

UNIVERSAL POSTAL UNION

# POSTAL PARCELS

## A G R E E M E N T

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**Note on the printing of the Annotated Acts of the 20th Congress, Washington 1989**

The boldface type in the texts indicates amendments (alterations, additions or deletions of words, passages, figures, signs, etc) to the 1984 Hamburg Congress Acts.
However, as the Postal Financial Services Acts were extensively recast, it was considered preferable in volume 4 not to indicate amendments to the text of the 1984 Hamburg Congress Acts in boldface type.
The forms are all printed in ordinary type.

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# ABBREVIATIONS

## *I. Common abbreviations*

**NB.** – The abbreviations listed below are normally used only in the forms and the annotations.

| | |
|---|---|
| adm(s) or administration | postal administration(s) |
| Agr | Agreement |
| airmail corr | airmail correspondence |
| Arbit | Arbitration |
| art(s) | article(s) |
| c | centime |
| CCC | Customs Co-operation Council |
| CCPS | Consultative Council for Postal Studies (until 1969 Consultative Committee for Postal Studies) |
| cf | confer (= compare) |
| circ(s) | circular(s) |
| cm | centimetre |
| COD | Cash-on-Delivery Agreement or Detailed Regulations |
| col | column |
| Comm | Committee |
| Compendium | Compendium of Information (Convention, Agreements, etc) published by the International Bureau |
| Conf | Conference |
| Const or Constitution | Constitution of the Universal Postal Union |
| Conv or Convention | Universal Postal Convention |
| Det Regs | Detailed Regulations |
| dm | decimetre |
| Doc(s) | Document(s) (of Congresses, Conferences, Executive Council, etc) |
| doc | document |
| EC | Executive Council |
| eg | for example |
| ELC | Executive and Liaison Committee |
| et seq | and those that follow |
| fr | franc |
| g | gramme |
| g c | gold centime |
| g fr | gold franc |
| Gen Regs | General Regulations |
| Gen Rev | General Revision of the 1957 Ottawa Convention |

| | |
|---|---|
| Giro | Giro Agreement or Detailed Regulations |
| h | hour |
| IAEA | International Atomic Energy Agency |
| IATA | International Air Transport Association |
| IB | International Bureau |
| ICAO | International Civil Aviation Organization |
| id | idem |
| Ins | Insured Letters Agreement or Detailed Regulations (up to and including the 1974 Lausanne Agreement) |
| ISO | International Organization for Standardization |
| Journal or Periodical | *Union Postale* (quarterly publication of the International Bureau) |
| kg | kilogramme |
| km | kilometre |
| lb (16 oz) | pound avoirdupois (453.59 grammes) |
| m | metre |
| max | maximum |
| min | minimum |
| mm | millimetre |
| mn | minute (of time) |
| Money Orders | Money Orders Agreement or Detailed Regulations |
| No | number |
| oz | ounce (28.3465 grammes) (one-sixteenth of the pound avoirdupois) |
| p, pp | page(s) |
| para | paragraph |
| Parcels | Postal Parcels Agreement or Detailed Regulations |
| Prep Comm | Preparatory Committee |
| prop(s) | proposal(s) |
| Prot | Final Protocol (to the Act concerned) |
| PTT | Posts, Telegraphs and Telephones |
| Rep | Report on the work of the Union (Management Report until 1952), published by the International Bureau |
| Subcomm | Subcommittee |
| subpara | subparagraph |
| t | tonne (1000 kilogrammes) |
| TCT | Technical Committee on Transit |
| t-km | tonne-kilometre or kilometric tonne (unit used in connection with conveyance) |
| UN | United Nations |
| UNESCO | United Nations Educational, Scientific and Cultural Organization |
| UPU or Union | Universal Postal Union |
| viz | videlicet (namely) |
| vol | volume |
| WHO | World Health Organization |

*II. Conventional abbreviations used in the Acts*

1 Abbreviations relating to forms:

| | |
|---|---|
| AV | Airmail |
| C | Convention |
| CP | Parcels |
| MP | Money orders |
| R | COD |
| VD | Insured Letters |
| VP | Giro |

2 Other abbreviations:

| | |
|---|---|
| AI | advice of entry (Giro, Det Regs, RE 309, para 2) |
| AO | other items or<br>items other than LC (Conv, art 19, para 1, b, etc) |
| AR | advice of delivery (Conv, Det Regs, art 138, para 1, etc) |
| F | letter bill (Conv, Det Regs, art 167, para 3) or<br>parcel bill (Parcels, Det Regs, art 122, para 6) |
| IMF | International Monetary Fund (Conv, Det Regs, art 103, para 3, etc) |
| Jx | newspapers (Conv, Det Regs, art 167, para 1, b) |
| LC | letters and postcards (Conv, art 19, para 1, a, etc) |
| M | special bag of printed papers for the same addressee (Conv, art 19, para 2, etc) |
| R | registered (Conv, Det Regs, art 133, para 5, etc) |
| S.A.L. | surface airlifted mail (Parcels, Det Regs, art 116) |
| SDR | Special Drawing Right (Conv, art 9, para 1, etc) |
| SV | empty bag (Conv, forms C 12 and AV 8) |
| T | postage due (Conv, Det Regs, art 142, para 2, etc) |
| T.m. | sea transit (Conv, form C 19) |
| T.t. | land transit (Conv, form C 19) |
| V | insured article (Conv, Det Regs, art 137, para 1, a, and Parcels, Det Regs, art 108, para 1, c) |

# Postal Parcels Agreement

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Agreement

– Final Protocol

# Postal Parcels Agreement

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# Final Protocol to the Postal Parcels Agreement

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# Postal Parcels Agreement (1) (2) (3)

The undersigned, plenipotentiaries of the Governments of the member countries of the Union, having regard to article 22, paragraph 4, 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 3 (4), of the Constitution, drawn up the following Agreement (5) (6) (7) (8) (9):

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1) **Background note**
The preliminary draft of the Treaty (Principal Convention) submitted to the 1878 Paris Congress made provision for "small articles (without customs value)" to be treated as "samples of merchandise". The prop was not, however, adopted. In its place the German adm submitted a draft Agr governing the exchange of small articles without insured value (1878 Paris Congress, pp 553 to 555). The reasons given were as follows (pp 54 and 55):
"It seems essential that the treatment of small parcels should differ from that of letter-post items. The main difference is that, apart from registered items, letter-post items are not listed and that they are forwarded by fast trains – without any delay or customs handling at frontiers – whereas a record of small parcels is kept both at the place of origin and at the place of destination. They are entered on special lists, either individually or in bulk and are frequently dispatched by slow trains; they are accompanied by customs declarations, signed by the sender, for checking by the Customs at the frontier."
"If an attempt were made to treat small articles as letters, there would be a danger in a great many adms, of decreasing the speed and accuracy with which international letter-post items are dealt with at present, since mails would have to be delivered to the frontier Customs, so that prompt dispatch would become impossible."
"Further, even if the maximum weight were fixed at 300 or 250 g, from another standpoint, the situation would be that postal officials would hardly ever be able to verify whether or not parcels containing small articles presented for dispatch were liable to the restriction that items admitted as small articles must not enclose any article subject to customs duty."
"Thus the postal service would be exposed to all manner of misuse while postal operations would inevitably be subject to customs intervention, to the detriment of the prompt conveyance of letters."
"Moreover, the probable increase in the number of small objects would in many cases have an adverse effect on the conveyance of letters, because as a rule express train compartments available to postal administrations are very limited."
"In addition, it should be noted that the admission of samples of actual merchandise for ordinary dispatch (without entry on lists) would entail a number of drawbacks. Inquiries regarding the loss of such items would be a continual source of difficulty for all postal administrations."
Although Congress did not have time to discuss the draft, which was only submitted in the course of the debates, it did however consider that in principle and subject to subsequent discussion, the conclusion of an international Agr concerning the conveyance of small objects (p 592), would be a step forward. The Paris Conference, convened in 1880, brought together a large number of delegations. The French adm, which proposed to have this service carried out in France by railways and shipping companies, was represented by a number of experts from these transport undertakings. The Conference drew up the "Convention concerning the exchange of uninsured postal parcels", which was signed by 19 delegations.
At the 1924 Stockholm Congress, the word "Convention" was replaced by "Agreement", in accordance with the draft submitted by a study Comm.
The 1952 Brussels Congress, on a proposal made by the ELC, extensively redrafted the texts adopted in Paris in 1947 (see the following ELC Doc: Report dated 31 July 1951 submitted to the ELC, on behalf of the Consultative Subcomm on postal parcels by the Chairman of that Subcomm; Additional Supplementary Report dated 13 November 1951;1947 Paris Acts concerning postal parcels, after revision by the Subcomms; prop 1022 relating to the incorporation of the airmail provisions in the Parcels Agr and Det Regs). This revision led to the incorporation of the provisions relating to air parcels, which so far had been separate, in the Agr and the Det Regs.

The 1957 Ottawa Congress instructed the ELC to consolidate the Parcels Agr and its Det Regs, with a view to improving and simplifying them, it being understood that the Agr should comprise all the fundamental provisions concerning postal parcels so as to be complete. In particular, any reference to the Det Regs (II 1158) was to be deleted from the Agr.
In the draft which it prepared, the ELC aimed at a more logical distribution of the provisions between the Agr and the Det Regs. In particular, in the Agr it regrouped the arts according to the nature of their content (charges and fees; conditions of admission, delivery and redirection; liability, etc), while in the Det Regs it observed the order of the operations to which parcels were subject. After being consulted (circ 91/1960), the adms of the Union agreed to submit their props to the 1964 Vienna Congress on the basis of the Agr thus recast, which was made the subject of props 7000 and 7001 (Comprehensive rep on the work of the ELC 1957–1964, p 26). These props were adopted by the 1964 Vienna Congress (II 1213).

2) Having been instructed by the 1964 Vienna Congress to investigate the reasons preventing some countries from acceding to the Parcels Agr and to seek a solution enabling all countries operating the parcel-post service on the basis of bilateral agreements to accede to the Agr (resolution CP 1 (a)), the EC, after consulting the adms concerned, established that these reasons related to the rate structure and regulations. It accordingly invited these adms to reconsider their position in the light of the decisions taken by the 1969 Tokyo Congress (Comprehensive rep on the work of the EC 1964–1969, para 89). It should be noted that since the 1979 Rio de Janeiro Congress, the countries which have acceded to the Union have generally also requested to become parties to the Agr; in particular, the United States of America and Canada have signed the 1984 Hamburg Agr.
To ensure the participation of all countries in the parcel-post service as a means of countering the competition, the 1989 Washington Congress adopted resolution C 16/1989 (reproduced at the end of this vol), urging member countries which had not acceded to the Agr to introduce this service in their international exchanges. The idea, in this regard, was to make the service more flexible, more efficient and more responsive to customers' needs, on the one hand, and on the other, to make every effort to increase such traffic (Congress/C 7 – Rep 1, prop 5000.6/Rev 1).

3) The 1964 Vienna Congress adopted the following recommendation concerning accession to the Agrs: "A number of member countries do not sign the UPU Agreements relating to certain optional services even though they operate such services. Instead, they conclude bilateral Agreements to regulate the service at international level with other member countries. This results in regulations differing from those of the UPU and a slowing down in the performance of postal operations. Congress therefore recommends member countries uniformly to sign all the Acts of the Union concerning branches of the postal service operated by them." (II 539 and 658, prop 1004.)

4) This provision became art 25, para 4, of the Const when the Washington Acts came into force.

5) The names of the member countries parties to the Agr, which were deleted by the 1964 Vienna Congress, are contained in a list compiled by the IB in pursuance of art 112 of the Gen Regs. (See also Const, preamble, note.)

6) As regards the revision of the provisions relating to air parcels, see Conv, art 82, note 1, reproduced at the end of this vol (see also Comprehensive rep on the work of the EC 1964–1969, para 76).

7) In accordance with 1984 Hamburg Congress resolution C 52, the amounts expressed in g fr in the Acts of this Congress were supplemented by their exchange value in SDR. The 1989 Washington Congress, however, decided to replace the g fr as monetary unit by the SDR (II Congress/C 3 – PV 3, prop 1007.1). In this connection, it should be pointed out that in practice only the interadministration rates relating to air conveyance (cf Conv, art 85), transit charges (Conv, art 72) and terminal dues (Conv, art 73) are large enough in real terms to justify their value in SDR being rounded off to three decimal places. In all the other cases the value in SDR is rounded off to two decimal places.

8) In decision C 89/1989 (reproduced at the end of this vol), the 1989 Washinton Congress instructed the IB, in annotating this vol, to reproduce the texts of the Conv normally used as references so as to contribute to making the Agr and its Det Regs as independent as possible. Thus, all references to the Conv, its Det Regs or annotations concerning them are reproduced at the end of this vol.

9) Because the Post's competitors in the transport of light goods field are making major inroads in the Post's traditional markets, the 1989 Washington Congress adopted resolution C 27/1989 (reproduced at the end of this vol) instructing the CCPS to undertake a study with the aim of identifying and developing a range of new postal parcel products/services suited to the demands of the international market (II Congress/C 7 – Rep 4, prop 5000.2/Rev 1).

## Preliminary provisions

### Article 1
### Purpose of the Agreement

This Agreement shall govern the exchange of postal parcels between contracting countries.

### Article 2
### Postal parcels

1 Items called "postal parcels" (1) of which the individual weight shall not exceed 20 kilogrammes may be exchanged either direct or via one or more countries. (2) (3) (4) **On the basis of bilateral agreements, administrations may exchange postal parcels which exceed 20 kilogrammes.** (5)

2 The exchange of parcels exceeding 10 kilogrammes shall be optional. (6) Countries which fix a weight of less than 20 kilogrammes shall, however, admit parcels in transit in bags or other closed receptacles up to a weight of 20 kilogrammes. (7) **For parcels weighing more than 20 kilogrammes, the agreement of the country of transit shall be obligatory.** (5)

3 Notwithstanding paragraphs 1 and 2, parcels relating to the postal service as provided for in article **17** may weigh up to 30 kilogrammes. (8)

4 In this Agreement, its Final Protocol and its Detailed Regulations, the abbreviation "parcels" shall apply to all postal parcels.

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1) "Postal parcel" is not merely a conventional term; it indicates that postal items are involved. As such, these items are exempted from the taxes levied on ordinary conveyance. Even in countries where the Post uses the services of railway and shipping companies for this purpose it is always the postal adm that holds responsibility and is in control of the operations (1880 Paris Conf, p 107).

2) "Freedom of transit for postal parcels to be forwarded by land and sea routes is limited to the territory of the countries taking part in the service". This text, in Conv, art 1, para 4 (reproduced at the end of this vol), embodied the principle of freedom of transit which, up to the 1924 Stockholm revision, had been included in Conv, art 2 concerning the parcels themselves (1880 Paris Conf, pp 51, 188). Adms parties to the Agr, but which, owing to the absence of an appropriate transport organization, are unable to ensure transit may be exempted therefrom by a reservation introduced in the Prot.

3) Although the provisions relating to the conveyance of air parcels do not bind countries which are not parties to the Agr, the 1929 London Congress unanimously formulated the wish that those countries should in no way hinder the development of the air parcel service (II 628 and 629).

4) Adms have the right themselves to choose the means of conveyance: partly by surface route and partly by air route (1952 Brussels Congress, II 831).

5) The provisions concerning a max weight of more than 20 kg were introduced by the 1989 Washington Congress in order to maintain the current level of the service, even to increase the postal share of the parcel conveyance market (II Congress/C 7 – Rep 1, prop 5002.1).

6) This text permits a country to raise the max weight of parcels above 10 kg for only some of its localities (1929 London Congress, II 419).

7) Since the max weight of bags and other receptacles containing parcels is fixed at 30 kg (Det Regs, art 122, para 5), it is logical that transit parcels in closed mails should be admitted up to a weight of 20 kg (1979 Rio de Janeiro Congress, II 1636, prop 5002.1).

8) The aim of this provision, which was introduced by the 1969 Tokyo Congress, is to relieve adms of the obligation to use the letter-post service for the transmission of service items exceeding the max weight permitted for parcels (II 1524, prop 6045).

## Article 3
## Operation of the service by transport companies (1)

1 Any country whose postal administration does not undertake the conveyance of parcels and which is a party to the Agreement may arrange for its provisions 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. (2)

2 The postal administration of such a country shall make arrangements with the transport companies to ensure full implementation by them of all the provisions of the Agreement, with special reference to the arrangements for the exchange of parcels. The postal administration shall serve as intermediary for them in all their relations with administrations of the other contracting countries and with the International Bureau. (3)

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1) At the 1969 Tokyo Congress this art was transferred from the Prot to the Agr (II 1524, props 6022 and 6034; see also Prot, preamble, note 3).

2) See art 2, note 1.

3) Information on this subject appears in the Compendium (Parcels).

Article 4
Categories of parcels

1 An "ordinary parcel" shall be one which is not subject to any of the special requirements prescribed for the categories defined in paragraphs 2 and 3.

2 Other categories shall be (1):
a "insured parcel", any parcel which is insured for a declared value;
b "parcel for delivery free of charges and fees", any parcel in respect of which the sender asks to be charged with the whole of the postal charges and fees to which the parcel may be subject on delivery; this request may be made at the time of posting; it may also be made after posting up to the time of delivery to the addressee, except (2) in those countries which cannot accept this procedure;
c "cash-on-delivery parcel", any parcel subject to a COD charge and covered by the Cash-on-Delivery Agreement;
d "fragile parcel", any parcel containing articles which are liable to break easily and which are to be handled with special care;
e "cumbersome parcel" (3):
  i any parcel whose dimensions exceed the limits fixed by article **21**, paragraph 1, or those which administrations may fix between themselves;
  ii any parcel which by reason of its shape or construction (4) does not lend itself readily to loading with other parcels or which requires special precautions; (5)
  iii optionally, any parcel conforming to the conditions laid down in article **21**, paragraph 4;
f "service parcel", any parcel relating to the postal service and exchanged under the conditions laid down in article **17**;
g "prisoner-of-war or civilian (6) internee parcel", any parcel intended for or sent by prisoners or organizations referred to in article **17** of the Convention. (7)

3 Other categories, according to the method of dispatch or delivery:
a "air parcel", any parcel accepted for air conveyance with priority (8) between two countries;
b "express parcel", any parcel which, on arrival at the office of destination, shall be delivered to the place of address by special messenger or which, in those countries whose administrations do not undertake delivery to the place of address, gives rise to the delivery, by special messenger, of an advice of arrival **or to the transmission of an advice by telephone, telex or any other appropriate means of telecommunication**; (9) nevertheless, if the address of the addressee is situated outside the local delivery area of the office of destination, delivery by special messenger shall not be obligatory.

4 The exchange of "free of charges and fees" and "cash-on-delivery" parcels shall require prior agreement between administrations of origin and destination. With respect to "insured", "fragile", "cumbersome", "air" (10) and "express" parcels, the exchange may be established on the basis of the information (11) given

in the Compendium of Information (Postal Parcels) published by the International Bureau. (12)

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1) The 1974 Lausanne Congress abolished the category of "urgent parcels" (II 1393, prop 5003.3).

2) This exceptional provision, which formerly appeared as a special reservation in the Prot, was incorporated in the Agr by the 1969 Tokyo Congress (II 1525, prop 6023). The countries applying it are indicated in the Compendium (Parcels).

3) As regards the max dimensions of cumbersome parcels, the 1952 Brussels Congress considered it particularly difficult, from a practical standpoint, to introduce sufficiently broad provisions in the Det Regs. It was advisable therefore for the adms concerned to reach agreement on the matter if they deemed it worthwhile (II 823).

4) These words should be interpreted to the effect that a parcel is regarded as cumbersome mainly because of its external appearance (1934 Cairo Congress, II 303).

5) In this context, any parcel is regarded as cumbersome if it consists of plants or bushes enclosed in a basket, empty cages or cages containing living animals, furniture, basket-work, flower-stands, perambulators, spinning-wheels, tricycles, empty cigar-boxes or other unwieldy boxes, etc (see 1960 ELC Documents, pp 268 and 543).

6) Provision brought into line with art 17 of the Conv (1984 Hamburg Congress, II 514, prop 5004.3).

7) See reference text reproduced at the end of this vol.

8) See Conv, art 19, note 8, reproduced at the end of this vol.

9) Provision introduced by the 1989 Washington Congress to allow the use of any means of modern telecommunication (II Congress/C 7 – Rep 1, props 5004.1, 5010.1, 5014.1, 5028.1, 5050.1, 5511.1 and 5537.1, and Rep 4, props 5014.2, 5512.1 and 5541.1).

10) See art 2, notes 3 and 4.

11) See Det Regs, art 101, note 4.

12) In practice, the exchange of insured, fragile, cumbersome, air or express parcels is based on the information contained in tables CP 1 or CP 21 of the intermediate adm and/or the Compendium (Parcels) published by the IB. The 1984 Hamburg Congress took account of this to adapt the regulations to the practice thus followed (II 514, prop 5004.5; see also IB opinion in Rep 1955, pp 23 and 24, section 7 and Rep 1963, p 43, section 4).

## Article 5
## Weight steps (1)

1 The parcels defined in article 4 shall be classed in the following weight steps:

up to 1 kg
above 1 up to 3 kg
above 3 up to 5 kg
above 5 up to 10 kg
above 10 up to 15 kg
above 15 up to 20 kg
**above 20 kg.** (2)

2 Countries which by reason of their internal regulations are unable to adopt the metric-decimal system of weight may substitute for the weight steps provided for in paragraph 1 the following equivalents (in pounds avoirdupois) (3):

| | |
|---|---|
| up to 1 kg | up to 2 lb |
| above 1 and up to 3 kg | 2 to 7 lb |
| above 3 and up to 5 kg | 7 to 11 lb |
| above 5 and up to 10 kg | 11 to 22 lb |
| above 10 and up to 15 kg | 22 to 33 lb |
| above 15 and up to 20 kg | 33 to 44 lb |
| **above 20 kg** | **44 lb and above.** (2) |

1) When the service was started, there was a single weight step of 3 kg, at a standard charge fixed at as many times 50 c as there were adms taking part in land conveyance. This rate structure was based on the principle that the dispatching adm should credit the adm of destination and, if need be, each intermediate adm, with the respective rate changes. The 1885 Lisbon Congress increased the weight of this small parcel, optionally, to 5 kg, under the same conditions regarding rates, and at the 1897 Washington Congress the uniform 5 kg weight step became mandatory.
It was not until 1920, in Madrid, that three weight steps were introduced: up to 1 kg, over 1 kg and up to 5 kg, and over 5 kg and up to 10 kg, the latter weight step being at first optional. Standard basic rates for land conveyance, ie rates not based on distance, were fixed at 30, 50 and 90 c respectively for the three weight steps, for each country taking part in the conveyance. The 1929 London Congress agreed to three further optional weight steps: over 5 kg and up to 10 kg, over 10 kg and up to 15 kg, and over 15 kg and up to 20 kg, the territorial rates being 100, 150 and 200 c, respectively. The 1939 Buenos Aires Congress established four compulsory weight steps: up to 1 kg, over 1 kg and up to 3 kg, over 3 kg and up to 5 kg, and over 5 kg and up to 10 kg, with land rates of 30, 40, 50 and 100 c, and two optional weight steps: over 10 kg and up to 15 kg, and over 15 kg and up to 20 kg, with land rates of 150 and 200 c. The 1957 Ottawa Congress doubled the outward and inward land rates and increased transit rates by approximately 25 percent. Since then, the weight steps have remained unchanged. For the development of the land rates, see part IV, notes 2 to 4. Between the 1924 Stockholm Congress and the 1952 Brussels Congress, adms have had the right to increase their outward and inward land rates by twice the amount. At Ottawa, in 1957, the authorized increase was fixed at half the outward and inward land rate, in addition to the right of charging an exceptional rate in this regard. These elements formed the terminal rate.
The 1957 Ottawa Congress instructed the ELC "to study the question of replacing the existing system of collecting charges on postal parcels according to weight steps by a new system of charges such as that applied to the air parcel service, ie a system for the collection of charges based on a weight unit of 1 kg" (II 1158).
After a very careful study of the problem by the Subcomm on postal parcels, the ELC reached the conclusion that the advantages of collecting charges on postal parcels per kg were not sufficient to warrant abandoning the system of charging according to weight steps to which adms and users had been accustomed for a great many years. It therefore decided to maintain the latter (Comprehensive rep on the work of the ELC 1957–1964, p 26).
As the 1969 Tokyo Congress adopted EC prop 6025 for discontinuance of the principle of parity between charges and total rates and abolition of supplementary payments, adms are now free to apply whichever charging system suits them best, viz per weight step or per kg (see art 7, note 1). Allocation of rates to the adms concerned is made in principle on a per parcel and per weight-step basis, except where specially agreed otherwise (see art 54); however, by resolution C 27, the 1979 Rio de Janeiro Congress instructed the EC to continue the work on simplifying the present rate allocation procedure, carried out in implementation of Lausanne Congress resolution C 74. The result of this study is given in part IV, note 4.

2) See art 2, note 5.

3) This optional provision, which formerly appeared as a reservation of a general nature in the Prot, was transferred to the Agr by the 1969 Tokyo Congress (II 1524 and 1584, props 6024 and 6035). The countries applying it are indicated in the Compendium (Parcels).

**Article 6**
**Quality-of-service targets** (1)

**1 Administrations of destination shall fix 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)

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

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

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1) This art, introduced by the 1989 Washington Congress, is the result of a prop seeking to have the Agr provide for quality of service targets similar to those adopted by Congress for the letter post (prop 2032.91/Rev 1) pursuant to the EC study on classification. In the course of this study a clear majority of the countries consulted replied that 90 percent of items should be delivered to the addressee on the first or the second working day after their arrival in the country of destination. The countries which participated in the consultation felt that each adm should set its own targets. The adms of some large countries are nevertheless not able to set the foregoing standard of service for all regions but are prepared to offer the same service target as for comparable items in their domestic service. Slightly over half the countries which replied believed that it was possible to fix service targets for the handling of non-priority and surface items in the country of destination (II Congress/C 7 – Rep 4, prop 5005.91).

2) During work on the text of the Agr at the 1989 Washington Congress, a mistake slipped into the wording of the second sentence of para 1 of this art. According to the published version, the target to which the time normally required for customs clearance must be added is the one that should be set for air parcels addressed to the country, whereas the intention of Congress Comm 7 was to increase the target provided in the second sentence of the para, ie the time applied to domestic service parcels.

# Part I

# Charges and fees (1)

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1) The term "charges" means sums collected for postal services while "fees" concerns sums collected for non-postal services (eg fiscal dues, customs duty) (see the definitions of "charge" and "fee" in the Multilingual Vocabulary of the International Postal Service).

Article **7**
Composition of the charges and fees (Prot VII and VIII)

1 The charges and fees which administrations are authorized to collect from the senders and addressees of postal parcels shall be made up of the principal charges as defined in article **8** and, where appropriate, by:

a the air surcharges mentioned in article **9**;
b the supplementary charges mentioned in articles **10** to **15**;
c the charges and fees mentioned in articles **30**, paragraph 3, and **32**, paragraph 6;
d the fees mentioned in article **16**.

2 Apart from any exceptions prescribed by this Agreement, charges shall be retained by the administration collecting them. (1)

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1) Provision similar to that of art 70 of the Conv, reproduced at the end of this vol, introduced by the 1969 Tokyo Congress following the adoption of prop 6025 aimed, inter alia, at the abolition of supplementary payments made to adms of destination and transit for certain categories of parcels (express, fragile, insured parcels, parcels with advice of embarkation). See art 8, note 1 and part IV, note 3. The cases in which the charges collected are not retained by the adm collecting them relate to charges on parcels for delivery free of charges and fees collected from senders in favour of the adm of destination, the repacking charge where repacking is carried out in a transit country and the charges incurred for further transmission of the parcel in the case of redirection out of the country of destination or return to origin, including the uncancelled charges which the adm of destination incurs at the time of redirection or return to origin.

# Chapter I

# Principal charges and air surcharges

## Article **8**
## Principal charges (Prot I to VIII) (1)

1 Administrations shall fix the principal charges to be collected from senders. (2)

2 The principal charges shall be linked (3) with the rates, and as a general rule, the sum thereof shall not in total exceed the rates that administrations shall be authorized to claim under articles **47** to **51**.

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1) Up to the 1969 Tokyo Congress, the principal charge collected from the sender of a parcel was equal to the sum of the rates allocated to the adms participating in the conveyance. The abolition of this strict rule as the result of the adoption of prop 6025 (1969 Tokyo Congress, II 1526), thus offers adms the opportunity to apply the parcel charging system that suits them best (by weight steps or per kg, by country irrespective of the routeing used, or even by geographical zone) and alleviates the constraints arising from the necessity to adapt charges to changes in rates. It does not follow that adms may charge what they like for parcels posted in their services; as indicated in para 2, charges must remain linked with the rates claimed by the countries taking part in the conveyance, since the country of posting must incorporate in its charges an outward rate that may be exceeded by the inward rate by not more than 30 percent (see art 47, para 1). Also, it has been possible to make a clear distinction between charges, which are collected from the senders, and rates, which are the payments due to adms – two terms formerly used indiscriminately and which are now treated in separate parts of the Agr (part I for charges and part IV for rates; see also part IV, note 3).

2) The question whether prepayment shall be made in the form of postage stamps is one that concerns internal regulations (1880 Paris Conf, p 139).

3) The adverb "closely" before the word "linked" in the 1979 Rio de Janeiro Agr was deleted by the 1984 Hamburg Congress (II 514, prop 5007.2) to take account of Agr, art 9, para 2, and also to give adms more freedom and initiative in calculating the charges to be paid at the time of posting.

## Article **9**
## Air surcharges (Agr 7) (1) (2)

1 Administrations shall fix the air surcharges to be collected for forwarding parcels by air. They may adopt, for fixing surcharges, smaller weight steps than the first weight step.

2 The surcharges shall be related to the air conveyance dues and, as a general rule, the sum thereof shall not in total exceed the costs of such conveyance.

3 Surcharges shall be uniform for the whole of the territory of a country of destination whatever the routeing used.

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1) Under the heading "Air rate", the Ottawa text dealt indiscriminately with surcharges collected from the public for the forwarding of air parcels and payments due to adms. To avoid any confusion, the provisions relating to these two concepts are now dealt with separately under the headings "Air surcharges" and "Air conveyance dues" in arts 9 (part I) and 52 (part IV) respectively. In addition, the text of these two arts has been brought into line with the provisions relating to the air conveyance of letter-post items (1989 Washington Conv, arts 84 and 85) (1964 Vienna Congress, II 1219, 1220 and 1254, props 7004 and 7260; 1969 Tokyo Congress, II 1536, props 6004 and 6005; 1979 Rio de Janeiro Congress, II 1652, prop 5008.1).

2) In connection with the adoption of a single basic air conveyance rate for LC, AO and CP categories of mail (see art 52, para 1), the 1979 Rio de Janeiro Congress adopted decision C 32 according to which it declares that this provision as well as art 21, para 1, of the Conv (reproduced at the end of this vol) is to be interpreted as meaning that the total surcharges relating to letter-post items and air parcels shall not exceed the dues payable for the conveyance of all categories of items: LC, AO and CP.

# Chapter II
# Supplementary charges and fees (1)

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1) In resolution C 15 the 1979 Rio de Janeiro Congress instructed the EC to study the question of modifying the principles for fixing supplementary charges for postal parcels and to propose to the next Congress a homogeneous system with simple rules, giving adms more freedom. As regards the result of this study, see note 1 on art VIII of the Prot.

Section I

Charges relating to certain categories of parcels

Article **10**
Express parcels (Agr 4, 27; Prot VIII; Det Regs 110, 117, 122, 141)

1 Express parcels shall be subject to a supplementary charge called the "express charge" the amount of which shall be fixed at not more (1) than 1.63 SDR or at the amount of the charge applicable in the internal service if this is higher. (2) This charge must be fully paid in advance at the time of posting, even if the parcel cannot be delivered by special messenger but only the advice of arrival.

2 When express delivery places special demands on the administration of destination with regard to the location of the address of the addressee or to the day or time of arrival at the office of destination, the delivery of the parcel and collection of any additional charge shall be governed by the provisions concerning parcels of the same type in the internal system. The supplementary charge shall be paid even if the parcel is returned to sender (3) or redirected; however, in such cases, the amount passed on may not exceed 1.63 SDR. (2)

3 If the regulations of the administration of destination permit, addressees may ask the delivery office, subject to what is laid down in paragraph 1, to deliver to them by express immediately on arrival any parcels which are intended for them. In that case the administration of destination shall be authorized to collect, on delivery, a charge of not more than 1.63 SDR (2) or the internal service charge if this is higher. (2)

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1) Since the express charge is retained by the adm collecting it (see part IV, note 3), the 1974 Lausanne Congress replaced the concept of a fixed charge by that of a max charge on the lines of the express charge for letter-post items (II 1393, prop 5009.2). The 1979 Rio de Janeiro Congress raised this charge from 1.60 fr to 5 fr (II 1642, prop 5009.1).

2) See Prot, art VIII, note 1.

3) See art 30, note 2.

Article **11**
Parcels for delivery free of charges and fees (Agr 4, 25; Det Regs 110, 111, 134, 151) (1)

1 Parcels for delivery free of charges and fees shall be subject to a charge called "fee for delivery free of charge" fixed at 0.98 SDR as a maximum for each parcel.

This charge shall be collected by the administration of origin which shall retain it as payment for services rendered in the country of origin.

2 When delivery free of charge is requested after the parcel has been posted, an additional charge for a request for delivery free of charge shall be collected from the sender (2) at the time the request is made. This charge, fixed at 1.31 SDR as a maximum, shall be collected by the administration of origin. If the request is to be sent by telegraph **or any other appropriate means of telecommunication** (3), the sender shall also pay the **corresponding** charge.

3 The administration of destination shall be authorized to collect a commission charge of 0.98 SDR as a maximum for each parcel. This charge shall be independent of the presentation-to-Customs charge referred to in article **15**, c. It shall be collected from the sender on behalf of the administration of destination. (4)

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1) This art was rearranged by the 1979 Rio de Janeiro Congress in order to list in a logical sequence the various charges which can be collected on these parcels and to adapt them to the costs incurred by this service; the charge which the country of origin collects from the sender becomes the basis for fixing the rates for parcels for delivery free of charges and fees (II 1645, props 5010.1 and 5010.2).

2) The postal request is always sent registered. The additional charge collected from the sender includes the registration charge, which must not be deducted when the request is sent by telegraph or by any other means of telecommunication (1969 Tokyo Congress, II 1561 and 1630, prop 6059).

3) See art 4, note 9.

4) For the interpretation of this provision, see 1953 Rep, p 20, section 1.

Article **12**
Insured parcels (Agr 4, 24; Prot VIII; Det Regs 108, 109, 122) (1)

1 The following charges on insured parcels shall be collected from the sender in advance:

a charges authorized in this part of the Agreement;

b an optional dispatch charge not exceeding the registration charge laid down in article **26**, paragraph 1, p, of the Convention (2) or the corresponding charge of the internal service if this is higher, or, exceptionally, a charge of 3.27 SDR at most;

c an ordinary insurance charge of not more than 0.33 SDR for each 65.34 SDR (3) or fraction of 65.34 SDR insured value, or 1/2 percent of the insured value step or the internal service charge if this is higher. (4)

2 In addition, administrations undertaking to cover risks of force majeure shall be authorized to collect a "charge for cover against risks of force majeure" (5) to be

fixed so that the sum of this charge and the ordinary insurance charge shall not exceed the maximum prescribed in paragraph 1, c.

3 Administrations may also collect from the sender or from the addressee special charges in accordance with their internal legislation to take account of any exceptional security measures taken with regard to insured parcels. (6)

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1) In recommendation C 65 "Introduction and extension of the insured items service", the 1974 Lausanne Congress invited the countries which had acceded to the Parcels Agr, but which did not provide the insured parcels service, to study the possibility of introducing that service (III 893 and 894; see also note 1 on art 52 of the Conv, reproduced at the end of this vol).

2) See reference text reproduced at the end of this vol.

3) This charge is retained by the collecting adm (see part IV, note 3). The reference to the percentage was introduced by the 1974 Lausanne Congress (II 1405, prop 5011.1/Rev) for the benefit of countries which use a scale lower than the equivalent of 200 fr in order to make clear that the insurance charge is a pro rata charge.

4) See Prot, art VIII, note 1.

5) See art 40, para 2.

6) This option to apply special charges should be restricted to cases where special security arrangements are made at the request of certain regular senders or recipients of very high value consignments. It should not be used in respect of the great majority of insured items for which only the normal precautions are taken (1974 Lausanne Congress, II 1404 and 1405, prop 5011.2). As regards the security of valuable items conveyed by the post, see art 24, note 1.

## Article **13**
## Fragile parcels. Cumbersome parcels (Agr 4, 21; Prot VIII and XII; Det Regs 105, 110, 122)

Fragile parcels and cumbersome parcels shall be subject to a supplementary charge equal to not more than 50 percent of the principal charge or to the internal service charge if this is higher. If the parcel is both fragile and cumbersome the supplementary charge mentioned above shall be collected once only. Nevertheless, the air surcharges in respect of these parcels shall not be increased. (1)

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1) This supplementary charge is retained by the adm collecting it (see part IV, note 3).

Section II

Charges and fees relating to all categories of parcels

Article **14**
Supplementary charges (Agr 7, 15; Prot VIII) (1)

Administrations shall be authorized to collect the following supplementary charges:

a charge for items posted outside normal counter opening hours; (2)

b presentation-to-Customs charge collected by the administration of origin; as a general rule the charge shall be collected at the time of posting of the parcel;

c presentation-to-Customs charge collected by the administration of destination (3) either for submission to Customs and customs clearance or for submission to Customs only; in the absence of other arrangements, the charge shall be collected at the time of delivery of the parcel to the addressee; however, in the case of parcels for delivery free of charges and fees, the presentation-to-Customs charge shall be collected by the administration of origin on behalf of the administration of destination;

d charge for collection from the sender's address; this charge may be collected by the administration of origin for parcels collected by its services from the sender's address;

e delivery charge; this charge may be collected by the administration of destination (4) for each attempted delivery of the parcel at the address; nevertheless, in the case of express parcels, it may be collected only in respect of each attempted delivery after the first;

f advice of non-delivery reply charge, collected under the conditions laid down in article **29**, paragraph 2;

g advice of arrival charge, collected by the administration of destination, when its legislation obliges it to do so and when that administration does not undertake delivery to the place of address, in respect of any advice (the first as well as subsequent advices) delivered to the address of the addressee (5), except for the first advice of express parcels;

h repacking charge, due to the administration of the first of the countries in whose territory a parcel has to be repacked in order to protect its contents; it shall be recovered from the addressee or, where appropriate, the sender;

i poste restante charge, collected by the administration of destination at the time of delivery, on every parcel addressed "poste restante";

j storage charge on every parcel which has not been taken possession of within the prescribed periods, whether the parcel is addressed "poste restante" or to a place of address. (6) This charge 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;

k advice of delivery charge, when the sender asks for an advice of delivery in accordance with article **28**;

l advice of embarkation charge, collected, in relations between countries whose administrations agree to provide this service, when the sender requests that an advice of embarkation be sent to him;
m inquiry charge (7), mentioned in article **39**, paragraph 3;
n charge for a request for withdrawal from the post or alteration **or correction** (8) of address;
o charge for cover against risks of force majeure, collected by administrations prepared to cover risks of force majeure. (9)

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1) See Prot, art VIII, note 1.

2) New charge adopted by the 1984 Hamburg Congress (II 517, prop 5013.1).

3) When consulted regarding the question whether the adm of origin, to which postal parcels are returned, may be regarded as the adm of destination within the meaning of art 14, b, of the Agr and whether it is entitled to collect the presentation-to-Customs charge (called "customs clearance charge" before the 1974 Lausanne Congress), the IB expressed the opinion that, if the customs regulations required that returned parcels should, without any exception, be subject to customs inspection, nothing would appear to prevent the collection of a presentation-to-Customs charge at the time of delivery. Such measures would, in fact, appertain to internal legislation (1941 Rep, pp 9 and 10).

4) An inquiry opened at the request of the Mexican adm (circ 52/1942) regarding the collection of the delivery charge, or of any other postal charge, on delivery to the sender of a postal parcel addressed to another country and withdrawn from the service at the sender's request without having crossed the frontier of the country of origin. Eighteen adms replied that they collected such charges, while eight stated that they did not.

5) The wording does not prohibit the use of a postcard; moreover, this is a matter apparently concerning internal legislation (1934 Cairo Congress, I 1358).

6) Any storage charges required by Customs are non-postal costs payable by the addressee (1939 Buenos Aires Congress, II 553).

7) This charge must be collected regardless of the specific aspect of the inquiry (inquiry regarding the parcel itself or inquiry regarding the COD amount) (1924 Stockholm Congress, II 472).

8) Amendment made by the 1989 Washington Congress to bring the text into line with the title of art 38 of the Agr.

9) This charge complies with the formal opinion expressed by the ELC at the Brussels Congress (prop 1060), committing the Union to extend cover against risks of force majeure and to ensure that a larger number of countries were prepared to assume liability for any risks arising from force majeure (1964 Vienna Congress, II 1223, prop 7057).

## Article **15**
## Scale (Prot VIII)

1 The scale of supplementary charges defined in article **14** shall be fixed in accordance with the following table (1):

| Description of charge | Amount | Observations |
|---|---|---|
| 1 | 2 | 3 |
| a Charge on items posted outside normal counter opening hours (2) | Same charge as in internal service | |
| b Presentation-to-Customs charge collected by the administration of origin (3) | 0.65 SDR at most per parcel | |
| c Presentation-to-Customs charge collected by the administration of destination | 3.27 SDR at most per parcel | |
| d Charge for collection from the sender's address | Same charge as in internal service | |
| e Delivery charge | Same charge as in internal service | In the event of return to sender (article **30**, paragraph 3, b) or redirection (article **32**, paragraph 6, c), the amount passed on may not exceed 0.98 SDR (4) |
| f Advice of non-delivery reply charge | 0.65 SDR at most (5) | If, following delivery of the advice of non-delivery, new instructions have to be transmitted by telegraph, the sender or the third party shall pay, in addition, the telegraph charge |
| g Advice of arrival charge | At most, a charge equal to that for an ordinary letter of the first weight step in the internal service | |
| h Repacking charge | 0.33 SDR at most per parcel | This charge may be collected once only in the course of transmission from beginning to end |
| i Poste restante charge | Same charge as in the internal service | In the event of return to sender (article **30**, paragraph 3, b) or redirection (article **32**, paragraph 6, c), the amount passed on may not exceed 0.49 SDR (4) |

| Description of charge | Amount | Observations |
|---|---|---|
| 1 | 2 | 3 |
| j Storage charge | Same charge as in the internal service | In the event of return to sender (6) (article **30**, paragraph 3, b) or redirection (article **32**, paragraph 6, c), the amount passed on may not exceed 6.53 SDR (4) (7) |
| k Advice of delivery charge | 0.98 SDR at most (8) | |
| l Advice of embarkation charge | 0.36 SDR at most per parcel | |
| m Inquiry charge | 0.65 SDR at most | If the sender has asked for his request to be sent by telegraph **or by any other means of telecommunication**, the telegraph charge **or the charge for the other means of telecommunication** (9) shall be added to this charge |
| n Charge for a request for withdrawal from the post or alteration **or correction** (10) of address | 1.31 SDR at most | The following shall be added to this charge: the **appropriate charge** if the request is to be sent by **telecommunication** (9) (11) (12) |
| o Charge for cover against risks of force majeure | a amount laid down in article **12**, paragraph 2, in respect of insured parcels<br>b maximum of 0.20 SDR per parcel in respect of uninsured parcels | |

2 Administrations which, in their internal service, collect supplementary charges higher than those fixed in paragraph 1, may, when they retain the whole amount of such charges, apply the internal service rate in the international service. (4)

1) The max rates of the supplementary charges for reforwarding or return provided for in this art are intended as a guide to which adms can refer to fix their tariffs (1984 Hamburg Congress, II 516; props 5014.3 and 5014.4; see also Prot, art VIII, note 1).

2) New charge adopted by the 1984 Hamburg Congress (II 517; prop 5014.6).

3) The supplementary charge b, was increased by the 1984 Hamburg Congress to cover the increase in service costs (II 517; prop 5014.8).

4) See Prot, art VIII, note 1.

5) See Det Regs, art 136, note 3, and art 137, note 1.

6) See art 30, note 2.

7) Parcels returned to origin or redirected are often refused when very heavy charges are payable on them and the adm of origin has to stand the cost. Limiting the storage charge in such cases is aimed at avoiding such refusals (1979 Rio de Janeiro Congress, II 1641, prop 5014.4).

8) The 1974 Lausanne Congress abolished requests for advices of delivery made after posting and accepted the principle of the return of advices of delivery by the quickest route (air or surface) without surcharge (II 1406, prop 5014.7).

9) See art 4, note 9.

10) See art 14, note 8.

11) The request by post is always sent registered. The registration charge is included in the basic charge; it must not be deducted when the request is forwarded by telegraph or by any other means of telecommunication (1969 Tokyo Congress, II 1561, prop 6073).

12) Collection of the air surcharge if the request is sent by air was abolished by the 1979 Rio de Janeiro Congress, since the request has to be sent by the quickest route (air or surface) (II 1652, prop 5014.3).

## Article **16**
## Fees (Agr 7) (1)

1 Administrations of destination shall be authorized to collect from addressees all fees, especially customs duty (2), payable on the items in the country of destination.

2 Administrations shall undertake to seek from the competent authorities in their countries cancellation of the fees (including customs duty) (3) in the case of a parcel:
a returned to sender; (4)
b redirected to a third country;
c abandoned by the sender;
d lost in their service or destroyed because of total damage of the contents;
e rifled or damaged in their service.
In these cases, cancellation of fees shall be requested only to the value of the missing contents or the depreciation suffered by the contents.

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1) See part I (charges and fees), note 1, and Prot, art VIII.

2) See in this connection circ 94/1969 in which two CCC recommendations were brought to adms' attention, one concerning the free admission of certain gift consignments and the other on the application of a flat rate assessment system to goods sent in small consignments to private individuals. See also circ 228/1983 relating to the CCC recommendation on the free admission of gift consignments.

3) Information on this subject appears in the Compendium (Parcels).

4) See art 30, note 2.

# Chapter III

# Free postage

## Article **17**
Service parcels (Agr 2, 4, 55; Det Regs 110) (1)

1 Parcels relating to the postal service shall be exempt from all postal charges (2) if exchanged between the following:
a postal administrations;
b postal administrations and the International Bureau;
c post offices of member countries;
d post offices and postal administrations.

2 Air parcels, with the exception of those originating from the International Bureau, shall be exempt from air surcharges. (3)

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1) At the 1906 Rome Congress and at the 1924 Stockholm Congress, it was specified that, in the matter of free postage, the word "correspondence" denoted not letters alone but any postal item whatsoever. At the 1957 Ottawa Congress, the term was replaced by "items of correspondence", which has now been replaced by "letter-post items". Consequently, this art fills a gap which would exclude postal parcels from free postage and provides for bulky items not conveyable by letter post (1964 Vienna Congress, II 1215, prop 7051; see also art 2, para 3).

2) The word "postal" is maintained in order to avoid any misinterpretation (1964 Vienna Congress, II 1320).

3) The air conveyance dues are payable by the adm of origin (1969 Tokyo Congress, II 1542, prop 6076).

## Article **18**
Parcels of prisoners of war and civilian internees (Agr 4, 55; Det Regs 110) (1) (2)

Prisoner-of-war and civilian (2) internee parcels shall be exempted from all charges in accordance with article **17** of the Convention. (3) (4) However, air parcels shall be subject to air surcharges as laid down in article **9** of this Agreement. (5)

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1) Doubts having been expressed as to whether such parcels could be dispatched express or as cumbersome, fragile, insured parcels, etc, the IB expressed the opinion that in principle the provisions of the Agr in no way excluded such categories of parcels. The only reservation was that it seemed equitable to exempt adms from any responsibility for a service which they provided free of charge, and that prisoner-of-war parcels did not give rise to any compensation in the event of loss, theft or damage.
Nevertheless, although the admission of the different categories of postal parcels was to be taken as a general rule, a country might for practical reasons be unable to accept some categories of parcels, whether outward or inward, or might be able to accept them only up to a given max weight (1941 Rep, p 9). Even the loss of an insured parcel would not involve the responsibility of adms. Senders could have the items insured by private companies (1924 Stockholm Congress, II 502).

2) See also art 4, note 6.

3) At the 1947 Paris Congress, bearing in mind the fact that the existing provisions had been inspired by the ideals of human solidarity, Uruguay proposed an additional para reading:
"Every administration undertakes to approach the appropriate authorities in its country with a view to ensuring the cancellation of non-postal charges on parcels addressed to the prisoners of war and combatants who have found shelter or been interned referred to in the present article, when the contents of such parcels consist of food, tobacco, medicaments, clothing, handworkers' or artists' working tools, etc, or articles for their personal use, provided they do not represent a high value, either in quality or quantity, and so long as they are obviously intended for the personal consumption or use of the addressees." (I 315.)
From the legal standpoint the proposal was not admissible because it related to charges made on prisoner-of-war parcels by non-postal bodies; it was, however, expressed by Comm 2 as a unanimous formal opinion (II 673).
An identical formal opinion was expressed by the 1952 Brussels Congress (II 798, prop 1681, Uruguay).

4) See reference text reproduced at the end of this vol.

5) Clarification made by the 1984 Hamburg Congress.

# Part II

# Operation of the service

## Chapter I

## Conditions of admission (1)

1) In resolution C 15/1989 (reproduced at the end of this vol) the 1989 Washington Congress, to facilitate understanding of the conditions of acceptance and supplementary services, for both the customers and the operational services, and to safeguard the postal share of the market, called on adms to admit for all categories of postal parcel a max weight of at least 20 kg, the limits of size laid down in art 21, para 1, of the Agr, insured parcels, express parcels, personal correspondence in parcels, advice of delivery, and dispatch of an advice of non-delivery (II Congress C 7 – Rep 2; prop 5000.1).

### Section I

### General conditions of admission

#### Article **19**
#### Conditions of acceptance (Det Regs 103 to 110) (1)

Provided that the contents do not come within the prohibitions listed in article **20** or within the prohibitions or restrictions applicable in the territory of one or more of the administrations called upon to take part in the transmission, every parcel, to be admitted to the post, shall:

a belong to one of the categories of parcels admitted under the terms of article 4;
b be packed in a manner adapted to the nature of the contents and the conditions of transport;
c bear the names and addresses of the addressee and the sender;
d satisfy the conditions of weight and size fixed by articles 2 and **21**;
e be prepaid in respect of all the charges required by the office of origin, either by means of postage stamps or by any other method authorized by the regulations of the administration of origin.

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1) See art 20, notes.

Article **20**
Prohibitions (Agr 22; Det Regs 105) (1)

The insertion of the following articles shall be prohibited:
a in all categories of parcels:
  i articles which, by their nature or their packing, may expose officials to danger, or soil or damage other parcels or postal equipment;
  ii narcotics and psychotropic substances; (2) however, this prohibition shall not apply to consignments sent for a medical or scientific purpose to countries which admit them on this condition;
  iii documents having the character of current and personal correspondence as well as correspondence of any kind exchanged between persons other than the sender and the addressee or persons living with them, except:
    – one of the documents below, unclosed, reduced to its essential elements and relating solely to the goods being conveyed: invoice, dispatch note or advice, delivery bill;
    – gramophone records, tapes and wires, whether bearing a sound or video recording or not, ADP cards, magnetic tape or other similar media, and QSL cards (3), when the administration of origin considers that they do not have the character of current and personal correspondence and when they are exchanged between the sender and the addressee of the parcel or persons residing with them;
    – correspondence and documents of any kind having the character of current and personal correspondence, other than the foregoing, exchanged between the sender and the addressee of the parcel or persons residing with them, if the internal regulations of the administrations concerned so permit; (4)
  iv live animals, unless their conveyance by post is authorized by the postal regulations of the countries concerned;
  v explosive, flammable or other dangerous substances; (5) (6)

vi radioactive materials. However, administrations may agree among themselves to accept parcels containing these materials either reciprocally or in one direction only. In this case, the radioactive materials shall be made up and packed in accordance with the provisions of the Detailed Regulations and shall be forwarded by the quickest route, normally by air, subject to payment of the corresponding air surcharges. They may be posted only by duly authorized senders; (7)

vii obscene or immoral articles;

viii articles of which the importation or uttering is prohibited in the country of destination; (8)

b in uninsured parcels exchanged between two countries which admit insured parcels: coins, bank notes, currency notes, securities of any kind payable to bearer (9) (10), platinum, gold or silver, whether manufactured or not, precious stones, jewels and other valuable articles. This provision shall not apply when the exchange of parcels between two administrations admitting insured parcels can only be made in transit through the intermediary of an administration which does not admit them. (11) 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, or limit the actual value of these items.

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1) Countries have a right to inspect parcels in transit; the internal regulations are applicable in such a case (1929 London Congress, II 381 and 382). Adms must notify one another, through the intermediary of the IB of any prohibitions or restrictions applying to the entry and transit of parcels in their service (Det Regs, art 101, para 1, h).

2) Following a decision by the 1952 Brussels Congress, the provisions of the UPU Acts relating to narcotics were examined within the framework of cooperation between the UN (Narcotics Comm) and the UPU in this field. So far as the prohibitions are concerned, these provisions were deemed adequate, since the words "and other narcotics" are in no way restrictive and include all substances which are subject to international narcotics control (see 1957 ELC Doc, pp 60 to 63). The terms "opium, morphine, cocaine and other narcotics" were replaced by the new wording which is the one used by the United Nations Division of Narcotic Drugs, particularly since the entry into force on 16 August 1976, of the 1971 Convention on psychotropic substances (1979 Rio de Janeiro Congress, II 1638, prop 5019.3). A list of narcotics placed under international control (abbreviated list) is given in part III of the List of Prohibited Articles (see also Conv, art 41, note 8, reproduced at the end of this vol).

3) QSL cards (acknowledgements of radio contact). These are preprinted cards used by radio amateurs to communicate the result of their observations by completing them with coded manuscript information (see also Conv, Det Regs, art 132, note 5, reproduced at the end of this vol).

4) Section iii was adopted by the 1969 Tokyo Congress (II 1542, 1543, 1555 and 1611, props 6211/Rev and 6028 and Congress – Doc 129/Rev). In this subpara the exceptions to the prohibitions are arranged in ascending order of the restrictions to which they are subject, viz:

a documents admitted in all cases (invoice, dispatch note, etc);

b articles (former Phonopost items, QSL cards, etc) whose insertion in parcels is subject to two conditions: that they do not, in the opinion of the adm of origin, have the character of current and personal correspondence, and that they are exchanged between the sender and the addressee;

c documents having the character of current and personal correspondence whose insertion in parcels is subject to the following conditions: that they are exchanged between the sender and the addressee, and are admitted by both the adm of origin and adm of destination.

The Compendium (Parcels) indicates whether or not adms admit the insertion in parcels of documents having the character of current and personal correspondence. See also the IB's opinion in the 1966 Rep, pp 63–67, regarding the acceptance at the parcel-post rate of items previously regarded as commercial papers.

5) Since the 1952 Brussels Congress, the UPU has been concerned at the illegal transport of dangerous substances by the post. The ELC and subsequently the EC have issued several recommendations to ensure application of this general prohibition, which is identical with that laid down in the Conv, art 41, reproduced at the end of this vol, particularly with a view to safeguarding the security of aircraft carrying mail (circs 174/1959, 169/1961, 50/1970, 166/1970 and 141/1973). Not only explosive or flammable substances, but also compressed gases, corrosive liquids, oxidizing and toxic substances and any other substances which could endanger human life or cause damage are to be considered dangerous.
On this point, IATA expressed its disquiet at the fact that mail inserted in mailbags could contain dangerous articles without it being possible to check them and suggested that the relevant UPU regulations be brought into line with its own. Aware of the importance and urgency of the problem, the EC decided (resolution CE 2/1978) to include the "List of definitions of dangerous articles drawn up by IATA" in the List of Prohibited Articles as part IV (pink sheets); in addition, it approved informative measures (slides, poster, booklet), prepared in cooperation with WHO and IATA for the benefit of users and postal officials, for the effective application of the regulations (cf IB circ letters 3410.8(C)1500 of 4 December 1979 and 3410.8(C)178 of 8 February 1980). Lastly, in accordance with resolution CE 1/1983, the IATA list has been replaced by the ICAO list. As regards the Parcels Agr, the possibility of inserting in parcels, optionally and conditionally, firing caps and loaded metal cartridges for portable firearms, non-explosive parts of artillery fuses and matches, flammable films, raw celluloid or articles made of celluloid, was abolished (1979 Rio de Janeiro Congress, II 1639, prop 5019.2/Rev 1). In addition, a warning against the insertion of dangerous articles into postal items was introduced on the back of the C 2/CP 3 customs declaration (1979 Rio de Janeiro Congress, II 1588, prop 2902.1 and Congress – Doc 24; see also Conv, art 41, note 9 and Conv, art 82, note 5, reproduced at the end of this vol).

6) In decision C 56, the 1974 Lausanne Congress instructed the CCPS to undertake a study on the protective measures to be applied in order to ensure the safety of postal staff involved in handling items presumed to be dangerous (booby-trapped items). The results of a preliminary inquiry opened on this subject by circ 252/1972 were published in circs 253/1972, 26/1973, 38/1973, 39/1973 and 259/1973. The actual CCPS study was the subject of a confidential report to adms (cf IB circ letter 4435–312.1(D)80 of 17 January 1978) and recommendation C 76 adopted by the 1979 Rio de Janeiro Congress (II 1344 and 1345, prop 0004 and Congress – Doc 16).

7) To make the regulations realistic, the 1974 Lausanne Congress formally admitted the conveyance of radioactive materials in parcels (II 1397, prop 5019.3; see also Conv, art 23, note 2, reproduced at the end of this vol).
Other provisions relating to the conveyance of radioactive materials: Det Regs, art 105, para 1, h and art 110, para 9.
By resolution C 64, the 1974 Lausanne Congress instructed the EC to study the possibility of deleting the requirement according to which items containing radioactive materials may be posted only by duly authorized consignors. Consulted about this, adms, concerned for guaranteeing the safety of postal employees and preventing any abuses by users, favoured keeping the requirement. The EC shared this view which was approved by the 1979 Rio de Janeiro Congress (II 119, Congress – Doc 1, para 21; see also Conv, art 23, note 3, reproduced at the end of this vol).

8) Information on this subject is given in the List of Prohibited Articles.

9) Including bearer securities (1929 London Congress, II 381).

10) One adm having asked if postage stamps, whether cancelled or not, could be sent in a postal parcel, the IB expressed the view that there seemed to be no reason to exclude them (1895 Rep, p 8; see also Conv, art 41, notes 4 and 5, reproduced at the end of this vol).

11) See Conv, art 1, para 6, reproduced at the end of this vol.

Article **21**
Limits of size (Agr 22; Det Regs 127) (1)

1 Except where parcels are considered as cumbersome (2) by application of article 4, paragraph 2, e, parcels sent by surface or air (3) shall not exceed 1.50 metres for any one dimension or 3 metres for the sum of the length and the greatest circumference measured in a direction other than that of the length.

2 Administrations which cannot accept, for any parcel or for air parcels only, the sizes prescribed in paragraph 1, may adopt instead the following dimensions: 1.05 metres for any one dimension, 2 metres for the sum of the length and the greatest circumference measured in a direction other than that of the length. (4) (5)

3 Whatever their mode of conveyance, parcels shall not be smaller than the minimum size prescribed for letters in article **20**, paragraph 1, of the Convention. (6)

4 Administrations which accept the dimensions fixed in paragraph 1 may collect, for parcels whose dimensions exceed the limits specified in paragraph 2 but which weigh less than 10 kg, a supplementary charge equal to that provided for in article **13**.

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1) By resolution C 69, the 1974 Lausanne Congress instructed the EC, in cooperation with the CCPS, to re-examine the provisions governing the size limits of postal parcels. The conclusions of the study were unanimously in favour of the status quo and were approved by the 1979 Rio de Janeiro Congress (Congress – Doc 1, para 48).

2) See art 4, note 3.

3) The words "or air" were added at the 1969 Tokyo Congress to bring the dimensions of air parcels into line with those of ordinary parcels, in view of the constantly increasing capacity of aircraft (II 1544 and 1545, prop 6266).

4) This optional provision, which appeared previously as a special reservation in the Prot, was incorporated – with a slight amendment – in the Agr by the 1969 Tokyo Congress (II 1544 and 1545, prop 6029; see also Prot, preamble, note 3). The Compendium (Parcels) indicates, for each adm, the dimensions admitted for air parcels and the dimensions above which parcels are considered cumbersome.

5) Adms may fix max dimensions of air parcels intermediate between those prescribed in paras 1 and 2; these dimensions are indicated in the Compendium (Parcels) (1969 Tokyo Congress, II 1544 and 1545, prop 6266).

6) See reference text reproduced at the end of this vol.

Article **22**
Treatment of parcels wrongly accepted (Agr 34)

1 When parcels containing articles mentioned in article **20**, a, have been wrongly admitted to the post, they shall be dealt with according to the legislation of the

country of the administration establishing their presence; however, parcels containing articles listed in the same article under a, ii and v to vii shall in no circumstances be forwarded to their destination, delivered to the addressees or returned to sender. (1) (2)

2 In the case of the insertion of a single item of correspondence prohibited within the meaning of article **20**, a, iii, this correspondence shall be treated in the manner prescribed in article **32** of the Convention (3), and the parcel shall not be returned to sender on this account.

3 When an uninsured parcel exchanged between two countries which admit insurance and containing articles listed in article **20**, b, is received by the administration of destination (4), that administration shall be authorized to deliver the parcel to the addressee under the conditions prescribed by its regulations. If they do not permit delivery, the parcel shall be returned to sender by application of article **34**.

4 Paragraph 3 shall be applicable to parcels of which the weight or the dimensions appreciably exceed (5) the permitted limits; however, these parcels may, where appropriate, be delivered to the addressee if he first pays any charges which may be due. (6)

5 When a wrongly admitted parcel or part of its contents is neither delivered to the addressee nor returned to sender, the administration of origin shall be notified without delay how the parcel has been dealt with **by means of a form conforming to the specimen C 33/CP 10bis annexed to the Detailed Regulations of this Agreement**. (7) This notification shall clearly indicate the prohibition under which the parcel falls or the articles which gave rise to its seizure. (8)

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1) See art 30, note 2.

2) Should the addressee of a parcel refuse to pay the charge for letters wrongly enclosed in the item, his refusal must not entail the return of the parcel to sender.
For the rest (treatment of inserted letters) the internal legislation applies (1934 Cairo Congress, I 1359).

3) See reference text reproduced at the end of this vol.

4) Possible intervention by transit adm has been abolished because of the difficulty, if not impossibility, for them of establishing whether a parcel contains such articles (1979 Rio de Janeiro Congress, II 1639, prop 5021.1).

5) There must be serious reasons for the return of a parcel to origin (1929 London Congress, II 382 and 383).

6) In the case of a parcel the COD charge of which exceeds the max admitted, the country of origin is at fault and it would be unduly harsh to make the sender or the addressee bear the consequences (1929 London Congress, II 381).

7) Form created by the 1989 Washington Congress (II Congress/C 7 – Rep 4, prop 5021.1, and C 4 – Rep 2, props 2933.91 and 2543.91; see also Det Regs, art 139, note 1, and Conv, art 41, note 18, reproduced at the end of this vol).

8) The text of this para was rewritten by the 1984 Hamburg Congress to make it quite clear that if the parcel is actually handed over to the addressee without its contents or with only part of its contents because of the application of the legislation of the country of destination, it is still useful for the adm of origin to know about such interventions (II 540, prop 5021.3).

## Article **23**
## Sender's instructions at the time of posting (Agr 36; Det Regs 136, 137) (1)

1 At the time of posting of a parcel, the sender shall be required to indicate the treatment to be given in case of non-delivery.

2 One of the following instructions only may be given:
a dispatch (2) of an advice of non-delivery to the sender;
b dispatch (2) of an advice of non-delivery to a third party residing in the country of destination;
c return forthwith to the sender by surface or air;
d return to the sender by surface or air at the end of a given period, which may not exceed the regulation period of retention in the country of destination; (3)
e delivery to an alternative addressee, if necessary after redirection by surface or air (and subject to the special provisions set out in article **29**, paragraph 1, c, ii);
f redirection of the parcel by surface or air, for delivery to the original addressee;
g abandonment of the parcel by the sender.

3 Parcels may be returned without advice if the sender has given no or contradictory instructions.

4 Administrations shall have the option of not accepting the instructions referred to in paragraph 2, a and b, when their legislation or regulations do not so permit. (4)

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1) The 1974 Lausanne Congress deleted the instruction "sale of the parcel at entire risk of the sender"; (II 1398 and 1399, prop 5022.1).

2) See Det Regs, art 136, notes 2 and 3.

3) The relevant details are given in the Compendium (Parcels).

4) This optional provision, which formerly appeared as a special reservation in the Prot, was incorporated in the Agr by the 1969 Tokyo Congress (II 1538, prop 6030). The countries applying it are indicated in the Compendium (Parcels) (see also Prot, preamble, note 3).

Section II

Special conditions of admission

Article **24**
Insured parcels (Agr 12; Det Regs 108, 109) (1)

1 The following rules shall govern the insured value of insured parcels:
a postal administrations:
  i each administration may limit the insured value, so far as it is concerned, to an amount which may not be less than **3266.91 SDR** (2) or the amount adopted in its internal service if it is less than **3266.91 SDR**; (3)
  ii in the service between countries whose administrations have adopted different limits, all parties shall observe the lowest limit;
b senders:
  i may not insure the parcel for a value exceeding the actual value of its contents;
  ii may insure part only of the actual value of the contents of the parcel.

2 Fraudulent insurance for a value greater than the actual value of the parcel shall be liable to the legal proceedings prescribed by the legislation of the country of origin.

3 A receipt shall be handed over free of charge to every sender of an insured parcel at the time of posting.

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1) The 1964 Vienna Congress instructed the EC in its resolution C 29, b, "to inquire into the possibilities of laying down uniform standards for the conveyance by air of insured items" (II 1133 and 1325, prop 5091). To give effect to the work done by the EC in accordance with that resolution, the 1969 Tokyo Congress adopted formal opinion C 70 on the air conveyance of insured items (III 755). In turn, the 1974 Lausanne Congress adopted recommendation C 63 (III 887 to 893) advocating general security measures to be taken at exchange offices and airports.

2) This sum was raised from 7000 fr (2286.83 SDR) to 3266.91 SDR by the 1989 Washington Congress (II Congress/C 7 – Rep 2, prop 5023.1).

3) This derogation from the limit fixed which had previously been the subject of a special reservation in the Prot, was incorporated in the Agr by the 1969 Tokyo Congress (II 1545, prop 6031). The adms applying it are indicated in the Compendium (Parcels) (see also Prot, preamble, note 3).

Article **25**
Parcels for delivery free of charges and fees (Agr 11; Det Regs 110, 111)

1 A parcel for delivery free of charges and fees may be accepted only if the sender undertakes to pay the full amount which the office of destination would be

entitled to claim from the addressee as well as the commission charge prescribed in article **11**.

2 The office of origin may require the payment of a sufficient deposit. (1)

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1) The sender of a parcel for delivery "free of charges" is responsible for the payment of all postal or non-postal charges levied on the item at destination; consequently, senders are not free to pay customs duty alone, to the exclusion of other charges (1929 London Congress, II 409).

# Chapter II

# Conditions of delivery and redirection

## Section I

## Delivery (1)

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1) The 1979 Rio de Janeiro Congress adopted formal opinion C 61 in which adms are asked to inform the IB about the procedures for delivering ordinary and insured parcels in their country, for publication in the "Compendium of Information on the organization and internal services of postal administrations".

### Article **26**
### General rules for delivery. Periods of retention (Agr 27; Det Regs 133 to 135)

1 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 (1), be advised of their arrival without delay.

2 When an addressee has been notified of the arrival of a parcel, it shall be held at his disposal for a fortnight or, at most, for a month from the day after that on which the advice is sent; exceptionally, this period may be increased to two months if the regulations of the administration of destination permit. (2) The retention period prescribed in this paragraph shall be renewed if the sender has, in accordance with article **29**, paragraph 1, a, c, ii, and d, requested that the addressee be advised again.

3 When it has not been possible to notify an addressee of the arrival of a parcel, the period of retention shall be that prescribed by the regulations of the country of

destination; this period, applicable also to parcels addressed poste restante, shall start to run from the day after the day from which the parcel is held at the addressee's disposal (3) and shall not, as a general rule, exceed two months; the parcel shall be returned to the sender (4) within a shorter period if the sender (4) has so requested in a language known in the country of destination. (5)

4 The periods of retention prescribed in paragraphs 2 and 3 shall be applicable, in the case of redirection, to parcels to be delivered by the new office of destination.

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1) The words "unless this is impossible" apply in principle to parcels sent poste restante and to parcels for an addressee living in an area where there is no mail delivery service (1979 Rio de Janeiro Congress, II 1639, prop 5025.3).

2) Particulars concerning the periods of retention are given in the Compendium (Parcels).

3) The time necessary for customs control on importation is not included in the period of retention (1979 Rio de Janeiro Congress, II 1639, prop 5025.4).

4) See art 30, note 2.

5) In his own interest, the sender should facilitate the work of the adm of destination in his choice of this language, but the adm of destination, desirous of satisfying the public, should not overrate the difficulties encountered in this regard (1929 London Congress, II 384 and 385).

## Article **27**
Delivery of express parcels (Agr 10; Det Regs 117, 141)

1 The delivery by special messenger of an express parcel or of the advice of arrival shall be attempted once only. (1)

2 If the attempt is unsuccessful the parcel shall cease to be considered as express.

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1) The terms of the Agr allow adms of destination full latitude, in accordance with the rules governing their internal service, to collect a charge when an express parcel presented at the original address is sent express to another at the sender's request (1939 Buenos Aires Congress, II 553; see also art 10, para 3).

## Article **28**
Advice of delivery (Agr 14, 15; Det Regs 110, 135, 145)

The sender of a parcel may request an advice of delivery under the conditions laid down in article **55** of the Convention. (1) However, administrations may restrict this service to insured parcels if such restriction is provided for in their internal service. (2) (3)

1) See reference text reproduced at the end of this vol.

2) See art 15, note 8.

3) In 1979 Rio de Janeiro Congress formal opinion C 10, adms are requested to make a general practice of using the advice of delivery for ordinary parcels (II 1640, prop 5000.4).

## Article **29**
## Non-delivery to the addressee (Agr 31; Det Regs 136, 137)

1 After receipt of the advice of non-delivery mentioned in article **23**, paragraph 2, a and b, the sender, or the third party concerned, shall give his instructions, which may only be those authorized by the said article, paragraph 2, c to g, and, in addition, one of the following:

a notify the addressee once more;

b correct or complete the address;

c where a cash-on-delivery parcel is concerned:

- i deliver it to a person other than the addressee against payment of the amount indicated;
- ii deliver it to the original addressee or to another addressee without collecting the COD charge or against payment of an amount less than the original amount;

d deliver the parcel free of charges and fees either to the original addressee or to another addressee.

2 The charge mentioned in article **14**, f, for sending the instructions referred to in paragraph 1 may be collected either from the sender or from the third party; when the advice relates to several parcels posted at the same time at the same office by the same sender and addressed to the same addressee the charge shall be collected once only. In case of transmission by telegraph **or any other appropriate means of telecommunication**, the **corresponding charge** shall also be collected. (1) (2)

3 Provided that no instructions have been received from the sender or third party, the administration of destination shall be authorized to deliver the parcel to the addressee originally indicated or, where appropriate, to another addressee indicated later, or to redirect the parcel to a new address. After receipt of fresh instructions these alone shall be valid and binding.

1) See Det Regs, art 136, note 3.

2) See art 4, note 9.

Article **30**
Return to sender of undelivered parcels (Agr 34, 35; Det Regs 138) (1) (2)

1 Every parcel which it has not been possible to deliver shall be returned to the sender's country of residence (2):

a immediately if:
   i the sender has requested it in application of article **23**, paragraph 2, c;
   ii the sender (or the third party referred to in article **23**, paragraph 2, b) has made an unauthorized request;
   iii the sender or the third party refuses to pay the charge authorized in article **29**, paragraph 2;
   iv the instructions of the sender, or of the third party, have not achieved the desired result, whether these instructions were given at the time of posting or after receipt of the advice of non-delivery; (3) (4)

b immediately after the expiry:
   i of the period, if any, fixed by the sender in application of article **23**, paragraph 2, d;
   ii of the periods of retention laid down in article **26**, if the sender has not complied with article **23**. In this case, however, the sender may be asked for instructions; (5)
   iii of a period of two months from the dispatch of an advice of non-delivery, if the office which prepared that advice has not received adequate instructions from the sender or the third party, or if these instructions have not been received by that office.

2 **A** parcel shall be returned by **the route normally used for dispatching mails.** (6) It may not be returned by air unless the sender has guaranteed the payment of the air surcharges.

3 Every parcel returned to sender (2) under this article shall be subject to:

a the rates entailed in the further transmission;

b the uncancelled charges and fees which the administration of destination incurs at the time of return to the sender (2), subject to articles **10**, paragraph 2, last sentence, and **15**, paragraph 1, table, column 3, e, i and j. (7)

4 These rates, charges and fees shall be collected from the sender.

5 Parcels returned to the sender and undeliverable to him shall be dealt with by the administration concerned in accordance with its own legislation. (8)

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1) In its resolution C 86, the 1984 Hamburg Congress instructed the CCPS to conduct a comprehensive study on the provisions introducing the concept of "return to sender" and the consequences of their practical application (II 516 and 517, prop 5029.2). A consultation on this subject revealed that most adms (59 out of 73) confirmed the advantages of returning undeliverable parcels to the country of residence of the sender. It therefore seems desirable to maintain the status quo.

2) For a certain number of parcels returned to the office of origin, the country shown in the sender's address is not the one of posting. In the event of non-delivery to the addressee, these parcels are returned to the office of origin with return-to-sender charges in accordance with paragraph 3. To avoid, in the event of successive reforwardings, the accumulation of these charges which are prejudicial to the adm of posting when the parcel is not delivered to the addressee, the 1984 Hamburg Congress considered it necessary, in the case of parcels to be returned to sender, to replace in the text of the Agr and its Det Regs, the terms "Return to origin" or "returned to origin" by "Return to sender" or "returned to sender" and "the administration of origin" or "office of origin" by "the administration of the sender's country of residence" or "office of the sender's place of residence" (II 516 and 517, prop 5029.2; see also note 1 above).

3) The sender may ask to be notified of the non-delivery of a parcel where he gave instructions that, in case of non-delivery to the first addressee, the parcel should be delivered to a second, it being understood that advice of non-delivery should be sent only if the parcel is not delivered to the second addressee, provided of course that such advice was requested by the sender (1929 London Congress, I 1572).

4) When a parcel has been refused by the first addressee, an endeavour must be made to effect delivery to the alternative addressee mentioned in art 23, para 2, e, before returning the parcel to the office of the sender's place of residence (1969 Tokyo Congress, II 1539, prop 6213).

5) In this case it seems more sensible and more in conformity with users' interests to ask the sender for instructions than to return the parcel to origin. It should be noted that the adm of origin may collect the advice of non-delivery charge if such advice has not been requested by the sender (1969 Tokyo Congress, II 1539, prop 6092).

6) Provision revised by the 1989 Washington Congress, since the adm which received the parcel in question does not always use the route followed by the parcel on its outward journey (II Congress/C 7 – Rep 2, prop 5029.1/Rev 2).

7) See Prot, art VIII, note 1.

8) Para introduced by the 1984 Hamburg Congress to enable the sender's country of residence to deal with parcels undeliverable to the sender in accordance with its internal legislation (II 516 and 517, prop 5029.2).

## Article **31**
## Abandonment by the sender of an undelivered parcel (Agr 23, 36)

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. (1) (2)

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1) An inquiry opened in 1931 at the request of the adm of Ecuador. The 45 replies received revealed that in most cases abandoned parcels, the contents of which should not be destroyed, are put up for auction. The proceeds of the sale, after deduction of customs charges, generally are paid to the State, the Relief Fund or the Postal Savings Bank, and seldom to the sender. Moreover, it has been observed that abandoned parcels are usually worthless. Should the proceeds of the sale not cover charges on the parcel, the difference is collected from the sender through the intermediary of the adm of his country of residence.

2) Such parcels may not, however, be returned to the sender.

Section II

Redirection

Article **32**
Redirection (1) due to change of address by the addressee or to alteration **or correction** (2) of an address (Det Regs 140)

1 If an addressee changes his address or if an address is altered **or corrected** (2) under article **38**, a parcel may be redirected either within the country of destination or out of that country.

2 A parcel may be redirected within the country of destination at the request of the sender, at the request of the addressee, or automatically if the regulations of that country permit.

3 A parcel may be redirected out of the country of destination only at the request of the sender or of the addressee; in this case the parcel shall comply with the conditions required for the onward transmission.

4 A parcel may also be redirected under the conditions set out above by air at the request of the sender or the addressee, provided that payment of the air surcharge in respect of the onward transmission is guaranteed.

5 The sender may forbid any redirection.

6 For the first and any subsequent redirection of each parcel, the following may be collected:
a the charges authorized by the internal regulations of the administration concerned for such redirection, in the case of redirection within the country of destination;
b the rates and air surcharges entailed in the onward transmission, in the case of redirection out of the country of destination;
c the charges and fees which the former administrations of destination do not agree to cancel (3), subject to articles **10**, paragraph 2, last sentence, and **15**, paragraph 1, table, column 3, e, i and j. (4)

7 The rates, charges and fees mentioned in paragraph 6 shall be collected from the addressee.

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1) This art implies the obligation of official redirection, to the correct country of destination, of parcels obviously wrongly addressed to another country. In this case, the redirecting country is only entitled to the transit rate (1939 Buenos Aires Congress, II 554).

2) See art 14, note 8.

3) When asked whether customs fines imposed on parcels incorrectly declared to the Customs should be included in the special costs to be borne by the adm of origin in case of abandonment of parcels, the IB replied in the negative (1935 Rep, pp 15 et seq).

4) See Prot, art VIII, note 1.

## Article **33**
Parcels arriving out of course and to be redirected (Det Regs 131)

1 Any parcel arriving out of course as a result of an error on the part of the sender or the dispatching administration shall be reforwarded to its proper destination by the most direct route used by the administration which has received the parcel.

2 Any air parcel arriving out of course shall be reforwarded by air.

3 Any parcel reforwarded in application of this article shall be subject to the rates for forwarding to its proper destination and the charges and fees mentioned in article **32**, paragraph 6, c.

4 These rates, charges and fees shall be collected from the administration responsible for the office of exchange which misdirected the parcel. This administration shall collect them, where appropriate, from the sender. (1)

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1) The addressee of a parcel forwarded out of course should not bear any charges arising from the reforwarding of the parcel to its proper destination (1964 Vienna Congress, II 1228, prop 7084).

## Article **34**
Return to sender (1) of wrongly accepted parcels (Agr 22; Det Regs 138)

1 Any parcel wrongly accepted and returned to sender (1) shall be subject to the rates, charges and fees prescribed in article **30**, paragraph 3.

2 These rates, charges and fees shall be payable by:
a the sender, if the parcel has been wrongly admitted in consequence of an error of the sender (2) or if it falls within one of the prohibitions laid down in article **20**;
b the administration responsible for the error, if the parcel has been wrongly admitted in consequence of an error attributable to the postal service. In this case the sender shall be entitled to a refund of the charges paid.

3 If the rates which have been allocated to the administration returning the parcel are insufficient to cover the rates, charges and fees mentioned in paragraph 1, the outstanding charges shall be recovered from the administration of the sender's country of residence. (1)

4 If there is a surplus, the administration which sends back the parcel shall return the balance of the rates to the administration of the sender's country of residence (1) for refund to the sender. (1)

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1) See art 30, note 2.

2) See Det Regs, art 136, note 5.

Article **35**
Return to sender due to suspension of a service (Det Regs 138)

The return of a parcel to the sender (1) due to the suspension of a service shall be free of charge; the unallocated rates collected for the outward journey shall be credited to the administration of the sender's country of residence (1) for refund to the sender.

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1) See art 30, note 2.

# Chapter III

# Special provisions

Article **36**
Non-compliance by an administration with given instructions (Agr 23)

1 When the administration of destination or an intermediate administration has not complied with the instructions given either at the time of posting or subsequently, it shall bear the conveyance charges (outward and return) and any other charges or fees which have not been cancelled; nevertheless, the charges paid for the outward journey shall remain the responsibility of the sender if he declared, either at the time of posting or subsequently, that in the event of non-delivery he would abandon the parcel.

2 The administration of the sender's country of residence (1) shall be authorized automatically to bill the charges referred to in paragraph 1 to the administration which has not complied with the instructions given and which, although duly informed, has allowed **three** (2) months to pass from the date on which it was informed without finally settling the matter or without informing the administration of the sender's country of residence (1) that the non-compliance appeared to be due to force majeure or that the parcel had been detained, seized or confiscated in accordance with the internal regulations of the country of destination.

1) See art 30, note 2.

2) Period shortened from 5 to 3 months by the 1989 Washington Congress to reduce customer waiting time (II Congress/C 7 – Rep 2, prop 5035.1).

## Article **37**
Parcels containing items whose early deterioration or decay is to be feared (Det Regs 143)

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

## Article **38**
Withdrawal from the post. Alteration or correction of address (Agr 14, 15; Prot X; Det Regs 112, 142)

1 The sender of a parcel may, under the terms of article **38** of the Convention (1), ask for it to be returned or for its address to be altered, provided that he guarantees payment of the amounts due for any onward transmission under articles **30**, paragraph 3, and **32**, paragraph 6. (2)

2 However, administrations shall have the option of not accepting the requests referred to in paragraph 1 when they do not accept them in their internal service. (3)

1) See reference text reproduced at the end of this vol.

2) See art 15, notes 6 and 7, and art 40, note 3.

3) This optional provision, which formerly appeared as a special reservation in the Prot, was incorporated in the Agr by the 1969 Tokyo Congress (II 1545 and 1546, prop 6033). The adms applying it are indicated in the Compendium (Parcels) (see also Prot, preamble, note 3).

## Article **39**
Inquiries (Det Regs 144, 145) (1)

1 Every administration shall accept inquiries relating to any parcel posted in the service of another administration.

2 Inquiries from users shall be entertained only within a period of one year from the day after that on which the parcel was posted. (2)

3 Unless the sender has paid in full the advice of delivery charge prescribed in article **14**, k, each inquiry shall be subject to the collection of an "inquiry" charge at the rate laid down in article **15**, m.

4 Separate inquiries shall be made for uninsured and insured parcels. If the inquiry related to several parcels of the same category posted at the same time at the same office by the same sender and addressed to the same addressee and sent by the same route, the charge shall be collected once only.

5 The inquiry charge shall be refunded if the inquiry has been occasioned by a service error.

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1) The 1974 Lausanne Congress abolished requests for information, which are now assimilated to inquiries (II 1406, prop 5038.1).

2) The 1979 Rio de Janeiro Congress rejected, after lengthy discussion, a prop designed to lay down a min period which must elapse before an inquiry can be accepted (II 1646 and 1647, prop 5038.2).

# Part III

# Liability (1) (2) (3) (4)

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1) **Background note**

The provisions governing liability cover both the liability of the postal service as a whole to the sender, and the right of claim on the adm at fault exercisable by the adm which actually indemnified the sender. They were originally based on the provisions relating to liability in the event of loss or theft previously adopted in the Agr for the exchange of insured letters (1880 Paris Conf, pp 38 and 39). This explains why liability for damage at first received but passing consideration. No provision deals as yet with the special case of damage due to the very nature of the item, either because of contents liable to deteriorate or fragile wrapping. The extent of liability was limited to "the actual amount of loss or damage, so long as the indemnity does not exceed 15 fr". Insured value was not yet admitted. Not until the 1885 Lisbon Congress was the optional sending of insured parcels, even those for cash on delivery up to 500 fr admitted. The same Congress increased the indemnity to 25 fr for ordinary parcels (15 fr when parcels were admitted only up to the limit of 3 kg), and the 1897 Washington revision applied this amount as a uniform rate to all ordinary parcels. Moreover, it was pointed out that no indemnity was due where damage was caused by error or neglect on the part of the sender or where it arose from the very nature of the article. The 1920 Madrid Congress fixed the max indemnity at 10 fr for a parcel weighing up to 1 kg, 25 fr per parcel above 1 kg up to 5 kg, and 40 fr per parcel above 5 kg up to 10 kg. Notwithstanding the postal rule that an addressee has no personal right in respect of an item, the same Congress laid down that the addressee was entitled to an indemnity where he made reservations on taking delivery of a parcel which had been tampered with or damaged. The 1924 Stockholm Congress completed the list of exceptions authorizing the postal service to decline liability. The 1929 London Congress fixed the max indemnity at 55 fr per parcel above 10 kg up to 15 kg, and at 70 fr per parcel above 15 kg up to 20 kg. The 1934 Cairo Congress introduced the concept of sender liability. The 1939 Buenos Aires Congress interpolated the max indemnity of 15 fr per parcel above 1 kg up to 3 kg. The 1969 Tokyo Congress increased the max indemnity to 15, 25, 40, 60, 80 and 100 fr respectively for parcels weighing 1, 3, 5, 10, 15 and 20 kg. The 1974 Lausanne Congress fixed a uniform

indemnity of 40 fr for parcels up to 5 kg, and also introduced the option for adms to apply, in their reciprocal relations, a max indemnity of 100 fr per parcel irrespective of its weight. The 1984 Hamburg Congress raised the 1979 Rio de Janeiro rates by 50 percent.

2) The 1964 Vienna Congress applied itself to bringing the structure and text of this chapter into line with the similar chapter in the Conv in order to ensure the uniform development and interpretation of the provision governing liability (II 1231, props 7261 to 7267).

3) Claim by the adm liable to the payment of an indemnity against staff at fault: this question is not dealt with either in the Agr or in the Det Regs. In this context, however, the 1939 Buenos Aires Congress expressed the following formal opinion: "In view of the working conditions prevailing in post offices and considering that as a result of these conditions loss, pilfering and damage to postal items as well as other irregularities occurring during handling of such items are in most cases inevitable occurrences due to service conditions, the 1939 Buenos Aires Congress expresses the formal opinion that administrations should take these conditions into account when assessing the responsibility of staff handling postal items." (I 73, II 70, 71 and 557.)

4) See Prot, preamble, note 4.

## Article **40**
## Principle and extent of liability of postal administrations (Agr 58; Prot XII, XIII)

1 Postal administrations shall be liable for the loss of, theft from or damage to parcels, (1) (2) (3) (4) (5) except as provided for in article **41**. Their liability shall be as binding for parcels conveyed à découvert as for those forwarded in closed mails.

2 Administrations may undertake to cover also risks which may arise from a case of force majeure. They shall then be liable towards senders of parcels posted in their country for loss, theft or damage due to a case of force majeure occurring at any time during transmission of the parcels, including redirection or return to sender. (6) (7)

3 The sender shall be entitled to an indemnity corresponding, in principle, to the actual amount of the loss, theft or damage; consequential losses or loss of profits shall not be taken into consideration. (8) However, this indemnity may in no case exceed:

a for insured parcels, the amount of the insured value in gold francs or SDRs; (9) in case of redirection or return to sender (7) by surface of an insured air parcel, liability shall be limited, for the second journey, to that applicable to parcels sent by that route. However, administrations of origin may assume responsibility for any loss, theft or damage not covered during the second journey; (10)

b for other parcels, the following amounts (11) (12):
**44.10** SDR per parcel up to 5 kg;
**65.34** SDR per parcel above 5 up to 10 kg;
**88.21** SDR per parcel above 10 up to 15 kg;
**111.07** SDR per parcel above 15 up to 20 kg;
**above 20 kilogrammes, 22.87 SDR per parcel and per step or fraction of 5 kilogrammes.** (11) (13)

4 Notwithstanding paragraph 3, b, administrations may agree to apply, in their reciprocal relations, the maximum amount of **111.07 SDR** per parcel regardless of the weight.

5 The indemnity shall be calculated according to the current price, converted into gold francs or SDRs, of goods of the same kind at the place and time at which the parcel was accepted for conveyance; failing a current price, the indemnity shall be calculated according to the ordinary value of goods whose value is assessed on the same basis.

6 When an indemnity is due for the loss, total theft or total damage of a parcel, the sender or, by application of paragraph 8, the addressee shall also be entitled to repayment of the charges paid (14) with the exception of the insurance charge; the same shall apply to items refused by the addressees because of their bad condition if that is attributable to the postal service and involves its liability.

7 When the loss, total theft or total damage 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**. (15)

8 Notwithstanding paragraph 3, the addressee shall be entitled to the indemnity after taking delivery of a rifled or damaged parcel in the cases provided for in article **41**, paragraph 1, a and b. (16)

9 The sender may waive his rights as prescribed in paragraph 3 in favour of the addressee. (17) Conversely, the addressee shall be entitled to waive his rights as prescribed in paragraph 8 in favour of the sender. The sender or the addressee may authorize a third party to receive the indemnity if internal legislation allows this.

10 The administration of origin shall have the option of paying senders in its country, for uninsured parcels, the indemnities prescribed by its internal legislation for items of the same kind, provided that such indemnities are not lower than those laid down in paragraph 3, b. **The same shall apply to the administration of destination when the indemnity is paid to the addressee under the terms of paragraph 8.** (18) However, the amounts laid down in paragraph 3, b, shall remain applicable:

i in the event of recourse against the administration liable;

ii if the sender waives his rights in favour of the addressee (19) **or vice versa**. (18)

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1) It is an established principle that the postal service is not answerable for delay (1929 London Congress, I 1580).

The question of whether adms are answerable for damage when the contents of a parcel have deteriorated owing to delay attributable to an error of the postal service is one that has been discussed in several Congresses. Props to the effect that this liability should be definitely established have however, never been adopted.

From the inception of the Agr up to the 1897 Washington revision, the only exception contained in the Agr and permitting the postal service to decline liability for damage was force majeure. However, if without doubt

the contents of a parcel deteriorated owing to their nature, but also as the result of delay due to a service error, force majeure could hardly be argued. The case was settled by a passage in the minutes which read as follows: "It is understood that the liability of administrations is binding in regard to duly verified damage arising from delays in the dispatch and delivery of postal parcels" (1885 Lisbon Congress, II 272 and 346). Since the postal service is free from any liability where damage is due to the nature of the object, the question has arisen whether the claimant could claim that deterioration due to the nature of the contents had developed or become aggravated only by a delay (in conveyance or delivery) attributable to an error on the part of the postal service. Those who opposed this pointed out that, if liability was to be established, even exceptionally, in respect of delay in delivery, max periods should previously have been established for the delivery, as in the case of goods transported by rail (cf 1924 Stockholm Congress, II 815 and 816; 1929 London Congress, I 1580; II 617 and 618, and 1934 Cairo Congress, I 1364). Nevertheless, at the 1924 Stockholm Congress, the following interpretation was maintained in the minutes:
"In case of a delay arising from an error of the postal service, whether in the conveyance or delivery of the parcel to the addressee, it is understood that administrations are not liable under the terms of article 36, paragraph 1 (now article 40) unless the delay resulted in complete or partial permanent deterioration of the contents of the parcel" (II 816; cf also 1906 Rome Congress, II 404 and 405, and 1920 Madrid Congress, II 824.)
In the absence of any definite provision in the Agr itself, some adms saw in this passage of the minutes merely a moral obligation. They claimed that every country could apply the provisions of its internal regulations in the event of damage due to delay (1929 London Congress, II 617 and 618).
At the 1934 Cairo Congress, a formal opinion was expressed that "the practice at present followed by administrations in case of damage to a parcel arising from a delay attributable to a service error should be maintained" (II 663).

2) An inquiry opened in 1931 at the request of the Swiss adm regarding liability in the event of damage to or complete destruction of cumbersome parcels. From the 25 replies received it emerges that, as a general rule:
- liability is accepted if the supplementary charge for cumbersome parcels was collected, unless the postal service proves that the damage was due to any fault or negligence on the part of the sender;
- liability is rejected if the supplementary charge was not collected unless the sender proves that the damage is attributable to a postal error.

Nevertheless, one third of the adms were of the opinion that liability should be assumed even where the supplementary charge was not collected, unless the postal service proved that there was fault or negligence on the part of the sender.

3) Adms accept no liability as regards execution of the instructions of claimants referred to in Agr, art 38, unless received by the offices concerned within the prescribed time (1939 Buenos Aires Congress, II 550 and 554, props 131 and 527).
In accordance with the principle stated in para 1, the postal service is answerable only for loss, theft and damage. This interpretation therefore introduces an exception to that principle. Adms would also be answerable for the non-execution or tardy execution of any subsequent instructions the entitled person might have given by virtue of Agr, art 38, under the sole proviso that the instructions reached the offices concerned within the prescribed time. In view of the reasons given in support of the prop which gave rise to this interpretation, however, as well as the fact that it represented a departure from an established principle, this additional provision should be interpreted restrictively. Thus, only a serious error on the part of the office of destination would involve the liability of the postal service (cf note 10 below).

4) By recommendation C 70, the 1974 Lausanne Congress, referring to a similar recommendation (C 51) of the 1969 Tokyo Congress, urged adms which had made reservations regarding payment of an indemnity for ordinary parcels (see Prot, arts XII and XIII) to reconsider their position with a view to applying art 40 without restriction, while the Rio de Janeiro Congress considered in decision C 20 that such adms are not entitled to receive compensation for their uninsured parcels lost, stolen or damaged in the services of other member countries which accept liability under article 40.

5) As regards the liability of adms in the case of damage caused to the outer wrapping of a parcel, see IB opinion in Rep 1979, pp 55 and 56.

6) A formal provision adopted by the 1979 Rio de Janeiro Congress to fill a gap, since the option for adms to cover risks arising from a case of force majeure was previously provided for only indirectly, notably by the

existence of a charge for cover against risks of force majeure in art 12, para 2, 14, o, and 15, o, (II 1652, prop 5039.3).

7) See art 30, note 2.

8) Proportionate indemnity. Insurance (Arbit, 1927 Rep, pp 9 et seq; 1927 Journal, pp 93 et seq): An insured parcel with a declared value of 500 fr, containing 70 watches of a total value of 1441 fr, was rifled; on arrival it was found that 23 watches, of a total value of 469 fr, were missing. The question arose whether the entitled person could claim 469 fr or only part of the damage in proportion to the relation between the actual value of the contents according to the formula (500 x 469) : 1441 = 162.73 fr, ie whether the amount of indemnity payable to the claimant should be calculated in accordance with the legal precedents governing insurance. Among other considerations, the fact that adms had the option of fixing a max amount for insured value precluded the latter from being treated as insurance. Consequently, the indemnity should not be reduced according to the loss sustained in direct ratio to the insured value versus the original actual value. However, although the indemnity should not exceed the insured value, and subject to that proviso, it should nevertheless cover the actual and entire value of the goods lost.
Several props that the indemnity should be made proportionate to the actual value of the loss have been submitted, but not adopted. In postal transmission, as in rail transport, the insured value service is not in the nature of an insurance contract but an outright guarantee against actual damage up to the insured value (1920 Madrid Congress, II 483, and 1934 Cairo Congress, I 1351, prop 715).

9) That is to say, the equivalent in the currency of the country of origin corresponding as closely as possible to the insured value in SDR.

10) Optional provision adopted by the 1984 Hamburg Congress to offer the administration of origin the possibility of compensating its senders within the limits of the declaration of value signed when the parcel was posted (II 521, prop 5039.3).

11) The differential amounts of indemnity for parcels up to 1 kg and from 1 to 3 kg were abolished by the 1974 Lausanne Congress, which thus rectified the previous unsatisfactory situation whereby the indemnity paid in certain cases for the loss of a parcel was lower than that paid for the loss of a registered letter (II 1399, prop 5039.2). The same Congress also introduced the option for adms to conclude bilateral or multilateral agreements providing for a max indemnity per parcel regardless of the weight (II 1399, prop 5039.1).
The 1989 Washington Congress increased the 1984 Hamburg rates of indemnity by a uniform 50 percent (II Congress/C 7 – Rep 4, prop 5039.5), and at the same time adopted a rate of 22.87 SDR per weight step or fraction of 5 kg for parcels above 20 kg (II Congress/C 7 – Rep 4, prop 5039.2).

12) The max indemnities fixed by the Agr, which as a ratified State Conv has legal force, should not be confused with similar limits laid down in any private legal contracts. The latter would, it is true, yield in the event of any serious error on the part of the conveyor, whereas, in accordance with legal doctrine, the limits established by a special law could in no event be exceeded, unless the law itself contained a reservation. This principle is applied even to the insured value, since compensation must in no case exceed the insured value. For example, in the event of an insured value lower than the actual value, should any damage caused by a postal error exceed the insured value, the sender may not claim an indemnity higher than the insured value (cf note 7). If he wishes to be covered against the entire risk, he should declare the total value and, as appropriate, take out insurance with private companies in respect of the surplus.
German ruling (Journal No 4/1929, vol 54, pp 111 et seq). In this particular case, there was a violation of an administrative duty and an obvious error on the part of the service concerned. The civil court, however, was unable to pass judgment on the adm, one of the reasons being that an administrative error could not constitute cause for liability outside the provisions of postal legislation. In order to reduce charges as much as possible and avoid costly measures of supervision, etc, this legislation, unlike common law, has limited liability for damage arising during the conveyance of objects handed to the postal service. With this aim, it is therefore exclusive and does not permit the application of other provisions governing civil liability.

13) See art 2, note 5.

14) The adm which collects the inquiry charge refunds it, where appropriate, to the party concerned (1906 Rome Congress, II 379).

15) In view of the difficulty, if not impossibility, of determining the land and sea rates, as well as the air surcharges corresponding to any sector not traversed by the parcel and also the need to improve the public's relations with the Post, the 1984 Hamburg Congress adopted this provision entitling the sender to repayment of all fees and charges, whatever their nature (II 521, prop 5039.5/Rev 1).
The 1989 Washington Congress, however, adopted the principle according to which the insurance charge is not refunded, since it is illogical to reimburse this insurance "premium", irrespective of whether the claim which has arisen has given rise to indemnification or not (II Congress/C 7 – Rep 4, prop 5039.1).

16) Once a parcel has been delivered to the addressee, only the latter is entitled to an indemnity (1969 Tokyo Congress, II 1547 and 1548, prop 6274).
This provision, the form of which was modified by the 1969 Tokyo Congress, and the end of which was supplemented by the 1979 Rio de Janeiro Congress, dates back to the 1920 Madrid Congress (II 498). It was also adopted by the 1924 Stockholm Congress for the Ins Agr, but at the 1929 London Congress it was deleted from the two Agrs (I 579, prop 983, 1552, prop 806, and II 390). It was readopted at the 1934 Cairo Congress for the Parcels Agr (II 660 to 663) and at the 1969 Tokyo Congress for the Ins Agr.
The provision, it is true, entails an exception to the general rule, which does not afford the addressee any direct claim on the postal service in respect of an item addressed to him. This applies, for example, in regard to money orders. As a general rule, the addressee can claim an indemnity only on the sender's express authorization or if the sender makes over his rights to him. In the case of postal parcels and insured items, however, the addressee is now legally entitled to act, on his own authority, and after taking delivery of the item, to claim the indemnity.
The following reasons were advanced in support of the innovation: by taking delivery of an item, the addressee becomes its lawful possessor. Hence an indemnity, as appropriate, is payable to him. Moreover, from a practical standpoint, it simplifies procedures where, in the event of damage sustained in the territory of the adm of destination, that adm may directly indemnify the addressee without consulting the adm of origin with a view to obtaining the sender's consent (1920 Madrid Congress, I 674, and 1934 Cairo Congress, I 786, prop 849). The new rule would, in fact, appear to correspond better to the prevailing conditions applicable to the carriage of goods. In general conveyance and in rail transport, the addressee's right has always been recognized.

17) For this purpose, the addressee must hold an express authorization from the sender (1934 Cairo Congress, I 1363).

18) Provision adopted by the 1989 Washington Congress in order to put the sender and the addressee of a postal parcel on an equal footing with regard to payment of the indemnities provided for by the domestic legislation in question (II Congress/C 7 – Rep 4, prop 5039.4).

19) Optional provision adopted by the 1979 Rio de Janeiro Congress to give adms of origin the possibility of applying their internal regulations with regard to liability if this is more favourable to users (II 1652, prop 5039.5).

## Article **41**
## Non-liability of postal administrations (Prot XV; Det Regs 146)

1 Postal administrations shall cease to be liable for parcels which they have delivered, according either to the conditions laid down in their internal regulations for items of the same kind or those set out in article **12**, paragraph 3, of the Convention; (1) liability shall however be maintained:

a when theft or damage is discovered either prior to or at the time of delivery of a parcel (2) or when, internal regulations permitting, the addressee or, in the case of return to sender, the latter (3) makes reservations on taking delivery of a rifled or damaged parcel;

b when the addressee or, in the case of return to sender, the latter (3), although having given a proper discharge, notifies the delivery administration without delay (4) that he has found theft or damage and furnishes proof that such theft or damage did not occur after delivery. (5)

2 Postal administrations shall not be liable:

i for the loss of, theft from or damage to parcels:
  a in cases of force majeure. (6) The administration in whose service the loss, theft or damage occurred shall decide according to the laws of its country (7) whether the loss, theft or damage was due to circumstances amounting to a case of force majeure; these circumstances shall be communicated to the administration of the country of origin if the latter administration so requests. Nevertheless, the administration of the dispatching country shall still be liable if it has undertaken to cover risks of force majeure (article **40**, paragraph 2);
  b when they cannot account for parcels owing to the destruction of official records by force majeure, provided that proof of their liability has not been otherwise produced;
  c when such loss, theft or damage has been caused by the fault or negligence of the sender (8) (9) or arises from the nature of the contents of the parcel; (10) (11) (12)
  d in the case of parcels which have been fraudulently insured for a sum greater than the actual value of the contents;
  e when the sender has made no inquiry within the period prescribed in article **39**, paragraph 2;
  f in the case of prisoner-of-war or civilian (13) internee parcels;

ii for parcels seized under the legislation of the country of destination;

iii for parcels confiscated or destroyed by the competent authority, in the case of parcels whose contents fall within the prohibitions specified in article **20**, a, ii, iv to viii, and b;

iv in the case of sea or air conveyance when they have made it known that they are unable to accept liability for insured parcels on board the ships or aircraft used by them; they shall nevertheless assume in respect of the transit of insured parcels in closed mails the liability which is laid down for uninsured parcels of the same weight.

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 parcels submitted to customs control. (14)

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1) See reference text reproduced at the end of this vol.

2) Adopted by the 1969 Tokyo Congress, the first part of this subpara is aimed at maintaining the sender's right to compensation where the theft or damage in respect of the parcel has been notified officially (II 1547, prop 6110; see also the IB's opinion in the 1965 Rep, pp 46 and 47, on a matter in dispute concerning the payment of compensation for a torn and rifled parcel delivered, together with a copy of the record of theft, to the addressee who made no reservations on taking delivery of the item).

3) See art 30, note 2.

4) The words "without delay" should be interpreted as "immediately" (1947 Paris Congress, II 663).

5) This provision allows the addressee, immediately after delivery of an item, to have any damage not visible on the outside recognized (1964 Vienna Congress, II 1231, prop 7262).

6) French ruling (1929 Journal, pp 105 and 106). An assault on an aged woman carrying mails on foot along a lonely road, particularly at night, is not an occurrence beyond human foresight or physically impossible to prevent. This is the case even though no protective measures may appear to have been taken to prevent such an attack and the undertakings' stated obligations may contain no specific provision or recommendation in this respect. Since "force majeure", which alone could relieve the adm of responsibility, cannot be established, liability holds good (Court of Appeal).

7) There are notable differences between the legislation of various countries in regard to the concept of "force majeure". Every country is free to decide, in accordance with its internal legislation, on disputes that may arise (1924 Stockholm Congress, II 222 to 224, and 1929 London Congress, II 392; see also Conv, art 60, note 3, reproduced at the end of this vol).

8) German ruling (1922 Journal, pp 129 to 132). A packet with an insured value of 3500 marks, weighing 3.260 kg and containing rouble bank notes to a value of 7133 marks, had been externally damaged. The packing consisted in a double thickness of thin paper fastened by string and sealed with coarse wax, whereas under the German postal regulations such an item, owing to its heavy weight, should have. been wrapped in stout cloth, oil-cloth or leather, sewn up with an adequate number of wax seals on the seams. When the parcel arrived at the office of destination, the wrapping was damaged. It was noted that the weight was less by 255 g and that 200 rouble bank notes valued at 400 marks, were missing. The adm rejected the claim for an indemnity submitted by the sender, because the damage was due to inadequate packing and sealing, ie negligence of the sender.
The sender objected, however, that the type of packing prescribed by the postal regulations, such as cloth, oil-cloth or leather, was not in general commercial use, on account of their very high price, that the wrapping paper used in place of the prescribed materials, according to the opinion of experts, offered approximately the same resistance as cloth, that the parcel sealing wax had been of the very best quality and absolutely equal to the "good sealing wax" prescribed by the postal regulations and that, moreover, there was no connection between the allegedly inadequate wrapping and the decrease in the contents, which should be attributed to rifling.
The adm maintained that the assertion that a theft had occurred had not been proved, and that it should rather be recognized that the missing bundles of notes might have slipped out of the badly wrapped parcel and been lost.
The adm won its point. Among other grounds, the Court of Appeal stated that the fact that the materials mentioned were not used in business or that they could be obtained only at high prices was irrelevant. The party concerned could have purchased at least part of them, even though at a high price. The prevalent high cost was not sufficient reason to free the plaintiff from the obligation to pack parcels in accordance with the postal regulations.
In the face of claims, some of which are large, regarding insured parcels, the postal service can rely on the strict and precise requirements laid down in the regulations concerning the make-up of parcels. The sender must choose the materials indicated or at least some equivalent wrapping. Ordinary paper which, as shown by this example, was not particularly strong, did not comply with the provisions of the postal regulations. Moreover, according to those regulations, the fact that no objection was raised to the acceptance was irrelevant. (This fact can only imply a presumption subject to proof to the contrary, and in this particular case proof was produced.)

9) German ruling (1923 Journal, pp 161 et seq). A parcel insured for 1500 marks was delivered to the addressee in a deficient wrapping, and a large number of articles were missing. The claimant requested an indemnity of 545 marks. Considering the condition of the parcel at the time of delivery, the adm contended that the parcel had not been correctly packed, and that, having regard to the value, weight, and distance involved, the cardboard and wrapping paper used were too thin and the wax of poor quality. According to the defendant, therefore, the damage was attributable to the negligence of the sender.

The sender, for his part, claimed that the wrapping materials in which the articles had arrived were not those originally used. As the parcel had, in fact, been made up by an experienced packer, in the claimant's opinion, rifling had occurred and the thief had not taken the trouble to close the parcel carefully after the violation. Judgment was against the adm. Among the grounds for its decision, the Court of Appeal declared that the adm had to prove that the loss of articles from the parcel in question was attributable to inadequate packing. One of the postal officials did not recall the item, while another, in the course of the discussion regarding the specimen of the wrapping submitted, declared that the materials submitted for examination were identical with the materials in which the articles were wrapped. He was unable to reply to the claimant's contention that the articles did not arrive in their original wrapping. The only important evidence that could make a decision possible was that of witness K, who stated he had packed the parcel himself. He had duly packed it in real cardboard used for packing women's hats and strong, good-quality paper, and had fastened the parcel with real string and not with twisted paper. The parcel had then been sealed with good sealing wax bearing the business seal of the firm U. When the remains of the wrapping were submitted to him, he declared that he had not used that type of cardboard and that the seal was not that of the firm U.
In view of the statements made by the witnesses, the court was unable to find any decisive proof in favour of the adm's contention that the parcel had been inadequately wrapped. If the damage sustained by the parcel had been caused only by pressure or shock, some of the articles might possibly have fallen out, but that was difficult to admit in the case of 20 to 25 pairs of stockings and one gold bracelet which had been removed from its case. To all appearances the parcel had been tampered with during transmission and the thief did not repack it in the same materials, or at least only in part.

10) The exception to damage arising from the nature of the contents has appeared in the text since the 1897 Washington Congress. It corresponds to the legislation concerning the carriage of goods in general and for rail transport.

11) When an adm desires to attribute the damage to the nature of the contents, where the supplementary charge for special care has been paid, as laid down in art 13, it must take reasonable account of this fact (1939 Buenos Aires Congress, II 554).

12) See art 40, note 2.

13) See art 4, note 6.

14) Customs authorities are independent from postal adms and perform their functions in accordance with the legislation of their country (1964 Vienna Congress, II 1228, prop 7087).

## Article **42**
## Sender's liability (1)

1 The sender of a parcel shall be liable within the same limits as administrations themselves for any damage caused to other postal items (2) as a result of the dispatch of articles not acceptable for conveyance or of the non-observance of the conditions of acceptance, provided that there has been no fault or negligence on the part of administrations or carriers.

2 The acceptance by the office of posting of such a parcel shall not relieve the sender of his liability. (3)

3 An administration which finds damage that is due to the fault of the sender shall inform the administration of origin (4), whose responsibility it is to take action against the sender where appropriate.

1) See Conv, art 62, note 1, reproduced at the end of this vol.

2) The sender is liable not only for the damage caused by his item to other parcels, but also for damage caused to other postal items (1964 Vienna Congress, II 1231, prop 7263; see also Conv, art 62, notes 2 and 3 reproduced at the end of this vol).

3) Since the postal service is unable to verify acceptability in every case it is inevitable, owing to the fact that the existing defects are not realized, that items inadequately packed or containing prohibited articles should be accepted in error and without objection. This fact should not relieve the sender of his liability (1964 Vienna Congress, II 1231, prop 7263).

4) It is important that the adm of origin should be notified promptly of the extent of the damage so that it can, if necessary, take action against the sender (1969 Tokyo Congress, II 1548 and 1549, prop 6112).

## Article **43**
## Determination of liability between postal administrations (Det Regs 155)

1 Until the contrary is proved, liability shall rest with the postal administration which, having received the parcel 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. (1)

2 Until the contrary is proved, and subject to paragraph 4, an intermediate administration or administration of destination shall be relieved of all liability (2):
a when it has observed the rules for inspection of mails and parcels and the establishment of irregularities;
b when it can prove that it was not informed of the inquiry until after the destruction of the official records relating to the parcel in question, the regulation period of retention having expired; this reservation shall not prejudice the rights of the claimant.

3 When the loss, theft or damage occurs in the service of an air carrier, the administration of the country which collects the conveyance dues in accordance with article **88**, paragraph 1, of the Convention (3) shall reimburse the administration of origin for the indemnity as well as the charges and fees paid to the sender, subject to article 1, paragraph 6, of the Convention (3) and paragraph 7 of this article. It shall be for the former administration to recover these amounts from the air carrier in question. Where the administration of origin settles the conveyance dues direct with the air carrier in accordance with article **88**, paragraph 2, of the Convention (3), it shall itself seek reimbursement of these amounts from the air carrier. (4)

4 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 (5) (6) (7), 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 fixed in article 40, paragraph 3, b, for a parcel up to 5 kg** (8), this sum shall be borne equally by the administration of origin and the administration of destination, intermediate administrations being excluded. (9) If the theft or damage has been established in the country of destination or, in the case of return to sender, in the country of his residence (10), it shall rest with the administration of that country to prove:

a that neither the wrapping nor the fastening of the parcel bore any apparent trace of theft or damage;
b that, in the case of an insured parcel, the weight established at the time of posting has not varied;
c that, in the case of parcels forwarded in closed receptacles, both the receptacles and their fastening were intact.

When such proof has been furnished by the administration of destination or of the sender's country of residence (10), as the case may be, none of the other administrations concerned may repudiate its share of liability on grounds that it handed over the parcel without the next administration having made any objection.

5 In the case of items sent in bulk, in application of article **54**, paragraphs 2 and 3, none of the administrations concerned may repudiate its share of liability by showing that the number of parcels found in the mail differs from that advised on the parcel bill. (11)

6 In the case of bulk transmission, the administrations concerned may agree among themselves that liability be shared in the event of loss of, theft from or damage to certain categories of parcels, determined by mutual agreement. (11)

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

8 When a parcel has been lost, rifled or damaged as the result of force majeure, the administration in whose territorial jurisdiction or services the loss, theft or damage occurred shall not be liable towards the administration of origin unless the two administrations undertake to cover risks of force majeure. (12)

9 If the loss, theft or damage of an insured parcel occurs in the territory or service of an intermediate administration which does not accept insured parcels or which has adopted a maximum insured value lower than the amount of the loss, the administration of origin shall bear the loss not covered by the intermediate administration under paragraph 7 of this article and article 1, paragraph 6, of the Convention. (3)

10 The rule laid down in paragraph 9 shall also apply in case of sea or air conveyance if the loss, theft or damage occurs in the service of an administration belonging to a contracting country which does not accept the liability laid down for insured parcels (article **41**, paragraph 2, iv).

11 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. (13)

12 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.

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1) A prop aimed at prohibiting postal officials from issuing addressees certificates of non-receipt of goods allegedly sent was not adopted, because in any event a claim is not entertained unless it is first proved that the item was posted (1929 London Congress, II 394).

2) Arbit (1927 Rep, pp 11 et seq; 1927 Journal, pp 373 et seq). Forty one postal parcels sent to different persons in the course of three months were delivered to one of them, who was in fact a representative of the sender. After certain inquiries, the latter proclaimed his intention of collecting the amounts to his credit in respect of the items in question directly without any action on the part of the postal service. It was not until one year and 10 months later that he took the matter up again, but by that time the adm of destination no longer held the records relating to the period of delivery. In view of the length of time elapsed, it was entitled to consider the delivery of the parcels to the sender's representative as being made in due form. Moreover, the sender would not have announced his intention of settling the matter directly had the parcels really been considered lost. The adm of destination was declared free of liability towards the adm of origin.

3) See reference text reproduced at the end of this vol.

4) The 1984 Hamburg Congress brought this para into line with art 44, para 1 to enable the adm of origin or destination also to recover from the air carrier in question the charges and fees refunded to the sender (II 523, prop 5042.2).

5) Arbit (1925 Rep, pp 12 et seq; 1926 Journal, pp 26 et seq). A sealed van containing 269 insured parcels and 936 ordinary parcels was robbed. A check at the office of destination showed that 9 parcels were missing, 7 of them being insured parcels. Before reaching the office of destination, the van had been opened for customs purposes, first on leaving the country of origin and again on entering the country of destination. As it was impossible to determine the territory in which the theft had occurred, the adms concerned had to share the loss.

6) Arbit (1948 Rep, pp 14–20). A postal parcel with an insured value of 980 g fr was posted in 1943 in country A for delivery to a firm in country B. This firm asked for the parcel to be redirected to a new address in country C. In the course of redirection the parcel arrived by error in country D, from where it was forwarded to country E, which in turn reforwarded it to the office of destination in country C. There the parcel was found to have been partially rifled.
The IB considered that the provisions applicable in this case were those of the Parcels Agr (1939 Buenos Aires revision), art 44, para 1, iii, which provides inter alia that if theft occurred in the course of conveyance, without it being possible to establish in which country's territory or service it happened, the adms concerned shall bear the loss equally.
Since country C's responsibility did not appear to be involved, the IB took the view that the three countries B, D and E should contribute equally to the payment of the indemnity of 980 g fr.
This opinion had the validity of an arbit award because the parties in question had decided, by special compromise, to choose the IB as sole arbiter.

7) Arbit (1966 Rep, pp 62–67). Two adms were at variance about the liability incurred for the loss of a number of parcels and the rifling of other parcels sent at intervals of 2 months by the same mail steamer and for the same destination.
The adm of destination (adm B) stated that on opening bags containing the parcels in dispute, its services had noted the disappearance and rifling of several parcels and had made out the verification notes required

for the adm of origin. That adm therefore considered that the loss and rifling had occurred outside its jurisdiction and that because of this it was entitled to decline any responsibility for the parcels concerned. The dispatching adm (adm A) for its part claimed that the bags comprising the dispatch had been transferred in perfect condition to adm B which had not, moreover, expressed any reservations at that time. The verification notes prepared several days after the transfer did not entitle it to put liability for these losses and riflings on to the dispatching adm.
The inquiry established that adm B did not prepare the verification note at the time of transfer and under the conditions required by the Parcels Agr (Ottawa 1957), Det Regs, art 134, para 1, and that it had also not sent adm A the items required by art 135 of the same Det Regs (bags, string, lead seals, labels). Consequently, the arbitrators concluded that adm B bore the legal responsibility.
However, in view of the circumstances which had prevented adm B from opening and verifying the dispatches immediately, and because of the conciliatory attitude of adm A which had beforehand stated it was prepared to take over half the compensation to be paid to the senders, the arbitrators decided that adms A and B should each pay half of this compensation, in order to reconcile the parties in dispute and in the interest of continuing smooth cooperation in the exchange of international postal dispatches.

8) Wording revised by the 1989 Washington Congress owing to the close link of the amount in question with that mentioned in art 40, para 3, b, for a parcel weighing up to 5 kg (II Congress/C 7 – Rep 5, prop 5042.1).

9) If one or more adms act as intermediaries, and if it is not possible to ascertain in which service the damage has occurred, the administrative work connected with the settlement of the indemnity entails costs out of reasonable proportion to the amounts at stake. The purpose of this method is to reduce costs (1964 Vienna Congress, II 1228, prop 7093). It was extended to lost and rifled parcels by the 1979 Rio de Janeiro Congress which also raised the indemnity from 25 fr to 60 fr in the cases where it applied (II 1645, prop 5042.1).

10) See art 30, note 2.

11) See art 54, note 1. See also Conv, art 63, note 8, reproduced at the end of this vol.

12) See art 40, para 2.

13) This concerns any loss, damage or theft sustained after the items are cleared through Customs (1920 Madrid Congress, II 498).

## Article **44**
## Payment of indemnity

1 Subject to the right of recourse against the administration which is liable (1), the obligation to pay the indemnity and to refund the charges and fees shall rest either with the administration of origin or, in the case mentioned in article **40**, paragraph 8, with the administration of destination.

2 This payment shall be made as soon as possible and, at the latest, within a period of **four** months (2) from the day following the day of inquiry.

3 When the administration responsible for the payment does not undertake to cover risks of force majeure and when, at the end of the period prescribed in

paragraph 2, the question of whether the loss, theft or damage is due to such causes has not been decided, it may exceptionally postpone settlement of the indemnity for another **three** months. (3) (2)

4 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 **three** months (2) to pass:

**a** without finally settling the matter; or

**b** without informing the administration of origin or destination, as the case may be, that the loss, theft or damage appeared to be due to a case of force majeure (4), or that the parcel had been detained, confiscated or destroyed by the competent authority because of the nature of its contents or seized under the legislation of the country of destination. (5)

**5 With reference to paragraph 4, a, the return of a C 9 form which has not been completed in accordance with the provisions of article 151, paragraphs 9 and 12, of the Detailed Regulations of the Convention** (6) **shall not be regarded as final settlement.** (7)

**6 Postal administrations which state in the Final Protocol to the Postal Parcels Agreement that they are not bound to comply with article 44, paragraph 4, of the Agreement as regards final settlement of inquiries within three months shall notify a period within which they will finally settle the matter.** (8)

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1) See art 45.

2) With a view to answering inquiries more quickly, the 1989 Washington Congress reduced the waiting times prescribed in paras 2, 3 and 4 from 6 to 4 months, 6 to 3 months and 5 to 3 months respectively (II Congress/C 7 – Rep 5, prop 5043.1).

3) The 1964 Vienna Congress recommended adms which found themselves in the position mentioned in para 3 not to postpone payment of the indemnity for loss sustained, beyond a year at most from the day after the day of the claim (II 1231, prop 7095; III 561, recommendation CP 1). The 1979 Rio de Janeiro Congress embodied this recommendation in this provision by adding the words "for another six months" (II 1652, prop 5043.2).

4) See Conv, art 66, notes 5 and 6, reproduced at the end of this vol.

5) As in cases of force majeure, the adm of origin must be informed within 5 months as to whether a parcel has been confiscated, detained, destroyed or seized in the country of destination (1979 Rio de Janeiro Congress, II 1652, prop 5043.1).

6) See text of reference reproduced at the end of this vol.

7) Stipulation introduced by the 1989 Washington Congress to ensure a detailed investigation of the inquiry in question (II Congress/C 7 – Rep 5, prop 5043.2).

8) Condition introduced by the 1989 Washington Congress (II Congress/C 7 – Rep 5, prop 5043.3).

Article **45**
Reimbursing the administration which paid the indemnity

1 The administration which is liable or on behalf of which payment is made in accordance with article **43** shall reimburse the administration which made the payment under article **44**, and which is called the "paying administration", the amount of indemnity paid to the rightful claimant subject to article **40**, paragraphs 3 and 6; this payment shall be made within four months of the date of dispatch of the notice of payment.

2 If the indemnity is to be borne by several administrations in accordance with article **43**, the whole of the indemnity shall be paid to the paying administration, within the period mentioned in paragraph 1, by the first administration which, having duly received the parcel claimed for, is unable to prove its correct transfer to the next service. It shall rest with this administration to recover from the other administrations which are liable each one's share of the indemnity, paid to the rightful claimant.

3 The creditor administration shall be reimbursed in accordance with the rules for payment laid down in article **13** of the Convention. (1)

4 The administrations of origin and destination may agree that the whole of the loss sustained in respect of ordinary parcels shall be borne by the administration which has to make the payment to the rightful claimant. (2)

5 When liability has been admitted, as well as in the case provided for in article **44**, paragraph 4, the amount of the indemnity may also be automatically recovered from the administration which is liable through a liquidation account, either direct or through the intermediary of the first transit administration, which claims credit in its turn from the next administration, the operation being repeated until the sum paid has been debited to the administration which is liable; where appropriate, the statutory provisions on the drawing up of accounts shall be observed.

6 Immediately after paying the indemnity, the paying administration shall communicate to the administration which is liable the date and the amount of payment made. It may only claim reimbursement of this indemnity within a period of one year either from the date of dispatch of the notice of payment or, where appropriate, from the date of expiry of the period prescribed in article **44**, paragraph 4.

7 The administration whose liability is duly established and which has at first declined to pay the indemnity shall assume all additional costs (3) resulting from the unwarranted delay in payment.

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1) See reference text at the end of this vol.

2) Optional provision similar to Conv, art 68, para 3, reproduced at the end of this vol, introduced by the 1979 Rio de Janeiro Congress (II 1652, prop 5044.1); its application brings a reduction in administrative

work which offsets the loss of revenue from the share of the amount of the indemnity recovered from other adms.

3) The 1957 Ottawa Congress in a formal opinion entrusted the IB with the task of defining the meaning of "additional costs" chargeable to the responsible adm (II 1161). The IB's interpretation was communicated to the adms (see circ 121 /1958 and 1958 Rep, pp 31 and 32). A further prop was submitted on this matter (II 1232, prop 7101), and the 1964 Vienna Congress instructed the IB "to study the term 'frais accessoires' (additional costs) chargeable to the responsible administration, in accordance with the Parcels Agreement, article 44" (III 561, resolution CP 1/1964, c). At its May 1965 session, the EC adopted the definition submitted to it by Comm 7 (Parcel Post), which confirmed the definition already given by the IB. The definition reads thus:
"As 'additional costs' are to be considered, inter alia, interest, banking costs and differences in exchange rates, even if the last two categories of costs, in ordinary circumstances and under certain conditions, should also be borne by the creditor administration (see Convention, Detailed Regulations, article 103, paragraphs 8 and 11 (Tokyo 1969)). 'Additional costs' may also include administrative expenditure as well as any legal costs incurred by the creditor administration in legal proceedings undertaken in the interest of the responsible administration or in its own interest.'
"In short, it is for the creditor administration to determine, in each specific case, which additional costs it regards as such. In determining those additional costs, the administration concerned must strictly observe one essential condition: ie there must be a direct cause and effect relation between an unjustified delay in payment of the indemnity by the debtor administration, on the one hand, and the costs incurred by the creditor administration, on the other hand. The scope of the concept 'additional costs' will depend on the circumstances surrounding each specific case." (Summary Record, 1965 EC session, p 18.)

## Article **46**
## Possible recovery of the indemnity from the sender or from the addressee

1 If, after payment of the indemnity, a parcel or part of a parcel previously considered lost, is found, the sender or the addressee (1) (2), as the case may be, shall be advised that he may take delivery of it within a period of three months on repayment of the amount of the indemnity received. If the sender or the addressee, as the case may be, does not claim the parcel within this period, the same approach shall be made to the other party.

2 If the sender or the addressee takes delivery of the parcel or of part of the parcel recovered against repayment of the amount of the indemnity, that sum shall be refunded to the administration or, where appropriate, administrations which bore the loss, within one year of the date of the repayment.

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

4 When proof of delivery is supplied after the period of **three** months (3) laid down in article **44**, paragraph 4, the indemnity paid shall continue to be borne by the intermediate administration or administration of destination if the sum paid cannot, for any reason, be recovered from the sender. (4)

5 In the case of subsequent discovery of an insured parcel the contents of which are found to be of less value than the amount of indemnity paid, the sender or, where article **40**, paragraph 8, is applied, the addressee shall repay the amount of this indemnity against return of the insured parcel, without prejudice to the consequences of fraudulent insurance as mentioned in article **24**, paragraph 2.

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1) The 1979 Rio de Janeiro Congress considered it superfluous to advise both the sender and the addressee, as was previously the rule, and decided that only the one who had received the indemnity should be advised (II 1653, prop 5045.1).

2) The addressee has priority in claiming the parcel if the indemnity was paid to him by virtue of art 40, para 8 (1964 Vienna Congress, II 1231, prop 7098).

3) See art 44, note 2.

4) See Conv, art 69, note 3, reproduced at the end of this vol.

# Part IV

# Rates due to administrations. Allocation of rates (1) (2) (3) (4) (5)

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1) For the development of rates up to the 1964 Vienna Congress, see art 5, note 1.

2) Evolution of rates since the 1964 Vienna Congress:
a Having been instructed by the 1964 Vienna Congress to carry out a study on the amount of outward, inward and transit land rates and sea rates, the EC, noting that these rates had always been fixed empirically, if not arbitrarily, recognized the need to review them in the light of actual service costs. *Transit land rates and sea rates.* Because of the similarity of parcel-post and letter-post operations, especially as regards land and sea transit, the EC, in common with a large majority of the adms that replied to the questionnaire on the subject, considered that the so-called "comparative method", which consists in fixing the amount of transit land rates and sea rates by reference to transit charges of the same type, offered the best way of arriving at realistic results, bearing in mind that the level of transit charges had been determined on the basis of sound economic studies and that Congress was continuing to keep an eye on any changes in the component elements of these rates. The amount of the rates was accordingly fixed in accordance with the transit charge scales laid down in the Conv and

on the basis of an average weight for each weight step. The sea rates were however subjected to a 10 percent rebate to take account, inter alia, of the fact that postal parcels cannot in general bear as high a conveyance cost as letter-post items. Also, the uniform transit rates were replaced by rates differentiated according to distance steps. In addition, the EC came out in favour of equal transit land rates for parcels in closed dispatches and transit parcels à découvert, and introduced the principle of payment for transit not involving a land route.

*Outward and inward rates.* In the absence of any basis of reference to letter post, the EC carried out a cost study. Undertaken by a working party composed of five countries (France, Germany, India, Sweden and Turkey), this study brought out in particular the importance of fixed costs. To determine the amount of the rates, the arithmetic mean of the costs of the five countries was established. The amounts obtained were very high in relation to the rates laid down in the Agr (Vienna 1964), so it was considered preferable, as a first step, to propose rates some 60–70 percent higher than the latter. It should be noted that the principle of equal outward and inward rates was maintained. The 1969 Tokyo Congress approved the conclusions of the EC study (II 1528 to 1532, props 6001 and 6003 and Congress – Doc 13).

b Acting upon recommendation C 81 of the 1969 Tokyo Congress, the EC adjusted the transit and sea rates by reference to letter-post transit charges. It should be noted that in fixing the sea rates allowance was made for an increase of 10 percent – instead of a rebate of 10 percent as in the case of the Tokyo rates – over the sea transit charges because it was noted that, weight for weight, a parcel-post mail takes up about 50 percent more space than a letter-post mail.

As for the outward and inward rates, the EC considered that they should be revised on the basis of the cost prices. However, before embarking on another long and difficult cost study, it consulted adms to find out what rates would satisfy them. The results of the consultation showed that the majority of adms would be satisfied with rates fixed on the basis of the cost prices determined before the 1969 Tokyo Congress (II 487, Congress – Doc 13, para 25), and so the EC decided in favour of these rates on conclusion of its study.

The 1974 Lausanne Congress adopted the EC's proposals on the land and sea rates (II 1402 and 1408, props 5046.1, 5047.4 and 5049.1). In addition, the principle of parity between outward and inward rates was partially abolished. Since that Congress, outward rates may be fixed as adms see fit provided they are not lower than the inward rates (cf art 48, para 1, of the Agr (Lausanne 1974); see also art 47, note 7).

c In implementation of 1974 Lausanne Congress recommendation C 73, the EC made a new study of the amount of outward and inward land rates. However, in view of the wording of art 48, para 1, a, of the Agr (Lausanne 1974), the work dealt essentially with inward rates. The consultation carried out on this subject revealed the difficulty of fixing rates capable of satisfying all adms. Account has to be taken of criteria which are hard to reconcile, namely:

- the rates must enable the actual costs incurred in respect of inward parcels to be covered;
- they must be high enough to meet the needs of all adms but at the same time they must not be so high that the parcel-post service cannot hold its own against competition from other means of conveyance; and
- in view of the possibilities of increase, the basic rates to be fixed should as far as possible make the rates reservations in the Prot superfluous.

An inward parcel cost analysis showed that the fixed costs per parcel (costs independent of weight) and the weight-dependent costs are in the ratio of nearly 3 to 1. On the basis of this ratio and of the information given by the countries which took part in the above consultation, the EC proposed, at the end of its study, new rates which were accepted by the 1979 Rio de Janeiro Congress (II 1647, prop 5046.1).

With regard to transit land rates and sea rates, the EC, pursuant to the same recommendation, adjusted them in the light of the revised transit charges of the same kind (Conv, art 61) and using the same method as for the 1974 Lausanne Congress rates (1979 Rio de Janeiro Congress, II 1647 and 1649, props 5047.1 and 5049.1).

d In resolution C 25, the 1979 Rio de Janeiro Congress instructed the EC to carry out a fresh study on the amount of the outward and inward land rates and to adjust the transit land rates and sea rates in the event of a revision of the letter-post transit charges.

- Outward and inward land rates. Complying with this instruction, the EC set itself the aim of finding a method of fixing these rates which would offer administrations more freedom than hitherto and relieve them of the need to make reservations in the Prot.

For this purpose, adms were consulted on the following four measures:

a a fresh increase in the basic rates laid down in art 46 and in the options for applying increases provided for in arts 48 and 54 of the Agr (Rio de Janeiro 1979);

b combining the increase options provided for in arts 48 and 54 by deleting art 54 and making provision for an adequate increase option in art 48 of the Agr (Rio de Janeiro 1979);

c allowing complete freedom as regards inward rates;

d allowing limited freedom as regards inward rates but fixing guideline rates the amount of which would, as hitherto, be proposed by the EC.

Successive consultations showed that the adms preferred measure d which corresponded completely with the two main aims of the study. Consequently, the EC decided to propose to Congress that the rates concerned should no longer be given in the Agr except in the form of guideline rates which could be increased or reduced. The fixing of guideline rates by the EC – expressly desired by several adms for practical reasons or because of their domestic legislation – would help to avoid excessive increases. The Parcels Agr (Rio de Janeiro 1979) and its Prot make provision for a number of possibilities for increasing rates which even enable adms to cover the costs relating to handling incoming parcels. Fixing guideline rates had certainly to proceed from this necessity but must also take account of the fact that these rates should be high enough to meet the requirements of a max number of countries while at the same time ensuring that the parcel-post service remains competitive. In the light of these findings and in view of the fact that the rates charged by adms on the basis of the possibilities of increase provided by the Agr (Rio de Janeiro 1979) corresponded almost to a 100 percent increase over the rates laid down in art 46, para 1 of that Agr, the EC considered that the amount of the guideline rates to be proposed to the 1984 Hamburg Congress should show an increase of that order over the rates laid down in art 46, para 1, of that Agr. The 1984 Hamburg Congress accepted the new inward and outward rates thus fixed by the EC (II 523 and 524, prop 5046.1). The adoption of prop 5046.1 involved the deletion of arts 48 (partially taken over in art 47 of the present Agr) and 54 of the Agr (Rio de Janeiro 1979) and I, a, and table 1 (Exceptional inward rates), IV and V of the Prot to that Agr (1984 Hamburg Congress, II 525, props 5048.1, 5054.1, 5301.1, 5304.1 and 5305.1).

– Transit and sea rates. In accordance with 1979 Rio de Janeiro Congress resolution C 25, the EC decided to adjust these rates by reference to the revised letter-post land transit and sea charges (see Congress – Doc 9). The 1984 Hamburg Congress adopted the EC prop relating to the land and sea rates (II 528 and 529, props 5047.3 and 5049.3).

e In its resolution C 22 (III 942), the 1984 Hamburg Congress instructed the EC to carry out a fresh study on the amount of the guideline rates applicable to the outward and inward land rates and to adjust the transit land rates and sea rates in the event of a revision of the letter-post transit charges.

– Outward and inward land rates. It was found at the 1988 EC that outward and inward land rates had been almost doubled at each Congress since that of Tokyo 1969, in spite of the consequences that the resultant prices might have on the choice made by the customer. Furthermore, the guideline nature of those rates, which had existed since the 1984 Hamburg Congress and which enabled countries to fix their amounts freely, allowed excesses, hence prices were charged that were unacceptable to the customers. Several adms shared that view and the EC thus approved Comm 7's decision to propose that the guideline amounts of outward and inward land rates not be changed (CE 1988 – Doc 10, paras 12 to 14; CE 1988 – PV 4).

– Transit land rates and sea rates. In accordance with 1984 Hamburg Congress resolution C 22, the EC decided to adjust these rates by reference to the revised letter-post land transit and sea rates (see Congress – Doc 61). The new letter-post scales offered two possibilities:

  – first variant: using the "least squares" method giving one equation of the curves of world average prices (1984 Hamburg method);

  – second variant: using the "least squares" method giving several equations on specific distance strata to make the scales more representative of the information supplied.

  Following the example of Comm 5 (Letter post – Rate-fixing and payments), EC Comm 7 found in favour of the first variant. The 1989 Washington Congress adopted the props concerning the land and sea rates that had thus been determined (II Congress/C 7 – Rep 3, props 5047.2 and 5048.2; see also art 47, note 7).

f In resolution C 18/1989 (reproduced at the end of this vol), the 1989 Washington Congress instructed the EC to carry out a fresh study on the amount of the guideline rates applicable to the outward and

inward land rates and to adjust the transit land rates and sea rates in the event of a revision of the letter-post transit charges.

3) In connection with the study on the amount of outward, inward and transit land rates and of sea rates assigned to it by the 1964 Vienna Congress, the EC had occasion to make a separate study on systems of payment based on the gross weight of mail or on periodical statistics. When consulted, the great majority of adms came out against the settlement of accounts on the basis of statistics, while their views were divided on the question of payment based on the gross weight of the mail. The replies showed, on the other hand, that adms were in favour of two measures which represented an important step towards simplification of the existing system of payment, viz discontinuance of the principle whereby the charge on a parcel is equal to the sum of the rates allocated to the adms taking part in the conveyance, and abolition of the supplementary payments made to adms of destination and transit for certain categories of parcels (insured, express, fragile, cumbersome, with advice of embarkation). The proposal formulated by the EC upon conclusion of its study, which was designed to incorporate these two measures in the Agr, was adopted by the 1969 Tokyo Congress (II 1526 and 1527, prop 6025 and Congress – Doc 19). As regards the discontinuance of the principle of parity between charges and total rates, see art 8, note 1. As for the abolition of supplementary payments made to adms for certain categories of parcels, this should be considered not as a pure and simple abolition but as the incorporation of these payments in the principal payment made up of inward, transit and sea rates. The supplementary charges for special parcels (express, insured, etc) are still collected from senders, but they are retained by the adm collecting them, since the new rates adopted by the 1969 Tokyo Congress include a certain amount as payment for the special treatment of the aforementioned categories of parcels by adms of transit and destination. The adoption of this measure enables accounting procedures to be greatly simplified (see also art 7, note 1).

4) Instructed by the 1974 Lausanne Congress (resolution C 74) to study the question of simplifying the present procedure for allocating rates, the EC directed its work towards finding a single rate. However, in view of the complexity of the problem, solution of which requires further inquiries, it considered it premature to change the present regulations, and felt that simplified accounting should continue to be sought in bilateral relations in application of art 54 of the Agr (see 1979 Rio de Janeiro Congress, II 131, Congress – Doc 1, para 50). In resolution C 27 of the 1979 Rio de Janeiro Congress, the EC was instructed to continue this study.
On the basis of the results of a series of consultations the EC considered that the bulk advice procedure should be kept and therefore did not change the provisions of the Agr. A detailed description of the procedures laid down (according to the average rate per parcel and per kg of gross weight of the mail) in art 54, para 3, was sent out in circ letter 3435(B 2)1453 of 17 June 1983.
An inquiry conducted in 1987 about possible simplification of operating and accounting methods in the parcel-post service produced the following results:

- simplification could be achieved by adopting rates of payment either per parcel or per kg of gross weight of the mails, in accordance with arts 53 of the Agr and 149 of its Det Regs (Hamburg 1984);
- seventy-five percent of postal parcels were still paid for on the basis of the traditional methods (individual entry and bulk entry per weight step);
- most of the adms favoured a unit rate of payment or a rate per kg of gross weight of the mails;
- most of the adms would like to choose the method(s) of entering and accounting for postal parcels best suited to them in each individual case. The unit rates of payment or the rates of payment per kg of gross weight of the mails should be decided on the basis of the cost prices in consideration of the rates published in arts 46, 47 and 48 of the Agr (Hamburg 1984).

In the light of these results and bearing in mind the need to find a solution to the rates problem which would be acceptable to the greatest number of adms, without however being compulsory, the EC submitted to the 1989 Washington Congress props aimed at introducing the rates recommended, per parcel and per kg of gross weight of the mails, in the event of application of rates in accordance with art 53, para 3, of the Agr (Hamburg 1984). These props were adopted by the 1989 Washington Congress (II Congress/C 7 – Rep 3, props 5046.2, 5047.2 and 5048.2).

5) Since a universal rate based on remuneration per item (to take account of fixed costs) and remuneration according to weight (to take account of costs that vary with the latter) would make better allowance for the actual cost situation, and would also offer the advantage of simplification, the 1989 Washington Congress adopted resolution C 17/1989 (reproduced at the end of this vol), according to which the EC was instructed to conduct a study on the possibility of introducing a universal rate combining a rate per parcel and a rate per kg of gross weight of the mail, on the basis of two elements: fixed costs and variable costs.

# Chapter I

## Rates (Agr 54, 55; Det Regs 147 to 150)

Article **47**
Outward and inward land rate (Prot I, VI, VII)

1 Parcels exchanged between two administrations shall be subject to the **following guideline** outward and inward land **rates for** each country and each parcel:

| Weight steps (1) | Outward and inward land rate (2) (3) |
|---|---|
| 1 | Guideline rates 2 |
| | SDR |
| Up to 1 kg (4) | 2.61 |
| Above 1 up to 3 kg | 3.27 |
| Above 3 up to 5 kg | 3.92 |
| Above 5 up to 10 kg | 4.90 |
| Above 10 up to 15 kg | 5.88 |
| Above 15 up to 20 kg | 6.53 |
| **Above 20 kg, for each step or fraction of 5 kg** (5) | **0.65** |

**In case of allocation of rates in accordance with article 54, paragraph 3, the following guideline rates are recommended:**
- **inward and outward land rate per parcel: 4 SDR;**
- **inward and outward land rate per kilogramme of gross weight of the mails: 0.40 SDR.** (6)

**Bearing in mind the above guideline rates, administrations shall fix their outward and inward land rates to bring these into relation with the costs of their service. However, their inward land rates may not be more than 30 per-cent higher than their outward rates.** (7)

**2 Outward and inward land rates shall be published by the International Bureau in the Compendium of Information (Postal Parcels).** (7)

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

**4** The outward and inward land rates shall be uniform for the whole of the territory of each country. (8)

**5** Modifications of the inward land rates according to paragraph 1 may only come into force on 1 January. To be applicable, such modifications must be communicated at least four months prior to that date to the International Bureau, which shall notify them to the administrations concerned at least three months before the date of their coming into force. If these periods have not been observed, such modifications shall not come into force until 1 January of the following year. (9) (10)

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1 See art 5, note 1.

2) Guideline rate proposed by the EC on conclusion of the study assigned to it by the 1979 Rio de Janeiro Congress and adopted by the 1984 Hamburg Congress (II Congress 523 and 524, props 5046.1 and 5048.2). As a consequence of a decision by the 1988 EC, these rates were not amended by the 1989 Washington Congress (see also part IV, note 2, d and e).

3) As regards the revision of these rates, see part IV, notes 2 and 3.

4) By decision CE 13/1974, the EC decided not to adopt the suggestion of an adm for standardizing the charges and indemnities relating to small packets and parcels of 1 kg, since these two categories of items are subject to different treatment at all stages (method of charging, posting, conveyance, customs treatment, delivery, liability, indemnity and accounting).

5) See art 2, note 5 (II Congress/C 7 – Rep 2, prop 5046.1/Rev 1).

6) See part IV, note 4.

7) See part IV, note 2, b, last para. 1984 Hamburg Congress resolution C 89 instructed the EC to examine the possibility of applying a control mechanism for exceptional inward land rates (Prot, art I).
An inquiry conducted in 1987 revealed that the majority of the 65 countries which replied was in favour of:
- publishing guideline rates for outward and inward land rates provided in art 46 of the Agr (Hamburg 1984);
- publishing outward land rates in the Compendium (Parcels);
- reconsidering the principle according to which inward land rates may not be higher than outward land rates;
- revising article 46 of the Agr. A clear majority of the countries favours partial liberalization permitting inward land rates to exceed outward land rates by up to 30 percent;
- a control mechanism for exceptional inward land rates.

A prop was prepared on the basis of this inquiry, which sought among other things to allow adms to set inward land rates exceeding outward land rates by up to 30 percent, on the one hand, and on the other, publication of outward and inward land rates in the Compendium (Parcels). The prop in question was adopted by the 1989 Washington Congress (II Congress/C 7 – Rep 2, prop 5046.3; see also Det Regs, art 101, para 1, a).

8) A provision adopted by the 1974 Lausanne Congress (II 1402, props 5046.2 and 5046.4). The exceptions to this rule appear in the Prot, art VI.

9) The possibility of noting the outward and inward rates on 1 July was abolished by the 1979 Rio de Janeiro Congress (II 1649 and 1752, props 5048.2 and 5048.4).

10) To enable adms to prepare, check, print and distribute their CP 1 and CP 21 tables, the periods laid down for notifying the IB of changes in the inward rates and their communication by the IB to the adms were increased by one month by the 1984 Hamburg Congress (II 524, prop 5048.2).

Article **48**
Transit land rate (Agr 51, 58; Prot II, III, VI, VII) (1)

1 Parcels exchanged between two administrations or between two offices of the same country by means of the land services (2) of one or more other administrations shall be subject to the following transit land rates, payable to the countries whose services take part in the routeing on land (3):

| Distance steps | Transit land rates | | | | | | |
|---|---|---|---|---|---|---|---|
| | up to 1 kg | above 1 up to 3 kg | above 3 up to 5 kg | above 5 up to 10 kg | above 10 up to 15 kg | above 15 up to 20 kg | **above 20 kg, for each step or fraction of 5 kg** (4) |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | **8** |
| | SDR | SDR | SDR | SDR | SDR | SDR | **SDR** |
| Up to 600 km .... | 0.20 | **0.52** | **0.95** | **1.67** | **2.71** | **3.76** | **0.98** |
| Above 600 up to 1000 km ... | **0.29** | **0.75** | **1.34** | **2.38** | **3.89** | **5.39** | **1.37** |
| Above 1000 up to 2000 km ... | **0.39** | **1.01** | **1.80** | **3.20** | **5.19** | **7.22** | **1.83** |
| Above 2000 for each additional 1000 km ..... | 0.10 | 0.23 | **0.46** | **0.78** | **1.27** | **1.76** | **0.26** |

**In case of allocation of rates in accordance with article 54, paragraph 3, the following guideline rates are recommended** (5):

| **Distance steps** | **Transit land rate** | |
|---|---|---|
| | **per parcel** | **per kg of gross weight of mails** |
| | **SDR** | **SDR** |
| **Up to 600 km** ..... | **1.47** | **0.20** |
| **Above 600 up to 1000 km** ..... | **2.09** | **0.29** |
| **Above 1000 up to 2000 km** ..... | **2.81** | **0.39** |
| **Above 2000 for each additional 1000 km** . | **0.65** | **0.10** |

2 Each of the countries mentioned in paragraph 1 shall be authorized to collect for each parcel the transit land rates applicable to the distance step corresponding to

the weighted average distance (6) (7) over which it conveys parcels in transit. This distance shall be calculated by the International Bureau. (8) (9)

3 Reforwarding, where applicable after warehousing, by the services of an intermediate country of mails and à découvert parcels entering and leaving by the same port (transit not involving a land route) shall be subject to the provisions of paragraphs 1 and 2. (10) (11)

4 As regards air parcels, the land rate for intermediate countries shall be applicable only where the parcel is conveyed by an intermediate land service. (12)

5 However, as regards air parcels in transit à découvert, intermediate administrations shall be authorized to claim a single rate of 0.33 SDR per item. (12)

6 When a country agrees to its territory being crossed by a foreign transport service without participation of its services according to article 3 of the Convention (13), parcels thus conveyed shall not give rise to allocation of the transit land rate to the postal administration concerned. (14)

7 The rates mentioned in paragraph 1 shall be payable by the administration of the country of origin unless this Agreement provides for exceptions to this principle.

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1) In regard to the notification of the rates applicable as from the entry into force of the Agr, the 1979 Rio de Janeiro Congress in its resolution C 40 (II 1263 and 1653, prop 5500.1) requested the adms of member countries which were signatories to the Agr to notify the IB of the information to be provided about the execution of the service (Det Regs, art 101) at least 6 months before the entry into force of the Agr. Regarding the revision of these rates, see part IV, note 2, e.

2) The term "land services" also covers river and lake transport (1969 Tokyo Congress, II 1529 to 1531, 1588 and 1589, prop 6001).

3) Rates established by the EC upon conclusion of the study assigned to it by the 1984 Hamburg Congress (resolution C 22; see part IV, note 2, e) and adopted by the 1989 Washington Congress (II Congress/C 7 – Rep 3, prop 5047.2 and Congress – Doc 61).

4) See art 2, note 5 (II Congress/C 7 – Rep 3, prop 5047.1/Rev 1).

5) See part IV, note 4.

6) The weighted average distance of transit parcel conveyance is established for a given country as follows: for each transit route used, the weight of transit parcels conveyed during the reference period is multiplied by the route length; the numbers of kg/km thus obtained for the different routes are then added together and the total is divided by the total weight of transit parcels conveyed over these routes.

7) This distance is indicated for the countries concerned in the Compendium (Parcels).

8) By resolution C 68 the 1974 Lausanne Congress (III 895) decided to leave it to the IB to revise this distance in accordance with the procedure prescribed in resolution C 80 of the 1969 Tokyo Congress (III 758 and 759).

9) See also Prot, art III.

10) The principle of payment for transit not involving a land route was introduced by the 1969 Tokyo Congress on the proposal of the EC (II 1529 to 1531, prop 6001 and Congress – Doc 13).

11) Payment for transit not involving a land route is made, for a given country, at the same rates as for transit involving a land route (1969 Tokyo Congress, Congress – Doc 13).

12) A prop to the effect that air parcels in transit à découvert should give entitlement to payment of the transit land rate was rejected by the 1969 Tokyo Congress (II 1529 and 1530, prop 6204).
However, the 1979 Rio de Janeiro Congress, in its resolution C 26, instructed the EC to study the question of fixing the transit land rates. The results of several consultations on this subject having shown that the handling of air parcels in transit à découvert causes additional costs to the adms, the EC considered that the transit of these parcels should give rise to remuneration. As this could not be fixed on the basis of a distance to be covered, since there was no land transfer, the EC came out in favour of a single rate per item, which the 1984 Hamburg Congress adopted (II 526, props 5047.4 and 5921.1).

13) See reference text reproduced at the end of this vol.

14) A provision adopted by the 1974 Lausanne Congress (II 1407 and 1408, prop 5047.6; see Conv, art 3, note 1, reproduced at the end of this vol).

## Article **49**
## Sea rate (Agr 50, 51, 58; Prot IV, V, VI)

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

2 For each sea conveyance used (1), the sea rate shall be calculated according to the following table (2) (3):

| Distance steps | | Weight steps | | | | | | |
|---|---|---|---|---|---|---|---|---|
| a expressed in nautical miles | b expressed in km after conversion on the basis of 1 n.m. = 1.852 km | up to 1 kg | above 1 up to 3 kg | above 3 up to 5 kg | above 5 up to 10 kg | above 10 up to 15 kg | above 15 up to 20 kg | **above 20 kg, for each step or fraction of 5 kg** (4) |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| | | SDR | SDR | SDR | SDR | SDR | SDR | SDR |
| Up to 500 n.m. | Up to 926 km | **0.16** | **0.39** | **0.69** | **1.21** | **1.96** | **2.71** | **0.59** |
| Above 500 up to 1000 | Above 926 up to 1852 | **0.20** | **0.46** | **0.82** | **1.44** | **2.35** | **3.27** | **0.78** |
| Above 1000 up to 2000 | Above 1852 up to 3704 | 0.20 | **0.52** | **0.95** | **1.67** | **2.71** | **3.72** | **0.91** |
| Above 2000 up to 3000 | Above 3704 up to 5556 | **0.23** | **0.59** | **1.05** | **1.86** | **3.01** | **4.15** | **1.05** |
| Above 3000 up to 4000 | Above 5556 up to 7408 | **0.26** | **0.62** | **1.11** | **1.99** | **3.23** | **4.48** | **1.14** |
| Above 4000 up to 5000 | Above 7408 up to 9260 | 0.26 | **0.65** | **1.18** | **2.12** | **3.43** | **4.77** | **1.24** |
| Above 5000 up to 6000 | Above 9260 up to 11 112 | **0.29** | **0.69** | **1.24** | **2.22** | **3.63** | **5.00** | **1.31** |
| Above 6000 up to 7000 | Above 11 112 up to 12 964 | **0.29** | **0.72** | **1.31** | **2.32** | **3.76** | **5.23** | **1.37** |
| Above 7000 up to 8000 | Above 12 964 up to 14 816 | 0.29 | **0.75** | **1.34** | **2.42** | **3.92** | **5.42** | **1.44** |
| Above 8000 per additional 1000 | Above 14 816 per additional 1852 | **0.03** | 0.03 | 0.03 | **0.07** | 0.13 | 0.16 | **0.03** |

## In case of allocation of rates in accordance with article 54, paragraph 3, the following guideline rates are recommended (5):

| **Distance steps** | | **Sea rate** | |
|---|---|---|---|
| **a expressed in nautical miles** | **b expressed in km after conversion on the basis of 1 n.m. = 1.852 km** | **per parcel** | **per kg of gross weight of mails** |
| | | **SDR** | **SDR** |
| **Up to 500 n.m.** | **Up to 926 km** | **1.05** | **0.16** |
| **Above 500 up to 1000** | **Above 926 up to 1852** | **1.27** | **0.20** |
| **Above 1000 up to 2000** | **Above 1852 up to 3704** | **1.44** | **0.20** |
| **Above 2000 up to 3000** | **Above 3704 up to 5556** | **1.63** | **0.23** |
| **Above 3000 up to 4000** | **Above 5556 up to 7408** | **1.73** | **0.26** |
| **Above 4000 up to 5000** | **Above 7408 up to 9260** | **1.86** | **0.26** |
| **Above 5000 up to 6000** | **Above 9260 up to 11 112** | **1.96** | **0.29** |
| **Above 6000 up to 7000** | **Above 11 112 up to 12 964** | **2.03** | **0.29** |
| **Above 7000 up to 8000** | **Above 12 964 up to 14 816** | **2.09** | **0.29** |
| **Above 8000 per additional 1000** | **Above 14 816 per additional 1852** | **0.07** | **0.03** |

3 If necessary, the distance steps used to determine the amount of the sea rate applicable between two countries shall be calculated on the basis of a weighted average distance (6), determined in terms of the tonnage of the mails carried between the respective ports of the two countries.

4 Sea conveyance between two ports of the same country may not give rise to the collection of the rate referred to in paragraph 2 when the administration of that country already receives, for the same parcels, payment in respect of land conveyance.

5 As regards air parcels, the sea rate for intermediate administrations or services shall be applicable only where the parcel is conveyed by an intermediate sea service; for this purpose every sea service provided by the country of origin or destination shall be regarded as an intermediate service.

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1) In the case of two sea conveyances carried out successively by the same ship and interrupted by a land conveyance, only one sea transit charge is paid. Should sea conveyance have been made by two different ships, the transit charge is payable for each (1906 Rome Congress, II 387, 1902 Rep, p 6).

2) Basic rates established by the EC on conclusion of the study assigned to it by the 1984 Hamburg Congress (resolution C 22; see also part IV, note 2, e) and adopted by the 1989 Washington Congress (II Congress/C 7 – Rep 3, prop 5048.2 and Congress – Doc 61). Increased by 50 percent, these rates correspond to the revised letter-post sea transit charges increased by 10 percent. The option of reducing or increasing them is laid down in art 50.

3) Regarding the notification of the rates applicable as from the entry into force of the Agr, see art 48, note 1. In regard to the revision of these rates see part IV, note 2, e.

4) See art 2, note 5 (II Congress/C 7 – Rep 3, prop 5048.1/Rev 1).

5) See part IV, note 4.

6) A charge graduated according to distance, if strictly applied, might give rise to different charges for different ports in the same country. To avoid that difficulty, it was decided, where appropriate, to base the charge on the average distance (1880 Paris Conf, p 111).

## Article **50**
## Reduction or increase of the sea rate (Prot IV, VI)

1 Administrations may increase by 50 percent at most the sea rate laid down in article **49**, paragraph 2. On the other hand, they may reduce it as they wish.

2 This option shall be subject to the conditions laid down in article **47**, paragraph **5**.

3 In the case of an increase, this shall also be applied to parcels originating in the country to which the services providing sea conveyance belong; (1) nevertheless, this obligation shall not apply either in the relations between a country and the

territories for whose international relations it is responsible, or in the relations between these territories.

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1) The IB was consulted as to whether a country could charge sea rates for the conveyance of its parcels to another country at rates differing from those charged for the conveyance of parcels on the same route, but in the opposite direction; it reached the conclusion that adms were free to fix their sea rates within the possibilities afforded by art 50, for nowhere in the Agr was it laid down that the rates governing sea conveyance between two countries should be the same in both directions (see IB's opinion in 1962 Rep, pp 31 and 33).

## Article **51**
## Application of new rates following unforeseeable changes in routeing (Agr 48, 49) (1)

When, for reasons of force majeure or any other unforeseeable occurrence, an administration is obliged to use for the conveyance of its own parcels a new dispatch route which causes additional sea or land conveyance costs, it shall be required to inform immediately by telegram **or any other appropriate means of telecommunication** (2) all the administrations whose parcel mails or à découvert parcels are sent in transit by way of its country. From the fifth day following the day on which this information is sent, the intermediate administration shall be authorized to charge the administration of origin the land and sea rates which correspond to the new route. (3)

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1) An art adopted by the 1969 Tokyo Congress, providing for collection from the sender, instead of from the addressee as previously, of the additional charges resulting from the use of a more costly route for transit parcels (II 1533 to 1536, prop 6258).

2) See art 4, note 9.

3) The time limits laid down in art 47, para 5, do not apply in these cases (1969 Tokyo Congress, II 1533 to 1536, prop 6258; see also Det Regs, arts 102, para 4 and 113, para 3).

## Article **52**
## Basic rates and calculation of air conveyance dues (Agr 53, 58; Prot VI) (1)

1 The basic rate applicable to the settlement of accounts between administrations in respect of air conveyance shall be fixed at a maximum of 0.568 thousandth of an SDR (2) per kilogramme of gross weight and per kilometre; this rate shall be applied proportionately to fractions of a kilogramme.

2 Air conveyance dues relating to air parcel mails shall be calculated according to, on the one hand, the actual basic rate specified in paragraph 1 and the kilometric distances given in the "List of Airmail Distances" referred to in article **225**,

paragraph 1, b, of the Detailed Regulations of the Convention (3) and, on the other, the gross weight of the mails.

3 The air conveyance dues payable to the intermediate administration for à découvert air parcels shall be fixed in principle as indicated in paragraph 1, but per half-kilogramme for each country of destination. Nevertheless, when the territory of the country of destination of these parcels is served by one or more lines with several stops in that territory, dues shall be calculated on the basis of a weighted average rate taking into account the weight of the parcels offloaded at each stop. The dues to be paid shall be calculated for each individual parcel, the weight of each being rounded upwards to the next half-kilogramme.

4 Each administration of destination which provides air conveyance of air parcels 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 km**. (4) These dues shall be uniform for all mails from abroad, whether or not the air parcels are reforwarded by air.

5 The dues referred to in paragraph 4 shall be fixed in the form of a single price calculated for all air parcels addressed to the country, on the basis of the rate actually paid for air conveyance of parcels within the country of destination **less the corresponding surface conveyance costs** (4), but not exceeding the maximum rate (5) provided for in paragraph 1, and according to the weighted average of the sector distances covered by air parcels of the international service on the internal air network. The weighted average distance shall be **calculated by the International Bureau** (4) in terms of the gross weight of all the air parcel mails arriving at the country of destination, including the air parcels which are not reforwarded by air within that country. (6)

6 Entitlement to reimbursement of the dues referred to in paragraph 4 shall be subject to the conditions laid down in article **47**, paragraph **5**. (7)

7 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.

8 No transit land rate shall be payable for:
a the transfer of airmails between two airports serving the same town;
b 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.

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1) See art 9, note 1.

2) Max rate adopted by the 1979 Rio de Janeiro Congress and applicable to all categories of mail LC, AO and CP (II 1649, prop 5052.2/Rev 1; see Conv, art 85, note 1, reproduced at the end of this vol, and Agr, art 9, note 2).

3) See reference text reproduced at the end of this vol.

4) Clarification introduced by the 1989 Washington Congress (II Congress/C 6 – Rep 4, prop 5051.1 and Congress – Doc 64).

5) Clarification introduced by the 1979 Rio de Janeiro Congress (II 1656, prop 5052.1).

6) Conv, art 85, note 5, reproduced at the end of this vol, gives examples of calculating unit prices of internal air conveyance for airmail corr (LC/AO). On the basis of these examples, a separate weighted average distance should be established for international air parcels reforwarded on the internal air network and, as applicable a separate unit price. This information is published in the General List of Airmail Services (List AV 1).

7) The purpose of this para, which was introduced by the 1969 Tokyo Congress, is to avoid frequent alterations in the charges to be collected from senders (II 1536, prop 6051).

### Article **53**
### Air conveyance dues for lost or destroyed air parcels (Agr 52) (1)

In case of loss or destruction of air parcels as a result of an accident occurring to the aircraft or through any other cause involving the liability of the air carrier, the administration of origin shall be exempt from any payment in respect of the air conveyance of the air parcels lost or destroyed, for any part of the flight of the line used.

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1) See Conv, art 90, notes, reproduced at the end of this vol.

## Chapter II

## Allocation of rates

### Article **54**
### General principles (Agr 55; Det Regs 147 to 150)

1 Allocation of rates to the administrations concerned shall be made, in principle, in respect of each parcel. (1) (2)

2 However, in the case of transmission by closed mails, the administration of origin may agree with the administration of destination to allocate rates in bulk for each weight step. (3)

3 Also in the case of transmission by closed mails, the administration of origin may agree with the administration of destination and, as appropriate, with the

intermediate administrations to credit them with sums calculated per parcel (4) or per kilogramme (4) of gross weight of the mails on the basis of the land and sea rates.

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1) In the course of its study of the system governing the collection of charges and fees on postal parcels (see art 5, note 1), the ELC noted that the methods of exchange based on the allocation of rates on individual parcels represented an extremely heavy burden for the offices of exchange and accounting services. Hence it was advisable to encourage adms to resort to simpler methods, by means of bilateral agreements, thereby ensuring an appreciable saving in staff and at the same time speeding up the treatment of parcels in offices of exchange.
To be effective, such simplification would involve considerable changes, not only in the method of the allocation of rates, but also in the rules governing the mutual liability of the adms concerned.
From the standpoint of the allocation of rates, apart from redirected parcels and parcels in transit à découvert, the sole requirement would be the entry of parcels of which it was desired to keep track, ie virtually only insured parcels. The entry of all other parcels would be made in bulk, with an indication of the aggregate rates payable to each adm.
As regards liability, two cases should be distinguished:
– the case of loss;
– the case of theft or damage.
In the event of loss, in principle, liability is equally shared by each of the adms which took part in the conveyance of the parcel, except in the case of insured parcels, in respect of which the present rules are maintained.
Should theft or damage occur, two solutions may be envisaged. Under the first, liability would be shared for all but insured parcels. Under the second, liability for theft or damage would continue to be determined as at present, that is to say, verification note CP 13 and report CP 14 would continue to be prepared in each case (1964 Vienna Congress, II 1233, prop 7007; see also part IV, note 3).

2) On the results of the EC study on simplifying the present procedure for allocating rates (1974 Lausanne Congress resolution C 74), see part IV, note 4. In resolution C 27, the 1979 Rio de Janeiro Congress instructed the EC to continue that study (see also part IV, note 4).

3) The adm of origin has no need to agree with the intermediate adm on allocating transit or sea rates in bulk by weight step, since this method is earmarked for form CP 12; as a result, the reference to intermediate adms has been deleted from this para (1979 Rio de Janeiro Congress, II 1650, prop 5055.1/ Rev 1).

4) The average payments per parcel or per kg are calculated according to weighted statistical factors. They are revised as a matter of course should any change occur in the rates, or at the request of one of the adms concerned in the event of any change in the composition of traffic (1964 Vienna Congress, II 1233, prop 7007; see also Det Regs, art 150).

## Article **55**
## Service parcels. Parcels of prisoners of war and civilian internees (Agr 17, 18, 54) (1)

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

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1) See art 4, note 6.

# Part V

# Miscellaneous provisions

## Article **56**
## Application of the Convention (1)

The Convention (2) shall be applicable, where appropriate, by analogy, in all cases not expressly governed by this Agreement. (3)

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1) The 1964 Vienna Congress aligned the text relating to the application of the Conv in the different Agrs (II 399, Congress – Doc 88). Couched as it is in general terms, this provision makes it possible to cover all cases in which the Conv is applied (II 1233, prop 7008).

2) The arts of the Conv and its Det Regs (and the notes concerning them) to which reference is made are reproduced at the end of this vol.

3) Internal legislation does not prevail over the provisions of the Agr; it shall apply only to such cases as are not covered by the latter (1878 Paris Congress, p 442; cf Const, art 24, note).

## Article **57**
## Conditions for approval of proposals concerning this Agreement and its Detailed Regulations (1)

1 To become effective, proposals submitted to Congress relating to this Agreement and its Detailed Regulations must be approved by a majority of the member countries present and voting which are parties to the Agreement. At least half of these member countries represented at Congress must be present at the time of voting.

**2 To become effective, proposals relating to the Detailed Regulations of this Agreement which have been referred by Congress to the Executive Council for a decision or which have been introduced between Congresses must be approved by a majority of the members of the Executive Council which are parties to this Agreement.**

**3** To become effective, proposals introduced between Congresses relating to this **Agreement must** obtain:

a unanimity of votes if they involve either the addition of new provisions or amendments of substance to the articles of this Agreement **and** of its Final **Protocol;**

**b** a majority of the votes if they involve:

i interpretation of the provisions of this Agreement **and** its Final **Protocol;**

ii drafting amendments to be made to the Acts specified in subparagraph i.

1) As regards the procedure for presenting and considering props, see Const, art 29 and Gen Regs, arts 119 to 123.

### Article **58**
### Parcels addressed to or originating in countries not participating in the Agreement (Agr 1; Det Regs 113)

1 The administrations of countries participating in this Agreement which maintain an exchange of parcels with the administrations of non-participating countries shall, in the absence of any objection on the part of the latter, allow the administrations of all the participating countries to avail themselves of these services.

2 For transit by the land, sea and air services of the countries participating in the Agreement, parcels addressed to or originating in a non-participating country shall be treated in the same way as parcels exchanged between participating countries in so far as the amount of the land and sea rates and of the air conveyance dues is concerned. (1) The same shall apply, with respect to liability, whenever it is established that loss, theft or damage occurred in the service of one of the participating countries and when the indemnity has to be paid in a participating country either to the sender or, where article **40**, paragraph 8, is applied, to the addressee. (2)

1) Apart from the relations between contracting countries, the conditions of exchange are governed by special treaties. Thus, in the case of sea conveyance, the conditions of conveyance are governed by the Parcels Agr if the ship belongs to a country party to the Agr and by special agreements if the ship belongs to a country which is not a party to the provisions of the Agr (1929 London Congress, II 398 and 399).

2) Since the charges made and the rates paid are the same as for parcels originating in or addressed to participating countries, in the event of loss, damage or theft of parcels addressed to or originating in non-participating countries, it is fair that the liability of the participating adms should be expressly specified (1964 Vienna Congress, II 1233, prop 7102).

## Part VI
## Final provisions

### Article **59**
### Entry into force and duration of the Agreement

This Agreement shall come into force on **1 January 1991** 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 contracting countries have signed (1) this Agreement 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 **Washington, 14 December 1989.**

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1) Names of the countries that signed the Agr:
Democratic Republic of Afghanistan
People's Democratic Republic of Algeria
Argentine Republic
Australia
Republic of Austria
People's Republic of Angola
Commonwealth of the Bahamas
State of Bahrain
Barbados
Belgium
People's Republic of Benin
Kingdom of Bhutan
Republic of Bolivia
Republic of Botswana
Federative Republic of Brazil
Brunei Darussalam
People's Republic of Bulgaria
Burkina Faso
Republic of Burundi
Byelorussian Soviet Socialist Republic
Republic of Cameroon
Canada
Republic of Cape Verde
Central African Republic
Republic of Chad
Chile
People's Republic of China
Republic of Colombia
Islamic Federal Republic of the Comoros
People's Republic of the Congo
Republic of Costa Rica
Republic of Côte d'Ivoire
Republic of Cuba
Republic of Cyprus
Czechoslovak Socialist Republic
Kingdom of Denmark
Republic of Djibouti
Dominican Republic
Republic of Ecuador
Arab Republic of Egypt
Republic of El Salvador
People's Democratic Republic of Ethiopia
Republic of Finland
French Republic
Gabonese Republic
German Democratic Republic
Federal Republic of Germany
United Kingdom of Great Britain and Northern Ireland,
Channel Islands and Isle of Man
Overseas Territories for whose international relations
the Government of the United Kingdom
of Great Britain and Northern Ireland is responsible
Greece
Republic of Guatemala
Republic of Guinea
Guyana
Republic of Haiti
Republic of Honduras
Republic of Hungary
Republic of Iceland
India
Republic of Indonesia
Islamic Republic of Iran
Republic of Iraq
Ireland
Israel
Italy
Japan
Hashemite Kingdom of Jordan
Republic of Kenya
Republic of Kiribati
Republic of Korea
Kuwait
Lao People's Democratic Republic
Lebanese Republic
Kingdom of Lesotho
Republic of Liberia
Principality of Liechtenstein
Luxembourg
Democratic Republic of Madagascar
Malawi
Malaysia
Mali
Malta
Islamic Republic of Mauritania
Mauritius
United Mexican States
Principality of Monaco
Mongolian People's Republic

Kingdom of Morocco
Union of Myanmar
Nepal
Netherlands
Netherlands Antilles and Aruba
New Zealand
Republic of the Niger
Federal Republic of Nigeria
Norway
Sultanate of Oman
Islamic Republic of Pakistan
Republic of Panama
Papua New Guinea
Republic of Paraguay
Republic of Peru
Polish People's Republic
Portugal
State of Qatar
Socialist Republic of Romania
Rwandese Republic
Saint Lucia
Republic of San Marino
Kingdom of Saudi Arabia
Republic of Senegal
Republic of Sierra Leone
Republic of Singapore
Solomon Islands
Democratic Republic of Somalia
Spain
Democratic Socialist Republic of Sri Lanka
Republic of the Sudan
Republic of Suriname
Kingdom of Swaziland
Sweden
Swiss Confederation
Syrian Arab Republic
United Republic of Tanzania
Thailand
Togolese Republic
Kingdom of Tonga
Republic of Tunisia
Republic of Turkey
Republic of Uganda
Union of Soviet Socialist Republics
United States of America
United Arab Emirates
Eastern Republic of Uruguay
Republic of Vanuatu
Vatican City State
Republic of Venezuela
Socialist Republic of Viet Nam
Western Samoa
Yemen Arab Republic
People's Democratic Republic of Yemen
Socialist Federal Republic of Yugoslavia
Republic of Zambia
Republic of Zimbabwe

# Final Protocol to the Postal Parcels Agreement

At the moment of proceeding to signature of the Postal Parcels Agreement concluded this day, the undersigned plenipotentiaries have agreed the following: (1) (2) (3) (4)

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1) Pursuant to the Const, art 22, para 6, this Prot contains the reservations to the provisions of the Agr.

2) An adm may, by unilateral declaration, renounce the benefit of a derogation made in its favour in the Prot (1929 London Congress, II 567).

3) Having been instructed by the 1964 Vienna Congress to make a study with a view to defining the conditions under which reservations may be carried into the Prot of the Parcels Agr (resolution CP 2), the EC devoted its main attention to reservations concerning regulations. After consulting adms, it reached the conclusion that such reservations should be authorized only when domestic legislation or regulations, or the restricted extent of the domestic parcels service, prevented adms from applying some of the provisions of the Agr. In addition, the EC followed the view of the great majority of adms in proposing the incorporation in the Agr proper of general and permanent reservations (see arts 3 and 5, para 2) as well as a certain number of individual reservations concerning regulations (see art 4, para 2, b; art 21, para 2; art 23, para 4; art 24, para 1, a, i; and art 38, para 2). In this connection it was pointed out that the regulations concerning postal parcels should not be too rigid, seeing that it was an optional Agr. Too strict an attitude in the matter might prevent countries that were not parties to it from acceding to this Agr. (Comprehensive Rep on the work of the EC 1964–1969, para 92; 1969 Tokyo Congress, II 1524 to 1526.) Furthermore, the EC appealed to the adms appearing in the Prot to make every effort to adapt their domestic legislation and regulations so as to be able to apply all the clauses of the Agr, if possible without reservation, and also to re-examine their reservations concerning rates in the light of the new rates adopted by the 1969 Tokyo Congress (CE 1969 – Doc 12/Annex 2 (CE/C 7 – Doc 26/Annex 9, d) (see also note to Const, art 22, para 5)).

4) In recommendation C 77/1989 (reproduced at the end of this vol), the 1989 Washington Congress invited adms to refrain from submitting reservations concerning the provisions of part III of the Agr dealing with liability. Adms were further urged to do their utmost to get the appropriate national authorities to have such reservations reviewed and withdrawn from the Prots to the UPU Acts (II Congress/C 4 – Rep 6, prop 2000.11).

## Article I
## Exceptional inward land rates (1) (2)

**1** Notwithstanding article **47**, the administrations listed below reserve the right to fix their inward land rates **over 30 percent** higher than their outward land rates (3) (4) (5):
**Algeria, Angola, Bahrain, Benin, Brazil, Brunei Darussalam, Bulgaria (People's Rep), Congo (People's Rep), Czechoslovakia, El Salvador, Ethiopia,** German Dem Rep, **Gabon, Gambia,** Ghana, **Greece, Iraq,** Israel, Jordan, **Kenya, Lebanon, Malaysia, Mongolian People's Rep, Nepal, Pakistan, Papua New Guinea, Sierra Leone, Singapore, Somalia, Sri Lanka, Syrian Arab Rep, Uganda, Venezuela,** Viet Nam, Yemen Arab Rep, Yemen (People's Dem Rep), Zambia, Zimbabwe.

**2 Notwithstanding article 47, the postal administration of the Arab Republic of Egypt reserves the right to collect an exceptional inward land rate of 6.53 SDR per parcel, in addition to the rates mentioned in that article.** (6)

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1) **Background note**
As early as the 1880 Paris Conf, the question of exceptional rates (then known as "surcharges") gave rise to lengthy discussion. In order to clearly define those authorized, the following rules were proposed.
"All countries are entitled to levy a surcharge of 25 c on dispatch and on receipt. This surcharge may be applied by any one country to all others or restricted, on the basis of reciprocity, to the countries which have themselves adopted it.
"Surcharges of over 25 c may be collected only by the countries in whose favour they were established in the Agreement, it being understood that all member countries of the UPU may, on the basis of reciprocity, apply those surcharges to items originating in or sent to the countries which use them" (p 112). The competent Comm, however, deemed the reciprocal surcharge would be an infringement of the UPU principle that charges should be as moderate as possible. First an ordinary charge was fixed and later surcharges were admitted, solely with a view to encouraging countries in a special position to accede to the Conv concerning postal parcels (p 143). The reciprocity clause was eliminated from the draft Agr, because the view of the majority (11 delegations for, 10 against and 2 abstentions) was that such a principle would amount to the use of reprisals rather than reciprocity (for the full discussion see 1880 Paris Conf, pp 141–146 and 164–166). Finally, the Conf adopted a remarkably simple art on charges and "surcharges", para 2 of which read:
"As a transitional measure, each contracting party shall have the right to apply a surcharge of 25 c per parcel on parcels originating in or sent to its offices.
"As an exception, the surcharge shall be increased to 50 c for Great Britain and Ireland, 75 c for British India and for Persia, and 1 fr for Sweden."
The first para corresponds to art 54 of the Agr (Rio de Janeiro 1979), but the words "as a transitional measure" have been deleted and "surcharge" replaced by "exceptional rate of 1 fr at most". The second para was gradually altered, owing to the extension of the Agr and the diversity of conditions in the postal parcel service in the countries concerned, until it finally became arts I and II of the Prot to the same Agr. It should be noted that the rates listed in the Prot were exceptional and provisional.

2) Instructed by the 1969 Tokyo Congress (decision C 82) to study props 6206 and 6245 of that Congress designed to allow adms to fix their land and sea rates at their own discretion, a measure which would have enabled the reservations concerning rates to be deleted, the EC decided in favour of maintaining the system of admitting rates reservations in the Prot – a system which is quite liberal and allows a certain amount of flexibility by enabling countries to adapt their rates to the actual cost of the parcel-post service (Comprehensive Rep on the work of the EC 1969–1974, para 58; see also Prot, preamble, note 3).

3) Although the max outward and inward rates authorized by the 1984 Hamburg Agr (art 46, para 1) were 100 percent higher than those authorized by the 1979 Rio de Janeiro Agr, fresh reservations were made by several countries to cover the costs of handling inward parcels which they considered to be considerably higher than those relating to outward parcels. However, taking the view that such reservations can result in increases likely to damage the interest of the service, the 1984 Hamburg Congress, in resolution C 89 (III 1002), instructed the EC to study the possibility of applying a control mechanism for exceptional inward land rates (II 212; for the results of that study, see Agr, art 47, note 7).

4) Pursuant to a decision by the 1988 EC, the guideline amounts of outward and inward land rates were not amended by the 1989 Washington Congress (see part IV, note 2, e).

5) As regards the conditions under which the exceptional rates are applied, see Agr, art 47, para 5.

6) Reservation made owing to the special economic circumstances of Egypt and with a view to extending the postal parcels service and to covering the inward costs of the service.

## Article II
## Exceptional transit land rates (1) (2)

For the time being, the administrations listed in the table below shall be authorized to collect the exceptional transit land rates indicated therein, in addition to the transit rates mentioned in article **48**, paragraph 1:

| No | Authorized administrations | Amount of the exceptional transit land rate for parcels of the following weight steps: | | | | | |
|---|---|---|---|---|---|---|---|
| | | up to 1 kg | over 1 and up to 3 kg | over 3 and up to 5 kg | over 5 and up to 10 kg | over 10 and up to 15 kg | over 15 and up to 20 kg |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| | | SDR | SDR | SDR | SDR | SDR | SDR |
| 1 | Afghanistan | **1.54** | **1.96** | **2.45** | **2.94** | **4.57** | **5.88** |
| 2 | United States of America | 0.65 | 0.98 | 1.31 | 1.96 | 2.61 | 3.27 |
| 3 | Argentina | 0.65 | 1.31 | 1.63 | 2.61 | 3.92 | 4.90 |
| 4 | Australia | **0.70** | **0.70** | **0.95** | **1.45** | **2.10** | **2.75** |
| 5 | Bahamas | 0.65 | 0.74 | 0.82 | 0.98 | | |
| 6 | Bahrain | 0.83 | 0.88 | 0.98 | 1.31 | **1.50** | **1.96** |
| 7 | Bangladesh | 0.98 | 1.31 | 1.47 | 1.63 | | |
| 8 | Barbados | 0.82 | 0.90 | 0.88 | 0.78 | | |
| 9 | Belgium | 0.16 | 0.33 | 0.49 | 0.82 | 1.14 | 1.47 |
| 10 | Belize | 3.01 | 3.59 | 3.87 | 4.95 | 6.14 | 7.12 |
| 11 | Benin | 0.20 | 0.33 | 0.49 | 0.98 | 1.47 | 1.96 |
| **12** | Bolivia | 0.33 | 0.39 | 0.46 | 0.65 | 0.98 | 1.31 |
| **13** | Botswana | 1.31 | 1.63 | 1.96 | 2.45 | 2.94 | 3.27 |
| **14** | Brazil | 1.31 | 1.96 | 2.61 | 3.27 | 6.53 | 7.84 |
| **15** | **Brunei Darussalam** | **0.29** | **0.49** | **0.88** | **1.57** | | |
| 16 | Bulgaria (People's Rep) | 0.33 | 0.65 | 0.98 | 1.31 | 1.96 | 2.61 |
| 17 | Central African Rep | 0.20 | 0.49 | 0.65 | 1.31 | 1.96 | 2.61 |
| 18 | Chile | 1.31 | 1.31 | 1.96 | 2.61 | 3.92 | 5.23 |
| 19 | China (People's Rep) | 1.31 | 2.35 | 3.01 | 3.43 | 3.92 | 4.90 |
| 20 | Cyprus | 1.31 | 1.63 | 2.12 | 2.45 | 3.27 | 4.25 |
| 21 | Congo (People's Rep) | 0.82 | 0.98 | 1.31 | 1.96 | 3.27 | 3.92 |
| 22 | Côte d'Ivoire (Rep) | 0.20 | 0.33 | 0.49 | 0.98 | 1.63 | 2.29 |
| 23 | Dominica | 1.80 | 1.96 | 2.07 | 2.56 | 3.74 | 4.51 |
| 24 | Egypt | **0.98** | **0.98** | **0.98** | **1.96** | **1.96** | **1.96** |
| 25 | El Salvador | 0.65 | 0.65 | 0.65 | 0.65 | 0.65 | 0.65 |
| 26 | United Arab Emirates | 1.11 | 1.24 | 1.31 | 1.11 | 0.72 | 0.65 |
| 27 | Ecuador | 0.98 | 0.98 | 1.31 | 1.96 | 2.61 | 3.27 |
| 28 | France | 0.33 | 0.65 | 0.98 | 1.31 | 1.96 | 2.61 |
| 29 | Gambia | 0.56 | 0.59 | 0.57 | 0.52 | | |
| 30 | United Kingdom of Great Britain and Northern Ireland and Overseas Dependent Territories of the United Kingdom | 4.41 | 5.23 | 5.55 | 7.02 | 8.66 | 9.96 |
| 31 | Grenada | 1.80 | 1.96 | 2.07 | 2.56 | 3.74 | 4.51 |
| 32 | Guyana | 0.33 | 0.36 | 0.39 | 0.46 | | |

| No | Authorized administrations | Amount of the exceptional transit land rate for parcels of the following weight steps: | | | | | |
|---|---|---|---|---|---|---|---|
| | | up to 1 kg | over 1 and up to 3 kg | over 3 and up to 5 kg | over 5 and up to 10 kg | over 10 and up to 15 kg | over 15 and up to 20 kg |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| | | SDR | SDR | SDR | SDR | SDR | SDR |
| 33 | India | **1.55** | **1.55** | **1.55** | **2.06** | **2.06** | **2.06** |
| 34 | Iran (Islamic Rep) | 0.33 | 0.39 | 0.46 | 0.52 | 0.65 | 0.85 |
| 35 | Iraq | 0.33 | 0.39 | 0.49 | 0.65 | 1.31 | 1.63 |
| 36 | Jamaica | 0.65 | 0.82 | 0.98 | 1.31 | 1.96 | 2.61 |
| 37 | Kenya | 0.98 | 1.14 | 1.31 | 1.63 | | |
| 38 | Madagascar | 0.65 | 0.98 | 1.31 | 1.96 | 2.61 | 3.27 |
| 39 | Malaysia | 0.33 | 0.36 | 0.39 | 0.65 | | |
| 40 | Malawi | 0.33 | 0.36 | 0.39 | 0.46 | | |
| 41 | Malta | 0.33 | 0.36 | 0.39 | 0.46 | | |
| 42 | Mauritius | 0.56 | 0.59 | 0.57 | 0.52 | | |
| **43** | **Myanmar** | 0.23 | 0.20 | 0.20 | 0.29 | | |
| **44** | Nepal | 0.65 | 0.82 | 0.98 | 1.14 | 1.47 | 1.80 |
| **45** | Nigeria | 0.98 | 1.14 | 1.31 | 1.63 | | |
| **46** | Oman | 1.14 | 1.21 | 1.31 | 1.47 | | |
| **47** | Uganda | 0.98 | 1.14 | 1.31 | 1.63 | | |
| **48** | Pakistan | 0.65 | 0.98 | 1.31 | 1.63 | | |
| **49** | Panama (Rep) | 0.33 | 0.49 | 0.65 | 0.98 | 1.31 | 1.63 |
| **50** | Papua New Guinea | 0.15 | 0.25 | 0.31 | 0.54 | 0.65 | 0.78 |
| **51** | Peru | 0.33 | 0.39 | 0.46 | 0.65 | 0.98 | 1.31 |
| **52** | Qatar | 0.33 | 0.36 | 0.39 | 0.46 | | |
| **53** | Dem People's Rep of Korea | 0.98 | 1.31 | 1.63 | 1.80 | 1.96 | 2.12 |
| **54** | Romania (Soc Rep) | 0.33 | 0.65 | 0.98 | 1.31 | 1.96 | 2.61 |
| **55** | **Saint Christopher and Nevis** | **4.41** | **5.23** | **5.55** | **7.02** | **8.66** | **9.96** |
| **56** | Saint Lucia | 1.80 | 1.96 | 2.07 | 2.56 | 3.74 | 4.51 |
| **57** | Saint Vincent and the Grenadines | 3.01 | 3.59 | 3.87 | 4.95 | 6.14 | 7.12 |
| **58** | Solomon Islands | 3.01 | 3.59 | 3.87 | 4.95 | 6.14 | 7.12 |
| **59** | Seychelles | 1.80 | 1.96 | 2.07 | 2.56 | 3.74 | 4.51 |
| **60** | Sierra Leone | 0.46 | 0.65 | 0.82 | 0.91 | | |
| **61** | Singapore | 0.33 | 0.36 | 0.39 | 0.65 | | |
| **62** | Sudan | 1.31 | 1.96 | 2.61 | 3.27 | | |
| **63** | Sri Lanka | 0.98 | 1.31 | 1.96 | 2.61 | 3.27 | 3.92 |
| **64** | Syrian Arab Rep | 0.65 | 0.98 | 1.31 | 1.63 | 1.96 | 2.29 |
| **65** | Tanzania (United Rep) | 0.98 | 1.14 | 1.31 | 1.63 | | |
| **66** | Thailand | 1.14 | 1.31 | 1.80 | 2.12 | 2.61 | 3.43 |
| **67** | Trinidad and Tobago | 0.65 | 0.82 | 0.98 | 1.31 | | |
| **68** | Turkey | 1.63 | 1.63 | 1.63 | 1.63 | 1.63 | 1.63 |
| **69** | Tuvalu | 1.80 | 1.96 | 2.07 | 2.56 | 3.74 | 4.51 |
| **70** | Union of Soviet Socialist Republics | | | | | | |
| | Via the European part of the USSR | 0.59 | 1.40 | 2.55 | 4.51 | 7.38 | 10.13 |
| | Via the Asian part of the USSR | 1.67 | 3.99 | 7.32 | 12.90 | 21.27 | 29.17 |

| No | Authorized administrations | Amount of the exceptional transit land rate for parcels of the following weight steps: | | | | | |
|---|---|---|---|---|---|---|---|
| | | up to 1 kg | over 1 and up to 3 kg | over 3 and up to 5 kg | over 5 and up to 10 kg | over 10 and up to 15 kg | over 15 and up to 20 kg |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| | | SDR | SDR | SDR | SDR | SDR | SDR |
| | Via the European and Asian parts of the USSR | 2.16 | 5.06 | 9.34 | 16.53 | 27.25 | 37.31 |
| **71** | Venezuela | 0.49 | 0.98 | 1.47 | 2.12 | 2.94 | 3.92 |
| **72** | Yemen (People's Dem Rep) | 1.31 | 1.31 | 1.96 | 2.61 | 3.92 | 5.23 |
| **73** | Yugoslavia | 0.29 | 0.39 | 0.65 | 0.72 | 1.18 | 1.03 |
| **74** | Zaire | 0.26 | 0.59 | 0.98 | 1.96 | 3.27 | 3.92 |
| **75** | Zambia | 1.37 | 1.83 | 2.74 | 3.66 | **5.08** | **7.06** |
| **76** | **Zimbabwe** | **1.31** | **1.63** | **1.96** | **2.45** | **2.94** | **3.27** |

1) This art results from the study carried out by the EC following resolution C 25 of the 1979 Rio de Janeiro Congress.

2) See also Prot, art I, notes 1 to 3.

## Article III
## Weighted average distance for conveyance of parcels in transit

Article **48**, paragraph 2, last sentence, shall not apply to the following countries unless they so request: Bulgaria (People's Rep), Byelorussia, Cuba, Czechoslovakia, Mongolian People's Rep, **Polish People's Rep, Ukraine** and Union of Soviet Socialist Republics. (1)

1) These countries consider that the determination of the weighted average distance of conveyance of parcels in transit is a sovereign right of each country which has acceded to the Agr (1969 Tokyo Congress, II 1550, prop 6289).

## Article IV
## Sea rates (1)

Argentina, Australia, the Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, **Brazil**, **Brunei Darussalam,** Canada, Chile, the Comoros, Congo (People's Rep), Cyprus, Djibouti, Dominica, Finland, France, Gabon, Gambia, Germany, Fed Rep of, the United Kingdom of Great Britain and Northern Ireland, the Overseas Dependent Territories of the United Kingdom, Greece, Grenada, Guyana, India, Italy, Jamaica, Japan, Kenya, **Kiribati,** Madagascar, Malaysia, Malta, Mauritius, the

Netherlands, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, **Portugal**, Qatar, **Saint Christopher and Nevis,** Saint Lucia, Saint Vincent and the Grenadines, Seychelles, Sierra Leone, Singapore, the Solomon Islands, Spain, Sweden, Tanzania (United Rep), Thailand, Trinidad and Tobago, Tuvalu, Uganda, the United Arab Emirates, the United States of America, Vanuatu, Yemen (People's Dem Rep) and Zambia **reserve the right** to increase by 50 percent at the most the sea rates provided for in articles **49** and **50**.

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1) See art I, notes 2 and 5.

Article V
Determination of average rates

Notwithstanding article **54**, paragraph 3, of the Agreement and article **150**, paragraph 2, of the Detailed Regulations, the United States of America shall be authorized to establish average land and sea rates per kilogramme based on the weight distribution of parcels received from all administrations. (1)

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1) In the United States of America the inward land and transit rates and the sea rates are established on the basis of the cost of handling parcels received from all countries.

Article VI (Agr 47 to 53)
Supplementary rates

1 Every parcel sent by surface or air addressed to Corsica, the French Overseas Departments, the French Overseas Territories and the **Communities of** Mayotte **and Saint Pierre and Miquelon** shall be subject to an inward land rate not exceeding the corresponding rate for France. When such a parcel transits metropolitan France it shall, in addition, give rise to the collection of the following supplementary rates and dues:

a "surface" parcels
   i the French transit land rate;
   ii the French sea rate corresponding to the distance step between metropolitan France and each of the Departments, Territories and **Communities** in question;

b air parcels
   i the French transit land rate for parcels in transit à découvert;
   ii the air conveyance dues corresponding to the airmail distance between metropolitan France and each of the Departments, Territories and **Communities** in question.

**2** Every parcel conveyed by the Iraq-Syria trans-desert motor services shall give rise to the collection of a special supplementary rate fixed as follows:

| Weight steps | Supplementary rates | Weight steps | Supplementary rates |
|---|---|---|---|
| 1 | 2 | 1 | 2 |
| kg | SDR | kg | SDR |
| Up to 1 . . . . . | **0.16** | over 5 and up to 10 | **1.63** |
| over 1 and up to 3 | **0.49** | over 10 and up to 15 | **2.45** |
| over 3 and up to 5 | **0.82** | over 15 and up to 20 | **3.27** |

**3** The postal administrations of the Arab Republic of Egypt and **the Republic** of the Sudan shall be authorized to collect a supplementary rate of **0.65 SDR** over and above the transit land rates laid down in article **48**, paragraph 1, of the Agreement for each parcel in transit via Lake Nasser between El Shallal (Egypt) and Wadi Halfa (Sudan).

**4** Every parcel sent in transit between Denmark and the Faröe Islands shall give rise to the collection of the following supplementary rates (1):

a surface parcels
   i the Danish transit land rate;
   ii the Danish sea rate corresponding to the distance step between Denmark and the Faröe Islands;

b air parcels
   – the air conveyance dues corresponding to the airmail distance between Denmark and the Faröe Islands.

**5** The postal administration of Chile shall be authorized to collect a supplementary rate of **2.61 SDR** per kilogramme at most for the conveyance of parcels to Easter Island. (2)

**6 Every parcel sent by surface or by air, in transit between continental Portugal and the autonomous regions of Madeira and the Azores, shall give rise to the collection of the following supplementary rates:**

**a surface parcels**
   **i the Portuguese transit land rate;**
   **ii the Portuguese sea rate corresponding to the distance step between continental Portugal and each of the autonomous regions in question;**

**b air parcels**
   **i the Portuguese transit land rate;**
   **ii the air conveyance dues corresponding to the airmail distance between continental Portugal and each of the autonomous regions in question.**

**7 Parcels addressed to the island provinces of Grand Canary and Tenerife and forwarded in transit via continental Spain shall give rise to the collection,**

**in addition to the corresponding inward land rate, of the following supplementary rates:**

**a surface parcels**
- **i the Spanish transit land rate;**
- **ii the Spanish sea rate corresponding to a distance of from 1000 to 2000 nautical miles;**

**b air parcels**
- **– the air conveyance costs corresponding to the airmail distance between continental Spain and each of the island provinces in question.**

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1) These rates are to cover the excess costs of the Danish adm caused by the conveyance of parcels for the Faroe Islands, the postal service of which was taken over by the Islands' autonomous local adm on 1 April 1976 (1979 Rio de Janeiro Congress, II 1668, prop 5305.1).

2) All parcels for Easter Island are sent by air since there are no scheduled surface services (1979 Rio de Janeiro Congress, II 1668, prop 5305.2).

## Article VII
## Special tariffs (Agr 6 to 8)

1 The administrations of Belgium, France and Norway may collect higher land rates for air parcels than for surface parcels. (1)

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

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

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1) The study carried out as a result of resolution C 25 of the 1979 Rio de Janeiro Congress (see part IV, note 2, d), led the EC to propose the abolition of this art. However, these countries considered that the economic balance of the parcel-post service required them to maintain this reservation. See also the interpretation of this provision given to the 1952 Brussels Congress (II 844).

## Article VIII
## Supplementary charges (Agr 7, 10 to 15) (1)

Exceptionally, administrations shall be authorized to exceed the upper limits of the supplementary charges shown in articles **10** to **13** and **15** if this is necessary to bring these charges into line with the costs of operating their services. However, in the case of return to sender (article **30**, paragraph 3, b) or redirection (article **32**, paragraph 6, c), the amount of the charges passed on may not exceed the rates laid down in the agreement. Administrations wishing to apply this provision must notify the International Bureau of their intention as soon as possible.

1) In its resolution C 15 the 1979 Rio de Janeiro Congress instructed the EC to study the question of modifying the principles for fixing supplementary charges for postal parcels and to propose a homogenous system with simple rules for giving adms more freedom. The results of the consultation of member countries showed that the majority of adms:

- favour the option of fixing their supplementary charges freely, but with max limits where these charges can be passed on to the country of origin for returned parcels or to the country of new destination of redirected parcels;
- want art VI of the Prot to be transferred to the Agr;
- are satisfied with the present system of fixing the supplementary charges which provides for min charges for most services.

In view of these results and to enable all adms to cover their operating costs, the EC considered that max charges could continue to be fixed in the Agr, but that these would be for guidance only, although allowing adms to fix their own charges on the basis of their operating costs. To do this, the EC decided to propose amendments to arts 10, 12, 13 and 15 of the Agr, art VI of the Prot having been transferred, after adaptation, to the Agr itself (see art 15, para 2). The 1984 Hamburg Congress adopted these amendments (II 516, props 5009.1, 5009.2, 5009.3, 5009.4, 5011.1, 5012.1, 5014.1, 5014.2, 5014.3, 5014.4, 5029.1, 5031.1, 5306.1 and 5306.2/Rev 1).

## Article IX
## Treatment of parcels wrongly accepted

Byelorussia, Bulgaria (People's Rep), Cuba, Dem People's Rep of Korea, Ukraine and the Union of Soviet Socialist Republics reserve the right to provide information about the seizure of a postal parcel or part of its contents only within the limits of the information provided by the customs authorities and in accordance with their internal legislation.

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

Notwithstanding article **38, Costa Rica,** Ecuador, El Salvador, Panama (Rep) 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.

## Article XI
## Prohibitions

**1** The postal administration of Canada shall be authorized not to accept insured parcels containing the valuable articles covered in article **20**, b, since this is contrary to its internal regulations.

**2 Exceptionally, the postal administration of Lebanon 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. It shall not be bound by the provisions of article 40, including with respect to the cases set forth in articles 41 and 43.**

Article XII
Exceptions to the principle of liability (1)

Notwithstanding article **40**, **Bolivia**, the Republic of Iraq, **the Republic of the** Sudan, the People's Democratic Republic of Yemen and the Republic of Zaire shall be authorized to pay no indemnity for damage to parcels coming from any country and addressed to **Bolivia,** Iraq, Sudan, Yemen (People's Dem Rep), or Zaire and containing liquids or substances which easily liquefy, glass articles or articles of a similar fragile **or perishable** nature.

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1) By recommendation C 70, the 1974 Lausanne Congress (III 896 and 897) urged adms of countries which had made reservations to art 40 to reconsider their position with a view to applying the provisions of that art. See also 1979 Rio de Janeiro Congress decision C 20 (III 899).

Article XIII
Compensation (1)

1 Notwithstanding article **40**, **Angola,** the Bahamas, Barbados, Belize, Bolivia, Botswana, **Brunei Darussalam,** Canada, Dominica, **the 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, **Saint Christopher and Nevis**, Saint Lucia, Saint Vincent and the Grenadines, Seychelles, Sierra Leone, the Solomon Islands, Swaziland, Trinidad and Tobago, Uganda, the United States of America, Zambia **and Zimbabwe** shall have the right not to pay compensation for uninsured parcels lost, rifled or damaged in their service.

2 Notwithstanding article **40**, paragraph 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.

3 The postal administration of Brazil shall be authorized not to apply article **40** with respect to liability in cases of damage, including the cases referred to in **articles 41 and 43**.

4 The United States of America, when acting as an intermediate 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.

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1) By recommendation C 70, the 1974 Lausanne Congress (III 896 and 897) urged adms of countries which had made reservations to art 40 to reconsider their position with a view to applying the provisions of that art. In addition, the 1979 Rio de Janeiro Congress decided that such adms are not entitled to receive compensation for their uninsured parcels lost, stolen or damaged in the services of member countries which accept liability under art 40. See decision C 20 (III 899).

Article XIV
Payment of the indemnity

The postal **administrations** of **Angola, Guinea,** Lebanon **and Mauritania (Islamic Rep)** shall not be obliged to comply with article **44**, paragraph 4, of the Agreement as regards finally settling a claim within **three** months. Nor **do they** agree to the rightful claimant's being indemnified on its behalf by another administration upon expiry of the above-mentioned period.

Article XV
Non-liability of the postal administration

The postal administration of Nepal shall be authorized not to apply article **41**, paragraph 1, b.

Article XVI
Advice of delivery

The postal administration of Canada shall be authorized not to apply article **28**, given that it does not offer the advice of delivery service for parcels in its internal service.

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 actual text of the Agreement to which it relates, and they have signed (1) 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 **Washington, 14 December 1989.**

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1) For the names of the countries that signed the Prot, see the final clause of the Agr, note 1.

# Detailed Regulations of the Postal Parcels Agreement

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Detailed Regulations
– Forms

Other decisions concerning the Postal Parcels Agreement and its Detailed Regulations

# Detailed Regulations of the Postal Parcels Agreement

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# Detailed Regulations of the Postal Parcels Agreement

Having regard to article 22, paragraph 5, of the Constitution of the Universal Postal Union concluded at Vienna, on 10 July 1964, the **Executive Council has drawn up** the following measures for ensuring the implementation of the Postal Parcels Agreement (1):

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1) See Const, art 22, para 4, note.

## Chapter I

## Preliminary provisions

Article 101
Information to be supplied by administrations (1) (2)

1 Each administration shall notify the other administrations, through the intermediary of the International Bureau, of:

a the **outward** (3) **and** inward land rates and, where appropriate, the transit land rates and the sea rates which it collects (Agreement, articles **47** to **50**; Final Protocol, articles **I** to VII); (4)

b the provisions it has adopted regarding (4):
   - i the maximum weight of parcels (Agreement, article 2, paragraph 2);
   - ii the option of accepting or not the following special parcels: insured, free of charges and fees, cash-on-delivery, fragile, cumbersome, airmail, express (Agreement, article 4, paragraphs 2 to **4**);
   - iii the maximum size of parcels conveyed by surface (Agreement, article **21**, paragraphs 1 and 2);
   - iv the maximum insured value (Agreement, article **24**, paragraph 1, a, i);
   - v the sender's instructions which it does not accept at the time of posting in accordance with article **23**, paragraph 4, of the Agreement;
   - vi the acceptance or otherwise of the advice of delivery for ordinary parcels in accordance with article **28** of the Agreement;
   - vii the option of not accepting requests for withdrawal from the post and alteration of address in accordance with article **38**, paragraph 2, of the Agreement;

viii the number of customs declarations required for parcels in transit (5) and for those addressed (6) to its own country, as well as the languages in which those declarations may be completed (article 106, paragraph 1, b);
ix the acceptance or otherwise of collective dispatch notes, in accordance with article 106, paragraph **4**;
x the method of dispatching documents accompanying parcels sent to its country (article 121, paragraph 1); (7)

c information regarding the air parcel service, in particular the sizes which it admits (4) (Agreement, article **21**, paragraphs 1 and 2) by arrangement with the air carriers, and, where applicable, the amount of payment collected, according to article **52**, paragraphs 4 and 5, of the Agreement, for conveyance within the country; (8)

**d a list of their offices of exchange responsible for handling parcel post with information concerning the exact name of each office, as well as its telephone, telex and telefax numbers;** (9)

**e** the list of live animals of which the conveyance by post is authorized by its own postal regulations (Agreement, article **20**, a, iv); (10)

**f** whether it admits parcels for all localities or, if not, a list of the localities to which the service extends (Agreement, article 3, paragraph 1); (4)

**g** the charges applicable in its service (Agreement, articles **8** to **15**; Final Protocol, article VIII); (11)

**h** the necessary information concerning customs or other regulations, as well as the prohibitions or restrictions governing the entry and transit of parcels in the territory of its country (Agreement, article **20**, a, viii); (10)

**i** an extract, in Arabic, Chinese, English, French, Russian or Spanish, from the provisions of its laws or regulations applicable to the conveyance of parcels. (10)

2 Any amendment to the information mentioned in paragraph 1 shall be notified without delay by the same means and as regards subparagraphs a and c, taking into account articles **47**, paragraph **5**; **50**, paragraph 2; and **52**, paragraph 6, of the Agreement.

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1) Within the framework of the study which it carried out in implementation of 1974 Lausanne Congress decision C 66 (III 894), the EC studied this art as a whole. It added land and sea rates to the information to be supplied by adms and, apart from the addition of several references, made some drafting amendments. In addition, it deleted the opening words of para 1 "At least three months before implementing the Agreement", since, from the legal point of view, it is not appropriate to make provision for an action to be undertaken before the entry into force of the Act concerned (1979 Rio de Janeiro Congress, II 1650, prop 5501.1). Instead of this time limit for supplying information, the 1979 Rio de Janeiro Congress adopted resolution C 40 inviting adms to supply their information to the IB at least 6 months before the entry into force of the Agr.

2) The information which adms communicate to one another, through the intermediary of the IB, concern:
a the regulations resulting from internal legislation;
b the application of restrictive or exceptional provisions;
c the amount of the rates and of the supplementary charges;
d the operation of optional services;
e various particulars concerning the international service.

3) See Agr, part IV, note 2, e, and art 47, note 7.

4) These particulars appear in the Compendium (Parcels), except sea rates which are published in IB circs and those relating to COD parcels, which are contained in the Compendium (Postal Financial Services and Subscriptions).

5) See art 106, note 3.

6) See art 106, note 4.

7) See art 121, note 1.

8) See AV 1 List, chapter II, internal service.

9) Provision adopted by the 1989 Washington Congress to allow fast direct communication between the offices of exchange to expedite handling of inquiries and other irregularities (II Congress/C 7 – Rep 3, prop 5501.1). This information is published in the Compendium (Parcels).

10) See List of Prohibited Articles.

11) See List of Equivalents and Compendium (Parcels).

## Article 102
## Routeing and rates (1)

1 By means of tables in the form of the annexed specimens CP 1 and CP 21, each administration shall set out on what conditions it accepts parcels in transit for countries for which it is in a position to act as intermediary, and particularly the rates to be assigned to it. (2)

2 On the basis of the information contained in the official Compendium of Information of general interest relating to the implementation of the Postal Parcels Agreement and in the CP 1 and CP 21 tables of intermediate administrations, each administration shall decide upon the routes to be used for forwarding its parcels and the charges to be collected from the senders.

3 Administrations shall send direct to each other (3), at least one month before their application (4), CP 1 (5) and CP 21 tables as well as all subsequent amendments to these tables; they shall send copies of their CP 1 and CP 21 tables to the International Bureau.

4 The time limit for notification laid down in paragraph 3 shall not apply to the cases mentioned in article **51** of the Agreement.

5 To determine the most favourable route for the dispatch of parcels, the dispatching office of exchange may send to the office of exchange of destination a trial note in the form of the specimen C 27 referred to in article **168**, paragraph 3, of the Detailed Regulations of the Convention. (6) (7) This note shall be attached to the parcel bill, on which its presence shall be indicated. If the C 27 form is missing when the mail arrives, the office of destination shall make out a duplicate. The trial note, duly completed by the office of destination, shall be returned by the quickest route (air or surface) (8) **to the address indicated or, in the absence of such an indication, to the office which prepared it**. (9)

1) Within the framework of the study which it carried out in implementation of 1974 Lausanne Congress decision C 66 (III 894), the EC studied this art as a whole. It made a drafting amendment to para 1 and added a reference to the Compendium (Parcels) in para 2 (1979 Rio de Janeiro Congress, II 1653, prop 5502.1 and Congress – Doc 1, para 46).

2) The list of maritime services should comprise only services available to adms under the conditions of payment fixed by the Agr (1880 Paris Conf, p 123).

3) Communication through the intermediary of the IB was eliminated, owing to the fact that it delayed the dissemination of amendments (1964 Vienna Congress, II 1255, prop 7009).

4) It often happens that adms send each other tables CP 1 and CP 21, and especially amendments to those tables, at the same time as they notify them of their application, or fail to show the date of application (1964 Vienna Congress, II 1255, prop 7124).

5) Formal opinion: In regard to the operation of the service, it would be highly desirable to reduce amendments to table CP 1 to a strict min (1939 Buenos Aires Congress, II 558).

6) The 1979 Rio de Janeiro Congress adopted formal opinion C 81 requesting adms to ensure that their offices of exchange complete the trial notes and return them by the quickest route to the office of origin, in accordance with Conv, Det Regs, art 168, para 3, reproduced at the end of this vol.

7) See reference text reproduced at the end of this vol.

8) Provision brought into line with Conv, Det Regs, art 168, para 3, reproduced at the end of this vol (1979 Rio de Janeiro Congress, II 1653, prop 5502.3).

9) Procedure adopted by the 1989 Washington Congress to enable the C 27 note to be returned to an address other than the dispatching office of exchange, which would have to be done for example when there are no mails in both directions between the offices of exchange involved (II Congress/C 7 – Rep 5, prop 5502.1).

# Chapter II

# Treatment of parcels by the office of origin

## Section I

## General conditions of admission and posting

### Article 103
### Addresses of the sender and the addressee (Agr 19)

1 To be admitted to the Post, every parcel shall bear, in roman letters and in arabic figures on the parcel itself or on a label firmly attached to it, the exact addresses of the addressee and the sender. If other letters and figures are used in the country of destination, it shall be recommended that the address be given also

in these letters and figures. Addresses written in pencil shall not be allowed; nevertheless, parcels of which the address is written in indelible pencil on a surface previously dampened shall be accepted.

2 Only one person or a corporate body may be designated as addressee. However, addresses such as "Mr A at ... for Mr Z at ..." or "Bank A at ... for Mr Z at ..." may be admitted, it being understood that only the person indicated under A shall be regarded by administrations as the addressee. In addition, the addresses of A and Z shall be in the same country.

3 The office of posting shall also advise the sender to put in the parcel a copy of his address and that of the addressee.

Article 104
General packing conditions (Agr 19; Det Regs 105) (1) (2) (3) (4)

1 Every parcel shall be packed and closed in a manner befitting the weight, the shape and the nature of the contents as well as the mode and duration of conveyance; the packing and closing shall protect the contents against crushing or damage by repeated handling; they shall also be such that it is impossible to tamper with the contents without leaving clear traces thereof.

2 Every parcel shall be made up particularly securely (5) if it has to be:
a conveyed over long distances;
b transhipped or handled many times;
c protected against major changes in climate, temperature or, in the case of conveyance by air, variations in atmospheric pressure.

3 It shall be packed and closed (6) in such a way as not to endanger the health of officials and so as not to present any danger if it contains articles of a kind likely to injure officials called upon to handle it or to soil or damage other parcels or postal equipment.

4 It shall have, on the packing or the wrapping, sufficient space for service instructions and for affixing stamps and labels.

5 The following shall be accepted without packing:
a articles which can be fitted together or put and kept together by a strong cord with lead or other seals, so as to form one single parcel which cannot come apart;
b parcels in one piece, such as pieces of wood, metal, etc, which it is not the custom of the trade to pack.

1) Pursuant to decision C 58 of the 1969 Tokyo Congress, the CCPS revised the rules concerning the make-up and packing of postal parcels. The results of this study, which are reflected in a strengthening of the above-mentioned rules and their adaptation to modern packaging techniques, were adopted by the 1974 Lausanne Congress (II 1410, props 5504.1 and 5505.1).

2) In formal opinion C 41 the 1979 Rio de Janeiro Congress called on adms to recommend users to make up parcels so firmly as to ensure their handling and conveyance in the best possible conditions (II 1653, prop 5500.2). Noting, however, that the users of packaging sold by adms tend to neglect interior packing, the 1984 Hamburg Congress, in recommendation C 20 (III 941) invited adms to inform their users employing the packs sold by postal services of the need to use appropriate interior packing as well and to make sure that the outside wrapping is properly closed (II 519, prop 5000.5).

3) In its decision C 21 the 1984 Hamburg Congress instructed the CCPS to examine with the ISO the possibility of laying down norms concerning the packaging sold by adms (II 519, prop 5000.5, and 183, Congress – Doc 81/Rev 1). This study (CCPS No 635) led to recommendation C 34 (reproduced at the end of this vol) and adopted by the 1989 Washington Congress.

4) See Agr, art 40, note 5.

5) Particularly secure packing was prescribed in the original Agr for any conveyance by maritime services, especially in the case of objects liable to deteriorate or cause deterioration of other items (1880 Paris Conf, p124).

6) Closures with projecting, sharp or pointed parts are not admissible (1974 Lausanne Congress, II 1410, prop 5504.1).

## Article 105

Special packing. Marking of parcels containing live animals, radioactive materials, urgent medicines **or chemical reference substances** (Agr 19, 20; Det Regs 104, 110) (1)

1 Every parcel which contains one or other of the following substances shall be made up as indicated below:

a precious metals: the packing shall consist either of a stout metal box, a case made of wood of a minimum thickness of 1 cm for parcels up to 10 kg and $1^1/_2$ cm for parcels over 10 kg, or two seamless bags forming a double wrapping; however, when cases made of plywood are used, their thickness may be limited to 5 mm on condition that the edges of the cases are reinforced by metal angle strips;

b articles of glass or other fragile objects: they shall be packed in a box of metal, wood, strong plastic material or strong cardboard, filled with paper, wood shavings or any other appropriate protective materials to prevent any friction or knocks during transport either between the objects themselves or between the objects and the sides of the box;

c liquids and substances which easily liquefy: they shall be enclosed in perfectly leak-proof containers. Each container shall be placed in a special box of metal, wood, strong plastic material or strong corrugated cardboard, containing enough sawdust, cotton wool or any other appropriate protective material to absorb the liquid should the container break. The lid of the box shall be fixed so that it cannot easily work loose;

d fatty substances which do not easily liquefy, such as ointments, soft soap, resins, etc, and silkworm eggs, the conveyance of which presents fewer difficulties: they shall be enclosed in a first covering (box, bag of cloth, plastic, etc) which is itself placed in a box of wood, metal or any other material stout enough to prevent the contents from leaking;

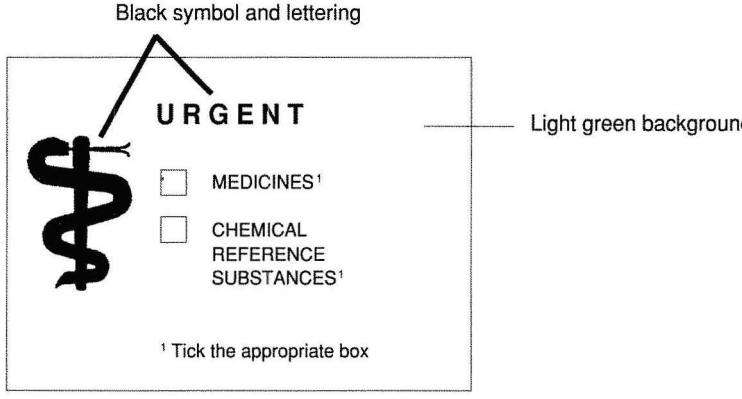
e dry colouring powders, such as aniline blue, etc: these products shall be admitted only in perfectly leak-proof metal boxes, placed in turn in boxes of wood, strong plastic material or strong corrugated cardboard with sawdust or some other appropriate absorbent and protective material between the two containers;

f dry non-colouring powders: these products shall be placed in containers (box, bag) of metal, wood, strong plastic material or cardboard; these containers shall themselves be enclosed in a box made of one of those materials;

g live animals: the wrapping of the parcel as well as the dispatch note shall be provided with a label bearing in bold letters the words *"Animaux vivants"* (Live animals);

h radioactive materials: parcels containing radioactive materials shall be plainly and durably marked by the sender with the words *"Matières radioactives. Quantités admises au transport par la poste"* (Radioactive materials. Quantities permitted for movement by post); (2) these words shall be officially crossed out should the packing be returned to the place of origin. These parcels shall also bear, in addition to the name and address of the sender, a request in bold letters for the return of the parcels in the event of non-delivery. The sender shall give his name and address and the contents of the parcel on the inner wrapping; (3)

i urgent medicines **and chemical reference substances**: parcels containing urgent medicines **or chemical reference substances** shall be furnished, on the side which bears the addressee's address, with a light green label with the following text and symbol (4) (5) (6):




(Size 62 × 44 mm)

2 Parcels containing the substances referred to in paragraph 1, h, may only be accepted for posting if those substances are admitted by all the administrations called upon to participate in the conveyance of the parcel.

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1) See art 104, note 1. In the context of the CCPS study these provisions were as far as possible brought into line with those of the Conv, Det Regs, art 119 (see also Agr, art 20, note 5).

2) Amendment resulting from the revision of the Regulations for the Safe Transport of Radioactive Materials of the IAEA (1984 Hamburg Congress, II 495, prop 5505.1; see also Conv, Det Regs, art 122, note 4, reproduced at the end of this vol).

3) Provision similar to Conv, Det Regs, art 122, paras 2 and 3, reproduced at the end of this vol (1974 Lausanne Congress, II 1397, prop 5505.3; see also Agr, art 20, note 7 and art 110, notes 3 and 4).

4) Provision similar to that in art 119, para 3, of the Det Regs of the Conv, reproduced at the end of this vol, introduced by the 1984 Hamburg Congress to facilitate the identification and speed up the customs clearance of items containing urgent medicines (II 494 and 495, prop 5505.3).

5) Provision similar to that in art 119, para 3, of the Det Regs of the Conv, reproduced at the end of this vol, introduced by the 1989 Washington Congress at the request of the WHO to facilitate the identification and speed up the customs clearance of chemical reference substances (II Congress/C 7 – Rep 5, prop 5505.2).

6) In its decision C 47/1989 (reproduced at the end of this vol), the 1989 Washington Congress instructed the EC to undertake, in cooperation with IATA, a study of prop 5505.1 concerning the make-up of items containing goods not to be opened without special precautions.

## Article 106
## Formalities to be complied with by the sender

1 Each parcel shall be accompanied by:

a a dispatch note of strong white cardboard, in the form of the annexed specimen CP 2; (1)

b a customs declaration in the form of the annexed specimen C 2/CP 3. (2) The customs declaration shall be made out in the required number of copies (3) (4), these being securely attached to the dispatch note. (5)

2 The sender may also attach to the CP 2 dispatch note any document (invoice, export licence, import licence, certificate of origin, certificate of health, etc) necessary for customs treatment in the dispatching country and in the country of destination.

3 The addresses of the sender and addressee, and all other particulars to be furnished by the sender, shall be identical on the parcel and the dispatch note. In the event of a discrepancy, the particulars appearing on the parcel shall be regarded as valid.

4 Except in the case of insured parcels, parcels for delivery free of charges and fees, and cash-on-delivery parcels, the same dispatch note accompanied by the number of customs declarations required for a single parcel may suffice for three

parcels at most, provided that they are posted simultaneously at the same office by the same sender, sent by the same route, subject to the same charge and addressed to the same person; each administration may, however, insist on a dispatch note and the prescribed number of customs declarations for each parcel.

5 The contents of the parcel shall be shown in detail on the customs declaration; indications of a general kind shall not be admitted.

6 Although they assume no liability for the customs declaration, administrations shall do their utmost to inform senders of the correct way to complete these declarations. (6)

7 The sender shall indicate how the parcel is to be dealt with in the event of non-delivery. For this purpose he shall insert a cross on the back of the dispatch note, where the instructions listed in article **23**, paragraph 2, of the Agreement are given in a box relating to one of these instructions; this cross may be handwritten, typewritten or printed. Furthermore, the sender may reproduce or have printed only one of the permitted instructions on the back of the dispatch note. The instruction marked by the cross on the dispatch note shall be typed on the parcel itself. It shall be in French or in a language known in the country of destination. (7) The form corresponding to the annexed specimen CP 2bis (8) may be used for this purpose; the completed form shall be securely affixed to the parcel.

8 If the sender wishes to forbid any redirection under article **32**, paragraph 5, of the Agreement, the parcel and the dispatch note must bear the indication *"Ne pas réexpédier"* (Do not redirect) in French or in a language known in the country of destination. (9)

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1) This specimen, adopted by the 1969 Tokyo Congress, was designed in accordance with the principles established for dispatch documents by the United Nations Economic Committee for Europe (II 1552, prop 6145).

2) This form, which is valid for both letter-post items and for postal parcels, was designed by the CCC–UPU Contact Comm. It meets both customs and postal requirements and is suitable for all users. Bulk senders who make out the customs declarations at the same time as the other dispatch documents (goods declaration, dispatch note, invoices, etc) using a multicopying system (details entered only once) may omit reproduction of the "Instructions" on the back of the form if this is dictated by technical factors (1969 Tokyo Congress, II 1552, prop 6044; see also Conv, art 42, note 1, reproduced at the end of this vol, Agr, art 20, note 5 and form C 2/CP 3, note 2).

3) Information on this point is given in the Compendium (Parcels). Adms are urged to approach their customs authorities with the aim of reducing the number of customs declarations required to a strict min and refraining from prescribing such declarations for transit parcels. Formal opinion of 1952 Brussels Congress (II 808, prop 526, Switzerland). The EC also made a recommendation (circ 155/1966) on the abolition of customs formalities for postal items in transit.

4) In pursuance of resolution C 27 of the 1964 Vienna Congress concerning the customs treatment of postal items and on the proposal of the CCC–UPU Contact Comm, the EC sent an appeal to adms asking those that still required 3 or 4 customs declarations to try to obtain from the customs authorities a reduction

in the number of copies required and requesting those that asked for 2 copies to consider whether a single copy would not suffice (circ 159/1966). The IB makes approaches to this effect whenever it can.

5) The 1979 Rio de Janeiro Congress rejected a prop (5506.1) by the EC resulting from the work of the CCC–UPU Contact Comm and aimed at giving the adm of destination the option of asking for C 2/CP 3 customs declarations to be affixed to the parcels (II 1654–1655); in this connection, it instructed the CCPS, in resolution C 42, to carry out a study of the entire problem of methods of dispatching the C 2/CP 3 customs declaration accompanying postal parcels (see art 121, note 1 on this subject).

6) Because senders do not complete declarations properly, customs authorities sometimes encounter considerable difficulties. This causes delay in delivery and inconvenience to the addressees (1964 Vienna Congress, II 1259 and 1260, prop 7207). To facilitate cooperation between the Customs and the Post in the country of destination, it is essential that the sender make out a customs declaration in accordance with the provisions of the Acts and that his attention be drawn to the necessity of strictly observing the instructions appearing on the back of forms C 1 and C 2/CP 3. To this end, and on the proposal of the CCC–UPU Contact Comm, the EC recommended postal adms by circs 137/1973 and 73/1978:

a to check that all letter-post items on which customs duty is payable and all postal parcels are accompanied by a customs declaration form C 1 or C 2/CP 3, as the case may be, in the requisite number of copies, in accordance with the provisions of the Conv, Det Regs, art 117, para 1, reproduced at the end of this vol, and the Parcels Agr, Det Regs, art 106, para 1, b;
b to ensure that the customs declarations are fully completed in accordance with the instructions given on the back of these forms;
c when a declaration is obviously incomplete, to draw the sender's attention to the customs regulations and to accept only items accompanied by a complete declaration;
d to advise exporters of commercial items of the need, where appropriate, to attach a certificate of origin to each parcel.

Adms were also asked to draw the attention of senders (exporters) of commercial parcels to the advantages to be gained from a statement of value for customs clearance of parcels. Such a statement would be attached to the other docs accompanying the parcel (cf circ 73/1978 which also contains information on manifold sets of docs used by major senders of postal parcels; see also Agr, art 16, note 2, and Conv, art 42, note 1, reproduced at the end of this vol).

7) In his own interest the sender should, by his choice of language, facilitate the work of the adm concerned, but the adm, whose purpose it is to satisfy the public, should not overrate the difficulties encountered (1929 London Congress, II 384 and 385).

8) Optional form adopted by the 1974 Lausanne Congress and designed to facilitate treatment of the parcel by the adm of destination (II 1410, props 5506.1, 5506.2 and 5902.92).

9) While maintaining art 32, para 5, which gives the sender the possibility of asking for his item not to be redirected, the 1979 Rio de Janeiro Congress abolished the box provided for that purpose on the front of the C 2 form in order to avoid any confusion in the country of destination of the item. By introducing this new para the 1984 Hamburg Congress fixed the practical procedures which will enable the office of destination to comply with such a wish by the sender (II 529, prop 5506.3).

## Article 107
## Formalities to be complied with by the office of origin

1 The office of origin or the dispatching office of exchange shall be responsible for affixing or indicating:

a on the parcel beside the address and on the dispatch note:
   – in the spaces provided, a label in the form of the annexed specimen CP 8 indicating clearly the serial number of the parcel and the name of the office

of origin; if the administration of origin so permits, that part of the CP 8 label which is to be affixed to the dispatch note may be replaced by a preprinted indication having the same layout as the corresponding part of the label;
- the weight of the parcel in kilogrammes and hundreds of grammes, each fraction of a hundred grammes being rounded up to the next hundred;

b on the dispatch note only: the date-stamp impression;

c either on the parcel, or on the dispatch note: the postage stamps or any other method of showing prepayment authorized by the regulations of the administration of origin. (1)

2 Administrations may agree to dispense with the formalities mentioned in paragraph 1.

3 The same office of origin or the same dispatching office of exchange may not use two or more series of labels at the same time, unless the series are distinguished by a distinctive mark.

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1) This provision expressly retains the option implicity admitted hitherto of representing prepayment either in the parcel or on the dispatch note (1979 Rio de Janeiro Congress, II 1657, prop 5507.3; see also Agr, art 19, e).

## Section II

## Special conditions of admission and posting for certain categories of parcels

### Article 108
### Insured parcels (Agr 24; Det Regs 109, 127) (1)

**1** Every insured parcel shall be subject to the following special rules regarding make-up:

a it shall be sealed by one or more lead seals or identical wax seals or by some other effective means, with a special design or mark of the sender; on any one parcel, only one uniform design or mark may be used; should the parcel be secured by string it may be sealed by a single lead or wax seal applied in such a way that the string cannot be unknotted or removed without obvious traces of tampering appearing; (2)

b the wax or other seals, as well as the labels of any kind and the postage stamps, if any, affixed to these parcels shall be spaced out so that they cannot hide any damage to the packing; the labels and postage stamps shall not be folded over two sides of the packing so as to cover an edge; any labels on which the address appears may be gummed to the packing **itself;** (3) (4)

c it shall be provided, like the dispatch note, with a pink label (5) in the form of the annexed specimen CP 7 and bearing in roman letters the letter "V", the name of

the office of origin and the serial number of the parcel; the label shall be gummed on the parcel, on the same side as, and near to, the address; nevertheless, administrations may use at the same time the CP 8 label prescribed in article 107, paragraph 1, a, and a small pink label, bearing in bold letters the words *"Valeur déclarée"* (Insured);

d the insured value shall be expressed in the currency of the country of origin and written by the sender, on the parcel and the dispatch note, in words with roman letters and in arabic numerals, without erasure or alteration, even if certified; the amount of the insured value shall not be indicated in pencil or indelible pencil;

e the amount of the insured value shall be converted into SDRs by the sender or by the office of origin; the result of the conversion, rounded up where appropriate to the nearest **unit**, shall be shown in figures at the side of or below those representing the value in the currency of the country of origin; the amount in SDRs shall be boldly underlined in coloured pencil; conversion shall not be carried out in direct services between countries which have a common currency;

f the office of origin shall be responsible for indicating the weight in kilogrammes and tens of grammes both on the parcel beside the address and on the dispatch note (in the space provided), rounding up each fraction of ten grammes to the next ten;

g no serial number shall be placed on the front of insured parcels by the intermediate administrations.

**2 Every administration shall have the option of fixing a maximum amount for the insured value up to which it will forgo application of the provisions of paragraph 1, a and b. The lower of the amounts concerned shall be applied in relations between countries whose administrations have fixed different maximum values. (6)**

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1) See art 113, note 1.

2) A provision made more flexible by the 1974 Lausanne Congress, which specified that a single lead or wax seal could be used for securing insured parcels (II 1416, prop 5508.2).

3) By authorizing the use of address labels, the 1974 Lausanne Congress met the wishes of users who address their items by machine (II 1416, prop 5508.1).

4) The condition according to which the insured value of parcels may not exceed 326.69 SDR if labels on which the address appears are gummed to the packing was abolished by the 1989 Washington Congress in recognition, on the one hand, of the increased use of pre-printed labels, and on the other, to meet the wishes of the customers (II Congress/C 7 – Rep 6, prop 5508.4).

5) To avoid any confusion with express items, the 1974 Lausanne Congress replaced red by pink, which is now reserved for insured items (II 1396 and 1416, props 4505.1 and 5508.3).

6) Provision adopted by the 1989 Washington Congress to take account of the fact that some users do not have the required means of closure at their disposal, and that others prefer the simplest possible forms of packaging. Congress, moreover, felt that adms could easily accept the risk involved (II Congress/C 7 – Rep 6, prop 5508.1/Rev 1).

Article 109
Fraudulent insurance (Agr 24)

When circumstances of any kind, particularly an inquiry, disclose a fraudulent insurance for a value greater than the actual value of the contents of the parcel, the administration of origin shall be advised as soon as possible; where appropriate, the documents relating to the inquiry shall be sent to that administration. If the parcel has not yet been delivered to the addressee, the administration of origin may ask for its return. (1)

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1) Clarification added by 1979 Rio de Janeiro Congress (II 1697, prop 5509.1).

Article 110
Other categories of parcels (Det Regs 105)

1 Air parcels. Every air parcel as well as the dispatch note relating to it shall bear at the time of dispatch a special blue label inscribed *"Par avion"* (By airmail), with, if desired, a translation in the language of the country of origin.

2 Express parcels. Every express parcel and its dispatch note shall be provided with a light red label, bearing very conspicuously the printed indication *"Exprès"* (Express); this label shall be affixed whenever possible beside the name of the place of destination.

3 Parcels for delivery free of charges and fees.

a Every parcel for delivery free of charges and fees and its dispatch note shall be provided with:
   i a very bold indication *"Franc de taxes et de droits"* (Free of charges and fees) (or any other equivalent expression in the language of the country of origin);
   ii a yellow label bearing, also very boldly, the indication *"Franc de taxes et de droits";*

b It shall be accompanied by the prescribed customs declarations and by a franking note on yellow paper in the form of the annexed specimen C 3/CP 4. (1) The sender of the parcel, and, as regards the postal service indications, the dispatching office, shall complete the text of the right-hand side of the front of parts A and B. The entries of the sender may be made with the use of carbon paper. The text shall include the undertaking prescribed in article **25**, paragraph 1, of the Agreement;

c The dispatch note, the customs declarations and the franking note shall be securely fastened together.

4 Fragile parcels.

a In the service between countries which admit fragile parcels and without prejudice to compliance with the general rules regarding make-up and packing, every fragile parcel shall be provided, either by the sender or by the office of origin, with a label featuring a picture of a glass printed in red on a white background. Every parcel, the fragile nature of whose contents is indicated by any external sign whatever affixed by the sender, shall be provided by the office of origin with the same label, and the corresponding supplementary charge collected. If the sender does not wish the parcel to be treated as fragile, the office of origin shall cross out the marking made by the sender.

b The relative dispatch note shall bear very conspicuously on the front the indication *"Colis fragile"* (Fragile parcel) either in manuscript or printed on a label.

5 Cumbersome parcels. Every cumbersome parcel and the front of its dispatch note shall bear a label showing in bold letters the word *"Encombrant"* (Cumbersome). This entry shall be supplemented, on the dispatch note only, by the words *"en vertu de l'article **21**, paragraphe 4, de l'Arrangement"* (pursuant to article **21**, paragraph 4, of the Agreement) in the case of parcels charged as cumbersome in accordance with article **21**, paragraph 4, of the Agreement.

6 Service parcels. Every service parcel and its dispatch note shall bear, the former beside the address and the latter on the front of the form, the indication *"Service des postes"* (On Postal Service) or a similar indication; this indication may be followed by a translation in another language.

7 Prisoner-of-war and civilian (2) internee parcels. Every prisoner-of-war and civilian (2) internee parcel and its dispatch note shall bear, the former beside the address and the latter on the front of the form, one of the indications *"Service des prisonniers de guerre"* (Prisoner-of-war Service) or *"Service des internés civils"* (Civilian (2) Internees Service); these indications may be followed by a translation in another language.

8 Parcels containing live animals. The parcels as well as the dispatch notes shall bear the indication prescribed in article 105, paragraph 1, g.

9 Parcels containing radioactive materials whose contents and make-up comply with the regulations of the International Atomic Energy Agency providing special exemptions for certain categories of items (3) shall be admitted for conveyance by post subject to prior consent from the competent authorities of the country of origin. (4) Administrations may designate special post offices for the posting of parcels containing radioactive materials.

10 Parcels for which an advice of delivery is requested.

a Every parcel for which the sender requests an advice of delivery at the time of posting shall bear very conspicuously either the indication *"Avis de réception"*

(Advice of delivery) or the stamp impression "A.R."; the same shall apply to the dispatch note.

b The parcel shall be accompanied by a copy of the C 5 form referred to in article **138**, paragraph 2, of the Detailed Regulations of the Convention. (5) This form, completed in accordance with the provisions of the said article **138**, paragraph 2 (5) (6), shall be attached to the dispatch note. (7)

11 Parcels for which an advice of embarkation is requested.

a Every parcel for which the sender requests an advice of embarkation shall be marked by means of an *"Avis d'embarquement"* (Advice of embarkation) label affixed to the parcel and to the dispatch note.

b The parcel shall be accompanied by a form conforming to the annexed specimen CP 6 which shall show very clearly the port (or the country) from which the advice of embarkation is to be returned. Each form may only refer to one parcel, even when more than one parcel is covered by a single dispatch note.

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1) The 1969 Tokyo Congress combined forms C 3 and CP 4 in such a way that the same model can be used both for letter-post items and for postal parcels; in addition, it was decided to retain the numbering C 3/ CP 4 (II 1558 and 1666, prop 6272).

2) See Agr, art 4, note 6.

3) As understood here, the conveyance by post of radioactive materials is restricted to consignments exempted from special conveyance prescriptions, within the meaning of the Regulations for the safe transport of radioactive materials of the IAEA, because of the very low activity of their contents.
The relevant extracts of the said Regulations are reproduced in the Compendium (Conv).

4) Before such consent is granted, the adm of origin, or the responsible body appointed to this end, as the case may be, ensures that these dispatches conform to IAEA prescriptions, by requesting, for example, that a prototype packing for each category of item be submitted to it for approval (see also Agr, art 20, note 7).

5) See reference text reproduced at the end of this vol.

6) Clarification made by the 1984 Hamburg Congress (II 530, prop 5510.4).

7) See Agr, art 15, note 8.

## Section III

## Formalities requested after posting

### Article 111
### Delivery free of charges and fees requested after posting (Agr 11; Det Regs 134)

1 If, after posting, the sender of a parcel requests delivery free of charges and fees, the office of origin shall inform the office of destination by an explanatory note.

This latter, bearing a postage stamp representing the charge due, shall be forwarded as a registered item and by the quickest route (air or surface) to the office of destination, accompanied by a franking note duly completed. The office of destination shall affix to the parcel, near the address, and also to the dispatch note, the label prescribed in article 110, paragraph 3, a, ii.

2 When the request is to be forwarded by telegraph **or any other appropriate means of telecommunication** (1) (2), the office of origin shall inform the office of **destination and** at the same time advise it of the particulars (3) of the posting of the item. The latter office shall automatically make out a franking note.

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1) See Agr, art 11, note 2.

2) See Agr, art 4, note 9.

3) These particulars take the place of the explanatory note (1957 Ottawa Congress, II 687 and 688, props 343 and 344).

Article 112
Withdrawal from the post. Alteration **or correction** (1) of address (Agr 38; Det Regs 142) (2)

1 As a general rule, requests for alteration **or correction** of address or for withdrawal of a parcel from the post shall be dealt with in accordance with articles **148** and **149** of the Detailed Regulations of the Convention. (3)

2 **Any request** for alteration **or correction** (1) of address concerning an insured parcel **made by telegraph or any other means of telecommunication** (4) shall be confirmed by post by the first mail; the confirmatory request prepared on a C 7 form used for the letter post shall bear, underlined in coloured pencil, the note *"Confirmation de la demande télégraphique **ou transmise par tout autre moyen de télécommunication** du ..."*(Confirmation **of request made by telegraph or other means of telecommunication** (4) dated ...); it shall be accompanied by the facsimile prescribed in article **148**, paragraph 1, a, of the Detailed Regulations of the Convention. (3)

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1) See Agr, art 14, note 8.

2) See Agr, art 15, notes 11 and 12.

3) See reference texts reproduced at the end of this vol.

4) See Agr, art 4, note 9.

# Chapter III

# Treatment of parcels by the offices of exchange

## Section I

## Routeing

### Article 113
### General principle of the exchange of parcels (Agr 58)

1 Each administration shall forward by the routes and means that it uses for its own parcels those parcels transferred to it by another administration to be conveyed in transit across its territory. (1)

2 In the event of the interruption of a route, parcels in transit which were intended to go by that route shall be forwarded by the best route available.

3 If the use of the new dispatch route occasions higher costs (additional land or sea rates), the transit administration shall act in accordance with article **51** of the Agreement. (2)

4 Transit shall be effected under the conditions fixed by the Postal Parcels Agreement and by its Detailed Regulations, even when the administration of origin or destination of the parcels has not acceded to the Agreement.

5 In the relations between countries separated by one or more intermediate territories parcels shall follow the routes which the administrations concerned have agreed upon.

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1) Regarding the security of valuable items conveyed by post, see Agr, art 24, note 1.

2) See Agr, art 51, note 1.

### Article 114
### Routeing and customs clearance of air parcels (Agr 4; Det Regs 115)

1 Every administration providing the air parcel service shall forward by the air routes that it uses for its own items of that type, air parcels transferred to it by another administration; if for any reason the forwarding of air parcels by another route offers, in a particular case, advantages over the existing air routes, the air parcels shall be forwarded by that route.

2 Administrations which do not participate in the air parcel service shall forward such parcels by the air communications they use for the conveyance of their airmail correspondence. In the absence of an air link, air parcels shall be forwarded by such administrations by the surface route normally used for other parcels. (1)

3 Air parcel mails shall be forwarded by the flight requested by the administration of the country of origin, provided that flight is used by the administration of the transit country for the transmission of its own mails. If this is not the case or if there is not sufficient time for the transhipment, the administration of the country of origin shall be informed of this. (2)

4 Articles **210** to **212** of the Detailed Regulations of the Convention (3) shall be applicable, respectively, in the case of:
a the impossibility of transhipping air parcel mails direct as scheduled;
b an interrupted flight or a diversion of air parcel mails;
c an accident. (2)

5 When air parcels are forwarded by surface mail in the cases provided for in paragraphs 1, 2 and 4, the dispatching office of exchange shall prepare a CP 12 special parcel bill for the transit administrations concerned. (4)

6 Administrations shall take steps to speed up customs clearance of air parcels as much as possible. (5)

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1) Amendment adopted by the 1984 Hamburg Congress so that the provision in para 2 reflects the real position. As at present a single rate is applied for LC/AO/CP mail, it matters little whether a bag to be sent by an intermediate adm contains airmail parcels or airmail letters (II 531, prop 5514.1).

2) The amendments made to paras 3 and 4, a, (concerning the use of the flight requested by the adm of the country of origin) arise from the EC study carried out in implementation of 1974 Lausanne Congress decision C 61 (III 882) (1979 Rio de Janeiro Congress, II 1658, prop 5514.1 and Congress – Doc 1, para 37; see also art 115, note 1).

3) See reference texts reproduced at the end of this vol.

4) Provision clarified by the 1979 Rio de Janeiro Congress (II 1658, prop 5514.2).

5) Formal opinion of the 1952 Brussels Congress: "Air parcels are delivered under the best possible conditions in regard to speed" (II 839).

## Article 115
## Transhipment of air parcel mails (Det Regs 114) (1)

1 In principle, the transhipment of air parcel mails in the conditions prescribed in article **52**, paragraph 7, of the Agreement shall be done by the postal administration of the country where the transhipment takes place.

2 Notwithstanding paragraph 1, transhipment of air parcel mails may be performed by the airlines in accordance with article **209**, paragraph 2, of the Detailed Regulations of the Convention. (2)

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1) The 1979 Rio de Janeiro Congress eased the provisions relating to the direct transhipment of airmail dispatches between two different countries. Cf Conv, art 83, note 3, reproduced at the end of this vol.

2) See reference text reproduced at the end of this vol.

Article 116
Surface airlifted (S.A.L.) parcels (1)

Surface parcel mails may be conveyed by air on the conditions provided for in article **91** of the Convention. (2)

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1) Provision introduced by the 1984 Hamburg Congress (II 537, prop 5515.91; see also Conv, art 82, note 7, reproduced at the end of this vol).

2) See reference text reproduced at the end of this vol.

Article 117
Customs clearance of express parcels (Agr 10)

Administrations which participate in the exchange of express parcels shall take steps to speed up customs clearance as much as possible.

Section II

Make-up and dispatch of mails

Article 118
Different methods of transmission (1)

1 The exchange of postal parcel mails shall be carried out by offices called "offices of exchange". (2)

2 This exchange shall be effected, as a general rule, by means of receptacles (bags (3), baskets, crates, etc). Adjacent administrations may, however, agree to the handing over of certain categories of parcels unenclosed.

3 In the service between non-adjacent countries, the exchange shall, as a general rule, be effected in closed mails.

4 Administrations may agree to effect exchanges in transit à découvert; (4) however, it shall be obligatory to make up closed mails if an intermediate administration states that the parcels in transit à découvert are such as to hinder its work.

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1) This art does not concern methods of handing over of air parcels to air transport services but their exchange between postal adms (1927 The Hague Conf, p 185).

2) In order to simplify the parcel-post service, from the outset the formal opinion was expressed that offices of exchange should be limited to an absolute minimum and that the exchange should, as a general rule, be effected by offices located at the frontier (1880 Paris Conf, p 124).

3) See Conv, Det Regs, art 203, note 2, reproduced at the end of this vol.

4) Since the 1952 Brussels Congress the transmission of closed mails has become the rule and transit à découvert the exception, whereas under the previous system the contrary was the case.

## Article 119
## Parcel bills (Det Regs 120)

1 Before dispatch, all the parcels to be forwarded by surface **or S.A.L.** shall be entered by the dispatching office of exchange on a parcel bill in the form of the annexed specimen CP 11. (1) For air parcels being sent direct or in transit à découvert the offices of exchange shall use a special parcel bill, known as an "Air parcel bill", in the form of the annexed specimen CP 20. (1)

2 As regards service parcels and prisoner-of-war and civilian (2) internee parcels, air parcels require a statement of the air conveyance dues to be credited to the administrations concerned.

3 In the absence of special agreement, **surface and S.A.L.** (3) parcel bills shall be numbered **separately** (3) according to an annual series for each dispatching office of exchange and each office of exchange of destination as well as for each route if more than one route is used; the last number of the year shall be shown on the first parcel bill of the following year. If a mail is cancelled, the dispatching office shall enter on the parcel bill beside the number of the mail the indication *"Dernière dépêche"* (Last mail). In the case of sea and air services, the name of the ship carrying the mail or, where appropriate, the air service used shall be shown, whenever possible, on the parcel bills.

4 If air parcels are sent from one country to another by surface routes along with other parcels, the presence of the air parcels with an air parcel bill shall be shown by an appropriate note on the CP 11 parcel bill.

5 Every insured parcel shall be entered on the parcel bill with the letter "V" in the "Observations" column. (4)

6 Where closed mails are exchanged between countries which are not adjacent, the dispatching office of exchange shall prepare for each of the intermediate administrations a special parcel bill in the form of the annexed specimen CP 12; (1) that office shall insert thereon the total number of parcels per weight step or the total number of parcels or the gross weight of the mail. The CP 12 parcel bill shall be numbered in an annual series for each dispatching office of exchange and for each intermediate administration and, in addition, bear the serial number of the relative mail; the last number of the year shall be shown on the first parcel bill of the following year. In the case of sea services, the name of the ship carrying the mail shall be entered on the CP 12 parcel bill, whenever this is possible.

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1) Pursuant to decision C 84 of the 1969 Tokyo Congress, the EC adapted forms CP 11 and CP 20 in the light of the various rate-allocation systems laid down in art 54 of the Agr; similar adaptations were made to forms CP 12, CP 15 and CP 15bis (1974 Lausanne Congress, II 1418 and 1420, props 5911.1, 5920.1, 5912.1, 5915.1 and 5915.2). It should be noted that for bulk-entered parcels, the rates must no longer be calculated as soon as the mail is closed, but monthly or quarterly, as the case may be, when the CP 15 and CP 15bis statements are made out.

2) See Agr, art 4, note 6.

3) Clarification introduced by the 1989 Washington Congress to stress, on the one hand, that the CP 11 parcel bill is to be used for S.A.L. mails and, on the other hand, that the CP 11 parcel bill must be distinguished from that concerning surface mails (II Congress/C 7 – Rep 3, prop 5519.1).

4) Provision adopted by the 1979 Rio de Janeiro Congress to attract the attention of the officials of the receiving office of the mail better (II 1658, prop 5518.2).

## Article 120
## Simplified drawing up of CP 11 and CP 20 parcel bills (Det Regs 119) (1)

1 The parcel bills shall be drawn up in a simplified way in the cases laid down in article **54**, paragraphs 2 and 3, of the Agreement. (2)

2 When the allocation of rates is made (3):

a in bulk on the basis of weight steps, the number of parcels for each weight step, whatever the origin of the parcels, shall be entered on the parcel bills;

b in bulk per parcel, the total number of parcels, whatever their origin, shall be entered on the parcel bills;

c in bulk on the basis of the total weight of parcels, whatever the origin of the parcels, the number of bags making up the mail and the total gross weight of the latter shall be shown on the parcel bills.

3 In all cases of bulk entry, parcels which are redirected, parcels returned to **sender** (4) or parcels forwarded in transit à découvert to the last country of transit shall always be entered individually with an indication opposite each parcel of the amount of the dues payable or of the corresponding rate. The number or weight of these parcels shall not be included in the number per weight step, in the total number or total weight of the parcels indicated on the parcel bill according to the method of bulk entry used.

4 Insured parcels shall also be entered individually but without mention of the corresponding rate. Their number or weight shall be included in the number per weight step, in the total number or total weight of the parcels indicated on the parcel bill according to the method of bulk entry used.

5 Service parcels and prisoner-of-war and civilian internee parcels for which, under article **55** of the Agreement, no rates are allocated shall not be included in the number per weight step, in the total number or total weight of the parcels indicated on the parcel bill. Article 119, paragraph 2, shall be applicable for the dispatch of parcels by air.

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1) This art was first redrafted by the 1979 Rio de Janeiro Congress to define clearly the entries to be made on the simplified parcel bills (II 1658, prop 5519.1). However, as it was not specified that from the last country of transit parcels forwarded in transit à découvert may be entered in bulk, the 1984 Hamburg Congress amended this art to enable these simplification measures to be applied more fully. It also introduced the number of parcels per weight step which had been omitted (II 531, prop 5519.2).

2) See Agr, art 54, note 1.

3) See art 119, note 1.

4) See Agr, art 30, note 2.

## Article 121
## Dispatch of documents accompanying parcels (1)

1 The accompanying documents referred to in article 106, paragraphs 1 and 2, and, where applicable, COD money order forms, franking notes and advices of delivery shall be dispatched from the dispatching office of exchange to the office of exchange of destination in accordance with one or other of the following methods:
a by attaching them to the parcel bill;
b by affixing them to the relevant parcel.
The choice of the method of dispatch shall be up to the administration of destination, which shall notify the other administrations accordingly through the intermediary of the International Bureau.

2 The accompanying documents relating to parcels in transit à découvert shall be dispatched to the transit administration in accordance with the method of dispatch chosen by that administration.

3 In the case provided for in paragraph 1, a, the parcel bill and the documents accompanying the parcels may be dispatched by air to the office of exchange of destination if it has thus been agreed between the administrations concerned.

4 In the case provided for in paragraph 1, b, the accompanying documents shall be placed in a transparent adhesive envelope conforming to the attached specimen CP 5 or CP 5bis, which shall be affixed to the parcel. However, in the case of parcels to which the transparent adhesive envelope cannot be affixed because of their size **or the nature of their wrapping** (2), the accompanying documents shall be attached firmly to the corresponding parcel.

5 Notwithstanding paragraph 4, administrations which are unable to use transparent adhesive envelopes shall have the option of sending the accompanying documents by attaching them firmly to the parcels.

6 The administrations of origin and destination may agree that documents accompanying parcels exchanged in direct mails shall be dispatched in accordance with any other system which suits them.

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1) In its resolution C 42 the 1979 Rio de Janeiro Congress instructed the CCPS "to carry out a thorough study of the entire problem of methods of dispatching the C 2/CP 3 customs declaration accompanying postal parcels and to submit the results of this study and any proposals resulting therefrom to the next Congress". This study was included in the CCPS work programme as No 532 and was carried out in the form of an inquiry, the results of which were considered by the CCPS and then by the CCC–UPU Contact Comm. On the basis of the views expressed by the CCPS and the Contact Comm, the EC made the following decisions:

i the principle of giving the adm of destination the right to ask for the docs accompanying the parcels to be sent to it in the way which best suited the customs clearance method in its country was approved;

ii the two methods selected for dispatching docs accompanying parcels were:
   - dispatching the docs with the parcel bill;
   - dispatching the docs attached to the relevant parcel in accordance with a determined method;

iii adms of origin and destination retained the right to agree in their reciprocal relations on the docs being dispatched in any other way which suited them;

iv the principle of a standard C 2/CP 3 customs declaration form is retained without excluding the possibility of combining the CP 2 dispatch note and the C 2/CP 3 customs declaration;

v a cheap and simple system of affixing all the relevant docs to each parcel, if that method were adopted, was to be studied. In this connection the EC decided that the docs accompanying the parcels would, when this method of transmission between two adms was adopted, be inserted in a transparent self-adhesive envelope (conforming to the CP 5 and CP 5bis specimens) affixed to the parcel; however, the use of such envelopes would remain optional.

The 1984 Hamburg Congress approved the conclusions of the study which, in addition to creating the present art, involved amendments to other arts in the Det Regs (II 527, props 5519.91, 5501.1, 5506.1, 5518.1, 5520.1, 5905.91 and 5905.92).

2) Addition introduced by the 1989 Washington Congress to indicate that the packaging can also prevent the self-adhesive envelope from being affixed to the parcel (II Congress/C 7 – Rep 3, prop 5521.1).

Article 122
Transmission in closed mails (Det Regs 118)

1 In the normal circumstances of transmission in closed mails, the receptacles (bags, baskets, crates, etc) shall be marked, closed and labelled (1) in the manner laid down for letter bags in articles **159**, paragraphs 3, **4** and **5**; **167**, paragraphs 1, **8**, **9** and **10**; and **221**, paragraph 1 (2), of the Detailed Regulations of the Convention (3), subject to the following special provisions:

a the labels shall be yellow ochre in colour. The layout and text shall conform to the annexed specimens CP 23, CP 24 and CP 24bis; (2) (4)
b for receptacles other than bags some other special methods of closing may be adopted, provided that the contents are sufficiently protected;
c the labels or addresses of closed receptacles which contain air parcels shall bear the indication or label *"Par avion"* (By airmail);
d the outer bag containing insured parcels shall be in good condition and the edge of its mouth shall be provided, if possible, with piping which makes it impossible to open the bag illicitly without leaving visible traces. (5)

2 The number of receptacles comprising the mail and, unless otherwise agreed between the administrations concerned, the number of receptacles to be returned, shall be entered on the parcel bill. (6) In the absence of special agreement, administrations shall number the receptacles of the same mail; the serial number of each receptacle shall be written on the CP 23 or CP 24 label. (7)

3 The following shall be dispatched in separate receptacles:

a insured parcels: where uninsured and insured parcels are dispatched in the same bag, the insured parcels shall be placed in an inner receptacle sealed with lead. (5) The receptacles which include such parcels, whether alone or together with uninsured parcels, shall be marked with the letter "V";
b fragile parcels: the receptacles concerned shall then be provided with the label referred to in article 110, paragraph 4;
c express parcels, if their number justifies it: the receptacles which contain only or some such parcels shall bear the label or the indication *"Exprès"* (Express).

4 Cumbersome parcels, fragile parcels, or those whose nature necessitates it may be sent unenclosed: in order to determine the mail of which they are part, such parcels shall be provided with a CP 23 or CP 24 label. (8) Labels of unenclosed insured parcels shall be endorsed with the letter "V". However, parcels going by sea, with the exception of cumbersome parcels (9), shall be sent in receptacles.

5 As a general rule, bags and other receptacles containing parcels shall not weigh more than 30 kilogrammes. (10)

6 The parcel bill shall be inserted by the dispatching office of exchange in one of the receptacles comprising the mail, where appropriate in one of those containing insured parcels or express parcels. In the case provided for in article 121, paragraph 1,

a, the accompanying documents concerning express parcels shall be placed in the bundle before the other documents. If the number of accompanying documents so warrants, the parcel bill may be inserted in a special bag. In all cases, the label of the receptacle containing the parcel bill shall be marked "F". By special agreement between the administrations concerned, the label may also be marked with the number of bags making up the mail and, if applicable, the number of parcels sent à découvert. (11)

7 The parcel bills relating to mails containing insured parcels shall be inserted in a pink envelope. If the insured parcels are placed in a lead-sealed inner receptacle in accordance with paragraph 3, a, the pink envelope containing the parcel bill shall be attached to the outside of this receptacle. (5)

8 The special CP 12 parcel bill mentioned in article 119, paragraph 6, shall be sent unenclosed or in any other way agreed between the administrations concerned, accompanied, where appropriate, by the documents required by the intermediate countries.

9 For conveyance purposes, bags of postal parcels and unenclosed parcels may be placed in containers, subject to special agreement between the administrations concerned on the methods of using containers. (12) (13)

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1) In decision C 75 the 1979 Rio de Janeiro Congress instructed the EC, in collaboration with IATA, to study the question of labelling surface airlifted mail. At the conclusion of its study, the EC proposed the creation of a new CP 24bis label, adopted by the 1984 Hamburg Congress (II 537, prop 5924.91/Rev 1).

2) Reference introduced by the 1984 Hamburg Congress to take account of the use of surface bags for surface mails conveyed by air and special labels for this category of mail (II 537, prop 5520.3/Rev 1). Cf Conv, Det Regs, art 221, note, reproduced at the end of this vol.

3) See reference text at the end of this vol.

4) Any adm may request that the gross weight of each bag be indicated on the label (1934 Cairo Congress, II 335).

5) Provision adopted by the 1974 Lausanne Congress, resulting from the CCPS study on the security of high-value items conveyed by the Post (II 1418 and 1419, prop 5522.1 and Congress – Doc 20); clearer identification of insured items facilitates their special treatment during the make-up and opening of the mails; see also art 113, note 1).

6) The number of receptacles making up the mail is the number of outer receptacles, which may contain inner receptacles (see para 3, a). In order to make checking easier, the number of "receptacles to be returned" must be entered on the parcel bills, that term having been chosen to exclude synthetic material receptacles which can be used only once (1979 Rio de Janeiro Congress, II 1659, prop 5520.7).

7) The obligation to print a serial number on the receptacles was abolished by the 1969 Tokyo Congress (II 1555 and 1556, prop 6156/Rev).

8) Clarification made by the 1984 Hamburg Congress, since the CP 24 labels can also be used to indicate airmail parcels sent unenclosed (II 531, prop 5520.4).

9) Addition made by the 1984 Hamburg Congress (II 531, prop 5520.5).

10) The option for adms to accept, by prior mutual agreement, receptacles other than bags up to a max weight of 70 kg was withdrawn by the 1964 Vienna Congress (II 1257, prop 7144). In addition, the 1974 Lausanne Congress reduced the max weight of bags and other receptacles from 40 to 30 kg (II 1419, prop 5522.2). In resolution C 13, the 1979 Rio de Janeiro Congress instructed the CCPS to examine the question of the max weight of bags used in the international postal service (II 1451, prop 2500.10/Rev 1). At the conclusion of its study the CCPS considered that the status quo should be kept (1984 Hamburg Congress, I 1062, Congress – Doc 2, part B, e and Congress – PV 8). An adm which had proposed the reduction of the max weight of bags to 25 kg, withdrew its prop (2555.2).

11) Para rewritten by the 1984 Hamburg Congress to take account of the creation of art 121 (II 528, prop 5520.1; see also art 121, note 1).

12) The 1974 Lausanne Congress expressed the formal opinion C 71 (III 897) that it should be specified that the conveyance of containers containing parcels is only admitted after prior agreement of all the adms concerned, including the transit adms. Any transit adm may expressly forego participation in the conveyance and the transit rates payable to it. See also IB opinion regarding the transport of mail in containers (1970 Rep, pp 83–85).

13) In resolution C 54 (III 880), the 1974 Lausanne Congress instructed the EC to study in collaboration with the CCPS, the technical, administrative and legislative aspects of the use of containers for transporting international mail. This study, the conclusions of which were adopted by the 1979 Rio de Janeiro Congress (II 119, Congress – Doc 1, para 20; see also prop 2500.6), was the subject of a voluminous report by the CCPS (study 424) which was sent to Union adms together with an IATA document setting out the airlines' views on the use of containers for transporting airmail (circ letter 3370.5(B 1)880 of 14 July 1978). The 1979 Rio de Janeiro Congress also adopted resolution C 67 prepared by the EC and in which the CCPS is instructed to undertake two related studies in the light of developments in the containerization field. The study carried out by a Working Party reached the following conclusions, adopted by the 1984 Hamburg Congress:

i the use of intra-container modules is limited particularly in international exchanges of mail and it seems that there is not yet enough information on the needs and requirements of the majority of UPU members to warrant preparation of standards;

ii as regards simplification of documentation, it does not seem advisable at the present stage to make recommendations to Congress, as the solutions envisaged do not appear to satisfy the majority of adms (Hamburg Congress, I 1062, Congress – Doc 2, part B, d, and Congress – PV 8; see also Hamburg Congress formal opinion C 77 (III 995)).

## Article 123
## Treatment of parcels with advice of embarkation (Det Regs 110, 145)

1 If a parcel accompanied by an advice of embarkation is included in a closed mail sent in transit through the port of embarkation concerned, the dispatching office of exchange of the mail shall withdraw the advice of embarkation attached to the documents accompanying the parcel and attach it to the relevant CP 12 special parcel bill referred to in article 119, paragraph 6, after making the necessary notes on it.

2 Every office of exchange which undertakes the embarkation either of a parcel with advice of embarkation received à découvert or of a closed mail in transit containing such a parcel shall fill up the CP 6 form appropriately and send it direct to the sender.

Section III

Transfer and check of mails and parcels. Return of empty receptacles (1)

1) Since the transfer and check of mails are two consecutive operations, art 124 (art 121 of the 1974 Lausanne Agr) was transferred to this section, whose title was amended accordingly (1979 Rio de Janeiro Congress, II 1781, props 5521.4 and 5522.91).

Article 124
Transfer of mails

1 In the absence of special agreement between administrations concerned, the transfer of surface parcel mails shall be carried out by means of a C 18 delivery bill referred to in article **169**, paragraph 1, of the Detailed Regulations of the Convention. (1)

2 The receiving administration shall ensure that the carrier can hand over the mails to a competent service. (2)

3 The mails shall be handed over in good condition. However, a mail may not be refused because of damage or theft. When a mail is received in bad condition by an intermediate office, it shall be put in new packing just as it is. The office which repacks it shall copy the particulars from the original label on to the new label and apply to the latter an impression of its date-stamp, preceded by the endorsement *"Remballé à ...."* (Repacked at ...). (3)

4 Air parcel mails to be handed over at the airport shall be accompanied by AV 7 forms on the conditions laid down in article **206** of the Detailed Regulations of the Convention. (1)

5 Surface parcel mails to be handed over at the airport shall be accompanied by C 18bis delivery bills on the conditions laid down in article **222** of the Detailed Regulations of the Convention. (1) (4)

6 The weight of bags or other receptacles containing insured air parcels shall be shown separately on the AV 7 delivery bill; in addition, the letter "V" shall be written in the "Observations" column opposite this entry. (5)

1) See reference text reproduced at the end of this vol.

2) Provision adopted by the 1979 Rio de Janeiro Congress aimed at avoiding the difficulties to which the transfer of mail often gives rise (II 1663, prop 5521.2).

3) See Conv, Det Regs, arts 169, para 8, and 170, para 2, reproduced at the end of this vol.

4) Similar provision to Conv, Det Regs, art 169, para 7, reproduced at the end of this vol (1984 Hamburg Congress, II 537, prop 5522.1).

5) Provision designed to make it possible to spot immediately that bags or receptacles are missing and to make the necessary investigations (1979 Rio de Janeiro Congress, II 1666, prop 5521.3).

## Article 125
## Check of mails by offices of exchange (1) (2)

1 Every office of exchange receiving a mail shall immediately check the receptacles and their fastening. It shall also check the origin and destination of the bags making up the mail and entered on the delivery bill, and then the parcels and the various documents which accompany them. These checks shall be made in the presence of the other interested parties whenever this is possible.

2 The office of destination shall keep a close check on whether the mails arrive in the sequence in which they were dispatched, particularly in the case of mails containing insured parcels. (3)

3 When the receptacles are opened, the constituent parts of the fastening (string, lead seal, label) shall be kept together; to achieve this the string shall be cut in one place only.

4 Any irregularities discovered shall be reported without delay by a verification note in the form of the annexed specimen CP 13, prepared in accordance with article 126. When the office of exchange of destination has not sent off a CP 13 note by the first available post, it shall be considered, until the contrary is proved, as having received **all** (4) the bags **and** parcels in good condition.

5 When the findings of an office of exchange are such as may involve the liability of a transport undertaking, they must where possible be countersigned by the representative of that undertaking. This signature may be made either on the CP 13 verification note, a copy of which shall be handed to the undertaking, or, as the case may be, on the C 18, C 18bis or AV 7 delivery bill accompanying the mail.

6 The discovery, at the time of the check, of any irregularities whatsoever may in no case be the cause of the return of a parcel to **sender** (5) except as provided for in article **22**, paragraphs 3 and 4, of the Agreement.

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1) In 1974 Lausanne Congress decision C 57 (III 881), the CCPS was instructed to undertake a study on the possibility of exchanging, through the IB, information about the circumstances in which certain thefts have been committed in the postal services and about the deficiencies in the security system discovered during the inquiry. At the end of that study, the CCPS concluded that the introduction of an exchange of information of this kind on the international level was of no practical value because of the disparity of the measures taken and the security measures adopted by adms (1979 Rio de Janeiro Congress, II 179, Congress – Doc 2, para 6, c; see also Conv, Det Regs, art 170, reproduced at the end of this vol).

2) In its resolution C 74, the 1979 Rio de Janeiro Congress instructed the CCPS to undertake a study on all the provisions relating to notification of irregularities for which adms might be liable, in particular, as regards the preparation and use of the CP 13 verification note and the CP 14 report. This study showed that the provisions in force were in principle satisfactory. However, these provisions are in part imprecise and incomplete. For that reason the offices of exchange have difficulties in knowing exactly how these provisions should be interpreted and applied. The result is differences in application which complicate the execution of the service. The CCPS therefore thought it useful to split the text of art 123 of the Det Regs of the Agr (Rio de Janeiro 1979) into two separate arts: the first, which constitutes the present art concerning the verification of dispatches, the second which is art 126 concerning the discovery of irregularities. The 1984 Hamburg Congress shared this view (II 532, props 5523.1 and 5523.92).

3) This check makes it possible to ascertain without delay whether any mails are missing (1974 Lausanne Congress, II 1419, prop 5525.5 and Congress – Doc 20).

4) Clarification aimed at ascertaining liability made by the 1989 Washington Congress (II Congress/C 7 – Rep 3, prop 5525.2).

5) See Agr, art 30, note 2.

## Article 126
## Discovery of irregularities and processing of verification notes (1)

1 When an intermediate office receives a mail in bad condition, it shall check the contents if it thinks that they have not remained intact and put it in new packing just as it is. It shall copy the particulars from the original label on to a new one and apply to the latter an impression of its date-stamp, preceded by the endorsement *"Remballé à ..."* (Repacked at ...). (2) The fact shall be reported by means of a CP 13 verification note, to be prepared in four or five copies, as appropriate. One copy shall be retained by the office which prepared it, and the others shall be sent to:
- the office of exchange from which the mail was received (two copies);
- the dispatching office of exchange (if this is not the office referred to above); and
- the office of destination (inserted in the repacked mail).

2 The provisions of the third sentence of paragraph 1 shall be applicable, where appropriate by analogy, in the event of the absence of a mail or one or more of the bags comprising it, or of any other irregularity. However, intermediate offices of exchange shall not be bound to check the documents accompanying the parcel bill.

3 If the office of exchange of destination discovers errors or omissions in the parcel bill it shall immediately make the necessary corrections, taking care to cross out the incorrect entries in such a way as to leave the original entries legible. These corrections shall be made in the presence of two officials; unless there is an obvious error, the corrections shall be accepted in preference to the original statement. The office of exchange shall also carry out the routine checks when the receptacle or its fastening gives grounds for presuming that the contents have not remained intact or that some other irregularity has occurred. The irregularities which have been established, as well as the absence of a mail or one or more of the bags comprising

it, or the absence of the parcel bill, shall be notified without delay to the dispatching office of exchange (3) by a CP 13 verification note, to be prepared in three or four copies as appropriate. One copy shall be retained by the office of exchange which prepared it and the others shall be sent to:
- the dispatching office of exchange (two copies); and
- the intermediate office of exchange from which the mail was received (if the mail was not received direct). (4)

4 The absence of an air parcel mail shall be notified at the latest on receipt of the first mail following the missing mail; similarly, the absence of one or more bags in an air parcel mail shall be notified at the latest on receipt of the first mail following the said mail. (5)

5 If the parcel bill is missing, the office of exchange of destination shall prepare a **replacement** parcel **bill**. (6)

6 Notwithstanding paragraph 3, the office of exchange of destination shall have the right not to make corrections and not to make out a CP 13 verification note if the errors or omissions in respect of the rates due do not exceed 3.27 SDR per parcel bill. (7)

7 Verification notes shall be sent under registered cover by the quickest route (air or surface) in a special envelope as specified in article **170**, paragraph **17**, of the Detailed Regulations of the Convention. (8) Irregularities concerning insured parcels which involve the liability of administrations shall, in addition, be notified immediately by telex or telegram. (9)

8 The offices to which the CP 13 verification notes are sent shall return them as promptly as possible after having examined them and indicated thereon their observations, if any; they shall retain one copy. The returned verification notes shall be attached to the parcel bills to which they relate. Corrections made to a parcel bill which are unsupported by documentary evidence shall not be considered valid; however, if these verification notes are not returned to the office of exchange which issued them within a period of one month (10) from the date of their dispatch they shall be considered, until the contrary is proved, as duly accepted by the offices to which they were sent.

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1) Taken over from art 123 of the 1979 Rio de Janeiro Agr (see also art 125, note 2).

2) Provision brought into line with Conv, Det Regs, art 170, para 2, reproduced at the end of this vol (1979 Rio de Janeiro Congress, II 1698, prop 5523.5).

3) Contrary to what is expressly admitted for other forms, adms of destination do not have the option of asking for CP 13 verification notes to be sent to an office of their choice (decision CE 7/1969).

4) This office must be informed immediately, considering the liability it has to assume (1969 Tokyo Congress, II 1556, prop 6158).

5) Provision adopted by the 1979 Rio de Janeiro Congress to expedite dispatch of the CP 13 verification note in the case of air parcel mails (II 1663 and 1792, prop 5523.4).

6) Clarification made by the 1989 Washington Congress to indicate that in the case of absence of the parcel bill, the office of exchange of destination must in all cases prepare a replacement parcel bill (II Congress/C 7 – Rep 3, prop 5526.1).

7) This optional provision does not prevent an adm from rectifying, in special cases, systematic errors arising, for example, from the incorrect application of the principles underlying the calculation of the amounts to be credited (1969 Tokyo Congress, II 1556, prop 6159). The max amount was raised from 2 to 10 fr by the 1979 Rio de Janeiro Congress (II 1663, prop 5523.3; see also note 7 to the preamble of the Agr).

8) See text of reference reproduced at the end of this vol.

9) It is essential to take advantage of telecommunications facilities for notifying major irregularities, especially those concerning insured parcels. Under the provisions of art 101, para 1, d, each adm must provide the other adms, through the IB, with a list of its offices of exchange responsible for the parcel-post service, including their telephone, telex and telefax numbers (see arts 101, note 9, and 113, note 1).

10) The 1979 Rio de Janeiro Congress reduced this period from 2 months to one month and abolished the time limit of 4 months previously allowed in relations with distant countries (II 1663, props 5523.4 and 5523.1).

## Article 127
## Discrepancies of weight or size of parcels (Agr 21; Det Regs 107, 108)

1 Unless there is an obvious error, the view of the office of origin shall prevail as regards the establishment of the weight or size. However, if the discrepancies in weight which are established entail a change in rates, the new weight shall be valid. (1)

2 As regards ordinary parcels, discrepancies in weight within the same weight step may not be made the subject of verification notes or the cause of the parcels being returned; verification notes shall be prepared only where the discrepancy would involve an alteration of the rates. (2)

3 As regards insured parcels, discrepancies of weight up to 10 grammes above or below the weight stated may not be queried by the intermediate administration or administration of destination unless the external condition of the parcel makes it necessary.

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1) See IB opinion in 1968 Rep, pp 66 and 67, on the method of calculating the additional rate resulting from a discrepancy discovered in the weight of a parcel sent in open mail.

2) Differences of weight arising from rounding off are regarded as unimportant (1934 Cairo Congress, I 1384).
In any case, parcels cannot be stopped in the course of transmission – and still less returned to the service which forwarded them – on the grounds that their weight differs from that stated on the dispatch notes and on the parcels themselves (1929 London Congress, II 412 and 413).

Article 128
Notification of irregularities for which administrations may be liable

1 Any office of exchange which, on the arrival of a mail, discovers the absence of, theft from or damage to one or more parcels shall proceed as follows:

a it shall indicate in as much detail as possible on the CP 13 verification note (1) made out in accordance with article 125 or in the CP 14 formal report provided for in article 129, paragraph 2, the condition in which it found the outer packing of the mail. Unless this is impossible for a stated reason, the receptacle, the string, the lead or other seal and the label shall be kept intact for a period of six weeks from the date of verification and shall be sent to the administration of origin if it so requests; (2)

b it shall send a duplicate of the verification note to the last intermediate office of exchange, if any, at the same time as to the dispatching office of exchange. (3)

2 If it considers it necessary, the office of exchange of destination may, at the expense of its administration, inform the dispatching office of exchange of its discoveries by telegraph.

3 Where offices of exchange in direct contact are concerned (4), the respective administrations of these offices may agree on the method of procedure in the case of irregularities for which they may be liable.

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1) See art 126, note 3.

2) The 1974 Lausanne Congress replaced the obligation to send the outer packing (receptacle, string, etc) together with the CP 13 verification note by the obligation to give a detailed description of the condition of the packing (II 1420, prop 5527.1; see also Conv, Det Regs, art 170, note 10 reproduced at the end of this vol).

3) On the occasion of the loss of a civilian parcel included in a mail containing parcels for prisoners of war and delivered to the authorities of the prisoner-of-war camp without being checked, the IB concluded that the liability of the office of exchange in the country where the camp was located was involved (IB opinion, 1946 Rep, pp 15 to 18).

4) Offices of exchange in direct contact are those operating on the same premises. The deletion of these words would only lead to the drawing up of formal reports in all cases (interpretation given by the 1947 Paris Congress, II 676).

Article 129
Receipt by the office of exchange of a damaged or insufficiently packed parcel

1 Any office of exchange which receives from a corresponding office a damaged or insufficiently packed parcel shall send it on, after having repacked it if necessary, preserving as far as possible the original packing, the address and the labels. The

weight of the parcel before and after repacking shall be shown on the actual packing of the parcel; this indication shall be followed by the note *"Remballé à ..."* (Repacked at ...) stamped with an impression of the date-stamp and signed by the officials who did the repacking.

2 If the condition of the parcel is such that the contents could have been removed or damaged or if the parcel shows a discrepancy in weight such as to suggest the removal of the whole or part of the contents, the office of exchange shall report this fact to the dispatching office of exchange by means of a sufficiently explicit note on the CP 13 verification note prepared in accordance with articles 125 and 126. It shall also automatically open the parcel and check its contents. The result of this check shall be given in a formal report in the form of the annexed specimen CP 14 (1), which shall be prepared in duplicate,
- one copy being retained by the office of exchange which prepared it; and
- one being attached to the parcel.

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1) In resolution C 74 the 1979 Rio de Janeiro Congress instructed the CCPS to carry out a study on all the provisions relating to notification of irregularities for which adms may be liable, in particular as regards the preparation and use of the CP 13 verification note and the CP 14 report. At the end of its study the CCPS considered that to obviate the unnecessary work caused by the preparation of the CP 14 report, the systematic dispatch of the latter should be replaced by an appropriate note in the CP 13 verification note which has to be prepared and sent in all cases of irregularity. In addition, it thought it useful to keep in that art the provision for the dispatch of a report to both the office of exchange of dispatch and that of destination of an insured parcel, as the irregularities relating to such a parcel and for which adms might be liable are immediately reported by telex or telegram, in accordance with art 126, para 7 (1984 Hamburg Congress, II 532, prop 5526.3).

## Article 130
## Check of mails of parcels forwarded in bulk (Agr 54) (1)

1 The provisions of articles 125 to 129 shall be applicable only to rifled and damaged parcels as well as to parcels entered individually on the parcel bills. The other items shall be simply checked in bulk.

2 The administration of origin may agree with the administration of destination and, if appropriate, with the intermediate administrations to limit to certain categories of parcels the detailed check and the preparation of the CP 13 verification notes and CP 14 formal reports mentioned in articles 125 to 129.

3 When an office of exchange establishes a discrepancy between the number of parcels given on the parcel bill and the number of parcels found in the mail or if the gross weight of the mail given on the parcel bill does not correspond to the gross weight found, the CP 13 verification note shall be prepared only to correct the number of parcels per weight step, the total number of parcels or the gross weight of the mail. (2)

1) See Agr, art 54, note 1.

2) The text of this para has been brought into line with the tenor of Agr, art 54 (1979 Rio de Janeiro Congress, II 1663, props 5527.1 and 5527.2).

## Article 131
## Reforwarding of a parcel arriving out of course

1 Any parcel arriving out of course as a result of an error on the part of the sender or the dispatching administration shall be treated according to article **33** of the Agreement.

2 The reforwarding administration shall report the matter in a CP 13 verification note to the administration from which the parcel has been received.

3 The reforwarding administration shall treat the parcel arriving out of course as if it had arrived in transit à découvert. If the rates which have been allocated to it are insufficient to cover the costs of reforwarding which it has to defray, the reforwarding administration shall credit the true administration of destination and, where appropriate, the intermediate administrations taking part in the reforwarding of the parcel with the relative conveyance rates. It shall then credit itself, through a claim on the administration responsible for the office of exchange which missent the parcel, for the amount of the expense which it has incurred. The claim and its cause shall be notified to that office by means of a verification note.

## Article 132
## Return of empty receptacles (1)

1 Receptacles shall, in principle, be returned empty to the administration to which they belong by the next post and, unless this is impossible, by the route followed on the outward journey.

2 Administrations may agree among themselves for the administration of destination to return the bags to origin using them for the dispatch of parcels.

3 Empty bags shall always be returned free of charge.

4 An administration returning receptacles shall indicate on the parcel bills the number of receptacles returned, unless the administrations concerned have agreed to omit such indication.

5 A special dispatch of empty airmail bags shall be made up as soon as the number of such empty bags reaches ten.

6 Empty airmail bags returned by air shall be made up as special dispatches described on AV 7 S statements, as mentioned in article **216**, paragraph 2, of the Detailed Regulations of the Convention. (2)

7 Otherwise, the provisions of article **173**, paragraphs **3** to **5** and **7**, of the Detailed Regulations of the Convention (2) shall apply.

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1) By formal opinion C 55 the 1974 Lausanne Congress (III 880) invited the postal adms of Union member countries to take within their services such measures as might ensure the rapid circulation and frequent return of all empty bags belonging to other adms (see also 1989 Washington Congress resolution C 71/1989, reproduced at the end of this vol, concerning the problem of non-return of mailbags, means of solving it, and alternative arrangements for the conveyance of postal items).

2) See reference texts reproduced at the end of this vol.

# Chapter IV

# Treatment of parcels by the office of destination

## Section I

## Delivery of parcels

### Article 133
### Reservations on delivery of rifled or damaged parcels (1)

1 In the cases specified in article **41**, paragraph 1, a and b, of the Agreement, the delivering office shall prepare a CP 14 report in duplicate on the joint inspection and have it countersigned, whenever possible, by the addressee. One copy shall be retained by the office which prepared the report. The other shall be handed to the addressee or, if the parcel is refused or redirected, attached to the parcel. (2)

2 When the internal regulations so require, a parcel subjected to the treatment specified in paragraph 1 shall be returned to the sender if the addressee refuses to countersign the CP 14 report.

3 If the parcel is delivered, the copy of the CP 14 report prepared by the inward office of exchange in accordance with article 129, paragraph **2, shall** (3) be dealt with according to the regulations of the country of destination; if the parcel is refused, the said copy shall remain attached to the parcel.

1) Art recast by the 1984 Hamburg Congress on the basis of the conclusions of the study carried out by the CCPS under resolution C 74 of the 1979 Rio de Janeiro Congress (1984 Hamburg Congress, II 533, prop 5530.1; see also art 125, note 2 and art 129, note 1).

2) The 1974 Lausanne Congress did away with the obligation to send systematically a copy of the CP 14 report to the outward office of exchange, in order to avoid complications. In the event of damage or theft occurring in the country of destination, litigation can be settled direct with the addressee (II 1420, prop 5532.1).

3) Deletion by the 1989 Washington Congress of a reference to the CP 14 report prepared by the office of destination, to avoid possible conflict with para 1 (II Congress/C 7 – Rep 3, prop 5533.1).

## Article 134
## Treatment of franking notes after delivery of parcels for delivery free of charges and fees (Agr 11; Det Regs 110) (1)

1 After delivery to the addressee of a parcel for delivery free of charges and fees, the office which has advanced charges of any kind on behalf of the sender shall complete, so far as it is concerned, with the use of carbon paper, the details appearing on the back of parts A and B of the franking note which is drawn up officially by the office of destination when the request for delivery free of charges and fees has been made after the posting of the parcel. This office shall send part A, accompanied by the supporting vouchers, to the office of origin; this transmission shall be effected in a closed envelope, without indication of the contents. Part B shall be retained by the administration of destination for accounting with the debtor administration.

2 Each administration may specially appoint certain offices to return part A of the franking notes on which charges have been paid or to receive part A of the franking notes returned after delivery of the parcel; the name of the office to which part A is to be returned shall be entered in every case on the front of this part by the office of origin of the parcel.

3 When a parcel endorsed *"Franc de taxes et de droits"* (Free of charges and fees) arrives without a franking note, the office responsible for customs clearance shall prepare a duplicate note. On parts A and B of this note it shall show the name of the country of origin and as near as possible, the date of posting of the parcel. When the franking note is lost after delivery of the parcel a duplicate shall be prepared under the same conditions.

4 Parts A and B of the franking notes relating to items which for any reason are returned to origin shall be cancelled by the administration of destination and attached to the dispatch note.

5 On receipt of part A of a franking note showing the charges paid out by the administration of destination, the administration of origin shall convert the amount into its own currency, at a rate which shall not be higher than the rate fixed for the

issue of postal money orders in the country concerned. The result of the conversion shall be shown in the main part of the form and on the coupon at the side. After recovering the amount of the charges, the office appointed for that purpose shall hand to the sender the coupon from the note and any supporting vouchers.

6 When the sender disputes the amount of the charges shown in part A of the franking note, the administration of destination shall verify the amount of the sums paid out, if necessary approach its national customs services and, after making any necessary corrections, send part A of the note in question to the administration of origin. Likewise, if the administration of destination finds an error or omission regarding the charges relating to a parcel free of charges and fees for which part A of the franking note has been returned to the administration of origin, it shall issue a corrective duplicate, sending part A of it to the administration of origin to put the matter in order.

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1) See art 110, note 1.

Article 135
Treatment of advices of delivery after delivery of parcels with advices of delivery (Agr 28; Det Regs 110)

1 Immediately the parcel has been delivered, the office of destination shall return the C 5 form, duly completed, to the address shown by the sender à découvert and post free by the quickest route (air or surface). (1)

2 If the C 5 form does not reach the office of destination, that office shall automatically make out a new copy of it.

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1) The 1979 Rio de Janeiro Congress abolished the obligation to affix an "airmail" label to advices of delivery returned by air (II 1541, prop 2531.4; see also Agr, art 15, note 8).

Section II

Treatment of undelivered parcels

Article 136
Advice of non-delivery (Agr 29; Det Regs 137) (1)

1 An advice of non-delivery in the form of the annexed specimen CP 9 on which all the particulars (2) shown on the CP 7/CP 8 labels and the date of posting of the parcel shall be recapitulated, shall be sent under registered cover and by the

quickest route (air or surface) (3) to the administration of the sender's country of residence (4) after having been duly completed:

a by the administration of destination:
   i in the event of non-delivery, for every parcel of which the sender has asked to be advised of non-delivery or in application of article **30**, paragraph 1, b, ii, last sentence, of the Agreement;
   ii for every parcel automatically retained (5) or undelivered because of theft or damage or for some other cause of the same kind; (6) however, this procedure shall not be compulsory in cases of force majeure or when the number of parcels automatically retained is such that the sending of an advice is physically impossible;

b by the intermediate administration concerned; for every parcel automatically retained in course of transmission either by the postal service (accidental interruption of traffic) or by the Customs (7) (customs control) subject to the reservation made under a, ii.

2 The advice of non-delivery shall be accompanied by the dispatch note, except when the advice is sent to a third party, in accordance with article **23**, paragraph 2, b, of the Agreement; in the circumstances referred to in paragraph 1, a, ii, and b of this article, the advice shall be endorsed in bold letters *"Colis retenu d'office"* (Parcel automatically retained). If the parcel is pending owing to theft or damage, a copy of the CP 14 report giving information on the extent of the damage shall accompany the advice of non-delivery. (8)

3 In the case of several parcels posted at the same time by the same sender and addressed to the same addressee, it shall be permissible to send only one advice of non-delivery, even if these parcels were accompanied by several dispatch notes; in such a case, all these notes shall be attached to the advice of non-delivery.

4 As a general rule, advices of non-delivery shall be exchanged between the office of destination and the office of the sender's place of residence. (3) However, any administration may request that the advices concerning its service be sent to its central administration or to a specially appointed office; the name of that office shall be notified to administrations through the International Bureau. (9) The administration of the sender's country of residence shall be responsible for advising the sender. (3) The exchange of advices of non-delivery shall be expedited as much as possible by all the offices concerned.

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1) The 1984 Hamburg Congress adopted resolution C 48, inviting adms to accept the advices of non-delivery (II 533, prop 5000.2).

2) These particulars are necessary to spare offices of origin, particularly those with heavy traffic, time-consuming investigations (1979 Rio de Janeiro Congress, II 1663, prop 5533.1).

3) In the interests of an efficient service, the 1969 Tokyo Congress made transmission of the advice of non-delivery by the fastest route obligatory. The cost of sending the advice by air is borne by the adm of destination of the parcel, on the basis of reciprocity between adms (II 1538, prop 6166; see also art 137, note 1).

4) See Agr, art 30, note 2.

5) Irregularities liable to lead to the return of a parcel to sender may be divided into two distinct categories:
i the non-observance of postal rules proper (exceeding the limits of weight, size, the max amount of insured value or trade charge, etc); here a service error cannot be contested;
ii infringements in regard to the nature of the contents (prohibited articles, customs prohibitions, etc); here the role of adms is merely to inform the public of the prohibitions notified by the different countries; senders are therefore responsible for contravention (1929 London Congress, II 413).

6) In the expression "or for some other cause of the same kind" the provisions also include the case of two persons of the same name at the address indicated.
An advice of non-delivery must be drawn up when the parcel remains in the customs office beyond the period of retention, even if the adm itself does not proceed to customs clearance (1939 Buenos Aires Congress, II 554).

7) Repacking of parcels opened in Customs should the addressee not take delivery immediately; since customs requirements differ from one country to another, the question of a guarantee for parcels opened by Customs is left to the discretion of each adm (1929 London Congress, II 413 to 414).

8) It is particularly important that the sender know immediately what the nature and extent of the damage is as this may influence his reply to the advice of non-delivery (1974 Lausanne Congress, II 1420, prop 5535.1).

9) This information appears in the Compendium (Parcels).

## Article 137
## Non-delivery. New instructions by the person concerned (Agr 29; Det Regs 136)

1 The advice of non-delivery shall be returned under registered cover and by the quickest route (air or surface) (1) to the office which prepared it, completed with fresh instructions from the sender or the third party and accompanied, if appropriate, by the dispatch note; new instructions shall be sent by telegraph **or any other appropriate means of telecommunication** (2) when the **corresponding** charge is paid.

2 Since the only fresh instructions which the sender or the third party referred to in article **23**, paragraph 2, b, of the Agreement shall be authorized to give are listed in article **29**, paragraph 1, of the Agreement, the following rules shall apply in the undermentioned special cases:
a if the sender (or third party) requests that a cash-on-delivery parcel be delivered against payment of a sum less than the original sum, a new R 4, R 7 or R 9 form shall be prepared in accordance with article **RE 305**, paragraph 3, of the Detailed Regulations of the Cash-on-Delivery Agreement;

b if the sender or the third party gives as his instructions that the parcel is to be delivered free of charges and fees either to the original addressee or to another addressee, the office concerned shall apply article 111.

3 When a parcel which has been the subject of an advice of non-delivery is delivered or redirected before the receipt of fresh instructions, the sender shall be so informed through the office of his place of residence. (3) If the advice has been sent to a third party appointed by the sender this information shall be communicated to that third party. If a cash-on-delivery parcel is concerned and if the R 4, R 7 or R 9 money order form referred to in article **RE 303**, paragraph 1, of the Detailed Regulations of the Cash-on-Delivery Agreement has already been sent to the sender, the latter need not be advised.

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1) In the interests of an efficient service, the 1969 Tokyo Congress made the return of the advice of non-delivery by the fastest route obligatory. The cost of sending the advice by air is borne by the adm of destination of the parcel, on the basis of reciprocity between adms (II 1538, prop 6170; see also art 136, note 3).

2) See Agr, art 4, note 9.

3) See Agr, art 30, note 2.

Article 138
Return of parcels to sender (Agr 30, 34, 35) (1)

1 An office which returns a parcel for any reason whatsoever shall give the reason for non-delivery by means of a stamped impression or a label conforming to the specimen C 33/CP 10 (2) on the parcel and on the dispatch note which accompanies it. (3) If there is no dispatch note, the reason for the return shall be entered on the parcel bill. (4) The endorsement shall be made in French, each administration having the option of adding a translation in its own language and any other appropriate particulars; this endorsement shall be made in a clear and concise form such as *"inconnu"* (unknown), *"refusé"* (refused), *"en voyage"* (travelling), *"parti"* (gone away), *"non réclamé"* (unclaimed), *"décédé"* (deceased), etc.

2 The office of destination shall strike out the address particulars with which it is concerned and write *"Retour"* (Return) on the front of the parcel and on the dispatch note; it shall also apply its date-stamp beside the indication *"Retour"*.

3 Unless the sender asks for the return of a parcel by air, it shall be returned, **in the case of both a surface parcel and an air parcel,** by the route **normally** used for **dispatching mails**. (5)

4 Parcels shall be returned to sender (1) in their original packing; they shall be accompanied by the dispatch note prepared by the sender. If for any reason a

parcel has to be repacked or the original dispatch note replaced by another note, the name of the office of origin of the parcel, the original serial number and, as nearly as possible, the date of posting shall invariably appear on the new packing and on the dispatch note.

5 If an air parcel is returned to sender (1) by surface, the *"Par avion"* (By airmail) label and any notes relating to transmission by air shall be automatically struck through with two thick horizontal lines.

6 Every parcel returned to sender (1) shall be entered on the parcel bill with the note *"Retour"* (Return) in the "Observations" column.

7 The allocation and recovery of rates, charges and fees paid on the parcel under articles **30**, paragraph 3, **34**, paragraph 1, and **38**, paragraph 1, of the Agreement shall be made as mentioned in article **148**. They shall be indicated in detail on a statement of charges, in the form of the annexed specimen CP 25, which shall be affixed at one edge to the dispatch note.

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1) See Agr, art 30, note 2.

2) Label created by the 1984 Hamburg Congress (II 540, prop 5535.2).

3) This provision relates to ordinary and not to exceptional cases, because if a dispatch note is not received or has already been returned, it goes without saying that it cannot be attached to the parcel (1929 London Congress, II 415).

4) The wrapping of returned parcels is often badly damaged; indicating the reason for the return on the parcel bill enables the senders to be informed (1974 Lausanne Congress, II 1420, prop 5537.2).

5) See Agr, art 30, note 6.

## Article 139
## **Items wrongly admitted** (Agr 34)

**In the event of the seizure of a wrongly admitted item, the administration of destination shall so inform the administration of origin in accordance with article 22, paragraph 5, of the Postal Parcels Agreement. Such information shall be provided through the dispatch of a form conforming to the annexed specimen C 33/CP 10bis.** (1)

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1) Provision and form adopted by the 1989 Washington Congress to allow the adm of destination to inform the adm of origin of the reasons why a parcel wrongly admitted is neither returned to origin nor delivered to the addressee (see also Agr, art 22, note 7, and Conv, art 41, note 18, reproduced at the end of this vol).

Article **140**
Redirection of a parcel in consequence of the change of address of the addressee

1 When the rates, charges and fees mentioned in article **32**, paragraph 6, of the Agreement are paid at the time of redirection the parcel shall be dealt with as if it had originated in the redirecting country and been addressed to the country of the new destination; no conveyance charge shall be collected by the administration of that country at the time of delivery.

2 Article 138, paragraphs 4 to 7, shall be applicable to redirected parcels. In particular, the endorsement *"Réexpédié"* (Redirected) shall appear on the parcel bill in the "Observations" column opposite the entry of the parcel.

Article **141**
Express parcel to be redirected (Agr 27)

If an express parcel to be redirected has been the subject of an unsuccessful attempt at delivery to the place of address by special messenger, the redirecting office shall strike through the label or endorsement *"Exprès"* (Express) with two thick horizontal lines.

Article **142**
Treatment of requests for withdrawal from the post or for alteration **or correction** (1) of address

1 On receipt of the request for withdrawal from the post or for alteration **or correction** of address in accordance with article 112, the office of destination shall search for the parcel in question and act on the request.

2 When it receives **the request made by telegraph or any other means of telecommunication** (2) referred to in article 112, paragraph 2, the office of destination shall hold the parcel and not comply with the request until receipt of the postal confirmation; however, the administration of destination may, on its own responsibility, act on **the request** without waiting for this confirmation.

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1) See Agr, art 14, note 8.

2) See Agr, art 4, note 9 (II Congress/C 7 – Rep 5, prop 5541.1).

Article **143**
Sale. Destruction

1 When a parcel has been sold or destroyed in accordance with the provisions of article **37** of the Agreement, a formal report of the sale or destruction shall be drawn up. A copy of the report accompanied by the dispatch note shall be sent to the office of origin.

2 The proceeds of the sale (1) (2) shall serve in the first instance to defray the charges on the parcel; the balance, if any, shall be sent to the office of origin to be handed to the sender; the latter shall bear the costs of forwarding it.

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1) When the proceeds of the official sale of a parcel do not cover customs charges, porterage or other amounts paid by the adm of destination, steps are taken to recover from the sender the balance due to that adm, at least by amicable agreement (1885 Lisbon Congress, II 278).

2) Cf Agr, art 32, note 3.

# Chapter V

# Inquiries

Article **144**
Treatment of inquiries (Agr 39) (1)

1 Every inquiry about a parcel shall be dealt with according to article **151**, paragraphs 1 to **15**, of the Detailed Regulations of the Convention (2), subject to replacement of the R 3, R 6 or R 8 form used for the letter post by the R 4, R 7 or R 9 form referred to in article **RE 303**, paragraph 1, of the Detailed Regulations of the Cash-on-Delivery Agreement.

2 Every C 9 (3) form concerning an inquiry relating to a parcel received by an administration other than the administration of origin shall be forwarded to the latter. It shall reach the administration of origin within the period prescribed in article **155**, paragraph 1. If the certificate of posting can be produced by the sender, the C 9 form shall bear the indication *"Vu récépissé de dépôt"* (Certificate of posting seen). (4) (5)

1) See Agr, art 39, note 1.

2) See reference text reproduced at the end of this vol.

3) With the elimination of form CP 10, form C 9bis is now used as the advice of reforwarding of a C 9 form (1969 Tokyo Congress, II 1558, prop 6190; see also Conv, art 151, note 9, reproduced at the end of this vol).

4) The possibility of sending the certificate of posting to the adm of origin was abolished by the 1979 Rio de Janeiro Congress, since this document should, in principle, remain in the hands of the sender (II 1663, props 5540.1 and 5540.2).

5) The final sentence which, in the 1979 Rio de Janeiro Agr constituted para 3 of the present art, has been incorporated into para 2, to which it belongs naturally (1984 Hamburg Congress, II 533, prop 5540.1).

## Article **145**
## Inquiries concerning an advice of delivery or an advice of embarkation not received (Agr 28; Det Regs 123)

1 When the sender inquires about an advice of delivery which he has not received within a reasonable time the procedure shall follow that outlined in article **138**, paragraph 6, of the Detailed Regulations of the Convention. (1)

2 Any inquiry by the sender concerning an advice of embarkation not received within a reasonable time shall give rise to the preparation of a C 9 inquiry form, referred to in article **144**, paragraph 2, and exempt from any charges. This form, accompanied by a duplicate CP 6 advice of embarkation, which the office of origin shall endorse *"Duplicata"* (Duplicate), shall be dealt with in accordance with article **144**; the advice of embarkation charge shall not be collected a second time.

1) See reference text reproduced at the end of this vol.

## Article **146**
## Settlement of cases of reservations on delivery of rifled or damaged parcels (1)

If the liability assumed according to article **41**, paragraph 1, a and b, has to be shared with another administration the request to this effect shall be sent to it by letter accompanied by a copy or a translation of the CP 14 report and, where appropriate, by a copy of the CP 13 verification note.

1) The 1984 Hamburg Congress adopted this art, which lays down the procedure to be used for the settlement between two adms of cases in which liability is shared (II 533, prop 5541.91).

# Chapter VI
# Accounting

Section I

Allocation of rates and dues (Agr 47 to 55)

Article **147**
Rates and dues credited to other administrations by the administration of origin (1)

1 In the case of exchange of closed mails, the administration of origin shall credit the administration of destination and each intermediate administration (2) with the land and sea rates (3) which are due to them including the exceptional rates authorized by the present Agreement or by the Final Protocol annexed thereto.

2 In the case of exchange in transit à découvert the administration of origin shall credit:
a the administration of destination of the mail with the rates enumerated in paragraph 1 as well as rates due to the subsequent intermediate administrations and to the administration of destination;
b the administration of destination of the mail with the amounts in respect of air conveyance dues to which it is entitled under article **52**, paragraphs 3 and 4, of the Agreement for reforwarding air parcels;
c the intermediate administrations preceding the administration of destination of the mail with the rates enumerated in paragraph 1.

3 When article **54**, paragraph 3, of the Agreement has been applied, the administration of origin shall credit the administration of destination and any intermediate administrations with sums calculated for each parcel (4) or kilogramme (4) of gross weight of the mails instead of with the rates mentioned in paragraph 1.

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1) See Agr, part IV, notes 3 and 4.

2) A country which seizes postal parcels in the course of transmission cannot claim amounts not paid at the time the parcel was posted (1920 Madrid Congress, II 500 and 542).

3) See art 152, note 1.

4) See Agr, art 54, note 4.

Article **148**
Allocation and recovery of rates, charges and fees in the case of return to sender (1) or redirection

1 When rates, charges and fees have not been paid at the time of return to sender (1) (2) or redirection, the returning or redirecting administration shall proceed as indicated below for the allocation and recovery of these rates, charges and fees.

2 In the case of exchange of direct mail between the returning or redirecting country and the country of residence of the sender (1) or of the new destination, the returning or reforwarding administration shall:

a recover from the administration to which the mail is addressed:
   i the rates due to it and to the intermediate administrations;
   ii the following charges provided for in article **14** of the Agreement:
      – presentation-to-Customs charge;
      – delivery charge;
      – advice of arrival charge;
      – repacking charge;
      – poste restante charge;
      – storage charge;
      – additional express charge (article **10**, paragraph 2, of the Agreement) due to the administration which has attempted delivery, if this charge has not been collected at the time of presentation of the parcel at the place of address of the addressee;
   iii the redirection charge provided for in article **32**, paragraph 6, a, of the Agreement;
   iv the fees (3) it has had to lay out (article **16** of the Agreement);
b credit the intermediate administrations with the rates due to them.

3 In the case of transmission in transit à découvert, the intermediate administration, after having been debited by the administration which returns or redirects the parcel with the amounts due to this latter administration by virtue of the rates and charges enumerated at paragraph 2, a, shall credit itself, by debiting the administration to which it hands over the parcel, with the sum due to it and with that due to the returning or redirecting administration. This procedure shall be repeated, if need be, by each intermediate administration.

4 In the case of parcels returned to sender (1) or redirected by air, air conveyance dues shall be recovered, where appropriate, from the administration of the countries where the request for return or redirection originated.

5 In the case of the redirection of missent parcels, the allocation and the recovery of the rates, charges and fees shall be made in accordance with article 131, paragraph 3. (4)

1) See Agr, art 30, note 2.

2) The question of how to proceed with regard to the cost of conveyance payable to intermediary adms or to the adm of destination, in the event that parcels are returned owing to an extraordinary suspension of the service, a case provided for in Conv, art 4, reproduced at the end of this vol (for example, in cases where routes are suspended because the territory has been occupied or an uprising has taken place), was discussed by the 1924 Stockholm Congress, but no decision was reached (II 500 and 501).

3) This term denotes certain charges, such as fiscal charges, which may be levied by the laws of the country (1929 London Congress, II 397 and 398).

4) If the country of destination indicated is unquestionably wrong, the adm which redirects the parcel to the correct country of destination deducts from the sum received the transit rates to which it is entitled, and allocates the balance to the adm of destination or to the intermediary adm through whose country the parcel is redirected. Where appropriate, the latter recovers from the next adm or from the addressee, in the manner laid down in paras 2 and 3, the additional transit or terminal payment due to it (1939 Buenos Aires Congress, II 554).

## Article **149**
## Special case of recovery of dues

Air conveyance dues for air parcel dispatches re-routed in the course of conveyance shall be settled in accordance with article **89**, of the Convention. (1)

1) See reference text reproduced at the end of this vol.

## Article **150**
## Determination of average payments per parcel or per kilogramme (Agr 54) (1)

1 The average payment per parcel laid down in article **54**, paragraph 3, of the Agreement shall be obtained by dividing the amount of the land and sea rates due from the administration of origin to the administration of destination and, as appropriate, to the intermediate administrations for parcels dispatched during a period of at least three months, by the number of these parcels.

2 The average payments per kilogramme mentioned in the same article of the Agreement shall be obtained by dividing the sum of the land and sea rates by the gross weight of the mails dispatched to the administration of destination during the same period.

3 These average payments may be revised:
a automatically, in the event of modification of the charges, by applying the new charges to the basic statistical factors;
b at the request of one of the administrations concerned, made at least one year after the last revision, by using new statistical factors.

1) See Agr, art 54, notes 1 and 4.

Section II

Preparation and settlement of accounts

Article **151**
Preparation of accounts (1)

1 Each administration shall arrange for its offices of exchange to prepare monthly or quarterly for all the items received from one and the same administration:

a for surface parcels, a statement in the form of the annexed specimen CP 15 giving, by dispatching office (2) and per mail:
   i the total sums entered to its credit and debit on CP 11 parcel bills;
   ii as applicable, the number of parcels per weight step or the total number of parcels or the gross weight, entered on the CP 11 and CP 12 parcel bills, with indication of the appropriate rate and the monthly or quarterly product of the payment;

b for air parcels, a statement in the form of the annexed specimen CP 15bis (3) giving, by dispatching office (2) and per mail:
   i the total sums entered to its credit and debit on CP 20 parcel bills;
   ii as applicable, the number of parcels per weight step or the total number of parcels or the gross weight, entered on the CP 20 parcel bills, with indication of the appropriate rate and the monthly or quarterly product of the payment.

2 In the event of alteration of CP 11, CP 12 or CP 20 parcel bills, the number and date of the CP 13 verification note prepared by the transferring office of exchange or the office of exchange to which the transfer is made shall be shown in the "Observations" column of the CP 15 or CP 15bis statements.

3 The CP 15 and CP 15bis statements shall be summarized in an account in the form of the annexed specimen CP 16 made out in duplicate.

4 The CP 16 account, accompanied by the CP 15 and CP 15bis statements, but without the parcel bills, shall be sent by the quickest route (air or surface) to the administration concerned for examination during the two months following the arrival of the last parcel bill of the period to which it related. (4) "Nil" accounts shall not be prepared. In the amount of the balance of the CP 16 account, centimes shall be ignored. Totals shall never be altered; any differences shall be noted in statements in the form of the annexed specimen CP 17. (5) These statements shall be sent in duplicate to the administration concerned which shall incorporate the amount in its next CP 16 account. If this is not done, the administration which prepared the CP 17 statements shall consider them as fully accepted and draw attention to them in its next CP 16 summarized account. (6) No CP 17 statement shall be made out when the final amount of the differences does not exceed 9.80 SDR per account. (7)

5 After they have been checked and accepted, the CP 16 accounts and CP 15 and CP 15bis statements shall be returned to the administration which prepared them at the latest by the end of the third month from the date of dispatch. (8) If the administration which has sent the account does not receive any notice of amendment during this period, the account shall be regarded as fully accepted. Debtor administrations may refuse to check and to accept CP 16 accounts which have not been submitted by the creditor administrations within 18 months of the date of receipt of the CP 11, CP 12 and CP 20 parcel bills by the offices of exchange. (9)

6 As soon as the CP 16 accounts between two administrations are accepted or regarded as fully accepted, they shall be summarized in a quarterly general account in the form of the annexed specimen CP 18 prepared by the creditor administration; this account may, however, be prepared half-yearly by agreement between the administrations concerned. The CP 18 account shall be sent to the debtor administration by the quickest route (air or surface). If, one month from the date of dispatch of the CP 18 account, the debtor administration has raised no objection, payment shall be made to the creditor administration. (10)

7 When the balance of a CP 18 general account prepared quarterly or half-yearly does not exceed 16.33 SDR (11), it shall be carried into the next CP 18 general account. If, after carrying out this procedure for the whole year, the CP 18 general account drawn up at the end of the year shows a balance not exceeding 16.33 SDR (11), the debtor administration shall be exempted from all payment.

8 Accounting in respect of the sums paid out by each administration on behalf of another for parcels delivered free of charges and fees shall be effected on the following bases:

a the creditor administration shall draw up each month in the currency of its own country (12) a detailed monthly account on a form conforming to the annexed specimen CP 19; (13) parts B of the franking notes which have been retained shall be entered in the alphabetical order of the offices which have advanced the charges and in the numerical order given to them;

b the detailed account, accompanied by parts B of the franking notes, shall be forwarded to the debtor administration at the latest by the end of the month following that to which it relates; "Nil" accounts shall not be prepared;

c the accounts shall be checked under the conditions laid down by the Detailed Regulations of the Money **Orders Agreement**;

d the accounts shall be settled separately; each administration may, however, request that these accounts be settled with the postal money order accounts, the CP 16 parcel accounts or the R 5 accounts relating to cash-on-delivery items, without being incorporated in them.

9 When it is necessary to recover payments from the administrations responsible in accordance with article **45** of the Agreement and several amounts are involved, these shall be summarized on a form conforming to the annexed specimen CP 22 and the total amount shall be carried forward to the CP 16 account.

1) By decision C 52/1989 (reproduced at the end of this vol), the 1989 Washington Congress instructed the EC to include in the framework of the study it is to carry out on "the preparation and settlement of accounts" the relevant questions concerning postal parcels and to take account of the various props submitted to Congress with a view to modernizing the current parcel-post accounting provisions (II Congress/C 7 – Rep 6, props 5550.1, 5550.2/Rev 1, 5550.3, 5550.4, 5550.5, 5550.6, 5552.1, 5552.2 and 5552.3).

2) Because of the amendments made to forms CP 11, CP 12 and CP 20 (see art 119, note 1), forms CP 15 and CP 15bis contain a larger number of entries and are therefore only usable for exchanges with a single office of exchange (1974 Lausanne Congress, II 1420, props 5915.1 and 5915.2).

3) Form created by the 1969 Tokyo Congress to facilitate the work of offices of exchange (II 1556 and 1667, props 6179 and 6198). It was decided to retain the number CP 15bis (II 1667).

4) The special time limit provided for the dispatch of the CP 16 account in relations with distant countries was abolished by the 1979 Rio de Janeiro Congress (II 1664, prop 5546.1).

5) Instructed by 1974 Lausanne Congress resolution C 67 (III 894) to study the advisability of abolishing the CP 17 form, the EC, on the basis of the result of a consultation of adms, recommended maintaining the status quo. The 1979 Rio de Janeiro Congress endorsed that conclusion (II 129 and 503, Congress – Doc 1, para 47 and Congress – Doc 12).

6) Clarification made by the 1984 Hamburg Congress to obviate delays and the preparation of a second CP 17 statement by the adm of destination (II 535, prop 5546.5).

7) Amount raised from 10 to 30 fr by the 1984 Hamburg Congress to take account of depreciation in the value of money (II 533, prop 5546.2; see also Agr, preamble, note 7).

8) The 4-month time limit for the return of the CP 16 account in relations with distant countries was abolished by the 1979 Rio de Janeiro Congress and a standard 3-month time limit was adopted (II 1664 and 1666, props 5546.1 and 5546.7).

9) Provision adopted by the 1979 Rio de Janeiro Congress in the light of the retention period for docs provided for in art 155 (II 1664, prop 5546.6).

10) The 1979 Rio de Janeiro Congress abolished acceptance by the debtor adm of the CP 18 general account, since the amounts entered therein are repeated in the CP 16 account already accepted (II 1666, props 5546.8 and 5546.12).

11) Amount increased by 100 percent by the 1984 Hamburg Congress to take account of depreciation in the value of money (II 533, prop 5546.2; see also Agr, preamble, note 7).

12) Adms may come to an arrangement under which accounting in respect of customs charges, etc, is carried out in a currency other than that of the creditor country (1939 Buenos Aires Congress, II 223 and 554, prop 624).

13) By agreement between the adms concerned, those same accounts may be attached to account C 26 mentioned in Conv, Det Regs, art 200, para 1, reproduced at the end of this vol (1924 Stockholm Congress, II 504 and 505).

## Article **152**
## Account for air parcel mails (Agr 52)

The account for air conveyance dues for air parcel mails shall be drawn up according to articles **217** to **220** of the Detailed Regulations of the Convention. (1) (2)

1) In practice, accounts relating to air parcel mails are drawn up in the same manner as those concerning airmail corr (1964 Vienna Congress, II 1264, prop 7019).

2) See reference text reproduced at the end of this vol.

## Article **153**
## Settlement of accounts (1)

1 The amount of the balance of the general accounts shall be paid by the debtor administration to the creditor administration in accordance with article **13** of the Convention. (2)

2 The preparation and dispatch (3) of a general account may be carried out, without waiting for the CP 16 accounts to be returned accepted (4), as soon as an administration which has all the accounts relative to the period concerned finds that it is the creditor. The check of the CP 18 account by the debtor administration and payment of the balance shall be carried out within a period of three months (5) after receipt of the general account. The debtor administration shall not be obliged to accept accounts which are not transmitted to it within eighteen months of the end of the year to which they refer. (6)

3 Any administration which has consistently owing to it every month by another administration a sum greater than 9800.72 SDR shall be entitled to claim a monthly payment on account of up to three quarters of the amount of the debt; its request shall be met within a period of two months. (7)

1) See art 151, note 1.

2) See reference text reproduced at the end of this vol.

3) Dispatch in duplicate was abolished by the 1979 Rio de Janeiro Congress, since acceptance of the CP 18 general account by the debtor adm is no longer necessary (II 1666, props 5546.8 and 5546.12; see also art 151, note 10).

4) This procedure enables the settlement of parcel accounts to be speeded up (1969 Tokyo Congress, II 1557, prop 6182).

5) This period was increased to 3 months by the 1969 Tokyo Congress, as in some countries settlements of international accounts are subject to authorizations and measures falling within the competence of various services (currency exchange, national bank, etc) outside the postal adm (II 1557).

6) For the transmission of CP 18 accounts, the 1984 Hamburg Congress laid down this period, in line with the provision in art 155.

7) If a country shows a credit in respect of postal parcels and at the same time a debt for money orders in regard to another country, an arrangement between the two is obligatory (1929 London Congress, II 417 and 418).

# Chapter VII

# Miscellaneous provisions

Article **154**
Forms for the use of the public

For the purpose of applying article **11**, paragraph 4, of the Convention (1), the following shall be considered as forms for the use of the public:

| | |
|---|---|
| CP 2 | (Dispatch note); |
| CP 2bis | (Sender's instruction label); |
| C 2/CP 3 | (Customs declaration); |
| C 3/CP 4 | (Franking note); |
| CP 6 | (Advice of embarkation). |

1) See reference text reproduced at the end of this vol.

Article **155**
Period of retention of documents (Agr 43; Det Regs 144)

1 Documents of the parcels service, including dispatch notes, shall be kept for a minimum period of 18 months from the day following the date to which they refer. However, if the documents are reproduced on microfilm, microfiche or similar medium, they may be destroyed as soon as it is established that the reproduction is satisfactory. (1)

2 Documents concerning a dispute or an inquiry shall be kept until the matter has been settled. If the inquiring administration, duly informed of the result of an inquiry, allows six months to elapse from the date of the communication without raising any objections, the matter shall be regarded as settled.

1) Provision adopted by the 1984 Hamburg Congress to take account of modern photographic processes which make possible the satisfactory keeping of microcopies of docs and also enable them to be later reproduced in their original sizes (II 541, prop 5550.1; see also Conv, Det Regs, art 107, note 1, reproduced at the end of this vol).

# Chapter VIII

# Final provisions

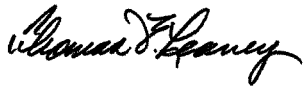
Article **156**
Entry into force and duration of the Regulations

1 These Regulations shall come into force on the day on which the Postal Parcels Agreement comes into operation.

2 They shall have the same duration as that Agreement, unless **otherwise decided by the Executive Council**. (1)

Done at **Washington, 15 December 1989.**

For the Executive Council:





T E LEAVEY

Chairman

A C BOTTO DE BARROS

Secretary-General

1) Pursuant to Gen Regs, art 102, para 6.2, the EC may also amend the Det Regs in case of urgent necessity.

# Annexes: Forms

## List of forms (1) (2) (3)

| No | Title or nature of form | References |
|---|---|---|
| 1 | 2 | 3 |
| CP 1 | Table CP 1 | Art 102, para 1 |
| CP 2 | Dispatch note | Art 106, para 1, a |
| CP 2bis | Sender's instruction label | Art 106, para 7 |
| C 2/CP 3 | Customs declaration | Art 106, para 1, b |
| C 3/CP 4 | Franking note | Art 110, para 3, b |
| CP 5 | Envelope for transmission of dispatch note, customs, etc, documents | Art 121, para 4 |
| CP 5bis | Envelope for transmission of dispatch note, customs, etc, documents | Art 121, para 4 |
| CP 6 | Advice of embarkation | Art 110, para 11, b |
| CP 7 | "V" label for insured parcel combined with the number of the parcel and the name of the office of origin | Art 108, **para 1,** c |
| CP 8 | Parcel label with the number of the parcel and the name of the office of origin | Art 107, para 1, a |
| CP 9 | Advice of non-delivery | Art 136, para 1 |
| C 33/CP 10 | Label showing the reason for non-delivery | Art 138, para 1 |
| **C 33/CP 10bis** | **Information about a seized postal item** | **Art 139** |
| CP 11 | Parcel bill | Art 119, para 1 |
| CP 12 | Special parcel bill | Art 119, para 6 |
| CP 13 | Verification note | Art 125, para 4 |
| CP 14 | Report concerning the rifling, damage or decrease in weight of a postal parcel | Art 129, para 2 |
| CP 15 | Monthly/Quarterly statement of amounts due for surface parcels | Art **151,** para 1, a |
| CP 15bis | Monthly/Quarterly statement of amounts due for air parcels | Art **151,** para 1, b |
| CP 16 | Summarized account | Art **151,** para 3 |
| CP 17 | Statement of differences observed in the summarized account | Art **151,** para 4 |
| CP 18 | General account | Art **151,** para 6 |
| CP 19 | Detailed monthly account of customs, etc, charges | Art **151,** para 8, a |
| CP 20 | Air parcel bill | Art 119, para 1 |
| CP 21 | Table CP 21 | Art 102, para 1 |
| CP 22 | Statement of amounts due in respect of indemnity for postal parcels | Art **151,** para 9 |
| CP 23 | Label for parcel mail | Art 122, para 1, a |
| CP 24 | Label for air parcel mail | Art 122, para 1, a |
| CP 24bis | Label for parcel mail | Art 122, para 1, a |
| CP 25 | Statement of charges | Art 138, para 7 |

1) A background note on the standardization of forms, followed by general notes, is given in the Annotated Code, vol 2, after the list of forms.

2) See art 144, notes 3 and 4.

3) The model forms are reproduced in the "Collection of UPU forms" published by the IB.

Postal administration

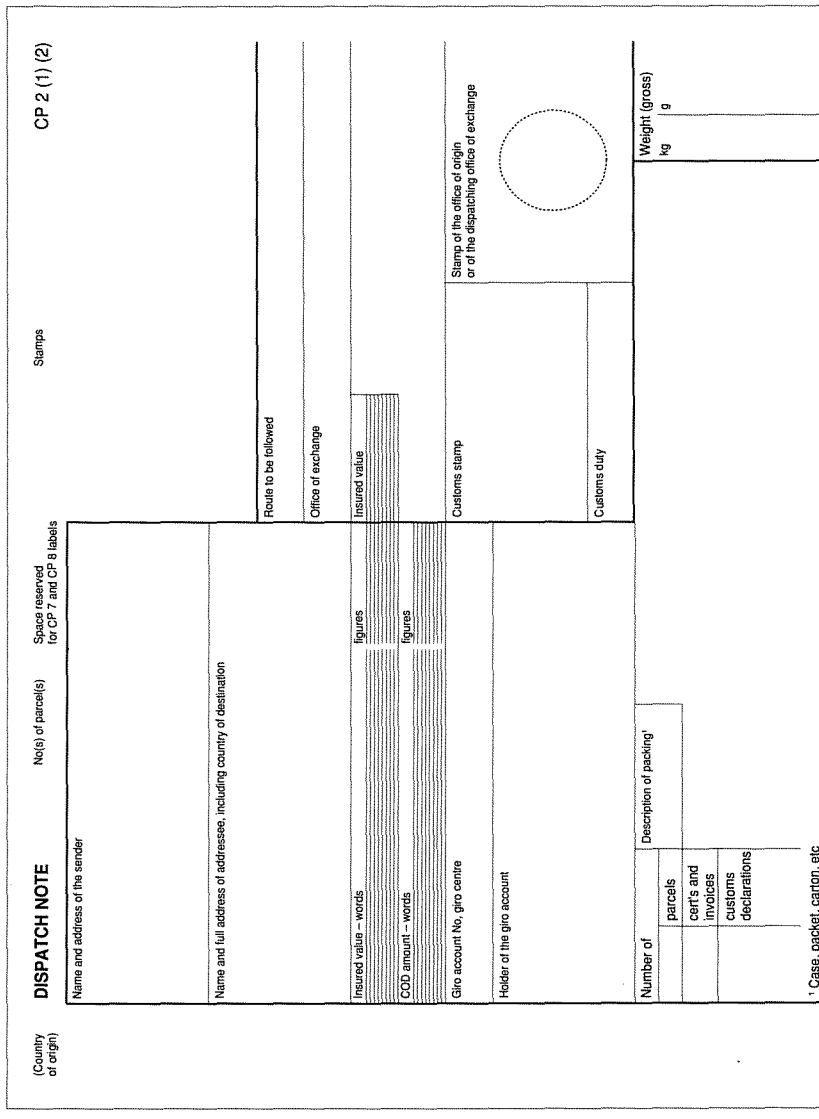
**TABLE CP 1**
**Surface parcels**

CP 1

Countries for which the above-mentioned administration accepts postal parcels in transit on the conditions given below

| Serial No | Country of destination | Routes | Limit of insured value | Weight steps | Rates to be credited to the administration of | Rates | | | | | | Countries and sea services to which they are due | Number of customs declarations | Observations |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | Breakdown of the amounts in column 6 (in SDR) | | | | | | | | |
| | | | | | | 1 kg | 3 kg | 5 kg | 10 kg | 15 kg | 20 kg | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | | | | | | 8 | 9 | 10 |
| | | | | | | a | b | c | d | e | f | | | |
| | | | | kg | SDR | | | | | | | | | |

Parcels, Washington 1989, art 102, para 1 – Size 297 x 210 mm




Parcels, Washington 1989, art 106, para 1, a – Size 210 x 148 mm

1) See art 106, note 1.

2) It is permissible for the sender to reproduce or have printed only one of the authorized instructions (see art 106, para 7).

CP 2 (Back)

**INSTRUCTIONS TO BE GIVEN BY THE SENDER**
**(Give one instruction only)**

The sender must indicate, in the space below and on the parcel, the manner in which the latter is to be treated in case of non-delivery

Parcels may be returned without advice, if the sender has given no or contradictory instructions. In such a case, and also if instructions c, d, e and f, below apply, the sender is obliged to pay the charges demanded for each new transmission as well as the other charges made by the administrations concerned

If the parcel described on the front of this note cannot be delivered, I request:

a ☐ that an advice of non-delivery be sent to me

b ☐ that an advice of non-delivery be sent to

Name and address of a third person in the country of destination

.....

.....

c ☐ that the parcel be returned to me forthwith by ☐ surface ☐ air

d ☐ that the parcel be returned to me (1) at the end of the period shown (2) below by

Number of days

☐ surface ☐ air

e ☐ that the parcel be delivered or redirected by ☐ surface ☐ air

(Mention, where appropriate, if the parcel is to be delivered without collection of the COD amount or against payment of a sum less than the original sum)

Name and address of new addressee

.....

.....

f ☐ that the parcel be redirected by ☐ surface ☐ air

for delivery to the original addressee

g ☐ that the parcel be treated as abandoned

Signature of sender

**RECEIPT OF ADDRESSEE**

The undersigned declares that he has received the parcel(s) described on the front of this note

Date and signature

1) See Agr, art 30, note 2.

2) This period may not exceed the regulation period of retention in the country of destination (see Agr, art 23, para 2, d).

**SENDER'S INSTRUCTION LABEL** CP 2bis (1)
**IN THE EVENT OF NON-DELIVERY** (2)
**(Give one instruction only)**

a ☐ Send advice of non-delivery to sender

b ☐ Send advice of non-delivery to address given below

c ☐ Return to sender forthwith (3)
by ☐ surface ☐ air

d ☐ Return to sender after ..... Days
by ☐ surface ☐ air

e ☐ Deliver or redirect to address given below
by ☐ surface ☐ air

f ☐ Redirect for delivery to original addressee
by ☐ surface ☐ air

g ☐ Treat parcel as abandoned

Name and address (if b or e applies)

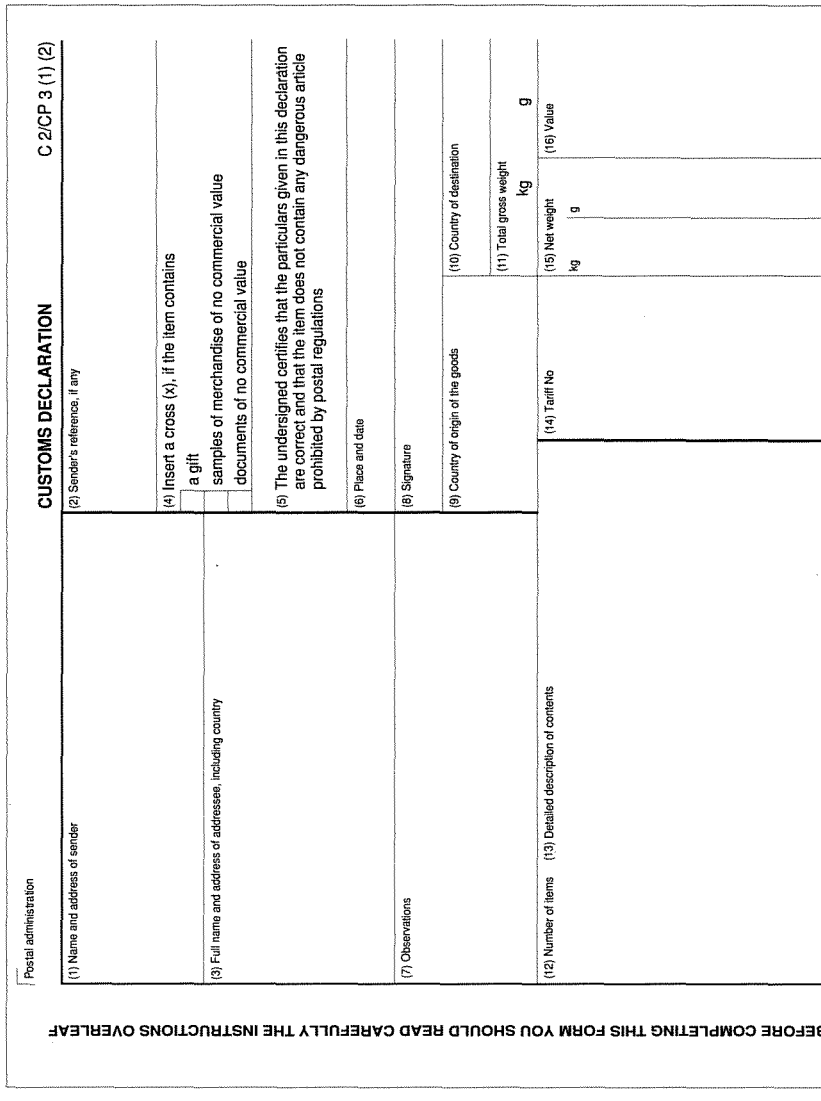
Signature of sender

Parcels, Washington 1989, art 106, para 7 – Size 74 x 105 mm

1) See art 106, note 8. As this is an optional form, no space has been provided for a translation of the text; if necessary, a translation could be given on a coupon that was detachable from the form (1974 Lausanne Congress, II 1550, prop 5902.92).

2) See art 106, note 9.

3) See Agr, art 30, note 2.




Parcels, Washington 1989, art 106, para 1, b – Size 210 x 148 mm

1) See art 106, notes 2 to 4 and 6.

2) Column 14 "Tariff No" has been enlarged by 10.16 mm so as to be able to accommodate the new tariff numbers of the Brussels Customs Nomenclature and the digits for national subdivisions (1984 Hamburg Congress, II 386, prop 2902.1).

**Instructions**

The customs declaration should be completed in French or in a language which is accepted in the country of destination

To clear your item the Customs in the country of destination need to know what the contents are. You must therefore complete your declaration fully, accurately and legibly, otherwise delay and inconvenience may be caused for the addressee. Moreover, a false, misleading or incomplete declaration may lead, for instance, to the seizure of the package

It is also your responsibility to inquire into import and export regulations (prohibitions, make-up, etc) and to find out what documents, if any (certificate of origin, health certificate, invoices, etc) are required in the country of destination and to attach them to this form

Item (4) The insertion of a cross in this space does not relieve you of the obligation of completing the declaration detail; nor does it necessarily imply that the goods will be admitted free of duty in the country of destination:
- "samples of no commercial value" means: articles considered by Customs as being of negligible value, which are merely used in pursuit of orders for merchandise of the kind they represent (1)
- "documents of no commercial value" means: any medium intended to contain and actually containing information which, by virtue of its quantity or nature, is considered by Customs as being of negligible value (1)

Item (5) Your signature on the front is regarded as implying that your item does not contain any dangerous article prohibited by postal regulations (2)

Item (7) See note 1 below

Item (13) Indicate separately different kinds of goods. General terms, such as "foodstuffs", "samples", "spare parts", etc are not permitted

Item (14) If known, state customs tariff number in the country of destination

Item (15) State net weight of each kind of goods

Item (16) State the value of each kind of goods separately, indicating the monetary unit used

[1] Insert in space (7) any other relevant information (eg, "returned goods", "temporary admission")

1) Definitions of samples and documents of no commercial value supplied by the CCC.

2) See Agr, art 20, note 5, end.

COUPON TO BE HANDED TO THE SENDER

C 3/CP 4 (1)
Part A

**DETAILS OF CHARGES DUE**

in the currency of the country of destination of the item

| | | |
|---|---|---|
| Charge for delivery free of charges[2] | | |
| Customs duty | | |
| Presentation-to-Customs charge | | |
| Other charges | | |
| Total | | |
| Total after conversion | | |

Stamp of the office which has recovered the charges

Part to be filled in by the administration of destination

**TOTAL OF CHARGES ADVANCED**

Stamp of the office which has advanced the charges

Amount in figures, in the currency of the country of destination of the item

Office which has made the advance | Date

No of register | Signature of the official

Amount in figures after conversion

No in-register

Signature of the official who has converted the amount

Stamp of the office which has recovered the charges

Part A (Back)

Administration of origin

2 Also called "Commission charge"

Postal administration

C 3/CP 4

**FRANKING NOTE**

Part B

Nature of the item | No | Weight[1]

Insured value | Office of posting

Name and full address of sender

Name and full address of addressee

Part B (Front)

The item is to be delivered free of charges and fees, which I undertake to pay

Signature of sender

Stamp of the office of origin

1 For parcels only

Parcels, Washington 1989, art 110, para 3, b – Size 148 x 105 mm, colour yellow

1) See art 110, note 1.

C 3/CP 4
Part B

**DETAILS OF CHARGES DUE**

in the currency of the country of destination of the item

| | | |
|---|---|---|
| Charge for delivery free of charges[2] | | |
| Customs duty | | |
| Presentation-to-Customs charge | | |
| Other charges | | |
| Total | | |

Part to be filled in by the administration of destination

**TOTAL OF CHARGES ADVANCED**

Stamp of the office which has advanced the charges

Amount in figures, in the currency of the country of destination of the item

Office which has made the advance | Date

No of register | Signature of the official

Part B (Back)

2 Also called "Commission charge"

Upper edge of the form when parts A and B are folded one upon the other

COUPON

Nature of the item | Weight[1]

No | Insured value

Office of posting

Name and full address of addressee

The sender has paid the charges and fees indicated on the back

Stamp of the office of origin

Postal administration

C 3/CP 4

**FRANKING NOTE**

Part A

Nature of the item | No | Weight[1]

Insured value | Office of posting

Name and full address of sender

Name and full address of addressee

The item is to be delivered free of charges and fees, which I undertake to pay

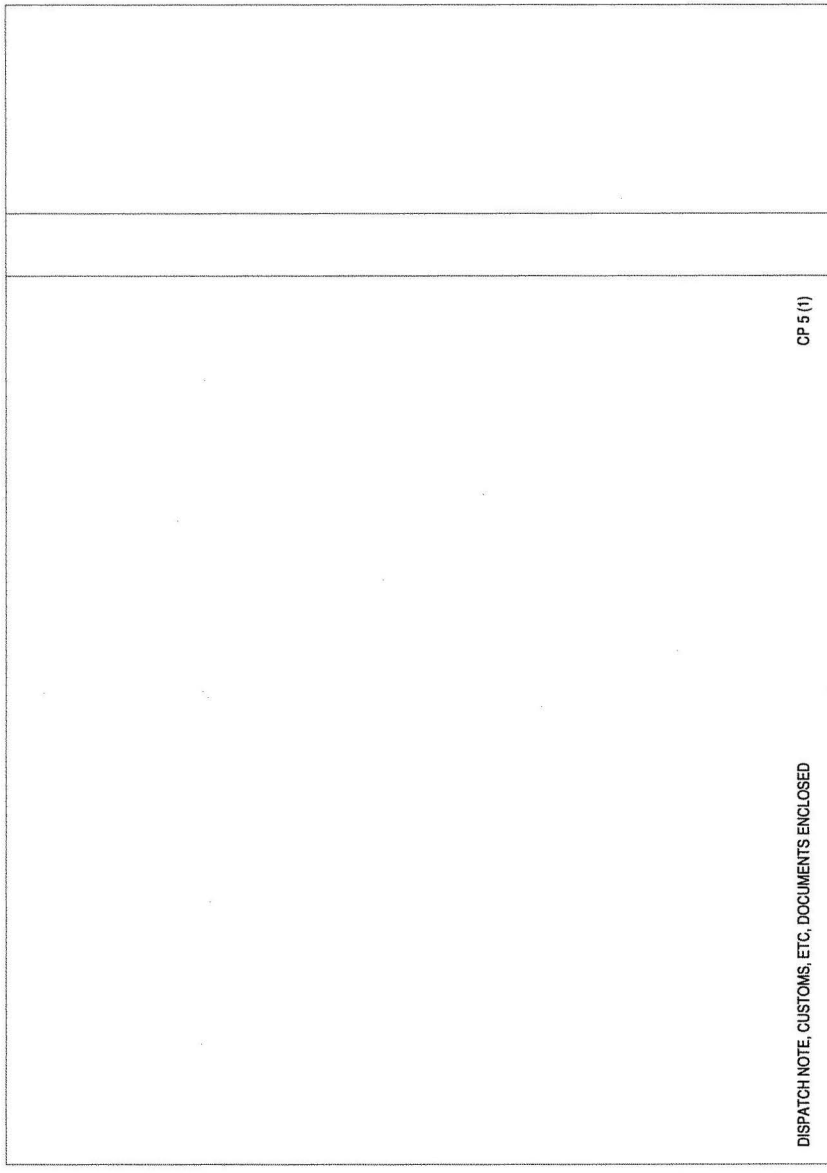
Signature of sender

To be returned to the office of

Stamp of the office of origin

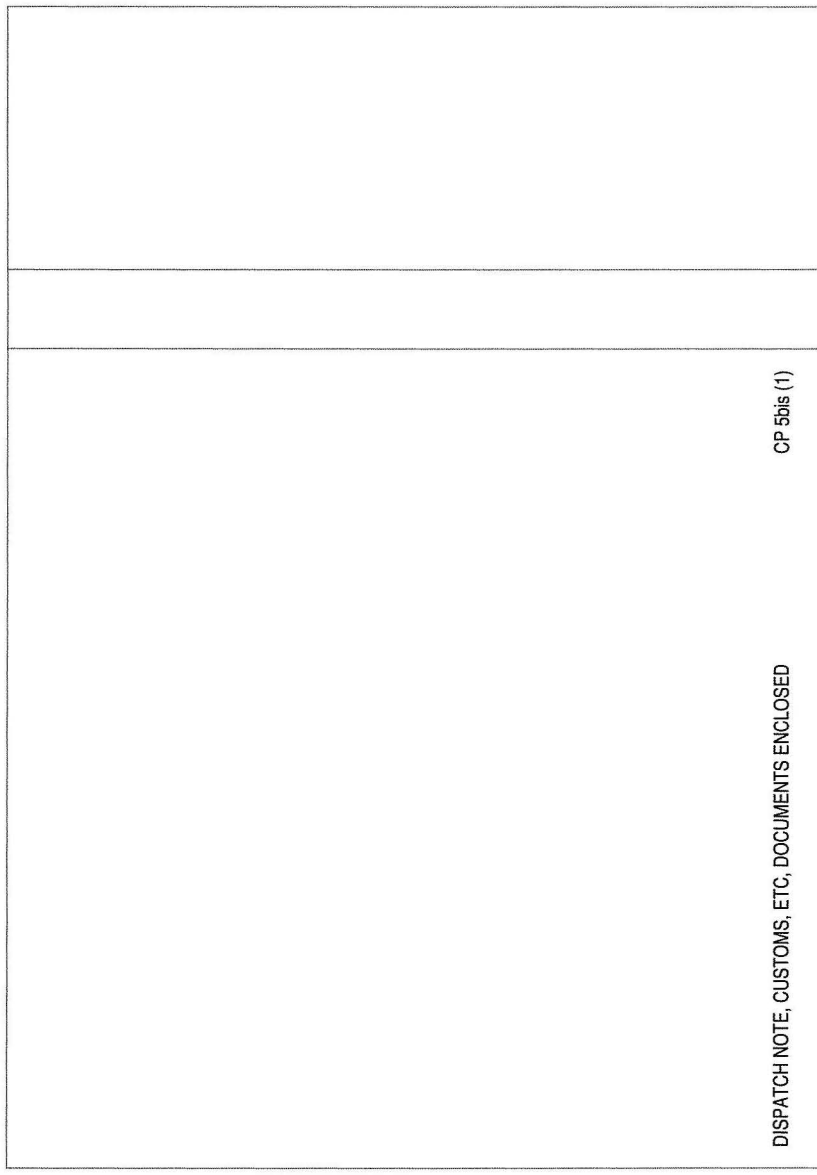
Part A (Front)

1 For parcels only




Parcels, Washington 1989, art 121, para 4 – Size 245 x 170 mm (external), 230 x 155 mm (internal), 50 mm flap

1) Form created by the 1984 Hamburg Congress (II 528, prop 5905.93).




Parcels, Washington 1989, art 121, para 4 – Size 170 x 130 mm (external), 155 x 115 mm (internal), 50 mm flap

1) Form created by the 1984 Hamburg Congress (II 528, prop 5905.94).

Postal administration of origin

CP 6

## ADVICE OF EMBARKATION

| **To be filled in by the office of origin** | | On Postal Service — Stamp of the office returning the advice |
|---|---|---|
| Office of posting | | |
| Date | Parcel No | |
| Insured value | | |
| Name and address of addressee | | The sender will give his address for the return of the advice |
| | | Name |
| The sender wishes to know when and on which ship the parcel was loaded | | Street and No |
| | | Locality |
| Port or country of embarkation | | Country |

Parcels, Washington 1989, art 110, para 11, b – Size 148 x 105 mm

CP 6 (Back)

**To be filled in by the dispatching office of exchange of the mail**

| Mail in which the parcel described overleaf was included | |
|---|---|
| Date | No |
| From | |
| To | |

**To be filled in by the office of exchange at the port of embarkation**

| Loading of the parcel described overleaf, or of the mail mentioned above |
|---|
| Port of embarkation |
| Ship |
| Date of departure |

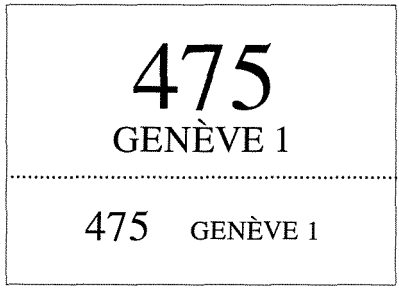
CP 7




Parcels, Washington 1989, art 108, para 1, c –
Size 52 x 37 mm, colour pink (1)

1) See art 108, note 5.

CP 8




Parcels, Washington 1989, art 107, para 1, a –
Size 52 x 37 mm

**Note.** – Administrations using bar codes in their services may use CP 8 labels bearing such codes in addition to the indications already provided for (1) (2)

1) Note introduced by the 1984 Hamburg Congress (II 536, prop 5908.1).

2) See also Conv, label C 4, note 3, reproduced at the end of this vol.

Postal administration of origin

CP 9 (1)

**ADVICE OF NON-DELIVERY**

| Office of origin of CP 9 advice | Notes. To be sent by registered post by the fastest route (air or surface)<br>One form is sufficient for several parcels posted at the same time by the same sender to the same address |
|---|---|
| Office or service of destination of CP 9 advice | Date of advice |

**Undelivered parcel. The dispatch note is attached**

| Office of origin | Parcel No and date of posting |
|---|---|
| Number of parcels | Number of dispatch notes |
| Name and full address of sender | Name and full address of addressee |

**The parcel is held undelivered at my office for the following reason**

| | |
|---|---|
| ☐ The parcel was refused by the addressee | ☐ The parcel has not been claimed |
| ☐ The addressee is unknown | ☐ The addressee is away |
| ☐ The addressee is deceased | ☐ The addressee has left without leaving an address |
| New address[1] | |
| ☐ The addressee has left | |
| ☐ The address is insufficient | ☐ The address on the parcel does not agree with that on the dispatch note |
| ☐ The addressee refuses to pay customs duty | ☐ The addressee refuses to pay the COD amount |
| ☐ The addressee refuses to pay the other charges and fees payable on the parcel | |
| ☐ Customs duty and other charges and fees are payable on the parcel | |
| Present amount (currency of the country preparing the advice) | For extended storage, this amount will be increased by |
| ☐ The addressee has no import licence | |
| ☐ The parcel has been rifled | ☐ The parcel has been damaged |
| Other reasons | |

Please ask the sender or the person named below to give instructions and inform him that if these instructions do not reach me within a period of two months the parcel will be returned to the sender, subject to subsequent payment of charges. Until the instructions arrive, the office is authorized either to deliver the parcel to the original addressee or to another addressee if one is given on the back of the dispatch note, or to reforward it to a new address

| Third person named on back of CP 2 dispatch note to reply to CP 9 advice | |
|---|---|
| Office stamp and signature | This form must be returned to |

[1] Depending on the legislation of the first country of destination, give the full address or the name of the new country of destination

Parcels, Washington 1989, art 136, para 1 – Size 210 x 297 mm

1) The 1984 Hamburg Congress made some amendments on the front and back of this form (II 526, props 5909.1 and 5909.2).

☐ Office furnishing the reply

CP 9 (Back)

**REPLY**

| Office or service of destination | Date of reply |
|---|---|
| | |

**The parcel should be**

☐ presented again to the original addressee

☐ delivered to the original addressee or the person described below

☐ redirected to the original addressee or the person described below by ☐ surface ☐ air

Name and full address of the original addressee or of another person

.....

.....

.....

.....

.....

☐ without collection of the COD amount

☐ against payment of a reduced COD amount

New COD amount

New COD money order attached

☐ without collection of customs duty or other charges payable on the parcel

Franking note attached

☐ returned to the sender by ☐ surface ☐ air

Number of days

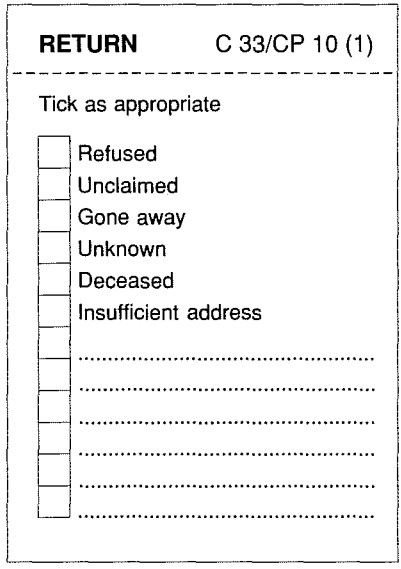
☐ forthwith ☐ on the expiry of a period of .....

The sender undertakes to pay the transport and other charges

☐ treated as abandoned

The person concerned having failed to reply to the requests for instructions which have been addressed to him, the parcel should be returned to the sender at the expiry of the prescribed period

Office stamp, date and signature




Parcels, Washington 1989, art 138, para 1 –
Maximum size 52 x 74 mm, colour pink

1) Form created by the 1984 Hamburg Congress (II 352, 353 and 540, props 2933.91, 3543.3 and 5535.2).

Postal administration of

C 33/CP 10bis (1)

Office preparing the report

**INFORMATION ABOUT A SEIZED POSTAL ITEM**

| To the administration of | Note. To be sent registered to the administration of origin of the item | |
|---|---|---|
| | Date of report | Reference |

One form is sufficient for several items posted at the same time by the same sender to the same addressee

**Description of seized item**

| Nature of item | Office of origin | | |
|---|---|---|---|
| ☐ LC – Priority ☐ AO – Non-Priority ☐ Parcel No<br>☐ Registered item ☐ Insured item | Date of posting | Weight of item | |
| Information concerning forwarding<br>☐ Airmail ☐ Surface ☐ S.A.L. | Dispatching office of exchange | | Date |
| | Destination office of exchange | | Mail No |
| Name and address of addressee | | Comments, if any | |
| Name and address of sender | | | |

**Information about the seizure**

Reason for seizure

☐ Hazardous materials ☐ Violates import regulations ☐ Obscene articles

☐ Narcotics ☐ Violates public/moral/religious precepts ☐ Other

Applicable regulation — Article ..... Paragraph ..... Section .....

☐ UPU Convention ☐ UPU Postal Parcels Agreement

☐ National legislation (specify)

Consequently, we have seized

☐ the entire contents of the item

☐ the part of the item specified below which violates current regulations:

In witness whereof we have prepared this report in duplicate, in order that effect may be given to it in accordance with article 41, paragraph 8, of the Convention (Washington 1989)

| Stamp and signature of customs official | Stamp and signature of head of office at which seizure took place |
|---|---|
| | |

**Reserved for the office of origin of the item**

Comments, if any

| Signature of the sender or of his attorney (if applicable) | Date stamp of the office of origin of the item<br>Signature of the official |
|---|---|
| | |

Parcels, Washington 1989, art 139 – Size 210 x 297 mm

1) Form created by the 1989 Washington Congress (II Congress/C 4 – Rep 2, prop 2933.91 and C 7 – Rep 4, prop 5538.91; see also Det Regs, art 139, note 1, and Conv, art 41, note 18, reproduced at the end of this vol).

Dispatching administration

**PARCEL BILL**
**Postal parcels**

CP 11 (1) (2) (3)

| Dispatching office of exchange | Date of departure / Time | Mail No | ☐ Surface ☐ S.A.L. |
|---|---|---|---|
| Office of exchange of destination | Number of receptacles in dispatch | Number of parcels comprising the dispatch | |
| | Number of receptacles to be returned | Number of unenclosed parcels | |
| | No of the parcel bill (if several) | ☐ A C 27 note is attached to the mail | |
| | Ship | Flight No (for S.A.L.) | |

**Detailed entry**

| No serial | No of parcel | Number of parcels | Office of origin | Place of destination[1] | Weight[2] of each insured parcel kg | g | Insured value | Rates payable: by dispatching administration to receiving administration | Rates payable: by receiving administration to dispatching administration | Observations |
|---|---|---|---|---|---|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 | 6 | | 7 | 8 | 9 | 10 |
| | | | | | | | SDR | SDR | SDR | |
| 1 | | | | | | | | | | |
| 2 | | | | | | | | | | |
| 3 | | | | | | | | | | |
| 4 | | | | | | | | | | |
| 5 | | | | | | | | | | |
| 6 | | | | | | | | | | |
| 7 | | | | | | | | | | |
| 8 | | | | | | | | | | |
| 9 | | | | | | | | | | |
| 10 | | | | | | | | | | |
| Carried over from back | | | | | | | | | | |
| Totals | | | | | | | | | | |

**Bulk entry** Enter parcels subject to inward rates
Use section a, b or c, as appropriate

| a Number of parcels per weight step | | | | | | b Total number of parcels | c Gross weight |
|---|---|---|---|---|---|---|---|
| < 1 kg | 1–3 kg | 3–5 kg | 5–10 kg | 10–15 kg | 15–20 kg | | |
| | | | | | | | kg |

Stamp of the dispatching office of exchange
Signature of the official

Stamp of the office of exchange of destination
Signature of the official

[1] Not to be completed if the parcels are addressed to the same office as the parcel bill
For parcels in transit à découvert, indicate the country of destination
[2] If necessary, this column may be used for entering the weight of uninsured parcels

Parcels, Washington 1989, art 119, para 1 – Size 210 x 297 mm

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1) See art 119, note 1 and art 122, note 6. See also art 102, para 5.

2) The 1984 Hamburg Congress made some amendments to the front of this form (II 536, prop 5911.2).

3) The 1989 Washington Congress made some amendments to the front and back of this form (II Congress/C 7 – Rep 3, props 5911.1, 5911.2/Rev 1 and 5911.4).

CP 11 (Back)

| No | | Num-ber of parcels | Office of origin | Place of destination[1] | Weight[2] of each insured parcel | | Insured value | Rates payable | | Observations |
|---|---|---|---|---|---|---|---|---|---|---|
| serial | of parcel | | | | | | | by dispatching administration to receiving administration | by receiving administration to dispatching administration | |
| 1 | 2 | 3 | 4 | 5 | 6 | | 7 | 8 | 9 | 10 |
| | | | | | kg | g | SDR | SDR | SDR | |
| 11 | | | | | | | | | | |
| 12 | | | | | | | | | | |
| 13 | | | | | | | | | | |
| 14 | | | | | | | | | | |
| 15 | | | | | | | | | | |
| 16 | | | | | | | | | | |
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| 24 | | | | | | | | | | |
| 25 | | | | | | | | | | |
| 26 | | | | | | | | | | |
| 27 | | | | | | | | | | |
| 28 | | | | | | | | | | |
| 29 | | | | | | | | | | |
| 30 | | | | | | | | | | |
| 31 | | | | | | | | | | |
| 32 | | | | | | | | | | |
| 33 | | | | | | | | | | |
| 34 | | | | | | | | | | |
| 35 | | | | | | | | | | |
| To be carried over to front | | | ——— | ——— | ——— | | ——— | | | |

[1] Not to be completed if the parcels are addressed to the same office as the parcel bill
For parcels in transit à découvert, indicate the country of destination
[2] If necessary, this column may be used for entering the weight of uninsured parcels

Dispatching administration

**SPECIAL PARCEL BILL** CP 12 (1)

**Payment of rates due for the transit of parcels**

Dispatching office of exchange | Date of CP 12 bill | No

| Intermediate office of exchange | Date of departure | Time | Mail No |
|---|---|---|---|
| | | | |

| Transit administration | Ship |
|---|---|
| | |

Office of destination of the mail

☐ Land transit ☐ Sea transit

| a Number of parcels per weight step (use section a, b or c as appropriate) | | | | | | b Total number of parcels | c Gross weight |
|---|---|---|---|---|---|---|---|
| < 1 kg | 1–3 kg | 3–5 kg | 5–10 kg | 10–15 kg | 15–20 kg | | kg |
| | | | | | | | |

| Nature of parcels | Number of receptacles | Number of parcels in receptacles | Number of parcels not in receptacles |
|---|---|---|---|
| Uninsured parcels | | | |
| Insured parcels | | | |
| Totals | | | |

| Stamp of the dispatching office of exchange<br>Signature of the official | Stamp of the intermediate office of exchange<br>Signature of the official |
|---|---|
| | |

Parcels, Washington 1989, art 119, para 6 – Size 210 x 148 mm

1) See art 119, note 1.

Postal administration of origin

**VERIFICATION NOTE**
**To be sent by registered post**

CP 13 (1)

| Office of origin of note | Date of note | No | Mail No |
|---|---|---|---|
| | Date of dispatch | Time | |
| Office of destination of note | Name of ship or train No, flight No, etc | | Parcel bill No |
| | Dispatching office of exchange | | |
| | Office of exchange of destination | | |
| | Date of arrival of mail | Date of opening of mail | |

**1 Missing parcels**

| No serial[1] | No of parcel | Office of origin | Address (as full as possible) | Credit | Correction | Observations |
|---|---|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| | | | | | | |
| | | | | | | |
| | | | | | | |

**2 Excess parcels**

| No serial[1] | No of parcel | Office of origin | Full address of sender | Full address of addressee | Weight | | Insured value | Type of receptacle (bag, basket, etc) |
|---|---|---|---|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 | 6 | | 7 | 8 |
| | | | | | kg | g | SDR | |
| | | | | | | | | |
| | | | | | | | | |

**3 Errors** **3a Detailed entry**

| No serial[1] | No of parcel | Office of origin | Name and address of addressee | Weight shown | | Weight observed | | No of the col | Entry by the dispatching office of exchange | | Correction by the office of exchange of destination | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 | | | | 6 | 7 | | 8 | |
| | | | | kg | g | kg | g | | | | | |
| | | | | | | | | | | | | |
| | | | | | | | | | | | | |
| | | | | | | | | | | | | |
| Totals | | | | | | | | | | | | |

**3b Bulk entry**

| Entry by the dispatching office of exchange | a Number of parcels per weight step | | | | | | b Total number of parcels | c Gross weight |
|---|---|---|---|---|---|---|---|---|
| | < 1 kg | 1–3 kg | 3–5 kg | 5–10 kg | 10–15 kg | 15–20 kg | | kg |
| Correction by the office of exchange of destination | < 1 kg | 1–3 kg | 3–5 kg | 5–10 kg | 10–15 kg | 15–20 kg | Total number of parcels | Gross weight |
| | | | | | | | | kg |

[1] Col 1 of the parcel bill

Parcels, Washington 1989, art 125, para 4 – Size 210 x 297 mm

1) The 1984 Hamburg Congress recast this form (II 532, prop 5913.1; see also art 129, note 1).

**4 Rifled or damaged parcels** CP 13 (Back)

| No | | Office of origin | Address of the sender | Address of the addressee | Contents | Weight | | | | Insured value | Type of receptacle (bag, basket, etc) |
|---|---|---|---|---|---|---|---|---|---|---|---|
| serial[1] | of parcel | | | | | shown | | observed | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | | | | 8 | 9 |
| | | | | | | kg | g | kg | g | SDR | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
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Description and apparent cause of rifling or damage, or other observations

**5 Irregularities**

Missing parcel bill, insufficient packing or fastening, etc

**6 Carrier or carrier's representative**

| Name and capacity | Signature |
|---|---|
| | |

Stamp of the office preparing the note
Officials' signatures

Seen and accepted
Stamp of the office of destination of the note
Signature of the official in charge

[1] Col 1 of the parcel bill

Postal administration

CP 14 (1)

**REPORT**
**Postal parcel**
**To be sent by registered post**

**Part I**

| | |
|---|---|
| Office completing part I | Date / Reference |
| Reason for report | ☐ Rifling ☐ Damage ☐ Decrease in weight |
| Posting of parcel | Office / Date / No |
| Sender | Name and full address |
| Addressee | Name and full address |
| Special particulars | Insured value<br>COD amount and currency<br>Supplementary charge for fragile parcels paid<br>☐ Yes ☐ No<br>Other particulars |
| Weight | Shown / Observed |
| Packing | External<br>Internal<br>The packing should be regarded as<br>☐ regulation ☐ non-regulation |
| Mail in which the parcel was sent | Date of dispatch / Date of arrival / No<br>Dispatching office<br>Office of destination |
| Method of conveyance | Name or No<br>☐ Travelling post office<br>☐ Railway van<br>☐ Ship<br>☐ Flight |
| Parcel arrived | ☐ In bag ☐ Unenclosed |
| Detailed statement of the facts | |

Stamp of the reporting office
Signatures

Parcels, Washington 1989, art 129, para 2 – Size 210 x 297 mm

1) See art 129, note 1.

**Part II** CP 14 (Back)

| Office completing part II | Date | Reference |
|---|---|---|

**Contents**

☐ From the invoice ☐ From the customs declaration ☐ According to the addressee or sender

The contents have been examined in the presence of

☐ the addressee ☐ the sender

Contents established on examination

Contents damaged

Contents missing

**Estimate of loss**

☐ According to the addressee ☐ According to the sender

The loss is estimated at the amount of

**Cause**

The loss is due to

**Subsequent treatment of the parcel**

☐ After repacking and weighing, the item has been forwarded to its destination

New weight

☐ The contents have been destroyed by the undersigned office

☐ The packing is held here

☐ The addressee refuses the item ☐ The sender refuses the item

☐ The addressee has accepted the item ☐ The sender has accepted the item

Amount of indemnity claimed

**Signature of the addressee or sender**

Attestation. In witness whereof we have drawn up this report, a duplicate of which has been sent, with a verification note, to the authority shown below

Authority to which the report should be sent

| Signature of the postal officials | Signature of the customs officer |
|---|---|
| | |

Postal administration of

CP 15 (1)

Office preparing statement

**STATEMENT OF AMOUNTS DUE**
**Surface parcels**

| Office of exchange of destination of the mail | Date of statement | |
|---|---|---|
| Dispatching administration | Month | Year |
| Dispatching office of exchange of the mail | Quarter | Year |

| I. Credits due to the administration of destination from the CP 11 or CP 12 parcel bills (use section a, b or c as appropriate) | | | | | | | | | | II. Credits due to the dispatching administration from the CP 11 parcel bills | Observations |
|---|---|---|---|---|---|---|---|---|---|---|---|
| No of mails | a Number of parcels per weight step | | | | | | b Total number of parcels | c Gross weight | Column 8 of form CP 11 | Column 9 of form CP 11 | |
| | < 1 kg | 1–3 kg | 3–5 kg | 5–10 kg | 10–15 kg | 15–20 kg | | | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 |
| | | | | | | | | kg | SDR | SDR | |
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| Total per column | | | | | | | | | | | |
| Rates | | | | | | | | | | | |
| Amount per column | | | | | | | | | | | |
| Grand total of credits due | | | | | | | | | | | |

Signature of the official in charge of the office preparing the statement

Parcels, Washington 1989, art 151, para 1, a – Size 210 x 297 mm

1) See art 151, note 2. Form recast by the 1984 Hamburg Congress (II 537, prop 5915.1).

Administration of destination of parcels

**STATEMENT OF AMOUNTS DUE**
**Air parcels**

CP 15bis (1)

| | |
|---|---|
| Office of exchange of destination of the mail | Date of statement |
| Dispatching administration of parcels | Month / Year |
| Dispatching office of exchange of the mail | Quarter / Year |

| I. Credits due to the administration of destination from the CP 20 parcel bills (use section a, b or c as appropriate) | | | | | | | | | | | II. Credits due to the dispatching administration from the CP 20 parcel bills | | Observations |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| No of mails | a Number of parcels per weight step | | | | | | b Total number of parcels | c Gross weight | Column 8 of form CP 20 | Column 10 of form CP 20 | Column 9 of form CP 20 | Column 11 of form CP 20 | |
| | < 1 kg | 1–3 kg | 3–5 kg | 5–10 kg | 10–15 kg | 15–20 kg | | | | | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 |
| | | | | | | | | kg | SDR | SDR | SDR | SDR | |
| | | | | | | | | | | | | | |
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| Total per column | | | | | | | | | | | | | |
| Rates | | | | | | | | | | | | | |
| Amount per column | | | | | | | | | | | | | |
| Grand total of credits due | | | | | | | | | | | | | |

Signature of the official in charge of the office of exchange of destination

Parcels, Washington 1989, art 151, para 1, b – Size 210 x 297 mm

1) See art 151, notes 2 and 3. Form recast by the 1984 Hamburg Congress (II 537, prop 5915.2).

Administration preparing account

CP 16

**SUMMARIZED ACCOUNT**
**Statements (CP 15 and CP 15bis forms)**
**To be prepared in duplicate**

| Dispatching administration of parcels | Date of account<br>Month / Year<br>Quarter / Year |
|---|---|

| Serial No | Office of exchange of destination | Amounts due according to each CP 15 and CP 15bis statement | | Observations |
|---|---|---|---|---|
| | | to administration preparing account | to dispatching administration | |
| 1 | 2 | 3 | 4 | 5 |
| | | SDR | SDR | |
| | | | | |
| | | | | |
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| | | | | |
| | | | | |
| | | | | |
| Totals | | | | |
| Less | | | | |
| Credit balance | | | — | — |

Name of creditor administration

| Administration preparing account<br>Place, date and signature | Seen and accepted by the dispatching administration of the parcels<br>Place, date and signature |
|---|---|

Parcels, Washington 1989, art 151, para 3 – Size 210 x 297 mm

Administration of destination of CP 16 account

**STATEMENT OF DIFFERENCES** CP 17 (1)
**observed in the summarized account (CP 16 form)**
**To be sent in duplicate**

| Dispatching administration of CP 16 account | Date of statement |
|---|---|
| | Month SDR / Year |
| | Quarter / Year |

| Serial No | | Parcel mails | | | Amount | | Credit due to the administration | | Observations (use back if necessary) |
|---|---|---|---|---|---|---|---|---|---|
| CP 17 | CP 16 | No | from | to | entered in account | corrected | of | of | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| | | | | | SDR | SDR | SDR | SDR | |
| 1 | | | | | | | | | |
| 2 | | | | | | | | | |
| 3 | | | | | | | | | |
| 4 | | | | | | | | | |
| 5 | | | | | | | | | |

Administration of destination of the account
Place, date and signature

Seen and accepted by the dispatching administration of the account
Place, date and signature

Parcels, Washington 1989, art 151, para 4 – Size 210 x 148 mm

1) See art 151, note 5.

Administration preparing the account

CP 18 (1)

## GENERAL ACCOUNT

| Corresponding administration | Date of account | |
|---|---|---|
| | Quarter | Year |
| | Half year | Year |

| Exchange | Period | Balance of CP 16 accounts in favour of the | | Observations |
|---|---|---|---|---|
| | | administration preparing the account | corresponding administration | |
| 1 | 2 | 3 | 4 | 5 |
| Received by the administration preparing the account | | SDR | SDR | |
| | | | | |
| | | | | |
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| | | | | |
| | | | | |
| | | | | |
| Sent by the administration preparing the account | | | | |
| | | | | |
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| | | | | |
| | | | | |
| | | | | |
| | | | | |
| Totals | | | | |
| Less | | | | |
| | Name of creditor administration | | | |
| Credit balance | | | | |

Administration preparing the CP 18 account

Place, date and signature

Parcels, Washington 1989, art 151, para 6 – Size 210 x 297 mm

1) See art 151, note 10.

Creditor administration

CP 19

**DETAILED MONTHLY ACCOUNT**
**Customs, etc, charges**

| Debtor administration | Date of account | |
|---|---|---|
| | Month | Year |

| Serial No | Date of payment | No of franking note | Office which made the payment | Amount of each franking note | | Observations |
|---|---|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 | | 6 |
| | | | | SDR | | |
| 1 | | | | | | |
| 2 | | | | | | |
| 3 | | | | | | |
| 4 | | | | | | |
| 5 | | | | | | |
| 6 | | | | | | |
| 7 | | | | | | |
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| 9 | | | | | | |
| 10 | | | | | | |
| 11 | | | | | | |
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| 16 | | | | | | |
| 17 | | | | | | |
| 18 | | | | | | |
| 19 | | | | | | |
| 20 | | | | | | |
| Total | | | | | | |

Creditor administration
*Place, date and signature*

Parcels, Washington 1989, art 151, para 8, a – Size 210 x 297 mm

Dispatching administration

**AIR PARCEL BILL**
**Air parcels**

CP 20 (1) (2) (3)

| Dispatching office of exchange | Date of departure | Time | Mail No |
|---|---|---|---|
| Office of exchange of destination | Number of receptacles in dispatch | Number of parcels comprising the dispatch | |
| | Number of receptacles to be returned | Number of unenclosed parcels | |
| | No of the bill (if several parcels) | A C 27 note is attached to the mail | |
| | Flight | | |

**Detailed entry**

| No serial | No of parcel | Number of parcels | Office of origin | Place of destination[1] | Weight[2] of each insured parcel kg | Weight[2] of each insured parcel g | Insured value SDR | Land and sea rates payable: by dispatching administration to receiving administration SDR | Land and sea rates payable: by receiving administration to dispatching administration SDR | Air conveyance dues payable: by dispatching administration to receiving administration SDR | Air conveyance dues payable: by receiving administration to dispatching administration SDR | Observations |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 | 6 | | 7 | 8 | 9 | 10 | 11 | 12 |
| 1 | | | | | | | | | | | | |
| 2 | | | | | | | | | | | | |
| 3 | | | | | | | | | | | | |
| 4 | | | | | | | | | | | | |
| 5 | | | | | | | | | | | | |
| 6 | | | | | | | | | | | | |
| 7 | | | | | | | | | | | | |
| 8 | | | | | | | | | | | | |
| 9 | | | | | | | | | | | | |
| 10 | | | | | | | | | | | | |
| Carried over from back | | | | | | | | | | | | |
| Totals | | | | | | | | | | | | |

**Bulk entry** Enter parcels subject to inward rates
Use section a, b or c, as appropriate

| a Number of parcels per weight step: < 1 kg | 1–3 kg | 3–5 kg | 5–10 kg | 10–15 kg | 15–20 kg | b Total number of parcels | c Gross weight in kg |
|---|---|---|---|---|---|---|---|
| | | | | | | | |

Stamp of the dispatching office of exchange
Signature of the official

Stamp of the office of exchange of destination
Signature of the official

[1] Not to be completed if the parcels are addressed to the same office as the parcel bill
For parcels in transit à découvert, indicate the country of destination
[2] If necessary, this column may be used for entering the weight of uninsured parcels

Parcels, Washington 1989, art 119, para 1 – Size 210 x 297 mm

1) See art 119, note 1, and art 122, note 6. See also art 102, para 5.

2) The 1984 Hamburg Congress made a few amendments to the back of this form (II 536, prop 5920.2).

3) The 1989 Washington Congress made a few amendments to the front and back of this form (II Congress/C 7 – Rep 3, props 5920.1 and 5920.2/Rev 1).

CP 20 (Back)

| No | | Number of parcels | Office of origin | Place of destination[1] | Weight[2] of each insured parcel | | Insured value | Land and sea rates payable | | Air conveyance dues payable | | Observations |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| serial | of parcel | | | | | | | by dispatching administration to receiving administration | by receiving administration to dispatching administration | by dispatching administration to receiving administration | by receiving administration to dispatching administration | |
| 1 | 2 | 3 | 4 | 5 | 6 | | 7 | 8 | 9 | 10 | 11 | 12 |
| | | | | | kg | g | SDR | SDR | SDR | SDR | SDR | |
| 11 | | | | | | | | | | | | |
| 12 | | | | | | | | | | | | |
| 13 | | | | | | | | | | | | |
| 14 | | | | | | | | | | | | |
| 15 | | | | | | | | | | | | |
| 16 | | | | | | | | | | | | |
| 17 | | | | | | | | | | | | |
| 18 | | | | | | | | | | | | |
| 19 | | | | | | | | | | | | |
| 20 | | | | | | | | | | | | |
| 21 | | | | | | | | | | | | |
| 22 | | | | | | | | | | | | |
| 23 | | | | | | | | | | | | |
| 24 | | | | | | | | | | | | |
| 25 | | | | | | | | | | | | |
| 26 | | | | | | | | | | | | |
| 27 | | | | | | | | | | | | |
| 28 | | | | | | | | | | | | |
| 29 | | | | | | | | | | | | |
| 30 | | | | | | | | | | | | |
| To be carried over to the front | | | | | | | | | | | | |

[1] Not to be completed if the parcels are addressed to the same office as the parcel bill
For parcels in transit à découvert, indicate the country of destination
[2] If necessary, this column may be used for entering the weight of uninsured parcels

Postal administration

CP 21 (1)

**TABLE CP 21**
**Air parcels**

Date of table

Reference

The above-mentioned administration accepts, on the terms shown below, air parcels addressed to its own territory and in transit to countries for which it is in a position to serve as an intermediary

**Section A Information on the internal service**

| Questions | Answers |
|---|---|
| 1 Does the administration preparing this table undertake to reforward air parcels by air in the interior of its country, on all or part of the journey? | ☐ Yes ☐ No |
| 2 If so, to which places? (In alphabetical order) | |
| 3 Can air parcels addressed elsewhere be sent to these places at the request of the sender? | ☐ Yes ☐ No |

**Section B Conditions for the internal service**

| Weight steps | Inward rates payable to the administration of destination | Observations |
|---|---|---|
| 1 | 2 | 3 |
| kg | SDR | |

Parcels, Washington 1989, art 102, para 1 – Size 210 x 297 mm

1) The 1984 Hamburg Congress made a few amendments to the back of this form (II 528, prop 5921.1/ Rev 1).

CP 21 (Back)

**Section C Services to other countries**

The amounts shown in column 5a cover the inward rates with which the administration of destination is to be credited. The amounts mentioned in column 5b cover the transit rates payable to the intermediate administration for air parcels in transit à découvert. When transit land rates, where land conveyance is used, or sea rates are to be allocated as well, the amounts must be shown in column 5b with an appropriate note. The total inward and transit rates to be allocated to the intermediate administration shall be shown in column 5c. Unless otherwise stated, the charges shown in column 7 shall be allocated compulsorily for all parcels

| Country of destination | Routes | Air sectors used | Weight steps | Rates payable to the administration of | | | Total air conveyance dues by weight payable to the administration of | | Observations |
|---|---|---|---|---|---|---|---|---|---|
| | | | | Inward rates according to weight | Transit rates per parcel | Total columns a+b | as far as the country of destination | in the interior of the country of destination | |
| 1 | 2 | 3 | 4 | 5a | 5b | 5c | 6 | 7 | 8 |
| | | | kg | SDR | SDR | SDR | SDR | SDR | |

Creditor administration

CP 22

**STATEMENT**
**Amounts due in respect of indemnity for postal parcels**

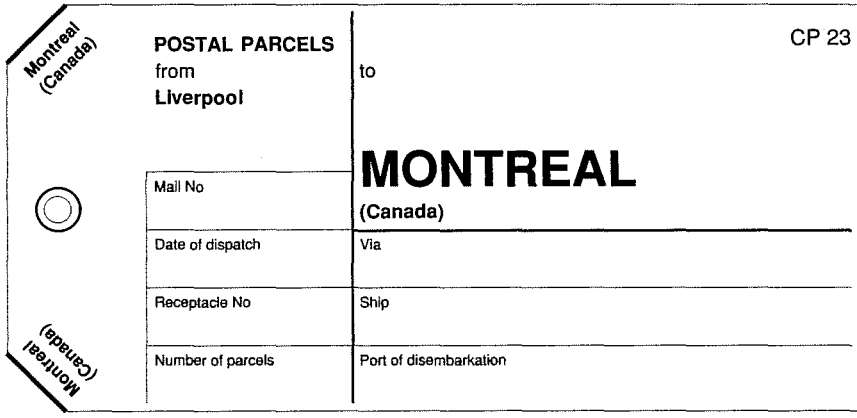
Date of statement

| Debtor administration | Notes. Compensation for postal parcels lost, damaged, sold, etc |
|---|---|
| | Month / Quarter / Year |

| Serial No | Postal parcels | | Letters authorizing recoveries (No of statement, name of office, date, reference No of debtor administration) | Amount |
|---|---|---|---|---|
| | Parcel No and office of origin | Destination | | |
| 1 | 2 | 3 | 4 | 5 |
| | | | | SDR |
| 1 | | | | |
| 2 | | | | |
| 3 | | | | |
| 4 | | | | |
| 5 | | | | |
| 6 | | | | |
| 7 | | | | |
| 8 | | | | |
| 9 | | | | |
| 10 | | | | |
| 11 | | | | |
| 12 | | | | |
| 13 | | | | |
| 14 | | | | |
| 15 | | | | |
| 16 | | | | |
| 17 | | | | |
| 18 | | | | |
| 19 | | | | |
| 20 | | | | |
| Total (to be carried over to CP 16 summarized account) | | | | |

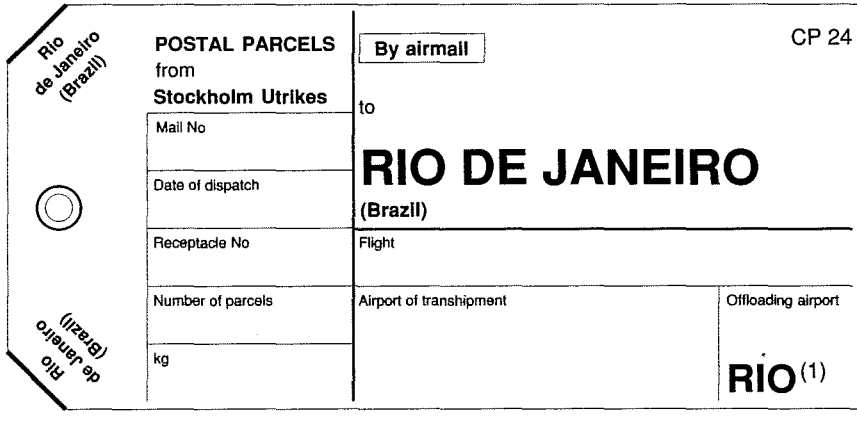
Any observations may be made in the blank space on the front or on the back of the form

Parcels, Washington 1989, art 151, para 9 – Size 210 x 297 mm




Parcels, Washington 1989, art 122, para 1, a – Size 125 x 60 mm or 148 x 52 mm, colour yellow ochre

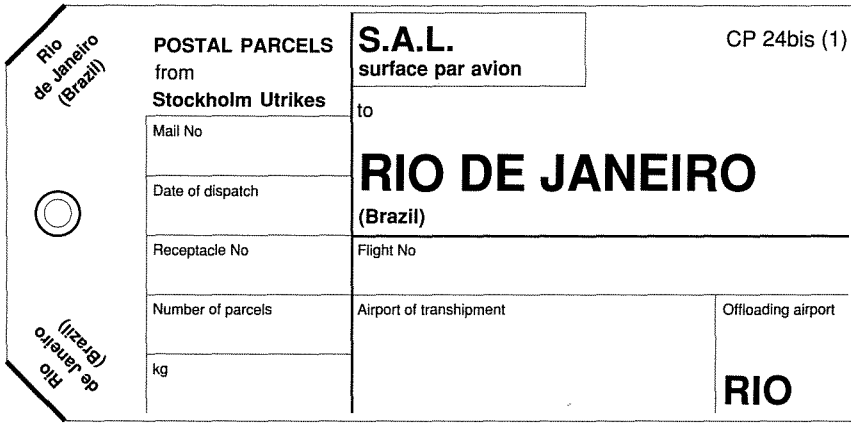
**Note.** – Bearing in mind the needs of their service, administrations may make slight changes in the text and size of the form, so long as they do not depart unduly from the directives which this specimen contains




Parcels, Washington 1989, art 122, para 1, a – Size 125 x 60 mm or 148 x 52 mm, colour yellow ochre

**Note.** – Bearing in mind the needs of their service, administrations may make slight changes in the text and size of the form, so long as they do not depart unduly from the directives which this specimen contains

1) For the use of the IATA initials (3-letter code), see Conv, Det Regs, art 203, note 4, b, reproduced at the end of this vol. They should be used, where applicable, to show the name of the airport of transhipment as well as that of destination (1974 Lausanne Congress, II 1381 and 1382, prop 3908; see also circ 232/1974).




Parcels, Washington 1989, art 122, para 1, a – Size 125 x 60 mm or 148 x 52 mm, colour yellow ochre

1) Form adopted by the 1984 Hamburg Congress (II 537, prop 5924.91/Rev 1). See Conv, Det Regs, art 221, note 4 reproduced at the end of this vol. Adms may use labels with a distinctive border.

CP 25

**STATEMENT OF CHARGES**

Stamp of dispatching office of exchange

Administration of

Office of exchange of

Parcel No

Reason for return

☐ Unknown ☐ Refused ☐ Importation prohibited

☐ Gone away ☐ Unclaimed

| | SDR | |
|---|---|---|
| Presentation-to-Customs charge | ..... | ..... |
| Storage charge | ..... | ..... |
| Return charge | ..... | ..... |
| Redirection charge | ..... | ..... |
| Non-postal fees | ..... | ..... |
| Miscellaneous | ..... | ..... |
| Total | | |

Parcels, Washington 1989, art 138, para 7 – Size 105 x 148 mm

# Other decisions of the 1989 Washington Congress concerning the Postal Parcels Agreement and its Detailed Regulations (1)

1) A complete list of the decisions (resolutions, formal opinions, etc) of the 1989 Washington Congress, other than those amending the Acts, is reproduced in numerical order in the Congress Documents, vol III/1, pp 417 to 420.

**Resolution C 15/1989**

**Standardization of the conditions of admission and supplementary services provided in the postal parcels service**

Congress,

Noting
the vast differences which exist at present between the postal administrations of member countries with regard to the conditions of admission and supplementary services provided in the postal parcels service,

Considering
that these differences are difficult for customers to understand, complicate the work of the operational services and are a source of many service errors,

Aware
of the need for postal administrations to urgently take all appropriate measures to retain or recover their share of the market in the highly competitive carriage of small goods sector,

*Calls on*

the postal administrations of member countries to admit for all categories of postal parcel:
- a maximum weight of at least 20 kg;
- the limits of size laid down in article 20, paragraph 1, of the Postal Parcels Agreement (Hamburg 1984), viz 1.50 metres for any one dimension or 3 metres for the sum of the length and the greatest circumference measured in a direction other than that of the length;

- insured parcels;
- express parcels;
- correspondence and documents of any kind having the character of current and personal correspondence as per article 19, a, iii, third subparagraph, of the Postal Parcels Agreement (Hamburg 1984);
- advice of delivery;
- dispatch of an advice of non-delivery in accordance with article 22, paragraph 2, a or b, of the Postal Parcels Agreement (Hamburg 1984).

(Proposal 5000.1, Committee 7, 2nd meeting; Congress – Doc 78.1, 14th plenary meeting)

**Resolution C 16/1989**

**Introduction and extension of the postal parcels service**

Congress,

Considering
that the exchange of postal parcels is one of the most important services for users of the Post, and that, accordingly, it is imperative that postal administrations pay the closest attention to it in order to provide optimum service in the international context,

Taking into account
that at the present time the postal parcels service is governed by the Postal Parcels Agreement to which 144 member countries of the Union have acceded,

that only 26 member countries are not party to the Postal Parcels Agreement,

In view of
the necessity for postal services to take the appropriate action to play a more effective part in the organization and marketing of parcel traffic in order to gain a greater share of the world market for these exchanges,

Desirous
that postal administrations be able to offer their users a service that guarantees maximum security with regard to both the handling and the delivery of parcels,

*Calls on*

the administrations of the 26 member countries not yet party to the Postal Parcels Agreement to introduce this service in their international postal exchanges, and

*Instructs*

the Executive Council:
i to examine the problems preventing these countries from acceding to the Postal Parcels Agreement and to consider ways of enabling them to do so;
ii to study the possibility of making the postal parcels service mandatory within the Union;
iii to submit ad hoc proposals to the next Congress.

(Proposal 5000.6/Rev 1, Committee 7, 1st meeting; Congress – Doc 78.1, 14th plenary meeting)

**Resolution C 17/1989**

**Universal rate for land and sea rates**

Congress,

Having adopted
the new land and sea rates proposed by the Executive Council on conclusion of the study it conducted in pursuance of resolution C 22 of the 1984 Hamburg Congress,

Considering
- that the three current methods of fixing land and sea rates – namely, per weight step (Agreement, articles 46, 47 and 48), per parcel (article 53, paragraph 3), and per kg of gross weight of the mails (article 53, paragraph 3) – have an inflationary effect on the rates;
- that a universal rate based on remuneration per item, to take account of the fixed costs, and remuneration according to the weight, to take account of the costs that vary with the latter, would make better allowance for the actual cost situation, bearing in mind especially the average costs in the member countries of the Union as a whole;
- that such a system of remuneration, in addition to being a way of avoiding inflationary trends, would also offer the advantage of simplification,

*Instructs*

the Executive Council:
i to conduct a study on the possibility of introducing a universal rate combining a rate per parcel and a rate per kg of gross weight of the mail, on the basis of two elements: fixed costs and variable costs;
ii to submit any proposals resulting from these studies to the next Congress.

(Proposal 5500.2, Committee 7, 3rd meeting; Congress – Doc 78.1, 14th plenary meeting)

**Resolution C 18/1989**

**Revision of land and sea rates**

Congress,

Having adopted
the new land and sea rates proposed by the Executive Council on conclusion of the study arising from resolution C 22 of the 1984 Hamburg Congress,

In view of
- the fact that the guideline rates applicable to the outward and inward land rates were fixed in such a way that the rates enable administrations to cover the costs of handling inward parcels while ensuring that the parcel-post service remains competitive;
- the fact that the transit land rates and the sea rates were fixed by reference to the letter-post transit charges according to the "parcel-post/letter-post comparative method" described in Tokyo Congress – Doc 13 (Documents of the 1969 Tokyo Congress, vol II, pages 483–486);
- the fact that these same rates were calculated by the "least squares" method giving one equation of the average price curves (1984 Hamburg method),

*Instructs*

the Executive Council:
i to carry out a fresh study on the amount of the guideline rates applicable to the outward and inward land rates laid down in article **47** of the Postal Parcels Agreement (Washington 1989);

ii to adjust the transit land rates and sea rates laid down in articles **48** and **49** of that Agreement in the event of a revision of the letter-post transit charges; and
iii to submit any proposals resulting from these studies to the next Congress.

(Proposal 5500.1, Committee 7, 3rd meeting; Congress – Doc 78.1, 14th plenary meeting)

**Resolution C 27/1989**

**Development of a range of postal parcel products/services suited to the demands of the international market**

Congress,

Noting
that the Post's competitors in the transport of light goods field are making major inroads in the Post's traditional markets,

Noting
that the competitors' range of products is better suited to market needs and that the rates charged are considered reasonable (price based on work done),

Considering
that, if postal administrations wish to remain credible carriers of light goods, their range of products and their rates must be adapted to market demand,

Noting
from several studies that customers want products forwarded in one of the following ways:
- D + 1 forwarding, or the fastest possible forwarding, by a coherent chain of conveyance with fast transhipment and possibly a door-to-door service (corresponding to the Post's EMS);
- a fast service for sending an item anywhere in the world within a guaranteed forwarding time of three to seven days depending on the destination (at present, the Post has the air parcel or, in Europe, Eurocolis);

– an economy service where the low price is more important than the speed of forwarding (in this category, the Post at present has S.A.L. or surface parcels),

*Instructs*

the Consultative Council for Postal Studies:

a to undertake an urgent study with the aim of identifying and developing a range of new postal parcel products/services suited to the demands of the international market;

b to make specific provision in the study for:
   – an examination of the marketing aspects of the existing international postal parcels service and the range of new products/services proposed with a view to facilitating their promotion as competitive, efficient, and completely secure services;
   – the possibility of introducing quality of service standards (into the definition of these new parcel services);
   – the possibility of setting administrations' payments and the charges collected from customers on the basis of systems different from the ones laid down in the existing Agreement, possibly by bilateral or multilateral agreement;

c to recommend to postal administrations joint action aimed at introducing or developing these services in order to counteract the effects of competition at international level from private companies;

d to report progress in this area to the Executive Council so that the latter may, if necessary, recommend the adoption of appropriate new regulations or procedures as provided in article 102, paragraph 6, r, of the General Regulations.

(Proposal 5000.2/Rev 1, Committee 7, 4th meeting; Congress – Doc 78.1, 14th plenary meeting)

**Recommendation C 34/1989**

**Packaging used for the conveyance of postal items**

Congress,

In view of
decision C 21 of the 1984 Hamburg Congress instructing the Consultative Council for Postal Studies to examine with the International Organization for Standardization

(ISO) the possibility of laying down norms concerning the packaging sold by postal administrations,

Considering
the provisions of article 20, paragraph 1, c, of the Universal Postal Convention and of article 113, paragraphs 1, c and 2, of its Detailed Regulations (Hamburg 1984),

Basing itself
on the results of study 635 conducted by the CCPS,

Aware
of the difficulties involved in providing the packaging issue with greater standardization than currently exists,

Noting
the possibilities available to the administrations for applying the standards defined by the ISO,

Concerned to
facilitate the identification of postal markings as well as the handling and sorting of packing bags, cartons and boxes,

*Recommends*

that the postal administrations:

a use, for the closing of packing bags, either an adhesive or a self-adhesive closing mechanism, particularly for reasons of labour protection, the latter method to be used especially in cases where it is required that control of the content of an item shall be possible;

b ensure that the markings conform to the relevant provisions of the Universal Postal Convention and its Detailed Regulations with regard to the address area on packing bags, cartons and boxes;

c provide an area for stamps on packing bags, for technical and work method reasons, in accordance with the provisions of the Detailed Regulations of the Universal Postal Convention;

d provide, by mutual agreement, areas for markings and imprints on packing bags, cartons and boxes, in accordance with the provisions of the Detailed Regulations of the Universal Postal Convention, viz:
   - a specific area for technical postal markings;
   - a specific area for the postal category of the items;

e use a single common colour combination on packing bags, cartons and boxes making as big a contrast as possible between the colour of the packaging and the printed markings;

f should it be possible to standardize the address area on packing bags, cartons and boxes, study the possibilities of using packing bags, cartons and boxes without any text printings;

g not require a separate wrapping in the international postal traffic for packing cartons and boxes;
h bring the above recommendations to the attention of their customers.

(Proposal 2500.5, Committee 4, 1st meeting; Congress – Doc 78.1, 14th plenary meeting)

**Recommendation C 36/1989**

**Use of the EDIFACT electronic message rules of syntax**

Congress,

Wishing
to facilitate the international interchange of data between postal administrations and Customs and between postal administrations and the carriers or other trade partners,

Considering
that it is desirable to use for these trade data interchanges a series of data structure rules agreed upon internationally and applicable universally,

Noting
that the United Nations Economic Commission for Europe (UN/ECE) has developed a series of syntax rules for messages to be used for electronic interchanges, under the name of EDIFACT (Electronic data interchange for administration, commerce and transport),

Aware
that the syntax rules for EDIFACT messages can be used regardless of their field of application and that their widespread use in international relations will facilitate to a large extent the circulation of postal items,

Noting
that EDIFACT has been accepted by the International Organization for Standardization as international standard ISO 9735,

*Recommends*

that all postal administrations of member countries should apply the syntax rules for EDIFACT messages, as well as the updates to be issued later, for the preparation of

electronic messages to be exchanged between postal administrations and Customs and between postal administrations and carriers or other trade partners.

(Proposal 5000.4, 10th plenary meeting; Congress – Doc 78.1, 14th plenary meeting)

**Recommendation C 37/1989**

**Use of the UN Trade Data Elements Directory**

Congress,

Wishing
to facilitate the international interchange of data between postal administrations and Customs and between postal administrations and carriers or other trade partners,

Considering
that it is desirable, with regard to the data elements of such trade data interchanges, to use names, descriptions and modes of representation agreed upon at international level and universally applicable,

Deeming
it desirable that these names, descriptions and modes of representation be used for data elements regardless of the context in which the trade data are interchanged,

Noting
that these standardized data elements can be used, with all information interchange methods, on paper as well as with other means of communication, that they may be selected and transmitted one to one or used within the framework of a specific system of interchange rules such as, for example, the EDIFACT (Electronic data interchange for administration, commerce and transport) standard,

In view of
the fact that the directory has been approved by the International Organization for Standardization as international standard ISO 7372,

*Recommends*

that all postal administrations of member countries should use the names, descriptions and modes of representation of data elements shown in the UN Trade Data Elements Directory, and in the updates to that directory which will be issued

subsequently, in data interchanges with Customs and with carriers or other trade partners.

(Proposal 5000.5, 10th plenary meeting; Congress – Doc 78.1, 14th plenary meeting)

**Decision C 47/1989**

**Marking of parcels containing goods which should not be exposed to radiographic control or to the light**

Congress

*Instructs*

the Executive Council:
- to undertake, in cooperation with IATA, a study of proposal 5505.1 concerning the make-up of items containing goods not to be opened without special precautions;
- at the end of its work, to make any proposals under its new powers.

(Proposal 5505.1, Committee 7, 5th meeting; Congress – Doc 78.1, 14th plenary meeting)

**Decision C 52/1989**

**Preparation and settlement of parcel-post accounts**

Congress,

Basing itself
on resolution C 68 concerning the preparation and settlement of accounts,

*Instructs*

the Executive Council to include, in the framework of the study it is to carry out on "the preparation and settlement of accounts", the relevant questions concerning postal parcels, and to take account in particular of proposals 5550.1, 5550.2/Rev 1,

5550.3, 5550.4, 5550.5, 5550.6, 5552.1, 5552.2 and 5552.3 submitted to the Washington Congress with a view to modernizing the current parcel-post accounting provisions.

(Proposals 5550.1, 5550.2/Rev 1, 5550.3, 5550.4, 5550.5, 5550.6, 5552.1, 5552.2 and 5552.3, Committee 7, 6th meeting; Congress – Doc 78.1, 14th plenary meeting)

**Resolution C 71/1989**

**Methods for improving the return of empty mailbags**

Congress,

Recognizing
that mailbags remain, and are likely to remain for some time, the principal means by which mail is carried throughout the world,

Noting
that the non-return of international mailbags can be for many countries, both developed and developing, detrimental to the efficient provision of services,

*Urges*

all administrations to return empty mailbags, both efficiently and promptly, to the countries to which they belong, by rigorously observing the requirements of article 168 of the Detailed Regulations of the Convention,

*Invites*

all administrations to consider the conclusions and recommendations contained in the report of study 625 as carried out by the Consultative Council for Postal Studies and intended for publication as a Collection of Postal Studies brochure,

*Recommends*

a those administrations which have problems caused by the non-return of mailbags to consider setting up simple but cost-effective recording systems in order to ascertain:
   - the proportion of bags which are not returned;
   - whether that proportion can be considered as an acceptable loss;
   - which administrations may be principally responsible for the failure to return bags;

b those administrations which have such problems to make direct contact with the administrations concerned to seek the return of their bags or, failing that, applying the provisions of article 168, paragraphs 6 and 7, in order to obtain reimbursement;
c all administrations to consider the use of schemes for bag-sharing, or the reciprocal use of mailbags, as well as the use of one-trip mailbags, in order to increase the availability of mailbags;
d all administrations to consider the more extensive use of containers for conveying loose-loaded parcels, letters in letter trays or boxes and similar types of mail which do not require the use of mailbags.

(Proposal 2500.1, Committee 4, 9th meeting; Congress – Doc 78.2, 14th plenary meeting)

**Recommendation C 77/1989**

**Reservations to chapter III of the Universal Postal Convention and part III of the Postal Parcels Agreement dealing with liability**

Congress,

Noting
that reservations have been made with regard to the provisions of chapter III of the Universal Postal Convention and part III of the Postal Parcels Agreement dealing with liability,

Concerned
at the fact that these reservations not only are detrimental to postal administrations, in that they endanger their interests, but are especially and directly detrimental to users of the post, to whom these administrations are accountable,

Recognizing
the sovereign right of countries to submit reservations to the Acts, in accordance with UPU practice in the matter,

Keeping in mind
that, despite this sovereign right, countries must endeavour to refrain from submitting reservations of this kind,

Aware of the fact
that such reservations are dictated by internal contingencies or by the legislation of the countries submitting them,

Considering
recommendation C 51/Tokyo 1969, recommendation C 70/Lausanne 1974, decision C 20/Rio de Janeiro 1979 and resolution C 73/Hamburg 1984,

*Recommends*

i postal administrations to refrain from submitting reservations concerning the provisions of chapter III of the Universal Postal Convention and of part III of the Postal Parcels Agreement dealing with liability;
ii postal administrations which uphold the reservations they make to these provisions to do their utmost to get their appropriate national authorities to remedy their domestic problems or to adapt their national legislation leading to the submission of such reservations, so that the latter can be reviewed and withdrawn from the Final Protocols to the UPU Acts.

(Proposal 2000.11, Committee 4, 6th meeting; Congress – Doc 78.2, 14th plenary meeting)

**Decision C 89/1989**

**Revision of the Postal Parcels Agreement subsequent to the Washington Congress – References to the Convention**

Congress,

Given
that some postal administrations operate or are planning to operate a parcels service independent of the other postal services,

Holding
that independent regulations on postal parcels, and especially the reproduction in the Postal Parcels Agreement and its Detailed Regulations of the texts from the Convention that currently serve for reference purposes, will contribute to simplifying and improving the effectiveness of the work of the postal parcels service,

Considering
furthermore that such an independent Agreement will also avoid time-wasting looking up references elsewhere, with the inherent complications, and will simplify the training of parcel-post staff,

*Instructs*

the Executive Council, in considering any proposals to amend the Postal Parcels Agreement or its Detailed Regulations, to take account of the value of avoiding, as far as possible, all references to the Convention reproducing the corresponding texts,

*Instructs*

the International Bureau, in annotating the Postal Parcels Agreement and its Detailed Regulations subsequent to the Washington Congress, to reproduce the texts of the Convention normally used as references so as to contribute to making the Postal Parcels Agreement and its Detailed Regulations as independent as possible.

(Congress/C 7 – Rep 6/Annex 2, Committee 7, 6th meeting; Congress – Doc 78.2, 14th plenary meeting)

# Texts of the Convention (Washington 1989) and of its Detailed Regulations normally used as references in the Postal Parcels Agreement (Washington 1989) and its Detailed Regulations

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**NB.** – In its decision C 89, the 1989 Washington Congress instructed the International Bureau, in annotating the present volume, to reproduce the texts of the Convention normally used as references, so as to contribute to making the Postal Parcels Agreement and its Detailed Regulations as independent as possible. The articles and notes from the annotated version of the Convention (Washington 1989) referred to in the articles and notes of the present volume are reproduced hereafter, in numerical order of the articles of the Convention.

Article 1
Freedom of transit

. . . . .

4 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.

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6 Member countries which are parties to the Postal Parcels Agreement but which do not provide an insured parcels service or which do not accept liability for insured items carried by their sea or air services, shall nonetheless be bound to forward, by the quickest route, closed mails passed to them by other administrations, but their liability shall be limited to that laid down for uninsured parcels of the same weight.

Article 3
Land transit without the participation of the services of the country crossed

The conveyance of mail in transit through a country without the participation of the services of that country shall be subject to the prior authorization of the country crossed. This form of transit shall not involve the liability of the latter country. (1)

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1) On the postal territory of a member country, nothing may be done without the permission or against the will of the adm of that country. To avoid any misunderstanding on this point, the 1974 Lausanne Congress adopted this art and related provisions in arts 71, para 2, of the Conv, 156 of its Det Regs and 48, para 6, of the Parcels Agr. This form of transit concerns in particular mail exchanged in containers by international road transport (1974 Lausanne Congress, II 1249 to 1252, 1407 and 1408, props 2001.1, 2002.91, 2048.1, 2556.91 and 5047.3; see also IB opinion, Rep 1970, pp 83 to 85).

Article 4
Temporary suspension and resumption of services

1 When, owing to exceptional circumstances, a postal administration is obliged temporarily to suspend its services wholly or in part, it shall announce the fact immediately, **by any appropriate means of telecommunication**, to the administration or administrations concerned, indicating, if possible, the probable duration of the suspension of services. It shall do likewise when the suspended services are resumed.

2 The International Bureau must be notified of the suspension or resumption of services if a general announcement is considered necessary. If necessary, the International Bureau shall notify administrations by telegram or telex.

3 The administration of origin shall have the option of refunding the postage charges (article **20**), special charges (article **26**) and air surcharges (article **21**) to the sender if, owing to the suspension of services, the benefit accruing from conveyance of the item in question was obtained only in part or not at all.

Article **11**
Forms

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4 Forms for the use of the public shall bear an interlinear translation in French when they are not printed in that language.

Article **12**
Postal identity cards

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3 Administrations shall be relieved of all liability when it is established that the delivery of a postal item or the payment of a monetary article was effected on presentation of a genuine card. Moreover, they shall not be liable for consequences arising from the loss, theft or fraudulent use of a genuine card.

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Article **13**
Settlement of accounts

Settlements between postal administrations of international accounts arising from postal traffic may be regarded as current transactions and effected in accordance with the current international obligations of the member countries concerned, when there are agreements to this effect. In the absence of such agreements, accounts shall be settled in accordance with the provisions of the Detailed Regulations.

Article **17**
Exemption from postal charges of items which concern prisoners of war and civilian internees

1 Subject to article **21**, paragraph **1**, letter-post items, postal parcels and monetary articles addressed to or sent by prisoners of war, either direct or through the Information Bureaux and the Central Prisoner-of-War Information Agency provided for in articles 122 and 123 respectively of the Geneva Convention of 12 August 1949

relative to the treatment of prisoners of war, shall be exempt from all postal charges. 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.

2 Paragraph 1 shall apply to letter-post items, postal parcels and monetary articles 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 Information Bureaux and the Central Information Agency prescribed in articles 136 and 140 respectively of that Convention.

3 The national Information Bureaux and the Central Information Agencies mentioned above shall also enjoy exemption from postal charges in respect of letter-post items, postal parcels and monetary articles which concern the persons referred to in paragraphs 1 and 2, which they send or receive, either direct or as intermediaries, under the conditions laid down in those paragraphs.

4 Parcels shall be admitted free of postage up to a weight of 5 kg. The weight limit shall be increased to 10 kg 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.

Article **19**
Letter-post items

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**3 Letter-post items conveyed by air with priority shall be called "airmail correspondence".** (8)

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8) The 1984 Hamburg Congress adopted the concept of "priority" to distinguish "airmail correspondence" (letter-post items conveyed by air) from surface airlifted mail. The term "priority" covers not only the priority accorded to mail by airlines but also the priority handling by adms under art 37 of the Conv (II 495, 496 and 503, prop 4000.7).

Article **20**
Postage charges and limits of weight and size. General conditions

1 The postage charge for the conveyance of letter-post items throughout the entire extent of the **Union shall** be fixed **for guideline purposes** in accordance with

columns 1, 2 **and 3 of** the table below. **The limits of weight and size shall be fixed in accordance with columns 4 and 5 of the table below.** Except in the case provided for in article **27**, paragraph 6, they 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.

| Category | Weight step | Basic charge | Limits | |
|---|---|---|---|---|
| | | | of weight | of size |
| 1 | 2 | 3 | **4** | **5** |
| | | SDR | | |
| Letters | up to 20 g | 0.37 | 2 kg | Maxima: length, width and depth combined: 900 mm but the greatest dimension may not exceed 600 mm with a tolerance of 2 mm. In roll form: length plus twice the diameter, 1040 mm, but the greatest dimension may not exceed 900 mm with a tolerance of 2 mm. Minima: to have a surface measuring not less than 90 x 140 mm, with a tolerance of 2 mm. In roll form: length plus twice the diameter, 170 mm but the greatest dimension may not be less than 100 mm |
| | above 20 g up to 100 g | 0.88 | | |
| | above 100 g up to 250 g | 1.76 | | |
| | above 250 g up to 500 g | 3.38 | | |
| | above 500 g up to 1000 g | 5.88 | | |
| | above 1000 g up to 2000 g | 9.56 | | |
| Postcards | | 0.26 | | Maxima: 105 x 148 mm, with a tolerance of 2 mm. Minima: 90 x 140 mm, with a tolerance of 2 mm. Length at least equal to the width multiplied by $\sqrt{2}$ (aproximate value 1.4) |
| Printed papers | up to 20 g | 0.18 | 2 kg (for books and pamphlets: 5 kg; this limit of weight may be raised to 10 kg after agreement between the administrations concerned) | Maxima: length, width and depth combined: 900 mm but the greatest dimension may not exceed 600 mm with a tolerance of 2 mm. In roll form: length plus twice the diameter, 1040 mm, but the greatest dimension may not exceed 900 mm with a tolerance of 2 mm. Minima: to have a surface measuring not less than 90 x 140 mm, with a tolerance of 2 mm. In roll form: length plus twice the diameter, 170 mm but the greatest dimension may not be less than 100 mm |
| | above 20 g up to 100 g | 0.40 | | |
| | above 100 g up to 250 g | 0.74 | | |
| | above 250 g up to 500 g | 1.32 | | |
| | above 500 g up to 1000 g | 2.21 | | |
| | above 1000 g up to 2000 g | 3.09 | | |
| | per additional step of 1000 g | 1.54 | | |
| Literature for the blind | see article **18** | | 7 kg | |
| Small packets | up to 100 g | 0.40 | **2** kg | |
| | above 100 g up to 250 g | 0.74 | | |
| | above 250 g up to 500 g | 1.32 | | |
| | above 500 g up to 1000 g | 2.21 | | |
| | above 1000 g up to 2000 g | 3.09 | | |

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**Article 21**
**Rate-fixing based on method of conveyance and/or speed**

**1 Administrations shall be authorized to collect air surcharges for airmail items and may for that purpose use smaller weight steps than those laid down in article 20, paragraph 1. 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 an 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. With the exception of those originating from the bodies of the Universal Postal Union and from the Restricted Unions, items on postal service mentioned in article 16 shall be exempt from air surcharge.**

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Article **23**
Perishable biological substances. Radioactive materials

1 Perishable biological substances and radioactive materials (2) made up and packed in accordance with the respective provisions of the Detailed Regulations shall be subject to the tariff for letters and to registration. Their admission 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. Such substances shall be forwarded by the quickest route, normally by air, subject to payment of the corresponding air surcharges.

2 Furthermore, perishable biological substances may be exchanged only between officially recognized qualified laboratories, while radioactive materials may be posted only by duly authorized senders. (3)

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2) The question of the postal conveyance of radioactive materials was the subject of a detailed study by the ELC in cooperation with the IAEA, the competent international body for such matters. (See ELC Docs, 1957 to 1964.) In the light of the conclusions submitted to it on the subject, the 1964 Vienna Congress admitted radioactive materials for postal conveyance, considering firstly that the Post could not evade its obligation to take part in the transport of a category of substances sent increasingly for medical and scientific purposes, and secondly, that it was time to introduce, at international level, regulations covering a type of conveyance which had already been authorized in the internal services of several adms and which was already taking place between certain countries on the basis of bilateral agreements (II 1088–1092, prop 3136).
To take account of existing practice in countries already taking part in such conveyance, the 1964 Vienna Congress decided that radioactive materials could also be conveyed by air parcel post.
The 1974 Lausanne Congress confirmed this interpretation by inserting in the Parcels Agr formal provisions applicable to the transport of radioactive materials modelled on those in the Conv and its Det Regs.
Adms participating in the exchange of radioactive materials are mentioned in the Compendium (Conv) and Compendium (Parcels).

3) In resolution C 64 (III 893), the 1974 Lausanne Congress instructed the EC to consider the possible deletion of the requirement according to which radioactive materials may only be posted by duly authorized consignors. Consulted in the matter, adms, concerned to guarantee the safety of postal employees and to prevent any abuses on the part of users, came out in favour of maintaining the requirement. The EC endorsed that view which was approved by the 1979 Rio de Janeiro Congress (II 119–120, Congress – Doc 1, para 21). The IAEA was informed about the result of the study.

## Article **26**
## Special charges

1 The charges prescribed in the Convention which are collected in addition to the postage charges mentioned in article **20** shall be known as "special charges". Their amount shall be fixed in accordance with the indications in the table below:

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| | | | |
|---|---|---|---|
| p | Registration charge (article **50**, paragraphs 1, b, and 2, and article **54,** paragraphs 1, b, and 2) | 1.31 SDR at most | i For each bag containing the items mentioned in article **20**, paragraph **10**, administrations shall collect, instead of the charge per item, a bulk charge not exceeding five times the amount of the charge per item<br>ii In addition to the charge per item or bulk charge, administrations may collect, from the sender or from the addressee, special charges in accordance with their internal legislation, to take account of any exceptional security measures taken with regard to registered items and insured letters |

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## Article **32**
## Charge on unpaid or underpaid correspondence

1 An administration of origin that itself undertakes to prepay unpaid letter-post items or make up the postage on underpaid items and collect the missing amount from the sender, shall also be authorized to collect from the sender the handling charge laid down in article **26**, paragraph 1, h.

2 Where paragraph 1 is not applied, unpaid or underpaid items shall be liable to the special charge, payable by the addressee or, in the case of returned items, by the sender, laid down in article **26**, paragraph 1, h.

3 Registered items and insured letters shall be regarded on arrival as duly prepaid.

Article **38**
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**, so long as the item:
a has not been delivered to the addressee;
b has not been confiscated or destroyed by the competent authorities because of infringement of article **41**;
c has not been seized by virtue of the legislation of the country of destination.

2 The request to be made to this effect shall be forwarded by **post, telegraph or any other appropriate means of telecommunication** at the expense of the sender who shall pay, for each request, the special charge laid down in article **26**, paragraph 1, j. If the request is to be forwarded by **telecommunications**, the sender shall pay in addition the **corresponding charge for that service**. If the item is still in the country of origin, the request for withdrawal from the post, or alteration or correction of address, shall be dealt with according to the legislation of that country.

3 If its legislation permits, each 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 other administrations.

4 If, in relations between two countries which admit this procedure, the sender wishes to be informed **by telecommunications** of the action taken by the office of destination on his request for withdrawal from the post or alteration **or correction** of the address, he shall pay for this purpose the **relevant charge**. If telegrams are used, the telegraph charge shall be that for a reply-paid telegram, calculated on a fifteen-word basis. When telex is used, the telegraph charge to the sender shall normally be the same amount as that charged for forwarding the request by telex.

5 The charges prescribed in paragraph 2 shall be levied only once for each request for withdrawal from the post or alteration **or correction** of address involving several items posted at the same time, at the same office, by the same sender to the same addressee.

6 A request for simple correction of address (without alteration of the name or status of the addressee) may be made direct to the office of destination by the sender, that is to say, without compliance with the formalities and without payment of the special charge prescribed in paragraph 2.

7 An item shall be returned to origin by air following a request for withdrawal from the post when the sender undertakes to pay the corresponding air surcharge. When an item is redirected by air following a request for alteration **or correction** of address, the corresponding air surcharge shall be collected from the addressee and shall remain the property of the delivering administration.

Article **41**
Prohibitions

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4 The insertion in letter-post items of the following articles shall be prohibited:

. . . . .

d explosive, flammable or other dangerous substances; (9) nevertheless, the perishable biological substances and radioactive substances mentioned in article **23** shall not come within this prohibition;

. . . . .

8 When an item wrongly admitted to the post is neither returned to origin nor delivered to the addressee, the administration of origin shall be notified without delay how it has been dealt with. This notification shall clearly indicate the prohibition under which the item falls and the articles which gave rise to seizure. **A wrongly admitted item which is returned to origin shall be accompanied by a similar notification.** (18)

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4) Cheques, securities payable to bearer and generally speaking any negotiable instruments which can easily be cashed at a bank shall be considered as "securities payable to bearer". Papers "representing a monetary value", such as lottery tickets, postage stamps and railway tickets, may be enclosed in ordinary sealed letters, while still prohibited in reduced-rate items (1934 Cairo Congress, I 1287).

5) An inquiry was instituted at the request of the Indian adm in 1929. "Are gold and silver watches (ie, with gold or silver cases) to be understood as jewellery?" Those adms which considered the question from the customs or commercial viewpoint answered, generally speaking, in the negative, whereas those which only considered it from the point of view of postal conveyance mostly answered in the affirmative.
Watches may be admitted in small packets provided they are not of gold, silver or other precious metals. Fountain pens and similar objects may, generally speaking, also be admitted in this category of items, provided they are not of precious metals, gold, silver, etc (1939 Buenos Aires Congress, II 549).

8) Following a decision by the 1952 Brussels Congress, the provisions in the UPU Acts on narcotics were considered by the ELC and the UN Narcotics Committee. These provisions were judged adequate. The words "opium, morphine, cocaine and other narcotics" were replaced by "narcotics and psychotropic substances" which is the term used by the United Nations Division of Narcotic Drugs, particularly since the entry into force on 16 August 1976, of the 1971 Convention on Psychotropic Substances (1979 Rio de Janeiro Congress, II 1466, prop 2033.2/Rev 1; see also Det Regs, art 111, note 8).
In an inquiry conducted by the IB among adms on smuggling narcotics and psychotropic substances by post, at the request of the CCC–UPU Contact Comm and of the EC (May 1983), a number of difficulties emerged, particularly as regards the attitude to be adopted by the intermediate country having regard to the freedom of transit when closed mails are suspected of containing narcotics or psychotropic substances. At its 10th meeting, the CCC–UPU Contact Comm shared the views expressed by the IB as regards the procedure that should be followed in such cases, although the CCC would have preferred to carry out an inquiry among customs administrations on that subject. These views were submitted to the 1984 Hamburg

Congress in the form of formal opinion C 55 which was adopted (II 355, prop 2500.4). Following an inquiry conducted among its member countries, the CCC decided that the problem of customs treatment of transit operations should be studied by the two Secretariats with a view to partially amending the above-mentioned formal opinion, so as to take account, in particular, of the technique known as "controlled delivery". Revised by the IB along the lines advocated, the new version of the above-mentioned formal opinion (formal opinion C 54 reproduced at the end of this vol) was adopted by the 1989 Washington Congress (II Congress/C 4 – Rep 5, prop 2500.2).

9) Since the 1952 Brussels Congress, the UPU has been concerned at the illegal conveyance of dangerous substances by post. The ELC and then the EC have published several recommendations to ensure application of the general prohibition set out in this art, particularly with a view to safeguarding the security of the aircraft carrying mail (circs 174/1959, 169/1961, 50/1970, 166/1970 and 141/1973). In addition to explosive or flammable substances, compressed gases, corrosive liquids, oxidizing and toxic substances and any other substances which could endanger human life or cause damage are to be considered dangerous. On this point, IATA expressed its disquiet at the fact that mail inserted in mailbags could contain dangerous articles without it being possible to check them and suggested that the relevant UPU regulations be brought into line with its own.
Aware of the importance and urgency of the problem, the EC decided (resolution CE 2/1978) to include the "List of definitions of dangerous articles drawn up by IATA" in the List of Prohibited Articles as part IV (pink sheets). (In accordance with resolution CE 1/1983, the IATA list has been replaced by an ICAO list.) In addition, the EC approved informative measures (slides, posters, booklets), prepared in cooperation with WHO and IATA for the benefit of users and postal officials, for the effective application of the regulation (cf IB circ letters 3410.8(C)1500 of 4 December 1979 and 3410.8(C)178 of 8 February 1980, 3410.8(C)1960 of 26 October 1989, 3410.8(C)1092 of 8 February 1990 and circ 302/1989). Also, a warning against the insertion of dangerous articles into postal items was introduced on the back of the C 1 and the C 2/ CP 3 forms (see note on these forms; see also art 82, note 5, concerning ICAO and IATA measures with regard to the security of air transport).
To take account of the scientific and business needs of research organizations and commercial enterprises, the 1984 Hamburg Congress, in resolution C 15 (III 937 and 938), instructed the EC to study the feasibility of providing for the dispatch by the post of items containing a "small quantity" of certain hazardous materials. The work done in this regard by the EC in 1988 culminated in a demurrer by IATA, which announced that it was opposed, at that time, to any conveyance of such substances by post since controls had been found difficult to apply, and that in 1988 it would adopt more restrictive provisons on the matter in its regulations (see also 1987 EC Docs, pp 185 and 186, paras 11 to 19).

18) Provision introduced by the 1989 Washington Congress so that senders could be notified of the specific reasons for return to origin of small packets and parcels which have been returned because part or all of their contents violates the prohibitions and restrictions of the country of destination. This information will help to prevent future prohibited mailings and reduce inquiries seeking information about the return. Moreover, a new form C 33/CP 10bis can be used for this purpose (II Congress/C 4 – Rep 5, prop 2036.3).

## Article **42**
## Customs control (1)

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

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1) In implementation of 1964 Vienna Congress resolution C 27, the EC and the CCC (II 114, Congress – Doc 2, para 21) set up a joint Customs/Post body – called the CCC–UPU Contact Comm – to seek ways of simplifying customs formalities in the postal service. Reconstituted successively after the 1969 Tokyo and

1974 Lausanne Congresses, this Contact Comm concentrated mainly on the revision and use of customs declarations forms, on reducing the number of C 2/CP 3 declarations to be attached to postal items, the customs treatment of printed papers, the system of routeing customs declarations relating to postal parcels, etc (cf Conv, Det Regs, art 117, notes 7 to 10 and Parcels, Det Regs, art 106, note 5 as well as Congress – Doc 1, para 19, of 1979 Rio de Janeiro). In addition, the results of an inquiry into the measures taken by both Customs and Post to introduce cooperation between the customs and postal authorities at national level were communicated to adms by IB circ letter 3710(B 2)1180 of 23 August 1978. The "Annex concerning customs formalities in respect of postal traffic" adopted by the CCC in 1977 and which constitutes Annex F.4 to its "International Convention on the simplification and harmonization of customs procedures" known as the "Kyoto Convention" was attached to that circ letter.
A consultation carried out by the IB, on the initiative of the CCC–UPU Contact Comm, on the customs treatment of postal items (including parcels) showed that the application of the norms and recommendations contained in Annex F.4 to the International Convention on the Simplification and Harmonization of Customs Procedures (Kyoto Convention) would help to resolve the problems which arose at national level.
The 1984 Hamburg Congress therefore adopted a formal opinion to encourage adms to approach the authorities in charge of customs questions in their countries to have their governments ratify the above-mentioned Annex F.4 to the Kyoto Customs Convention (II 359, prop 2000.11, formal opinion C 40).

## Article **52**
## Admission of insured letters (1)

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1) By recommendation C 65 entitled "Introduction and extension of the insured items service", the 1974 Lausanne Congress instructed the EC to consider, if need be in collaboration with the CCPS:
- the possibility of making the Ins Agr obligatory;
- the reasons preventing certain countries from acceding to that Agr and implementing the insured parcels service (II 1388, 1389 and 1391, props 4000.1, 4000.3 and 4000.6).

The study was carried out by the EC which first of all noted, following two consultations, that the reasons preventing certain adms from implementing the insured letters and parcels services were mainly the following: no equivalent services in the domestic system, lack of demand, shortage of qualified staff, lack of security facilities, customs control and foreign exchange, liability.
With regard to the possibility of making the provisions of the Ins Agr obligatory, it was agreed that the most appropriate method would be to incorporate those provisions in the Conv, where they would be compulsory, with a reservation being inserted in the Fin Prot to the Conv for countries which were not able to implement such a service immediately or in the near future. So designed, the draft incorporation was submitted to the 1979 Rio de Janeiro Congress by the EC as prop 2000.1. In the foreword to that prop, it was pointed out that the incorporation was in keeping with recommendation C 65 for it was calculated to give a fresh impetus to the introduction and extension of the insured items service. On the one hand, the regulations on insured letters would be combined wherever possible with those on letter-post items, and, on the other hand, the countries which had not yet acceded to the Ins Agr but which wanted to implement that service would no longer have any diplomatic formalities of accession to go through; they would merely have to notify the IB that they waived the reservation made on their behalf in the Fin Prot to the Conv.
The 1979 Rio de Janeiro Congress adopted prop 2000.1, provided, however, that the exchange of insured letters remained optional, since amendment 2000.19/Rev 1 was also adopted (II 1433, 1501 and 1747). As a result no reservation was inserted in the Prot to the Conv for countries which do not implement the insured letters service; information in this regard is given in the Compendium (Conv).

Article **55**
Advice of delivery

1 The sender of a registered item**, a recorded delivery item** or **an** insured letter may apply for an advice of delivery on payment at the time of posting of the charge laid down in article **26**, paragraph 1, s. This advice of delivery shall be returned to him by the quickest route (air or surface).

2 When the sender inquires about an advice of delivery which he has not received within a normal period, neither a second charge nor the charge prescribed in article **47** for inquiries shall be collected.

Article **60**
Non-liability of postal administrations. Registered items **and recorded delivery items**

. . . . .

2 Postal administrations shall not be liable:

i for the loss of registered items **or recorded delivery items**:
   - a in cases of force majeure; (3) the administration in whose service the loss occurred shall decide according to the laws of its country whether the loss is due to circumstances amounting to a case of force majeure; these circumstances shall be communicated to the administration of the country of origin if the latter administration so requests. Nevertheless, the administration of the dispatching country shall still be liable **for the loss of a registered item** if it has undertaken to cover risks of force majeure (article **57**, paragraph **2**);
   - b 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;
   - c when the sender has made no inquiry within the period prescribed in article **47**, paragraph 1;

ii for registered items **or recorded delivery items** which, as notified by the administration of the country of destination, have been detained or seized under the legislation of that country;

iii for registered items **or recorded delivery items** confiscated or destroyed by the competent authority in the case of items whose contents fall within the prohibitions specified in article **41**, paragraphs 2, 3, b, and 4;

iv for registered items **or recorded delivery items** which have suffered damage arising from the nature of the contents of the item.

. . . . .

3) By "force majeure" is generally meant in the legal sense any event not resulting from the dangers inherent in actual handling and not attributable to human error; an event, moreover, in which all foresight and all precautions are of no avail and which it is impossible to withstand when it occurs. However, the legal interpretation may be more or less restrictive (cf Parcels Agr, art 41, note 6). In the Const, art 32, note, Summary of arbit award N° 7, a case of "force majeure" was, for example, admitted. Generally speaking loss or damage to mails due to acts of war, including confiscation of mails resulting from military censorship, are considered cases of force majeure (cf also the opinion of the IB, 1946 Rep, pp 20 and 21).
The question of defining "force majeure" has been raised several times at postal Congresses without, however, having been resolved (cf in particular, 1924 Stockholm Congress, II 222–224). At the 1947 Paris Congress, a fresh discussion took place on this subject and a suggestion to include in the minutes a statement that "events which can be avoided if the customary precautions are taken shall not be considered as force majeure" was rejected (I 119, prop 87 and II 330–333). At the 1952 Brussels Congress, a prop to recognize the existence of liability where a case of force majeure coincides with a service error, was rejected (II 519 and 520, prop 155).

## Article **62**
## Sender's liability (1)

1 The sender of a letter-post item shall be liable within the same limits as administrations themselves (2) for any damage caused to other postal items as a result of the dispatch of articles not acceptable for conveyance or by the non-observance of the conditions of acceptance, provided there has been no fault or negligence on the part of administrations or carriers. (3)

. . . . .

1) The aim of the adoption of this art by the 1964 Vienna Congress (II 1063, prop 3143) was to introduce for the letter post a liability similar to that existing for parcels since the 1934 Cairo Congress. Asked to give its opinion on this provision, the IB stated that the conditions for applying this art are as follows:

i The damaged item must belong to one of the categories for which adms accept liability.
ii There must be a direct relationship of cause and effect between the damaged item and the item which caused the damage.
iii The damage must have been caused by one item to another item without this being due to the fault or negligence of the adms or carriers.
iv The item which caused the damage does not conform to the provisions relating to make-up or is prohibited under Conv, art 41. NB. Under para 2 of this art, acceptance of the item by the office of posting does not relieve the sender of liability.

See IB opinion, Rep 1975, pp 61–62.

2) The expression "within the same limits as administrations themselves" must be understood to mean that the indemnity is payable up to 24.50 SDR per damaged registered item. As for the payment of the indemnity, this shall fall to the adm of origin or the adm of destination of the damaged item, as the case may be, on behalf of the adm of posting of the item which caused the damage, whose responsibility it is to recover the amount of the indemnity from the sender responsible (see IB opinion, Rep 1975, pp 61–62).

3) See IB opinion in 1966 Rep, pp 60–61.

Article **63**
Determination of liability between postal administrations. Registered items

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4 If, however, the loss 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. (8)

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8) When the exchange of registered articles takes place under the bulk advice system, by agreement in accordance with the provisions of art 160, para 2, g, of the Det Regs, the liability for paying the indemnity which may be due for the loss of an article shall be shared equally between the adms of origin and destination of the mail presumed to have contained the lost item, unless the liability of an intermediate adm can be established, or unless either the adm of origin or the adm of destination admits or discovers that the loss occurred in its own services.
Adms which have subscribed to an agreement to deal with registered articles on the bulk advice system cannot be relieved of their liability by citing unilateral proofs based on an entry or an individual acknowledgement, accidental or otherwise, made by their services.
The entry in detail of some registered items, in particular, constitutes a unilateral derogation of the bulk advice principle and cannot be invoked by the adm which had practised it in order to be relieved of its share of liability (1969 Tokyo Congress, III 748–749, formal opinion C 50).

Article **66**
Payment of indemnity. **Registered items and insured letters**

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4 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 **three** months to pass (5):
- without finally settling the matter, or
- without informing the administration of origin or destination, as the case may be, that the loss appeared to be due to a case of force majeure (6), or that the item had been detained, confiscated or destroyed by the competent authority because of the nature of its contents or seized under the legislation of the country of destination.

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5) An adm which has allowed this period (three months) to pass without answering a claim may not invoke art 63, para 4, so as to pay only half of the amount of the indemnity (see IB opinion, Rep 1974, pp 53–54).

6) Amended by the 1964 Vienna Congress in order to allow adms the possibility, without risk, of settling with the sender on behalf of an adm which is late in replying (II 1063, prop 3144).

Article **68**
Reimbursing the administration which paid the indemnity

. . . . .

3 The administrations of origin and destination may agree that the whole of the loss shall be borne by the administration which has to make the payment to the rightful claimant.

. . . . .

Article **69**
Possible recovery of the indemnity from the sender or the addressee

. . . . .

4 When proof of delivery is supplied after the period of **three** months laid down in article **66**, paragraph 4, the indemnity paid shall continue to be borne by the intermediate administration or administration of destination if the sum paid cannot, for any reason, be recovered from the sender. (3)

. . . . .

3) If proof of delivery is excessively delayed it may sometimes be difficult to recover the amount of the indemnity paid to the sender (1964 Vienna Congress, II 1064, props 3074 and 3145).

Article **70**
Allocation of charges

Except where otherwise provided by the Convention and the Agreements, each postal administration shall retain the charges which it has collected.

# Part III

# Air conveyance of letter-post items (1) (5)

## Section I

## Airmail correspondence (7)

## Chapter I

## General provisions

### Article 82
### Airmails

**Mails conveyed by air with priority shall be called "airmails". Airmails may contain airmail correspondence and priority letter-post items. The provisions relating to air conveyance for airmail correspondence shall be applicable to priority items by analogy.**

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1) The provisions at present incorporated in part III of the Conv as well as in part III of its Det Regs were worked out by the 1927 Hague General Conf (see Const, art 16 and note 2 below) and included in the Conv for the first time as annexes by the 1929 London Congress.
The 1957 Ottawa Congress expressed itself in favour of integrating the "Provisions on air conveyance" in the Conv, in the form of a special chapter, and it instructed the ELC to ascertain the procedure to be followed in accordance with this decision (II 528–531, props 973, 919 and 615).
As the "Provisions on air conveyance" were themselves divided into general and detailed provisions, the draft prepared by the ELC sought to transfer the former to the Conv and the latter to the Det Regs, in both cases immediately following part II, "Provisions concerning the letter post". The draft thus prepared was adopted by the 1964 Vienna Congress (II 682 and 1130, prop 5000).
The "airmail provisions" were also revised three times:

i The 1952 Brussels Congress entrusted to the IB the redrafting of the provisions, instructing it:
   a to send the draft of the reworded text to all adms for their opinion;
   b to submit the final draft to the ELC for consideration and possible approval. (II 768 and 769, prop 423.)
   These various steps were taken and the 1957 Ottawa Congress adopted the final draft submitted to it by the ELC. In addition, the adms prepared their props for Congress on the basis of the redrafted text (II 528, prop 116).

ii The 1964 Vienna Congress instructed the EC to make a substantive revision of the airmail provisions (II 1199). The EC's work was formalized in some 60 separate props. These props, which had been submitted to EC member countries for written opinions in 1967, were adopted almost in toto by the 1969 Tokyo Congress.

iii The 1989 Washington Congress, as the result of a study conducted by the EC (Congress – Doc 59), adopted the principle of applying in the international service the mail classification system according to the priority/non-priority concept alongside the traditional classification system (1984 Hamburg Congress Conv and Det Regs). Accordingly, certain provisions concerning airmail rates and operations have been transferred to other arts. This applies more particularly to the following arts:

| *1984 Hamburg Congress* | *1989 Washington Congress* |
|---|---|
| Art 71 (Conv) transferred to | Art 19 (Conv) |
| Art 72 (Conv) transferred to | Arts 20 (Conv) and 126 (Det Regs) |
| Arts 73, 74 and 75 (Conv) transferred to | Art 21 (Conv) |
| Art 76 (Conv) transferred to | Art 30 (Conv) |
| Art 77 (Conv) transferred to | Art 29 (Conv) |
| Art 79 (Conv) transferred to | Art 37 (Conv) |
| Art 80 (Conv) transferred to | Art 39 (Conv) |
| Art 81 (Conv) transferred to | Art 40 (Conv) |
| Art 90 (Conv) transferred to | Art 21 (Conv) |
| Art 200 (Det Regs) transferred to | Art 114 (Det Regs) |
| Art 201 (Det Regs) transferred to | Arts 114 and 126 (Det Regs) |
| Art 213 (Det Regs) transferred to | Art 159 (Det Regs) |

5) The 1952 Brussels Congress expressed the formal opinion that ICAO should make a thorough study of the problem of the air conveyance of dangerous substances (II 633, prop 334). After ICAO said that the solution of the problem was primarily a matter for the carriers, the ELC held talks with IATA, which had drawn up draft regulations for its member companies. At its 1956 session, the ELC was informed of a request by IATA that postal provisions should be brought into line with those of its own regulations, which had entered into force on 1 January 1956. After discussion, the ELC concluded that art 59 of the Brussels Conv (present art 41) contained a provision which was more general in scope and even stricter than that of IATA and that, consequently, no change was justified (1956 ELC Docs, p 548).
In 1959, however, in order to satisfy requests from IATA and other sources, the ELC decided to recommend that adms should put into effect certain additional measures with a view to strengthening, so far as they were able, the security of airmail conveyance (circs 174/1959 and 169/1961).
In 1970, following an explosion aboard an aircraft detonated by a device placed in a mailbag, IATA and ICAO brought up another aspect of the problem – that raised by acts of unlawful interference with civil aviation (see circ 50/1970). In view of certain resolutions passed by the ICAO General Assembly at its 17th (Extraordinary) session in June 1970, which directly referred to postal items (circ 166/1970), the 1972 EC decided to approach adms to find out what security measures at all levels had been introduced by various countries. The results of this inquiry were distributed in circ 141/1973.
In 1974 and 1988 the problem arose again in a more general context, when IATA reiterated its request that the UPU should bring its regulations into line with those laid down by carriers, to avoid dangerous or potentially dangerous substances being sent by airmail without their being able to be identified.
As regards the measures taken by the 1979 Rio de Janeiro Congress to solve this problem following joint work with IATA and WHO, then by the EC in 1989 pursuant to the work done by the IATA–UPU Contact Comm; see note 9 to art 41 as well as resolutions C 12 and C 65 reproduced at the end of this vol.

7) In decision C 97, the 1979 Rio de Janeiro Congress instructed the EC to undertake a study on the basis of several props designed to lay down in the Acts, on the one hand, the principle of the right of transit adms to the costs incurred by reforwarding by air surface mail from other adms and, on the other hand, the level of this payment (III 960).
An inquiry conducted in September 1981 enabled the EC to observe that third adms rarely intervene in the reforwarding by air of surface mail and that such cases are governed by bilateral agreements. A clear trend towards keeping the status quo thus emerged. In a second inquiry in 1982, on several aspects of maximization, a large number of adms did, however, favour the introduction of general, simple regulations for surface airlifted mail.
The plan adopted for that purpose by the EC was adopted by the 1984 Hamburg Congress (II 495–496, 503).

## Article **83**
## Routeing of airmail correspondence and airmails in transit (3)

. . . . .

3) In implementation of 1974 Lausanne Congress decision C 61 which instructed the EC to consider the question of the routeing and transhipment of airmail dispatches in all its aspects, the EC undertook a detailed consultation of adms in August 1976. It also contacted IATA which, in turn, consulted its member airlines.
The inquiry revealed a trend in favour of relaxing the routeing provisions for the benefit of the adm of origin of the mails. It was however objected that the use of a route other than the one used for its own mails might cause additional expense for the intermediate adm and disturb its operational services; moreover, current legislation in some countries prevents mail from being given to all airlines. The EC therefore decided not to recommend an amendment to the substance of the present para 3 (see, however, note 5 below).
On the other hand, a bigger majority of adms agreed to making direct transhipment of mails between different airlines no longer subject to authorization by the intermediate adm, provided that the adm of the transit country was informed thereof. IATA, for its part, said that the carriers were prepared to perform direct inter-airline transhipment, stressing, however, that it rested with each carrier to take a decision in this respect in the individual case. The 1979 Rio de Janeiro Congress agreed to an EC prop to adopt the procedure set out in para 4 of the present art (II 1624, prop 3065.1).
In order to promote the smooth operation of this new procedure, Congress also approved the practical application formula below, agreed between the EC and IATA to serve as a framework for national agreements to be concluded between adms and carriers:

**Practical application formula for the direct transhipment of airmails by the airlines**

*A. Direct transhipment of airmails between aircraft of the same airline performing successive stages of the journey*

i A postal adm desiring direct transhipment of its mails, at an airport in another adm's country, between aircraft of the same airline performing successive stages of the journey shall reach agreement with the local representative of that airline on the transhipment procedure.
ii The dispatching adm may arrange with the airline concerned for the mails to be reforwarded by a subsequent flight of the same airline if, for any reason, the originally scheduled transhipment cannot take place.
iii If the dispatching adm has not given the instructions referred to in para 2 above, the airline shall immediately hand the mails over to the postal services at the transhipment airport, unless it can arrange for them to be reforwarded within 24 hours of their arrival at that airport (the mails must be handed over to the postal services as soon as the airline has established that it is impossible to have them reforwarded within that time limit).

*B. Direct transhipment of airmails between aircraft of two different airlines*

i An adm desiring direct transhipment of its airmails between two different airlines at an airport in another adm's country shall provide the representative of the first airline with all relevant information.
ii If the first airline agrees to convey the mails over the first part of the route and considers that there is sufficient time for the transhipment at the transit airport, it shall contact the representative of the second airline concerned.
iii Before agreeing to convey the mails over the second part of the route, the second airline shall make sure that, under normal conditions, there is nothing to prevent them from being reforwarded by the flight requested (available capacity, commercial rights, etc).
iv Having obtained the agreement of the second airline, the first airline shall inform the dispatching adm, which shall advise the intermediate adm of the agreed transhipment before dispatching the mails in question.
v The dispatching adm may arrange with the first airline for the mails to be reforwarded by a specified later flight if, for any reason, the originally scheduled transhipment cannot take place.

vi If the dispatching adm has not given the instructions referred to in para 5 above, the first airline shall immediately hand the mails over to the postal services at the transhipment airport, unless it can arrange for them to be reforwarded within 24 hours of their arrival at that airport (the mails must be handed over to the postal services as soon as the airline has established that it is impossible to have them reforwarded within that time limit).

vii The dispatching adm shall reach agreement with the first airline on the number of copies of the AV 7 delivery bill to be supplied to it if the number required for the transhipment exceeds that provided for by the Det Regs of the UPU Conv, and also on the provision of an additional copy of the AV 6 envelope.

viii Following an alteration in the airline timetables, the dispatching adm shall review, in consultation with the first airline, the arrangements made for the transhipment and, where appropriate, advise the intermediate adm of any changes made.

In resolution C 70, the 1984 Hamburg Congress asked adms to see that the practical application formula was observed, in particular as regards the prior informing of the intermediate adms (II 506 and 507, props 4000.3 and 4000.11). That same resolution provided for the finalization by the EC at its 1985 session of a replacement delivery bill for the use of airlines dealing with the reforwarding of airmails intended for direct transhipment but which are not accompanied by an AV 7 bill. Work on this question within the IATA–UPU Contact Comm led to the finalization of the above-mentioned substitute AV 7/C 18bis delivery bill (1989 Washington Congress, II Congress/C 6 – Rep 2, prop 4607.1 and circ 213/1989), which is printed and used by the airlines, and a specimen of which is given at the end of this vol.

## Article **85**
## Basic rates and calculation of air conveyance dues relating to closed mails

1 The basic rate applicable to the settlement of accounts between administrations in respect of air conveyance shall be fixed at 0.568 thousandth of an SDR at most per kilogramme of gross weight and per kilometre; this rate shall apply proportionally to fractions of a kilogramme. (1)

2 Air conveyance dues shall be calculated according to the actual basic rate (less than and at most equal to the basic rate fixed in paragraph 1) and the kilometric distances given in the "List of Airmail Distances" and to the gross weight of the mails; no account shall be taken of the weight of *sacs collecteurs*.

3 When dues are payable for air conveyance within the country of destination, they shall be fixed in the form of a single price. This single price shall include all the dues for air conveyance within the country, regardless of the airport of arrival of the mails**, less the corresponding surface conveyance costs**. It shall be calculated on the basis of the **rates** actually paid **for conveyance** of the mail within the country of destination, but not exceeding the maximum rate specified in paragraph 1, and according to the weighted average distances of the sectors flown by international mail on the internal network. The weighted average distance shall be **calculated by the International Bureau** in terms of the gross weight of all the airmails arriving at the country of destination, including the mail which is not reforwarded by air within that country. (5)

4 Dues payable for air conveyance, between two airports in the same country, of airmails in transit may also be fixed in the form of a single price. This price shall be

calculated on the basis of the rate actually paid for air conveyance of mail within the country of transit, but not exceeding the maximum rate specified in paragraph 1, and according to the weighted average distances of the sectors flown by international mail on the internal air network of the country of transit. The weighted average distances shall be determined in terms of the gross weight of all the airmails transiting through the intermediate country.

5 The sum of the dues referred to in paragraphs 3 and 4 may not exceed in total the amounts which actually have to be paid for conveyance.

6 The prices for international and internal air conveyance, obtained by multiplying the effective basic rate by the distance, which are used in calculating the dues mentioned in paragraphs 2, 3 and 4, shall be rounded up to the nearest **tenth of an SDR** when the number made up by the figure of hundredths and that of thousandths is equal to or greater than 50; they shall be rounded down to the nearest **tenth of an SDR** in other cases.

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1) As regards the method of calculating the max basic rates per kg-km fixed in para 1, the studies undertaken by the ELC and EC can be summarized as follows:

a The 1952 Brussels Congress decided to refer back to the ELC a theoretical study of the problem of variations in basic airmail conveyance rates (II 712 and 715).
The Subcomm set up by the ELC for this study noted that the problem as a whole fell into two parts: on the one hand, to consider whether the rates fixed for mail conveyance were in accord with costs and, on the other hand, to vary these rates, if possible, by adopting a sliding scale which would establish a close link between these two elements. As regards the latter, the Subcomm considered that the relative stability of running costs experienced for some years did not justify the creation of a sliding scale and that, in addition, its introduction would involve considerable difficulties for adms on the practical level.
As for the main object of the study, the Subcomm established general principles and methods for determining equitable rates for mail conveyance, the structure of the system resting primarily on airlines' average costs per revenue t–km. Since this average cost concerned all categories of air traffic, various adjustments had to be made to find the cost of international air conveyance. The Subcomm also agreed that the basic rate thus obtained should be apportioned between the two categories of mail, ie LC and other articles (AO, Jx and CP).
The ELC accepted in principle the conclusions reached by the Subcomm but left it to adms to decide on their position. The Subcomm's report, entitled "Variations in basic airmail conveyance rates", was distributed to adms in September 1956 and further information (under the same title) in 1957 (see ELC Summary Records 1956, p 15 and 1957, p 17).
The 1957 Ottawa Congress fixed a unit rate of 1 g fr per t–km for AO and CP abolishing the Jx category (II 571 and 572, prop 625).

b The 1957 Ottawa Congress instructed the ELC "to pursue the study started on the subject of basic airmail conveyance rates" (II 60 and 628). This was again a theoretical study which consisted in re-evaluating the data of the 1956 report. The ELC decided to distribute the new report, entitled "Study of basic airmail conveyance rates", to adms making clear that the re-assessment had been made on the basis of a few examples cited by way of illustration (1964 Vienna Congress, II 202 and 203).
The 1957 Ottawa Congress also instructed the ELC to find out what simplifications could be made in the calculation of air conveyance dues, particularly on the basis of distance steps or single rates per country of destination, etc (II 1158, props 627, 955, 956, 957 and 244).
With regard to distance steps, the ELC concluded that this formula would cause financial losses, either for adms or for the airlines, without making any real saving in accounting costs. With regard to the

so-called "country to country" rates, the ELC considered that such a system could not be put into general use or covered in the Conv but might at most be conceived of on an optional basis for certain direct links (1964 Vienna Congress, II 203).

c In resolution C 31, the 1964 Vienna Congress instructed the EC and CCPS to make a more thorough study of the rates question stressing the increasing importance of the conveyance of mail by air and the necessity to seek, by all possible means, conditions favourable to the development of the traffic, while safeguarding the interests of postal adms and airline companies (III 300 and 301).
At the end of the work carried out under this resolution, the EC and the CCPS proposed that the guiding principle to be followed in the matter of rates should be "that air conveyance be used as the normal means of mail transport". As for the general principle on which basic air conveyance rates should be calculated, it was proposed to calculate them "on the basis of world airline operating costs, using unit costs per revenue t–km, these costs to be adjusted to exclude items extraneous to the Post and to provide certain additional allowances" (1969 Tokyo Congress, II 507 to 539, Congress – Doc 15).
In addition, for the first time, the EC formulated a concrete prop based on its conclusions fixing a world rate of 3 g fr per t–km for LC, the rate for AO remaining unchanged at 1 g fr. The 1969 Tokyo Congress adopted this prop (II 1506 to 1509, prop 4000). As a result, the 4 g fr rate applicable since the 1952 Brussels Congress to the LC carried on routes outside Europe was abolished (cf 1964 Vienna Acts – English Annotated Acts, vol I (2nd part), pp 67 and 68, notes 6 and 7).

d In approving Congress – Doc 15 (cf subpara c above), the 1969 Tokyo Congress passed resolution C 71, instructing the EC to revise the basic rates taking into account the guiding principles and methods described in Congress – Doc 15 and to re-examine, in consultation with the CCPS, the adjustments made to the constituent elements of these rates (III 755).
In carrying out this study together with the CCPS, the EC decided to supplement the guiding principle laid down by the 1969 Tokyo Congress with the concept of "taking account of the interest of postal administrations, users and airlines" (decision CE 7/1972). The general method of calculation adopted at the 1969 Tokyo Congress was retained.
In 1973, after completing the various stages of the revision, the EC proposed bringing down the LC rate from 3 to 2.80 g fr per t–km (1974 Lausanne Congress, II 300, Congress – Doc 9). At its February 1974 session, however, informed by ICAO and IATA about the considerable and unexpected rise in the cost of fuel in the second half of 1973 and its long-term effects on airlines' unit costs, the EC decided to withdraw its prop and recommend the maintenance of the existing 3 g fr rate (1974 Lausanne Congress, III 333, Congress – Doc 9/Add 1). The 1974 Lausanne Congress followed this recommendation (II 1359 to 1361).

e 1974 Lausanne Congress resolution C 62 (III 883 to 886) instructed the EC to revise, in cooperation with the CCPS, the basic airmail conveyance rates, considering several methods and formulae as well as the possibility of fixing an LC/AO/CP rate or an LC/AO rate with a separate rate for CP.
Having studied the various possibilities, the EC agreed, on the prop of the CCPS, to continue to calculate air conveyance rates according to airline unit operating costs (see subpara c above). Divergent views emerged, however, both in the EC and in discussions with IATA on the application of this formula; nevertheless, agreement on an average rate of 1.74 fr per t–km was reached in the IATA–UPU Contact Comm in 1978 on the basis of values taken from various variants of the formula. After reconsidering the question in February 1979, the EC decided not to recommend to the 1979 Rio de Janeiro Congress use of any particular formula, proposing the average rate of 1.74 fr per t–km reached in negotiations with IATA (1979 Rio de Janeiro Congress, II 855, Congress – Doc 23).
In examining the possibility of adopting an LC/AO/CP rate or an LC/AO rate, the EC collected from some 100 adms statistics on the distribution of their international airmail governed by "UPU" rates among the LC, AO and CP categories. These data showed the financial effects for adms of the adoption of a single LC/AO/CP rate of 1.74 fr and of the application of a series of differential rates (LC/AO, CP; LC and AO/CP). At its February 1979 session, the EC decided to submit 5 of these solutions, including the single LC/AO/CP rate to the 1979 Rio de Janeiro Congress (see 1979 Rio de Janeiro Congress, II 856 and 858 to 871, Congress – Doc 23).
In June 1979, IATA asked the UPU to revise and adjust the 1.74 fr per t–km rate because of the unexpected increase in the cost of fuel which had occurred since 1978 and the prospect of further longer term increases (1979 Rio de Janeiro Congress, II 872 to 875, Congress – Doc 23/Add 1).
However, the 1979 Rio de Janeiro Congress adopted the single LC/AO/CP rate of 1.74 fr per t–km proposed by the EC (II 1603 to 1617, prop 3071.4).

f The 1979 Rio de Janeiro Congress passed resolution C 30 concerning the continuation of the work on fixing airmail conveyance rates (III 905).
In 1980, IATA asked for an urgent reassessment of the rate of 1.74 g fr adopted by the 1979 Rio de Janeiro Congress, again citing the rise in the cost of fuel.
The EC reviewed the situation and, at its 1982 session, considered it inadvisable to consult adms on that subject using the procedure set out in the Gen Regs for consideration of props submitted between Congresses.
Meanwhile, none of the studies conducted jointly with IATA to find a method of calculating the basic air conveyance rate came up with a solution acceptable to both parties. Lastly, considering that IATA had not put forward sufficiently valid arguments to justify an increase in the rate of 1.74 g fr, the EC recommended, at its 1984 session, maintenance of the status quo. This recommendation was accepted by the 1984 Hamburg Congress (II 497, Congress – Doc 17).

g In resolution C 45 (II 498 and 502, prop 4000.6) the 1984 Hamburg Congress instructed the EC to continue following up the question of the basic airmail conveyance rate in a general way.

h Nevertheless, the study of three systems of degressive rates carried out by the EC (see 1989 EC Docs, pp 169 to 171) did not allow any given method to be recommended to the 1989 Washington Congress, which decided in the end to retain the status quo (II Congress/C 6 – Rep 3, prop 4000.4, and Congress – Doc 63).

5) Para 3, together with the text of art 82, para 4, defines the system adopted at the 1957 Ottawa Congress for internal air conveyance dues (cf art 82, note 3). The aim is to establish a uniform rate applicable to all airmails from abroad, whether entirely or partly reforwarded by air (II 578 and 767).
To facilitate the establishment of unit prices to be determined as a function of the entire mail received in the country of destination, including that not actually reforwarded by airmail, the 1964 Vienna Congress introduced the concept of "weighted average distances" (II 1176, prop 5041).
Since the 1979 Rio de Janeiro Congress adopted a single LC/AO/CP rate (see note 1, e), a weighted average distance will have to be established for airmail corr (LC/AO), on the one hand, and CP, on the other, and a separate unit price will, if necessary, have to be fixed for CP.
The two examples below illustrate the calculation of the unit prices per kg of LC/AO.
Examples:

i A postal administration receives from other administrations at its international airport A, 10 000 kg gross of mail over a certain period.
Its air network consists of two routes, namely:
– a route from A to C of 700 km with a place of call at B, situated at 300 km from A and at 400 km from C;
– a route from A to D of 1200 km.
Assuming that the distribution of the mail is as follows: kg
– mail for A (either mail intended for the town of A or mail reforwarded by surface route) 4500
– mail for B ..... 500
– mail for C ..... 1800
– mail for D ..... 3200

the establishment of the weighted average distance is as follows:

| | | | |
|---|---|---|---|
| mail for A: | 4 500 kg x | 0 km = | 0 kg-km |
| mail for B: | 500 kg x | 300 km = | 150 000 kg-km |
| mail for C: | 1 800 kg x | 700 km = | 1 260 000 kg-km |
| mail for D: | 3 200 kg x | 1 200 km = | 3 840 000 kg-km |
| | 10 000 kg | | 5 250 000 kg-km |

Weighted average distance : $\frac{5\,250\,000}{10\,000}$ = 525 km

Assuming that the rate actually paid for internal air conveyance is 1.50 thousandths of a franc per kg-km, the unit price per kg is:
525 km x 0.0015 g fr = 0.80 g fr

ii If the adm receives at a second international airport at M, 6000 kg gross of mail during the same period, the procedure is as indicated under i in order to determine the number of kg-km traversed. Assuming that the number of kg-km to be taken into account is 3 950 000, the calculation of the weighted average distance will be as follows:

| | | |
|---|---|---|
| Mail unloaded at the airport of A: | 10 000 kg | 5 250 000 kg-km |
| Mail unloaded at the airport of M: | 6 000 kg | 3 950 000 kg-km |
| | 16 000 kg | 9 200 000 kg-km |

Weighted average distance: $\frac{9\,200\,000}{16\,000} = 575$ km

Unit price per kg: 575 x 0.0015 g fr = 0.90 g fr

The same procedure is followed if the international mail arrives at several international airports.

It should be remembered that, in the above two examples, the weighted average distance is established according to the weight of mail received from abroad over a certain period fixed as the adm concerned considers appropriate. An increase or decrease in the total weight of mails coming from abroad does not affect the weighted average distance provided that the proportions of mail for the various offices (A, B, C, etc) remain unchanged. On the other hand, if the distribution of the total weight of the mails among the various offices changes radically, the weighted average distance will have to be recalculated. In all cases, the internal air conveyance dues for this new weighted average distance are subject to the provisions of art 87.

## Article **86**
## Calculation of and accounting for air conveyance dues for airmail correspondence in transit à découvert

1 Air conveyance dues for airmail correspondence in transit à découvert shall be calculated, in principle, as indicated in article **85**, paragraph 2, but according to the net weight of such correspondence. They shall be fixed on the basis of not more than 10 average rates, each relating to a group of countries of destination and fixed according to the weight of mail offloaded at different destinations within the group. The sum of these dues, which may not exceed the amounts which have to be paid for conveyance, shall be increased by 5 percent.

2 Accounting for air conveyance dues for airmail correspondence in transit à découvert shall take place, in principle, on the basis of the data of statistical returns compiled **annually, in accordance with the provisions of article 214, paragraph 1.**

3 Accounting shall take place on the basis of actual weight in the case of misrouted correspondence or correspondence posted on board ship or sent at irregular intervals or in too varying amounts. However, this accounting shall be done only if the intermediate administration asks to be paid for the conveyance of this correspondence.

## Article **88**
## Payment of air conveyance dues

1 Air conveyance dues shall be payable, apart from the exceptions provided for in paragraphs 2 and 4, to the administration of the country which the air service used comes under.

2 Notwithstanding paragraph 1:
a the conveyance dues may be paid to the administration of the country in which the airport is situated at which the airmails were taken over by the air carrier, subject to an agreement between this administration and that of the country which the air service concerned comes under;
b the administration which hands over airmails to an air carrier may settle direct with that carrier for the conveyance dues for all or part of the distance **flown**.

. . . . .

Article **89**
Air conveyance dues for diverted or missent mails or bags

1 The administration of origin of a mail which has gone off its route in course of conveyance shall pay the conveyance dues for the mail relating to the sectors actually covered.

2 It shall settle the conveyance dues as far as the airport of offloading initially provided for on the delivery bill when:
– the actual forwarding route is not known;
– the dues for the sectors actually covered have not yet been claimed; or
– the diversion is attributable to the airline which effected the conveyance.

3 The supplementary dues relating to the sectors actually covered by the diverted mail shall be reimbursed as follows:
a by the administration whose services have committed the error in the case of misrouteing;
b by the administration which has collected the conveyance dues paid to the airline when the latter has offloaded in a place other than that shown on the AV 7 delivery bill.

4 Paragraphs 1 to 3 shall be applicable by analogy when part only of a mail is offloaded at an airport other than that indicated on the AV 7 delivery bill.

5 The administration of origin of a mail or bag missent owing to a labelling error shall pay the conveyance dues relating to the whole distance flown in accordance with article **84**, paragraph 1, a.

Article **90**
Air conveyance dues for mail lost or destroyed

In case of loss or destruction of mail as the result of an accident occurring to the aircraft (1) or through any other cause involving the liability of the air carrier, the

administration of origin shall be exempt from any payment in respect of the air conveyance of the mail lost or destroyed, for any part of the flight of the route used. (2)

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1) (This note applies to French text only.)

2) Provision agreed with IATA at the 1951 Cheltenham (Great Britain) IATA–UPU Contact Comm meeting and adopted by the 1952 Brussels Congress. The payment is due for the air conveyance of lost or destroyed items as far as the airport where they were loaded on the aircraft having the accident (II 721, 722 and 724, prop 1011). The words "or through any other cause involving the liability of the air carrier" were introduced in a slightly different form by the 1957 Ottawa Congress to cover cases of loss or destruction of mail resulting from negligence or error on the part of the air service (II 619, prop 949).

## Article **91**
## Exchange of surface airlifted (S.A.L.) mail

1 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.

2 When surface mails from an administration are reforwarded by air by another administration, the conditions of such reforwarding shall be covered by a special agreement between the administrations concerned.

3 Surface airlifted mails may be transhipped directly between two different airlines on the conditions provided for in article **83**, paragraph 4.

Article 107
Period of retention of documents

1 Documents of the international service shall be kept for a minimum period of 18 months from the day following the date to which they refer. However, if the documents are reproduced on microfilm, microfiche or similar medium, they may be destroyed as soon as it is established that the reproduction is satisfactory. (1)

2 Documents concerning a dispute or inquiry shall be kept until the matter has been settled. If the initiating administration, being duly informed of the result of the inquiry, allows six months to pass from the date of the communication without raising any objections, the matter shall be regarded as closed.

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1) This sentence was added by the 1984 Hamburg Congress in order to introduce into the Conv a technology which is in common use (II 367, prop 2507.1).

Article **117**
Items subject to customs control

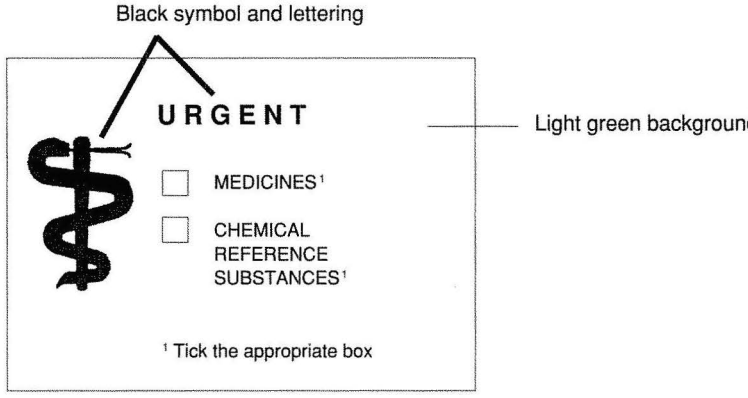
1 Items to be submitted to customs control shall bear on the front an adhesive green label in the form of the annexed specimen C 1, or be provided with a tie-on label in the same form. The C 1 adhesive label shall be affixed on the address side, in so far as possible in the top left-hand corner, beneath the sender's name and address where these are given. With the authorization of the administration of origin, users may use envelopes or wrapping bearing, in the place provided for affixing the C 1 label, a preprinted facsimile of that label having the same dimensions and colour. If the value of the contents declared by the sender exceeds 300 SDR, or if the sender prefers, the items shall also be accompanied by the prescribed number of separate customs declarations in the form of the annexed specimen C 2/CP 3; in this case, only the upper part of the C 1 label shall be affixed to the item.

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Article **119**
Make-up. Packing

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3 Items containing urgent medicines **or chemical reference substances** shall be furnished, on the side which bears the addressee's address, with a light green label with the following text and symbol:




(Size 62 × 44 mm)

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Article **122**
Make-up. Radioactive materials

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2 The outside packing of items containing radioactive materials shall be plainly and durably marked by the sender with the words *"Matières radioactives. Quantités admises au transport par la poste"* (Radioactive materials. Quantities permitted for movement by post); these words shall be officially crossed out should the packing be returned to the place of origin. (4) It shall also bear, in addition to the name and address of the sender, a request in bold letters for the return of the items in the event of non-delivery.

3 The sender shall give his name and address and the contents of the item on the inner wrapping.

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4) External marking adopted by the 1984 Hamburg Congress instead of the white label bearing the words "Matières radioactives" (Radioactive materials) the abolition of which had been requested by the IAEA to avoid any confusion with the white labels prescribed by its own regulations (II 495, prop 2521.1). The 1984 Hamburg Congress also adopted resolution C 17 (II 495, prop 2000.13, and III 939) to permit advance application of this procedure in case the IAEA revised regulations came into force before 1 January 1986. This has not, however, occurred.

Article **132**
Small packets

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3 It shall also be permitted to enclose therein any other **document having** the character of current and personal correspondence, provided that its addressee and sender are those of the small packet **and the internal regulations of the administration concerned so permit**. The administration of origin shall decide whether the document or documents enclosed fulfil these conditions. The same shall apply to the enclosure in small packets of gramophone records, tapes and wires whether or not bearing a sound or video recording, ADP (automatic data processing) cards, magnetic tapes or similar means as well as QSL cards. (5)

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5) A provision adopted by the 1969 Tokyo Congress, primarily to resolve the problem of the classification for rate purposes of the items listed below:

i Items admitted as business papers before the entry into force of the 1964 Vienna Congress Acts.

ii "Phonopost" items, abolished as a special category by the 1969 Tokyo Congress (II 1403, prop 2001).

iii ADP cards bearing information and magnetic tapes (study undertaken by the EC in application of 1964 Vienna Congress resolution C 25; see art 128, note 17).

iv QSL cards (acknowledgement of radio contact). These are preprinted cards used by radio amateurs to communicate the result of their observations by completing them with coded manuscript information (see also art 129, note 7).

Apart from their indeterminate nature as to their character of current and personal correspondence, these items have the common particularity of often being relatively heavy (QSL and punched cards are frequently in bulk from a central office). In the case of air transport, application of the LC surcharge would involve a very high overall charge.

This being the case, the 1969 Tokyo Congress considered that it should be left to the adm of origin to decide whether documents, records, tapes, etc sent in small packets or parcels might be considered as not having the character of current and personal correspondence and whether they fulfil the conditions for acceptance set out for these categories of items.

Thus, on the terms set out at art 132, para 3, of the Conv, Det Regs and at art 20, a, iii, of the Parcels Agr, the items concerned are accepted at the rate for small packets or parcels (II 1488 and 1543, props 3060 and 6028).

Article **138**
Advice of delivery

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2 The items mentioned in paragraph 1 shall be accompanied by a light red form, of the consistency of a postcard, conforming to the annexed specimen C 5. The sender shall enter his name and address in roman letters on the front of the form, using means other than ordinary pencil, and particulars relating to the item and the addressee on the back, as indicated by the form's layout. The front of the form shall be completed by the office of origin or by any other office appointed by the dispatching administration and be securely attached to the item; if the form does not

reach the office of destination that office shall automatically make out a new advice of delivery.

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6 At the sender's request, an advice of delivery which has not been returned within a normal time shall be the subject of an inquiry made free of charge on form C 9. A duplicate of the advice of delivery, bearing on the front in bold letters the word *"Duplicata"* (Duplicate), shall be attached to the C 9 inquiry form. The latter shall be dealt with in accordance with article **151**. The C 5 form shall remain attached to the C 9 inquiry **form for subsequent delivery to the claimant**.

Article **148**
Withdrawal from the post. Alteration **or correction** of address

1 Every request for withdrawal of items from the post or for alteration **or correction** of address shall entail completion by the sender of a form conforming to the annexed specimen C 7; one form may be used for several items posted at the same time at the same office by the same sender to the same addressee. In handing in this request at the post office the sender shall prove his identity and produce the certificate of posting, if any. After the proof of identity, for which the administration of the country of origin shall assume responsibility, the procedure shall be as follows:

a if the request is to be sent by post, the form, accompanied if possible by a perfect facsimile of the envelope or of the address of the item, shall be sent direct to the office of destination under registered cover by the quickest route (air or surface);

b if the request is to be made by telegraph **or any other means of telecommunication**, the form shall be handed over to the **corresponding** service for transmission of the details to the post office of destination.

2 Any request for alteration **or correction** of address concerning an insured letter made by telegraph **or any other means of telecommunication** shall be confirmed by post, by the first mail, as prescribed in paragraph 1, a; the C 7 form shall then bear at the head, in bold letters, the note *"Confirmation de la demande télégraphique **ou transmise par un autre moyen de télécommunication** du..."* (Confirmation **of request made by telegraph or other means of telecommunication** dated ...); pending such confirmation, the office of destination shall merely retain the item. However, the administration of destination may, on its own responsibility, act on **the request made by telegraph or other means of telecommunication** without waiting for confirmation by post.

3 On receipt of the C 7 **form or the** telegram **or message received by some other means of telecommunication** sent in lieu thereof, the office of destination shall search for the item in question and take the necessary action.

4 The action taken by the office of destination on every request for withdrawal from the post or alteration **or correction** of address shall be communicated immediately to the office of origin by the quickest route (air or surface), using the reply portion of the C 7 form, which shall automatically be prepared if the request has been made by telegraph **or any other means of telecommunication**. The office of origin shall inform the applicant. The same shall apply in the following circumstances:
- fruitless searches;
- items already delivered to the addressee;
- request by telegraph **or any other means of telecommunication** not sufficiently explicit to permit the item to be identified with certainty;
- item confiscated, destroyed or seized.

If the sender of a request sent by telegraph **or any other means of telecommunication** has asked to be notified by **similar means**, the reply shall be sent by this means to the office of origin, which shall inform the applicant as quickly as possible.

5 Any administration may ask, through notification of the International Bureau, for requests concerning it to be exchanged through its central administration or through a specially appointed office; this notification shall include the name of this office.

6 If requests are exchanged through the central administrations, a copy of the request may, in an emergency, be sent direct by the office of origin to the office of destination. Requests sent direct shall be acted on in that the items concerned shall be withheld from delivery until the arrival of the request from the central administration.

7 Administrations which exercise the option provided for in paragraph 5 shall bear any charges which may result from the transmission in their internal service by post or **by telecommunication** of the communications to be exchanged with the office of destination. Recourse to telegraph **or other similar service** shall be compulsory when the sender has himself used such means and the office of destination cannot be advised in time by post.

Article **149**
Withdrawal from the post. Alteration **or correction** of address. Items posted in a country other than that which receives the request

1 Any office which receives a request for withdrawal from the post or alteration **or correction** of address made in accordance with article **38**, paragraph 3, of the Convention shall verify the identity of the sender of the item. It shall send the C 7 form to the office of origin or destination of the item. It shall ensure, in particular, that the address of the sender appears clearly in the place provided for that purpose on the C 7 form, so that it can in due course inform the sender how his request was dealt with or return to him the item which is the subject of withdrawal, as the case may be.

2 If the withdrawal concerns a registered item or an insured letter, the certificate of posting must be **presented** by the sender **and** the C 7 **form shall** bear the notation: *"Vu* ***l'original du*** *récépissé de* ***dépôt"*** (Seen, **original of** certificate of **posting**). **Before the certificate of posting is given back to the sender**, the **following notation shall be made on it**: *"Demande de* ***retrait (de*** *modification* ***ou de correction*** *d'adresse) déposée le ... au bureau de ..."* (Request for withdrawal from the post (or for alteration **or correction** of address) made on ... at the office of ...). This note shall be accompanied by an impression of the date-stamp of the office receiving the request.

3 **Any request** made **by telegraph or any other means of telecommunication** under the conditions laid down in paragraph 1 shall be sent direct to the office of destination of the item. If, however, it refers to a registered item or an insured letter, a C 7 form **bearing the notations *"Vu l'original du récépissé de dépôt"* (Seen, original of certificate of posting) and *"Demande*** *télégraphique* ***ou transmise par un autre moyen de télécommunication*** *déposée le ... au bureau de ..."* **(Request** made **by telegraph or other means of telecommunication** on ... at the office of ...) shall, in addition, be sent to the office of origin of the item. After verifying the details, the office of origin shall write at the top of the C 7 form, in coloured pencil, the note *"Confirmation de la demande télégraphique* ***ou transmise par un autre moyen de télécommunication*** *du ..."* (Confirmation **of request made by telegraph or other means of telecommunication** dated ...) and shall send it to the office of destination. The office of destination shall hold the registered item or the insured letter until receipt of this confirmation.

4 So that the sender may be informed, the office of destination of the item shall inform the office which receives the request how it has been dealt with. However, when a registered item or an insured letter is concerned, this information shall pass through the office of origin of the item. In the case of withdrawal, the withdrawn item shall be attached to this information.

5 Article **148** shall apply, by analogy, to the office which receives the request and to its administration.

Article **151**
Inquiries. Registered items and insured letters

1 Every inquiry about a registered item or an insured letter shall be made on a form conforming to the annexed specimen C 9 which shall be accompanied, whenever possible, by a facsimile of the address of the item on a small sheet of thin paper. The inquiry form shall be completed with all the details called for and very legibly, preferably in roman capital letters and arabic numerals. Whenever possible this form shall be completed by typewriter. Where an inquiry concerns registered items exchanged under the system of bulk advice, the number and date of dispatch

of the mail must be entered on the C 9 inquiry form **or be provided in a manner agreed between the administrations of origin and destination.**

2 If the inquiry concerns a cash-on-delivery item, it shall also be accompanied by a duplicate R 3, R 6 or R 8 money order form of the Cash-on-Delivery Agreement or by a deposit note, as the case may be.

3 One form may be used for several items posted at the same time at the same office by the same sender and sent by the same route to the same addressee.

4 The inquiry, furnished with the forwarding data, shall be sent from office to office following the same route as the item; it shall be sent automatically without a covering letter and in a closed envelope, and always by the quickest route (air or surface) and by registered post.

5 Any administration may, by notifying the International Bureau, ask for inquiries concerning its service to be forwarded, duly furnished with the forwarding data, to its central administration or to a specially appointed office.

6 If the administration of origin or the administration of destination so requests, the inquiry shall be forwarded direct from the office of origin to the office of destination.

7 If, upon receipt of the inquiry, the office of destination or the central administration of the country of destination or the specially appointed office, as the case may be, is able to say what finally happened to the item, it shall complete part 3 of the form. In cases of delayed delivery, retention or return to origin the reason shall be shown briefly on the C 9 form.

8 An administration which is unable to establish either delivery to the addressee or correct transmission to another administration shall immediately order the necessary inquiry. It shall record in part 4 of the C 9 form its decision on liability.

9 The form, duly completed as prescribed in paragraphs 7 and 8, shall be returned by the quickest route (air or surface) and by registered post to the address given at the end of it or, if no address is given, to the office which prepared it.

10 Any intermediate administration which forwards a C 9 form to the next administration shall be responsible for informing the administration of origin of the fact by means of a form conforming to the annexed specimen C 9bis. (9) If within a period of one month the administration of origin has not received the C 9bis form, it shall send the administration concerned a reminder supported by a copy of the C 9 form.

11 If an inquiry has not been returned within a period of two months, a duplicate of the C 9 form, furnished with the forwarding data, shall be sent to the central administration of the country of destination. The word *"Duplicata"* (Duplicate) and

the date of dispatch of the original inquiry shall be written very conspicuously on the duplicate.

12 The C 9 form and the documents which are attached to it, including the addressee's declaration made out on a form conforming to the annexed specimen C 32 and certifying the non-receipt of the item under inquiry, shall invariably be returned to the administration of origin of the item under inquiry as soon as possible and at the latest within **three** months from the date of the original inquiry.

**13 If the sender asserts that, notwithstanding the communication received from the administration of destination to the effect that the item was duly delivered, the addressee insists that he has not received the item in question, the administration of destination shall be obliged to provide, at the express request of the administration of origin, confirmation of the delivery by letter, C 5 advice of delivery or some other means, signed in conformity with article 138, paragraph 4, or article 139, as appropriate.**

**14** The foregoing provisions shall not apply to cases of theft from a mail, loss of a mail or to other similar cases which necessitate a more detailed exchange of correspondence between administrations.

**15** If a request is made for transmission of an inquiry by telegraph, a telegram shall be sent, instead of a C 9 form, direct to the office of destination or, where applicable, either to the central administration of the country of destination or to a specially appointed office. If the sender has asked to be advised by telegraph, the reply shall be thus transmitted to the service which initiated the telegraph inquiry; if not, the reply can be given by post. If the telegraph inquiry does not establish what happened to the item concerned, the inquiry shall be made again by post using form C 9 before indemnity is considered.

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9) Under the system of the Acts of previous Congresses, an advice of redirection of a C 9 form was prescribed for postal parcels only. The 1969 Tokyo Congress extended this practice to registered letter-post items and insured letters and boxes (II 1491, prop 3134).

Article **159**
Make-up of mails

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3 Mails, including those made up solely of empty bags, shall be contained in bags the number of which shall be kept to the strict minimum. The bags shall be in good condition to protect their contents; they shall also be suitably closed, sealed preferably with lead and labelled. The seals may also be made of light metal or plastic provided the sealing is so done that it cannot be tampered with without showing signs thereof. However, when administrations are in agreement on this

subject, bags containing unregistered AO items **and unregistered non-priority items** only and empty bags need not be sealed with lead; the same applies to bags containing unregistered LC or AO items if they are conveyed in a sealed container by a direct service or if they are forwarded by a country of embarkation that puts them into such a container for the country of destination. When string is used it shall be passed twice round the neck of the bag in such a way that one of the two ends is drawn under the loops and then tied. **After being sealed with lead, the ends of the string shall not protrude more than necessary from the lead seal so that the string cannot be released or removed without damaging the lead seal.** The impressions of the seals shall reproduce, in very legible roman letters, the name of the office of origin or an indication sufficient to identify that office.

**4 For the make-up of airmails, the bags referred to in article 203, paragraph 1, shall be used. In the absence of special agreement between the administrations concerned, the airmail bags shall also be used for priority mails.**

**5** The bags shall show legibly in roman letters the office or country of origin and bear the word *"Postes"* (Post) or any other similar expression distinguishing them as postal dispatches.

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Article **167**
Labelling of mails

1 The labels of the bags shall be made of sufficiently rigid canvas, plastic, strong cardboard, parchment, or paper glued to wood and shall be provided with an eyelet. Their layout and text shall conform to the annexed specimen C 28. In the service between neighbouring offices, strong paper labels may be used; these shall, however, be strong enough to withstand the various handling processes the mails undergo during transmission. Labels shall be made in the following colours:

a in vermilion red, for bags containing registered items, insured letters and/or the letter bill;

b in white, for bags containing only ordinary items of the following categories:
   i letters and postcards dispatched by surface and air;
   ii mixed items (letters, postcards, newspapers and periodicals and other items);
   iii newspapers posted in bulk by publishers or their agents and dispatched by surface only, except those returned to sender; the word *"Journaux"* (Newspapers) or the reference *"Jx"* shall be written on the white label, when the bags contain only items of this category. Administrations of origin may also insert in the bags with white labels bearing the word *"Journaux"* or the reference *"Jx"* news periodicals published at least once a week and posted in bulk to which they give in their domestic service the priority treatment given to newspapers;

c in light blue, for bags containing only printed papers, literature for the blind, ordinary small packets, **non-priority items except when the labels prescribed in subparagraph a are to be used** and periodicals other than those mentioned in subparagraph b, iii. The words *"Ecrits périodiques"* (Periodicals) may be written on the blue label when the bags contain only items of this category;
d in green, for bags containing only empty bags being returned to origin.

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**8** The labels shall bear the name of the dispatching office printed in small roman letters and the name of the office of destination in large roman letters, preceded respectively by the words *"de"* (from) and *"pour"* (to), as well as, as far as possible, an indication of the transmission route, and, if the mails are going by sea, the name of the vessel. The name of the office of destination shall also be printed in small letters, vertically, on either side of the eyelet of the **label. In the absence of special agreement between the administrations concerned, these details shall be supplemented by the** number of the mail, **the weight of the bag** and, **where applicable,** the port of disembarkation **of the mail.**

**9 The weight of the bag shall be rounded up to the nearest hectogramme when the fraction of a hectogramme is equal to or greater than 50 grammes and rounded down to the nearest hectogramme otherwise.**

**10** Intermediate offices shall not enter any serial number on the labels of bags or packets of closed mails in transit.

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Article **168**
Routeing of mails and preparation of trial notes

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3 To determine the most favourable route and the transmission time for a mail, the office of exchange of origin may send to the office of destination of the mail a trial note in the form of the annexed specimen C 27. This note shall be included in the mail and attached to the letter bill, on which its presence shall be shown by a cross in the corresponding box of table V. If the C 27 form is missing when the mail arrives, the office of destination shall make out a duplicate. The trial note, duly completed by the office of destination, shall be returned by the quickest route (air or surface) **either to the address specified or, if no address is given, to the office which prepared it.**

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Article **169**
Transfer of mails

1 In the absence of special agreement between the administrations concerned, the transfer of mails between two corresponding offices shall be carried out by means of a delivery bill in the form of the annexed specimen C 18. Two copies of the bill shall be prepared. The first shall be for the receiving office and the second for the dispatching office. The receiving office shall acknowledge receipt on the second copy of the delivery bill and return that copy immediately by the quickest route (air or surface).

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**7** For the transfer of surface airlifted mails, the C 18 bill shall be replaced by a white delivery bill in the form of the annexed specimen C 18bis, prepared in accordance with article **222. For airmails, see article 206.**

**8** The mails shall be handed over in good condition. However, a mail may not be refused because of damage or theft.

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Article **170**
Checking of mails and use of verification notes

1 Every office receiving a mail shall check not only the origin and destination of the bags making up the mail and entered on the delivery bill, but also the sealing and make-up of the bags bearing red labels **and the accuracy of the information on the delivery bill. It shall also check, by sampling or systematically, the weight entered on the C 28 or AV 8bis label, the data given by the office of origin being accepted as valid if they differ by 200 grammes or less from the weights established.**

2 When an intermediate office receives a mail in bad condition, it shall check the contents if it thinks that these have not remained intact and put it in new packing just as it is. This office shall copy the particulars from the original label on to the new one and apply to the latter an impression of its date-stamp, preceded by the endorsement *"Remballé à ..."* (Repacked at ...). It shall make out a verification note in the form of the annexed specimen C 14, in accordance with paragraphs 6, **9** and **12** and shall insert one copy thereof in the repacked mail.

3 Upon receipt of a mail, the office of exchange of destination shall check whether it is complete and whether the entries on the letter bill and, where applicable, on the VD 3 dispatch lists and the special lists of registered items are correct. It shall satisfy itself that there is no irregularity in the external condition of the outer bag and of the

packet, envelope or inner bag containing insured letters and that they have been made up in accordance with article **163**; it shall check the number of insured letters and inspect them individually. It shall check whether the mail has arrived in the sequence in which it was dispatched. If a mail or one or more bags thereof, insured letters, registered items, a letter bill, a dispatch list or a special list of registered items are missing or when there is any other irregularity, the facts shall be immediately established by two officials. These shall make the necessary corrections on the bills or lists, taking care to cross out, where necessary, the incorrect entries in such a way as to leave the original entries legible. Unless there is an obvious error the corrections shall be accepted in preference to the original statement. If the letter bill, dispatch list or a special list is missing the inward office shall, in addition, prepare a fresh letter bill, dispatch list or special list or make a precise note of the insured letters or registered items received.

4 When the mails are opened, the constituent parts of the fastening (lead and other seals, string, labels) shall be kept together. To achieve this the string shall be cut in one place only.

5 When an office receives letter bills, dispatch lists or special lists which are not intended for it, it shall send them or, if its internal regulations so require, certified true copies to the office of destination by the quickest route (air or surface).

6 The irregularities established shall be reported immediately by means of a verification note in duplicate, to the office of origin of the mail and, where transit is involved, to the last intermediate office which transmitted the mail in bad condition, by the quickest route (air or surface) after the complete check of the mail. If the mail contains bundles provided with the C 30 and AV 10 labels specified in article **159**, paragraph 1, and article **203**, paragraph 1, respectively, such labels shall, in case of irregularity, be attached to the verification note. The details on the note shall specify as precisely as possible the bag, cover, packet or item concerned. In the case of service irregularities which gave grounds for presuming loss or theft, the condition in which the packing of the mail was found shall be indicated in as much detail as possible on the verification note.

**7 The discovery of any irregularity whatsoever during the check may in no case be the cause of the return of an ordinary, registered or insured item contained in the mail examined except as provided in article 24 of the Convention.**

**8** Irregularities established upon receipt of a mail containing insured letters shall immediately be made the subject of reservations to the transferring service. Notification of a missing item, alteration or any other irregularity for which administrations may be liable in respect of insured letters shall be sent immediately by telex (10) or telegram to the dispatching office of exchange or to the intermediate service. In addition, a formal report in the form of the annexed specimen VD 4 shall be made out. The condition in which the packing of the mail was found shall be indicated

therein. The formal report shall be sent under registered cover to the central administration of the country to which the dispatching office of exchange belongs independently of the verification note, which shall be sent to that office immediately. A duplicate of the report shall be sent at the same time either to the central administration to which the receiving office of exchange belongs or to any other controlling authority appointed by that administration.

**9** In the case of the irregularities mentioned in paragraphs 6 and **8**, unless this is impossible for a stated reason, the bag, or envelope, with the string, labels and lead or other seals as well as all the inner and outer packets or bags in which the insured letters and registered items were enclosed as well as the packing of any damaged items which can be recovered from the addressee, shall be kept intact for a period of six weeks from the date of verification and shall be sent to the administration of origin if the latter so requests.

**10** When the mails are transmitted through the intermediary of a carrier, the C 18, C 18bis or AV 7 delivery bill mentioning the irregularities established by the intermediate administration or administration of destination on taking over the mails shall where possible be countersigned by the carrier or his representative. The copies of the C 18, C 18bis or AV 7 delivery bill – the third and fourth copies of the C 18 bill provided for in article **169** and the fourth and fifth copies of the AV 7 and C 18bis bills provided for in article **206** – must indicate the reservations made with respect to the carrier service. Where the mails are transported in containers, these reservations shall relate solely to the condition of the container and of its fastening and seals.

**11** Without prejudice to the application of the provisions of paragraphs **8** and **9**, the office of exchange which receives from a corresponding office a damaged or an insufficiently packed insured letter shall send it on after observing the following rules:

a if it is a matter of slight damage or of partial destruction of the seals it is sufficient to re-seal the insured letter to safeguard the contents, on condition, however, that it is obvious that the contents are not damaged nor, according to a check of the weight, short. The existing seals shall be preserved; if necessary, the insured letters shall be repacked, retaining the original packing as far as possible; repacking may also be done by placing the damaged letter in a bag labelled and sealed with lead. In such cases, it is unnecessary to re-seal the damaged letter. The bag label shall be marked *"Lettre avec valeur déclarée endommagée"* (Damaged insured letter) and show the following information: registration number, office of origin, amount of the insured value, name and address of addressee, the date-stamp impression and the signature of the official who bagged the item;

b if the state of the insured letter is such that the contents could have been removed, the office shall automatically open it, where this is not contrary to the laws of the country, and check the contents; the result of this check shall be given in a formal VD 4 report, a copy of which shall be attached to the insured letter; the item shall be repacked;

c in all these cases, the weight of the insured letter on arrival and the weight after repacking shall be checked and noted on the cover; this note shall be followed by the words *"Scellé d'office à ..."* (Sealed at ...) or *"Remballé à ..."* (Repacked at ...), by an impression of the date-stamp and by the signature of the officials who have affixed the seals or done the repacking.

**12** In the cases provided for in paragraphs 2, 3 and 5, the office of origin and, where appropriate, the last intermediate office of exchange may, in addition, be advised by telegram at the expense of the administration which sends it. A telegraph advice shall be sent whenever the mail shows obvious traces of having been tampered with, so that the dispatching or intermediate office may investigate the matter without delay and, where necessary, advise the preceding administration also by telegram for the continuation of the inquiry.

**13** When the absence of a mail is the result of a missed mail connection or when it is duly explained on the waybill, the preparation of a verification note shall be necessary only if the mail does not reach the office of destination by the next post.

**14** As soon as a mail which has been reported as missing to the office of origin and, where appropriate, to the last intermediate office arrives, a second verification note announcing the receipt of the mail shall be sent to these offices by the quickest route (air or surface).

**15** When a receiving office responsible for checking a mail has not sent a note reporting irregularities of any kind to the office of origin and, where appropriate, to the last intermediate office of exchange by the quickest route (air or surface), it shall be considered, until the contrary is proved, as having received the mail and its contents. The same assumption shall be made in respect of irregularities to which no reference has been made or which have been incompletely reported in the verification note; the same shall apply when the provisions of the present article regarding the formalities to be fulfilled have not been observed.

**16** Verification notes and any associated evidence shall be sent under registered cover by the quickest route (air or surface). If the administration of origin has asked to be sent the articles mentioned in paragraph **9**, these, together with a copy of the verification note, may be sent by registered surface mail, unless the two administrations concerned have agreed on their being sent by air.

**17** Verification notes shall be forwarded in envelopes marked in bold letters *"Bulletin de vérification"* (Verification note). These envelopes may either be preprinted or distinguished by a stamp impression clearly reproducing the indication.

**18** The offices to which the verification notes are sent shall return them as promptly as possible **to the office of exchange from which they came**, after having examined them and indicated thereon their observations, if any. If the notes are not returned to the administration of origin within a period of **one month** from the date of their dispatch

**or if the administration of origin is not advised within that time of any investigations which may still be necessary or of the additional dispatch of documents that may be required**, they shall be considered duly accepted until proved **otherwise.**

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10) It is essential to take advantage of telecommunications facilities for notifying major irregularities, especially those concerning insured items (1974 Lausanne Congress, II 1396, prop 4508.2 and Congress – Doc 20).

Article **173**
Return of empty bags

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**3** The return shall be carried out between offices of exchange appointed for the purpose. The administrations concerned may agree among themselves as to the procedure for the return. In long-distance services, they shall, as a general rule, appoint only one office responsible for receiving the empty bags returned to them.

**4** The empty bags shall be rolled into suitable bundles; where appropriate the label blocks, labels of canvas, parchment or other stout material shall be placed inside the bags. The bundles shall bear a label showing the name of the office of exchange from which the bags were received whenever they are returned via another office of exchange.

**5** If there are not too many of them, the empty bags to be returned may be placed in the bags containing letter-post items; otherwise, they shall be placed in separate bags, sealed, or unsealed (if the administrations concerned agree on this), and labelled with the name of the offices of exchange. The labels shall be endorsed *"Sacs vides"* (Empty bags).

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**7** If the check made by an administration establishes that bags belonging to it have not been returned to its service within a period longer than that required for their transmission (round trip), it shall be entitled to claim reimbursement of the value of the bags as provided for in paragraph **8**. The administration in question may refuse this reimbursement only if it can prove the missing bags were returned.

**8** Each administration shall fix, periodically and uniformly for each kind of bag used by its offices of exchange, **a value** in SDRs and communicate it to the administrations concerned through the International Bureau. In case of reimbursement, the cost of replacing the bags shall be considered.

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Article **200**
Accounting for customs and other charges with the administration of origin of items sent free of charges and fees

1 Accounting in respect of customs and other charges paid out by each administration on behalf of another shall be carried out by means of detailed monthly accounts in the form of the annexed specimen C 26, which shall be drawn up by the creditor administration in the currency of its own country. Parts B of the franking notes which have been retained shall be entered in the alphabetical order of the offices which have advanced the charges and in the numerical order given to them.

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Article **203**
Make-up of airmails

1 Airmails **shall be** made up with bags either entirely blue or with wide blue bands and shall bear the indications referred to in article **159**, paragraph **5**. (2) For airmail correspondence in small quantities, envelopes in the form of the annexed specimen AV 9, made either of strong blue paper or of plastic or other material and bearing a blue label, may be used.

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3 The layout and text of airmail bag labels shall be in the form of the annexed AV 8 specimens. (4) The labels themselves, or the optional tabs provided for in article **167**, paragraph **5**, shall be in the colours prescribed in article **167**, paragraph 1, a to d.

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2) With regard to the manufacture of airmail bags, the 1952 Brussels Congress recommended that, when using bags which are not made of incombustible material for the forwarding of postal items by air, adms should have them fireproofed (II 767). The 1974 Lausanne Congress adopted formal opinion C 59 (III 881) that adms should use on bags intended for making up airmails a reinforced neck-hem at least 8 mm thick, so that the string-knot cannot be slipped off and replaced without traces appearing (see also IB circs 115/1977 and 26/1978).

4 In formal opinion C 9, the 1964 Vienna Congress asked adms to use form AV 8 as laid down in the present para 3 and to complete it legibly, in capital letters and unambiguously (II 1180, prop 5100).
The 1974 Lausanne Congress approved the use of AV 8 forms of IATA abbreviations (three-letter codes) to show airports of destination and, when applicable, of transhipment (II 1381 and 1382, prop 3908.1). This measure, which is intended to ease the work of airlines and bodies responsible for handling mail at airports and reduce the risk of mail going astray, was extended by the 1979 Rio de Janeiro Congress to all forms relating to airmails which are not conveyed in mailbags (II 1626, prop 3907.1). The IATA codes are given for information in the List of Airmail Distances (parts III and IV).

Article **206**
AV 7 delivery bills

1 Mails to be handed over at the airport shall be accompanied by five copies of a white delivery bill in the form of the annexed specimen AV 7 for each stop.

2 These five copies of the AV 7 delivery bill shall be distributed in the following way:
a one copy, signed as a receipt for the mails by the airline or the authority responsible for the ground services, shall be retained by the dispatching office;
b two copies shall be retained at the airport of loading by the airline carrying the mails;
c two copies shall be inserted in an envelope made of light blue paper, in the form of the annexed specimen AV 6, for conveyance in the aircraft's flight portfolio or other special pouch in which the flight documents are kept. Upon arrival at the airport of offloading of the mails, these two copies shall be used as follows:
   – the first, duly signed as a receipt for the mails, shall be kept by the airline which has carried the mails;
   – the second shall accompany the mails to the post office to which the AV 7 delivery bill is addressed.

3 AV 7 delivery bills which have been transmitted electronically by the air carrier may be accepted at the receiving exchange office if the two copies identified in paragraph 2, c, are not immediately available. In this case, two copies of the AV 7 bill must be signed by the air carrier representative at the destination airport prior to submission to the receiving administration. One copy of the AV 7 shall be signed by the receiving administration as a receipt for the mails and shall be kept by the air carrier. The second copy of the AV 7 shall accompany the mails to the post office to which the AV 7 delivery bill is addressed.

**4 Administrations may agree among themselves to make systematic use of electronic mail or any other appropriate means of telecommunication for transmitting AV 7 delivery bills between the office preparing the document and the office receiving it.**

**5** When airmails are sent by surface to an intermediate administration for reforwarding by air, they shall be accompanied by an AV 7 delivery bill for the intermediate office. An AV 7 delivery bill shall also be prepared for the country of destination in respect of airmails reforwarded by surface.

Article **209**
Transhipment of airmails

1 In principle, the transhipment at the same airport of mails in course of transmission shall be performed by the administration of the country in which the transhipment takes place.

2 Paragraph 1 shall not apply when the transhipment takes place between:
a aircraft of the same airline performing successive stages of the journey, or
b aircraft of two different airlines, in accordance with article **83**, paragraph 4, of the Convention.

**3 In the cases referred to in paragraph 2, the bags of mails may be provided with an AV 8ter label in the form of the annexed specimen, in addition to the labels provided for the conveyance of airmail.**

Article **210**
Steps to be taken when direct transhipment of airmails cannot take place as scheduled

1 If mails which have been documented for direct transhipment fail to connect with the scheduled flight at the transhipment airport, the airline shall hand them over immediately to postal officials at the transhipment airport for reforwarding by the quickest route (air or surface).

2 Paragraph 1 shall not apply when:
a the administration dispatching the mails has provided for reforwarding on a later flight;
b in the absence of the arrangements referred to in subparagraph a, the airline responsible for handing over the mails can arrange for them to be reforwarded within 24 hours of their arrival at the transhipment airport.

3 In the case referred to in paragraph 1, the office which did the reforwarding shall inform the office of origin of each mail by C 14 verification note, indicating in particular on the verification note the air service from which the mail was taken and the services used (air or surface) for onward transmission to its destination.

Article **211**
Steps to be taken in the event of an interrupted flight, or of diversion or missending of mails

1 When an aircraft interrupts its flight for a length of time likely to delay the mails or when, for any reason whatsoever, the mails are unloaded at an airport other than that given on the AV 7 delivery bills, the airline shall hand over such mails immediately to the officials of the administration of the country where the stop has been made, who shall reforward them by the quickest route (air or surface).

2 The administration which receives missent airmail dispatches or bags owing to a labelling error shall attach a new label to the dispatch or bag, with an indication of the office of origin, and reforward it to its correct destination.

3 In every case the office which did the reforwarding shall inform the office of origin of each dispatch or bag by C 14 verification note, indicating in particular on the verification note the air service from which the mail was taken and the services used (air or surface) for onward transmission to its destination.

Article **212**
Steps to be taken in the event of an accident

1 When as a result of an accident in course of conveyance an aircraft is unable to continue its flight and deliver the mail at the scheduled stops, the crew of the aircraft shall hand over the mails to the post office nearest to the place of the accident or to the office best able to reforward the mail. If the crew are unable to do this, that office, having been informed of the accident, shall take immediate action, taking over the mail and reforwarding it to its destination by the quickest route after its condition has been checked and any damaged correspondence put in order.

2 The administration of the country in which the accident occurred shall inform all administrations of previous airports of call, by telegraph, of the fate of the mail, and these administrations in turn shall advise by telegraph all other administrations concerned.

3 Administrations which have loaded mail on the aircraft involved in the accident shall send a copy of the AV 7 delivery bills to the administration of the country where the accident occurred.

4 The qualified office shall then notify the offices of destination of the mails involved in the accident by verification note giving details of the circumstances of the accident and the results of the check of the mails. One copy of each verification note shall be sent to the offices of origin of the relative mails and another to the administration of the country to which the airline belongs. These documents shall be sent by the quickest route (air or surface).

Article **216**
Return of empty airmail bags

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2 Empty airmail bags returned by air shall be made up as special dispatches, described on statements in the form of the annexed specimen AV 7 S.

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Article **217**
Accounting for air conveyance dues

1 Accounting for air conveyance dues shall be effected in accordance with articles **85** and **86** of the Convention.

2 Notwithstanding paragraph 1, administrations may, by common consent, decide that accounts for airmail dispatches shall be settled on the basis of statistical returns. In that case, they shall arrange between themselves the method of compiling the statistics and preparing the accounts.

Article **218**
Preparation of AV 3 and AV 4 statements of weights

1 Each creditor administration shall prepare a statement in the form of the annexed specimen AV 3, monthly or quarterly as preferred, on the basis of the airmail particulars entered on the AV 7 delivery bills. Mails carried over the same air sector shall be entered on the AV 3 statement by office of origin, then by country and office of destination, and in chronological order of the mails for each office of destination. When the copies of the AV 3bis statement are used for the settlement of air conveyance dues inside the country of destination in accordance with article **84**, paragraph 4, of the Convention, **AV 3bis statements of weights prepared on the basis of C 12 letter bills shall be used for letter post and AV 3 statements of weights prepared on the basis of AV 7 delivery bills shall be used for postal parcels.**

2 For à découvert correspondence reforwarded by air, the creditor administration shall prepare a yearly statement in the form of the annexed specimen AV 4. This shall be done at the end of each statistical period as laid down in article **214**, paragraph 1, and based on the particulars appearing on the AV 2 "S" bills. The total weights shall be multiplied by **12 on** the AV 4 statement. If the accounts have to be prepared on the basis of the actual weight of à découvert airmail correspondence, AV 4 statements shall be drawn up as often as is provided for in paragraph 1 for AV 3 statements and on the basis of the corresponding AV 2 bills.

3 If, during an accounting period, a change occurring in the arrangements made for the exchange of airmail correspondence in transit à découvert results in a variation of at least 20 percent and exceeding 163.35 SDR in the total amounts to be paid by the dispatching administration to the intermediate administration, these administrations, at the request of one or the other, shall agree to replace the multiplier referred to in paragraph 2 by another valid only for the year in question.

4 When the debtor administration so requests, separate AV 3, AV 3bis and AV 4 statements shall be drawn up for each office of exchange which dispatches airmails or airmail correspondence in transit à découvert.

Article **219**
Preparation of AV 5 detailed accounts and AV 11 general accounts

1 The creditor administration shall prepare on a form, conforming to the annexed specimen AV 5, detailed accounts showing the amounts due to it according to the AV 3, AV 3bis and AV 4 statements of weights. Separate detailed accounts shall be prepared for closed airmails and for airmail correspondence à découvert as often as indicated in article **218**, paragraphs 1 and 2 respectively.

2 The amounts to be included in the AV 5 detailed accounts shall be calculated:
a for closed mails, on the basis of the gross weights appearing on the AV 3 and AV 3bis statements;
b for airmail correspondence à découvert, according to the net weights shown on the AV 4 statements, increased by 5 percent.

**3 When the air conveyance dues within the country of destination are to be settled, the administration of that country shall send the AV 5 accounts relating thereto for acceptance together with the AV 5bis statements of weights and the AV 3bis statements.**

**4** Monthly or quarterly AV 5 accounts may be summarized by the creditor administration in a quarterly, half-yearly or annual recapitulative airmail account, as agreed between the administrations concerned.

**5** AV 5 detailed accounts may be summarized in a quarterly general account in the form of the annexed specimen AV 11, prepared by the creditor administrations which have adopted the offset system of settling accounts; this account may, however, be prepared half-yearly after agreement between the administrations concerned.

Article **220**
Submission and acceptance of AV 3, AV 3bis and AV 4 statements of weights, AV 5 detailed accounts and AV 11 general accounts

1 As soon as possible and at the latest within six months from the end of the period to which they refer, the creditor administration shall send the debtor administration AV 3 statements, the copies of AV 3bis statements, AV 4 statements when payment for à découvert airmail correspondence is made on the basis of the actual weight, and the relevant AV 5 detailed accounts, all together in duplicate. The

debtor administration may refuse to accept accounts not forwarded to it within that period.

2 After verifying the AV 3, AV 3bis and AV 4 statements and accepting the relative AV 5 detailed accounts, the debtor administration shall return one copy of the AV 5 accounts to the creditor administration. If the verification reveals any discrepancies, the corrected AV 3, AV 3bis and AV 4 statements shall be attached in support of the duly amended and accepted AV 5 accounts. If the creditor administration disputes the amendments made to these AV 3, AV 3bis or AV 4 statements, the debtor administration shall confirm the actual data by sending photocopies of the AV 7 or AV 2 forms drawn up by the office of origin upon dispatch of the disputed mails. A creditor administration which has received no notice of amendment within three months of the date of dispatch of the accounts shall regard the accounts as fully accepted.

3 Paragraphs 1 and 2 shall also apply to airmail correspondence for which payment is made on the basis of statistics.

4 The AV 5 recapitulative accounts and the AV 11 general accounts referred to in paragraphs 3 and 4 respectively of article **219** shall be prepared and dispatched by the creditor administration as soon as the AV 5 detailed accounts relative to the period concerned are accepted or regarded as fully accepted. The debtor administration shall make payment within the period of six weeks provided for in article 103, paragraph 9.

5 Notwithstanding paragraph 4, the AV 11 general account may be prepared and dispatched without waiting for the AV 5 accounts to be returned, accepted, as soon as an administration which has all the accounts relative to the period concerned finds that it is the creditor. The check of the AV 11 account by the debtor administration and payment of the balance shall be made within a period of three months after receipt of the general account.

6 Whenever the statistics provided for in article **214**, paragraph 1, fall in October, annual payments for airmail correspondence in transit à découvert may be made provisionally on the basis of statistics compiled during May of the previous year. The provisional payments shall then be adjusted in the following year when the accounts based on the October statistics are approved or regarded as fully accepted.

7 If an administration is unable to carry out the annual statistical operations provided for in articles **214**, paragraph 1, and **218**, paragraph 2, it shall reach agreement with the administrations concerned to make the annual payment on the basis of the statistics of the preceding year and, if necessary, to use the special multiplier laid down in article **218**, paragraph 3.

**8** If the total of AV 5 detailed accounts does not exceed 16.33 SDR per annum the debtor administration shall be excused all payment. If the balance of an AV 11

general account does not exceed 16.33 SDR, it shall be carried over to the next AV 11 general account. If a balance not exceeding 16.33 SDR is outstanding at the end of the year, the debtor administration shall be exempted from all payment.

**9** AV 3, AV 3bis and AV 4 statements and the corresponding AV 5 and AV 11 accounts shall always be sent by the quickest route (air or surface).

Article **221**
Make-up of surface airlifted mails (2)

1 For making up surface airlifted mails, surface bags or bags of the same colour shall be used. (3)

2 The layout and text of surface airlifted mailbag labels shall be in the form of the annexed specimen AV 8bis. Administrations may, however, use the AV 8 labels provided for in article **203**, paragraph 3, adding in bold lettering the words *"S.A.L. Surface par avion"* (S.A.L. Surface airlifted mail). (4)

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2) In resolution C 73, the 1979 Rio de Janeiro Congress instructed the EC to consider the advisability of supplementing the existing regulations concerning the handling of inward surface airlifted mail in countries of transit and destination (III 930). This art, adopted by the 1984 Hamburg Congress, is the outcome of recommendations by the IATA–UPU joint bodies on this subject (II 503, prop 4000.7; see also Conv, art 82, note 4).

3) The words "or bags of the same colour" refer to the possibility of using lightweight bags with the appearance of surface bags.

4) In its decision C 69, the 1979 Rio de Janeiro Congress instructed the EC to study with IATA the possibility of creating a new specimen bag label in order to distinguish surface airlifted mails from airmails (III 927). An inquiry conducted in July 1982 at the request of the Joint IATA–UPU Working Party revealed that several adms had already created special labels for "S.A.L." mail, some of which had coloured borders with blue and green stripes. The EC came out in favour of a simpler model subject to mentioning in the Annotated Acts the possibility of using labels with distinctive borders (1983 EC Docs, p 182). The 1984 Hamburg Congress endorsed the EC prop (II 503, props 4000.7 and 4908.91).

Article **222**
C 18bis delivery bill

1 Surface mails to be handed over at the airport shall be accompanied by five copies of the C 18bis delivery bill for each stop.

2 These five copies of the C 18bis delivery bill shall be distributed as prescribed in article **206**, paragraphs 2 and 3, for the copies of the AV 7 delivery bill.

Article **225**
**Publications** to be supplied by the International Bureau

1 The International Bureau shall be responsible for preparing the following **publications** and distributing them to administrations:

. . . . .

b *"Liste des distances aéropostales"* (List of Airmail Distances) drawn up in collaboration with the air carriers;

. . . . .

C 4




Convention, Washington 1989, art 133, para 4 –
Size: min 37 x 13 mm, max 50 x 20 mm

**Note.** – Administrations using bar codes in their service may use C 4 labels bearing such codes in addition to the indications already provided for (3)

3) Remark added by the 1984 Hamburg Congress in order to bring the regulations into line with modern methods of processing registered items (II, 386, prop 2904.1).

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