The provider of the universal postal service must publish the tariffs of the universal postal service on its website no later than one month before their application. The calculated new tariffs of the universal postal service can be applied no earlier than the first day of the next financial year of the universal postal service provider.

#### **Article 18. Regulatory accounting system, regulatory accounting reports and regulatory accounting system verification**

1. The universal postal service provider must, in accordance with the requirements of regulatory accounting and regulatory accounting system established by the Communications Regulatory Authority, prepare the regulatory accounting system and its description, submit this description to the Communications Regulatory Authority and publish it on its website.

2. The universal postal service provider must within 4 months from the end of each financial year:

1) prepare regulatory accounting reports in accordance with the regulatory accounting, regulatory accounting system requirements established by the Communications Regulatory Authority; the information provided in the regulatory accounting reports must enable the Communications Regulatory Authority to assess whether the regulatory accounting system used by the universal postal service provider in the financial year meets the requirements of legal acts ;

2) ensure that compliance of regulatory accounting reports with the requirements of regulatory accounting, regulatory accounting system established by the Communications Regulatory Authority is checked in accordance with the technical task approved by the Council of the Communications Regulatory Authority;

3) submit regulatory accounting reports and regulatory accounting reports verification report and/or conclusion to the Communications Regulatory Authority.

3. If there are reasonable suspicions that the regulatory accounting and/or regulatory accounting system maintained by the universal postal service provider does not meet the regulatory accounting, regulatory accounting system requirements set by the Communications Regulatory Authority, the Communications Regulatory Authority has the right to oblige the universal postal service provider with a reasoned decision no later than 12 months from the date of adoption of the decision of the Communications Regulatory Authority, to ensure that the compliance of the regulatory accounting system with the requirements of regulatory accounting and regulatory accounting system determined by the Communications Regulatory Authority is checked in accordance with the technical task approved by the Communications Regulatory Authority, and to submit the inspection report and/or conclusion to the Communications Regulatory Authority.

4. Regulatory accounting reports, regulatory accounting reports verification report and/or conclusion, regulatory accounting system verification report and/or conclusion are public, except for the confidential information contained in them, and must be published on the website of the universal postal service provider.

5. The Council of the Communications Regulatory Authority must approve the technical task for the verification of regulatory accounting reports or has the right to change it no later than within 4 months from the beginning of the financial year of the universal postal service provider for which it will be applied to the verification of regulatory accounting reports. The Council of the Communications Regulatory Authority must approve the technical task of checking the regulatory accounting system no later than the date of adoption of the decision of the Communications Regulatory Authority referred to in paragraph 3 of this article.

6. The technical tasks of regulatory accounting report verification and regulatory accounting system verification must specify specific international standards for assurance engagements, international review engagements, international standards for related services and related practical instructions for the performance of relevant audits or international standards prepared and approved by the International Auditing and Assurance Standards Board of the International Federation of Accountants. auditing standards. The Communications Regulatory Service consults with the self-governing institution of auditors when preparing technical tasks for the verification of regulatory accounting reports and the verification of the regulatory accounting

system.

7. Inspection of regulatory accounting reports and inspection of the regulatory accounting system can be performed only by an auditor or an audit company, which has the right to audit financial statements in accordance with the procedure established by the Law on Auditing Financial Statements. The audit of regulatory accounting reports and the audit of the regulatory accounting system cannot be performed by an auditor or audit company that has prepared regulatory accounting reports and/or the regulatory accounting system for the universal postal service provider.

8. In order to perform the functions set out in Article 4 of this Law, the Communications Regulatory Authority has the right to receive explanations from the auditor or audit company that performed the inspection of the regulatory accounting reports and/or the inspection of the regulatory accounting system, related to the inspection of the regulatory accounting reports and/or the inspection of the regulatory accounting system. system verification, supporting data and documents.

**Article 19. Delivery of periodicals to subscribers in rural residential areas and cities falling within sparsely and moderately densely populated residential areas**

1. The service of delivery of periodicals to subscribers in rural residential areas and cities that are located in sparsely and moderately densely populated residential areas is not classified as a universal postal service.

2. Postal service provider(s), obliged by the Government to provide universal postal service, must deliver periodicals to subscribers in rural residential areas and cities that fall within sparsely and moderately densely populated residential areas.

3. When providing the service of delivery of periodical publications to subscribers in rural residential areas and cities that are located in sparsely and moderately densely populated residential areas, the regulatory accounting system and its verification, regulatory accounting reports and their verification shall be subject to the requirements established in Article 18 of this law.

4. The government asserts the unprofitable delivery of periodicals in rural residential areas and cities that fall into sparsely and moderately densely populated residential areas areas, the rules for compensation of the service for subscribers, as well as the criteria for setting rates for the service for subscribers for the delivery of periodicals in rural residential areas and cities that fall into sparsely and moderately densely populated residential areas, and approves the highest rates for this service every 3 years. For the period of validity of these tariffs, the Government or its authorized institution approves the list of cities that fall into sparsely and moderately densely

populated residential areas. The universal postal service provider(s) must base the service rates of periodicals for subscribers in rural residential areas and cities falling within sparsely and moderately densely populated residential areas on a cost basis. If, in accordance with pre-approved criteria, the Government sets service rates for subscribers of the delivery of periodicals in rural residential areas and cities that fall into sparsely and moderately densely populated residential areas lower than the costs of this service, the difference between such costs and rates shall be covered in accordance with the procedure established by the Government from the state budget funds. The difference between the service revenue and costs of the delivery of periodicals to subscribers in rural residential areas and cities falling within sparsely and moderately densely populated residential areas for the delivery of periodicals to subscribers of universal mail in rural residential areas and cities falling within sparsely and moderately densely populated residential areas the service provider(s) are reimbursed every 6 months.

5. The universal postal service provider(s) must conduct an independent audit and audit conclusion of the income and costs of the service to subscribers in rural residential areas and cities that fall into sparsely and moderately densely populated residential areas for the first half of the current financial year and the audit conclusion of the current financial of the first half of the year for the delivery of periodicals in rural residential areas and cities that fall into sparsely and moderately densely populated residential areas, for subscribers to submit a service income and expense report to the Communications Regulatory Authority.

6. In order to make a decision regarding the compensation of the difference in income and costs incurred in the provision of periodical delivery services to subscribers in rural residential areas and cities that are located in sparsely and moderately densely populated residential areas, the conclusion of the Communications Regulatory Authority must be obtained regarding the reasonableness of the difference requested for compensation. The Communications Regulatory Authority shall submit a conclusion on the reasonableness of the requested compensation for the difference between the service income and costs for the delivery of periodicals for the first half of the current financial year to subscribers in rural residential areas and cities that are located in sparsely and moderately densely populated residential areas, no later than within 20 working days, and for of the previous financial year - no later than within 40 working days from the date of receipt of all the information necessary to present the relevant conclusion. The decision on the compensation of the difference between the income and costs of the delivery of periodical publications to rural residential areas and cities that are located in sparsely and moderately densely populated residential areas shall be taken by the Minister of Communications no later than within 10 working days from the date of receipt of all the information necessary for making the decision. The terms specified in this part may be extended by a reasoned decision of the Communications

Regulatory Authority or the Minister of Communications, respectively, but no longer than 10 working days.

## **CHAPTER V**

### **RECEIVING INFORMATION AND THIS LAW**

#### **COMPLIANCE SUPERVISION**

#### **Article 20. Obtaining information**

1. The Communications Regulatory Authority has the right to receive from state and municipal institutions and bodies, postal service providers and users, as well as other persons, all information related to the implementation of tasks and the performance of functions required by it, as well as by the European Commission, including financial information, regardless of its confidentiality. The Communications Regulatory Authority also has the right to apply to the institutions of the European Union, requesting to provide it with the necessary information related to the performance of its functions.

2. Postal service providers, users, as well as other persons must submit the information referred to in paragraph 1 of this article at the request of the Communications Regulatory Authority within the time limits set by it that meet the criteria of reasonableness, according to the level of detail of the requested information and the requested form.

3. The Communications Regulatory Authority must ensure the confidentiality of confidential information in accordance with the procedure and conditions established by legal acts.

4. Data on the shares of the postal market occupied by individual postal service providers, aggregated quantities of correspondence items and postal parcels, income received from the provision of a specific postal service, costs incurred from the provision of the universal postal service, and accounting information on the income of these services cannot be considered confidential information, as well as well as other information related to the fulfillment of the obligation to provide the universal postal service.

5. The Communications Regulatory Authority, when requiring the submission of the information referred to in paragraph 1 of this article, must specify the purpose for which this information will be used.

#### **Article 21. Monitoring compliance with the law**

1. The Communications Regulatory Authority carries out Regulation ( [EU](#) 2018/644 ), of this law supervision of compliance with the provisions in accordance with the provisions of the Law on Public Administration, related to the legal regulation of the supervision of the activities of

economic entities.

2. Authorized officers of the Communications Regulatory Authority, in the implementation of Regulation [\(EU\) 2018/644](#), of this law **supervision** of compliance with the provisions, submits an official certificate and a document issued by the Communications Regulatory Authority, confirming their powers and performed functions. Authorized officers of the Communications Regulatory Authority have the right to:

1) in accordance with the conditions and procedures established by this, other laws and other legal acts, to receive the information they need from state and municipal institutions and bodies, postal service providers and users;

2) to receive oral and written explanations from persons related to the activities of the postal service providers being inspected, to require them to come to the office of the authorized officer conducting the investigation to give explanations;

3) to receive data and documents (or their copies) about the economic operations of the inspected postal service provider from other persons, regardless of their subordination, as well as from state and municipal institutions and bodies;

4) in order to determine whether the postal service providers do not violate the requirements set out in this law, the rules for the provision of the postal service, to check the activities of the postal service providers related to the provision of the postal service, as well as to check in detail the regulatory accounting and the regulatory accounting system (s) of the universal postal service provider, to receive the necessary information and documents (their copies or transcripts) about the universal postal service provider's assets and income, economic, financial and other operations from state and municipal institutions, as well as from the Bank of Lithuania, commercial banks and other credit and financial institutions, auditors, other legal and natural persons, regardless of their confidentiality;

5) to temporarily (up to 20 working days) take documents and/or things that are necessary or have evidentiary value in the investigation of the violation, and, leaving a reasoned decision on the taking of documents and/or things and a description of the taken documents and/or things, demand to make copies or transcripts of specified documents from persons;

6) to use specialists and experts for the investigation;

7) perform other actions specified in this and other laws.

3. The authorized officers of the Communications Regulatory Authority, when exercising the rights granted to them, draw up documents (acts, protocols, requirements and other documents). Their forms and the description of the filing procedure are approved by the Council of the Communications Regulatory Service.

4. The legal requirements of the authorized officers of the Communications Regulatory

Authority, who exercise the rights specified in this article, are binding on the persons to whom they are given. Individuals are responsible for non-fulfilment of the legal requirements of authorized officials of the Communications Regulatory Authority in accordance with the law.

## **CHAPTER VI ECONOMIC SANCTIONS**

### **Article 22. Actions of the Communications Regulatory Authority upon detection of a violation**

1. The Communications Regulatory Authority, having determined that the postal service provider did not comply or does not comply with Regulation [\(EU\) 2018/644](#), of this law, the rules for the provision of postal services approved by the Council of the Communications Regulatory Authority or the requirements of other legal acts implementing this law, shall notify the postal service provider in writing of the detected violations and give him the opportunity to express his opinion within a period of no less than 10 working days from the date of receipt of the notification.

2. The Communications Regulatory Authority has the right to demand that the violation referred to in paragraph 1 of this article be terminated immediately or within a period of no longer than one month determined by the Communications Regulatory Authority. The Communications Regulatory Authority has the right to impose effective, proportionate and dissuasive economic sanctions or a warning even if the violation has been terminated.

### **Article 23. Breach investigation process**

service provider is notified of the violation investigation , the right to access the violation investigation process material is exercised, the violation is investigated, a decision on the imposition of an economic sanction or warning is made, the decision to impose an economic sanction or warning is appealed *mutatis mutandis* by applying Article 85 2 of the Law on Electronic Communications and the provisions of paragraphs 3, 86, 88, 89, 92, 93 and 94.

### **Article 24. Deadlines for examining the violation and imposing an economic sanction or warning**

1. A violation committed by a postal service provider must be investigated no later than within 2 months from the date of initiation of the violation investigation process.

2. An economic sanction or warning must be imposed within 2 years at the latest from the date of the violation, and in the case of a continuous violation - within 2 years from the date of its discovery.

**Article 25. Economic sanctions and warning**

1. A postal service provider that did not comply or does not comply with Regulation [\(EU\) 2018/644](#), this law, the rules for the provision of postal services approved by the Council of the Communications Regulatory Authority or other requirements of the implementing legislation of this law shall be appointed by the Communications Regulatory Authority, except in paragraph 4 of this article in the specified case, a fine of up to 3 percent of the gross annual income from the activity of providing postal services, and if it is difficult or impossible to calculate the extent of such activity, up to 100,000 euros.

2. The Communications Regulatory Authority imposes a fine of up to 5 percent of the gross annual revenue from the activity of providing postal services to a postal service provider who has committed the same violation provided for in paragraph 1 of this article within a year from the date of the imposition of an economic sanction, except for the case specified in paragraph 4 of this article, and if it is difficult or impossible to calculate the extent of such activity, up to 150,000 euros.

3. For a gross or systematic violation provided for in paragraph 1 of this article, the Communications Regulatory Authority also has the right to prohibit the provision of postal services for up to one year. A gross violation is a violation provided for in paragraph 1 of this article, due to which other postal service providers suffered significant financial losses or restrictions on the provision of postal services. The same violation provided for in paragraph 1 of this article, committed three or more times in one year, is considered a systematic violation.

4. If during the examination of the violation, the Communications Regulatory Authority determines that the violation provided for in paragraph 1 of this article committed by the postal service provider is of minor importance, that is, the postal service provider did not cause substantial damage to the interests of users or other postal service providers, terminated the violation, removed the consequences of the violation, and the rights compliance with the requirements of the acts, taking into account the factual circumstances of the violation and following the principles of justice and reasonableness, can be ensured not by imposing an economic sanction, but in other ways and/or means, the Communications Regulatory Authority issues a warning to the postal service provider.

**Article 26. Determining the amount of economic sanctions**

1. When imposing economic sanctions on postal service providers, the following shall be taken into account:

- 1) guilt;
- 2) the nature of the violation and its duration;

3) the amount of damage caused to postal service providers, users and/or other persons by the violation;

4) mitigating or aggravating circumstances of the postal service provider's responsibility;

5) the amount of revenue that accrued to the postal service provider as a result of the violation;

6) the influence of each postal service provider on committing a violation, when the violation is committed by several postal service providers.

2. The specific amount of the economic sanction is determined according to the amounts of the economic sanction established in paragraphs 1 and 2 of Article 25 of this law, after considering the circumstances specified in paragraph 1 of this article. When the applied sanction is a fine, the specific amount of the imposed fine is determined by first calculating the base amount of the fine, which is equal to 50 percent of the maximum amount of the fine that can be imposed for the violation specified in Article 25 of this law. If only extenuating circumstances are found, the base fine is reduced, and if only aggravating circumstances are found, the base fine is increased. If both mitigating and aggravating circumstances are found, the amount of the economic sanction is determined taking into account their quantity and significance.

3. The gross annual income specified in paragraphs 1 and 2 of Article 25 of this Law shall be determined based on the gross annual income of the postal service provider, which is subject to an economic sanction, obtained during the previous reporting year from the activity of providing the postal service. If it is not possible to calculate the total annual income received in the previous reporting year (the postal service provider did not provide postal service in the previous reporting year, etc.), the income received from the activity of providing the postal service in the current year is calculated. When calculating the income received from the activities of providing postal services in the current year, all the incomes received from the activities of providing postal services in the current year of the postal service provider, which is subject to an economic sanction, until the day of the decision on the economic sanction to this postal service provider, are calculated.

4. When determining the amount of damage caused by a violation to postal service providers, users and/or other persons, the consequences caused by the violation (when it is possible to determine), loss or damage to property, incurred expenses (direct losses), as well as lost income that could have been taken into account would have been received if there had been no infringement, and the costs intended to prevent or reduce the damage.

5. When assessing the amount of income received by the postal service provider as a result of the violation, the monetary benefit received by the postal service provider as a result of the violation is calculated.

6. When assessing the influence of each postal service provider on committing an

infringement, when the infringement is committed by several postal service providers, it is taken into account whether the postal service provider was the initiator of the infringement, whether it played an active or passive role in committing the infringement, as well as the market share occupied by the postal service provider .

7. The mitigating circumstances are the fact that the postal service providers, having committed a violation, voluntarily prevented the damage from occurring, took steps to reduce the damage, helped the Communications Regulatory Authority during the investigation of the violation, compensated for the losses or eliminated the damage caused. The Communications Regulatory Authority, when determining the amount of the imposed economic sanction, may recognize other circumstances not specified in this part as extenuating circumstances.

8. The fact that the postal service providers obstructed the investigation, concealed the committed violation, continued the violation despite the obligation of the Communications Regulatory Authority to eliminate the violation is considered aggravating circumstances.

#### **Article 27. Publication of information on the ban on the provision of postal services**

Information on banning a postal service provider from providing postal service is published on the website of the Communications Regulatory Authority no later than the next working day after the decision to ban a postal service provider from providing postal service was made. This information is removed no later than the next business day after the day on which such prohibition ceases to be effective.

#### **Article 28. Enforcement of economic sanctions**

1. The postal service provider must fulfill the economic sanction imposed by the Communications Regulatory Authority - pay the fine to the state budget no later than within 20 working days from the date of receipt of the decision or stop providing the postal service the next day from the date of receipt of the decision.

2. When there is a motivated request of the postal service provider, the Communications Regulatory Authority, taking into account the economic situation of the postal service provider and other significant circumstances, has the right to postpone the payment of the fine or part of it for up to 6 months.

3. The decision of the Communications Regulatory Authority on the imposition of an economic sanction is an executive document. If this decision is not implemented within the set deadline, it is submitted to the bailiffs for execution in accordance with the procedure established by the Code of Civil Procedure of the Republic of Lithuania. The decision must be submitted for execution no later than within 9 months from the end of the term established in paragraph 1 or 2

of this article .

Republic of Lithuania  
postal law  
attachment

## **THE LEGISLATION OF THE EUROPEAN UNION IS IMPLEMENTED**

1. 1997 December 15 Directive [97/67/EC of the European Parliament and of the Council](#) on general rules for the development of the internal market for Community postal services and improving the quality of services, with the last amendments made in 2008. February 20 European Parliament and Council Directive [2008/6/EC](#).

2. 2018 April 18 Regulation [\(EU\) 2018/644 of the European Parliament and of the Council](#) on international parcel delivery services.

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### **Article 2. Entry into force, implementation and application of the law**

1. This law, with the exception of paragraph 2 of this article, enters into force in 2025.  
January 1

2. The Government of the Republic of Lithuania, the Minister of Communications and the Council of the Communications Regulatory Authority of the Republic of Lithuania shall adopt the implementing legislation of this Law by December 31, 2024.

3. Claims for compensation for lost mail, missing, missing or damaged items (goods) filed before the date of entry into force of this law shall be resolved and the damages shall be compensated in accordance with the legal norms in force before the date of entry into force of this law.

4. Disputes between users of the postal service and postal service providers, accepted for consideration before the date of entry into force of this law, are completed for consideration according to the legal norms in force before the date of entry into force of this law.

5. The deadline for the obligation of the universal postal service provider and the requirements for the person(s) who may be obliged to provide the universal postal service, as set out in paragraphs 1 and 3 of Article 14 of the Postal Law of the Republic of Lithuania set out in Article 1 of this law, are apply after the expiry of the obligation to provide the universal postal service established before the date of entry into force of this law and upon establishing a new obligation(s) to provide the universal postal service.

6. Clauses 8, 10, 11, and Article 18 of Article 15, Part 2, and Article 18 of the Postal Law

set forth in Article 1 of this Law apply to the provision of universal postal service and delivery of periodicals to subscribers of rural residential areas and cities that are located in sparsely and moderately densely populated residential areas. In 2026 and subsequent financial years of the universal postal service provider. Articles 16 and 17 of the Postal Law apply to the determination of the income ceiling of the universal postal service provider and the universal postal service tariffs applicable in 2026 and subsequent financial years of the universal postal service provider.

7. Universal postal service tariffs applicable in 2025 are determined, accounting of the universal postal service provider is managed, related supervision is carried out, universal postal service and delivery of periodicals in rural residential areas and cities that fall into sparsely and moderately densely populated residential areas are managed in 2025, an independent audit of service cost accounting is performed for subscribers, the conclusions of this audit are provided, the provision of the universal postal service losses incurred in 2025 and the difference between the revenue and cost of periodicals for the delivery of periodicals to rural residential areas and cities that fall within sparsely and moderately densely populated residential areas, to subscribers of the service populated residential areas, subscribers are compensated to the universal postal service provider in 2025 in accordance with the rights norms valid before the date of entry into force of this law.

8. Procedures for examining violations and awarding economic sanctions, which were started before the date of entry into force of this law, shall be completed in accordance with the legal norms that were in force before the date of entry into force of this law.

*I announce this law adopted by the Seimas of the Republic of Lithuania.*

Republic President

Gitanas Nausėda