



STATUTORY INSTRUMENTS.

S.I. No. 433 of 2020



EUROPEAN UNION (CROSS-BORDER PARCEL DELIVERY SERVICES)
REGULATIONS 2020

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I, EAMON RYAN, Minister for the Environment, Climate and Communications, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) and for the purpose of giving effect to Article 8 of Regulation (EU) 2018/644 of the European Parliament and of the Council of 18 April 2018¹, hereby make the following regulations:

1. These Regulations may be cited as the European Union (Cross-Border Parcel Delivery Services) Regulations 2020.

2. (1) In these Regulations –

“EU Regulation” means Regulation (EU) 2018/644 of the European Parliament and of the Council of 18 April 2018¹;

“Regulator” means the body designated as the national regulatory authority under Regulation 3.

(2) A word or expression that is used in these Regulations and is also used in the EU Regulation, has, unless the context otherwise requires, the same meaning in these Regulations as it has in the EU Regulation.

3. The Commission for Communications Regulation is designated as the national regulatory authority in the State for the purposes of Articles 4, 5, 6 and 9 of the EU Regulation and these Regulations.

4. (1) A parcel delivery service provider that fails to comply with Article 4 of the EU Regulation shall be guilty of an offence.

(2) A cross-border parcel delivery service provider that fails to comply with Article 5 of the EU Regulation shall be guilty of an offence.

(3) A cross-border parcel delivery service provider that is a universal postal service provider (within the meaning of the Communications Regulation (Postal Services) Act 2011 (No. 21 of 2011)) and that fails to comply with Article 6 of the EU Regulation shall be guilty of an offence.

(4) A parcel delivery service provider that provides information to the Regulator under the EU Regulation which is false or misleading in any material respect, knowing it to be so false or misleading, shall be guilty of an offence.

¹ OJ No. L112, 2.5.2018, p.19.

(5) In proceedings for an offence under this Regulation, it is a defence for the person charged to show that he or she took reasonable steps to avoid committing the offence.

(6) A person guilty of an offence under this Regulation shall be liable on summary conviction to a Class A fine.

(7) Proceedings for an offence under this Regulation may be brought and prosecuted by the Regulator.

(8) An offence under this Regulation is an offence to which section 44 of the Communications Regulation Act 2002 (No. 20 of 2002) applies.

(9) Where an offence under these Regulations is committed by a body corporate and is proved to have been so committed with the consent or connivance of or to be attributable to any neglect on the part of any person, being a director, manager, secretary, or other officer of the body corporate, or a person who was purporting to act in such capacity, that person shall, as well as the body corporate, be guilty of an offence and shall be liable to be proceeded against and punished as if he or she were guilty of the first-mentioned offence.



GIVEN under my Official Seal,
12 October 2020.

EAMON RYAN
Minister for the Environment, Climate and
Communications.

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