



Australian Postal Corporation (Performance Standards) Amendment (2020 Measures No. 1) Regulations 2020

I, General the Honourable David Hurley AC DSC (Retd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 14 May 2020

David Hurley
Governor-General

By His Excellency's Command

Paul Fletcher
Minister for Communications, Cyber Safety and the Arts

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1 Name

This instrument is the *Australian Postal Corporation (Performance Standards) Amendment (2020 Measures No. 1) Regulations 2020*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. Sections 1 to 4 and anything in this instrument not elsewhere covered by this table	The day after this instrument is registered.	16 May 2020
2. Schedule 1	The day after this instrument is registered.	16 May 2020
3. Schedule 2	1 July 2021.	1 July 2021

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the *Australian Postal Corporation Act 1989*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments commencing day after registration

Part 1—Services during period ending 30 June 2021

Australian Postal Corporation (Performance Standards) Regulations 2019

1 After subsection 7(1)

Insert:

- (1A) For the purposes of paragraph (1)(a), Australia Post is taken, before 1 July 2021, to service a delivery point located in a metropolitan area (within the meaning of the areas classification) at the frequency mentioned in that paragraph if Australia Post services the delivery point at least every second day (disregarding a Saturday, a Sunday or a public holiday in the place where the delivery point is located).

2 Subsection 8(6)

Repeal the subsection (not including the table), substitute:

- (6) Australia Post must deliver a reserved services letter within the delivery time for the letter set out in the item (if any) in the following table that covers:
- (a) the mail lodgement point at which the letter is lodged; and
 - (b) the address to which Australia Post must deliver the letter under subsection (5).

3 Subsection 8(6) (table, heading to column 3)

After “priority letter”, insert “on or after 1 July 2021”.

4 Subsection 8(6) (table, heading to column 4)

Omit “a regular letter”, substitute “any reserved services letter before 1 July 2021, and for a regular letter on or after 1 July 2021”.

5 Subsection 8(6) (table items 1 and 2, column 4)

Omit “3 business days”, substitute “5 business days”.

6 Subsection 8(6) (table items 3, 4 and 5, column 4)

Omit “4 business days”, substitute “5 business days”.

7 At the end of section 11

Add:

Workforce impact of coronavirus known as COVID-19

- (5) If:
- (a) because of the impact of the coronavirus known as COVID-19 on the workforce of retail outlets, it is not reasonably practicable for a particular retail outlet to remain in operation; and

- (b) as a result, the retail outlet ceases to be in operation at a time (the *closure time*) occurring before 1 July 2021;
then, for the purposes of subsections (1) to (3), the retail outlet is taken to remain in operation throughout the period:
- (c) starting at the closure time; and
 - (d) ending at the earlier of:
 - (i) the time (if any) the retail outlet is reopened; and
 - (ii) the end of 30 June 2021.

Part 2—Definition of day of posting

Australian Postal Corporation (Performance Standards) Regulations 2019

8 Section 5

Insert:

notified clearance day has the meaning given by subsection 8(7A).

notified clearance time has the meaning given by subsection 8(7B).

9 Paragraph 8(7)(a)

Repeal the paragraph, substitute:

- (a) if paragraphs (aa) and (b) do not apply—the day the letter is lodged; or
- (aa) if paragraph (b) does not apply, there are notified clearance days for the mail lodgement point and the letter is lodged:
 - (i) on a notified clearance day but after the notified clearance time for that day; or
 - (ii) on a day that is not a notified clearance day;
the first notified clearance day after the day the letter is lodged; or

10 At the end of subsection 8(7)

Add:

Example: A street posting box bears a notice stating that the latest time for posting before clearance of the box is 2 pm, Monday to Friday. A letter is posted in the box at 6 pm on Friday. The *day of posting* is the following Monday, if paragraph (b) does not apply.

11 After subsection 8(7)

Insert:

(7A) A *notified clearance day* is a day for which there is a notified clearance time.

(7B) A *notified clearance time*, for a day, is a time notified as the latest time for posting at the mail lodgement point on that day.

Note: The mail lodgement point may have notified clearance times for every day or for only some days, or it may have no notified clearance times at all.

Schedule 2—Amendments commencing 1 July 2021

Australian Postal Corporation (Performance Standards) Regulations 2019

1 Subsection 7(1A)

Repeal the subsection.

2 Subsection 8(6) (table, heading to column 3)

Omit “on or after 1 July 2021”.

3 Subsection 8(6) (table, heading to column 4)

Omit “any reserved services letter before 1 July 2021, and for a regular letter on or after 1 July 2021,”, substitute “a regular letter”.

4 Subsection 8(6) (table items 1 and 2, column 4)

Omit “5 business days”, substitute “3 business days”.

5 Subsection 8(6) (table items 3, 4 and 5, column 4)

Omit “5 business days”, substitute “4 business days”.

6 Subsection 11(5)

Repeal the subsection.