



# **Transposition of Directive 2008/6/EC**

**Dr. Robert Pochmarski, LL.M. (EUI)**

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# **Transposition Plan Assistance Activities**

# Transposition Plan – The Postal Directive

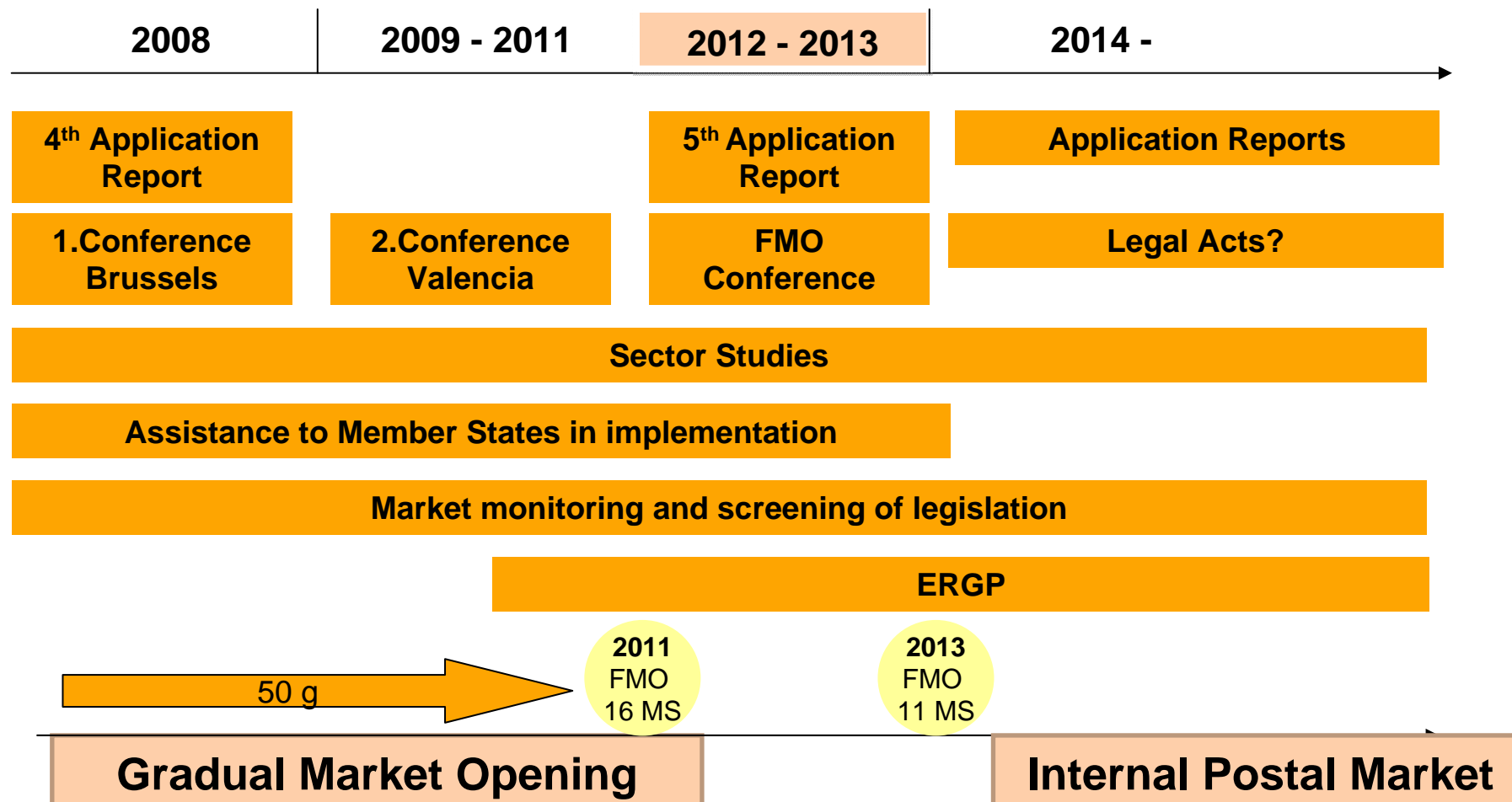
## Article 23a:

*The Commission **shall provide assistance to the Member States on the implementation of this Directive**, including on the calculation of any net cost of the universal service.*

## Reminder on transposition risks...

- a particular challenge given the specific length of the transposition period and the interest(s) of the actors involved;
- a litmus test for both Member States and the Commission as to whether they take postal reform seriously and take all necessary steps to ensure real market opening (Art 23a);
- legislative transposition in itself is unlikely to be sufficient to reap the substantive economic gains from market opening in a core network industry;
- risk that the transposition period will not be used to assure full liberalisation but rather to erect/maintain market entry barriers.

## ...activities undertaken...



## ...and some preliminary conclusions

- Transposition Plan and continuous cooperation during transposition - roadmap to successful implementation;
- Weighting of elements (actions) required some flexibility;
- Calibration of transposition plan was needed (e.g. follow-up ERGP);
- Overall transposition statistic positive (13 MS now implemented the Third Postal Directive);
- But further activities required.



## **State of Play 2011 – market opening and transposition**

## Reminder on market opening...

- **7 Member States have opened their postal markets to competition before the formal deadline 1 January 2011:**

- 1. Finland (1991)
- 2. Sweden (1993)
- 3. Great Britain (2006)
- 4. Germany (2008)
- 5. Netherlands (2009)
- 6. Estonia (2009)
- 7. Spain (local mail liberalised)



## Reminder on market opening...

	<b>Weight limit</b>	<b>Price limit</b>	<b>Reserved % of volume</b>
<b>1998 - 2002</b>	350 gram	5 x stamp	91 %
<b>2003 – 2005</b>	100 gram	3 x stamp	79 %
<b>2006 - 2010</b>	50 gram	2,5 x stamp	72 %
<b>2010- 2012</b>	Derogation for 11 MS		5%* *of overall EU postal volume

# Full market opening – state of play today

- Member States that opened their market on 1.1.2011:
  - 7. Spain (remaining parts)
  - 8. Austria
  - 9. France
  - 10. Belgium
  - 11. Denmark
  - 12. Slovenia
  - 13. Bulgaria
  - 14. Italy
- Member States that have formally not yet opened their postal markets according to Directive 2008/6/EC (in the absence of transposition) – yet, the legal position is that Article 7 of the Postal Directive is directly effective and that therefore there is *de iure* no more reserved area also in these Member States
  - 1. (15.) Ireland
  - 2. (16.) Portugal

## **Market Opening - derogations**

- Member States that have a derogation to open their postal markets only by 31 December 2012 according to Directive 2008/6/EC
  - 1. Greece
  - 2. Luxembourg
  - 3. Poland
  - 4. Latvia
  - 5. Lithuania
  - 6. Czech Republic
  - 7. Slovak Republik
  - 8. Hungary
  - 9. Romania
  - 10. Cyprus
  - 11. Malta

# Transposition of Directive 2008/06/EC – state of play

Member State	Notification/Date
<i>Austria</i>	Complete / 12.10.2009
<i>Belgium</i>	Complete / 04.01.2011
<i>Bulgaria</i>	Complete / 05.01.2011
<i>Denmark</i>	Complete/ 31.12.2010
<i>Estonia</i>	Complete / 31.12.2008
<i>Finland</i>	Adopted / 09.03.2011
<i>France</i>	Complete / 23.12.2010
<i>Germany</i>	Complete / 22.12.2010
<i>Ireland</i>	Absence
<i>Italy</i>	Complete / 06.05.2011
<i>Netherlands</i>	Complete / 25.06.2009
<i>Portugal</i>	Absence
<i>Slovenia</i>	Complete / 28.09.2009
<i>Spain</i>	Complete/10.01.2011
<i>Sweden</i>	Complete / 14.09.2010
<i>United Kingdom*</i>	Partial / 17.12.2010



## **ERGP – state of play**

## Short reminder...

- **Commission Decision of 10 August 2010.**
- **Expert advisory group consisted of independent NRAs** (Member States + candidate countries + EEA countries).
- **Inauguration meeting on 1 December 2010:**
  - Adoption of the Rules of Procedures
  - Adoption of the Work Programme 2011-2012
  - Election of the Chair and Vice-chairs

## ...and activities until now

- **Meeting of the chairs of the five sub-groups** to finalize Project Requirements Documents (PRDs) on 7 February 2011.
  - WG1: cost allocation/price regulation
  - WG2: net cost of USO
  - WG3: end users/market monitoring
  - WG4: cross-border products
  - WG5: access
- **PRDs confirmed in the electronic voting procedure on 7 March 2011.**
- **Kick-off meetings of sub-groups** organized and substantive work initiated (e.g .collection of data; preparation of draft documents).

## Further information

### **ERGP Secretariat**

**[markt-ergp@ec.europa.eu](mailto:markt-ergp@ec.europa.eu)**

Renata Malinovska

Telephone: + 32 2 299 65 76

**[http://ec.europa.eu/internal\\_market/ergp/](http://ec.europa.eu/internal_market/ergp/)** (yet to be  
finalized)





# **External Dimension**

# Study External Dimension of the EU Postal Acquis

## Conclusions:

The EU and Member States should improve coordination in the development of international postal policies.

The EU and Member States should develop coordinated positions in advance of the 2012 Doha Congress of the UPU.

Identify level of coordination required by EU law (competences of Member States and EU).

Identify governmental issues for which coordination is required.

Develop appropriate reservations and/or common declarations if needed.

Develop a coordinated position on role of MS plenipotentiaries and postal operators with respect to operational issues presented at Doha.

## **(Some) Selected Regulatory/Policy Issues**

- terminal dues system and costs based tariffs;
- quality of services and measurement systems;
- standardisation;
- role of the electronic services in the postal sector;
- separation of regulatory and operational functions;
- mandate of the UPU.

# Thank you for your attention!

Website of the European Commission, Directorate General for Internal Market and Services, **Postal and Online Services:**



[http://ec.europa.eu/internal\\_market/post/index\\_en.htm](http://ec.europa.eu/internal_market/post/index_en.htm)