

Order of the Ministry of Transport

(No.3 [2008])

The Measures for the Supervision and Administration of Universal Postal Services, which were adopted at the 7th executive meeting on June 25, 2008, and are hereby promulgated and shall come into force on September 1, 2008.

Minister Li Shenglin

July 12, 2008

Measures for the Supervision and Administration of Universal Postal Services

## Chapter I General Provisions

Article 1 In order to protect the clients' basic right to correspondence, safeguard universal postal services, strengthen the supervision and administration of universal postal services, promote the establishment of and perfect the guaranteeing mechanism of universal postal services, the present Measures are formulated in accordance with the Postal Law of the People's Republic of China, the Rules for the Implementation of the Postal Law of the People's Republic of China and other relevant provisions of the state.

Article 2 The term "universal postal services" as mentioned in these Measures refers to the basic postal services provided for all the clients within the territory of the People's Republic of China according to the postage rates and service standards specified by the state.

Article 3 Universal postal services shall be provided by postal enterprises.

Postal enterprises shall maintain and progressively enhance the level of universal postal services, and provide clients with fast, accurate, safe, convenient universal postal services in line with the laws, regulations, ministerial rules, etc. of the state.

Article 4 The state administrative department of postal services shall carry out supervise and administer the universal postal services throughout the country in accordance with these Measures, and the administrative department of postal services of all provinces, autonomous regions and municipalities directly under the Central Government shall, under the guidance of the state administrative department of postal services, supervise and administer the universal postal services within their own administrative divisions under these Measures.

Article 5 The supervision and administration of universal postal services shall follow the principle of impartiality and openness, and shall be implemented by combining governmental supervision and administration, social supervision with the self-discipline of enterprises.

## # Chapter II Universal Postal Services

Article 6 Postal enterprises shall satisfy the Standards for Universal Postal Services when providing universal postal services.

Article 7 The business scope of universal postal services shall include: the delivery of mails, printed matters with per unit weight of not more than 5 kilograms, parcels with per unit weight of not more than 10 kilograms, and other businesses specified by the state.

Article 8 The universal postal services shall be realized by way of establishing postal offices, stations, setting up postal boxes, doorstep services, mobile services, delivery by address and delivery upon consignment, etc.

Article 9 Postal enterprises shall strengthen control of the service quality of the entities (or individuals) which are entrusted to handle universal postal services, and shall be responsible for the quality of universal postal services within the entrustment.

Article 10 Postal enterprises shall publicize such information as the postage rates of universal postal services, etc. in their business places.

Postal enterprises shall not restrict or designate clients to any business in any way.

Article 11 Where Postal enterprises formulate and use any formal clause when providing universal postal services, they shall explicitly inform the clients of the contents which exclude or restrict their liabilities.

Article 12 Postal enterprises shall disclose the complaint phone number, designate personnel to accept clients' complaints; as for the clients' complaints, postal enterprises shall give a reply about the handling results within 30 working days after receipt of the complaints; as for the opinions and suggestions for improving universal postal services provided by clients, postal enterprises shall take them into serious consideration, offer to communicate with them, and make improvements.

Article 13 Postal enterprises shall do a good job in mail delivery services in accordance with the requirements of delivery frequency, depth, and the time limit specified in the Standards for Universal Postal Services.

Article 14 The establishment of postal offices (stations) and change in location, the cancellation and merger of postal offices (stations), or if a postal office (station) stops any business as prescribed by the Standards for Universal Postal Service, it shall be subject to the approval of the administrative departments of postal services. The procedures, conditions and time limit for approval shall be promulgated separately.

### Chapter III Supervision and Examination

Article 15 The administrative departments of postal services shall supervise the universal postal services in the following means:

- (1) Making periodical or aperiodical tests and inspections on the establishment of postal offices (stations) and postal boxes, business hours and the services provided, delivery quality and time limit for mail, inquiries for compensation, etc. and make periodical announcements;
- (2) Taking the clients' satisfaction as a major index for assessing the quality of universal postal services of the postal enterprises, entrusting the social intermediate institutions to carry out investigations into the service quality, organizing assessments on clients' satisfaction, and publicizing the assessment results to the general public;
- (3) Establishing a social supervisory network on the quality of universal postal services, employing special social supervisors to communicate with the massive clients, listening to and accepting the clients' opinion and suggestion on universal postal services, giving full play to the clients' function of supervision;
- (4) Giving full play to the function of the newspaper and media, the consumers association, clients' letters and other methods, timely understanding and handling the problem of the universal postal services.
- (5) Other means specified by laws, regulations and rules.

Article 16 A staff member of an administrative department of postal services may exercise the following powers when performing his duties according to law:

- (1) Inquire the entities and the relevant personnel under inspection, and demand them to provide the relevant

materials;

(2) Enter into the work places, production places of the entities under inspection, consult or duplicate the relevant documents, files, records, business files and other relevant materials, and seal up the relevant original records temporarily.

Article 17 A staff member of an administrative department of postal services shall show his effective certificate, and shall jointly implement by two or more staff when carrying out supervision and inspection.

A staff of the administration department of postal services shall bear the obligation of confidentiality on the personal privacies and trade secrets known he has access to in the course of supervision and inspection.

Article 18 Postal enterprises shall assist the administrative departments of postal services to carry out service inspections or investigations according to law, and faithfully provide relevant materials.

Article 19 Clients shall have the right to supervise universal postal services and protect the clients' rights and interests, have the right to give opinions and suggestions to the postal enterprises and the administration departments of postal services on improving the universal postal services, and have the right to inform and charge against infringements upon clients' rights and interests, as well as the breaches of law or negligence of duty by the staff of the administrative departments of postal services in the course of supervision and inspection.

Article 20 Postal enterprises shall establish and perfect its self-examination mechanism on the quality of universal postal services. The postal enterprises of all provinces, autonomous regions and municipalities directly under the Central Government shall, in June and December of each year, submit the self-examination result on the quality of universal postal services in their respective regions to the administrative departments of postal services, and China Post shall submit in January of the following year the self-examination result of the preceding year on the quality of universal postal services throughout the country to the state administrative department of postal services.

#### Chapter IV Legal Liabilities

Article 21 An administrative department of postal services shall issue an order within a time limit to rectify the acts which fail to meet the Standards for Universal Postal Services and damage the clients' legitimate rights and interests; those who fail to rectify within the time limit shall be given a warning or imposed a fine of 10,000 yuan up to 30,000 yuan.

Article 22 An administrative department of postal services shall order the correction of or give a warning on the acts which hinder or interrupt the administrative departments of postal services in the work of supervision, inspection and investigation, or the provision of false materials; those who fail to rectify within the time limit shall be imposed a fine of 10,000 yuan up to 30,000 yuan.

Article 23 Where a postal enterprise fails to report its self-examination of service quality to the administrative department of postal services on time and faithfully, it shall be ordered to rectify within a time limit, and shall be given a warning.

Article 24. Where any enterprise is dissatisfied with any administrative penalty decision, it may apply to the state administrative department of postal services for reconsideration according to law. Where it is dissatisfied with the reconsideration result, it may file a lawsuit with the people's court; or it may also directly file a lawsuit with the people's court.

Article 25 Where a staff of the administrative department of postal services abuses his power, neglects his duty or harbors any postal enterprise in damaging the clients' legitimate rights and interests, he or she shall be given an administrative sanction by his or her department or the authority on a higher level. If the circumstance is serious

and a crime is constituted, he or she shall be subjected to criminal liabilities.

#### Chapter V Supplementary Provisions

Article 26 The term “postal enterprise” as mentioned in these Measures refer to China Post and its affiliated enterprises which provide universal postal services.

Article 27 The supervision and inspection of special services, such as the distribution of the newspapers and periodicals of the political parties, correspondences of the compulsory servicemen, and delivery of the reading materials for the blind, etc. shall be implemented by analogy with these Measures.

Article 28 These Measures shall come into force on September 1, 2008