

Fifth Additional Protocol to the Constitution of the Universal Postal Union

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Fifth Additional Protocol to the Constitution of the Universal Postal Union

The plenipotentiaries of the Governments of the member countries of the Universal Postal Union, met in Congress at Seoul, 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 8 amended)

Restricted Unions. Special Agreements

1 Member countries, or their postal administrations if the legislation of those countries so permits, may establish Restricted Unions and make Special Agreements concerning the international postal service, provided always that they do not introduce provisions less favourable to the public than those provided for by the Acts to which the member countries concerned are parties.

2 Restricted Unions may send observers to Congresses, Conferences and meetings of the Union, to **the Council of Administration** and to the **Postal Operations Council**.

3 The Union may send observers to Congresses, Conferences and meetings of Restricted Unions.

Article II

(Article 13 amended)

Bodies of the Union

1 The Union's bodies shall be Congress, **the Council of Administration**, the **Postal Operations Council** and the International Bureau.

2 The Union's permanent bodies shall be **the Council of Administration**, the **Postal Operations Council** and the International Bureau.

Article III

(Article 17 amended)

Council of Administration

1 Between Congresses, **the Council of Administration (CA)** shall ensure the continuity of the work of the Union in accordance with the provisions of the Acts of the Union.

2 The members of **the Council of Administration** shall carry out their functions in the name and in the interests of the Union.

Article IV

(Article 18 amended)

Postal Operations Council

The **Postal Operations Council (POC)** shall be entrusted **with operational, commercial, technical and** economic questions concerning the postal service.

Article V

(Article 20 amended)

International Bureau

A central office operating at the seat of the Union under the title of the International Bureau of the Universal Postal Union, directed by a Director-General and placed under the control of **the Council of Administration**, shall serve as an organ of **execution, support**, liaison, information and **consultation**.

Article VI

(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 and its Detailed Regulations shall embody the rules applicable throughout the international postal service and the provisions concerning the letter-post services. These Acts shall be binding on all member countries.

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

5 The Detailed 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 VII

(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 Detailed 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 VIII

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 IX

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 1996 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 **Seoul, 14 September 1994.**