



EUROPEAN COMMISSION

*Brussels, 28.10.2016
C(2016) 6720 final*

*Mr Mars Di Bartolomeo
President of the Chambre des Députés
19, rue du Marché-aux-Herbes
L – 1728 LUXEMBOURG*

Dear President,

The Commission would like to thank the Chambre des Députés for its Opinion on the proposal for a Regulation on cross-border parcel delivery services {COM (2016) 285 final}.

Affordable, efficient and reliable parcel delivery services are essential for e-commerce, yet at present high delivery prices often stop e-retailers and consumers from buying and selling more online. Making cross-border delivery more affordable and accessible would help consumers get a better deal and allow them to choose from a wider range of products. It would also support e-retailers to reach new consumers and create more business for parcel delivery providers.

The proposal is a targeted measure to improve parcel delivery services that complements the Commission's wider work to implement the Digital Single Market strategy¹ and to facilitate cross-border e-commerce. For example, through the COSME² programme the Commission is also supporting an information platform on parcel delivery services for e-retailers.

The Commission welcomes the Chambre des Députés' overall support for the objectives of the proposal to increase the transparency of parcel delivery tariffs and to reduce unjustified price discrepancies.

The proposal on cross-border parcel delivery services would, for the first time, require postal regulators to collect data on all but the smallest parcel delivery service providers. This would enable regulators to identify potential problems more easily, as well as provide legal certainty as regards their powers in relation to data collection. Information requirements would, however, be limited to what is strictly necessary in order to minimise the administrative burden.

¹ COM(2015) 192 final.

² https://ec.europa.eu/growth/smes/cosme_en.

The price transparency measures proposed would be limited to universal service providers as the problem of high prices is greatest for individuals and small businesses who lack sufficient parcel volumes to obtain significant price discounts and who also tend to use universal service providers. Under the Postal Services Directive³, universal service providers already have an existing obligation to provide affordable and cost-oriented cross-border letter and parcel services. This proposal builds on that Directive by ensuring that regulators also assess the affordability of products relevant for e-commerce, which do not always form part of the universal service obligation.

The Commission's proposal for a Regulation on addressing geo-blocking and other forms of discrimination based on customers' nationality, place of residence or place of establishment within the internal market⁴ aims to ensure that customers seeking to buy products and services in another Member State, be it online or in person, are not discriminated against in terms of access to online interfaces, different general terms and conditions or payment conditions. The proposal on geo-blocking therefore offers a targeted response to five situations where geo-discrimination can never be justified, without requiring companies to provide cross-border delivery. Such an obligation, considering the current lack of high-quality, affordable, pan-European delivery options, would be disproportionate. Instead, by improving cross-border parcel services, fewer companies should refuse to deliver their goods cross-border. Those situations which are not covered by the scope of the proposal, such as refusals to deliver, should be continuously assessed in light of the non-discrimination provisions laid down in Article 20 of the Services Directive⁵.

The points made above are based on the initial proposals presented by the Commission which are currently in the legislative process involving both the European Parliament and the Council, in which your government is represented. The Commission hopes rapid progress will be made by the Telecoms, Transport and Energy Council scheduled on 2 December 2016.

The Commission hopes that these clarifications address the issues raised by the Chambre des Députés and looks forward to continuing our political dialogue in the future.

Yours faithfully,

*Frans Timmermans
First Vice-President*

*Elżbieta Bieńkowska
Member of the Commission*

³ OJ L 15, 21.1.1998, pp. 14-25, as amended in 2002 and 2008.

⁴ COM(2016) 289 final.

⁵ OJ L 376, 27.12.2006, pp. 36-68.