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### **Sixth Additional Protocol to the Constitution of the Universal Postal Union of 10 July 1964**

**Seoul, 14 September 1999**

**Ratified by Australia: 22 August 2005**

**Entry into force Generally and for Australia: 1 January 2001**

#### **AUSTRALIAN TREATY SERIES**

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### **Sixth Additional Protocol to the Constitution of the Universal Postal Union of 10 July 1964**

General Regulations of the Universal Postal Union

Universal Postal Convention, and Final Protocol

(Beijing, 15 September 1999)

#### **SIXTH ADDITIONAL PROTOCOL TO THE CONSTITUTION OF THE UNIVERSAL POSTAL UNION OF 10 JULY 1964**

(Beijing, 15 September 1999)

The plenipotentiaries of the Governments of the member countries of the Universal Postal Union, met in Congress at Beijing, in view of article 30, paragraph 2, of the Constitution of the Universal Postal Union concluded at Vienna on 10 July 1964, have adopted, subject to ratification, the following amendments to that Constitution.

#### **Article I**

(Article 22 amended)

Acts of the Union

1 The Constitution shall be the basic Act of the Union. It shall contain the organic rules of the Union.

2 The General Regulations shall embody those provisions which ensure the application of the Constitution and the working of the Union. They shall be binding on all member countries.

3 The Universal Postal Convention, the Letter Post Regulations and the Parcel Post Regulations shall embody the rules applicable throughout the international postal service and the provisions concerning

the letter-post and postal parcels services. These Acts shall be binding on all member countries.

4 The Agreements of the Union, and their Regulations, shall regulate the services other than those of the letter post and postal parcels between those member countries which are parties to them. They shall be binding on those countries only.

5 The Regulations, which shall contain the rules of application necessary for the implementation of the Convention and of the Agreements, shall be drawn up by the Postal Operations Council, bearing in mind the decisions taken by Congress.

6 The Final Protocols annexed to the Acts of the Union referred to in paragraphs 3, 4 and 5 shall contain the reservations to those Acts.

## Article II

(Article 25 amended)

Signature, authentication, ratification and other forms of approval of  
the Acts of the Union

1 The Acts of the Union arising from the Congress shall be signed by the plenipotentiaries of the member countries.

2 The Regulations shall be authenticated by the Chairman and the Secretary- General of the Postal Operations Council.

3 The Constitution shall be ratified as soon as possible by the signatory countries.

4 Approval of the Acts of the Union other than the Constitution shall be governed by the constitutional regulations of each signatory country.

5 When a country does not ratify the Constitution or does not approve the other Acts which it has signed, the Constitution and other Acts shall be no less valid for the other countries that have ratified or approved them.

## Article III

(Article 29 amended)

Presentation of proposals

1 The postal administration of a member country shall have the right to present, either to Congress or between Congresses, proposals concerning the Acts of the Union to which its country is a party.

2 However, proposals concerning the Constitution and the General Regulations may be submitted only to Congress.

3 Moreover, proposals concerning the Regulations shall be submitted direct to the Postal Operations Council but must first be transmitted by the International Bureau to the postal administrations of all member countries.

## Article IV

## Accession to the Additional Protocol and to the other Acts of the Union

1 Member countries which have not signed the present Protocol may accede to it at any time.

2 Member countries which are party to the Acts renewed by Congress but which have not signed them shall accede thereto as soon as possible.

3 Instruments of accession relating to the cases set forth in paragraphs 1 and 2 shall be sent to the Director-General of the International Bureau, who shall notify the Governments of the member countries of their deposit.

## Article V

### Entry into force and duration of the Additional Protocol to the Constitution of the Universal Postal Union

This Additional Protocol shall come into force on 1 January 2001 and shall remain in force for an indefinite period.

IN WITNESS WHEREOF the plenipotentiaries of the Governments of the member countries have drawn up this Additional Protocol, which shall have the same force and the same validity as if its provisions were inserted in the text of the Constitution itself, and they have signed it in a single original which shall be deposited with the Director-General of the International Bureau. A copy thereof shall be delivered to each party by the Government of the country in which Congress is held.

DONE at Beijing, 15 September 1999.

[Signatures not reproduced here.]

## GENERAL REGULATIONS OF THE UNIVERSAL POSTAL UNION

The undersigned plenipotentiaries of the Governments of member countries of the Union, having regard to article 22, paragraph 2, of the Constitution of the Universal Postal Union, concluded at Vienna on 10 July 1964, have, by common consent, and subject to article 25, paragraph 4, of the Constitution, drawn up in these General Regulations the following provisions securing the application of the Constitution and the functioning of the Union.

## CHAPTER I

### FUNCTIONING OF THE UNION'S BODIES

#### Article 101

##### Organization and convening of Congresses and Extraordinary Congresses

1 The representatives of member countries shall meet in Congress not later than five years after the date on which the Acts of the preceding Congress come into operation.

2 Each member country shall arrange for its representation at Congress by one or more plenipotentiaries furnished by their Government with the necessary powers. It may, if need be, arrange to be represented by the delegation of another member country. Nevertheless it shall be understood that a delegation may represent only one member country other than its own.

3 In debates, each country shall be entitled to one vote, subject to the sanctions provided for in article 126.

4 In principle, each Congress shall designate the country in which the next Congress will be held. If that designation proves inapplicable, the Council of Administration shall be authorized to designate the country where Congress is to meet, after consultation with the latter country.

5 After consultation with the International Bureau, the host Government shall fix the definitive date and the precise locality of Congress. In principle one year before that date the host Government shall send an invitation to the Government of each member country of the Union. This invitation may be sent direct or through the intermediary of another Government or through the Director-General of the International Bureau.

6 When a Congress has to be convened without a host Government, the International Bureau, with the agreement of the Council of Administration and after consultation with the Government of the Swiss Confederation, shall take the necessary steps to convene and organize the Congress in the country in which the seat of the Union is situated. In this event the International Bureau shall perform the functions of the host Government.

7 The meeting place of an Extraordinary Congress shall be fixed, after consultation with the International Bureau, by the member countries which have initiated that Congress.

8 Paragraphs 2 to 6 shall be applicable by analogy to Extraordinary Congresses.

## Article 102

### Composition, functioning and meetings of the Council of Administration

1 The Council of Administration shall consist of forty-one members who shall exercise their functions during the period between two successive Congresses.

2 The chairmanship shall devolve by right on the host country of Congress. If that country waives this right, it shall become a *de jure* member and, as a result, the geographical group to which it belongs shall have at its disposal an additional seat, to which the restrictive provisions of paragraph 3 shall not apply. In that case, the Council of Administration shall elect to the chairmanship one of the member countries belonging to the geographical group of the host country.

3 The forty other members of the Council of Administration shall be elected by Congress on the basis of an equitable geographical distribution. At least a half of the membership shall be renewed at each Congress; no member may be chosen by three successive Congresses.

4 Each member of the Council of Administration shall appoint its representative, who shall be competent in postal matters.

5 The office of member of the Council of Administration shall be unpaid. The operational expenses of this Council shall be borne by the Union.

6 The Council of Administration shall have the following functions:

6.1 to supervise the activities of the Union between Congresses, ensuring compliance with the decisions of Congress, studying questions with respect to governmental policies on postal issues, and taking account of international regulatory developments such as those relating to trade in services and to competition;

- 6.2 to consider and approve, within the framework of its competence, any action considered necessary to safeguard and enhance the quality of and to modernize the international postal service;
- 6.3 to promote, coordinate and supervise all forms of postal technical assistance within the framework of international technical cooperation;
- 6.4 to consider and approve the annual budget and accounts of the Union;
- 6.5 to authorize the ceiling of expenditure to be exceeded, if circumstances so require, in accordance with article 125, paragraphs 3, 4 and 5;
- 6.6 to lay down the Financial Regulations of the UPU;
- 6.7 to lay down the rules governing the Reserve Fund;
- 6.8 to lay down the rules governing the Special Fund;
- 6.9 to lay down the rules governing the Special Activities Fund;
- 6.10 to lay down the rules governing the Voluntary Fund;
- 6.11 to provide control over the activities of the International Bureau;
- 6.12 to authorize election of a lower contribution class, if it is so requested, in accordance with the conditions set out in article 127, paragraph 6;
- 6.13 to authorize a change of geographical group if it is so requested, taking into account the views expressed by the countries which are members of the geographical groups concerned;
- 6.14 to lay down the Staff Regulations and the conditions of service of the elected officials;
- 6.15 to create or abolish International Bureau posts taking into account the restrictions imposed by the expenditure ceiling fixed;
- 6.16 to lay down the Regulations of the Social Fund;
- 6.17 to approve the annual report and the Financial Operating Report on the work of the Union prepared by the International Bureau and where appropriate to furnish observations on them;
- 6.18 to decide on the contacts to be established with postal administrations in order to carry out its functions;
- 6.19 after consulting the Postal Operations Council, to decide on the contacts to be established with the organizations which are not *de jure* observers, to consider and approve the reports by the International Bureau on UPU relations with other international bodies and to take the decisions which it considers appropriate on the conduct of such relations and the action to be taken on them; to designate in due course the intergovernmental and non-governmental international organizations which should be invited to be represented at a Congress and to instruct the Director-General to issue the necessary invitations;
- 6.20 to establish principles, as may be considered necessary, for the Postal Operations Council to take into account in its study of questions with major financial repercussions (charges, terminal dues, transit charges, basic airmail conveyance rates and the posting abroad of letter-post items), to follow closely the study of these questions, and to review and approve, for conformity with the

aforementioned principles, Postal Operations Council proposals relating to these questions;

6.21 to study, at the request of Congress, the Postal Operations Council or postal administrations, administrative, legislative and legal problems concerning the Union or the international postal service; it shall be for the Council of Administration to decide, in the above-mentioned fields, whether it is expedient to undertake the studies requested by postal administrations between Congresses;

6.22 to formulate proposals which shall be submitted for the approval either of Congress or of postal administrations in accordance with article 122;

6.23 to approve, within the framework of its competence, the recommendations of the Postal Operations Council for the adoption, if necessary, of regulations or of a new procedure until such time as Congress takes a decision in the matter;

6.24 to consider the annual report prepared by the Postal Operations Council and any proposals submitted by the Council;

6.25 to submit subjects for study to the Postal Operations Council for examination in accordance with article 104, paragraph 9.16;

6.26 to designate the country where the next Congress is to be held in the case provided for in article 101, paragraph 4;

6.27 to determine in due course and after consulting the Postal Operations Council, the number of Committees required to carry out the work of Congress and to specify their functions;

6.28 to designate, after consulting the Postal Operations Council and subject to the approval of Congress, the member countries prepared:

- to assume the vice-chairmanships of Congress and the chairmanships and vice-chairmanships of the Committees, taking as much account as possible of the equitable geographical distribution of the member countries; and

- to sit on the restricted Committees of Congress;

6.29 to review and approve the draft Strategic Plan for presentation to Congress developed by the Postal Operations Council with the support of the International Bureau; to review and approve annual revisions of the Plan approved by Congress on the basis of recommendations from the Postal Operations Council, and to consult with the Postal Operations Council on the development and annual updating of the Plan.

7 At its first meeting, which shall be convened by the Chairman of Congress, the Council of Administration shall elect four Vice-Chairmen from among its members and draw up its Rules of Procedure.

8 On convocation by its Chairman, the Council of Administration shall meet in principle once a year, at Union headquarters.

9 The Chairman, the Vice-Chairmen and the Committee Chairmen of the Council of Administration and the Chairman of the Strategic Planning Working Party shall form the Management Committee. This Committee shall prepare and direct the work of each session of the Council of Administration. It shall approve, on behalf of the Council of Administration, the annual report prepared by the International Bureau on the work of the Union and it shall take on any other task which the Council of

Administration decides to assign to it or the need for which arises in the course of the strategic planning process.

10 The representative of each of the members of the Council of Administration participating in its meetings, except for meetings which take place during Congress, shall be entitled to reimbursement of the cost of either an economy class return air ticket or first class return rail ticket, or expenses incurred for travel by any other means subject to the condition that the amount does not exceed the price of the economy class return ticket. The same entitlement shall be granted to each member of its Committees, Working Parties or other bodies when these meet outside Congress and the sessions of the Council.

11 The Chairman of the Postal Operations Council shall represent that body at meetings of the Council of Administration on the agenda of which there are questions of interest to the body which he directs.

12 To ensure effective liaison between the work of the two bodies, the Postal Operations Council may designate representatives to attend Council of Administration meetings as observers.

13 The postal administration of the country in which the Council of Administration meets shall be invited to take part in the meetings in the capacity of observer, if that country is not a member of the Council of Administration.

14 The Council of Administration may invite any international body, any representative of an association or enterprise, or any qualified person whom it wishes to associate with its work to its meetings, without the right to vote. It may also invite, under the same conditions, one or more postal administrations of member countries concerned with questions on its agenda.

15 The members of the Council of Administration shall take an active part in its work. Member countries not belonging to the Council of Administration may, at their request, cooperate in the studies undertaken, subject to such conditions as the Council may establish to ensure the efficiency and effectiveness of its work. They may also be invited to chair Working Parties when their experience or expertise justifies it. The participation of member countries not belonging to the Council of Administration shall be carried out without additional expense for the Union.

### Article 103

#### Documentation on the activities of the Council of Administration

1 After each session, the Council of Administration shall inform the member countries of the Union and the Restricted Unions about its activities by sending them, *inter alia*, a summary record and its resolutions and decisions.

2 The Council of Administration shall make to Congress a comprehensive report on its work and send it to postal administrations at least two months before the opening of Congress.

### Article 104

#### Composition, functioning and meetings of the Postal Operations Council

1 The Postal Operations Council shall consist of forty members who shall exercise their functions during the period between successive Congresses.

2 The members of the Postal Operations Council shall be elected by Congress on the basis of qualified geographical distribution. Twenty-four seats shall be reserved for developing countries and

sixteen seats for developed countries. At least one third of the members shall be renewed at each Congress.

3 The representative of each of the members of the Postal Operations Council shall be appointed by the postal administration of his country. This representative shall be a qualified official of the postal administration.

4 The operational expenses of the Postal Operations Council shall be borne by the Union. Its members shall not receive any payment. Travelling and living expenses incurred by representatives of postal administrations participating in the Postal Operations Council shall be borne by those administrations. However, the representative of each of the countries considered to be disadvantaged according to the lists established by the United Nations shall, except for meetings which take place during Congress, be entitled to reimbursement of the price of an economy class return air ticket or first class return rail ticket, or expenses incurred for travel by any other means, subject to the condition that the amount does not exceed the price of the economy class return air ticket.

5 At its first meeting, which shall be convened and opened by the Chairman of Congress, the Postal Operations Council shall choose from among its members a Chairman, a Vice-Chairman, the Committee Chairmen and the Chairman of the Strategic Planning Working Party.

6 The Postal Operations Council shall draw up its Rules of Procedure.

7 In principle, the Postal Operations Council shall meet every year at Union headquarters. The date and place of the meeting shall be fixed by its Chairman in agreement with the Chairman of the Council of Administration and the Director-General of the International Bureau.

8 The Chairman, the Vice-Chairman and the Committee Chairmen of the Postal Operations Council and the Chairman of the Strategic Planning Working Party shall form the Management Committee. This Committee shall prepare and direct the work of each meeting of the Postal Operations Council and take on all the tasks which the latter decides to assign to it or the need for which arises in the course of the strategic planning process.

9 The functions of the Postal Operations Council shall be the following:

9.1 to conduct the study of the most important operational, commercial, technical, economic and technical cooperation problems which are of interest to postal administrations of all member countries, including questions with major financial repercussions (charges, terminal dues, transit charges, airmail conveyance rates, parcel-post rates, and the posting abroad of letter-post items), and to prepare information, opinions and recommendations for action on them;

9.2 to revise the Regulations of the Union within six months following the end of the Congress unless the latter decides otherwise; in case of urgent necessity, the Postal Operations Council may also amend the said Regulations at other sessions; in both cases, the Operations Council shall be subject to Council of Administration guidance on matters of fundamental policy and principle;

9.3 to coordinate practical measures for the development and improvement of international postal services;

9.4 to take, subject to Council of Administration approval within the framework of the latter's competence, any action considered necessary to safeguard and enhance the quality of and to modernize the international postal service;

9.5 to formulate proposals which shall be submitted for the approval either of Congress or of postal administrations in accordance with article 122; the approval of the Council of Administration is

required when these proposals concern questions within the latter's competence;

9.6 to examine, at the request of the postal administration of a member country, any proposal which that postal administration forwards to the International Bureau under article 121, to prepare observations on it and to instruct the International Bureau to annex these observations to the proposal before submitting it for approval to the postal administrations of member countries;

9.7 to recommend, if necessary, and where appropriate after approval by the Council of Administration and consultation of all the postal administrations, the adoption of regulations or of a new procedure until such time as Congress takes a decision in the matter;

9.8 to prepare and issue, in the form of recommendations to postal administrations, standards for technological, operational and other processes within its competence where uniformity of practice is essential; it shall similarly issue, as required, amendments to standards it has already set;

9.9 to examine in consultation with and with the approval of the Council of Administration, the draft Strategic Plan drawn up by the International Bureau for consideration by Congress; to revise each year the Plan approved by Congress with the assistance of the Strategic Planning Working Party and of the International Bureau as well as with the approval of the Council of Administration;

9.10 to approve those parts of the annual report on the work of the Union prepared by the International Bureau which concern the responsibilities and functions of the Postal Operations Council;

9.11 to decide on the contacts to be established with postal administrations in order to carry out its functions;

9.12 to study teaching and vocational training problems of interest to the new and developing countries;

9.13 to take the necessary steps to study and publicize the experiments and progress made by certain countries in the technical, operational, economic and vocational training fields of interest to the postal services;

9.14 to study the present position and needs of the postal services in the new and developing countries and to prepare appropriate recommendations on ways and means of improving the postal services in those countries;

9.15 to take, in consultation with the Council of Administration, appropriate steps in the sphere of technical cooperation with all member countries of the Union and in particular with the new and developing countries;

9.16 to examine any other questions submitted to it by a member of the Postal Operations Council, by the Council of Administration or by any postal administration of a member country.

10 The members of the Postal Operations Council shall take an active part in its work. The postal administrations of member countries not belonging to the Postal Operations Council may, at their request, cooperate in the studies undertaken, subject to such conditions as the Council may establish to ensure the efficiency and effectiveness of its work. Such postal administrations may also be requested to chair Working Parties where their expertise or experience justify it.

11 On the basis of the UPU Strategic Plan adopted by Congress and, in particular the part relating to the strategies of the Permanent Bodies of the Union, the Postal Operations Council shall, at its first session after Congress, prepare a draft basic work programme, containing a number of tactics aimed

at implementing strategies. This basic programme, which shall include a limited number of projects on topical subjects of common interest, shall be revised annually in the light of new realities and priorities, as well as of changes made to the Strategic Plan.

12 In order to ensure effective liaison between the work of the two bodies, the Council of Administration may designate representatives to attend Postal Operations Council meetings as observers.

13 The Postal Operations Council may invite the following to take part in its meetings without the right to vote:

13.1 any international body or any qualified person whom it wishes to associate with its work;

13.2 postal administrations of member countries not belonging to the Postal Operations Council;

13.3 any association or enterprise that it wishes to consult with respect to its work.

#### Article 105

Documentation on the activities of the Postal Operations Council

1 After each session, the Postal Operations Council shall inform the member countries of the Union and the Restricted Unions about its activities by sending them, *inter alia*, a summary record and its resolutions and decisions.

2 The Postal Operations Council shall prepare for the Council of Administration an annual report on its work.

3 The Postal Operations Council shall prepare for Congress a comprehensive report on its work and send it to postal administrations of member countries at least two months before the opening of Congress.

#### Article 106

Rules of Procedure of Congresses

1 For the organization of its work and the conduct of its debates, Congress shall apply the Rules of Procedure of Congresses.

2 Each Congress may amend these Rules under the conditions laid down in the Rules of Procedure themselves.

#### Article 107

Working languages of the International Bureau

The working languages of the International Bureau shall be French and English.

#### Article 108

Languages used for documentation, for debates and for official correspondence

1 For the documentation of the Union, the French, English, Arabic and Spanish languages shall be used. The Chinese, German, Portuguese and Russian languages shall also be used provided that only

the most important basic documentation is produced in these languages. Other languages may also be used on condition that the member countries which have made the request shall bear all of the costs involved.

2 The member country or countries which have requested a language other than the official language constitute a language group.

3 Documentation shall be published by the International Bureau in the official language and in the languages of the duly constituted language groups, either directly or through the intermediary of the regional offices of those groups in conformity with the procedures agreed with the International Bureau. Publication in the different languages shall be effected in accordance with a common standard.

4 Documentation published directly by the International Bureau shall, as far as possible, be distributed simultaneously in the different languages requested.

5 Correspondence between the postal administrations and the International Bureau and between the latter and outside entities may be exchanged in any language for which the International Bureau has available a translation service.

6 The costs of translation into any language, including those resulting from the application of paragraph 5, shall be borne by the language group which has asked for that language. The member countries using the official language shall pay, in respect of the translation of non-official documents, a lump-sum contribution, the amount of which per contribution unit shall be the same as that borne by the member countries using the other International Bureau working language. All other costs involved in the supply of documents shall be borne by the Union. The ceiling of the costs to be borne by the Union for the production of documents in Chinese, German, Portuguese and Russian shall be fixed by a Congress resolution.

7 The costs to be borne by a language group shall be divided among the members of that group in proportion to their contributions to the expenses of the Union. These costs may be divided among the members of the language group according to another system, provided that the countries concerned agree to it and inform the International Bureau of their decision through the intermediary of the spokesman of the group.

8 The International Bureau shall give effect to any change in the choice of language requested by a member country after a period which shall not exceed two years.

9 For the discussions at meetings of the Union's bodies, the French, English, Spanish and Russian languages shall be admissible, by means of a system of interpretation - with or without electronic equipment - the choice being left to the judgment of the organizers of the meeting after consultation with the Director-General of the International Bureau and the member countries concerned.

10 Other languages shall likewise be admissible for the discussions and meetings mentioned in paragraph 9.

11 Delegations using other languages shall arrange for simultaneous interpretation into one of the languages mentioned in paragraph 9, either by the system indicated in the same paragraph, when the necessary technical modifications can be made, or by individual interpreters.

12 The costs of the interpretation services shall be shared among the member countries using the same language in proportion to their contributions to the expenses of the Union. However, the costs of installing and maintaining the technical equipment shall be borne by the Union.

13 Postal administrations may come to an understanding about the language to be used for official correspondence in their relations with one another. In the absence of such an understanding the language to be used shall be French.

## CHAPTER II

### INTERNATIONAL BUREAU

#### Article 109

##### Election of the Director-General and Deputy Director-General of the International Bureau

1 The Director-General and the Deputy Director-General of the International Bureau shall be elected by Congress for the period between two successive Congresses, the minimum duration of their term of office being five years. Their term of office shall be renewable once only. Unless Congress decides otherwise, the date on which they take up their duties shall be fixed at 1 January of the year following that in which Congress is held.

2 At least seven months before the opening of Congress, the Director-General of the International Bureau shall send a memorandum to the Governments of member countries inviting them to submit their applications, if any, for the posts of Director-General and Deputy Director-General and indicating at the same time whether the Director-General and Deputy Director-General in office are interested in a renewal of their initial term of office. The applications, accompanied by a curriculum vitae, must reach the International Bureau at least two months before the opening of Congress. The candidates must be nationals of the member countries which put them forward. The International Bureau shall prepare the election documents for Congress. The election of the Director-General and that of the Deputy Director-General shall take place by secret ballot, the first election being for the post of Director-General.

3. If the post of Director-General falls vacant, the Deputy Director-General shall take over the functions of Director-General until the expiry of the latter's term of office; he shall be eligible for election to that post and shall automatically be accepted as a candidate, provided that his initial term of office as Deputy Director-General has not already been renewed once by the preceding Congress and that he declares his interest in being considered as a candidate for the post of Director-General.

4 If the posts of Director-General and Deputy Director-General fall vacant at the same time, the Council of Administration shall elect, on the basis of the applications received following notification of the vacancies, a Deputy Director-General for the period extending up to the next Congress. With regard to the submission of applications, paragraph 2 shall apply by analogy.

5 If the post of Deputy Director-General falls vacant, the Council of Administration shall, on the proposal of the Director-General, instruct one of the Assistant Directors-General at the International Bureau to take over the functions of Deputy Director-General until the following Congress.

#### Article 110

##### Duties of the Director-General

1 The Director-General shall organize, administer and direct the International Bureau, of which he is the legal representative. He shall be empowered to classify posts in grades G1 to D2 and to appoint and promote officials in those grades. For appointments in grades P1 to D2, he shall consider the professional qualifications of the candidates recommended by the postal administrations of the

member countries of which the candidates are nationals or in which they exercise their professional activities, taking into account equitable geographical distribution with respect to continents and languages. The posts of Assistant Director-General shall as far as possible be filled by candidates from different regions and from regions other than those from which the Director-General and Deputy Director-General originate, bearing in mind the paramount consideration of the efficiency of the International Bureau. In the case of posts requiring special qualifications, the Director-General may seek applications from outside. He shall also consider, for the appointment of a new official, that, in principle, persons occupying grade D2, D1 and P5 posts must be nationals of different member countries of the Union. For the promotion of an official of the International Bureau to grades D2, D1 and P5, he shall not be bound to apply that principle. Moreover, the requirements of equitable geographical and language distribution shall rank behind merit in the recruitment process. The Director-General shall inform the Council of Administration once a year of appointments and promotions in grades P4 to D2.

2 The Director-General shall have the following duties:

2.1 to act as depositary of the Acts of the Union and as intermediary in the procedure of accession and admission to and withdrawal from the Union;

2.2 to notify the decisions taken by Congress to all the Governments of member countries;

2.3 to notify all postal administrations of the Regulations drawn up or revised by the Postal Operations Council;

2.4 to prepare the draft annual budget of the Union at the lowest possible level consistent with the requirements of the Union and to submit it in due course to the Council of Administration for consideration; to communicate the budget to the member countries of the Union after approval by the Council of Administration and to execute it;

2.5 to execute the specific activities requested by the bodies of the Union and those assigned to him by the Acts;

2.6 to take action to achieve the objectives set by the bodies of the Union, within the framework of the established policy and the funds available;

2.7 to submit suggestions and proposals to the Council of Administration or to the Postal Operations Council;

2.8 to prepare, for the Postal Operations Council and on the basis of directives issued by the latter, the draft Strategic Plan to be submitted to Congress and the draft annual revision;

2.9 to ensure the representation of the Union;

2.10 to act as an intermediary in relations between:

- the UPU and the Restricted Unions;

- the UPU and the United Nations;

- the UPU and the international organizations whose activities are of interest to the Union;

- the UPU and the international organizations or the associations or enterprises that the bodies of the Union wish to consult or associate with their work;

2.11 to assume the duties of Secretary-General of the bodies of the Union and supervise in this capacity and taking into account the special provisions of these General Regulations, in particular:

- the preparation and organization of the work of the Union's bodies;
- the preparation, production and distribution of documents, reports and minutes;
- the functioning of the secretariat at meetings of the Union's bodies;

2.12 to attend the meetings of the bodies of the Union and take part in the discussions without the right to vote, with the possibility of being represented.

#### Article 111

##### Duties of the Deputy Director-General

1 The Deputy Director-General shall assist the Director-General and shall be responsible to him.

2 If the Director-General is absent or prevented from discharging his duties, the Deputy Director-General shall exercise his functions. The same shall apply in the case of a vacancy in the post of Director-General as mentioned in article 109, paragraph 3.

#### Article 112

##### Secretariat of the Union's bodies

The secretariat of the Union's bodies shall be provided by the International Bureau under the responsibility of the Director-General. It shall send all the documents published on the occasion of each session to the postal administrations of the members of the body, to the postal administrations of countries which, while not members of the body, cooperate in the studies undertaken, to the Restricted Unions and to postal administrations of other member countries which ask for them.

#### Article 113

##### List of member countries

The International Bureau shall prepare and keep up to date the list of member countries of the Union showing therein their contribution class, their geographical group and their position with respect to the Acts of the Union.

#### Article 114

##### Information. Opinions. Requests for interpretation and amendment of the Acts. Inquiries. Role in the settlement of accounts

1 The International Bureau shall be at all times at the disposal of the Council of Administration, the Postal Operations Council and postal administrations for the purpose of supplying them with any necessary information on questions relating to the service.

2 In particular it shall collect, collate, publish and distribute all kinds of information of interest to the international postal service, give an opinion, at the request of the parties involved, on questions in dispute, act on requests for interpretation and amendment of the Acts of the Union and, in general, carry out such studies and editorial or documentary work as are assigned to it by those Acts or as may be referred to it in the interest of the Union.

3 It shall also conduct inquiries requested by postal administrations to obtain the views of other postal administrations on a particular question. The result of an inquiry shall not have the status of a vote and shall not be formally binding.

4 It may act as a clearing house in the settlement of accounts of all kinds relating to the postal service.

#### Article 115

##### Technical cooperation

The International Bureau shall develop postal technical assistance in all its forms within the framework of international technical cooperation.

#### Article 116

##### Forms supplied by the International Bureau

The International Bureau shall be responsible for arranging the manufacture of international reply coupons and for supplying them, at cost, to postal administrations ordering them.

#### Article 117

##### Acts of Restricted Unions and Special Agreements

1 Two copies of the Acts of Restricted Unions and of Special Agreements concluded under article 8 of the Constitution shall be sent to the International Bureau by the offices of such Unions, or failing that, by one of the contracting parties.

2 The International Bureau shall see that the Acts of Restricted Unions and Special Agreements do not include conditions less favourable to the public than those which are provided for in the Acts of the Union and shall inform postal administrations of the existence of such Unions and Agreements. The International Bureau shall notify the Council of Administration of any irregularity discovered through applying this provision.

#### Article 118

##### Union periodical

The International Bureau shall publish, with the aid of the documents made available to it, a periodical in Arabic, Chinese, English, French, German, Russian and Spanish.

#### Article 119

##### Annual report on the work of the Union

The International Bureau shall make an annual report on the work of the Union, which shall be sent, after approval by the Council of Administration, to postal administrations, the Restricted Unions and the United Nations.

### CHAPTER III

#### PROCEDURE FOR THE SUBMISSION AND CONSIDERATION OF PROPOSALS

#### Article 120

## Procedure for submitting proposals to Congress

1 Subject to the exceptions provided for in paragraphs 2 and 5, the following procedure shall govern the submission of proposals of all kinds to Congress by postal administrations of member countries:

a proposals which reach the International Bureau at least six months before the date fixed for Congress shall be accepted;

b no drafting proposal shall be accepted during the period of six months preceding the date fixed for Congress;

c proposals of substance which reach the International Bureau in the interval between six and four months before the date fixed for Congress shall not be accepted unless they are supported by at least two postal administrations;

d proposals of substance which reach the International Bureau in the interval between four and two months preceding the date fixed for Congress shall not be accepted unless they are supported by at least eight postal administrations; proposals which arrive after that time shall no longer be accepted;

e declarations of support shall reach the International Bureau within the same period as the proposals to which they refer.

2 Proposals concerning the Constitution or the General Regulations shall reach the International Bureau not later than six months before the opening of Congress; any received after that date but before the opening of Congress shall not be considered unless Congress so decides by a majority of two thirds of the countries represented at Congress and unless the conditions laid down in paragraph 1 are fulfilled.

3 Every proposal must, as a rule, have only one aim and contain only the changes justified by that aim.

4 Drafting proposals shall be headed "Drafting proposal" by the postal administrations which submit them and shall be published by the International Bureau under a number followed by the letter R. Proposals which do not bear this indication but which, in the opinion of the International Bureau, deal only with drafting points shall be published with an appropriate annotation; the International Bureau shall draw up a list of these proposals for Congress.

5 The procedure prescribed in paragraphs 1 and 4 shall not apply either to proposals concerning the Rules of Procedure of Congresses or to amendments to proposals already made.

## Article 121

### Procedure for submitting proposals between Congresses

1 To be eligible for consideration every proposal concerning the Convention or the Agreements submitted by a postal administration between Congresses shall be supported by at least two other postal administrations. Such proposals shall lapse if the International Bureau does not receive, at the same time, the necessary number of declarations of support.

2 These proposals shall be sent to other postal administrations through the intermediary of the International Bureau.

3 Proposals concerning the Regulations shall not require support but shall not be considered by the Postal Operations Council unless the latter agrees to the urgent necessity.

## Article 122

### Consideration of proposals between Congresses

1 Every proposal concerning the Convention, the Agreements and their Final Protocols shall be subject to the following procedure: a period of two months shall be allowed to postal administrations of member countries for consideration of the proposal notified by an International Bureau circular and for forwarding their observations, if any, to the Bureau. Amendments shall not be admissible. The replies shall be collected by the International Bureau and communicated to postal administrations with an invitation to vote for or against the proposal. Those which have not sent in their vote within a period of two months shall be considered as abstaining. The aforementioned periods shall be reckoned from the dates of the International Bureau circulars.

2 Proposals for amending the Regulations shall be dealt with by the Postal Operations Council.

3 If the proposal relates to an Agreement or its Final Protocol, only the postal administrations of member countries which are parties to that Agreement may take part in the procedure described in paragraph 1.

## Article 123

### Notification of decisions adopted between Congresses

1 Amendments made to the Convention, the Agreements and the Final Protocols to those Acts shall be sanctioned by notification thereof to the Governments of member countries by the Director-General of the International Bureau.

2 Amendments made to the Regulations and their Final Protocols by the Postal Operations Council shall be communicated to postal administrations by the International Bureau. The same shall apply to the interpretations referred to in article 64.3.2 of the Convention and in the corresponding provisions of the Agreements.

## Article 124

### Entry into force of the Regulations and of the other decisions adopted between Congresses

1 The Regulations shall come into force on the same date and shall have the same duration as the Acts laid down by Congress.

2 Subject to paragraph 1, decisions on amending the Acts of the Union which are adopted between Congresses shall not take effect until at least three months after their notification.

## CHAPTER IV

### FINANCE

## Article 125

### Fixing and regulation of the expenditure of the Union

1 Subject to the provisions of paragraphs 2 to 6, the annual expenditure relating to the activities of bodies of the Union may not exceed the following sums for 2000 and subsequent years:

36,680,816 Swiss francs for 2000;

37,000,000 Swiss francs for the years 2001 to 2004.

The basic limit for 2004 shall also apply to the following years in case the Congress scheduled for 2004 is postponed.

2 The expenditure relating to the convening of the next Congress (travelling expenses of the secretariat, transport charges, cost of installing simultaneous interpretation equipment, cost of reproducing documents during the Congress, etc) shall not exceed the limit of 2,948,000 Swiss francs.

3 The Council of Administration shall be authorized to exceed the limits laid down in paragraphs 1 and 2 to take account of increases in salary scales, pension contributions or allowances, including post adjustments, approved by the United Nations for application to its staff working in Geneva.

4 The Council of Administration shall also be authorized to adjust, each year, the amount of expenditure other than that relating to staff on the basis of the Swiss consumer price index.

5 Notwithstanding paragraph 1, the Council of Administration, or in case of extreme urgency, the Director-General, may authorize the prescribed limits to be exceeded to meet the cost of major and unforeseen repairs to the International Bureau building, provided however that the amount of the increase does not exceed 125,000 Swiss francs per annum.

6 If the credits authorized in paragraphs 1 and 2 prove inadequate to ensure the smooth running of the Union, these limits may only be exceeded with the approval of the majority of the member countries of the Union. Any consultation shall include a complete description of the facts justifying such a request.

7 Countries which accede to the Union or are admitted to the status of members of the Union as well as those which leave the Union shall pay their contributions for the whole of the year during which their admission or withdrawal becomes effective.

8 Member countries shall pay their contributions to the Union's annual expenditure in advance on the basis of the budget laid down by the Council of Administration. These contributions shall be paid not later than the first day of the financial year to which the budget refers. After that date, the sums due shall be chargeable with interest in favour of the Union at the rate of 3 percent per annum for the first six months and of 6 percent per annum from the seventh month.

9 Where the arrears of mandatory contributions, not including interest, owed to the Union by a member country are equal to or more than the amount of the contributions of that member country for the preceding two financial years, such member country may irrevocably assign to the Union all or part of the credits owed it by other member countries, in accordance with the arrangements laid down by the Council of Administration. The conditions of this assignment of credit shall be determined by agreement reached between the member country, its debtors/creditors and the Union.

10 A member country which, for legal or other reasons, cannot make such assignment shall undertake to conclude a schedule for the amortization of its arrears.

11 Other than in exceptional circumstances, recovery of arrears of mandatory contributions owed to the Union may not extend over more than ten years.

12 In exceptional circumstances, the Council of Administration may release a member country from all or part of the interest owed if that country has paid the full capital amount of its debts in arrears.

13 A member country may also be released, within the framework of an amortization schedule approved by the Council of Administration for its accounts in arrears, from all or part of the interest accumulated or to accrue; such release shall, however, be subject to the full and punctual execution of the amortization schedule within an agreed period of ten years at most.

14 To cover shortfalls in Union financing, a Reserve Fund shall be established the amount of which shall be fixed by the Council of Administration. This Fund shall be maintained primarily from budget surpluses. It may also be used to balance the budget or to reduce the amount of member countries' contributions.

15 As regards temporary financing shortfalls, the Government of the Swiss Confederation shall make the necessary short-term advances, on conditions which are to be fixed by mutual agreement. That Government shall supervise, without charge, book-keeping and accounting of the International Bureau within the limits of the credits fixed by Congress.

## Article 126

### Automatic sanctions

1 Any member country unable to make the assignment provided for in paragraph 9 of article 125 and which does not agree to submit to an amortization schedule proposed by the International Bureau in accordance with article 125, paragraph 10, or which does not comply with such a schedule shall automatically lose its right to vote at Congress and at meetings of the Council of Administration and the Postal Operations Council and shall no longer be eligible for membership of these two Councils.

2 Automatic sanctions shall be lifted as a matter of course and with immediate effect as soon as the member country concerned has paid its arrears of mandatory contributions owed to the Union, in capital and interest, or has agreed to submit to a schedule for the amortization of the arrears.

## Article 127

### Contribution classes

1 Member countries shall contribute to defraying Union expenses according to the contribution class to which they belong. These classes shall be the following:

class of 50 units;

class of 40 units;

class of 35 units;

class of 25 units;

class of 20 units;

class of 15 units;

class of 10 units;

class of 5 units;

class of 3 units;

class of 1 unit;

class of 0.5 unit, reserved for the least advanced countries as listed by the United Nations and for other countries designated by the Council of Administration.

2 Notwithstanding the contribution classes listed in paragraph 1, any member country may elect to contribute more than 50 units.

3 Member countries shall be included in one of the above-mentioned contribution classes upon their admission or accession to the Union in accordance with the procedure laid down in article 21, paragraph 4, of the Constitution.

4 Member countries may subsequently change contribution class on condition that this change is communicated to the International Bureau at least two months before the opening of Congress. This notification, which shall be brought to the attention of Congress, shall take effect on the date of the entry into force of the financial provisions drawn up by Congress. Member countries that have not made known their wish to change contribution class within the required time shall remain in the class to which they belonged up to that time.

5 Member countries may not insist on being lowered more than one class at a time.

6 Nevertheless, in exceptional circumstances such as natural disasters necessitating international aid programmes, the Council of Administration may authorize a temporary reduction in contribution class once between two Congresses when so requested by a member country if the said member establishes that it can no longer maintain its contribution at the class originally chosen. In the same circumstances, the Council of Administration may also authorize a temporary reduction for the non-least developed countries already in the class of 1 unit by placing them in the class of 0.5 unit.

7 The temporary reduction in contribution class in application of paragraph 6 may be authorized by the Council of Administration for a maximum period of two years or up to the next Congress, whichever is earlier. On expiry of the specified period, the country concerned shall automatically revert to its original contribution class.

8 Notwithstanding paragraphs 4 and 5, changes to a higher class shall not be subject to any restriction.

## Article 128

### Payment for supplies from the International Bureau

Supplies provided by the International Bureau to postal administrations against payment shall be paid for in the shortest possible time and at the latest within six months from the first day of the month following that in which the account is sent by the Bureau. After that period the sums due shall be chargeable with interest in favour of the Union at the rate of 5 percent per annum reckoned from the date of expiry of that period.

## CHAPTER V

### ARBITRATION

#### Article 129

##### Arbitration procedure

1 If a dispute has to be settled by arbitration, each of the postal administrations party to the case shall

select a postal administration of a member country not directly involved in the dispute. When several postal administrations make common cause, they shall count only as a single administration for the purposes of this provision.

2 If one of the postal administrations party to the case does not act on a proposal for arbitration within a period of six months, the International Bureau, if so requested, shall itself call upon the defaulting postal administration to appoint an arbitrator or shall itself appoint one *ex officio*.

3 The parties to the case may agree to appoint a single arbitrator which may be the International Bureau.

4 The decision of the arbitrators shall be taken by a majority of votes.

5 In the event of a tie the arbitrators shall select another postal administration, not involved in the dispute either, to settle the matter. Should they fail to agree on the choice, this postal administration shall be appointed by the International Bureau from among postal administrations not proposed by the arbitrators.

6 If the dispute concerns one of the Agreements, the arbitrators may be appointed only from among the postal administrations that are parties to that Agreement.

## CHAPTER VI

### FINAL PROVISIONS

#### Article 130

##### Conditions for approval of proposals concerning the General Regulations

To become effective, proposals submitted to Congress relating to these General Regulations shall be approved by a majority of the member countries represented at Congress. At least two thirds of the member countries of the Union shall be present at the time of voting.

#### Article 131

##### Proposals concerning the Agreements with the United Nations

The conditions of approval referred to in article 130 shall apply equally to proposals designed to amend the Agreements concluded between the Universal Postal Union and the United Nations, in so far as those Agreements do not lay down conditions for the amendment of the provisions they contain.

#### Article 132

##### Entry into force and duration of the General Regulations

These General Regulations shall come into force on 1 January 2001 and shall remain in operation until the entry into force of the Acts of the next Congress.

IN WITNESS WHEREOF the plenipotentiaries of the Governments of the member countries have signed these General Regulations in a single original which shall be deposited with the Director-General of the International Bureau. A copy thereof shall be delivered to each party by the Government of the country in which Congress is held.

DONE at Beijing, 15 September 1999.

[Signatures not reproduced here.]

## UNIVERSAL POSTAL CONVENTION

The undersigned, plenipotentiaries of the Governments of the member countries of the Union, having regard to article 22, paragraph 3, of the Constitution of the Universal Postal Union concluded at Vienna on 10 July 1964, have by common consent and subject to article 25, paragraph 4, of the Constitution drawn up in this Convention the rules applicable throughout the international postal service.

### PART I

#### RULES APPLICABLE IN COMMON THROUGHOUT THE INTERNATIONAL POSTAL SERVICE

##### SOLE CHAPTER

###### GENERAL PROVISIONS

###### Article 1

###### Universal postal service

1 In order to support the concept of the single postal territory of the Union, member countries shall ensure that all users/customers enjoy the right to a universal postal service involving the permanent provision of quality basic postal services at all points in their territory, at affordable prices.

2 With this aim in view, member countries shall set forth, within the framework of their national postal legislation or by other customary means, the scope of the postal services offered and the requirement for quality and affordable prices, taking into account both the needs of the population and their national conditions.

3 Member countries shall ensure that the offers of postal services and quality standards will be achieved by the operators responsible for providing the universal postal service.

###### Article 2

###### Freedom of transit

1 The principle of the freedom of transit is set forth in article 1 of the Constitution. It shall carry with it the obligation for each postal administration to forward always by the quickest routes and the most secure means which it uses for its own items, closed mails and *à découvert* letter-post items which are passed to it by another postal administration.

2 Member countries which do not participate in the exchange of letters containing perishable biological substances or radioactive substances shall have the option of not admitting these items in transit *à découvert* through their territory. The same shall apply to letter-post items, other than letters, postcards and literature for the blind which do not satisfy the legal requirements governing the conditions of their publication or circulation in the country crossed.

3 Freedom of transit for postal parcels to be forwarded by land and sea routes shall be limited to the territory of the countries taking part in this service.

4 Freedom of transit for air parcels shall be guaranteed throughout the territory of the Union. However, member countries which do not operate the postal parcels service shall not be required to forward air parcels by surface.

5 If a member country fails to observe the provisions regarding freedom of transit, other member countries may discontinue their postal service with that country.

### Article 3[1]

#### Ownership of postal items

1 A postal item shall remain the property of the sender until it is delivered to the rightful owner, except when the item has been seized in pursuance of the legislation of the country of destination.

### Article 4

#### Creation of new service

1 Postal administrations may by mutual consent create a new service not expressly provided for in the Acts of the Union. Charges for a new service shall be laid down by each administration concerned, having regard to the expenses of operating the service.

### Article 5

#### Monetary unit

1 The monetary unit laid down in article 7 of the Constitution and used in the Convention and the other Acts of the Union shall be the Special Drawing Right (SDR).

### Article 6

#### Postage stamps

1 Only postal administrations shall issue postage stamps attesting payment of postage according to the Acts of the Union. Postal prepayment impressions, franking machine impressions and impressions made by a printing press or other printing or stamping process in accordance with the provisions of the Letter Post Regulations may be used only with the authorization of the postal administration.

2 The subjects and designs of postage stamps shall be in keeping with the spirit of the Preamble to the UPU Constitution and of decisions taken by the Union's bodies.

### Article 7[2]

#### Charges

1 The charges for the various international postal and special services shall be set by the postal administrations in accordance with the principles set out in the Convention and the Regulations. They shall in principle be related to the costs of providing these services.

2 The charges collected, including those laid down for guideline purposes in the Acts, shall be at least equal to those collected on internal service items presenting the same characteristics (category, quantity, handling time, etc).

3 Postal administrations shall be authorized to exceed any charges appearing in the Acts, including

those laid down for guideline purposes:

3.1 if the charges they collect for the same services in their internal service are higher than the ones laid down;

3.2 if this is necessary to cover the costs of operating their services or on any other reasonable grounds.

4 Above the minimum level of charges laid down in 2, postal administrations may allow reduced charges based on their internal legislation for letter-post items posted in their country. They may, for instance, give preferential rates to major users of the Post.

5 No postal charge of any kind may be collected from customers other than those provided for in the Acts.

6 Except where otherwise provided in the Acts, each postal administration shall retain the charges which it has collected.

### Article 8<sup>[3]</sup>

#### Exemption from postal charges

##### 1 Principle

1.1 Cases of exemption from postal charges shall be expressly laid down by the Convention.

##### 2 Postal service

2.1 Letter-post items relating to the postal service sent by postal administrations or their offices, whether by air, surface or surface airlifted (S.A.L.) mail, shall be exempt from all postal charges.

2.2 Letter-post items relating to the postal service shall be exempt from all postal charges, with the exception of air surcharges, if they are:

2.2.1 exchanged between bodies of the Universal Postal Union and bodies of the Restricted Unions;

2.2.2 exchanged between bodies of those Unions;

2.2.3 sent by such bodies to postal administrations or their offices.

2.3 Parcels relating to the postal service shall be exempt from all postal charges if exchanged between the following:

2.3.1 postal administrations;

2.3.2 postal administrations and the International Bureau;

2.3.3 post offices of member countries;

2.3.4 post offices and postal administrations.

2.4 Air parcels, with the exception of those originating from the International Bureau, shall be exempt from air surcharges.

### 3 Prisoners of war and civilian internees

3.1 Letter-post items, postal parcels and postal financial services items addressed to or sent by prisoners of war, either direct or through the offices mentioned in the Letter Post Regulations, shall be exempt from all postal charges, with the exception of air surcharges. Belligerents apprehended and interned in a neutral country shall be classed with prisoners of war proper so far as the application of the foregoing provisions is concerned.

3.2 The provisions set out under 3.1 shall also apply to letter-post items, postal parcels and postal financial services items originating in other countries and addressed to or sent by civilian internees as defined by the Geneva Convention of 12 August 1949 relative to the protection of civilian persons in time of war, either direct or through the offices mentioned in the Letter Post Regulations.

3.3 The offices mentioned in the Letter Post Regulations shall also enjoy exemption from postal charges in respect of letter-post items, postal parcels and postal financial services items which concern the persons referred to under 3.1 and 3.2, which they send or receive, either direct or as intermediaries.

3.4 Parcels shall be admitted free of postage up to a weight of 5 kilograms. The weight limit shall be increased to 10 kilograms in the case of parcels, the contents of which cannot be split up and of parcels addressed to a camp or the prisoners' representatives there (*hommes de confiance*) for distribution to the prisoners.

### 4 Literature for the blind

4.1 Literature for the blind shall be exempt from all postal charges, with the exception of air surcharges.

## Article 9

### Postal security

1 Postal administrations shall adopt and implement a proactive security strategy at all levels of postal operations to maintain and enhance customer confidence in the postal services in order to ensure a competitive edge in the market.

2 This strategy shall aim to:

2.1 raise quality of service as a whole;

2.2 increase employee awareness of the importance of security;

2.3 create or reinforce security units;

2.4 share operational, security and investigative information on a timely basis; and

2.5 propose to legislatures, wherever necessary, specific laws, regulations and measures to improve the quality and security of worldwide postal services.

## PART II

### RULES APPLICABLE TO LETTER POST AND POSTAL PARCELS

#### CHAPTER 1

## PROVISION OF SERVICES

### Article 10[4]

#### Basic services

1 Postal administrations shall provide for the acceptance, handling, conveyance and delivery of letter-post items. They shall also provide the same for postal parcels either as laid down in the Convention, or, in the case of outward parcels and after bilateral agreement, by any other means which is more advantageous to its customers.

2 Letter-post items shall be classified according to one of the following two systems. Every postal administration shall be free to choose the system that it applies to its outward traffic.

3 The first system shall be based on the speed of treatment of the items. The latter shall therefore be divided into:

3.1 priority items, ie items conveyed by the quickest route (air or surface) with priority; weight limits: 2 kilograms in general, but 5 kilograms in relations between administrations admitting such items from their customers, 5 kilograms for items containing books and pamphlets (optional service), 7 kilograms for literature for the blind;

3.2 non-priority items, ie items for which the sender has chosen a lower rate, implying a longer delivery time; weight limits: same as those in 3.1.

4 The second system shall be based on the contents of the items. The latter shall therefore be divided into:

4.1 letters and postcards, together called "LC"; weight limit: 2 kilograms, but 5 kilograms in relations between administrations admitting such items from their customers;

4.2 printed papers, literature for the blind and small packets together called "AO"; weight limits: 2 kilograms for small packets, but 5 kilograms in relations between administrations admitting such items from their customers, 5 kilograms for printed papers, 7 kilograms for literature for the blind.

5 Special bags containing printed papers (newspapers, periodicals, books, etc) for the same addressee at the same address shall, in both systems, be called "M bags"; weight limit: 30 kilograms.

6 The exchange of parcels whose individual weight exceeds 20 kilograms shall be optional, with a maximum individual weight of 50 kilograms.

7 As a general rule, parcels shall be delivered to the addressees as soon as possible and according to the provisions in force in the country of destination. When parcels are not delivered to the addressee's address, the addressee shall, unless this is impossible, be advised of their arrival without delay.

8 Any country whose postal administration does not undertake the conveyance of parcels may arrange for the provisions of the Convention to be implemented by transport companies. It may, at the same time, limit this service to parcels originating in or addressed to places served by these companies. The postal administration shall remain responsible for the execution of the Convention and of the Parcel Post Regulations.

### Article 11

#### Postage charges and air surcharges

1 The administration of origin shall fix the postage charges for the conveyance of letter-post items throughout the entire extent of the Union. The postage charges shall cover delivery of the items to the place of address provided that this delivery service is operated in the country of destination for the items in question.

2 The charges applicable to priority letter-post items shall include any additional costs of fast transmission.

3 Administrations that apply the system based on the contents of letter-post items shall be authorized:

3.1 to collect air surcharges for letter-post airmail items;

3.2 to collect for surface air-lifted "S.A.L." items with reduced priority surcharges lower than those which they collect for airmail items;

3.3 to fix combined charges for the prepayment of airmail items and S.A.L. items, taking into account the cost of the postal services rendered by them and the cost of the air conveyance.

4 Administrations shall set the air surcharges to be collected for air parcels.

5 The surcharges shall be related to the air conveyance dues and shall be uniform for at least the whole of the territory of each country of destination whatever the route used; in calculating the air surcharge for a letter-post airmail item, administrations shall be authorized to take into account the weight of any forms used by the public which may be attached to the item.

6 The administration of origin may allow, for letter-post items containing:

6.1 newspapers and periodicals published in its country, a reduction of not more than 50% in principle of the tariff applicable to the category of items used;

6.2 books and pamphlets, music scores and maps, provided they contain no publicity matter or advertisement other than that appearing on the cover or the fly leaves, the same reduction as that provided for under 6.1.

7 The administration of origin may apply to non-standardized items charges different from those applicable to the standardized items defined in the Letter Post Regulations.

8 The reductions in charges pursuant to 6 shall also apply to items conveyed by air, but no reduction shall be granted on the portion of the charge intended to cover the costs of such conveyance.

## Article 12

### Special charges

1 No delivery charge may be collected from the addressee in respect of small packets weighing less than 500 grams. Where domestic small packet items weighing over 500 grams are subject to a delivery charge, the same charge may be collected in respect of incoming international small packets.

2 Postal administrations shall be authorized to collect in the cases mentioned below the same charges as in the domestic service.

2.1 Charge on letter-post items posted after the latest time for posting, collected from the sender.

2.2 Charge on items posted outside normal counter opening hours, collected from the sender.

2.3 Charge for collection at the sender's address, collected from the sender.

2.4 Charge, for withdrawal of a letter-post item outside normal counter opening hours, collected from the addressee.

2.5 Poste restante charge collected from the addressee; in the event of return to sender or redirecting of a parcel, the amount passed on may not exceed the amount set in the Postal Parcels Regulations.

2.6 A storage charge for any letter-post item weighing more than 500 grams and for any parcel of which the addressee has not taken delivery within the prescribed period. This charge shall not apply to literature for the blind. In the case of parcels, it shall be collected by the administration which effects the delivery, on behalf of the administration in whose service the parcel has been kept beyond the prescribed periods; in the event of return to sender or redirection, the amount passed on may not exceed the amount set in the Postal Parcels Regulations.

3 Where a parcel is normally delivered to the addressee's address, no delivery charge may be collected from the addressee. Where delivery to the addressee's address is not normally provided, the advice of arrival should be delivered free of charge. In this case, if delivery to the addressee's address is offered as an option in response to the advice of arrival, a delivery charge may be collected from the addressee. This should be the same charge as in the domestic service.

4 Postal administrations prepared to cover risks of *force majeure* shall be authorized to collect a charge for cover against risks of *force majeure* the maximum amount of which is set in the Letter Post Regulations.

### Article 13

#### Registered items

1 Letter-post items may be sent as registered items.

2 The charge on registered items shall be paid in advance. It shall be made up of the postage charge and of a fixed registration charge the maximum amount of which is set in the Regulations.

3 In cases where exceptional security measures are required, postal administrations may collect from the sender or from the addressee, in addition to the charge mentioned under 2, the special charges provided for by their internal legislation.

### Article 14

#### Recorded delivery items

1 Letter-post items may be sent by the recorded delivery items service in relations between administrations which agree to provide this service.

2 The charge on recorded delivery items shall be paid in advance. It shall be made up of the postage charge and of a recorded delivery charge fixed by the administration of origin. This charge shall be less than the registration charge.

### Article 15[5]

#### Insured items

1 Priority and non-priority items and letters containing securities, valuable documents or articles as

well as parcels may be exchanged with insurance of the contents for the value declared by the sender. This exchange shall be restricted to relations between postal administrations which have declared their willingness to admit such items, whether reciprocally or in one direction only.

2 In principle, the amount of the insured value shall be unlimited. Every administration may limit the insured value, so far as it is concerned, to an amount which may not be less than the amount set in the Regulations. However, the limit of insured value adopted in the internal service shall be applicable only if it is equal to or higher than the amount of the indemnity set for the loss of a registered item or of a parcel weighing one kilogram. The maximum amount shall be notified in SDR to the member countries of the Union.

3 The charge on insured items shall be paid in advance. It shall be made up:

3.1 for letter-post items, of the ordinary postage charge, the fixed registration charge laid down in article 13.2 and an insurance charge;

3.2 for parcels, of the principal charge, an optional dispatch charge and an ordinary insurance charge; any air surcharges and charges for special services shall be added to the principal charge; the dispatch charge shall not exceed the registration charge for letter-post items.

4 Instead of the fixed registration charge, postal administrations may collect the corresponding charge of their internal service or, exceptionally, a charge the maximum amount of which is set in the Letter Post Regulations.

5 The maximum amount of the insurance charge shall be set in the Letter-Post Regulations.

5.1 For letter post, this charge shall apply whatever the country of destination, even in countries which undertake to cover risks of *force majeure*.

5.2 For parcels, any charge for cover against risks of *force majeure* shall be set so that the sum of this charge and the ordinary insurance charge do not exceed the maximum amount of the insurance charge.

6 In cases where exceptional security measures are required, administrations may collect from the sender or from the addressee, in addition to the charges mentioned under 3, 4 and 5, the special charges provided for by their internal legislation.

7 Postal administrations shall have the right to provide their customers with an insured items service in accordance with specifications other than those defined in this article.

## Article 16

### Cash-on-delivery items

1 Certain letter-post items and parcels may be sent cash-on-delivery. The exchange of cash-on-delivery items shall require prior agreement between administrations of origin and destination.

## Article 17

### Express items

1 At the sender's request, letter-post items for countries where the administration performs the service shall be delivered by special messenger as soon as possible after their arrival at the delivery office. Any administration shall have the right to confine this service to priority items, to airmail items and,

when this is the only means used between two administrations, to surface LC items.

2 Administrations which have various streams of letter mail shall enter express items into the fastest internal letters stream upon their arrival at the inward office of exchange and thereafter handle these items in the speediest manner possible.

3 Express items shall be subject, in addition to the postage, to a charge which may not be less than the amount of postage prepayable on an unregistered priority/non-priority item, as the case may be, or on an unregistered single rate letter and not more than the amount set in the Regulations. This charge must be fully paid in advance. For parcels, it is payable even if the parcel cannot be delivered by special messenger but only the advice of arrival.

4 When express delivery involves special demands, an additional charge may be collected in accordance with the provisions relating to items of the same kind in the internal service. For parcels, this supplementary charge shall be paid even if the parcel is returned to sender or redirected; however, in such cases, the amount passed on may not exceed the maximum set in the Postal Parcels Regulations.

5 If the regulations of the administration of destination permit, addressees may ask the delivery office for express delivery immediately on arrival of items which are intended for them. In that case the administration of destination shall be authorized to collect, on delivery, the charge that applies in its internal service.

#### Article 18[6]

##### Advice of delivery

1 The sender of a registered item, a recorded delivery item, a parcel or an insured item may apply for an advice of delivery at the time of posting by paying a charge the maximum amount of which is set in the Regulations. This advice of delivery shall be returned to him by the quickest route (air or surface).

2 However, for parcels, administrations may restrict this service to insured parcels if such restriction is provided for in their internal service.

#### Article 19

##### Delivery to the addressee in person

1 At the sender's request, and in the service between those postal administrations which have given their consent, registered items, recorded delivery items and insured items shall be delivered to the addressee in person. Administrations may agree to allow this option only for such items accompanied by an advice of delivery. In all cases, the sender shall pay a charge for delivery to the addressee in person the maximum amount of which is set in the Letter Post Regulations.

#### Article 20

##### Items for delivery free of charges and fees

1 In the service between postal administrations which have notified their agreement to that effect senders may, by means of a previous declaration at the office of origin, undertake to pay the whole of the charges and fees to which the letter-post and parcel-post items are subject on delivery. So long as a letter-post item has not been delivered to the addressee, the sender may ask after posting that the item be delivered free of charges and fees.

2 Senders shall undertake to pay the amounts which may be claimed by the office of destination. If necessary, they shall make a provisional payment.

3 The administration of origin shall collect from the sender a charge, the maximum amount of which is set in the Regulations, which it shall retain as payment for services rendered in the country of origin.

4 In the case of a request made after posting of a letter-post item, the administration of origin shall also collect an additional charge the maximum amount of which is set in the Regulations.

5 The administration of destination shall be authorized to collect a commission charge the maximum amount of which is set in the Regulations. This charge shall be independent of the presentation-to-Customs charge. It shall be collected from the sender on behalf of the administration of destination.

6 Every postal administration may restrict to registered and insured letter-post items the service of delivery free of charges and fees.

#### Article 21[7]

##### International business reply service

1 Postal administrations may agree with each other to participate in an optional international business reply service (IBRS). All administrations shall, however, be obliged to operate the IBRS "return" service.

#### Article 22

##### International reply coupons

1 Postal administrations shall be permitted to sell international reply coupons issued by the International Bureau and to limit their sale in accordance with their internal legislation.

2 The value of the reply coupon shall be set in the Letter Post Regulations. The selling price fixed by the postal administrations concerned may not be less than this value.

3 Reply coupons shall be exchangeable in any member country for postage stamps and, if not precluded by the internal legislation of the country of exchange, for postal stationery or postal prepayment marks or impressions representing the minimum postage payable on an unregistered priority letter-post item or an unregistered airmail letter sent abroad.

4 The postal administration of a member country may, in addition, reserve the right to require the reply coupons and the items to be prepaid in exchange for those reply coupons to be presented at the same time.

#### Article 23

##### Fragile parcels. Cumbersome parcels

1 Any parcel containing articles which are liable to break easily and which are to be handled with special care shall be called a "fragile parcel".

2 The following shall be called a "cumbersome parcel"; any parcel:

2.1 whose dimensions exceed the limits laid down in the Postal Parcels Regulations or those which

administrations shall set between themselves;

2.2 which, by reason of its shape or structure, does not readily lend itself to loading with other parcels or which requires special precautions.

3 Fragile parcels and cumbersome parcels shall be subject to a supplementary charge, the maximum amount of which is laid down in the Parcel Post Regulations. If the parcel is both fragile and cumbersome the supplementary charge shall be collected once only. However, the air surcharges in respect of these parcels shall not be increased.

4 The exchange of fragile parcels and cumbersome parcels shall be restricted to those administrations which admit such items.

#### Article 24

##### Consignment service

1 Postal administrations may agree among themselves to take part in an optional "Consignment" service for collective items from one consignor sent abroad.

2 Wherever possible, this service shall be identified by the logo defined in the Postal Parcels Regulations.

3 The details of this service shall be laid down bilaterally between the administration of origin and the administration of destination on the basis of provisions defined by the Postal Operations Council.

#### Article 25[8]

##### Items not admitted. Prohibitions

1 Items not fulfilling the conditions laid down in the Convention and the Regulations shall not be admitted.

2 Subject to the exceptions set out in the Regulations, the insertion of the articles referred to below shall be prohibited in all categories of items:

2.1 narcotics and psychotropic substances;

2.2 explosive, flammable or other dangerous substances as well as radioactive materials;

2.2.1 the following shall not come within this prohibition:

2.2.1.1 the biological substances sent in letter-post items mentioned in article 44;

2.2.1.2 the radioactive materials sent in letter-post items and postal parcels mentioned in article 26;

2.3 obscene or immoral articles;

2.4 live animals, apart from the exceptions provided for in 3;

2.5 articles of which the importation or uttering is prohibited in the country of destination;

2.6 articles which, by their nature or their packing, may expose officials to danger, or soil or damage other items or postal equipment;

2.7 documents having the character of current and personal correspondence exchanged between persons other than the sender and the addressee or persons living with them.

3 However, the following shall be admitted:

3.1 in letter-post items other than insured items:

3.1.1 bees, leeches and silk-worms;

3.1.2 parasites and destroyers of noxious insects intended for the control of those insects and exchanged between officially recognized institutions;

3.2 in parcels, live animals whose conveyance by post is authorized by the postal regulations of the countries concerned.

4 The insertion of the articles mentioned below shall be prohibited in postal parcels.

4.1 documents having the character of current and personal correspondence exchanged between the sender and the addressee or persons living with them;

4.2 correspondence of any kind exchanged between persons other than the sender and the addressee or persons living with them.

5 It shall be prohibited to insert coins, bank notes, currency notes or securities of any kind payable to bearer, travellers' cheques, platinum, gold or silver, whether manufactured or not, precious stones, jewels or other valuable articles:

5.1 in uninsured letter-post items; however, if the internal legislation of the countries of origin and destination permits this, such articles may be sent in a closed envelope as registered items;

5.2 in uninsured parcels exchanged between two countries which admit insured parcels; in addition, any administration may prohibit the enclosure of gold bullion in insured or uninsured items originating from or addressed to its territory or sent in transit *à découvert* across its territory; it may limit the actual value of these items.

6 Printed papers and literature for the blind:

6.1 shall not bear any inscription or contain any document having the character of current and personal correspondence;

6.2 shall not contain any postage stamp or form of prepayment, whether cancelled or not, or any paper representing a monetary value.

7 The treatment of items wrongly admitted is set out in the Regulations. However, items containing articles mentioned in 2.1, 2.2 and 2.3 shall in no circumstances be forwarded to their destination, delivered to the addressees or returned to origin.

## Article 26

### Radioactive materials

1 Admission of radioactive materials made up and packed in accordance with the respective provisions of the Regulations shall be restricted to relations between postal administrations which have declared their willingness to admit them either reciprocally or in one direction only.

2 When they are sent in letter-post items, they shall be subject to the tariff for priority items or the tariff for letters and registration.

3 Radioactive materials contained in letter-post items or postal parcels shall be forwarded by the quickest route, normally by air, subject to payment of the corresponding surcharges.

4 Radioactive materials may be posted only by duly authorized senders.

## Article 27

### Redirection

1 If an addressee changes his address, items shall be reforwarded to him forthwith, under the conditions laid down in the Regulations.

2 Items shall not however be redirected:

2.1 if the sender has forbidden redirection by means of a note in a language known in the country of destination;

2.2 if they bear in addition to the addressee's address the expression "or occupant".

3 Postal administrations which collect a charge for requests for redirection in their internal services shall be authorized to collect this same charge in the international service.

4 Apart from the exceptions provided for in the Regulations, no additional charge shall be collected for letter-post items redirected from country to country. However, administrations which collect a charge for redirection of items in their internal service shall be authorized to collect this same charge on the international letter-post items redirected within their own countries.

## Article 28

### Undeliverable items

1 Postal administrations shall return items which it has not proved possible to deliver to the addressees for whatever reason.

2 The period of retention of items is laid down in the Regulations.

3 If a parcel cannot be delivered or if it is held officially, it shall be dealt with in accordance with the instructions given by the sender within the limits set by the Parcel Post Regulations.

4 If the sender has abandoned a parcel which it has not been possible to deliver to the addressee, that parcel shall be treated by the administration of destination according to its own legislation. Neither the sender nor any other postal administration shall be required to cover any postal charges, customs duty or other fees which may be incurred in respect of the parcel.

5 Articles contained in a parcel whose early deterioration or decay is to be feared, and those articles only, may be sold immediately, without prior notice or legal formality. The sale shall be on behalf of the rightful owner even in course of transmission on either the outward or the return journey. If sale is impossible, the spoilt or decayed articles shall be destroyed.

6 Apart from the exceptions provided for in the Letter Post Regulations, no additional charge shall be collected for undeliverable items returned to the country of origin. However, administrations which

collect a charge for return of items in their internal service shall be authorized to collect this same charge on the international mail returned to them.

7 Notwithstanding the provisions under 6, when an administration receives, for return to the sender, items posted abroad by customers residing in its territory, it shall be authorized to collect from the sender or senders a handling charge per item not to exceed the postage charge that would have been collected had the item been posted in the administration in question.

7.1 For the purposes of the provisions under 7, the sender or senders shall be understood as being the persons or entities whose name appears in the return address or addresses.

#### Article 29[9]

Withdrawal from the post. Alteration or correction of address at the sender's request

1 The sender of a letter-post item may have it withdrawn from the post, or have its address altered or corrected under the conditions laid down in the Regulations.

2 If its legislation permits, each postal administration shall be bound to accept requests for withdrawal from the post or alteration or correction of the address in respect of any letter-post item posted in the service of another administration.

3 The sender shall pay, for each request, a special charge the maximum amount of which is set in the Regulations.

4 The sender of a parcel may ask for it to be returned or for its address to be altered. He must guarantee payment of the amounts due for any onward transmission.

5 However, administrations shall have the option of not accepting the requests referred to in 4 when they do not accept them in their internal service.

#### Article 30[10]

Inquiries

1 Inquiries shall be entertained within a period of six months from the day after that on which the item was posted.

2 Each postal administration shall be bound to accept inquiries relating to any item posted in the service of another administration.

3 Separate inquiries shall be made for uninsured and insured parcels.

4 Inquiries shall be free of charge. However, if a request is made for transmission by EMS, the additional costs shall, in principle, be borne by the person making the request.

#### Article 31[11]

Customs control

1 The postal administrations of the countries of origin and destination shall be authorized to submit items to customs control, according to the legislation of those countries.

2 Items submitted to customs control may be subjected to a presentation-to-Customs charge, the

maximum amount of which is set in the Regulations. This charge shall only be collected for the submission to Customs and customs clearance of items which have attracted customs charges or any other similar charge.

### Article 32

#### Customs clearance fee

1 Postal administrations which are authorized to clear items through the Customs on behalf of customers, may charge customers a customs clearance fee based on the actual costs.

### Article 33

#### Customs duty and other fees

1 Postal administrations shall be authorized to collect from the senders or addressees of items, as the case may be, the customs duty and all other fees which may be due.

## CHAPTER 2

### LIABILITY

#### Article 34[\[12\]](#)

##### Liability of postal administrations. Indemnities

###### 1 General

1.1 Except for the cases provided for in article 35, postal administrations shall be liable for:

1.1.1 the loss of, theft from or damage to registered items, ordinary parcels and insured items;

1.1.2 the loss of recorded delivery items;

1.2 When the loss of, total theft from or total damage to registered items, ordinary parcels and insured items is due to a case of *force majeure* for which indemnity is not payable, the sender shall be entitled to repayment of the charges paid, with the exception of the insurance charge

###### 2 Registered items

2.1 If a registered item is lost, totally rifled or totally damaged, the sender shall be entitled to an indemnity set in the Letter Post Regulations. If the sender has claimed an amount less than the amount set in the Letter Post Regulations, administrations may pay that lower amount and shall receive reimbursement on this basis from any other administrations involved.

2.2 If a registered item is partially rifled or partially damaged, the sender shall be entitled to an indemnity corresponding, in principle, to the actual value of the theft or damage. It may, however, in no case exceed the amount set in the Letter Post Regulations in case of loss, total theft or total damage. Consequential losses or loss of profits shall not be taken into account.

###### 3 Recorded delivery items

3.1 If a recorded delivery item is lost, totally rifled or totally damaged, the sender shall be entitled to refund of the charges paid.

#### 4 Ordinary parcels

4.1 If a parcel is lost, totally rifled or totally damaged, the sender shall be entitled to an indemnity of an amount set in the Parcel Post Regulations.

4.2 If a parcel is partially rifled or partially damaged, the sender shall be entitled to an indemnity corresponding, in principle, to the actual value of the theft or damage. It may, however, in no case exceed the amount set in the Parcel Post Regulations in case of loss, total theft or total damage. Consequential losses or loss of profits shall not be taken into account.

4.3 Postal administrations may agree to apply, in their reciprocal relations, the amount per parcel set in the Parcel Post Regulations, regardless of the weight.

#### 5 Insured items

5.1 If an insured item is lost, totally rifled or totally damaged, the sender shall be entitled to an indemnity corresponding, in principle, to the insured value in SDRs.

5.2 If an insured item is partially rifled or partially damaged, the sender shall be entitled to an indemnity corresponding, in principle, to the actual value of the theft or damage. It may, however, in no case exceed the amount of the insured value in SDRs. Consequential losses or loss of profits shall not be taken into account

6 In the cases mentioned in 4 and 5, the indemnity shall be calculated according to the current price, converted into SDRs, of articles or goods of the same kind at the place and time at which the item was accepted for conveyance. Failing a current price, the indemnity shall be calculated according to the ordinary value of articles or goods whose value is assessed on the same bases.

7 When an indemnity is due for the loss of, total theft from or total damage to a registered item, ordinary parcel or insured item, the sender, or the addressee, as the case may be, shall also be entitled to repayment of the charges and fees paid with the exception of the registration or insurance charge. The same shall apply to registered items, ordinary parcels or insured items refused by the addressee because of their bad condition if that is attributable to the postal service and involves its liability.

8 Notwithstanding the provisions set out under 2, 4 and 5, the addressee shall be entitled to the indemnity after delivery of a rifled or damaged registered item, ordinary parcel or insured item.

9 The administration of origin shall have the option of paying senders in its country the indemnities prescribed by its internal legislation for registered items and uninsured parcels, provided that they are not lower than those laid down in 2.1 and 4.1. The same shall apply to the administration of destination when the indemnity is paid to the addressee. However, the amounts laid down in 2.1 and 4.1 shall remain applicable:

9.1 in the event of recourse against the administration liable; or

9.2 if the sender waives his rights in favour of the addressee or vice versa.

#### Article 35[13]

#### Non-liability of postal administrations

1 Postal administrations shall cease to be liable for registered items, recorded delivery items, parcels and insured items which they have delivered according to the conditions laid down in their regulations for items of the same kind. Liability shall, however, be maintained:

- 1.1 when theft or damage is discovered either prior to or at the time of delivery of the item;
- 1.2 when, internal regulations permitting, the addressee, or the sender if it is returned to origin, makes reservations on taking delivery of a rifled or damaged item;
- 1.3 when, internal regulations permitting, the registered item was delivered to a private mailbox and, in the course of the inquiry, the addressee declares that he did not receive the item;
- 1.4 when the addressee or, in the case of return to origin, the sender of a parcel or of an insured item, although having given a proper discharge, notifies the delivery administration without delay that he has found theft or damage. He shall furnish proof that such theft or damage did not occur after delivery.

2 Postal administrations shall not be liable:

- 2.1 in cases of *force majeure*, subject to article 12.4;
- 2.2 when they cannot account for items owing to the destruction of official records by *force majeure*, provided that proof of their liability has not been otherwise produced;
- 2.3 when such loss, theft or damage has been caused by the fault or negligence of the sender or arises from the nature of the contents;
- 2.4 in the case of items whose contents fall within the prohibitions specified in article 25, in so far as these items have been confiscated or destroyed by the competent authority because of their contents;
- 2.5 when the items have been seized under the legislation of the country of destination, as notified by the administration of that country;
- 2.6 in the case of insured items which have been fraudulently insured for a sum greater than the actual value of the contents;
- 2.7 when the sender has made no inquiry within six months from the day after that on which the item was posted;
- 2.8 in the case of prisoner-of-war or civilian internee parcels.

3 Postal administrations shall accept no liability for customs declarations in whatever form these are made or for decisions taken by the Customs on examination of items submitted to customs control.

## Article 36

### Sender's liability

- 1 The sender of an item shall be liable for any damage caused to other postal items as a result of the dispatch of articles not acceptable for conveyance or the non-observance of the conditions of acceptance.
- 2 The sender shall be liable within the same limits as postal administrations.
- 3 The sender shall remain liable even if the office of posting accepts such an item.
- 4 However, the sender shall not be liable if there has been fault or negligence on the part of postal administrations or carriers.

## Article 37[14]

### Payment of indemnity

1 Subject to the right of recourse against the administration which is liable, the obligation to pay the indemnity and to refund the charges and fees shall rest either with the administration of origin or with the administration of destination.

2 The sender may waive his rights to the indemnity in favour of the addressee. Conversely, the addressee may waive his rights in favour of the sender. The sender or the addressee may authorize a third party to receive the indemnity if internal legislation allows this.

3 The administration of origin or destination, as the case may be, shall be authorized to indemnify the rightful claimant on behalf of the administration which, having participated in the conveyance and having been duly informed, has allowed two months and, if the case was reported by fax or any other electronic means by which receipt of the inquiry can be confirmed, 30 days to pass without finally settling the matter, or without having reported:

3.1 that the damage appeared to be due to a case of *force majeure*;

3.2 that the item had been detained, confiscated or destroyed by the competent authority because of its contents or seized under the legislation of the country of destination.

4 The administration of origin or destination, as the case may be, shall be authorized to indemnify the rightful claimant in cases where the inquiry form is not properly completed and has to be returned for additional information, thereby causing the time limit set in 3 to be exceeded.

5 In the case of an inquiry concerning a COD item, the administration of origin shall be authorized to indemnify the rightful claimant up to the COD amount on behalf of the administration of destination which, having been duly informed, has allowed two months to pass without finally settling the matter.

## Article 38

### Possible recovery of the indemnity from the sender or the addressee

1 If, after payment of the indemnity, a registered item, a parcel or an insured item or part of the contents previously considered as lost is found, the sender or the addressee, as the case may be, shall be advised that the item is being held at his disposal for a period of three months on repayment of the amount of the indemnity paid. At the same time he shall be asked to whom the item is to be delivered. In the event of refusal or failure to reply within the prescribed period, the same approach shall be made to the addressee or the sender as the case may be.

2 If the sender and the addressee refuse to take delivery of the item, it shall become the property of the administration or, where appropriate, administrations which bore the loss.

3 In the case of subsequent discovery of an insured item the contents of which are found to be of less value than the amount of the indemnity paid, the sender or the addressee, as the case may be, shall repay the amount of this indemnity against return of the item, without prejudice to the consequences of fraudulent insurance.

## Article 39

### Exchange of items

1 Administrations may exchange, via one or more of their number, closed mails as well as *à découvert* items according to needs and service requirements.

2 When exceptional circumstances oblige a postal administration temporarily to suspend its services wholly or in part, it shall immediately inform the administrations concerned.

3 When the conveyance of mail in transit through a country takes place without the participation of the postal administration of that country, this administration shall be informed in advance. This form of transit shall not involve the liability of the postal administration of the transit country.

4 Administrations may send surface mails by air, with reduced priority, subject to the agreement of the administrations which receive such mails at the airports of their country.

#### Article 40

##### Exchange of closed mails with military units

1 Closed letter-post mails may be exchanged through the intermediary of the land, sea or air services of other countries:

1.1 between the post offices of any member country and the commanding officers of military units placed at the disposal of the United Nations;

1.2 between the commanding officers of such military units;

1.3 between the post offices of any member country and the commanding officers of naval or air units, warships or military aircraft of the same country stationed abroad;

1.4 between the commanding officers of naval or air units, warships or military aircraft of the same country.

2 Letter-post items enclosed in the mails referred to under 1 shall be confined to items addressed to or sent by members of military units or the officers and crews of the ships or aircraft to or from which the mails are forwarded. The rates and conditions of dispatch applicable to them shall be fixed, according to its regulations, by the postal administration of the country which has made the military unit available or to which the ships or aircraft belong.

3 In the absence of special agreement, the postal administration of the country which has made the military unit available or to which the warships or military aircraft belong shall be liable to the administrations concerned for the transit charges for the mails, the terminal dues and the air conveyance dues.

#### Article 41

##### Determination of liability between postal administrations

1 Until the contrary is proved, liability shall rest with the postal administration which, having received the item without comment and being furnished with all the prescribed means of inquiry, cannot prove either delivery to the addressee or, where appropriate, correct transfer to another administration.

2 If the loss, theft or damage occurs in course of conveyance without it being possible to establish in which country's territory or service it happened, the administrations concerned shall bear the loss equally. However, in the case of an uninsured parcel, when the amount of indemnity does not exceed

the amount calculated in article 34.4.1, for a parcel of 1 kilogram, this sum shall be borne equally by the administration of origin and the administration of destination, intermediate administrations being excluded.

3 As regards insured items, the liability of an administration towards other administrations shall in no case exceed the maximum insured value that it has adopted.

4 Postal administrations not providing the insured items service shall assume, in respect of such items conveyed in closed mails, the liability laid down for registered items and/or for uninsured parcels. This provision shall also apply when postal administrations do not accept liability for insured items carried on board the ships or aircraft used by them.

5 If the loss, theft or damage of an insured item occurs in the territory or service of an intermediate administration which does not provide the insured items service, the administration of origin shall bear the loss not covered by the intermediate administration. The same rule shall apply if the amount of the damage is higher than the maximum insured value adopted by the intermediate administration.

6 Customs duty and other fees of which it has not been possible to secure cancellation shall be borne by the administrations liable for the loss, theft or damage.

7 An administration which has paid the indemnity shall take over the rights, up to the amount of the indemnity, of the person who has received it in any action which may be taken against the addressee, the sender or third parties.

## CHAPTER 3

### PROVISIONS SPECIFIC TO LETTER POST

#### Article 42

##### Quality of service targets

1 Administrations shall fix a service target for the handling of priority and airmail items and for the handling of surface and non-priority items addressed to or sent from their country. The target shall be no less favourable than those applied to comparable items in their domestic service.

2 Administrations of origin shall publish service targets for priority and airmail items for abroad by reference to the targets fixed by the administrations of origin and destination and including the conveyance time.

3 Postal administrations shall undertake to verify periodically that the established times are achieved either within the framework of the surveys organized by the International Bureau or by the Restricted Unions, or on the basis of bilateral agreements.

4 It is also desirable that postal administrations should verify periodically that the established times are achieved, using other quality control systems, in particular external quality control.

5 Wherever possible, administrations shall implement quality measurement systems for international mails (both outgoing and incoming); this should, as far as possible, include measurement from posting to delivery (end-to-end).

6 All member countries shall provide the International Bureau with up-to-date information about the latest transport arrival times (LTAT) against which they operate for international postal purposes. Any changes shall be advised as soon as they are planned in order to allow the International Bureau to

communicate these changes to postal administrations before they are applied.

7 Where possible, separate information shall be provided for priority and non-priority streams of traffic.

#### Article 43[\[15\]](#)

##### Posting abroad of letter-post items

1 A member country shall not be bound to forward or deliver to the addressee letter-post items which senders residing in its territory post or cause to be posted in a foreign country with the object of profiting by the more favourable rate conditions there.

2 The provisions set out under 1 shall be applied without distinction both to letter-post items made up in the sender's country of residence and then carried across the frontier and to letter-post items made up in a foreign country.

3 The administration of destination may claim from the sender and, failing this, from the administration of posting, payment of the internal rates. If neither the sender nor the administration of posting agrees to pay these rates within a time limit set by the administration of destination, the latter may either return the items to the administration of posting and shall be entitled to claim reimbursement of the redirection costs, or handle them in accordance with its own legislation.

4 A member country shall not be bound to forward or deliver to the addressees letter-post items which senders post or cause to be posted in large quantities in a country other than the country where they reside if the amount of terminal dues to be received is lower than the sum that would have been received if the mail had been posted in the country where the senders reside. The administration of destination may claim from the administration of posting payment commensurate with the costs incurred and which may not exceed the higher of the following two amounts: either 80% of the domestic tariff for equivalent items, or 0.14 SDR per item plus 1 SDR per kilogram. If the administration of posting does not agree to pay the amount claimed within a time limit set by the administration of destination, the administration of destination may either return the items to the administration of posting and shall be entitled to claim reimbursement of the redirection costs, or handle them in accordance with its own legislation.

#### Article 44

##### Admissible biological materials

1 Perishable biological substances, infectious substances and solid carbon dioxide (dry ice) when used as refrigerant for infectious substances may be exchanged through mail only between officially recognized qualified laboratories. These dangerous goods may be acceptable in mail for air carriage, subject to national legislation and current Technical Instructions of the International Civil Aviation Organization (ICAO) and as reflected in the IATA Dangerous Goods Regulations.

2 Perishable biological substances and infectious substances made up and packed in accordance with the respective provisions of the Regulations shall be subject to the tariff for priority items or to the tariff for registered letters. An additional charge for the handling of these items is allowed.

2.1 Admission of perishable biological substances and infectious substances shall be restricted to those member countries whose postal administrations have declared their willingness to admit such items, whether reciprocally or in one direction only.

2.2 Such substances or materials shall be forwarded by the quickest route, normally by air, subject to

the payment of the corresponding air surcharges and shall be given priority in delivery.

#### Article 45

##### Electronic mail

1 Postal administrations may agree with each other to participate in electronic mail services.

2 Electronic mail is a postal service which uses telecommunications for transmitting within seconds messages true to the original posted by the sender in either a physical or an electronic form for delivery to the addressee in a physical or electronic form. In the case of physical delivery, the information is generally transmitted by electronic means for the longest possible part of the way and reproduced in physical form as near as possible to the addressee. Physical messages are delivered in an envelope to the addressee as a letter-post item.

3 The tariffs applicable to electronic mail are fixed by administrations, taking costs and market requirements into account.

#### Article 46

##### Transit charges

1 Subject to article 52, closed mails exchanged between two administrations or between two offices of the same country by means of the services of one or more other administrations (third party services) shall be subject to the payment of transit charges. The latter shall constitute remuneration for the services rendered in respect of land transit, sea transit and air transit.

2 *À découvert* items may also be subject to transit charges.

3 The conditions for application and the scales are specified in the Letter Post Regulations.

#### Article 47[16]

##### Terminal dues. General provisions

1 Subject to article 52, each administration which receives letter-post items from another administration shall have the right to collect from the dispatching administration a payment for the costs incurred for the international mail received.

2 For the application of the provisions concerning the payment of terminal dues, postal administrations shall be classified as "industrialized countries" or "developing countries", in accordance with the list drawn up for this purpose by Congress.

3 The provisions of the present Convention concerning the payment of terminal dues are transitional arrangements, moving towards a country-specific payment system.

4 Access to the domestic service

4.1 Each administration shall make available to the other administrations all the rates, terms and conditions offered in its domestic service on conditions identical to those proposed to its national customers.

4.2 A dispatching administration may, on similar conditions, request the administration of an industrialized country of destination to offer it the same conditions that the latter offers to its national

customers for equivalent items.

4.3 The administrations of developing countries shall indicate whether they authorize access on the conditions mentioned in 4.1.

4.3.1 When an administration of a developing country states that it authorizes access on the conditions offered in its domestic system, that authorization shall apply to all Union administrations on a non-discriminatory basis.

4.4 It shall be up to the administration of destination to decide whether the conditions of access to its domestic service have been met by the administration of origin.

5 The terminal dues rates for bulk mail shall not be higher than the most favourable rates applied by administrations of destination under bilateral or multilateral agreements concerning terminal dues. It shall be up to the administration of destination to decide whether the terms and conditions of access have been met by the administration of origin.

6 The Postal Operations Council shall be authorized to amend the payments mentioned in articles 48 to 51 between Congresses. Any revision carried out shall be based on reliable and representative economic and financial data and take into account all the provisions on terminal dues in the Convention and the Letter Post Regulations. Any amendment decided upon shall come into force at a date set by the Postal Operations Council.

7 Any administration may waive wholly or in part the payment provided for under 1.

8 The administrations concerned may, by bilateral or multilateral agreement, apply other payment systems for the settlement of terminal dues accounts.

#### Article 48[17]

##### Terminal dues. Provisions applicable to exchanges between industrialized countries

1 Payment for letter-post items, including bulk mail but excluding M bags, shall be established on the basis of the application of the rates per item and per kilogram reflecting the handling costs in the country of destination; these costs must be in relation with the domestic tariffs. The rates shall be calculated in accordance with the conditions specified in the Letter Post Regulations.

2 For the years 2001 to 2003, the rates per item and per kilogram may not be higher than those calculated on the basis of 60% of the charge for a 20-gram letter in the domestic service, or exceed the following rates:

2.1 for the year 2001, 0.158 SDR per item and 1.684 SDR per kilogram;

2.2 for the year 2002, 0.172 SDR per item and 1.684 SDR per kilogram;

2.3 for the year 2003, 0.215 SDR per item and 1.684 SDR per kilogram.

3 For the years 2004 and 2005, the Postal Operations Council shall set the final percentage of the tariffs appropriate to each industrialized country in line with the relations between the costs and tariffs of each country.

4 For the period from the year 2001 to the year 2005, the rates to be applied may not be lower than 0.147 SDR per item and 1.491 SDR per kilogram.

5 For M bags, the rate to be applied shall be 0.653 SDR per kilogram.

5.1 M bags weighing less than 5 kilograms shall be considered as weighing 5 kilograms for terminal dues payment purposes.

6 The administration of destination shall have the right to collect an additional payment of 0.5 SDR per item in respect of the delivery of registered items and of 1 SDR per item in respect of the delivery of insured items.

7 The provisions applicable between industrialized countries shall apply to any developing country which declares that it wishes to abide by them and would like to be considered an industrialized country for purposes of the provisions of articles 48 to 50 and those of the corresponding Letter Post Regulations.

#### Article 49[18]

Terminal dues. Provisions applicable to mail flows from developing countries to industrialized countries

##### 1 Payment

1.1 Payment for letter-post items, excluding M bags, shall be 3.427 SDR per kilogram.

1.2 For M bags, the rate to be applied shall be 0.653 SDR per kilogram.

1.2.1 M bags weighing less than 5 kilograms shall be considered as weighing 5 kilograms for terminal dues payment purposes.

1.3 The administration of destination shall have the right to collect an additional payment of 0.5 SDR per item in respect of the delivery of registered items and of 1 SDR per item in respect of the delivery of insured items.

##### 2 Revision mechanism

2.1 An administration dispatching a mail flow of over 150 tonnes a year may have the rate given in 1.1 revised when, in a given relation, it establishes that the average number of items contained in 1 kilogram of mail dispatched is less than 14.

2.2 An administration receiving a mail flow of over 150 tonnes a year may have the rate given in 1.1 revised when, in a given relation, it establishes that the average number of items contained in one kilogram of mail received is more than 21.

2.3 The reason shall be carried out on the terms specified in the Letter Post Regulations.

##### 3 System harmonization mechanism

3.1 When an administration receiving a mail flow of over 50 tonnes a year establishes that the annual weight of this flow exceeds the threshold calculated in accordance with the conditions set out in the Letter Post Regulations, it may apply to the excess mail the payment system provided for in article 48 provided that it has not applied the revision mechanism.

##### 4 Bulk mail

4.1 The payment for bulk mail shall be established by applying the rates per item and per kilogram

provided for in article 48.1.

#### Article 50[\[19\]](#)

Terminal dues. Provisions applicable to mail flows from industrialized countries to developing countries

##### 1 Payment

1.1 Payment for letter-post items, excluding M bags, shall be 3.427 SDR per kilogram.

1.1.1 The terminal dues stemming from application of the rate given in 1.1 shall be increased by 7.5% under the head of a fund to finance improving quality of service in developing countries.

1.2 For M bags, the rate to be applied shall be 0.653 SDR per kilogram.

1.2.1 M bags weighing less than 5 kilograms shall be considered as weighing 5 kilograms for terminal dues payment purposes.

1.3 The administration of destination shall have the right to collect an additional payment of 0.5 SDR per item in respect of the delivery of registered items and of 1 SDR per item in respect of the delivery of insured items.

##### 2 Revision mechanism

2.1 An administration receiving a mail flow of over 150 tonnes a year may have the rate revised when, in a given relation, it establishes that the average number of items contained in 1 kilogram of mail received is more than 21.

2.2 The revision shall be carried out on the terms specified in the Letter Post Regulations.

##### 3 Bulk mail

3.1 Administrations which do not authorize access on the conditions offered in the domestic service may request for bulk mail received a payment of 0.14 SDR per item and 1 SDR per kilogram.

3.2 Administrations which authorize access on the conditions offered in the domestic service may apply to bulk mail received a payment corresponding to the domestic tariffs, increased by 9%, offered to national customers for items of the same kind, without being able to exceed the rates given in article 48.2.

#### Article 51[\[20\]](#)

Terminal dues. Provisions applicable to exchanges between developing countries

##### 1 Payment

1.1 Payment for letter-post items, excluding M bags, shall be 3.427 SDR per kilogram.

1.2 For M bags, the rate to be applied shall be 0.653 SDR per kilogram.

1.2.1 M bags weighing less than 5 kilograms shall be considered as weighing 5 kilograms for terminal dues payment purposes.

1.3 The administration of destination shall have the right to collect an additional payment of 0.5 SDR per item in respect of the delivery of registered items and of 1 SDR per item in respect of the delivery of insured items.

## 2 Revision mechanism

2.1 An administration receiving a mail flow of over 150 tonnes a year may have the rate revised when, in a given relation, it establishes that the average number of items contained in 1 kilogram of mail received is more than 21.

2.2 The revision shall be carried out on the terms specified in the Letter Post Regulations.

## 3 Bulk mail

3.1 Administrations which do not authorize access on the conditions offered in the domestic service may request for bulk mail received a payment of 0.14 SDR per item and 1 SDR per kilogram.

3.2 Administrations which authorize access on the conditions offered in the domestic service may apply to bulk mail received a payment corresponding to the domestic tariffs, increased by 9%, offered to national customers for items of the same kind, without being able to exceed the rates given in article 48.2.

## Article 52

### Exemption from transit charges and terminal dues

1 The letter-post items relating to the postal service referred to in article 8.2.2 and undelivered postal items returned to origin in closed dispatches shall be exempted from land and sea transit charges and from terminal dues. Mail of empty receptacles shall be exempted from terminal dues but not from transit charges which shall be paid by the postal administration owning the receptacles.

## Article 53[21]

### Air conveyance dues

1 The air conveyance dues for the whole distance flown shall be borne:

1.1 in the case of closed mails, by the administration of the country of origin of the mails;

1.2 in the case of priority items and airmail items in transit *à découvert*, including missent items, by the administration which forwards the items to another administration.

2 These same regulations shall be applicable to items exempted from land and sea transit charges, under the terms of article 52, if they are conveyed by air.

3 Each administration of destination which provides air conveyance of international mail within its country shall be entitled to reimbursement of the additional costs incurred for such conveyance provided that the weighted average distance of the sectors flown exceeds 300 kilometres. Unless agreement has been reached that no charge should be made, the dues shall be uniform for all priority mails and airmails originating abroad whether or not this mail is reforwarded by air.

4 However, where the terminal dues levied by the administration of destination are based specifically on costs or on domestic rates, no additional reimbursement for internal air conveyance shall be made.

5 The administration of destination shall exclude, for the purpose of calculating the weighted average distance, the weight of all mails for which the terminal dues calculation has been based specifically on costs or on the domestic rates of the administration of destination.

6 In the absence of special agreement between the administrations concerned, the transit charge scales in the Regulations shall apply to airmail correspondence for any transit by land or by sea. Nevertheless, no land transit charges shall be payable for:

6.1 the transhipment of airmails between two airports serving the same town;

6.2 the conveyance of such mails from an airport serving a town to a depot situated in the same town and the return of the same mails for reforwarding.

#### Article 54

##### Basic rates and calculation of air conveyance dues

1 The basic rate applicable to the settlement of accounts between administrations in respect of air conveyance shall be approved by the Postal Operations Council. It shall be calculated by the International Bureau according to the formula specified in the Letter Post Regulations.

2 The calculation of air conveyance dues on closed mails, priority items and airmail items in transit *à découvert*, as well as the relevant methods of accounting, are set out in the Letter Post Regulations.

### CHAPTER 4

#### PROVISIONS SPECIFIC TO POSTAL PARCELS

##### Article 55

##### Quality-of-service targets

1 Administrations of destination shall set a service target for the handling of air parcels addressed to their countries. The target, increased by the time normally required for customs clearance, shall be no less favourable than the target for comparable items in their domestic service.

2 Administrations of destination shall also, as far as possible, set a service target for the handling of surface parcels addressed to their countries.

3 Administrations of origin shall set service targets for air and surface parcels for abroad by reference to the targets set by the administrations of destination.

4 Administrations shall monitor actual performance against the service targets fixed by them.

##### Article 56[22]

##### Inward land rate

1 Parcels exchanged between two postal administrations shall be subject to inward land rates for each country and each parcel calculated by combining the guideline rate per parcel and guideline rate per kilogram laid down in the Regulations.

2 Bearing in mind the above guideline rates, administrations shall set their inward land rates to bring these into relation with the costs of their service.

3 The rates mentioned in 1 and 2 shall be payable by the administration of the country of origin, unless this Convention provides for exceptions to this principle.

4 The inward land rates shall be uniform for the whole of the territory of each country.

### Article 57

#### Transit land rate

1 Parcels exchanged between two administrations or between two offices of the same country by means of the land services of one or more other administrations shall be subject to the transit land rates, payable to the countries whose services take part in the routeing on land, laid down in the Regulations, according to the distance step applicable.

2 For parcels in transit *à découvert*, intermediate administrations shall be authorized to claim the single rate per item laid down in the Regulations.

3 The rates mentioned in 1 and 2 shall be payable by the administration of the country of origin unless this Convention provides for exceptions to this principle.

4 The Postal Operations Council shall be authorized to revise and amend the transit land rates between Congresses. Any revision made, in accordance with a methodology that ensures equitable remuneration for administrations which conduct transit operations, must be based on reliable and representative economic and financial data. Any change decided upon shall enter into force at a date set by the Postal Operations Council.

5 No transit land rate shall be payable for:

5.1 the transfer of airmails between two airports serving the same town;

5.2 the transport of such mails between an airport serving a town and a warehouse situated in the same town and the return of the same mails for reforwarding.

### Article 58

#### Sea rate

1 Each of the countries whose services participate in the sea conveyance of parcels shall be authorized to claim the sea rates mentioned in 2. These rates shall be payable by the administration of the country of origin, unless this Convention provides for exceptions to this principle.

2 For each sea conveyance used, the sea rate shall be laid down in the Parcel Post Regulations according to the distance step applicable.

3 Postal administrations may increase by 50% at most the sea rate calculated in accordance with article 58.2. On the other hand, they may reduce it as they wish.

4 The Postal Operations Council shall be authorized to revise and amend the sea rates between Congresses. Any revision made, in accordance with a methodology that ensures equitable remuneration for administrations which conduct transit operations, must be based on reliable and representative economic and financial data. Any change decided upon shall enter into force at a date set by the Postal Operations Council.

### Article 59

## Air conveyance dues

1 The basic rate applicable to the settlement of accounts between administrations in respect of air conveyance shall be approved by the Postal Operations Council. It shall be calculated by the International Bureau according to the formula specified in the Letter Post Regulations.

2 The calculation of air conveyance dues on closed dispatches and air parcels sent in transit *à découvert* is set out in the Parcel Post Regulations.

3 Transhipment at the same airport, in the course of transmission, of air parcels conveyed successively by several separate air services shall be performed without remuneration.

## Article 60

### Exemption from rates

1 Rates shall not be allocated for service parcels and for prisoner-of-war and civilian internee parcels, apart from the air conveyance dues applicable to air parcels.

## CHAPTER 5

### EMS

## Article 61

### EMS

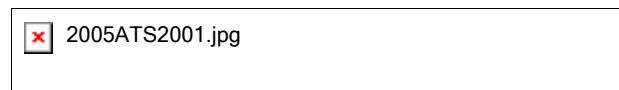
1 EMS shall be the quickest postal service by physical means and, in relations with administrations which have agreed to provide this service, EMS takes priority over other postal items. It shall consist of the collection, dispatch and delivery in a very short space of time of correspondence, documents or goods.

2 EMS shall be regulated on the basis of bilateral agreements. Aspects that are not expressly governed by the latter shall be subject to the appropriate provisions of the Acts of the Union.

3 This service shall wherever possible be identified by a logo as shown in the specimen below and comprising the following elements:

- an orange wing;
- the letters EMS in blue;
- three horizontal orange stripes.

The logo may be supplemented by adding the name of the national service.



4 Charges for the service shall be set by the administration of origin in consideration of costs and market requirements.

## PART III

## TRANSITIONAL AND FINAL PROVISIONS

### Article 62

#### Obligation to provide the postal parcels service

1 Notwithstanding article 10.1, countries which, prior to the entry into force of this Convention, were not parties to the Postal Parcels Agreement shall not be obliged to provide the postal parcels service.

### Article 63

#### Undertakings regarding penal measures

1 The governments of member countries shall undertake to adopt, or to propose to the legislatures of their countries, the necessary measures:

1.1 for punishing the counterfeiting of postage stamps, even if withdrawn from circulation, and of international reply coupons;

1.2 for punishing the use or uttering:

1.2.1 of counterfeit postage stamps (even if withdrawn from circulation) or used postage stamps, as well as of counterfeit or used impressions of franking machines or printing presses,

1.2.2 of counterfeit international reply coupons;

1.3 for prohibiting and suppressing all fraudulent operations of manufacturing and uttering adhesive stamps and stamped impressions in use in the postal service, counterfeited or imitated in such a manner that they could be mistaken for the adhesive stamps and stamped impressions issued by the postal administration of a member country;

1.4 for preventing and, if necessary, for punishing the insertion in postal items of narcotics and psychotropic substances, as well as explosive, flammable or other dangerous substances, where their insertion has not been expressly authorized by the Convention;

1.5 preventing and punishing the insertion of postal items of a paedophilic nature or of a pornographic nature using children.

### Article 64

#### Conditions for approval of proposals concerning the Convention and the Regulations

1 To become effective, proposals submitted to Congress relating to this Convention must be approved by a majority of the member countries present and voting. At least half of the member countries represented at Congress shall be present at the time of voting.

2 To become effective, proposals relating to the Letter Post Regulations and the Parcel Post Regulations must be approved by a majority of the members of the Postal Operations Council.

3 To become effective, proposals introduced between Congresses relating to this Convention and to its Final Protocol must obtain:

3.1 two thirds of the votes, at least one half of the member countries of the Union having replied to the consultation, if they involve amendments;

3.2 a majority of the votes if they involve interpretation of the provisions.

4 Notwithstanding the provisions under 3.1, any member country whose national legislation is as yet incompatible with the proposed amendment may, within ninety days from the date of notification of the latter, make a written declaration to the Director-General of the International Bureau stating that it is unable to accept the amendment.

## Article 65

Entry into force and duration of the Convention

1 This Convention shall come into force on 1 January 2001 and shall remain in operation until the entry into force of the Acts of the next Congress.

IN WITNESS WHEREOF the plenipotentiaries of the Governments of the member countries have signed this Convention in a single original which shall be deposited with the Director-General of the International Bureau. A copy thereof shall be delivered to each party by the Government of the country in which Congress is held.

DONE at Beijing, 15 September 1999.

[Signatures not reproduced here.]

## FINAL PROTOCOL TO THE UNIVERSAL POSTAL CONVENTION

At the moment of proceeding to signature of the Universal Postal Convention concluded this day, the undersigned plenipotentiaries have agreed the following:

### Prot Article I

Ownership of postal items

1 Article 3 shall not apply to Antigua and Barbuda, Australia, Bahrain, Barbados, Belize, Botswana, Brunei Darussalam, Canada, Hong Kong, China, Dominica, Egypt, Fiji, Gambia, Ghana, United Kingdom of Great Britain and Northern Ireland, Overseas Dependent Territories of the United Kingdom, Grenada, Guyana, Ireland, Jamaica, Kenya, Kiribati, Kuwait, Lesotho, Malawi, Malaysia, Mauritius, Nauru, New Zealand, Nigeria, Papua New Guinea, Saint Christopher and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Seychelles, Sierra Leone, Singapore, Solomon Islands, Swaziland, Tanzania (United Rep), Trinidad and Tobago, Tuvalu, Uganda, Vanuatu, Zambia and Zimbabwe.

2 Nor shall article 3 apply to Denmark, whose internal legislation does not allow withdrawal from the post or alteration of the address of correspondence, at the request of the sender, from the time when the addressee has been informed of the arrival of an item addressed to him

### Prot Article II

Charges

1 Notwithstanding article 7.5, the postal administration of Canada shall be authorized to collect postal charges other than those provided for in the Regulations, when such charges are consistent with the legislation of its country.

### Prot Article III

## Exception to the exemption of literature for the blind from postal charges

1 Notwithstanding article 8.4, the postal administrations of Saint Vincent and the Grenadines, and Turkey, which do not concede exemption from postal charges to literature for the blind in their internal service, may collect the postage and charges for special services which may not, however, exceed those in their internal service.

2 Notwithstanding article 8.4, the postal administrations of Austria, Canada, Germany, United Kingdom of Great Britain and Northern Ireland, Japan, Switzerland and United States of America may collect the charges for special services which are applied to literature for the blind in their internal service.

## Prot Article IV

### Basic services

1 Notwithstanding the provisions of article 10, Australia does not agree to the extension of basic services to include postal parcels.

## Prot Article V

### Small packets

1 Notwithstanding article 10 of the Convention, the postal administration of Saudi Arabia shall be authorized not to accept small packets exceeding 1 kilogram in weight.

## Prot Article VI

### Printed papers. Maximum weight

1 Notwithstanding article 10.4.2, the postal administrations of Canada and Ireland shall be authorized to limit to 2 kilograms the maximum weight of inward and outward printed papers.

## Prot Article VII

### Provision of the postal parcels service

1 Latvia and Norway reserve the right to provide the postal parcels service either as laid down in the Convention or, in the case of outward parcels and after bilateral agreement, by any other means which is more favourable to their customers.

## Prot Article VIII

### Parcels. Maximum weight

1 Notwithstanding article 10.6, the postal administration of Canada shall be authorized to limit to 30 kilograms the maximum weight of inward and outward parcels.

## Prot Article IX

### Maximum limits for insured items

1 Sweden reserves the right to restrict the value of the contents of registered and insured letter-post items and uninsured and insured parcels for Sweden, according to the following minimum limits:

## i Inward letter-post items

	Maximum commercial value of contents	Maximum insured value	Maximum indemnity
Registered items	500 SDR	-	30 SDR (M bag: 150 SDR)
Insured items	4000 SDR	4000 SDR	4000 SDR

## ii Inward parcels

Uninsured parcels	4500 SDR	-	40 SDR per parcel + 4.50 SDR per kilogram
Insured parcels	4500 SDR	4500 SDR	4500 SDR

The restriction cannot be circumvented by partial insurance of the value exceeding 4000 SDR (for letter-post items) and 4500 SDR (for parcels). There are no new restrictions on the nature of the contents of registered and insured items. Items with a value exceeding these limits will be returned to origin.

## Prot Article X

## Advice of delivery

1 The postal administration of Canada shall be authorized not to apply article 18, as regards parcels given that it does not offer the advice of delivery service for parcels in its internal service.

## Prot Article XI

## International business reply service

1 Notwithstanding article 21.1, the postal administration of Viet Nam does not accept the obligation to provide the return service for IBRS items.

## Prot Article XII

## Prohibitions (letter post)

1 Exceptionally, the postal administrations of Dem People's Rep of Korea and Lebanon shall not accept registered items containing coins, banknotes, securities of any kind payable to bearer, travellers' cheques, platinum, gold or silver whether manufactured or not, precious stones, jewels or other valuable articles. They shall not be strictly bound by the provisions of the Letter Post Regulations with regard to their liability in cases of theft or damage, or where items containing articles made of glass or fragile articles are concerned.

2 Exceptionally, the postal administrations of Bolivia, China (People's Rep), excluding Hong Kong Special Administrative Region, Iraq, Nepal, Pakistan, Saudi Arabia, Sudan and Viet Nam shall not accept registered items containing coins, bank notes, currency notes or securities of any kind payable to bearer, travellers' cheques, platinum, gold or silver whether manufactured or not, precious stones, jewels or other valuable articles.

3 The postal administration of Myanmar reserves the right not to accept insured items containing the valuable articles listed in article 25.5, as this is contrary to its internal regulations.

4 The postal administration of Nepal does not accept registered items or insured items containing currency notes or coins, except by special agreement to that effect.

5 The postal administration of Uzbekistan does not accept registered or insured items containing coins, bank notes, cheques, postage stamps or foreign currency and shall accept no liability in cases of loss of or damage to such items.

6 The postal administration of Iran (Islamic Rep) does not accept letter-post items containing articles contrary to the principles of the Islamic religion.

7 The postal administration of the Philippines reserves the right not to accept any kind of letter post (ordinary, registered or insured) containing coins, currency notes or securities of any kind payable to bearer, travellers' cheques, platinum, gold or silver, whether manufactured or not, precious stones or other valuable articles.

8 The postal administration of Australia does not accept postal items of any kind containing bullion or bank notes. In addition, it does not accept registered items for delivery in Australia, or items in transit *à découvert*, containing valuables such as jewellery, precious metals, precious or semi-precious stones, securities, coins or any form of negotiable financial instrument. It declines all liability for items posted which are not in compliance with this reservation.

9 The postal administration of China (People's Rep), excluding Hong Kong Special Administrative Region, shall not accept insured items containing coins, bank notes, currency notes or securities of any kind payable to bearer and travellers' cheques in accordance with its internal regulations.

10 The postal administrations of Latvia, and Mongolia reserve the right not to accept, in accordance with their national legislation, ordinary, registered or insured mail containing coins, bank notes, securities payable to bearer and travellers' cheques.

11 The postal administration of Brazil reserves the right not to accept ordinary, registered or insured mail containing coins, banknotes in circulation or securities of any kind payable to bearer.

12 The postal administration of Viet Nam reserves the right not to accept letters containing articles or goods.

### Prot Article XIII

#### Prohibitions (postal parcels)

1 The postal administrations of Canada, Myanmar and Zambia shall be authorized not to accept insured parcels containing the valuable articles covered in article 25.5.2, since this is contrary to their internal regulations.

2 Exceptionally, the postal administrations of Lebanon and Sudan shall not accept parcels containing coins, currency notes or securities of any kind payable to bearer, travellers' cheques, platinum, gold or silver whether manufactured or not, precious stones or other valuable articles, or containing liquids or easily liquefiable elements or articles made of glass or similar or fragile articles. They shall not be bound by the relevant provisions of the Parcel Post Regulations.

3 The postal administration of Brazil shall be authorized not to accept insured parcels containing coins and currency notes in circulation, as well as any securities payable to bearer, since this is

contrary to its internal regulations.

4 The postal administration of Ghana shall be authorized not to accept insured parcels containing coins and currency notes in circulation, since this is contrary to its internal regulations.

5 In addition to the articles listed in article 25, the postal administration of Saudi Arabia shall be authorized not to accept parcels containing coins, currency notes or securities of any kind payable to bearer, travellers' cheques, platinum, gold or silver, whether manufactured or not, precious stones or other valuable articles. Nor does it accept parcels containing medicines of any kind unless they are accompanied by a medical prescription issued by a competent official authority, products designed for extinguishing fires, chemical liquids or articles contrary to the principles of the Islamic religion.

6 In addition to the articles referred to in article 25, the postal administration of Oman does not accept items containing:

6.1 medicines of any sort unless they are accompanied by a medical prescription issued by a competent official authority;

6.2 fire-extinguishing products or chemical liquids;

6.3 articles contrary to the principles of the Islamic religion.

7 In addition to the articles listed in article 25, the postal administration of Iran (Islamic Rep) shall be authorized not to accept parcels containing articles contrary to the principles of the Islamic religion.

8 The postal administration of the Philippines shall be authorized not to accept any kind of parcel containing coins, currency notes or securities of any kind payable to beater, travellers' cheques, platinum, gold or silver whether manufactured or not, precious stones or other valuable articles, or containing liquids or easily liquefiable elements or articles made of glass or similar or fragile articles.

9 The postal administration of Australia does not accept postal items of any kind containing bullion or bank notes.

10 The postal administration of China (People's Rep) shall not accept ordinary parcels containing coins, currency notes or securities of any kind payable to bearer, travellers' cheques, platinum, gold or silver, whether manufactured or not, precious stones or other valuable articles. Furthermore, with the exception of the Hong Kong Special Administrative Region, insured parcels containing coins, currency notes or securities of any kind payable to bearer and travellers' cheques shall not be accepted.

11 The postal administration of Mongolia reserves the right not to accept, in accordance with its national legislation, parcels containing coins, bank notes, securities payable to bearer and travellers' cheques.

12 The postal administration of Latvia does not accept ordinary and insured parcels containing coins, banknotes, securities (cheques) of any kind payable to bearer or foreign currency, and shall accept no liability in cases of loss of or damage to such items.

#### Prot Article XIV

##### Articles subject to customs duty

1 With reference to article 25, the postal administrations of Bangladesh and El Salvador do not accept insured items containing articles subject to customs duty.

2 With reference to article 25, the postal administrations of Afghanistan, Albania, Azerbaijan, Belarus, Cambodia, Chile, Colombia, Cuba, Dem People's Rep of Korea, El Salvador, Estonia, Italy, Latvia, Nepal, Peru, San Marino, Turkmenistan, Ukraine, Uzbekistan and Venezuela do not accept ordinary and registered letters containing articles subject to customs duty.

3 With reference to article 25, the postal administrations of Benin, Burkina Faso, Côte d'Ivoire (Rep), Djibouti, Mali, Mauritania and Viet Nam do not accept ordinary letters containing articles subject to customs duty.

4 Notwithstanding the provisions set out under 1 to 3, the sending of serums, vaccines and urgently required medicaments which are difficult to procure shall be permitted in all cases.

#### Prot Article XV

##### Withdrawal from the post. Alteration or correction of address

1 Article 29 shall not apply to Antigua and Barbuda, Bahamas, Bahrain, Barbados, Belize, Botswana, Brunei Darussalam, Canada, Hong Kong, China, Dem People's Rep of Korea, Dominica, Fiji, Gambia, United Kingdom of Great Britain and Northern Ireland, Overseas Dependent Territories of the United Kingdom, Grenada, Guyana, Iraq, Ireland, Jamaica, Kenya, Kiribati, Kuwait, Lesotho, Malawi, Malaysia, Myanmar, Nauru, New Zealand, Nigeria, Papua New Guinea, Saint Christopher and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Seychelles, Sierra Leone, Singapore, Solomon Islands, Swaziland, Tanzania (United Rep), Trinidad and Tobago, Tuvalu, Uganda, Vanuatu and Zambia, whose legislation does not permit withdrawal from the post or alteration of address of letter-post items at the sender's request.

2 Article 29 shall apply to Australia only in so far as that article is consistent with its domestic legislation.

3 Notwithstanding article 29.4, El Salvador, Panama (Rep), Philippines and Venezuela shall be authorized not to return postal parcels after the addressee has requested their clearance by Customs, since this is incompatible with those countries' customs legislation.

#### Prot Article XVI

##### Inquiries

1 Notwithstanding article 30.4, the postal administrations of Cape Verde, Chad, Dem People's Rep of Korea, Egypt, Gabon, Overseas Dependent Territories of the United Kingdom, Greece, Iran (Islamic Rep), Mongolia, Myanmar, Philippines, Saudi Arabia, Sudan, Syrian Arab Rep, Ukraine and Zambia reserve the right to collect from customers charges on inquiries lodged in respect of letter-post items.

2 Notwithstanding article 30.4, the postal administrations of Argentina, Austria, Czech Rep and Slovakia reserve the right to collect a special charge when, on completion of the investigation conducted in response to the inquiry, it emerges that the latter was unjustified.

3 The postal administrations of Afghanistan, Cape Verde, Congo (Rep), Egypt, Gabon, Iran (Islamic Rep), Mongolia, Myanmar, Saudi Arabia, Sudan, Suriname, Syrian Arab Rep, Ukraine and Zambia reserve the right to collect an inquiry charge from customers in respect of parcels.

#### Prot Article XVII

##### Presentation-to-Customs charge

1 The postal administration of Gabon reserves the right to collect a presentation-to-Customs charge from customers.

2 The postal administrations of Congo (Rep) and Zambia reserve the right to collect a presentation-to-Customs charge from customers in respect of parcels.

## Prot Article XVIII

### Liability of postal administrations

1 The postal administrations of Bangladesh, Benin, Burkina, Faso, Congo (Rep), Côte d'Ivoire (Rep), Djibouti, India, Lebanon, Madagascar, Mali, Mauritania, Nepal, Niger, Senegal, Togo and Turkey shall be authorized not to apply article 34.1.1.1 with respect to liability in cases of theft from or damage to registered items.

2 Notwithstanding articles 34.1.1.1 and 35.1, the postal administrations of Chile, China (People's Rep), Colombia and Egypt shall be liable only for the loss of, total theft of or total damage to the contents of registered items.

3 Notwithstanding article 34, the postal administrations of Egypt and Saudi Arabia shall accept no liability in case of loss of or damage to items containing articles mentioned in article 25.5.

4 The postal administrations of India and Nepal shall be authorized not to apply article 34.1.1.1 with respect to liability in cases of theft from or damage to ordinary parcels.

## Prot Article XIX

### Compensation

1 Notwithstanding article 34, the following postal administrations shall have the right not to pay compensation for uninsured parcels lost, rifled or damaged in their service: Angola, Antigua and Barbuda, Australia, Bahamas, Bangladesh, Barbados, Belize, Bolivia, Botswana, Brunei Darussalam, Canada, Dominica, Dominican Republic, El Salvador, Fiji, Gambia, those of the Overseas Dependent Territories of the United Kingdom of Great Britain and Northern Ireland whose internal regulations do not permit them to comply, Grenada, Guatemala, Guyana, Kiribati, Lesotho, Malawi, Malta, Mauritius, Nauru, Nigeria, Papua New Guinea, Philippines, Saint Christopher and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Seychelles, Sierra Leone, Solomon Islands, Swaziland, Trinidad and Tobago, United States of America, Zambia and Zimbabwe.

2 Notwithstanding article 34, the postal administrations of Argentina, Austria, Brazil, Chile, Greece, Kenya, Latvia, Mexico, Oman, Qatar, Romania, Saudi Arabia, Ukraine, Uzbekistan and Viet Nam shall have the right not to pay compensation for uninsured parcels lost, rifled or damaged in their service to countries which do not pay such compensation in accordance with paragraph 1 of this article.

3 Notwithstanding article 34.8, the United States of America shall be authorized to maintain the sender's right to indemnity for insured parcels after the addressee has taken delivery thereof, unless the sender waives this right in favour of the addressee.

4 The United States of America, when acting as an intermediate postal administration, shall be authorized not to indemnify other administrations in the event of loss of, theft from or damage to transit insured parcels conveyed *à découvert* or forwarded in closed mails.

5 Notwithstanding article 34, the postal administration of Viet Nam has the right not to pay

compensation for lost or damaged registered items or parcels which contain currency, securities payable to bearer, travellers' cheques, gold, silver or precious stones.

6 Notwithstanding the provisions of article 34, Canada has the right not to pay indemnity for, nor to account for the loss of, theft from or total damage to ordinary parcels, and not to refund the charges and fees paid.

#### Prot Article XX

##### Exceptions to the principle of liability

1 Notwithstanding article 34, Bolivia, Dem Rep of the Congo, Egypt, Iraq, Philippines, Saudi Arabia, Sudan, Turkey and Yemen shall be authorized to pay no indemnity for damage to parcels coming from any country and addressed to them, containing liquids or substances which easily liquefy, glass articles or articles of a similar fragile or perishable nature.

2 Notwithstanding article 34, Saudi Arabia and Sudan shall have the right not to pay compensation for parcels containing articles prohibited under article 25.5.

#### Prot Article XXI

##### Non-liability of the postal administration

1 The postal administration of Bolivia shall not be required to observe article 35.1 as regards maintenance of its liability in case of total theft or total damage of registered items.

2 The postal administration of Nepal shall be authorized not to apply article 35.1.4 as regards parcels.

#### Prot Article XXII

##### Payment of indemnity

1 The postal administrations of Bangladesh, Bolivia, Guinea, Nepal and Nigeria shall not be obliged to comply with article 37.3 in so far as concerns finally settling the matter within a period of two months or informing the administration of origin or destination, as the case may be, when a letter-post item has been detained, confiscated or destroyed by the competent authorities because of the contents, or has been seized by virtue of its domestic legislation.

2 The postal administrations of Congo (Rep), Djibouti, Guinea, Lebanon, Madagascar and Saudi Arabia shall not be obliged to comply with article 37.3 in so far as concerns finally settling a claim concerning a letter-post item within a period of two months. Nor do they agree to the rightful claimant's being indemnified, on their behalf, by another administration upon expiry of the above-mentioned period.

3 The postal administrations of Angola, Guinea, Lebanon and Saudi Arabia shall not be obliged to comply with article 37.3 as regards finally settling a claim concerning a parcel within two months. Nor do they agree to the rightful claimant's being indemnified, on their behalf, by another administration upon expiry of the above-mentioned period.

4 The postal administrations of Niger and Thailand shall not be obliged to comply with article 37.3 insofar as concerns finally settling the matter sent to them by fax within a period of thirty days. Nor do they agree to the rightful claimant's being indemnified, on their behalf, by another administration upon expiry of the above-mentioned period.

5 Notwithstanding the provisions of article 37.3, Malaysia and the United States of America reserve the right to respond finally to inquiries within two months from the date of the inquiry, regardless of the means of transmission of the inquiry.

#### Prot Article XXIII

##### Posting abroad of letter-post items

1 The postal administrations of Greece, United Kingdom of Great Britain and Northern Ireland and United States of America reserve the right to impose a charge, equivalent to the cost of the work it incurs, on any administration which, under the provisions of article 43.4, sends to it items for disposal which were not originally dispatched as postal items by their services.

2 Notwithstanding article 43.4, the postal administration of Canada reserves the right to collect from the administration of origin such amount as will ensure recovery of not less than the costs incurred by it in the handling of such items.

3 Article 43.4 allows the postal administration of destination to claim, from the administration of posting, appropriate remuneration for delivering letter-post items posted abroad in large quantities. The United Kingdom of Great Britain and Northern Ireland reserves the right to limit any such payment to the appropriate domestic tariff for equivalent items in the country of destination.

4 Article 43.4 allows the postal administration of destination to claim, from the administration of posting, appropriate remuneration for delivering letter-post items posted abroad in large quantities. The following countries reserve the right to limit any such payment to the limits authorized in the Regulations for bulk mail: Australia, Bahamas, Barbados, Brunei Darussalam, China (People's Rep), United Kingdom of Great Britain and Northern Ireland, Overseas Dependent Territories of the United Kingdom, Grenada, Guyana, India, Malaysia, Nepal, Netherlands, Netherlands Antilles and Aruba, New Zealand, Saint Lucia, Saint Vincent and the Grenadines, Singapore, Sri Lanka, Suriname, Thailand and United States of America.

5 Notwithstanding the reservations under 4, the following countries reserve the right to apply in full the provisions of article 43 of the Convention to mail received from Union member countries: Argentina, Benin, Brazil, Burkina Faso, Cameroon, Côte d'Ivoire (Rep), Cyprus, Egypt, France, Germany, Greece, Guinea, Israel, Italy, Japan, Jordan, Lebanon, Mali, Mauritania, Monaco, Morocco, Portugal, Saudi Arabia, Senegal, Syrian Arab Rep and Togo.

6 In application of article 43.4 the postal administration of Germany reserves the right to request the postal administration of the mailing country to grant compensation of the amount it would receive from the postal administration of the country of which the sender is resident.

#### Prot Article XXIV

##### Terminal dues

1 Notwithstanding articles 49.1.3 and 51.1.3, the postal administrations of Egypt, Kuwait, Latvia, Oman, Qatar, Saudi Arabia, Syrian Arab Rep, United Arab Emirates and Viet Nam shall not be required to make an additional payment in respect of the delivery of registered letter-post items sent from their countries.

2 Notwithstanding articles 49.1.3 and 51.1.3, the postal administration of Djibouti, Ghana, India, Nepal and Yemen shall not be required to make an additional payment in respect of the delivery of registered and insured letter-post items sent from their country.

3 Notwithstanding reservations made by any country in respect of articles 49.1.3 and 51.1.3, the postal administration of Australia will not collect a signature for registered items for which the additional payment in respect of delivery has not been made.

4 With respect to countries making reservations to obligations under articles 49.1.3 and 51.1.3 to make an additional payment for registered and insured items the United States of America reserves the right to handle such items as ordinary mail and not to pay indemnity for any such items lost, rifled, or damaged in its service.

5 Notwithstanding the reservations under article XXIV, the United Kingdom of Great Britain and Northern Ireland and the Overseas Dependent Territories of the United Kingdom shall reserve the right to fully apply the provisions approved by the Beijing Congress regarding supplementary remuneration for delivery of registered and insured letter-post items in their relations with other countries.

6 Notwithstanding the reservations made under article XXIV.1 and 2, the following member countries shall reserve the right to fully apply the provisions approved by the Beijing Congress regarding supplementary remuneration for delivery of registered letter-post items in their mutual relations with the countries having signed this reservation: Austria, Bahamas, Barbados, Belize, Benin, Bolivia, Brazil, Bulgaria (Rep), Burkina Faso, Cameroon, Canada, Cape Verde, Chile, Costa Rica, Côte d'Ivoire (Rep), Cuba, Czech Rep, Dominica, Dominican Republic, Egypt, El Salvador, Estonia, Finland, France, Gabon, Greece, Grenada, Guatemala, Guyana, Haiti, Honduras (Rep), Iceland, Italy, Jamaica, Japan, Liechtenstein, Malaysia, Mali, Mauritania, Mexico, Moldova, Morocco, Netherlands, Nicaragua, Peru, Poland (Rep), Saint Christopher (St Kitts) and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Senegal, Singapore, Slovakia, South Africa, Spain, Sudan, Suriname, Sweden, Switzerland, Trinidad and Tobago, Tunisia, United Kingdom of Great Britain and Northern Ireland, Overseas Department territories of the United Kingdom, Uruguay and Venezuela.

7 In resolution C 46/1999, Congress instructs the Postal Operations Council to work out, before the year 2002, the methodology for converting the domestic tariffs and/or costs of postal administrations into terminal dues rates, and to define the definitive percentages of domestic tariffs for the years 2004 and 2005. If this instruction is not implemented in due course, Germany reserves the right to define itself the percentages pursuant to article 48.3 for the years 2004 and 2005 in accordance with the principles laid down in that article.

8 In resolution C 46/1999, Congress instructs the Postal Operations Council to work out, before the year 2002, the methodology for converting the domestic tariffs and/or costs of postal administrations into terminal dues rates and to define the definitive percentages of tariffs for the years 2004 and 2005. Notwithstanding article XXIV.7, reserving the right to define unilaterally the percentages pursuant to article 48.3 for the years 2004 and 2005 if the POC has not implemented the instruction of resolution C 46/1999 in due course, the Netherlands, the United Kingdom of Great Britain and Northern Ireland and the United States of America reserve the right to continue applying terminal dues rates based upon the methodology and percentages for converting domestic tariffs into terminal dues rates in effect for the years 2001 to 2003, unless agreement has been reached to apply different terminal dues rates on a mutually agreeable basis or unless the POC has otherwise determined the new percentages of domestic tariffs to be applied for the years 2004 and 2005.

9 The postal administration of Germany reserves the right to administer itself the financial resources provided for the Fund financial the improvement of quality of service in developing countries under article 50.1.1.1 until the principles and criteria laid down by the POC regarding the administrative, financing and procedural structure of this Fund have been implemented.

10 The United States of America supports the terminal dues system enacted in articles 47 to 51. Nonetheless, with respect to members of the World Trade Organization, the United States of America reserves the right to implement these terminal dues agreements in accordance with the provisions

adopted in future negotiations involving the General Agreement on Trade in Services.

11 Notwithstanding the reservations made under article XXIV, the following member countries shall reserve the right to fully apply the provisions approved by the Beijing Congress regarding terminal dues in their mutual relations with the countries having signed these reservations: Austria, Bahamas, Belize, Benin, Bolivia, Brazil, Bulgaria, (Rep), Burkina Faso, Cameroon, Canada, Chile, Congo (Rep), Costa Rica, Côte d'Ivoire (Rep), Cuba, Czech Rep, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Finland, France, Gabon, Greece, Grenada, Guatemala, Guyana, Haiti, Honduras (Rep), Italy, Jamaica, Kenya, Liechtenstein, Mali, Mauritania, Mexico, Moldova, Morocco, Netherlands, Nicaragua, Peru, Poland (Rep), Portugal, Saint Christopher (St Kitts) and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Senegal, Slovakia, South Africa, Spain, Sudan, Suriname, Sweden, Switzerland, Trinidad and Tobago, Tunisia, Uruguay and Venezuela.

#### Prot Article XXV

##### Internal air conveyance dues

1 Notwithstanding article 53.3, the postal administrations of Bahamas, Cape Verde, Congo (Rep), Cuba, Dem People's Rep of Korea, Dominican Republic, Ecuador, El Salvador, Gabon, Greece, Guatemala, Guyana, Honduras (Rep), Mongolia, Nepal, Papua New Guinea, Peru, Philippines, Saudi Arabia, Solomon Islands and Vanuatu reserve the right to collect the dues for the air conveyance of international mails within their countries.

2 Notwithstanding article 53.3, the postal administration of Myanmar reserves the right to collect the dues for the conveyance of international mails within its country whether or not these mails are reforwarded by air.

3 Notwithstanding article 53.3, the postal administration of Bangladesh reserves the right to collect the dues for the conveyance of international mail within its country whether or not these mails are reforwarded by air and irrespective of the distance travelled.

4 Notwithstanding articles 53.4 and 53.5, the postal administrations of Canada, Iran (Islamic Rep), Turkey and United States of America shall have the right to recover from the postal administrations concerned, in the form of uniform dues, the internal air conveyance costs they incur for mail received from any administration for which they apply terminal dues compensation based specifically on costs or on internal tariffs.

5 On the basis of reciprocity, the postal administration of Oman shall have the right to recover, from the postal administrations mentioned in paragraphs 1 to 3 above, the supplementary costs incurred for the air conveyance within its country of letter-post mail received from those administrations, whether these mails are forwarded by air or by some other means.

#### Prot Article XXVI

##### Exceptional inward land rates

1 Notwithstanding article 56, the postal administration of Afghanistan reserves the right to collect an additional exceptional inward land rate of 7.50 SDR per parcel.

#### Prot Article XXVII

##### Special tariffs

1 The postal administrations of Belgium, Norway and United States of America may collect higher

land rates for air parcels than for surface parcels.

2 The postal administration of Lebanon shall be authorized to collect for parcels up to 1 kilogram the charge applicable to parcels over 1 and up to 3 kilograms.

3 The postal administration of Panama (Rep) shall be authorized to collect 0.20 SDR per kilogram for surface airlifted (S.A.L.) parcels in transit.

IN WITNESS WHEREOF, the plenipotentiaries below have drawn up this Protocol which shall have the same force and the same validity as if its provisions were inserted in the text of the Convention itself, and they have signed it in a single original which shall be deposited with the Director-General of the International Bureau. A copy thereof shall be delivered to each party by the Government of the country in which Congress is held.

DONE at Beijing, 15 September 1999.

[Signatures not reproduced here.]

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[\[1\]](#) See Final Protocol article I. [Footnote appeared in original text.]

[\[2\]](#) See Final Protocol article II. [Footnote appeared in original text.]

[\[3\]](#) See Final Protocol article III. [Footnote appeared in original text.]

[\[4\]](#) See Final Protocol articles IV, V, VI, VII and VIII. [Footnote appeared in original text.]

[\[5\]](#) See Final Protocol article IX. [Footnote appeared in original text.]

[\[6\]](#) See Final Protocol article X. [Footnote appeared in original text.]

[\[7\]](#) See Final Protocol article XI. [Footnote appeared in original text.]

[\[8\]](#) See Final Protocol articles XII, XIII and XIV. [Footnote appeared in original text.]

[\[9\]](#) See Final Protocol article XV. [Footnote appeared in original text.]

[\[10\]](#) See Final Protocol article XVI. [Footnote appeared in original text.]

[\[11\]](#) See Final Protocol article XVII. [Footnote appeared in original text.]

[\[12\]](#) See Final Protocol articles XVIII, XIX and XX. [Footnote appeared in original text.]

[\[13\]](#) See Final Protocol article XXI. [Footnote appeared in original text.]

[\[14\]](#) See Final Protocol article XXII. [Footnote appeared in original text.]

[\[15\]](#) See Final Protocol article XXIII. [Footnote appeared in original text.]

[\[16\]](#) See Final Protocol article XXIV. [Footnote appeared in original text.]

[\[17\]](#) See Final Protocol article XXIV. [Footnote appeared in original text.]

[\[18\]](#) See Final Protocol article XXIV. [Footnote appeared in original text.]

[\[19\]](#) See Final Protocol article XXIV. [Footnote appeared in original text.]

[\[20\]](#) See Final Protocol article XXIV. [Footnote appeared in original text.]

[\[21\]](#) See Final Protocol article XXV. [Footnote appeared in original text.]

[\[22\]](#) See Final Protocol article XXVI and XXVII. [Footnote appeared in original text.]