

LONDON LOCAL AUTHORITIES ACT 2007
MAIL FORWARDING / HOLDING BUSINESSES
Guidance and Information for Businesses.

Provisions controlling mail forwarding businesses are contained in Section 75 of the London Local Authorities Act 2007.

“Mail forwarding business” is defined in Section 75 of the Act as, “the business, carried out for reward, of making available to a person a postal address to which postal packets may be sent, and doing either or both of the following:

- a) holding postal packets so sent for collection by that person or his agent;
- b) forwarding, by whatever means, postal packets so sent to that person.”

Requirement to Register with the Council

A person is not permitted to carry on a mail forwarding business in Islington without being registered with the Council.

This applies whether the mail forwarding business is carried on alone or in conjunction with any other business.

Applications to the Council for registration must give the name and address of the applicant and the address of each place in the borough used by the applicant for the purposes of the business.

Change in circumstances

If the name and address of the applicant or the address of each place of business change after registration then you must notify the council within 14 days of the change to enable us to amend the registered details.

Record Keeping

A person carrying on a mail forwarding business is required to keep a record of:

- a) the full name, address and telephone number of all persons for whom post is received or who has requested postal packets received to be held or forwarded to them
- b) the nature of the business (if any) carried out by that person
- c) any instructions as to the delivery or forwarding of postal packets
- d) the name and address of person(s) to whom postal packets are to be forwarded, if different from a) above
- e) copies of originals of two documents of a type approved by the council for the purposes of identifying the person and verifying the address(es) required in a) above.

Please note: A client’s name and address in a) above must not be the name and address of another mail forwarding business.

The name and address to be kept in a) above must be

- a) in the case of an individual, his private address
- b) in the case of a body corporate or partnership (*note, a body corporate includes a limited company*)
 - 1) the registered office address or the principal address of the partnership;and

2) the names and private addresses of the directors or partners or another person directly or indirectly responsible for the management of the body corporate or partnership; and

3) the address of the principal place of business of the body corporate or partnership if different from any of the addresses mentioned in 1) and 2) above.

This will mean that apart from where a client is a sole individual, a contract with a mail forwarding business will require more than one name and address to be held by a mail forwarding business.

Retention and Inspection of Records

A mail forwarding business is required to keep records of clients for at least a year after the end of an arrangement (or contract) to hold or forward on postal packets and to keep them available for inspection by the police or any authorised officer at all reasonable times.

Offences

It is a criminal offence for a person to:

- fail to comply with the provisions of Section 75 or;
- furnish false information –
 - in making an application for registration or notifying the Council of any alteration to the registration particulars held or
 - to a mail forwarding business in relation to particulars the business is required to keep;
- make a false entry in records kept by a person carrying on a mail forwarding business.

It should be noted from the above, that a client will commit an offence if they provide required information that is false.

In relation to the investigation of an offence, Trading Standards Officers have the power to enter premises and inspect and seize goods and documents.

Penalties

The maximum penalty for committing an offence is a fine not exceeding £5000 on summary conviction.

How can I get further advice?

If you require further information, clarification or advice on any of the above, please do not hesitate to contact the Trading Standards Service at:

222 Upper Street, London N1 1XR

Tel: (020) 7527 3198

Email: trading.standards@islington.gov.uk

In offering the above advice, this Authority wishes to make it clear that only the Courts can interpret the Law.
--