

## **Operational Framework for Extraterritorial Offices of Exchange (“ETOEs”) on the Use of CN Documents for Inbound and Outbound Mail in Singapore**

### Section I: Meaning of Terms Used in this Document

1. “DO” refers to Designated Operator and shall have the same meaning as set out in the UPU Act.
2. ETOE or extraterritorial office of exchange shall have the meaning set out in the UPU Resolution C 6/2012, being that *“an ETOE is defined as an office or facility operated by or in connection with a designated operator on the territory of another country, and that these offices are established by designated operators for commercial purposes to draw business in markets outside their own national territory”*.
3. “ETOEs (Singapore)” refers to ETOEs registered in Singapore using a Singapore-IMPC code.
4. “Inbound Mail (Overseas ETOE)” refers to incoming mail sent by an Overseas ETOE conveyed on CN documents for domestic delivery within Singapore.
5. “Outbound Mail (SG-ETOE)” refers to outbound mail originating from Singapore (which includes all mails passing through Singapore) sent by an ETOE (Singapore), for onward delivery to a destination postal operator overseas, conveyed on CN documents using a Singapore IMPC code.
6. “Overseas ETOE” refers to an ETOE set up in UPU member countries outside Singapore.
7. “PPI” refers to Postage Paid Impressions.
8. “Singapore IMPC code” refers to an International Mail Processing Centre (“IMPC”) which is established in Singapore, having the first two letters of the 6character IMPC code as “SG”.

### Section II: Inbound Mail sent by Overseas ETOEs to Singapore (“Inbound Mail (Overseas ETOE)”)

9. Overseas ETOEs may send inbound mail (all mail flows) to Singapore for domestic delivery and transit using CN documents.

10. All Inbound Mail (Overseas ETOE) to Singapore shall be sent to SingPost for domestic delivery in Singapore or transit handling, subject to the conclusion of bilateral agreements with SingPost as elaborated in paragraph 12 below. ETOEs (Singapore) are not allowed to receive inbound mail using CN documents, regardless of whether the mail is for domestic delivery or transit.
11. Overseas ETOEs who send Inbound Mail (Overseas ETOE) to SingPost must comply with any procedures or requirements stipulated by the relevant government agencies in Singapore (e.g., Singapore Customs).
12. In relation to paragraph 10, the DOs or their affiliated Overseas ETOEs are required to conclude bilateral agreements with SingPost on the rates, terms and conditions of acceptance of Inbound Mail (Overseas ETOE). The agreement will set out the terms and conditions that apply to the service, and stipulate that penalties may be imposed should items not conform to the agreement. In the absence of an agreement, SingPost reserves the right to return such Inbound Mail (Overseas ETOE) and to impose on the DO of the Overseas ETOE a charge not less than the costs incurred by SingPost in the handling of these items on the DO of origin.
13. IMDA reserves the right to require the DOs or their affiliated Overseas ETOEs to ensure that the Overseas ETOEs undertake any reasonable measures to safeguard the integrity, security and efficiency in the conveyance and delivery of Inbound Mail (Overseas ETOE) mail.
14. Unless otherwise stated above, all Inbound Mail (Overseas ETOE) shall be governed by the provisions of the UPU acts.

Section III: Outbound mail sent by ETOEs (Singapore) from Singapore (“Outbound Mail (SG-ETOE)”)

15. An ETOE (Singapore) may use CN documents and a Singapore IMPC code to convey Outbound Mail (SG-ETOE) (all mail flows) from Singapore. The applicable rates, terms and conditions of access for Outbound Mail (SG-ETOE) to the overseas destination country is subject to the applicable legislation governing ETOEs in the destination country. For example, the ETOE (Singapore) should not send mail to an overseas destination country if the latter does not accept mail from ETOEs.
16. DOs intending to set up ETOEs in Singapore and request for a Singapore IMPC code to be assigned by the UPU must seek prior approval from IMDA and provide the following information to IMDA in writing:

- (a) Details of the DO setting up the ETOE in Singapore: e.g., name, address, name of member country, DO's PPI mark, contact details of the relevant DO representative in which IMDA can raise matters pertaining to its ETOE in Singapore;
- (b) Details of the ETOE operating in Singapore: e.g., name of ETOE, and ETOE address in Singapore, name and contact details of the person in charge of the ETOE operations in Singapore. For the avoidance of doubt, the ETOE operating in Singapore: (i) should be a fully-owned subsidiary of the UPU DO; (ii) should be a Singapore-registered company; and (iii) cannot be a sub-contractor or outsourced party of the DO; and
- (c) A Letter of Undertaking affirming the DO and ETOE's acceptance of conditions imposed by Singapore regarding the ETOE operations in Singapore.

The above information may be provided to IMDA using the 'Extraterritorial Offices of Exchange Registration Form' which can be found on the IMDA website.

- 17. ETOEs (Singapore) intending to receive or collect letters in Singapore and convey or deliver letters (as defined in the Postal Services Act 1999) out of Singapore must obtain a Postal Services Operator licence from the IMDA.
- 18. ETOEs (Singapore) shall observe and comply with all local laws, and should separately approach the relevant government agencies to obtain any other right, licence, approval or permit required under any written law in force in Singapore (e.g., permits for customs clearance).
- 19. IMDA reserves the right to require the ETOEs (Singapore) to undertake any reasonable measures to safeguard the integrity, security and efficiency of the conveyance and delivery of Outbound Mail (SG-ETOE).
- 20. SingPost reserves the right to charge the DO of the ETOE (Singapore) handling charges (with minimum charge per transaction) to address mistakes made arising from the ETOE despatches, including but not limited to the return of undelivered ETOE mail to SingPost, wrong accounting treatment of ETOE mail, wrongly routed CN documents and wrong charging by airlines and destination posts.
- 21. Unless otherwise set out above, all Outbound Mail (SG-ETOE) by ETOEs (Singapore) shall be governed by the provisions of the UPU acts.

22. All despatches from ETOEs (Singapore) must bear the respective DO's PPI mark as well as the respective DO's return address in their respective country. ETOEs (Singapore) cannot use a Singapore return address on the mail. A copy of the DO's PPI mark and return address is to be filed with IMDA.

Section IV: Review of Operational Framework

23. IMDA reserves the right to review and revise the above Operational Framework.
24. ETOEs (Singapore) are subject to comply with the above and shall be governed by and construed in accordance with the laws of Singapore, including without limitation to codes of practices, guidelines and regulations. ETOEs (Singapore) shall cooperate with and render assistance to the relevant government authorities, especially with regard to public safety and security matters. Should there be a contravention of any of the above, IMDA reserves the right to do the following:
  - (a) Withdraw the Singapore IMPC code from UPU's database in the event that an ETOE (Singapore) does not comply with any of the above conditions; and/or
  - (b) Revoke the approval for the ETOE (Singapore) to operate in Singapore.