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**Decrees, orders, circulars**

**GENERAL TEXTS**

**MINISTRY OF THE ECONOMY, FINANCE AND INDUSTRY**

**INDUSTRY**

Decree No. 2007-448 of 25 March 2007 on the composition, powers and operation of the *département* postal coverage committees

NOR: *INDI0630188D*

The Prime Minister,

Acting upon a report from the Minister of the Economy, Finance and Industry and the Minister Delegate for Industry,

Having regard to the amended Law No. 90-568 of 2 July 1990 on the organisation of the public postal service ensured by *La Poste* and on *France Télécom*, *inter alia* Articles 6 and 38 thereof;

Having regard to amended Law No. 95-115 of 4 February 1995 on guidelines for spatial planning and development;

Having regard to Decree No. 2006-1239 of 11 October 2006 on the contribution of *La Poste* to spatial planning;

Having regard to the opinion of the Board of Directors of *La Poste* dated 5 October 2006,

Having regard to the opinion of the High Commission for the Public Service of Postal and Electronic Communications (*Commission supérieure du service public des postes et des communications électroniques*) of 11 October 2006;

Having regard to opinion No. 2006-1023 of the Post and Electronic Communications Regulatory Authority (*Autorité de régulation des communications électroniques et des postes*) of 12 October 2006,

Hereby decrees as follows:

## PART I

### COMPOSITION

**Article 1** - A *département* postal coverage committee consisting of the following representatives is to be set up in each *département*:

- four municipal councillors designated for a period of three years by the most representative mayors' association, ensuring respectively the representation of *communes* with less than 2,000 inhabitants, of those with over 2,000 inhabitants, of inter-municipal consortiums and of sensitive urban areas. If there are no *communes* with less than 2,000 inhabitants in the *département*, two municipal councillors representing *communes* with over 2,000 inhabitants shall be designated. If there are no sensitive urban areas in the *département*, the Mayor of the *commune* which is the *chef-lieu* of the *département* shall designate a municipal councillor

- two councillors for the *département* and two councillors for the *région* are designated for a three year period by their peers from among the members of each collectivity.

For the *département* of Paris, the four representatives of the *commune* are designated by the Council of Paris from among its members. At least one of these representatives shall be a councillor for an *arrondissement* comprising a sensitive urban area.

The *département* postal coverage committee shall elect a chairman from among its members.

The State representative in the *département* or his/her representative shall attend the meetings of the committee and shall be responsible for coordinating its work with that of the *département* committee for the organisation and modernisation of public services.

For the *département* of Paris, the State representative in the *département* is the *préfet de Paris* or his/her representative.

The representative of *La Poste* in the *département* shall attend the meetings of the committee and shall ensure the legal secretarial work.

## PART II

## POWERS

**Article 2** - The *département* postal coverage committee will provide an opinion on the project for the network of contact points of *La Poste* in the *département* presented to it by *La Poste*, under the terms contemplated by the Decree of 11 October 2006 mentioned above.

**Article 3** - The *département* postal coverage committee will propose an apportionment of the *department* allocation of the national postal fund for geographical equalisation, under the terms contemplated by the multi-annual postal coverage contract entered into between the State, *La Poste* and the most representative national mayors' association, in accordance with Article 6 of above-mentioned Law of 2 July 1990.

**Article 4** - The *département* postal coverage committee will be informed by *La Poste* of any projects relating to postal network development in the *département* and of local interest projects, *inter alia* those concerning partnerships and the regrouping of services including *La Poste*.

With the consent of its members, the committee may consult any person likely to provide information which is useful for the performance of its assignments, and in particular representatives of public or private bodies interested in a partnership or in the cofinancing of new types of local services.

## PART III

### OPERATION

**Article 5** - A set of internal rules and regulations will be adopted by each committee to specify the *modus operandi* thereof.

**Article 6** - The *département* postal coverage committee shall be convened at least once a year, and whenever necessary, at the initiative of its chairman or at the invitation of *La Poste* or of the State representative in the *département*, in particular under the terms contemplated under Article 29 of the above-mentioned Law of 4 February 1995 on guidelines for spatial planning and development.

The secretary of the committee will ensure the diffusion of the deliberations and opinions of the *département* postal coverage committee.

**Article 7** - Only the representatives of local authorities shall take part in votes. The chairman of the committee having a casting vote.

**Article 8** - The Ministre d'État, Minister of the Interior and Spatial Planning, the Minister of the Economy, Finance and Industry, the Minister Delegate for Industry and the Minister Delegate for Spatial Planning, are in charge, to the extent they are concerned, of the

enforcement of this Decree, which shall be published in the Official Journal of the French Republic (*Journal officiel de la République française*).

Done at Paris on 25 March 2007.

By the Prime Minister :

Dominique de Villepin

*The Minister Delegate for Industry,*

François Loos

*The Ministre d'État,*

*Minister of the Interior*

*and Spatial Planning,*

Nicolas Sarkozy

*The Minister of the Economy,*

*Finance and Industry,*

Thierry Breton

*The Minister Delegate*

*for Spatial Planning,*

Christian Estrosi