

Postal Operational Standards for Basic Postal Services

Type of network connection	USO Obligation
Letters(Local)	Delivery standards at least 65%
Posted for delivery within the same urban area* <ul style="list-style-type: none"> Posted before noon (1200hrs) Posted after noon (1200hrs) 	J(Same day delivery) J+1
Posted in urban areas for delivery within other urban areas	J+1
Posted in urban areas for delivery in rural areas	J+2
Posted in rural areas for delivery in other rural areas	J+4
Posted for delivery in special (hardship) areas.***	J+6
Letters (International)	Same as local upon clearance at airport
Private letter boxes/bags	
Provision of letter boxes/bags on application <ul style="list-style-type: none"> urban areas Rural areas 	1 month 2 weeks
Replacement of private box/bag lock consequent upon loss of keys	1 day

Notes:

- *Urban areas refer to all major towns including district headquarters in Kenya
- **Rural areas refer to all other centres except special (hardship) areas.
- ***Special (hardship) areas are those with adverse climatic, infrastructural and security conditions largely located in Northern Kenya and parts of Rift Valley.
- UPU international mail delivery standard of J+5 (65%) apply in the international mail service. The standard is however subject to change from time to time.
- J= The day of posting.

Competitive Services

These are provided by PCK and other courier operators:

- **Courier services** - faster and more efficient means of delivery mainly same-day or overnight
- **Parcel services** - catering for all postal items other than letters
- **Direct mail marketing services** - passing message to a larger audience-customer communication, distribution of catalogues, orders, statements, etc.
- **Postal financial services** - financial transfers particularly to help the rural folk from urban able/active heads
- **Electronic and hybrid mail services** - use of modern technology to improve delivery speed
- **Distribution of publications** - reliable system to distribute newspapers, magazines, journals, etc
- **Agency services** - to provide profitable value-added services as agents for paying taxes, municipal fees, electricity, motor licences, pensions, etc.
- **Equity participation** - At least 20% of the shareholding should be owned by Kenyans at the end of three years of operation in case of a company fully owned by foreigners and conform to Capital Market Authority (CMA) rules and regulations.

Registration

Note that the prescribed application forms for postal/courier licences are available at our offices situated on Waiyaki Way, Nairobi, as well as on our website.

For more details, visit our website at www.ca.go.ke.



**COMMUNICATIONS
AUTHORITY OF KENYA**

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Communications Authority of Kenya

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Procedure for Licensing Postal/Courier Operators

Opening your world



Introduction

The Kenya Information and Communications Act 1998 mandates the Communications Authority of Kenya with the responsibility to license and regulate the communications sector including postal and courier services.

It is illegal to operate a postal/courier business without a licence from the Authority.

Procedures for licensing postal/courier operators

All applications for postal/courier licences should be addressed to the Authority as provided for by the obtaining sector legislation.

Upon receipt of the application, the following process ensues:

- Payment of the prescribed non-refundable application fee (currently Ksh 5,000)
- Upon receipt of the application fee, the Authority checks whether the applicant has provided the following:
 - certified copy of proof of shareholding from the Registrar of Companies (FORM CR12)
 - certified copies of identification documents of company directors
 - certified copy of proof of registration or incorporation in Kenya
 - certified copy of proof of PIN certificate
 - VAT Compliance proof
 - Letter of application with company seal indicating the category applied for.
 - A business plan in line with the guidelines provided in the application form.
 - A Tax Compliance Certificate.
 - Co-operative societies should provide Minutes of their last AGM held, By-Laws and Letter of proof of registration by the Ministry of Cooperatives or the appropriate ministry.
 - Memorandum and articles of association for Limited Companies only.
 - The firm's Compensation policy/Complaints resolution mechanism.

Once it is established that the applicant has met these conditions, the Authority:

- Publishes the applicant's name in the Kenya Gazette upon endorsement by the Communications Licensing Committee, and awaits the expiry of 30 days within which representations on the application from interested parties could be raised
- Determines appropriate categorization of the applicant following successful gazette ment
- Advises the applicant of the category and licence fee payable
- Issues the appropriate licence upon payment of requisite fees

Firms that require a licence

All firms offering postal/courier services are legally subject to licensing. These include:

- The Public Postal Licensee, that is the Postal Corporation of Kenya (PCK)
- All courier firms
- Delivery companies, i.e., transporters, freight and forwarding companies that handle documents and parcels appropriately falling under the definitions given by the Act

Licence term

The licence issued to the Postal Corporation of Kenya is valid for 25 years from date of issue (subject to payment of annual operating licence fee).

Licences issued to other postal/courier operators are valid for 15 years from date of issue (subject to payment of the annual operating licence fee).

Penalties for illegal operation

Any person who operates a postal/courier business without a valid licence from the Authority commits an offence and is liable to a jail term not exceeding one year or a fine not exceeding Ksh.300,000 or both.

Licensee categories and fees

- **Public Postal Operators**
Responsible for Universal Service Obligations and has the widest international and domestic coverage (networks).
- **National Operator**
An operator within Kenya
- **International Operators**
Operates internationally with domestic and worldwide network

S.No.	Category	Licence fees
1	Public Postal Operator	Ksh 500,000 or 0.4% of annual turnover of audited accounts whichever is higher
2	International operators	Ksh 100,000 or 0.4% of the annual turnover of audited accounts whichever is higher
3	National operators	Ksh 30,000 or 0.4% of annual turnover of audited accounts whichever is higher

This categorization and accompanying licence fees are reviewed from time to time.

Tariffs for basic postal services

The law requires courier operators handling letters of up to 350 grammes to charge at least five (5) times the Public Postal Operator's (PCK) basic letter rate.

Operators who are found undercharging in the 350 grammes or less (weight basic letter category) contrary to the *KICA (amendment) Act 2013* are liable to suspension of their licences (for flouting licence conditions) and eventual prosecution for illegal operation.

Reserved Postal Services and Quality of Service Standards

Reserved postal services are basic services that include:

- Acceptance and delivery of postal articles weighing up to 350 grams
- Provision of private letter boxes and bags
- Printing and issuing of postage stamps

CA has prescribed the following quality of service standards for these universal services being rendered by the Postal Corporation of Kenya (PCK):