
Changes to legislation: There are currently no known outstanding effects for the Postal Services Act 2011, Cross Heading: Price controls etc.. (See end of Document for details)

SCHEDULES

SCHEDULE 3

FURTHER PROVISION ABOUT ACCESS CONDITIONS

PART 1

PROVISION THAT MAY BE MADE BY ACCESS CONDITIONS

Price controls etc.

- 3 (1) An access condition imposed on a person may include provision imposing on the person—
- (a) such price controls as OFCOM may direct in relation to matters connected with the giving of access (“access matters”),
 - (b) rules made by OFCOM in relation to access matters about the identification of costs and cost orientation,
 - (c) rules made by OFCOM for those purposes about the use of cost accounting systems,
 - (d) obligations to have compliance with those systems audited annually by a qualified independent auditor, and
 - (e) obligations to adjust prices in accordance with directions given by OFCOM.
- (2) An obligation within sub-paragraph (1)(d) may require the person to meet the costs of the audit.
- (3) In sub-paragraph (1)(d) “qualified independent auditor” means a person who—
- (a) is eligible for appointment as a statutory auditor under Part 42 of the Companies Act 2006, and
 - (b) if the appointment were an appointment as a statutory auditor, would not be prohibited from acting by section 1214 of that Act (independence requirement).

Commencement Information

II Sch. 3 para. 3 in force at 1.10.2011 by S.I. 2011/2329, art. 3

- 4 An access condition may include provision requiring the application of presumptions in the fixing and determination of costs and charges for the purposes of the price controls, rules and obligations referred to in paragraph 3.

Commencement Information

I2 Sch. 3 para. 4 in force at 1.10.2011 by S.I. 2011/2329, art. 3

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- 5 (1) If an access condition imposes rules on any person about the use of cost accounting systems, OFCOM may secure that the condition also imposes an obligation on the person to make arrangements for a description to be made available to the public of the cost accounting system used.
- (2) If OFCOM impose an obligation on a person under sub-paragraph (1), the description of information to be made available must include details of—
- (a) the main categories under which costs are brought into account for the purposes of that system, and
 - (b) the rules applied for the purposes of that system with respect to the allocation of costs.

Commencement Information

I3 Sch. 3 para. 5 in force at 1.10.2011 by S.I. 2011/2329, art. 3

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