



BELGIAN INSTITUTE FOR POSTAL SERVICES AND TELECOMMUNICATIONS

BIPT

PRESS RELEASE

BIPT imposes a 2.3 million EUR fine on bpost due to tariff discrimination between business customers and mail handlers

Brussels, 27 July 2011 – In 2010, bpost discriminated between business customers and mail handlers by way of the so-called ‘per sender’ tariffing model. BIPT also finds the tariffing policy to be insufficiently transparent. For both violations combined BIPT imposes a 2.3 million EUR fine.

Since 1 January 2010, or one year before the liberalisation of the postal sector in 2011, bpost has applied a discriminatory tariffing policy for business customers and mail handlers. The tariffing model, called ‘per sender’ model, discriminates between business customers and mail handlers, which collect postal items from companies and handle these before they are distributed by bpost.

The discrimination lies in the fact that unlike the discounts given to business customers, the commercial discounts given to mail handlers are not based on the total of volumes deposited with bpost, but only on a ‘per sender’ basis, meaning the separate volumes of the various senders. This way mail handlers are unable to benefit from grouping volumes coming from various senders. Commercial discounts are not forbidden, but discrimination between business customers and mail handlers is forbidden by law when allowing such discounts.

A discriminatory application of discounts by bpost is detrimental to customers and to the development of competition in the postal sector. Mail handlers play an important role as potential postal market entrants. Thanks to their presence on the market and their grouping of postal volumes, senders can enjoy lower rates and benefit from specific services.

BIPT also worries about the fact that bpost applies higher discounts depending on whether mail handlers reveal the individual client data to bpost.

Finally, BIPT points out the poor transparency in bpost’s tariffing policy. Although bpost is aware of the lack of clear communication and though a number of improvements have been made in the course of the procedure, the transparency is still insufficient. For example, bpost does not fully reveal the discounts to business customers and mail handlers, nor are the discounts publicly available on its website.

The decision concludes a profound investigation carried out by BIPT over the past few months. On 19 May 2011 BIPT already informed bpost that the tariffing could prove to be violating the postal legislation. After having heard bpost on 30 June 2011 an administrative fine of 2.3 million EUR is now imposed by way of the decision of 20 July 2011.

Luc Hindryckx, Chairman of the BIPT Council:

“With this decision BIPT aims at fair dynamics on the upstream part of the postal chain. This is no ban on discounts; quite the contrary! Business customers must be allowed to enjoy discounts, but on equal terms. We are confident that in the interest of its customers bpost will now and in the future fulfill its non-discrimination and transparency obligations when allowing discounts”.

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