



The position of the Chamber of Digital Economy on the future EU Delivery Act

As the Chamber of Digital Economy in response to consultation of the European Commission we would like to present our remarks on the future of the EU postal and delivery services framework.

The shift from a letter-centric to a parcel-heavy economy requires a regulatory framework that prioritizes competition, digital integration, and regulatory harmonization, especially for cross-border services.

We strongly welcome the European Commission's ambition for a substantial revision of the postal framework, recognizing that a resilient Single Market requires a modern, parcel-focused EU Delivery Act. To unlock the full potential of cross-border commerce, the new framework must prioritize **radical simplification** by replacing current national fragmentation with a **single EU-wide licensing format**, **streamlining reporting**, **eliminating duplicative obligations**, **reducing disproportionate regulatory burdens** and promoting **fair competition** by reforming the **universal service obligation to enable multi-operator participation**.. By embedding **digital-by-default standards**, the EU can eliminate administrative friction and ensure a level playing field, creating a truly seamless delivery ecosystem fit for the future of European e-commerce.

1. Modernizing the Universal Service Obligation (USO) for the letter-delivery market

The EU Delivery Act must be ambitious in reforming a letter-centric USO, whilst recognising that the parcel delivery market, unlike the legacy letter market, is characterised by effective competition, high service quality, broad geographic coverage, and significant ongoing private investment. Regulatory intervention in this segment should therefore be proportionate and market-driven, supporting — not substituting — the innovation and investment that private operators have delivered.

- **Multi-Operator Participation:** Moving away from "designated operator" monopolies by allowing several providers to participate in USO delivery where efficiency gains can be achieved. Any postal operator meeting specified, objective conditions should be eligible to provide universal services, without the need to designate a single entity for a fixed period. Moving from a subjective (entity-based) to an objective (criteria-based) model would foster competition, improve service quality, and reduce public subsidy dependence.
- **Service Basket & Frequency:** Member States should have the flexibility to define a minimum service basket and adjust delivery frequency (e.g., to a 3-day minimum) based on demand and cost evidence, provided that the scope of universal services is determined through a minimalist approach — covering only those postal services that are not commercially available from other operators and that are simultaneously important for recipients in the



given local market. Overly broad national definitions of universal services risk granting public operators unjustified advantages over non-public competitors.

- **Net-Cost Transparency:** Mandatory requirement for full transparency in net-cost calculations to prevent hidden cross-subsidisation of commercial services. This should include: (a) universal public access to the complete input data and full methodology used to calculate the net cost of universal service obligations; (b) strict separate accounting within universal service providers to clearly distinguish costs and revenues of universal services from those of commercial activities; and (c) the right of non-public operators and other stakeholders to participate as parties in national proceedings that establish the principles and methodology for net-cost calculations, enabling independent verification and scrutiny.
- **Automated Service Points as USO Substitutes:** Member States should be permitted and encouraged to count automated parcel dispatch and collection machines (e.g., parcel lockers) as equivalent to staffed postal outlets for the purposes of meeting universal service network density requirements. This would significantly reduce infrastructure costs while maintaining or improving geographic accessibility.
- **Network Density Based on Geography, Not Administration:** USO network requirements should be defined solely on the basis of geographic distance criteria (e.g., a service point within a specified kilometre radius), rather than administrative divisions or population thresholds, which entrench incumbent advantages and discourage market entry by alternative operators.
- **Operational Efficiency Measures:** To reduce network congestion and improve delivery success rates, the new framework should encourage Member States to: (a) shorten minimum retention periods for postal items at collection points; (b) require senders of registered mail to provide the recipient's phone number, enabling electronic notification via SMS or mobile application; and (c) mandate that state institutions provide postal operators with access to electronic identity verification systems for remote confirmation of recipient identity at automated postal devices.

2. A Unified EU Framework for Cross-Border Postal Services

The current regulatory fragmentation between Member States creates fundamental obstacles to efficient cross-border postal services. Operators providing cross-border delivery face divergent national rules on liability, complaint procedures, handling of undeliverable items, postal secrecy, limitation periods, and even the basic definition of what constitutes a "postal parcel." This inconsistency generates confusion for consumers, legal uncertainty for operators, and directly hampers the development of cross-border e-commerce.

We propose the establishment of a **single EU regulation governing the framework for cross-border postal services**, inspired by the approach of the CMR Convention for road transport. Such an instrument would:



- clearly define the services covered, including uniform weight and dimension thresholds;
- establish the roles and responsibilities of all participants in postal transactions, including operators in the country of dispatch and country of destination, their subcontractors, senders, and recipients;
- set uniform minimum rules on liability for loss, shortage, or damage to postal items;
- create consistent complaint and claims procedures, with clear rules on who may file complaints and how liability is allocated between operators in multi-operator chains;
- define minimum standards for handling undeliverable items and rules for postal secrecy in cross-border contexts;
- establish conflict-of-law rules to address situations where postal items transit through multiple jurisdictions.

Such a framework should constitute a necessary minimum; operators would remain free to offer enhanced rights and services under the principle of contractual freedom. Postal operators providing cross-border services should also be required to adopt publicly available terms and conditions clearly informing recipients of their rights, including complaint procedures and liability rules applicable to the delivery stage.

3. Addressing Non-EU Competition and Vertical Integration

To ensure a level playing field, the Act must effectively capture and regulate all entities performing delivery functions within the Single Market.

- **Capturing All Operators:** We support a robust mechanism to identify and capture all delivery operators — including vertically integrated networks of non-EU e-commerce players — to ensure full compliance with EU customs, VAT, and social/labour rules.
- **Origin Transparency:** Requirement to report the original country of origin for all shipments, even when re-routed within the EU, to ensure accurate market monitoring and fraud detection.

4. Single EU Licensing and Digital Simplification

To reduce the "terrible ten" barriers of the Single Market, the Act should radically simplify how operators enter the market.

- **Single EU-Wide Licensing Format:** We support the creation of a harmonized EU licensing format to replace the current fragmentation of national fees and requirements.



- **Digital-by-Default:** All administrative requirements, licensing applications, and reporting should be digital-by-default to reduce operational friction for both large platforms and smaller operators.
- **Defining "Operator":** The definition of "operator" should be broad enough to ensure a level playing field but precise enough to avoid overlapping with existing digital regulations (e.g., DSA).
- **Competitive E-Delivery Markets:** The framework should ensure full competition in the provision of electronic delivery (e-delivery) services. In certain Member States, public operators have obtained legal monopolies over registered electronic delivery, resulting in prices that are significantly higher than solutions available in competitive segments. The EU Delivery Act should prevent the replication of legacy postal monopolies in emerging digital delivery markets and ensure that all qualified operators can provide e-delivery services on equal terms. Comparable risks arise wherever digital delivery solutions are introduced through exclusive or quasi-exclusive arrangements.
- **Equal Recognition Across Procedural Frameworks:** In a number of Member States, national procedural rules in administrative, civil, and judicial proceedings continue to reserve certain legal effects, such as the preservation of filing deadlines for court submissions, exclusively for documents lodged through the incumbent public operator. Such provisions effectively steer public-sector and legal-sector mail volumes toward a single operator by regulatory design rather than by competitive merit, limiting choice for businesses, legal professionals, and citizens who may prefer alternative delivery providers offering better service quality or convenience. This is particularly problematic for e-commerce businesses that increasingly rely on non-incumbent operators for all their logistics needs and face unnecessary complexity when procedural correspondence requires a different provider. The EU Delivery Act should establish a clear principle that procedural effects attached to postal submission of documents must be available on a non-discriminatory basis through any licensed postal operator, ensuring that the choice of delivery provider does not carry hidden legal risks for the sender.

5. Standardized Quality and Data Exchange

Digital solutions should be used to provide transparency on service quality across the entire delivery chain.

- **Customs Data Integration:** Connection of shipment reporting to the EU Customs Data Hub and IOSS VAT identifiers to automate compliance and reduce border friction.
- **Harmonised Complaint Regime:** We propose establishing uniform complaint procedures across the European Union. A uniform complaint regime would ensure that consumers across the EU benefit from the same treatment and enjoy the same level of consumer



protection, whilst providing the private sector with legal certainty. Harmonisation must address:

- **Preventing cumulative liability for the same incident:** The EU framework should establish a clear, single liability path for each delivery incident, specifying which relationship – contractual or statutory – takes precedence at each stage;
 - **Adapting complaint rights to modern e-commerce transaction structures:** The complaint framework must clearly assign standing to file complaints based on the actual role played in the transaction, not solely on the basis of who signed the postal service contract;
 - **Convergence of claim periods and compensation standards:** Minimum EU-wide standards for claim filing windows, compensable loss categories, and available defences would bring predictability for both consumers and the delivery industry;
 - **Single point of accountability for cross-border consumers:** The framework should ensure that the consumer-facing operator serves as the primary contact point for complaints, with clear inter-operator settlement mechanisms operating in the background.
- **Streamlined Permitting Procedures:** Divergent municipal rules governing the installation of automated delivery infrastructure on public land constitute a material barrier to network expansion in several Member States. The framework should encourage Member States to adopt streamlined, proportionate, harmonised, and transparent permitting procedures for locker and PUDO installations on public land.

6. Proportionate Reporting and Administrative Obligations

The new framework should establish proportionality safeguards against regulatory overreach in data collection:

- Regulators may only request data within the scope required for statutory reporting purposes;
- Ad-hoc data requests of a general market nature should take the form of structured market surveys conducted at multi-year intervals;
- Data already in the regulator's possession should not be requested again in periodic reports.

Furthermore, current reporting requirements should be updated to replace outdated indicators with KPIs better suited to modern e-commerce logistics, such as density of pick-up point and locker networks per area or population, average delivery times for cross-border services, first-attempt



delivery success rates, standardised customer satisfaction metrics, and environmental performance indicators such as CO₂ emissions per parcel delivered.

7. Final Remarks

We urge the Commission to anchor the new framework in three core principles: **harmonisation over fragmentation, competition and innovation**, and **proportionality over intervention**. The e-commerce sector's continued expansion depends on delivery services that are affordable, reliable, transparent, and consistent across borders.

We remain at the disposal of the Commission and all stakeholders for further dialogue and stand ready to contribute constructively throughout the legislative process.