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Law

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about postal services and parcel delivery services

(Postal Services and Parcel Delivery Services Act; PPG)

I agree with the following resolution passed by the state parliament
Consent: 1 _

I. General provisions

Art. 1

Object

1) This law regulates the legal framework for postal services and Parcel delivery services. It regulates in particular:

- a) the provision of postal services and parcel delivery services;
- b) the provision and financing of a universal service;
- c) the establishment of a national regulatory authority;
- d) market supervision.

2) By regulating the markets for postal services and parcel delivery services, it ensures a reliable supply of diverse and high-quality high-quality postal services and parcel delivery services in a market open to competition.

3) It also serves to implement the following EEA legislation:

a) Directive 97/67/EC on common rules for development the internal market of Community postal services and improving the quality of services² ;

b) Regulation (EU) 2018/644 on cross-border parcel delivery services³ .

4) The valid version of the EEA legislation according to paragraph 3 results from the announcement of the resolutions of the EEA Joint Committee in the Liechtenstein State Law Gazette in accordance with Art. 3 let. k des Announcement Act.

Art. 2

scope

1) This law applies to the commercial provision of postal services and parcel delivery services for third parties.

2) It also applies to postal traffic with foreign countries, unless international treaties and the laws passed for their implementation determine something else.

Art. 3

Definitions and designations

1) For the purposes of this law:

a) "Postal services": the services related to collection, the Sorting, transport and delivery of postal items;

b) "Parcel delivery services": the services related to collection, sorting, transporting and delivering packages;

c) "Pickup": the collection of mail items by a postal service tea provider;

d) "Delivery": the processing steps from sorting in the delivery centers to handing over the shipments to the recipients;

e) "postal item": an addressed item in the final form in which it is taken over by a postal service provider. It is about

In addition to letters, for example books, catalogs, newspapers and magazines as well as packages containing goods with or without commercial value included;

f) "Letter": a message in written form on a physical medium of any kind, which is carried and sent to the sender

the address specified in the shipment itself or its packaging is delivered;
Books, catalogues, newspapers and magazines are not valid
as letters;

- g) "Registered shipment": a postal shipment which is insured by the postal service provider against loss, theft or damage and in which the sender, if necessary at his request, a confirmation of receipt of the shipment and/or its delivery to the recipient is given;
- h) "Consignment of valuables": a postal item sent by the postal service provider
The amount of the value stated by the sender is insured against loss, theft or damage;
- i) "Package": a postal shipment containing goods with or without commercial value, except a letter item with a maximum weight of 31.5 kg;
- k) "postal service provider" means an undertaking that provides one or more postal services;
- l) "Parcel delivery service provider": a company that provides one or more
Provides parcel delivery services, with the exception of companies that only are established in an EEA member state, provide exclusively domestic parcel delivery services within the framework of a sales contract and within this contract, the goods that are the subject of the contract deliver to users personally;
- m) "Sender": the natural or legal person who is the originator of postal items is;
- n) "User": the natural or legal person who provides a postal service as sender or recipient claims;
- o) "Access points": the facilities, including post boxes intended for the general public on public roads or in the premises of a postal service provider where the senders receive their can deliver postal items;
- p) "Universal service provider": a public or private postal service provider who provides universal service services in whole or in part and its identity to the EFTA Surveillance Authority (ESA).
in accordance with Article 4 of Directive 97/67/EC.

2) Otherwise, the definitions of the applicable terms apply EEA legislation, in particular Directive 97/67/EC and the Regulation (EU) 2018/644, additional application.

3) The personal and functional designations used in this law include members of the female and male sexes.

Art. 4

Postgeheimnis

1) Postal service providers must refrain from any communication whatsoever about postal items to anyone other than the sender or recipient during and after termination of their activities, unless expressly provided otherwise by law.

2) The obligation of secrecy does not prevent the filing of reports of criminal offenses that must be prosecuted ex officio.

3) Unless expressly stipulated otherwise by law, postal items whose acceptance must be confirmed by the recipient may also be delivered to persons who are present at the recipient's delivery point specified on the postal item, if this is the only way the item can be delivered and neither the sender nor the recipient has excluded this delivery option. Postal items may also be delivered to these people at a pickup point.

4) If no person authorized to receive is present at the specified delivery point, packages intended for a natural person may also be delivered to neighbors in the apartment or house if neither the sender nor the recipient have excluded this delivery option; The recipient must be informed of this in writing.

5) A postal service provider may open sealed mail items whose delivery to the recipient or sender is not possible or permitted in order to identify the sender or recipient and to prevent damage.

6) Postal items that are in the custody of the postal service provider in the course of providing the postal service may not be subject to any enforcement or other official coercive measures directed against the postal service provider, unless expressly provided otherwise by law. The provisions of the Code of Criminal Procedure regarding searches and seizures as well as the confiscation and opening of letters and other mail remain unaffected.

II. Provision of postal services and parcel delivery services

Art. 5

Reporting requirement

1) Postal service providers have to record, change or discontinue the provision of domestic postal services must be reported to the regulatory authority in advance in a form specified by the regulatory authority.

2) The report according to paragraph 1 must contain the following information and documents contain:

- a) the name, legal status and legal form, number of Entry in a commercial register or similar register VAT number (VAT number) or company identification number (UID number), the registered office and delivery address of the postal service provider;
- b) the contact details of a person authorized to represent you or an authorized recipient within Germany;
- c) a current extract from a commercial register or similar Register;
- d) the characteristics and a detailed description of the services offered by the postal service providers.

3) The reported postal service providers are checked by the regulatory authority kept in a register and published in an appropriate manner.

4) The Government may, in accordance with Article 9 of Directive 97/67/EC regulates the details of the reporting obligation for postal service providers with a regulation.

Art. 6

Obligations of postal service providers

1) Postal service providers providing their services domestically have:

- a) to ensure in an appropriate manner that postal items and employees in the delivery service, including from subcontractors, the company can be assigned;
- b) the users about the services offered and the general Terms and conditions, including detailed information about the Complaint procedures available to users and potential liability

- limitations, as well as their prices and quality
and to publish this information in an appropriate form;
- c) to set up easily accessible, simple, transparent and cost-effective procedures for dealing with user complaints, in particular in the event of loss, theft or damage to postal items as well as violations of quality standards;
- d) Postal items that are part of the operation of a postal service provider other than the person to whom the sender delivered the shipment, within a reasonable time and at an appropriate, objective manner fair, transparent and non-discriminatory conditions and prices;
- e) to demonstrate compliance with the working conditions customary in the industry.
- 2) The government can regulate further details of the obligations of postal service providers by regulation.

Art. 7

Obligations of parcel delivery service providers

- 1) Parcel delivery service providers established in Liechtenstein, have the obligations under Articles 4, 5 and 7 of Regulation (EU) 2018/644 fulfill.
- 2) Parcel delivery service providers established in a third country Provide domestic parcel delivery services to the regulatory authority all the necessary information, especially about your company and the parcel delivery services they offer, including General terms and conditions, tariffs and consumer information.
- 3) The government can regulate the obligations of parcel delivery service providers by regulation.

Art. 8

Access to address data

- 1) Anyone who has a file system with address data of a recipient or Data about the temporary cessation of postal delivery at the request of the recipient is obliged to provide postal service providers a legitimate interest at their request within a reasonable period of time and in an appropriate, objectively justified, transparent manner and non-discriminatory conditions as well as cost-oriented

Prices to grant access to address data that is necessary for efficient mail delivery, provided that the recipient has access to his Address data has not been expressly excluded.

2) The postal service providers involved regulate the conditions of the Access to the address data in an agreement. A copy of the agreement must be sent to the regulatory authority.

3) If no agreement is reached between the postal service providers involved within a reasonable period of time, the regulatory authority can be called upon to make a decision. The regulator decides on the legitimate interest and sets out the conditions of the access to the address data, including a price.

4) The government can provide details about access to address data regulation.

Art. 9

Access to access points

1) Anyone who operates access points has other postal service providers with a legitimate interest to gain access to its access points to grant appropriate, objectively justified, transparent and non-discriminatory conditions and prices that ensure efficient Provision of postal services or parcel delivery services are required.

2) Article 8 paragraphs 2 to 4 apply mutatis mutandis.

III. Universal service

A. General Provisions

Art. 10

Concept and scope

1) Universal service is the provision of a minimum offer of certain quality postal services at affordable prices for all User.

2) Universal service includes:

a) the acceptance, collection, sorting, transport and delivery of letters weighing up to 2 kg;

b) acceptance, collection, sorting, transport and Delivery of other postal items up to 20 kg; c) the services for registered and valuable mail; d) the delivery of official documents in accordance with the Delivery Act; e) the transport of consignments for the blind; and f) the comprehensive coverage of access points.

3) The universal service outside the EEA includes at least the postal services specified as mandatory in the Universal Postal Treaty. The government regulates the scope of the universal service outside the EEA with regulations.

Art. 11

Universal service provider

1) Taking into account the country-specific circumstances, in particular the supply needs throughout the national territory, the government designates a company to provide universal services (universal service provider).

2) At periodic intervals or as a result of a justified request from a universal service provider, but at least every ten years, the government evaluates the universal service and the requirements to be placed on a universal service provider.

3) The government may regulate the details of the universal service provider by regulation in accordance with Article 4 of Directive 97/67/EC.

Art. 12

Provision of universal service 1) The

Government, after consulting the regulatory authority and in accordance with Articles 3 to 6 and 13 to 19 of Directive 97/67/EC, shall regulate the provision of universal service domestically and within the EEA by regulation, in particular with regard to: a) the respective categories of postal services within the framework of the universal service;

b) the types of postal items covered by the universal service; c) the quality of the postal services according to para. a, which may be determined differently for each category of postal service;

- d) the proper postal provision of the universal service;
- e) the manner in which postal items are delivered to a universal service provider be admitted;
- f) the regulations regarding the location, dimensions and other characteristics of Facilities where recipients receive their mail can (reception point) for the delivery of postal items are determined, as well as the procedure in the event of delivery difficulties;
- g) the general terms and conditions and the pricing principles the universal service provider and its approval by the regulatory authority;
- h) the principles for terminal dues in cross-border postal services service within the EEA.

2) The government regulates after consulting the regulatory authority and taking into account the Universal Postal Treaty, the provision of the universal service outside the EEA, in particular with regard to the provisions in paragraph 1 mentioned cases, with regulation.

Art. 13

Use of public land

1) For the construction of facilities necessary for the provision of the universal service, the universal service provider may, in agreement with the owner, use public land free of charge and without use a separate permit.

2) The government can publish details about its use
Regulate the basics with regulations.

B. Price regulation and cost accounting

Art. 14

Price regulation

1) The prices of the universal service must be designed so that they are suitable for everyone Affordable to users, close to cost, transparent and non-discriminatory. The prices for domestic postal items are to be determined regardless of the distance.

2) The application of a uniform price for the universal service does not exclude the right of the universal service provider to communicate with individuals

To make individual price agreements for users or to provide special tariffs that correspond to the costs saved compared to the standard service take into account. These discounts are non-discriminatory to everyone other users who deliver shipments under comparable conditions. The criteria including the amount granted

Discounts for such individual price agreements and special tariffs must be reported to the regulatory authority without being asked to verify the principle of non-discrimination.

3) In setting and checking the affordability of prices

According to paragraph 1, the disposable income of private households as well as the general price level for services and their development must be taken into account.

Art. 15

Cost accounting system and separate accounting

1) The universal service provider has separate accounts in its internal cost accounting systems for services that are part of the universal service and for those that are not part of the universal service services on the other hand. The internal cost accounting systems are on the basis of uniformly applied and objectively justifiable principles To design and implement principles of cost accounting.

2) The universal service provider submits its annual financial statements and that internal cost accounting system of an auditor for auditing and publishes the revised financial statements. He ensures that the auditors annually check the consistency of the internal cost accounting systems checked with the provisions of this article and the requirements of the regulatory authority and a corresponding finding of conformity is published.

3) The regulatory authority may, in accordance with Articles 14 and 15 of Directive 97/67/EC contains the requirements for cost accounting Set disposition.

C. Funding universal service

Art. 16

principle

The costs of the universal service are generally borne by the universal service provider. The provision of the universal service must in particular comply with the principles of efficiency and cost recovery.

Art. 17

Financial compensation for the net cost of universal service

1) For the verifiable net costs of the universal service in Germany and within the EEA, which do not despite economic management cannot be covered and a disproportionate financial burden for the universal service provider, the latter can submit an application provide financial compensation to the regulatory authority.

2) All suitable and necessary documents are included with the application to enable the regulatory authority to verify the information regarding the claimed net costs and the alleged disproportionate financial burden.

3) The regulatory authority can do this by itself or through an expert commissioned by it to inspect the books and Taking records, making comparisons with other providers as well take other targeted measures that comply with the principle of proportionality. In justified cases, the regulatory authority may also set a lower amount than that requested.

4) The application for compensation must be made within one year of the expiry of the relevant calendar year to the regulatory authority.

5) If the regulatory authority determines that the provision of the universal service domestically and within the EEA represents a disproportionate financial burden for the universal service provider, it may Government recommend the following:

- a) the establishment of a compensation fund to finance the net costs of universal service in accordance with Article 18; or
- b) a procedure by which the universal service provider can be responsible for the identified Net costs are compensated from public funds under transparent conditions.

6) The government decides on the financial compensation of the net costs of the universal service based on the recommendation of the regulatory authority in accordance with paragraph 5. It can be used for the procedure according to paragraph 5 let. b apply to the state parliament to grant the necessary financial resources.

7) The government regulates the details of the financial compensation of the net costs of the universal service domestically and within the EEA by regulation.

Art. 18

Compensation fund for services in the universal service area

1) If the government decides to set up a compensation fund in accordance with Art. 17 Paragraph 5 Letter. a, all postal service providers are obliged to make contributions to the financing of this compensation fund in order to cover any net costs of the universal service in proportion to the extent of their activities in the universal service area.

2) The regulatory authority manages the compensation fund in the form of a special account of the Office of Finance. It submits an annual public report on its management, in particular on the verifiable net costs incurred and the contributions due to the individual postal service providers.4 3) The government may, in accordance with Article 7 paragraphs.

3 to 5 of Directive 97/67/ EC regulate the details of the compensation fund by regulation.

D. Liability of the universal service provider

Art. 19

Liability principles

1) The universal service provider is liable for damages resulting from loss, damage or late delivery of domestic postal items only if the sender uses a shipping method that provides for registration of the postal item in accordance with its regulations set out in the General Terms and Conditions.

2) Liability according to paragraph 1 is excluded if the damage is due to:

a) the nature or a defect of the goods transported themselves;

- b) inadequate packaging of goods transported by postal service providers other than the universal service provider;
- c) a cause attributable to the sender;
- d) force majeure; or
- e) Seizure as a result of an official order.

3) Claims for damages can only be asserted by the sender if made. Is the damage to a person other than the sender arisen, the sender is entitled by law to make the claim for this other person in his own name or as his representative close.

4) The universal service provider can rely on a result of this

The limitation of liability resulting from this article is only invoked to the extent that the damage is caused not attributable to his own actions or omissions or was caused through gross negligence and with the knowledge that such damage would probably result.

5) When transporting cross-border mail the universal service provider is only liable in accordance with the provisions of the Universal Postal Treaty or other agreements binding for Liechtenstein or resolutions of international organizations.

6) Contractual clauses that deviate from this article provided are void.

7) The government can set maximum amounts for liability claims according to paragraph 1 by regulation; the amount of the respective amounts depends in particular on the type of registration as well as the type and value of a postal item.

E. Universal Postal Union and postage stamps

Art. 20

Operator in accordance with the Universal Postal Treaty and conclusion of agreements

1) The universal service provider assumes the rights and obligations for the Principality of Liechtenstein that apply to a designated operator within the meaning of the Universal Postal Treaty in relation to the users and to other designated operators arise from the provisions of the Universal Postal Treaty and other agreements of the Universal Postal Union.

2) The universal service provider may conclude agreements with foreign designated operators and other postal providers.

Art. 21

Postage stamps

1) The government reserves the right to issue postage stamps with the imprint "Liechtenstein" or "Principality of Liechtenstein" or to declare them invalid.

2) The production and distribution of the postage stamps is carried out by the universal service provider.

3) The government can regulate the details of the issue and use of postage stamps by regulation.

IV. Organization and implementation

A. Government

Art. 22

Tasks 1)

The government is responsible for enforcing this law unless other authorities are expressly entrusted with this.

2) The government is particularly responsible for:

- a) the designation of a universal service provider and the evaluation of the universal service (Article 11);
- b) the decision on the financial compensation of the net costs of the universal service and submission of the application to the state parliament (Art. 17); c) the issuance and invalidation of postage stamps (Art. 21).

Art. 23

Instructions in special cases

In connection with the enforcement of the international legal order or with international relations, the government is authorized in special cases to issue instructions to a postal service provider regarding:

send the transport of cross-border mail
To give.

B. Regulatory authority

Art. 24

Organisation

1) The regulatory authority within the meaning of this law is the Office for Communications.

2) The regulatory authority must be legally and functionally independent be by any natural or legal person providing postal services or Offers parcel delivery services. This includes the effective structural separation of the sovereign function from activities related to it the ownership or control of companies that provide postal services or offer parcel delivery services and are owned or controlled by the state.

Art. 25

Tasks

1) The regulatory authority is responsible for fulfilling all regulatory requirements Tasks that are assigned to it under the applicable EEA law national regulatory authority for postal services and parcel delivery services are transferred. These include in particular:

- a) promoting and monitoring effective competition in the Postal services and parcel delivery services;
- b) supervision of compliance with the provisions of this Act and the regulations issued for this purpose;
- c) the ordering of measures and the supervision of their compliance toss;
- d) advising the Government on all matters relating to postal services and parcel delivery parking services;
- e) keeping registers of reports;
- f) the representation of Liechtenstein in national and international organizations the sation;
- g) supervision and enforcement in accordance with the Regulation (EU) 2018/644;

h) the arbitration of disputes.

2) The regulatory authority can, to the extent necessary to fulfill its tasks:

- a) involve domestic and foreign specialist organizations or experts, in particular for advice and assessment of technical questions;
- b) with foreign regulatory authorities, other authorities as well as with cooperate with international organizations; and
- c) use suitable institutions to carry out supervision or maintain registers and also delegate these tasks to such institutions.

3) The government can provide details of the regulatory tasks the regulatory authority regulates with regulations.

Art. 26

Information exchange

1) As part of the tasks assigned to it, the regulatory authority is entitled and, upon justified request, obliged to inform the ESA to bring the information and documents to the attention of the responsible bodies and the regulatory authorities of other EEA member states to transmit them in order to fulfill their tasks in accordance with the applicable EEA legislation.

2) Confidential information must be designated as such and its confidential treatment and earmarking by the receiving party authority as part of the transmission.

3) If the regulatory authority receives information from other authorities that is designated as confidential by the transmitting authority, it ensures that it is treated confidentially
Earmarking for sure.

Art. 27

transparency

1) The regulatory authority prepares an annual report on its Activities for the government.

2) The regulatory authority publishes taking into account the data protection regulations in an appropriate manner
above:

- a) Decisions and orders of fundamental importance; b) the financing of universal service; c) the postal market and its regulation, including information on the notified postal service providers and the services provided by them Services;
 - d) statistics;
 - e) technical and organizational provisions as well as reference documents mind.
- 3) The government can regulate the details of the regulatory authority's transparency obligations by ordinance.

Art. 28

Fees, costs and supervisory fees

1) The regulatory authority charges for its activities in accordance with this Law and Regulation (EU) 2018/644 fees, in particular for: a) the regulation of postal services and parcel delivery services; b) the regulation of universal service; c) the implementation of market surveillance procedures; d) the conduct of arbitration proceedings.

2) The total revenue from the management fees must not exceed the total costs of the regulatory authority in the long term.

3) Costs and expenses invoiced to the regulatory authority by third parties which it uses for advice or to carry out supervision shall be collected from the relevant postal service providers.

4) The regulatory authority shall publish an appropriate annual statement of its total costs and the total management fees collected.

5) To maintain the register in accordance with Art. 5 Para. 3, the postal An annual supervisory fee is levied on service providers.

6) The government regulates the details of the fees, costs and supervisory fees by ordinance.

V. Market supervision

Art. 29

principle

1) Market supervision is carried out by the regulatory authority in accordance with the provisions of this chapter.

2) Unless otherwise specified in this chapter, the law on general state administration, in particular its provisions on administrative compulsory, applies to the exercise of market supervision.

Art. 30

Collection of data and information 1) The

regulatory authority may require any postal service provider to transmit the data and information, including personal data such as the name and delivery address of those affected, necessary for the implementation of this Act, the regulations issued thereunder, the Regulation (EU) 2018 /644 and the decisions or orders based thereon are necessary. It can request all necessary information, in particular information about personal data, which is necessary for the individual review of obligations if a report has been made or if it assumes a violation of obligations for other reasons or is carrying out investigations on its own initiative. Other provisions remain unaffected by the obligation to provide information in accordance with sentence 2.

2) Postal service providers to whom a request for the transmission of data and information has been addressed are obliged to transmit such data and information to the extent necessary and within a reasonable period of time determined by the regulatory authority. The disclosure must be made free of charge.

3) Postal service providers cannot refuse to disclose data and information due to professional, business or trade secrets.
gladly.

4) Data and information pursuant to paragraph 1 may only be used for the enforcement of this law, the regulations issued thereunder and Regulation (EU) 2018/644.

5) The government can regulate the details of data processing by regulation.

Art. 31

Arrangements

1) Does the regulatory authority have evidence that a provider against provisions of this law, the regulations issued thereunder, the Regulation (EU) 2018/644 or against decisions based thereon or orders are violated, it informs the provider of this and sets him/her a period of one month to:

- a) to comment on the communication; or
- b) to establish the legal situation.

2) The regulatory authority may set the one-month deadline in accordance with paragraph 1:

- (a) shorten if the postal service provider agrees or has already repeatedly violated the relevant provisions; or
- b) in justified cases, extend appropriately upon request if the Provider is therefore likely to establish the legal status.

3) Orders according to paragraph 1 are made with administrative compulsory orders. This must expressly point out the legal consequences of ignoring the order.

Art. 32

Establishment of the legal status

1) If the regulatory authority determines that after the expiry of the period referred to in Article 31 If the postal service provider concerned has not established the legal situation within the deadline set, it will be subject to compulsory administrative action all necessary measures to restore the legal situation.

2) Measures within the meaning of paragraph 1 are:

- a) ordering a replacement measure at the expense of the postal service provider concerned;
- b) the imposition of a penalty for disobedience.

3) If the measures pursuant to paragraph 2 have been unsuccessful, the regulatory authority may impose a general obligation on the postal service provider who has fulfilled its obligations

Way or repeatedly violates the provision of postal services and
Prohibit parcel delivery services.

4) Is the risk of immediate and serious impairment
the rights or legally protected interests of other postal service providers or
users or there is a direct and
If there is a serious threat to public interests, the regulatory authority can
issue interim orders to ensure the lawful
to create a condition. An impairment of rights or legal
Protected interests represent, in particular, economic or operational disadvantages
for third parties.

Art. 33

Penalties for disobedience

Disobedience penalties are imposed by the regulator in the form of
Fines of up to 10,000 francs are imposed for each day of non-compliance
with the relevant order.

Art. 34

Show

Anyone can report this to the regulatory authority
existing irregularities that fall within the scope of this
Law, the regulations issued therefor or the regulation (EU)
2018/644 fall, refund. Ads do not create any rights
Duties. If necessary, the regulatory authority takes the necessary
measures.

VI. Legal protection

Art. 35

Complaint

1) Against decisions and orders of the regulatory authority
A complaint can be lodged with the Complaints Commission for
Administrative Affairs within 14 days of delivery.

2) Against decisions and orders of the government or the
The Complaints Commission for Administrative Matters can be appointed within 14

A complaint was lodged with the Administrative Court days after delivery become.

3) The review authority of the Complaints Commission for Administrative Matters and the Administrative Court is limited on legal and factual questions. The exercise of discretion is only subject to legal review.

4) An appeal against a decision or order comes no suspensive effect. The chairman of the appeal body can, at the request of the complainant, grant a complaint suspensive effect unless there are compelling public interests conflict and the enforcement creates a disproportionate disadvantage would arise for the complainant.

5) Unless otherwise specified in this law, the provisions of the law on general state administrative care apply to the procedure.

Art. 36

Arbitration of disputes

1) The arbitration of disputes regarding compliance with the relevant obligations under this law, the regulations issued thereunder and Regulation (EU) 2018/644 is carried out by the regulatory authority in the form of mediation between the parties. The parties are obliged to participate in this procedure and to provide all the information required to assess the situation documents to be submitted. Will be delivered within four months as part of the If the dispute resolution does not bring about an amicable solution, the The subject matter of the proceedings - unless the ordinary courts have jurisdiction - is to be continued ex officio by the regulatory authority and concluded with an order.

2) Against decisions and orders of the regulatory authority costs and fees in the arbitration procedure are not a legal remedy permitted. Settlements as well as decisions and orders of the regulatory authority regarding costs and fees in the arbitration procedure Execution title within the meaning of Article 1 of the Execution Regulations.

3) The regulatory authority has guidelines for the implementation of the in Paragraph 1 of the procedure provided for, in particular setting deadlines for the completion of the procedure that are adapted to the respective circumstances are determined. The guidelines must be published in an appropriate form.

VII. Penal provisions

Art. 37

Violation of postal and correspondence secrecy

1) Anyone who violates postal secrecy in accordance with Art. Section 118 of the Criminal Code remains reserved.

2) The perpetrator can only be prosecuted with the authorization of the injured party.

Art. 38

administrative violations

1) The regulatory authority will impose a fine of up to 50,000 francs will be imposed on

anyone who: a) acts as a postal service provider or parcel delivery service provider against the breaches obligations under Article 6 or 7;

b) as the operator of a file system with address data, violates the obligations to grant access pursuant to Article 8; c) as an

operator of access points, violates the access granting obligations pursuant to Article 9; d) as a universal

service provider, the obligations under Articles 10, 12, 14, 15 or 17 injured;

e) produces, distributes or issues postage stamps without authorization in accordance with Article 21 gives;

f) as a postal service provider, the disclosure obligations pursuant to Article 30 paragraph 1 or 2 fails to comply;

g) obtains a decision or order from the regulatory authority or obtains other actions or omissions from the regulatory authority by providing incorrect or misleading information or by concealing essential facts.

2) The regulatory authority will impose a fine of up to 20,000 francs shall be imposed on anyone

who: a) violates the reporting obligation pursuant to Article 5 as a postal

service provider; b) as a parcel delivery service provider, violates the information obligations pursuant to Article 4 paragraphs 1 to 3 or Article 5 of Regulation (EU) 2018/644;

c) as a parcel delivery service provider, the consumer information in accordance with Article 7 violated Regulation (EU) 2018/644;

d) regulations, the violation of which is declared punishable, injured.

3) If the administrative offenses are committed negligently, the Maximum penalty reduced to half.

4) An administrative offense according to paragraphs 1 and 2 does not exist if the offense constitutes an offense that falls within the jurisdiction of the courts constitutes a criminal offense or is threatened with more severe punishment under other administrative penal provisions.

5) The objects with which the criminal offense was committed, can be withdrawn.

Art. 39

responsibility

Are violations in business operations a legal matter?

Person, a general or limited partnership or a sole proprietorship, the criminal provisions apply to the persons who acted or should have acted on their behalf

joint liability of the legal entity, the company or the Sole proprietorship for the fines and costs.

Art. 40

Benefit skimming

1) If the regulatory authority determines that a company is subject to a against this law, a regulation issued thereunder, the regulation (EU) 2018/644 or an unlawful act based on it or a decision based on it has gained an economic advantage, it orders the withdrawal of this advantage and obliges the company concerned to pay a corresponding amount of money.

2) Paragraph 1 does not apply if the economic advantage compensated by compensation or other benefits. So much for that Companies only provide such services after the benefits have been skimmed off provided, the amount of money paid must be refunded to the company in the amount of the proven payments.

3) If the implementation of a confiscation of benefits would cause unreasonable hardship, the order must be limited to an appropriate amount of money or be omitted entirely. It must also be avoided if the economic benefit is low.

4) The amount of economic benefit can be estimated. The amount of money to be transferred must be determined numerically.

5) The confiscation of benefits can only be ordered within a period of five years from the end of the infringement and for a maximum period of five years.

6) The procedure is based on the provisions of the Act on General State Administrative Care.

VIII. Transitional and final provisions

Art. 41

Transitional provisions 1) The

orders and price approvals issued by the government under the previous law remain valid until they are replaced or repealed by corresponding measures of the regulatory authority issued on the basis of this law.

2) The postal service providers operating in Liechtenstein at the time this law comes into force must comply with the reporting obligation in accordance with Article 5 within three months of this law coming into force.

3) The provision of universal services is the responsibility of the government until a universal service provider is designated in accordance with Art. 11 Paragraph 1 of the Liechtensteinische Post Aktiengesellschaft.

4) Parcel delivery service providers operating in Liechtenstein at the time this law comes into force must comply with the information obligation pursuant to Article 4 paragraph 1 of Regulation (EU) 2018/644 within three months of this law coming into force.

5) The obligations under Article 15 apply from the time this comes into force following fiscal year according to law.

6) Administrative proceedings pending when this Act comes into force the new law applies.

Art. 42

Applicability of EU legislation

1) Until its incorporation into the EEA Agreement, Regulation (EU) 2018/644 of the European Parliament and of the Council of 18 April 2018 on cross-border parcel delivery services (OJ L 112, 2.5.2018, p. 19) is considered national Legal regulation.

2) The full text of the legal provision referred to in paragraph 1 is published in the Official Journal of the European Union at <http://eur-lex.europa.eu>.

Art. 43

Change of designations In Art. 2

Paragraph 1 Letter. f of the law of October 22, 2008 on the delivery of official documents (Delivery Act; ZustG), LGBl. 2008 No. 331, and Art), LGBl. 2009 No. 330, the term "Postal Act" is to be replaced by the term "Postal Services and Parcel Delivery Services Act".

Art. 44

Repeal of previous law

The law of December 18, 1998 on the Liechtenstein postal system (Postal Act, PG), LGBl. 1999 No. 35, in the current version, is repealed.

Art. 45

Come into effect

1) This law comes into effect subject to the unused expiry of the Referendum deadline in force on May 1, 2023, otherwise the day after Announcement.

2) Art. 1 Para. 3 Letter. b occurs simultaneously with Decision of the EEA Joint Committee No. 246/2021 of September 24, 2021 amending Annex XI (Electronic communications, audiovisual Services and Information Society) of the EEA Agreement comes into force.

On behalf of the sovereign:

gez. *Alois*

Erbprinz

signed *Dr. Daniel Risch*

Princely head of government

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- [1](#) *Report and application as well as government statement No. [109/2022](#) and [17/2023](#)*

 - [2](#) *Directive 97/67/EC of the European Parliament and of the Council of 15 December 1997 on common rules for the development of the internal market in Community postal services and improving the quality of services ([OJ L 15, 21.1.1998, p. 14](#))*

 - [3](#) *Regulation (EU) 2018/644 of the European Parliament and of the Council of 18 April 2018 on cross-border parcel delivery services ([OJ L 112, 2.5.2018, p. 19](#))*

 - [4](#) *Art. 18 paragraph 2 amended by [LGBI. 2023 No. 378](#).*