

DPE's Recommendations for the EU Delivery Act

Delivery Platforms Europe (DPE) represents the leading local commerce platforms in Europe, providing digital services connecting consumers with local merchants through couriers.

DPE welcomes the opportunity to contribute to the European Commission's public consultation on the forthcoming EU Delivery Act.

As DPE's members do not operate within the EU's postal sector, DPE does not have a position on the regulatory needs of that sector. However, we note that the forthcoming proposal may aim to extend its scope beyond the traditional postal ecosystem. Encompassing a broad range of players with very different business models and operational realities would risk creating greater legal uncertainty for all actors, including postal operators. It would ultimately run counter to the objectives of the Delivery Act as set out previously in the Commission's Call for Evidence, notably the goal of simplifying and clarifying delivery rules, as well as the Commission's broader ambition to reduce regulatory complexity across the Single Market.

Where the policy concern is primarily consumer protection, the EU already has strong horizontal safeguards in place. Instruments such as the Consumer Rights Directive, the Unfair Commercial Practices Directive and the Digital Services Act provide robust protections that are designed to work across digital marketplaces.

Local commerce platforms such as Bolt, Deliveroo, Delivery Hero (operating in the EU as Glovo, foodora, efood and foody), Wolt and Uber Eats connect consumers with local merchants, enabling fast, short-distance delivery of food, groceries, and everyday essentials within minutes. In practice, delivery platforms work like an errand service. A customer requests a pickup through the app, a courier picks up the order from a merchant right away, and delivers it directly to the customer, usually just a few kilometres away. There is no collecting, sorting or storage through national or cross-border networks, just one quick, point-to-point trip from A to B arranged in real time.

DPE and its members are of the view that extending the EU Delivery Act to local commerce platforms would be a regulatory mismatch supported by four main arguments:

- 1 Local commerce platforms are **distinct** from postal operators and digital retail platforms
- 2 Local commerce platforms **do not compete** with postal operators nor digital retail platforms
- 3 Local commerce platforms are **not positioned to carry out the Universal Service Obligation**
- 4 Local commerce platforms are already **subject to a specific and extensive regulatory framework**
- 5 Local commerce platforms are **inherently consumer-centric** and already uphold high consumer protection standards

I. Local commerce platforms are distinct from postal operators and digital retail platforms

I.a How local commerce platforms operate

Local commerce platforms are technology companies, providing digital services that drive the future of local commerce. They boost visibility and sales for local restaurants, help local businesses to go digital and thrive while strengthening the local economy and making short supply chains more agile and resilient.

Local commerce platforms connect local shop owners with consumers, contributing to job creation and enabling couriers to generate income through flexible work opportunities. By bringing the local market to the fingertips of European consumers, local commerce platforms increase convenience and variety of choice, sustain vital links between businesses and their neighbourhoods, and promote a proximity-based economy where access to local goods is fast and easy.

I.b. How we are different from postal operators and digital retail platforms

Local commerce platforms do not carry out the activities that define postal operators, since they do not clear, sort, transport or distribute “postal items”. These platforms fundamentally differ from postal operators and digital retail platforms by offering point-to-point local deliveries without relying in their main business on sorting centres for collection and sorting.

Key operational differences include:

- **Cross-border activity:** Local commerce platforms operate exclusively at a local level and do not provide, nor seek to provide, cross-border services. Therefore, they cannot fulfill **Objective 4** of the upcoming proposal to “*support the development of cross-border delivery solutions*”.
- **Postal items:** Local commerce platforms work primarily with local restaurants, shops, retailers and supermarkets. However, these are not postal items as defined by the current framework, notably Article 2 of the Postal Services Directive and Regulation on Cross-Border Parcel Delivery Services. Items are not packaged, sealed and addressed the way postal items are. Therefore, these platforms cannot be considered a postal service, as per its definition in Article 2, which are “services involving clearance, sorting, transport and distribution of a postal item”.
- **Clearance:** There is no clearance of postal items. Activities of local commerce platforms are local point-to-point delivery of orders, which are typically picked up at the point of sale and brought directly to the consumer. Unlike digital retail platforms, these platforms do not operate extensive networks of fulfilment centres across the EU.
- **Sorting:** There is no sorting of postal items, as orders are typically immediately delivered. Unlike digital retail platforms, following clearance, orders are not brought to a centralised location and dispatched to various other locations to enable subsequent sorting and eventually transport and distribution.
- **Transport and distribution:** There is no transport or distribution of postal items. Orders are generally picked up directly from the merchant and brought to the customer, without being brought to an intermediate distribution centre. Items are transferred hand-to-hand, with no storage, all typically within 30 minutes. .

More generally, the proposed EU Delivery Act risks oversimplifying the delivery ecosystem by grouping very different actors – postal operators, digital retail platforms, freight forwarders, or local commerce platforms – under a single regulatory framework. Ignoring these differences could lead to disproportionate or misaligned regulatory outcomes, increased compliance burden and uncertainty for all stakeholders, even going against **Objective 5** of the EU Delivery Act of decreasing “*the administrative burden by simplifying and clarifying delivery rules*”.

It follows from this overview that these operational realities mean that local commerce platforms cannot be considered postal service providers, nor could their inclusion in the scope of the EU Delivery Act help reach the objectives set out in the previous Call for Evidence.

II. Local commerce platforms do not compete with postal operators nor digital retail platforms

II.a Distinct operational realities

The European Commission has highlighted that the EU Delivery Act will aim to address the lack of a level playing field between traditional postal operators and new e-commerce platforms. DPE wishes to underline that, as explained above, the distinct nature of local commerce platforms' services places them in an entirely different market segment from postal and parcel delivery providers, as well as e-commerce providers such as digital retail platforms. Consequently, local commerce platforms do not pose a competition risk to the other operators under consideration.

Local commerce platforms do not use national or cross-border postal networks, nor do they replicate or replace them. As such, they neither create nor face internal market barriers linked to cross-border parcel delivery, and therefore would not benefit from further harmonisation of postal rules at EU level.

While postal operators may compete with large, vertically integrated digital retail platforms, this dynamic does not exist for local commerce platforms. Treating these services as comparable or interchangeable would misrepresent the market and misguide regulatory design.

Therefore, bringing local commerce platforms under the scope of the EU Delivery Act will not contribute to achieving **Objective 3** of “safeguarding the level playing field in the postal delivery sector” because they are simply operating in a distinct market segment.

III. Local commerce platforms are not positioned to carry out the Universal Service Obligation

The Universal Service Obligation (USO) is designed to guarantee a minimum set of services of specified quality at affordable prices across the entire territory of a Member State. It presupposes nationwide infrastructure, territorial coverage, continuity of service and, in many cases, cross-border reach.

Local commerce platforms are neither required nor structurally positioned to fulfill such obligations. Our services are hyperlocal and on-demand, operating within limited neighbourhoods or cities and dependent on the voluntary participation of local restaurants and merchants.

Regardless of the type of goods delivered - whether ready-to-eat food, groceries, or other everyday items - services provided via local commerce platforms remain time-critical and demand driven. They are not scheduled, standardised or territorially guaranteed services, but rapid responses to individual consumer requests within a limited geographic radius.

All this makes it impossible to ensure universal territorial coverage or continuity of supply independent of local market conditions, as required under a USO framework.

Furthermore, public compensation for USO is justified by the provision of services of general economic interest through nationwide, network-based delivery. Expanding this logic to local commerce platforms that do not provide universal coverage risks diluting the concept of universal service itself and could invite state aid challenges to the legitimacy of USO funding frameworks.

Extending USO obligations to services delivered through local commerce platforms, as alluded in the consultation survey, would therefore be unfeasible and disproportionate. Such platforms fall outside the intent and design of the universal service framework and should not be considered potential USO providers under the EU Delivery Act.

IV. Local commerce platforms are already subject to a specific and extensive regulatory framework

IV.a Existing regulatory framework

As mentioned above, local commerce platforms already operate within a robust and well-defined EU regulatory framework that ensures transparency, fairness, and strong consumer and business protections. The forthcoming EU Delivery Act should therefore acknowledge that the key policy objectives it seeks to advance are, in many cases, already covered by existing EU legislation tailored to the platform economy.

A range of legislative instruments already governs the operations of local commerce platforms across the Union, including:

- **Platform Work Directive (PWD):** Adopted in December 2024 and to be transposed by December 2026, the PWD sets out clear rules to improve working conditions in platform-based work while fostering responsible innovation across the digital economy. This comprehensive framework directly addresses employment and social issues specific to the platform economy.

- **Digital Services Act (DSA):** In force since February 2024, the DSA provides harmonised obligations for online intermediaries content moderation, transparency, and complaints handling, among others. For online marketplaces, it includes specific provisions on the traceability of traders to ensure consumers can identify who they are buying from, thereby enhancing accountability and trust in digital transactions.
- **Consumer Rights Directive (CRD):** This directive guarantees core consumer rights in digital commerce, such as the right to clear pre-contractual information, such as on the existence and conditions of after-sales customer assistance, after-sales services, and commercial guarantees, as well as on the arrangements for payment, delivery, and performance. It also ensures consumers' rights of withdrawal from distance contracts.
- **European Accessibility Act (EAA):** Entered into force in June 2025, the EAA sets accessibility standards to ensure that digital services, including local commerce platforms, are usable by all consumers, including people with disabilities and older citizens.
- **Platform-to-Business (P2B) Regulation:** This regulation sets out transparency and fairness obligations for providers of online intermediation services, including online marketplaces, in their dealings with business users. It aims to ensure predictable and balanced commercial relationships by requiring clear terms and conditions, transparency around ranking algorithms, and effective dispute resolution mechanisms.

IV.b Risk of duplication and legal uncertainty

The combined effect of existing EU legislation already achieves the consumer and business protection goals envisioned for the EU Delivery Act. These frameworks are specifically tailored to the realities of online intermediation and platform-based commerce, and along with horizontal instruments, such as the Unfair Commercial Practices Directive and the Unfair Contract Terms Directive, also already ensure a high level of consumer protection.

Against this backdrop, applying additional postal rules - including sector-specific consumer protection rules - to local commerce platforms would therefore reduce regulatory coherence and legal certainty, while hindering innovation and compliance for small businesses and consumers. This would ultimately again contradict **Objective 5** of the EU Delivery Act, which aims to “*decrease the administrative burden by simplifying and clarifying delivery rules*”, as well as the European Commission's broader goal of reducing regulatory complexity across the Single Market.

V. Local commerce platforms are inherently consumer-centric and already uphold high consumer protection standards

V.a A consumer-driven business model

As outlined by the European Commission, the EU Delivery Act will seek to strengthen consumer protection in the postal sector. DPE wishes to underline that local commerce platforms operate a fundamentally different model - one that is inherently consumer-centric and embeds consumer protection throughout every step of the service.

As local commerce platforms, DPE members already comply with the extensive set of consumer protection rules stemming from the EU digital acquis, as highlighted in the previous section. Consequently, our members already provide interfaces that clearly display all applicable costs upfront, ensure secure paying methods, and track delivery in real time. The entire experience, from order placement to delivery and after-sales support, takes place within a single interface, giving consumers transparency and control at every step.

V.b Complaint handling is a centralised, fast and easy process

Unlike postal operators, which often rely on multi-step or multi-actor complaint systems, local commerce platforms provide immediate, in-app support. Consumers can directly report missing items, delays, or other issues and receive real-time assistance from support teams who have full visibility of the order and delivery timeline. This integrated approach ensures issues are resolved quickly and effectively, often within minutes. Therefore, local commerce platforms already provide a superior complaints handling experience to traditional postal services and the issues identified in the Call for Evidence do not apply to our sector.

DPE policy recommendation: keep the EU Delivery Act focused on postal reform

The forthcoming EU Delivery Act should remain firmly focused on improving the regulatory environment for postal service providers. It should not expand its scope to include separated sectors such as local commerce platforms.

Pursuing Option 3 as outlined in the Call for Evidence, with an expanded scope, would risk **conflating fundamentally different business models**. Local commerce platforms operate on-demand, digital, consumer-centric services that bear no structural, operational, or competitive resemblance to postal or parcel operators. Including them within a framework originally designed for mail and parcel delivery would create legal uncertainty, duplicative obligations, and increased administrative burden, ultimately contradicting the Commission's own objective of simplifying EU regulation.

DPE therefore encourages the European Commission to:

- Keep the EU Delivery Act focused on providers of postal services as already defined under the existing Postal Services Directive. Broadening the scope should be avoided;
- Acknowledge the distinct nature of local commerce platforms, which operate under entirely different business models, do not compete with postal operators, and already comply with a robust set of EU digital and consumer protection rules;
- Ensure that any future revisions are proportionate, targeted, and innovation-friendly, so that Europe's postal sector can modernise while digital local commerce continues to grow and support local economies;

By maintaining a clear and coherent scope, the EU Delivery Act can effectively serve its intended purpose: creating a forward-looking, efficient regulatory framework for postal operators and similar business models, without undermining innovation or competitiveness in other distinct parts of the European delivery ecosystem.