



## Implementing Regulations for Postal law

This document is an explanatory translation of the official  
Arabic binding document





## Chapter (1)

### Definitions

#### Article (1):

For the purpose of applying this regulation, the following terms and expressions shall have the meanings ascribed thereto, unless the context requires otherwise:

**Postal Statements:** Every statement that discloses the postal item and its contents.

**Postal Item of a Special Nature:** Any postal item that the service provider cannot transport or distribute, either because it needs a special method or care for transport, distribution or delivery, or that is perishable or results in contamination of postal items or equipment, or may harm postal service workers, or impede the implementation of postal services.

**Suspension:** Temporary suspension of the license or part thereof, registration or exemption for a period determined by the Authority in accordance with the provisions of the regulations.

**Neglected Postal Items:** Postal items that the service provider, for reasons directly or indirectly not related to him, was unable to deliver them to the addressee, and whose storage period has expired.



## Chapter (2)

### General Provisions

#### Article (2):

- 1- Where there is no special text specifying the form or means of publication, any document shall be considered published in the following cases:
  - A- The Authority's announcement through its website on the Internet, or through its official accounts on electronic platforms.
  - B- Publication in the Official Gazette.
  - C- Sending to addresses registered with the Authority.
- 2- Where this Regulation requires that a document be sent to the Authority's official e-mail address, and the address mentioned is out of work , then the document shall be sent to the Authority by handling.
- 3- The Authority may, if its regulations require permitting or prohibiting a specific activity on a person or facility, issue a resolution identifying the persons related to the person, or related entities, and the relationship to which that permit or prohibition applies.

#### Article (3):

Without prejudice to the controls issued by the relevant authorities, the Authority issues a document regulating the data of the service provider, beneficiary, postal data, and all that is related to their preservation, storage and sharing.

#### Article (4)

The Authority, when setting the controls and standards for postal service fees, shall consider the following aspects:

- 1- To be fair and lead to providing an attractive environment for investment in the sector.
- 2- The Kingdom's international agreements and obligations related to postal service fees.
- 3- International best practices.



**Article (5):**

The Authority issues, in accordance to the Article 10 of the law, a resolution that includes the fees for the categories of licenses, their renewal, and the annual fees thereof, under the consideration of the following:

- 1- The fee is commensurate with the postal service and the type of license.
- 2- The annual fee is related to the size of the establishment entity and the activity which it intends to provide postal services through it.

**Article (6):**

The Authority prepares the comprehensive service policy and the universal use right and submits it to the Ministry for approval, provided that it shall include the following:

- 1- A list of the basic postal services within the universal service and the right of universal use, to be reviewed annually.
- 2- Defining the objectives and obligations of the national operator.
- 3- Setting the necessary controls for the appointment of a universal service provider in the postal sector in the Kingdom.
- 4- Determining the minimum universal service in line with the minimum standards of the Universal Postal Union (UPU).
- 5- Determining the level of comprehensive service provision in the governorates and centers within the limits of specific service quality levels, and reviewing the service level targets on an annual basis in light of the changes in the sector and the expansion of service providers in service provision, the costs of providing it, and the financial support available for the service
- 6- Preparing the regulations and requirements that aim to ensure the regularity and continuity of comprehensive service provision in the designated areas, and reviewing them annually in light of the changes in the sector and the expansion of service providers in providing the service, the costs of providing it, and the financial support available for the service.
- 7- Establishing a mechanism for determining the geographical coverage of universal service provision points, and reviewing it annually.
- 8- When preparing any document; the rules, conditions and organizational bases, regulations, legislation and decisions related to postal services in the Kingdom shall be considered.



### Chapter (3)

#### Licenses

##### **Article (7):**

The Authority grants a license to provide the following postal services:

- 1- Receiving, transportation, distribution, and delivery of postal items, including express mail.
- 2- Postal financial services, after obtaining a license from the Saudi Central Bank (SAMA).
- 3- Postal box service.
- 4- Promotional mail service.
- 5- Providing service of cards, or coupons or pre-paid vouchers.
- 6- Parcel stations service.
- 7- The official mail service.
- 8- Parcel service
- 9- Any license that the Authority deems to be within the scope of postal services in accordance to the Article 1 of the law.

##### **Article (8):**

The license applicant shall submit the following requirements to the Authority:

- 1- Data of the applicant.
- 2- Evidence of financial solvency. The Authority may accept any less evidence of discretion.
- 3- A valid commercial register that includes licensing activity.
- 4- A brief description of the nature of the work of the establishment that will provide postal services, and a work plan that includes the method of conducting postal activities specified in the license.
- 5- Any other requirements set by the Authority.

##### **Article (9):**

- 1- The Authority grants the license indicating the type and scope of the postal service. Those whose application has been rejected may complete





- the reasons for the rejection and re-apply again through the official channels of the Authority.
- 2- The licensee shall place a copy of its license in a visible place at its work place and the service provision centers, to be viewed easily as soon as entering the work place or service provision center.
  - 3- The license shall be renewed at the request of the service provider for a period similar to that referred to in the license, or as deemed appropriate by the Authority, after fulfilling all the necessary requirements for this, including the payment of all its financial obligations with the Authority, if any, and the financial consideration for renewing the license.
  - 4- The renewal application may be submitted within (180) one hundred and eighty days before the expiry of the license. The Authority shall decide on the application within a period not exceeding (15) fifteen days from the date of completion of the application.

In all cases, the service provider shall submit a renewal request (30) thirty days before the license expiry date.

**Article (10):**

The Authority, based on its assessment evaluation of the market situation and the competence of the license applicant, and after the approval of the Board, may apply any of the following:

- 1- Excluding the licensee from providing one of the postal services that fall under its license.
- 2- Obligating the license holder to fulfill additional requirements within a specified period.
- 3- Determining the scope of the service in a specific geographical area.

The Authority shall re-evaluate the market situation every six (6) months.





**Article (11):**

The applicant shall pay the license fees, within (5) five working days from the date of being notified of the approval of the license.

**Article (12):**

The Authority, when rejecting the license application, shall explain to the applicant the reasons for the rejection through the channels of the Authority in which the application submitted its application.

**Article (13):**

The license is issued for a period of no less than (2) two years, subject to renewal, and the Authority issues the controls for the duration of the licenses.

**Article (14):**

The license holder shall provide postal services within a period not exceeding (6) six months from the date of granting the license. If the license holder exceeds this period without providing postal services, the license shall be suspended, and is not entitled, according to the provisions of this Article, to any compensation for the financial consideration for the suspended license that has been paid.

**Article (15):**

The scope of postal services listed in the license shall always be valid, and the service provider shall not perform any postal service or other service other than that which is specified in its license.

**Article (16):**

- 1- The service provider shall obtain the Authority's approval before making any amendment to the scope of the postal services it provides or its geographical scope therein
- 2- If the service provider submits a request to amend the license, this request shall be in writing and include convincing justifications. The Authority shall decide on this request within (30) thirty working days of fulfilling all its requirements.



**Article (17):**

Subject to the conditions or exceptions specified by the Authority when issuing or renewing the license, the holder of a national operator license shall provide the comprehensive service. When granting a license to the national operator, the Authority shall consider the following aspects:

- 1- The service provider shall have the technical and financial ability to provide the comprehensive service
- 2- The universal service provider shall not be a company wholly or partly owned by a non-Saudi investor.
- 3- The universal service provider shall abide by all the rules, principles and conditions related to the universal service policy and the universal usage right.

**Article (18):**

- 1- The Authority issues a list of postal services that require registration and publishes it on its website including the following:
  - a- Conditions of registered postal service.
  - b- The scope of the registered postal service.
  - c- The period specified for each registered postal service.
  - d- The Authority's Board may amend the services mentioned in paragraph (1) of this Article to postal services that require a license, after its approval.

**Article (19):**

The registration applicant shall submit to the Authority the following:

- 1- A valid commercial register that includes the registration activity
- 2- A brief description of the nature of the work of its facility that will provide postal services, its administrative structure, and details of the equity percentages or shares therein.
- 3- A license from the Ministry of Investment for non-Saudis.
- 4- Any other requirements determined by the Authority after the approval of the Board.







#### Article (20):

The Authority records the information of postal service providers in a special register for this, containing the types of postal services they provide, their scope and the time plan for their launch. The record is available for public viewing on the Authority's website.

#### Article (21):

Subject to the provision of Article 23 of the regulations, the Authority may, after the approval of the Board, exempt the service provider from any of the conditions for issuing a license or being exempted from a license as follows:

- 1- The exemption shall not affect the quality of the postal service provided to the beneficiaries.
- 2- The exemption shall not lead to a breach for the service provider's obligations to the rules, regulations and organizational decisions.
- 3- The exemption shall not affect the competition.

#### Article (22):

The Authority may exempt postal service providers from one or more of the licensing conditions for the purpose of encouraging competition and equal opportunities among them and stimulating investment in the postal sector after approval issued by the Board, specifying the following:

- 1- The name of the exempted service provider.
- 2- The scope of the exempted service.
- 3- The geographical scope of the exemption.
- 4- The period of time for the exemption.



#### Article (23):

The geographical scopes for providing postal services under a license, registration or exemption are as follows:

- 1- The Scope of providing international postal services.
- 2- The scope of providing local postal services.
- 3- The scope of providing postal services to geographical areas determined by the Authority.



**Article (24):**

- 1- The Authority may request from the service provider or any of its contractors in its capacity as a distributor or sub-provider of the service provider, services any documents, invoices, receipts and papers related to postal services or other information it needs to study the postal service provider's compliance with the provisions of the law and regulations, and the latter shall provide the Authority with the requested items within a period not exceeding (5) five working days from the date of notification. In case of delay, the postal service provider shall explain the justifications thereof.
- 2- The service provider's refusal, or the distributor or the sub-service provider, or the postponement, obstruction or delay in the implementation of the Authority's request to provide information related to postal services is a violation that may hold the service provider accountable in accordance with the Classification of Violations and Determination of Penalties Table issued by the Board.

**Article (25):**

Subject to the provisions of other regulations; the service provider may not transfer or assign the license or transfer the ownership of the licensed facility, whether by sale, mortgage or any other method, except after obtaining a written approval from the Authority and fulfilling the following:

- 1- Paying all its financial obligations with the Authority.
- 2- The fulfillment of the conditions for granting the license mentioned in the regulations and the additional conditions of the assignee.
- 3- The assignee shall not practice the activity until the completion of the assignment procedures and the issuance of approval therein.
- 4- The waiver shall not affect the competition.
- 5- The committee has not previously issued a decision against the assignee to cancel its license.
- 6- The assignor and the assignee shall comply with any other conditions or requirements set by the Authority.





**Article (26):**

The license shall be transferred, waived, or the ownership of the licensed facility transferred through a request from the service provider to the Authority, in accordance with the form prepared by the Authority, provided that the Authority issues its decision of approval or rejection within thirty (30) working days from the date of its submission. The failure to respond within the specified period shall be a rejection of the application.

**Article (27):**

The Authority may suspend or cancel the license, registration or exemption, as the case may be, for any of the following reasons:

- 1- If the service provider requests in writing to cancel or suspend the license, registration or exemption.
- 2- In the event that the service provider commits a violation that warrants cancellation according to the Classification of Violations and Determination of Penalties Table issued by the Board based on the provision of paragraph (2) of Article 31 of the system.
- 3- The service provider's violation of the terms or scope of the license or any of the provisions of the law, regulations or decisions issued therein.
- 4- Failure to provide the licensed postal service within a period of more than (6) six months from the date of granting the license to the service provider.
- 5- The service provider's breach of the conditions stipulated in the license, the scope of its postal services, or the breach of competition in accordance with the provisions of the regulations.
- 6- Failure of the service provider to pay any financial consideration due to the Authority
- 7- If it is proven to the Authority that the service provider has carried out activities that harm national interests, including, but not limited to security or economic ones.
- 8- If the service provider waived the license in violation of the provisions of the procedures stipulated herein.
- 9- Bankruptcy, dissolution or liquidation of the service provider.



**Article (28):**

The Board of the Authority shall issue a decision containing the classification of licenses, registrations and exemptions. The issued document shall include the scope and conditions of postal services.

**Article (29):**

The license expires in the following cases:

- 1- Expiry of its period without renewing it.
- 2- Cancellation of the license at the request of the licensee.
- 3- Termination of the licensee's legal personality for any reason.
- 4- In other cases stipulated by the Kingdom's laws or sovereign resolutions.
- 5- Revocation of the license by the Authority in accordance with the provisions of the regulations.







## Chapter (5)

### Obligations and Rights of Service Providers and Beneficiaries

#### Article (32):

The service provider shall abide by the following:

- 1- Provisions of regulations, decisions, and instructions issued by the Authority in implementation of the provisions of the law.
- 2- The general policy of the postal services sector in the Kingdom.
- 3- The national address of the beneficiaries when providing any of the postal services.
- 4- Ensuring the safety of postal items.
- 5- Preparing a policy related to the rights of beneficiaries; and submitting it to the Authority for approval.
- 6- Placing its license issued in a visible place at the headquarters.
- 7- Preparing a contract form for each of its services, bearing in mind that the contract for providing the postal service shall be in Arabic and English.
- 8- Keeping the service contract for a period of no less than (1) one year from the date of delivery of the postal item.
- 9- Preserving the contents of the postal items from loss or damage.
- 10- The wages, weights, dimensions, shapes, sizes, volumes, descriptions and conditions of postal items approved by the Authority and any amendment thereto.
- 11- Notifying the Authority of any amendments or additions to its data or its branches within (5) five working days from the date of the amendment or addition.
- 12- Providing postal services to beneficiaries without discrimination.
- 13- Transparency in dealing with beneficiaries, including disclosing the name and address of the service provider, its website and electronic platforms, and clarifying the types of postal services it provides, the terms of their provision, the fee for each postal service, and any additional amounts that the beneficiary may incur.
- 14- Setting standards to measure the quality of the postal service provided, and the satisfaction of the beneficiary.



- 15-Providing a clear system for the transmission and distribution of postal activities at the local and international levels, and publish them by the available means, in accordance with the Authority requirements.
- 16-Keeping records determined by the Authority.
- 17-Informing the Authority of any modification made in the way of carrying out the postal activities specified in the license.
- 18-Enabling the competent authorities to monitor its activity.

**Article (33):**

- 1- The sender may request the return of the postal item or make a correction or modification to the address of the addressee before it is delivered to him, and the service provider may impose a fee on the beneficiary, taking into account the following:
  - a- The wage shall be approved by the Authority
  - b- It should be inclusive of government fees imposed on the service provider.
- 2- The sender may ask the service provider to retrieve the postal item without payment, provided that no more than (3) three hours have passed since its delivery to the service provider.

**Article (34):**

The sender may request the return of the postal item or make a correction or modification to the address of the addressee, taking into account the following:

- 1- The service provider shall respond quickly within (3) three working days when requesting the recovery of the postal item or making a correction or modification of the addressee's address. The service provider may, in the event of a correction or modification to the addressee's address, extend an additional period for providing the postal service from the date of acceptance of the request.
- 2- The service provider shall set clear policies for the mechanism of receiving requests for postal item recovery or make a correction or modification to the addressee's address and publish it on its website, taking into consideration the regulations and decisions issued by the Authority.





(35):

The service provider shall acknowledge the conditions for providing postal services, after obtaining the Authority's approval in writing, by submitting an application that includes the following:

- 1- The condition or procedure to be approved.
- 2- The reason for approving the condition or procedure.
- 3- The service for which the condition or procedure is to be approved.

**Article (36):**

- 1- The service provider may submit to the Authority a request to add other charges to the postal services, through a request that includes the following:
  - A- Estimated added fees.
  - B- The reason for adding the fee.
  - C- The postal service to which the fee is to be added.
- 2- The fees for services shall be determined and modified by a decision of the Authority based on the request of the licensee. The lapse of (60) sixty days from the date of submitting the proposal to the Authority without a decision thereon shall be a rejection decision.

**Article (37):**

Other charges added by the service provider to postal services include the following:

- 1- The fee it adds in return for additional benefits to its postal services.
- 2- The fee it adds for services and operations related to its postal services.

**Article (38):**

The service provider may contract with third parties to perform some of its postal services, provided that the following shall be met:

- 1- Availability of the conditions for providing postal services for the contractor.







- 2- The performance of the contractor for one or more preparatory works within a specific postal service is excluded from the condition set forth in Paragraph (1) of this Article.
- 3- Not to be contracted to provide all licensed services to the service provider.
- 4- The contractor's commitment to the provisions of the law, regulations and decisions issued by the Authority in implementation thereof.
- 5- Obtaining the written approval of the Authority for the contract.
- 6- Determining the term of the contract.
- 7- Joint liability of the service provider and the contractor before the Authority and third parties for the obligations arising from the provision of postal services.

**Article (39):**

In the event that the service provider is interested in dealing with any agency or international organization concerned with postal affairs to make any arrangements related to the provision of its postal services, the written approval of the Authority shall be obtained in accordance with the controls set by the Authority.

**Article (40):**

The service provider shall save the postal item for a period of (90) ninety days from the date of expiry of the delivery period. During this period, the service provider shall abide by the following:

- 1- Reaching the sender or addressee; to receive the postal item or collect its fee.
- 2- Keeping the postal item in the service provider's warehouses.
- 3- Announcing the postal item in accordance with the Authority's requirements to reach the beneficiary, taking into account the confidentiality of the postal data.

The service provider may, after complying with the above and the expiry of the storage period, sell the local postal item, and destroy or sell it if it is not local.





#### Article (41)

The service provider may destroy the perishable postal item before the expiry of the storage period stipulated herein.

#### Article (42)

The service provider may, after obtaining the Authority's approval, impose a fee on the beneficiary in return for keeping the postal item.

#### Article (43)

The service provider shall prepare a report of the destruction or sale of the postal item stating the following:

- 1- Sender data (name, contact number, national address)
- 2- Data of the addressee (sender, contact number, national address)
- 3- The type and description of the damaged or sold postal item.
- 4- Actions taken to identify the owner of the postal item.
- 5- Documents supporting the actions taken by the service provider.

#### Article (44)

The service provider shall enable the beneficiary to track the sent postal items and inquire about their status accurately and transparently, starting from the service provider's receipt of the materials until their delivery, or the expiry of the storage period.

#### Article (45)

- 1- Anyone who finds or receives a postal item that does not belong to him shall immediately inform the service provider of that, and shall deliver it to the service provider within a period not exceeding (10) ten days from the date of finding or receiving the item.
- 2- The service provider shall receive the postal item from the person who received it, and shall write a report including the following:
  - 1) Data of the postal item delivery person (name, contact number, address)
  - 2) The type and description of the postal item.



- 3) The signature of the person who found the postal item that does not belong to him on the report
- 4) A report attached to the minutes including the procedures that the service provider will take to deliver the postal item to its owner.

#### Article (46)

Whoever receives or finds a postal item that does not belong to him, shall inform the service provider by one of the following means:

- 1- Calling the service provider's phone number.
- 2- Sending an email to the service provider or communicating through any of its electronic platforms.
- 3- Sending to any address of the service provider.
- 4- Attendance at the main service provider's headquarters or any of its branches.

The service provider shall provide clear and effective means of notification, and shall go to the address of the person who found the postal item within a maximum of (3) three working days from the date of notification.

#### Article (47)

The service provider shall publish the establishment's information, and all information related to the provision of its services to the public through its electronic platforms, and at the service provision outlets, provided that this information includes, at a minimum, the following:

- 1- The name of the company/establishment, the address of its headquarter, its branches, and access data to it.
- 2- Details of the services provided to the beneficiary.
- 3- Details of service prices, including service tariffs, and any financial consideration required to be paid by the beneficiary.
- 4- The agreed date and time for the implementation of the service.
- 5- Details of the terms and obligations of the service provider and the beneficiary.
- 6- Compensation rules and procedures in case of breach of one of the obligations and the mechanism for refunding the financial consideration.





- 7- The consequences of a breach of, or non-performance by, the service provider or the beneficiary of its obligations.
- 8- Procedures for dealing with beneficiaries' complaints.
- 9- Standards for quality of services.
- 10-Rules and procedures for dealing with undelivered items.
- 11-Details of any discounts or offers - if any -.
- 12-Details of any limitations or exclusions on the service, and any fees that will apply when such limitations or exclusions, if any, are violated.
- 13-Rules and procedures for requesting the recovery of postal items, or modifying the addressee address, with an explanation of the return cost and who bears it.
- 14-Frequent questions and answers.
- 15-All information referred to in the above paragraphs shall be written in clear and easy terms, in a form easily accessible and understood by the beneficiaries, and be available in both Arabic and English.

#### Article (48)

The postal service provider shall not provide the service in cases where the Postal item is of a Special Nature, and the service provider does not have the possibility to transfer it.

#### Article (49)

- 1- The service provider shall issue a service contract to the beneficiary, in hard or soft copy, in Arabic and English, to include at least, the following:
  - a. Details of the contracted service, the fee, the insurance value of the shipment, if any, and the period agreed upon to implement the service.
  - b. The price and details of the content and condition of the postal items subject to the contract.
  - c. Sender's data (name, ID number/residence number/commercial register, contact number, national address)
  - d. Addressee's data (full name, contact number, and address - national address).
  - e. Rules and procedures for compensation and refund of the financial consideration, in the event of a breach of one of the obligations.





- f. The beneficiary's signature and name on the service contract, or obtaining its consent electronically in a documented manner.
  - g. The date of the service contract
  - h. Data of the service provider employee, and its signature.
  - i. Acknowledgment by the service provider's employee to see and verify the sender's original ID.
  - j. The policy number in the event that the service provider's contract is with a beneficiary of the category of individuals.
- 2- The service provider shall maintain the service contract for a period of no less than (1) one Gregorian year from the date of concluding the contract. The service provider shall prove the consent of the beneficiary in the event of any dispute.
  - 3- The service provider shall provide the beneficiary with a hard or soft copy of the service contract.
  - 4- The service provider shall provide the option to pay the financial consideration to the beneficiary through more than one means, such as cash and electronic payment, and provide him with a receipt voucher for any amount paid including the estimated amount, the service provided, the accompanying fees, if any, and the date of receipt. The service provider shall keep this evidence for a period of no less than (1) one Gregorian year from the date of receiving the amount.
  - 5- The service provider shall return to the beneficiary any overpaid amounts, within (15) fifteen working days at most from the date of becoming aware of them.

#### Article (50)

In the event that the service provider misleads the beneficiaries or provides misleading data, the Authority shall obligate the service provider to remove the misleading data and take corrective measures as determined by the Authority, and it may refer the violation to the competent committee.





#### Article (51)

- 1- The service provider shall establish a special section to receive, manage and handle the complaints of the beneficiaries, and establish procedures to address them within a period not exceeding (5-7) days from the date of their submission. The service provider may refuse to process the beneficiary's complaint if more than (30) thirty days have passed since the date of receiving the postal item unless the beneficiary has an excuse accepted by the Authority.
- 2- The service provider shall provide effective means for receiving complaints, as determined by the Authority.

#### Article (52)

- 1- The complainant may, if its complaint is not addressed within the period specified by the service provider, or if the complainant is not satisfied with the result of processing its complaint, escalate the complaint to the Authority, and the service provider shall implement the Authority's decision issued in regard to the complaint within a period not exceeding (5) five working days from the date of notification.
- 2- The Authority may request, in case it needs so, any data or documents from the complainant or the service provider.

#### Article (53)

The service provider conducts its business and operations in the manner it deems appropriate, in accordance with the law and regulations. For this purpose, the service provider may:

- 1- Innovate and develop electronic systems to operate its operations, in a way that ensures speed and quality of service, and this is considered one of its trade secrets, and it has the right to maintain its confidentiality without prejudice to empowering the Authority with its oversight functions.
- 2- Not to provide the postal service to the sender if it is not possible to pay the service fee.



#### Article (54)

The beneficiary of the postal service shall:

- 1- Not send a prohibited postal item.
- 2- Provide correct information about the address of the sender and the addressee and the identification number -if any-
- 3- Provide correct information about the content of the postal item and disclose the postal item of a special nature.
- 4- Verify the integrity of the postal item if the beneficiary is a sender.

#### Article (55)

The beneficiary shall have the rights stipulated in the law and regulations to which the Kingdom is a party and, in particular, the following rights:

- 1- The right to obtain the service.
- 2- The right to obtain correct information.
- 3- The right to obtain the service at the advertised price.
- 4- The right to obtain a guarantee of quality of service and quality of experience.
- 5- The right of to respect its privacy and confidentiality of its information.
- 6- The right to address its complaint.
- 7- The right to be informed.

#### Article (56)

The sender shall pay the postal service fees, and the addressee may bear them whenever the postal service contract stipulates this.

#### Article (57)

Postal services are cleared in one of the following ways:

- 1- Postage stamps printed or affixed to items and valid in the exporting country.
- 2- Prints of clearance machines.
- 3- The stamps of the fee clearance or the prints of the printing machines.
- 4- Use of postal clearance machines.
- 5- Any other modern means which the Authority shall set the necessary controls thereof.





## Chapter (6)

### Postal Prohibitions

#### Article (58)

Subject to the provisions of Article 15 of the law, it is prohibited to send or transmit any postal item of a special nature, unless approved by the service provider after the sender's disclosure.







## Chapter (7)

### Liability and Confidentiality

#### **Article (59)**

The liability of the service provider starts from the date of receipt of the postal item.

#### **Article (60)**

The postal service provider shall draw up a fair compensation policy document for the beneficiaries and submit it to the Authority for its approval. In preparing this document, the following shall be considered:

- 1- Not to violate the Postal Services law and its Implementing regulations and the decisions issued thereto.
- 2- The compensation policy shall include all cases of delays and errors in the delivery of postal items and their loss, damage and shortage.
- 3- The minimum and maximum amount of compensation according to the nature and type of the postal item,

The postal service provider may not amend or cancel the compensation policy document without referring to the Authority and obtaining its approval. The policy shall be published on its website in accordance with the policies and procedures decided by the Authority in this regard.

#### **Article (61)**

Subject to the provisions of force majeure, and based on the beneficiary's compensation policy, the following shall be observed:

- 1- The service provider shall compensate the beneficiary (the sender or the addressee) in the event of delay or error in delivering the postal item, its loss, damage or deficiency.
- 2- Demanding the beneficiary of the sender for the full remuneration in the event of an error in the address, or the recipient's refusal to receive the postal item.





- 3- As an exception to the provision of Paragraph (1) of this Article, the addressee shall be compensated instead of the sender in the cases in which the addressee bears the fee for sending the postal item.

#### Article (62)

Without prejudice to the provisions of Article (23) of the law, the delivery of the postal item is deemed to be delivered if delivered to the national address of the addressee or agreed upon in the service provision contract.

#### Article (63)

Without prejudice to the service provider's due diligence, the postal item is considered undeliverable in the following cases:

- 1- If the addressee refuses to receive it.
- 2- If the sender and the addressee cannot be reached.
- 3- If the period specified for receiving the postal item has passed without receiving it from the addressee in accordance with Article 20 of the law.

#### Article (64)

Subject to the provisions of Article 25 of the law, the sender shall be responsible for the damages caused by the postal item in the event of non-disclosure or incorrect disclosure of the content of the postal item.

#### Article (65)

Postal items are confidential and protected. The postal service provider or third parties are not entitled to access the postal item and information related to it and disclose its content except in the following cases:

- 1- Neglected postal items in accordance with the provisions of the Universal Postal Agreement and the rules and regulations in force in the Kingdom.
- 2- Postal items confiscated or seized by the competent authorities.
- 3- Other cases in which any other law inside the Kingdom permits viewing or monitoring the content of postal items.

The service provider is responsible for taking care of and protecting the confidentiality of postal items.



### Article (66)

The confidentiality of postal items shall be considered a violation by the licensee or dependent in the following cases:

- 1- Deliberately viewing its content.
- 2- Providing information on those postal items or allowing access to the relevant documents, papers and records without permission from the competent authorities in the Kingdom.
- 3- Disclosing the content of the items in any way or means.

### Article (67)

Subject to the relevant regulations, the personal data shall be confidential, and the service provider or any of its contractors, in its capacity as a distributor or sub-provider of the services of the service provider, and any related person shall maintain its confidentiality and take all necessary measures to prevent access to it, use it, or modify it in violation of the laws in force in the Kingdom.

### Article (68)

- 1- The service provider shall set clear privacy policies that restrict access to the beneficiary's data, document any access to his information, and define and define the purposes of requesting, collecting and saving the beneficiary's data.
- 2- The service provider shall disclose the privacy policies and ban the use of the beneficiary's data for other than the disclosed purposes.

### Article (69)

All provisions stated herein shall not prejudice the right of the concerned government agencies to exercise its powers granted under the laws in force in the Kingdom to obtain confidential data related to the beneficiary.



## Chapter (8)

### Control and Inspection

#### **Article (70)**

The President shall issue a resolution naming inspectors from among employees of the Authority or from others to undertake the work of detecting violations of the provisions of the law and the regulations. The resolution shall determine the inspectors who may investigate violations.

#### **Article (71)**

The inspector shall, before assuming its duties, sign an undertaking in accordance with the form prepared by the Authority, including its obligation to perform work honestly, faithfully and impartially, and to maintain the confidentiality of the information it has access to due to its work.

#### **Article (72)**

The inspector shall carry out its duties in accordance with the provisions of the law and the regulations and the controls issued by the Authority based on them, and shall, when performing its duties, adhere to the following:

- 1- Show his inspection card or the appointment decision, when assuming his works.
- 2- A statement of his mission and the purpose of his inspection.
- 3- Not to abuse his powers or use them to achieve personal purposes.
- 4- As soon as he becomes aware of any criminal suspicion during the conduct of the inspection or investigation, the violation shall be referred to the competent authorities to take the necessary action thereof.

#### **Article (73)**

In order to carry out its duties, the inspector may take any of the following measures:

- 1- Enter any sites or premises of the service providers or their employees, after informing the employer or his representative before entering the facility, and show his ID, unless he considers that this notification may





- harm his inspection mission. However, under no circumstances, it is permissible to inform in advance about the inspection visit.
- 2- Conduct inspection at the time it deems appropriate, provided that the inspection shall be during the working days from sunrise to sunset. The inspection may continue until night as long as it is continuous.
  - 3- Examine and inspect any devices, equipment, tools, electronic systems, databases, records or tracking facilities of the service provider or that are used in providing the service.
  - 4- Obtain originals or copies of any license, permit, record, documents, information, systems, or any other matters requested by the inspector and subject to the confidentiality provisions contained herein, or seizing them when needed, provided that they shall be indicated in the record.
  - 5- Seek the assistance of any technical or legal experts he deems appropriate to assist in the inspection and investigation procedures.
  - 6- Summon those who are believed to be related to the subject of the investigation in the manner the Authority deems appropriate.
  - 7- Seek the assistance of the competent authorities to complete the inspection and investigation procedure, if needed.
  - 8- Use electronic means to conduct the investigation.
  - 9- Submit reports on all their comments and observations related to the application of the statutory provisions.
  - 10- Assist workers and employers, and guide them to the best followed methods, to implement the requirements of the law, regulations, executive decisions, and technical instructions for work.
  - 11- Study the conditions, terms, and provisions related to work and submit reports thereon to the Authority, especially the shortcomings that were not rectified or exposed to by the provisions of the relevant regulations
  - 12- Prepare periodic reports on the labor inspection activity in the area of jurisdiction of the office and the establishments in which the labor inspection was conducted, the number and type of violations observed, the obstacles that obstructed implementation, and the necessary proposals to overcome them. The Authority issues special instructions on how to organize these reports and the forms to be used in this field.



#### Article (74)

The facility subject to inspection shall abide by the following:

- 1- Enabling the inspector to carry out his work and providing the necessary facilities to perform his duty upon presentation of the inspection card or the appointment decision of the inspector.
- 2- Providing inspector's requests including data, documents, statements or any other matters related to the nature of his work, within the limits of his powers.

#### Article (75)

- 1- If the inspector discovers any violation of the provisions of the law or regulation, it shall be seized and recorded in a report including the following:
  - a. Place and date of seizure.
  - b. Exact name of the existing inspector(s).
  - c. The name of the offender.
  - d. Description of the violation.
  - e. The facts and circumstances surrounding the violation and the evidence and presumptions therein.
  - f. A list of things that have been seized or kept.
  - g. Any other information or data that the seizure officer deems important to add.
- 2- The report shall be submitted to the competent department of the Authority to take the necessary action therein.

#### Article (76)

Persons subject to investigation under the provisions of the law and the regulations shall cooperate fully with the inspector and to provide all data, information, testimonies, or any other matters requested by the inspector.



### Article (77)

The investigation shall be in writing and the accused person shall be notified of the reasons for the investigation or confront the accused with its violation, and inform him that he is under formal investigation, and a report of the investigation shall be drawn up including the following:

- 1- Place and time of investigation.
- 2- The name and data of the inspector.
- 3- The name of the accused and his data.
- 4- Confronting the accused with the reasons for investigation or its violation sand the evidence against him as well as giving him the opportunity to respond to the facts and accusations.
- 5- In the event that the accused refuses to make or sign his statements, the fact of his refusal shall be recorded in the minutes.

If the results of the investigation lead to the proof of the violation of the violator, shall results shall be referred to the committee to complete the necessary actions therein.

### Article (78)

The Authority may retain the seized items until the violation is decided upon by the committee.

### Article (79)

If the violation is proven by a decision issued by the committee, the Authority may dispose of the seized items by any of the following procedures:

- 1- Destroying them by a committee, formed by a decision of the president or his authorized representative, whose members shall not be less than three (3) of the Authority's employees according to the minutes of destruction.
- 2- Handing them over to any of the licensed public or charitable bodies as the committee deems appropriate.

The Authority may seek the assistance of the relevant competent authorities in the implementation of this Article.



## Chapter 9

### Postal Services law Violations Committee

#### **Article (80)**

The Committee is fully independent in its work and decisions.

#### **Article (81)**

1- The Board shall issue a resolution specifying the names of the members of the committee, its chairman and their remuneration. The amount of remuneration shall be calculated according to one of the following methods:

- a. A fixed amount for the meeting.
- b. An annual lump sum.

The two criteria mentioned in paragraphs (a) and (b) of this Article may be combined.

- 3- The remuneration shall be sufficient to attract members, especially those with experience and competence; given the value of their experience in the market. A ceiling shall be set for the annual bonus amount for each member.

#### **Article (82)**

1- The Committee shall assume its duties and responsibilities stipulated in the law by taking the following:

- a. Consider violations of the law, regulation or license.
- b. Implementing the penalties contained in the law in accordance with the the Classification of Violations and Determination of Penalties Table issued by the Board.
- 3- The committee, according to its discretion, shall refer any violation that involves an act or procedure punishable by another law to the competent authority to take the necessary legal action.





### Article (83)

The committee member shall:

- 1- Attend sessions and deliberations.
- 2- Disclose any conflict of interest before the committee, and abstaining from voting and deliberation.
- 3- Maintain the confidentiality of deliberations between members of the committee.

### Article (84)

The Chairman of the Committee, for the purpose of achieving the goals of the Committee, shall undertake the following:

- 1- Managing committee sessions.
- 2- Addressing the Authority, the competent authorities, and everyone involved in the work of the committee.
- 3- Approving the annual report of the committee's work and submitting it to the Board.
- 4- Addressing the Board of any obstacles to the work of the Committee and the requirements necessary to address them, in addition to any other requests of an administrative nature to facilitate its work.

The chairman of the committee may delegate his powers or part thereof to any of the committee members.

### Article (85)

- 1- The committee's sessions shall be held at the Authority's main headquarters, and it may hold them in another place whenever the need arises, and it may also hold sessions and take decisions by electronic means.
- 2- Committee members may not delegate to attend or vote.

### Article (86)

The committee may seek the assistance of any expert it deems in the Ministry, Authority, or any other body when needed, and it may invite him to attend sessions and deliberations without having the right to vote.



### Article (87)

A secretariat for the committee shall be formed in the Authority, under a resolution of the president, which will undertake the administrative tasks of the committee. For this purpose, the Secretariat may:

- 1- Prepare the necessary arrangements for the committee's sessions.
- 2- Record the minutes of the committee's sessions, its deliberations and its decisions.
- 3- Review the documents referred to the committee related to detecting the violation to ensure that the necessary documents and information are complete, and return them if they are incomplete.
- 4- Register lawsuits, make notifications, prepare lawsuits, and communicate with their parties.
- 5- Inform the stakeholders of the dates of the sessions and the decisions of the committee.
- 6- Index and keep the committee's resolutions.
- 7- Prepare an annual report on the committee's work and submit it to the committee chairman for approval.
- 8- Any other task that the committee deems to be entrusted to the secretariat.

### Article (88)

The committee issues its resolutions by majority vote, and the member who has reservations about the resolution may record his reservation in the minutes prepared thereof.

### Article (89)

The Board issues the detailed procedures regulating the committee's work.





## Chapter (10)

### Concluding Provisions

#### **Article (90)**

The president issues the necessary resolutions to implement the provisions of the regulations.

#### **Article (91)**

The Board may propose to amend the regulations, and the amendments thereto are issued by a resolution of the minister.

#### **Article (92)**

The Regulation shall be effective from the date of its publication in the Official Gazette.

