



**REGULATIONS NUMBER 001/COM&MR/M&PR/RURA OF 4/4/2015
GOVERNING POSTAL AND COURIER SERVICES IN RWANDA**

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PREAMBLE

The Regulatory Board;

Pursuant to the Law n° 09/2013 of 01/03/2013 establishing Rwanda Utilities Regulatory Authority (RURA) and determining its mission, powers, organization and functioning especially in Articles 2. 2;

Based on the recommendations made during the consultative meetings held respectively on 27/11/ 2014 and 29/01/2015, between RURA and different stakeholders;

And after consideration and approval in its meeting of 24/03/2015;

HEREBY issues the following regulations on postal and courier services:

CHAPTER ONE: GENERAL PROVISIONS

Article One: Purpose of this Regulation

The purpose of this Regulation is to establish a regulatory framework for the undertaking of postal and courier services so as to achieve an efficient, effective, sustainable and orderly development and operations of postal and courier services in Rwanda.

Article 2: Scope

These Regulations shall apply to any person carrying out or intending to carry out postal or courier services in Rwanda.

Article 3: Definitions of Terms

All terms used in this regulation shall have the following meanings:

1⁰ Authorities: Rwanda Utilities Regulatory Authority (RURA);

2⁰ Delivery: The process including the sorting of articles in the distribution centre and the handing over of the postal or courier articles to the recipients. A postal, courier article or hybrid mail shall be deemed to be delivered to the addressee when it is delivered by the public postal operator at his geographical address or into his private box or bag operated at a post office or rural delivery box;

3⁰ Domestic courier license: Type of license issued to any operator who wishes to carry out couriers operations within the boundaries of the Republic of Rwanda;

4⁰ Hybrid mail services: Services resulting from a process in which a licensee combines telecommunications and information technologies with the licensee's physical network to convert electronic messages into written correspondence;

6⁰ Intra-city courier license: Type of license issued to any operator who wishes to carry out courier operations with boundaries of one City of the Republic of Rwanda ;

7⁰ International in-bound courier license: Type of license issued to any operator who wishes to carry out couriers operations by receiving articles from overseas for only local delivery purposes;

8⁰ International Courier License: Type of license granted to any operator who wishes to carry out couriers operations internationally with both worldwide and domestic networks;

9⁰ Letter box: Any box or receptacle provided by Postal operator in charge of the universal service, in which senders can deposit postal articles for the purpose of collection;

10⁰ License: A legal document issued by the Authority which authorizes the holder to carry out postal or courier activities as specified and under the conditions prescribed in that document;

11⁰ Licensee: The holder of a license issued by the Authority under these Regulations to provide postal or courier services;

12⁰ Licensee's network facilities: Any facility and equipment used by a licensee as part of its postal or courier network in the activities of conveying, receiving, collecting, sending, dispatching and delivering postal and courier articles. In the case of a universal service licensee this includes a post office, posting box, relay box and postal and courier vehicle;

13⁰ Non-universal services: Any postal or courier services that may be provided to consumers at rates other than the prescribed rates of the universal service;

14⁰ postal or courier network: the system of organization and resources in any form or manner used by a licensee in carrying out its operations including the aspects of the system used for:

- Collecting postal or courier articles from the access points;
- Handling and transporting postal or courier articles from the access points to the distribution centre;
- Processing postal or courier articles; and
- Distributing postal or courier articles to the addressee;

15⁰ Post office: Any place, building, house, room or vehicle authorized by the universal service licensee for the posting, receipt, sorting, handling, transmission or delivery of postal articles and where stamps and other postal materials are sold;

16⁰ Post: means a system for collection, dispatching, conveying, handling and delivery of postal articles by or through public postal licensee.

17⁰ Postage stamp: Any label or stamp for denoting any postage or other sum payable in respect of a postal packet and includes any adhesive postage stamp or printed stamp embossed, impressed or otherwise indicated any envelope, wrapper, postcard or other article, whether such stamp is issued under this Regulations;

18⁰ Postal article: A letter, a package, a parcel, a courier, a wrapper or a container that can be collected, transmitted and delivered through the postal or courier network of a licensee;

19⁰ Postal or courier operator: any natural person or legal entity entitled to carry out postal or courier operations and services;

20⁰ Postage: Any charge or fee imposed by the public postal operator, including additional charge of fee, payable for the collection, transmission and delivery of a postal article by a licensee;

21⁰ Postal Operator in charge of the universal service: The postal operator charged by the state with ensuring the universal postal service;

22⁰ Public postal operator: Responsible for Universal Service Obligation (USO) and has the widest international and domestic coverage (networks);

23⁰ Regional Courier License: Type of license granted to Operator who wishes to carry out courier operations within the boundaries of regional economic and trade communities that the Republic of Rwanda is a signatory of their treaties such as East African Community (EAC), Common Market for Eastern and Southern Africa (COMESA), “Communauté des Pays des Grands Lacs (CEPGL)” and Economic Community of Central African States (ECCAS);

24⁰ Relay box: Means drop off point for bundles of mail, which are later picked up by other letter carriers for distribution in the neighbourhood.

25⁰ Reserved postal services: the postal services whose exploitation are reserved for the postal operator in charge of the universal postal service;

26⁰ Turnover: The amount of the operating revenues of the concerned Public Utility, after deduction of VAT and sums paid to other operators for their interconnection services.

27⁰ Undeliverable postal or courier article: Articles which have not been delivered to the addressee;

28⁰ Universal postal services: The basic postal service within Rwanda which includes the acceptance, conveyance and delivery of letters up to two(2) kilograms, parcels and packets of up to Twenty(20) kilograms, and financial services delivered at equal and reasonable tariffs to all Citizens ;

29⁰ Universal Postal Union: The specialized agency of the United Nations that coordinates postal policies among member nations, in addition to the worldwide postal system.

Article 4: Objectives

The objectives of this regulation are:

- (a) To promote and encourage the expansion of postal and courier services for the social and economic development of the country;
- (b) To ensure the compliance with the rules of transparent competition;
- (c) To ensure equal treatment of beneficiaries and the respect of the principles of adaptability and continuity of the public service;
- (d) To ensure that there are provided throughout the country as far as practicable, reasonably postal and courier services to satisfy demand of the population ;
- (e) To ensure that providers of postal and courier services achieve the highest level of efficiency in the provision of the services and are responsive to customer and community needs;
- (f) To provide quality standards of equipment required by the Authority for the provision of postal and courier services in the country ;
- (g) To promote and protect the interests of beneficiaries;
- (h) To guarantee the secrecy of the articles; and
- (i) To ensure the transparent management of the accounts of the postal and courier operators;

CHAPTER II: LICENSING REGIME FOR POSTAL AND COURIER SERVICES

Article 5: The Types of License

Under this regulation, the Authority grants the following types of licenses:

- a) Public postal Operator License;
- b) International courier License;
- c) Regional courier License;
- d) Domestic courier License;
- e) International in-bound courier License;
- f) Intra-city courier License;

A postal or courier licensee for a given category has the right to perform activities which are in a lower category of license in descending order by types of license.

Section One : Licensing Requirements

Article 6: General Requirements

Any person who intends to apply for postal or courier services license shall submit to the Authority the following documents:

- a) An application letter addressed to the Director General of RURA;
- b) An application form well filled by the applicant ;
- c) Domestic registration certificate issued by Rwanda Development Board specifying that postal or courier services are among the businesses to carry out;
- d) The legal status of the applicant;
- e) The zone of operation for which the applicant requests for a license;
- f) Business plan for a period of five (5) years;
- g) A copy of National Identity Cards (ID) or Passport for the managing director;
- h) Proof of the payment of the prescribed non-refundable application fee ;
- i) List or number of all other Rwanda or foreign licenses held by the applicant pertaining to the Postal or courier services if any ;
- j) Justification of full ownership of the premises in the names of the company or the rental agreement;

- k) Insurance policy;
- l) Fire protection measures;
- m) Any other information deemed necessary by the Authority.

Article 7: Specific Requirements with regard to the Regional and International courier services

Any person who intends to apply for Regional and International postal or courier services license shall fulfill the following specific requirements:

- a) Branches or agents nationwide;
- b) Logistics such as cars, motorcycles and vans with Safety boxes;
- c) Having the own airlines or agreement with some airlines or with international courier operators;
- d) Inbound and outbound track and trace system;
- e) Plan of quality of service standards,
- f) Any other information deemed necessary by the Authority for decision making.

Article 8: Specific Requirements with regard to Domestic courier services license

Any person who intends to apply for domestic courier services license shall fulfill the following specific requirements:

- a) Branches or agents nationwide;
- b) Having agreement with some public transport Licensees if the applicant doesn't have his/her own means of transport ;
- c) Plan of quality of service standards;
- d) Any other information deemed necessary by the Authority for decision making.

Article 9: Specific Requirements with regard to International In-bound courier services license.

Any person who intends to apply for International In-bound courier services license shall fulfill the following specific requirements:

- a) Branches or agents nationwide;

- b) Having the own airlines or agreement with some airlines or with international courier operators;
- c) Having agreement with some public transport licensees if the applicant doesn't have his/her own means of transport ;
- d) Plan of quality of service standards;
- e) Any other information deemed necessary by the Authority for decision making.

Article 10: Specific Requirements with regard to Intra-City courier services license

Any Person who intends to apply for Intra-City courier services license shall fulfill the following specific requirements:

- a) At least one office in the operational City;
- b) Logistics facilities to do so such as a motorcycles with Safety boxes;
- c) Plan of quality of service standards;
- d) Any other information deemed necessary by the Authority for decision making.

Article 11: Facilities required for operating as postal or courier Licensee

Any person who intends to apply for regional and international postal or courier services license shall have in place the following facilities:

- a) Branches or agents nationwide;
- b) Packaging or protection materials to ensure safety of the parcel such as fliers and bags;
- c) Security measures;
- d) Well built public counters;
- e) Rooms or lobbies for the comfort and convenience of customers waiting to be served;
- f) Adequate ventilation;
- g) Adequate and secure storage and sorting facilities for courier articles awaiting conveyance or delivery;
- h) Any other information deemed necessary by the Authority for decision making.

Article 12: Licensing Application procedure

Any person intending to apply for a license for providing postal or courier services shall fill the application form approved by the Authority dedicated for such services in Rwanda.

Application forms shall be collected from the Authority headquarters or Authority website;

All application forms shall be submitted in typewritten format or in an electronic form approved by the Authority. In the latter case, the applicant shall underline a statement to the electronic form confirming that the electronic version is identical to the typewritten form to be submitted later to the Regulatory Authority;

The license application form, with all attachments, must be signed by the applicant or his/her authorized representative. The signatory must sign a verification statement that:

- (a) All information provided to the Authority in the application form is true and correct to the best of the applicant's knowledge;
- (b) The license application shall be accompanied by a cover letter addressed to the Authority which contains a statement describing the category of license required;

Following submission of the license application, the Authority shall process the license application in accordance with licensing process and procedures prescribed herein;

Any license application determined by the Authority to be incomplete shall be considered as a defective filing;

Any license application from an applicant who has not made full payment of application fee shall be considered to be a defective filing until that payment is made;

Upon receipt of a license application, the Authority shall proceed with the examination of the submitted documents.

The Authority may upon scrutiny of the application, within fourteen (14) days after the receipt of the application, notify and require the applicant to furnish such additional information or particular documents as considered necessary for the purpose of dealing with the application;

If the Regulatory Authority determines that the license application is complete, it shall grant a license within a period not exceeding thirty (30) days. The thirty (30) days period does not include time for applicant to respond or to request for additional information. This time limit is an internal administrative time and not an enforceable deadline.

Article 13: Taken Decision

The Authority shall issue its decision as promptly as possible, but in no event later than fourteen (14) days following receipt of a complete application, except where unusual circumstances require a longer period of review in order to render a fair and reasonable decision. In the case where the Authority requires additional time for decision in order to obtain information from third parties, to resolve technical or legal issues, or similar reasons, the Authority shall provide written notice to the applicant.

Article 14: Reasons for rejection of License Application

The Authority may refuse to grant a license, or may require that the application be appropriately amended or completed and resubmitted or that a new application be submitted in its place if:

- (a) The application form is not duly completed by reason of any omission or misdescription;
- (b) The application form contains any error or alteration;
- (c) The applicant fails to provide the documents or information required;
- (d) The application does not comply with any other prescribed requirements;
- (e) The regulatory Authority may require to the applicant to provide additional or missing document.

Article 15: Criteria for License Issuance

The Authority shall issue a license to an applicant that demonstrates the following:

- (a) The applicant fulfills all technical, operational, safety and other conditions in accordance with applicable laws, regulations and standards;
- (b) The applicant has not had a license suspended, revoked or been found liable for significant license violations in Rwanda or another country within the past three (3) years;
- (c) Any other substantive criteria that the Authority determines is needed to fully protect the public health, safety and welfare;
- (d) The license shall be issued upon the payment of initial license fee provided under these regulations.

Article 16: Regulatory Fees

- a) The license for postal or courier services shall be issued upon the payment of the application and license fees as prescribed in Annex One of these regulations;
- b) Annual fees payable by public utilities of annual turnover which shall be determined by the Regulatory Board ;
- c) Annual contribution to the universal postal access fund which shall be determined by the Presidential Order ;
- d) The Authority may from time to time amend the fees applicable to different types of licenses and revised charges are applied to all licenses of the same type;
- e) License fees shall be paid to the Authority bank account.

Article 17: License Renewal

The license renewal procedure shall be subject to the submission of the following document:

- a) Financial Report;
- b) Performance report of the previous three (3) years;
- c) Bank slip of the payment of the license fee;
- d) Any other document required by the Authority.

The license holder must file an application for any license renewal at least ninety (90) calendar days prior to the expiration of the valid license;

The Authority shall attempt to make its decision not later than thirty (30) days prior to the expiration of the current license, and shall issue the license not less than seven (7) days prior to the license expiration, so long as the applicant has filed its renewal application and requested additional information in a timely manner.

Article 18: License Modifications

A license modification proceeding may be initiated by the Authority or by request of the license holder.

The Authority may modify a license before its expiration when it determines that an amendment of the license is needed in order to respond to:

- (a) Significant changes in the controlling laws or regulations, or significant court decisions that directly affect the license provisions;

- (b) The inability of the license holder to comply with controlling license provisions due to events beyond licensee's control;
- (c) Changes in the ownership or organizational status of the licensee;
- (d) Significant non-compliance by the license holder with current license provisions or other Authority rules, decisions or orders.

Article 19: license transfer

Transfers of licenses, including the direct or indirect sale, assignment, conveyance, lease or other transfer of assets or activities subject to a license to a different individual or institution shall be subject to a prior written approval of the Authority.

Such approval shall be granted after consideration of the matter and if the proposed transfer meets all the conditions for granting the relevant license.

Failure to comply with such requirements shall amount to license suspension or revocation.

Article 20: License Suspension or Revocation

Depending on the seriousness of the offense committed by the Licensee, the Authority may suspend or revoke a license before the expiration of the license term due to:

- (a) Licensee failure to comply with license terms and conditions;
- (b) Licensee abandonment of license activities;
- (c) Failure of the licensee to provide the Authority with monitoring and reporting data required by the license or failure to cooperate with the Authority inspection and audits;
- (d) Licensee submittal of false or deliberately misleading data or information to the Authority in response to the Authority request or in response to the Authority monitoring reporting inspection or audit requirements;
- (e) Licensee failure to provide timely access to the Authority or inspection or audit of licensee facilities and corporate records;
- (f) Bankruptcy, financial insolvency or liquidation of licensee;
- (g) Licensee failure to pay the regulatory fees.

A license suspension proceeding shall be conducted in the following manner:

- (a) The Regulatory Authority shall commence a license suspension by sending written notice to the licensee advising the licensee of the commencement of a suspension proceeding, and requiring licensee to file a response within five (5) working days ;

- (b) If the licensee contests the suspension or fails to convince to the Authority notice, the Authority shall notify the Licensee the final decision as soon as practicable;
- (c) In case the Authority confirms the license suspension, such decision shall be notified to the licensee and be published at RURA web site and any other media outlet determined by authority ;

If the licensee does not correct such faults within fourteen (14) days during the period of suspension; the license shall automatically be revoked.

Article 21: Prohibition in relation to suspended operator's license

A licensed operator whose licence has been suspended shall not, during the period of suspension, operate or provide the postal or courier services under the terms and conditions of such operator's licence.

Article 22: Appeal against a taken decision

Where the applicant is not satisfied by any decision of the Authority, after failure of an out of court settlement, he/she may appeal before the competent court.

Article 23: License validity

The Authority shall issue a license for a defined period of five (5) for all types of licenses.

Article 24: License Register

The Authority shall maintain a register of all licenses issued as follows:

- a. License registry number;
- b. Name and headquarters address of licensee;
- c. The effective date and term of the license.

Section 2: Responsibilities and Liabilities of postal or courier Licensees

Article 25: Responsibilities of postal or courier Licensees

Postal or courier Licensees shall perform the following duties to facilitate growth of the sector:

- a) Ensure that postal or courier services are achieved to the highest level of efficiency nationwide in the provision of the services and are responsive to customer and community needs;
- b) Develop new Information and Communication Technologies;
- c) Set internal standards that take into account postal or courier security, speed and reliability of mail;
- d) Contribute to the safety and security of their place of operation and the national territory;
- e) Comply and implement the national policy regarding the environmental protection;
- f) Comply with the implementation of the national policy regarding land use planning;
- g) Provide competitive postal or courier services in compliance with the terms and conditions of their respective licenses;
- h) Provide other additional services and products as required by market and financial perspective.
- i) Any other matters as may be determined by Authorised organs.

Article 26: Powers and limitations of licensee

Subject to this provision, a licensee shall have right to enter in any premises of his customer and residential houses to collect and to deliver postal or courier packets. A licensee shall be subject to and shall comply with such general directions containing in the contract concluded between the two parties.

Article 27: Compensation to Customers

A customer shall have the right to compensation in case a postal or courier article is lost or misplaced within the operator's network or system. The Authority requires an applicant to produce a compensation plan in regard of international postal or courier conventions.

CHAPTER III: RESERVED POSTAL SERVICES AND MANAGEMENT OF THE UNDELIVERABLE ARTICLES

Article 28: Reserved Postal services

The competent authority shall determine the list of reserved postal services provided by the operator in charge of the universal postal services.

Article 29: Reserved rights of issuing postage stamps and other postal values

The right to issue postage stamps and other postal values marked “Republic of Rwanda” or any other sign seal or symbol of the Republic is reserved for the postal operator in charge of the universal postal service.

No person other than the postal operator in charge of universal postal service shall produce postage stamps. The image depicted on postage stamps shall be of national and international interest and shall project the good image of Rwanda and its people.

Postage stamps shall be available for sale to the public at all post offices at the prices equal to the value denoted thereon.

The public postal operator shall comply with Regulations on postage stamp as shall be issued by the Authority from time to time in accordance with Universal Postal Union convention.

This article does not preclude the printing by postal operators of stickers, tape or postage vouchers for billing of their services in compliance with laws and regulations.

All postage stamps archival materials belong to the government shall be produced and kept by the postal operator in charge of universal postal service.

Article 30: Sale of postage stamps

The public postal operator may enter into arrangement with any person to sell postage stamps.

The public postal operator shall establish and submit to the Authority for approval rules and conditions for re-sale of stamps.

Article 31: Illegal manufacture and unlawful use of postage stamps

No person shall without lawful authorization, be in possession of any dye, plate, instrument or contrivance used for the printing of postage stamps sold or used by the Public postal operator.

Article 32: Posting of postal articles

No person other than the Public Postal Operator shall erect and maintain letter posting boxes or mail delivery boxes in any road, street or public place.

No letter posting box or mail delivery box shall be so placed as to interfere with ordinary traffic.

A postal article shall be deemed to have been posted when it is put into a Public Postal Operator's letter posting box.

Hybrid mail shall be deemed to have been posted when an electronic version has been transmitted to the licensee's network.

Article 33: Postal or courier addressee's dead

Where a postal or a courier operator is satisfied that the addressee of a postal or courier article is dead, he may in his discretion:

- a) Deliver or redirect the postal or courier article on the written application of any one of the executors named in the will of the addressee or any person appearing to the postal or courier operator to be entitled to take out letters of administration to the addressee; or
- b) Deliver or direct the postal or courier article on the written application of any such person appearing to the postal or courier operator to be conducting the affairs of the deceased;
- c) Retain the postal or courier article for such period as he may think fit and on production of probate of the will or letter of administration to the estate of the addressee together with the written application of one or more of the executors or administrators, deliver or redirect the article in accordance with such request;
- d) Treat the postal or courier articles in accordance with the provisions of these Regulations as undelivered postal or courier article. The appropriate charges payable for redirection shall be paid as specified by the postal or courier operator.

Without prejudice to above paragraph, if the addressee of a postal or courier article is dead, the delivery of postal or courier article shall comply with the law and regulations into force with regard to the succession in Rwanda.

Article 34: Undeliverable postal or courier articles

The postal or courier articles shall be classified as undeliverable postal or courier articles and disposed of as appropriate if:

- a) Articles which have been incorrectly or insufficiently addressed;
- b) Articles which have been tendered for delivery and returned to the postal or courier operator endorsed in a manner indicating that they cannot be delivered to, or have been refused by the addressee;

- c) Articles containing any perishable contents where the condition of the postal or courier article is such as to be likely to cause injury, damage or delay to any other postal or courier article, or as to be likely to cause damage or embarrassment to any officer of the postal or courier operator or to any person employed in connection with the postal or courier services;
- d) Letters or other postal or courier articles that are undeliverable due to an undecipherable or non-existent address or post code may be opened by a postal or courier licensee and where the letter or articles is capable of being delivered based on information in the letter or article, the letter or article shall be delivered accordingly;
- e) Every undeliverable postal article that has been opened and remains undeliverable shall be scrapped after a period of two (2) months from the date of the opening, where there is no value contained therein. In case of unwrapped mails containing values, such mails shall be handed to the postal operator in charge of the universal postal service after a period of five (5) years from delivery to the postal operator.
- f) Where a postal or courier article is opened as provided in by the above paragraphs, shall ensure a mark is affixed on the postal or courier article indicating:
 - 1. Date and time of opening;
 - 2. Period it has remained undelivered;
 - 3. Contents; and
 - 4. Whatever action the licensee decides to undertake with the undelivered article.

Article 35: Disposal of undeliverable articles

An Order of the Minister in charge of postal services determines the management of values handed to the postal operator in charge of universal postal service.

Article 36: Prohibited articles

The following articles shall not be conveyed or delivered by postal or courier operators:

- a) Any explosive, inflammable, dangerous, noxious or deleterious substance, filthy, sharp instrument not properly protected or any article or thing whatsoever which is likely to injure either other postal or courier articles in the course of conveyance or any person handling the article;

- b) Any indecent or obscene printing, painting, photograph, lithograph, engraving, film, book card, or any other indecent or obscene article;
- c) Any article which may not, under the law of the country to which it is addressed, be imported or transmitted by post;
- d) Any article containing or bearing any functions stamp or any counterfeit impression of a franking machine;
- e) Any article sent by post in a stamped or embossed envelope wrapper, card forms or paper in imitation of the one issued under the authority of the public postal operator;
- f) Any article bearing any stamp or impression of a stamping machine denoting payment of postage or fee which is imperfect or mutilated or defaced in any way or across which is written or printed or otherwise impressed;
- g) Any article whereon the payment of any postage or fees purports to be denoted by any stamp or impression which has been previously used to denote payment of the postage or fees on any other postal article or any other stamp duty or tax;
- h) Betting advertisements if relating to illegal business;
- i) Fortune telling advertisements;
- j) Sweepstake or lottery tickets, or advertisement or other notice in relation to sweepstake or lottery other than a lawful sweepstake or lottery;
- k) Any article which infringes trade mark or copy right laws;
- l) Any living creature, other than bees, leeches and silk worms, parasites or destroyers for noxious insects; and
- m) Any article which by these Regulations is prohibited from being posted or accepted for transmission by post;

No postal article shall be conveyed or delivered within Rwanda where the postal article is posted outside the Rwanda, by a person resident in, or a firm carrying on business in Rwanda with intent to avoid payment of highest domestic postage rate.

Article 37: Quality of Service standards

In conformity with international postal regulations, Authority hereby establish the minimum postal service standards for the universal services rendered by the Public Postal Operator as provided in Annex 3 of this Regulation.

The service standards to be performed by Public Postal Operator shall be reviewed from time to time by the Authority where deemed necessary.

Article 38: Service coverage

The Authority encourages the designated postal operator to provide universal postal service and continually improve on service coverage and penetration levels, which can be used to measure achievements in the universal service provision. The number of postal outlets or service points is to be increased progressively as shown in Annex two (2) to match service expansion requirements and customer demand.

Article 39: Quality of service

Postal and courier operators shall comply with quality of service standards, which shall be determined by the Authority in accordance with international postal and courier regulations.

CHAPTER IV: MONITORING AND ENFORCEMENT

Article 40: License Monitoring

The Authority shall monitor the performance of each license holder for full compliance with all terms and conditions of the license;

The Authority shall include terms and conditions in the license requiring license holder to report on financial, technical, organization and other data needed to allow the Authority to effectively monitor license compliance to ensure progress toward a competitive marketplace, and to ensure accurate tariff setting. The Authority may also perform physical inspections of the license holder's facilities and corporate records on license holder's premises. These inspections may be conducted on an announced and unannounced basis. The inspections and audits shall be conducted during normal business hours, except when the Authority has a reasonable basis to believe that non-compliant activities are occurring outside of normal business hours;

Article 41: License Enforcement Action

If the Authority determines that the license holder has failed to comply with any term or condition of the license, the Authority shall send a written warning to the licensee including a deadline of fifteen (15) days for correction of the alleged license violation.

If the license holder, after receipt of the warning from the Authority, does not cure the alleged non-compliance, the Authority may open a license enforcement proceeding, which may consist of monetary sanctions, license modification, revocation or transfer.

CHAPTER V: SANCTIONS

Article 42: Provision of postal or courier services without a license

Any person who provides postal or courier services without a license in accordance with the provisions of these Regulations shall be liable to an administrative fine of between five hundred thousand (500,000) and three million (3,000,000) Rwanda francs and its operations shall be suspended.

Article 43: Non-compliance with enforcement notice

Where a postal or courier service licensee does not comply with an enforcement notice issued by the Authority in accordance with the provisions of these Regulations, such a licensee shall be liable to an administrative fine of between one million (1,000,000) and five million (5,000,000) Rwanda francs.

Article 44: Transfer of license without authorization

Where a postal or courier service licensee assigns or lends its licence without the written consent of the regulatory authority, such a licensee shall be liable to an administrative fine of between one million (1,000,000) and five million (5,000,000) Rwanda francs. The license may be suspended where necessary.

Article 45: Refusal to provide information relating to a postal or courier operator

Where a postal or courier service provision licensee fails or refuses to provide information or provides incomplete or false information on a postal or a courier operator functioning, or does not provide the information in the manner or in the time prescribed, such a licensee shall be liable to an administrative fine of between five hundred thousand (500,000) and one million (1,000,000) Rwanda francs.

Article 46: Hindering inspection

Where a postal or courier service licensee wilfully delays or obstructs the inspection of the regulatory authority, such a licensee shall be liable to an administrative fine of between five hundred thousand (500,000) and one million (1,000,000) Rwanda francs.

Article 47: Use of false information for license application

Where, for the purposes of obtaining, whether for himself/herself or another person, a postal or courier service license, a person provides information which he/she knows to be false, he/she shall be liable to an administrative fine of between five hundred thousand (500,000) and one

million (1,000,000) Rwanda francs. Where necessary, the regulatory authority may withdraw the license received on the basis of false information.

Article 48: Contravention of the terms and conditions of a license

Any person who contravenes the terms and conditions of its license not mentioned in the previous articles shall be liable to an administrative fine of between five hundred thousand (500,000) and Five million (5,000,000) Rwanda francs. Where necessary, the regulatory authority may suspend the license for a period not exceeding three (3) months or revoke it.

CHAPTER VI: TRANSITIONAL AND FINAL PROVISIONS

Article 49: Transitional period

All the licenses of exploitation granted by the incumbent postal or courier operator shall remain in force for a period not exceeding six (6) months as of the date of its adoption by the regulatory Board.

The incumbent postal or courier operator shall transmit to Authority the list of holders of valid licences.

Any other person who commences postal or courier services operations after the effective date of this regulation shall submit an application for a license in due form as provided under this regulations prior to commencing operations.

Article 50: Repealing provision

All prior provisions contrary to these regulations are hereby repealed.

Article 51: Commencement

This regulation shall come into force on the date of its signature.

Done on 04/04/ 2015

Signed

Eng. Coletha U. RUHAMYA

Chairperson of the Regulatory Board

Annex 1: Applicable fees

License	Applicable fee	Amount in USD	Licence validity
Public Postal operator	Application fee	140	5 years
	Licence fees	7,500	
	Annual Operating fee	1%	
International courier operator	Application fee	140	5 years
	Licence fees	5,000	
	Annual Operating fee	1%	
Regional courier operator	Application fee	140	5 years
	Licence fees	4,000	
	Annual Operating fee	1%	
Domestic courier operator	Application fee	70	5 years
	Licence fees	3,300	
	Annual Operating fee	1%	
International In-bound operator	Application fee	140	5 years
	Licence fees	2,500	
	Annual Operating fee	1%	
Intra-city courier operator	Application fee	70	5 years
	Licence fees	1,200	
	Annual Operating fee	1%	

Annual Operating fee: Refer to the Decision of the Regulatory Board determining Annual Regulatory fee payable by regulated utilities and service providers.

Annex 2: The number of postal service outlets/ service points of Operator in charge of Universal Postal Service

Target	Period (from the date of publication of these Regulations)		
	Within 1 year	Within 2 years	Within 3 years
To have a Departmental Post Office (DPO) at each District Headquarters (No. of District Headquarters with a DPO)	10	20	30
Establish a Postal Agency in every town of 5000 residents (% of total towns with at least 5000 people)	25	50	100
To establish a Postal Agency at every University or Post-Secondary Institution (% of total No. of institutions)	25	50	100

Annex 3: The minimum postal service standards

Type of Network Connection	USO Obligation
Letters(local)	Delivery standard at least 90%
Posted and for delivery within the same urban area: <ul style="list-style-type: none">• Posted before noon (1200 hrs)• Posted after noon (1200 hrs)	J(same day delivery) J+1 at 90%
Posted before noon in urban areas for delivery within other urban areas.	J+3 at 90 %
Posted after noon in urban areas for delivery within other urban areas.	J+ 4 at 90%
Posted before noon in urban areas for delivery in rural areas.	J+ 5 at 90 %
Posted after noon in urban areas for delivery in rural	J+6 at 90 %
Posted before noon in rural areas for delivery in other rural areas.	J+ 7 at 90 %
Posted after noon in rural areas for delivery in other rural areas.	J+8 at 90 %
Letters (International)	Same as local upon clearance at Airport
Private letter boxes/bags	
Provision of letter boxes/bags on application <ul style="list-style-type: none">• Urban areas• Rural areas	Two(2) weeks Two(2) weeks
Replacement of private box/bag lock consequent upon loss of keys	Two(2) days

NOTE:

- 1. Urban areas:** Refers to all major towns including district headquarters in Rwanda.
- 2. Rural Areas:** Refers to all other centers except major towns.
- 3. J:** The day of posting.

Signed

Eng. Coletha U. RUHAMYA
Chairperson of the Regulatory Board