
**Ninth Additional
Protocol
to the Constitution
of the Universal
Postal Union**

Ninth Additional Protocol to the Constitution of the Universal Postal Union

The plenipotentiaries of the governments of the member countries of the Universal Postal Union, met in Congress at Istanbul, in view of article 30.2 of the Constitution of the Universal Postal Union concluded at Vienna on 10 July 1964, have adopted, subject to ratification, the following amendments to that Constitution.

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Article I

(Art. 1 amended)

Scope and objectives of the Union

1 The countries adopting this Constitution shall comprise, under the title of the Universal Postal Union, a single postal territory for the reciprocal exchange of ~~letter-post~~ postal items. Freedom of transit shall be guaranteed throughout the entire territory of the Union, subject to the conditions further specified in the Acts of the Union.

2 The aim of the Union shall be to secure the organization and improvement of the postal services and to promote in this sphere the development of international collaboration.

3 The Union shall take part, as far as possible, in postal technical assistance sought by its member countries.

Article II

(Art. 1bis amended)

Definitions

1 For the purpose of the Acts of the Universal Postal Union, the following terms shall have the meanings defined below:

1.1 Postal service: all international postal services whose scope is determined ~~by the bodies of the Union and regulated by the Acts of the Union.~~ The main obligations of postal services are to satisfy certain social and economic objectives of member countries, by ensuring the collection, ~~sorting,~~ processing, transmission and delivery of postal items.

1.2 Member country: a country that fulfils the conditions of article 2 of the Constitution.

1.3 Single postal territory (one and the same postal territory): the obligation upon the contracting parties to the UPU Acts to provide for the reciprocal exchange of ~~letter-post~~ postal items, including freedom of transit, and to treat postal items in transit from other countries like their own postal items, without discrimination, subject to the conditions further specified in the Acts of the Union.

- 1.4 Freedom of transit: obligation for an intermediate member country to ensure the transport of postal items passed on to it in transit for another member country, providing similar treatment to that given to domestic items, subject to the conditions further specified in the Acts of the Union.
- 1.5 Letter-post item: items described in the Convention.
- ~~1.6 International postal service: postal operations or services regulated by the Acts; set of these operations or services.~~
- 1.6bis Postal item: generic term referring to anything dispatched by the designated operator of a member country (letter post, parcel post, money orders, etc.), as further described in the Universal Postal Convention, the Postal Payment Services Agreement and their respective Regulations.
- 1.7 Designated operator: any governmental or non-governmental entity officially designated by the member country to operate postal services and to fulfil the related obligations arising out of the Acts of the Union on its territory.
- 1.8 Reservation: an exemption clause whereby a member country purports to exclude or to modify the legal effect of a clause of an Act, other than the Constitution and the General Regulations, in its application to that member country. Any reservation shall be compatible with the object and purpose of Union as defined in the preamble and article 1 of the Constitution. It must be duly justified and approved by the majority required for approval of the Act concerned, and inserted in the Final Protocol thereto.

Article III
(Art. 22 amended)
Acts of the Union

- 1 The Constitution shall be the basic Act of the Union. It shall contain the organic rules of the Union and shall not be subject to reservations.
- 2 The General Regulations shall embody those provisions which ensure the application of the Constitution and the working of the Union. They shall be binding on all member countries and shall not be subject to reservations.
- 3 The Universal Postal Convention, ~~the Letter Post Regulations and the Parcel Post~~ its Regulations shall embody the rules applicable throughout the international postal service and the provisions concerning the letter-post and postal parcels services. These Acts shall be binding on all member countries. Member countries shall ensure that their designated operators fulfil the obligations arising from the Convention and its Regulations.
- 4 The Agreements of the Union, and their Regulations, shall regulate the services other than those of the letter post and postal parcels between those member countries which are parties to them. They shall be binding on those member countries only. Signatory member countries shall ensure that their designated operators fulfil the obligations arising from the Agreements and their Regulations.
- 5 The Regulations, which shall contain the rules of application necessary for the implementation of the Convention and of the Agreements, shall be drawn up by the Postal Operations Council, bearing in mind the decisions taken by Congress.
- 6 The Final Protocols annexed to the Acts of the Union referred to in paragraphs 3, 4 and 5 shall contain the reservations to those Acts.

Article IV
Coming into operation and duration of the Additional Protocol to the Constitution of the Universal Postal Union

- 1 This Additional Protocol shall come into operation on 1 January 2018 and shall remain in force for an indefinite period.

In witness whereof the plenipotentiaries of the governments of the member countries have drawn up this Additional Protocol, which shall have the same force and the same validity as if its provisions were inserted in the text of the Constitution itself, and they have signed it in a single original which shall be deposited with the Director General of the International Bureau. A copy thereof shall be delivered to each party by the International Bureau of the Universal Postal Union.

Done at Istanbul, 6 October 2016.

First Additional Protocol to the General Regulations

First Additional Protocol to the General Regulations

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Article I

(Art. 103 amended)

Functions of Congress

- 1 On the basis of proposals by member countries, the Council of Administration and the Postal Operations Council, Congress shall:
- 1.1 determine the general principles for achieving the object and purpose of the Union set out in the Preamble and article 1 of the Constitution;
 - 1.2 consider and adopt, where appropriate, proposals for amendments to the Constitution, General Regulations, Convention and Agreements submitted by member countries and the Councils, in accordance with article 29 of the Constitution and article 138 of the General Regulations;
 - 1.3 set the date for the entry into force of the Acts;
 - 1.4 adopt its Rules of Procedure and the amendments to those Rules;
 - 1.5 consider the comprehensive reports on the work of the Council of Administration, the Postal Operations Council and the Consultative Committee, covering the period from the previous Congress, presented by these respective bodies in accordance with articles 111, 117 and 125 of the General Regulations;
 - 1.6 adopt the Union's strategy;
 - 1.6bis approve the draft quadrennial UPU business plan;
 - 1.7 fix the maximum amount of the Union's expenditure, in accordance with article 21 of the Constitution;
 - 1.8 elect the member countries to sit on the Council of Administration and the Postal Operations Council;
 - 1.9 elect the Director General and Deputy Director General;
 - 1.10 set in a Congress resolution the ceiling of the costs to be borne by the Union for the production of documents in Chinese, German, Portuguese and Russian.
- 2 Congress, as the supreme body of the Union, shall deal with such other questions concerning postal services.

Article II

(Art. 106 amended)

Composition and functioning of the CA

- 1 The Council of Administration shall consist of forty-one members who shall exercise their functions during the period between two successive Congresses.
- 2 The chairmanship shall devolve by right on the host member country of Congress. If that member country waives this right, it shall become a de jure member and, as a result, the geographical group to which it belongs shall have at its disposal an additional seat, to which the restrictive provisions of paragraph 3 shall not apply. In that case, the Council of Administration shall elect to the chairmanship one of the members belonging to the geographical group of the host member country.
- 3 The forty other members of the Council of Administration shall be elected by Congress on the basis of an equitable geographical distribution. At least a half of the membership is renewed at each Congress; no member country may be chosen by three successive Congresses.
- 4 Each member of the Council of Administration shall appoint its representative, ~~who shall be competent in postal matters~~. The members of the Council of Administration shall take an active part in its work.
- 5 The office of member of the Council of Administration shall be unpaid. The operational expenses of this Council shall be borne by the Union.

Article III

(Art. 112 amended)

Composition and functioning of the POC

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

2 The members of the Postal Operations Council shall be elected by Congress on the basis of qualified geographical distribution. Twenty-four seats shall be reserved for developing member countries and sixteen seats for developed member countries. At least one third of the members shall be renewed at each Congress.

3 Each member of the Postal Operations Council shall appoint its representative, ~~who shall have responsibilities for delivering services mentioned in the Acts of the Union.~~ The members of the Postal Operations Council shall take an active part in its work.

4 The operational expenses of the Postal Operations Council shall be borne by the Union. Its members shall not receive any payment.

Article IV

(Art. 113 amended)

Functions of the POC

1 The Postal Operations Council shall have the following functions:

- 1.1 Coordinates practical measures for the development and improvement of international postal services.
- 1.2 Takes, subject to Council of Administration approval within the framework of the latter's competence, any action considered necessary to safeguard and enhance the quality of and to modernize the international postal service.
- 1.3 Decides on the contacts to be established with member countries and their designated operators in order to carry out its functions.
- 1.4 Takes the necessary steps to study and publicize the experiments and progress made by certain member countries and their designated operators in the technical, operational, economic and vocational training fields of interest to ~~the postal services~~ other member countries and their designated operators.
- 1.5 Takes, in consultation with the Council of Administration, appropriate steps in the sphere of technical cooperation with all member countries of the Union and their designated operators and in particular with the new and developing countries and their designated operators.
- 1.6 Examines any other questions submitted to it by a member of the Postal Operations Council, by the Council of Administration or by any member country or designated operator.
- 1.7 Receives and discusses reports as well as recommendations from the Consultative Committee and, when matters of interest to the Postal Operations Council are involved, to examines and comments on recommendations from the Consultative Committee for submission to Congress.
- 1.8 Designates those of its members that will serve as members of the Consultative Committee.
- 1.9 Conducts the study of the most important operational, commercial, technical, economic and technical cooperation problems which are of interest to all member countries or their designated operators, including questions with major financial repercussions (charges, terminal dues, transit charges, airmail conveyance rates, parcel-post rates, and the posting abroad of letterpost items), and prepares information, opinions and recommendations for action on them.
- 1.10 Provides input to the Council of Administration for the development of the draft Union Strategy and draft quadrennial business plan to be submitted to Congress.
- 1.11 Studies teaching and vocational training problems of interest to member countries and their designated operators, as well as to the new and developing countries.

- 1.12 Studies the present position and needs of ~~the postal services in~~ the new and developing countries and prepares appropriate recommendations on ways and means of improving ~~the~~ their postal services ~~in those countries~~.
- 1.13 Revises the Regulations of the Union within six months following the end of the Congress unless the latter decides otherwise; ~~in case of urgent necessity~~, the Postal Operations Council may also amend the said Regulations at other sessions; in both cases, the Postal Operations Council shall be subject to Council of Administration guidance on matters of fundamental policy and principle.
- 1.14 Formulates proposals which shall be submitted for the approval either of Congress or of member countries in accordance with article 140; the approval of the Council of Administration is required when these proposals concern questions within the latter's competence.
- 1.15 Examines, at the request of a member country, any proposal which that member country forwards to the International Bureau under article 139, prepares observations on it and instructs the International Bureau to annex these observations to the proposal before submitting it for approval to the member countries.
- 1.16 Recommends, if necessary, and where appropriate after approval by the Council of Administration and consultation of all the member countries, the adoption of regulations or of a new procedure until such time as Congress takes a decision in the matter.
- 1.17 Prepares and issues, in the form of recommendations to member countries and designated operators, standards for technological, operational and other processes within its competence where uniformity of practice is essential; it shall similarly issue, as required, amendments to standards it has already set.
- 1.18 Establishes the framework for the organization of user-funded subsidiary bodies and concurs in the organization of these bodies in accordance with the provisions of article 152.
- 1.19 Receives and discusses reports from the user-funded subsidiary bodies on an annual basis.

Article V

(Art. 119 amended)

Composition of the CC

- 1 The Consultative Committee shall consist of:
 - 1.1 non-governmental organizations representing customers, delivery service providers, organizations of workers, suppliers of goods and services to the postal services sector and like organizations of individuals and companies which have an interest in supporting the mission and objectives of the Union. ~~Where such organizations are registered, they must be registered in a member country of the Union;~~
 - 1.1bis high-level figures from the postal sector recommended by member countries or the bodies of the Union concerned, including the Consultative Committee;
 - 1.1ter civil society organizations: regional and non-governmental international postal organizations, as well as standardization, financial and development organizations, not provided for under 1.1;
 - 1.2 members designated by the Council of Administration from among its members;
 - 1.3 members designated by the Postal Operations Council from among its members.
- 1bis If any organizations are registered, they must be registered in a Union member country.
- 2 The operational costs of the Consultative Committee shall be shared by the Union and members of the Committee as determined by the Council of Administration.
- 3 The members of the Consultative Committee shall not receive remuneration or any other compensation.

Article VI
 (Art. 127 amended)
 Duties of the Director General

- 1 The Director General shall organize, administer and direct the International Bureau, of which he is the legal representative.
- 2 Regarding the classification of posts, appointments and promotions:
 - 2.1 the Director General shall be empowered to classify posts in grades G 1 to D 2 and to appoint and promote officials in those grades.
 - 2.2 for appointments in grades P 1 to D 2, he shall consider the professional qualifications of the candidates recommended by the member countries of which the candidates are nationals or in which they exercise their professional activities, taking into account equitable geographical distribution with respect to continents and languages. D 2 posts shall as far as possible be filled by candidates from different regions and from regions other than those from which the Director General and Deputy Director General originate, bearing in mind the paramount consideration of the efficiency of the International Bureau. In the case of posts requiring special qualifications, the Director General may seek applications from outside;
 - 2.3 he shall also consider, for the appointment of a new official, that, in principle, persons occupying grade D 2, D 1 and P 5 posts must be nationals of different member countries of the Union;
 - 2.4 for the promotion of an official of the International Bureau to grades D 2, D 1 and P 5, he shall not be bound to apply the same principle as under 2.3;
 - 2.5 the requirements of equitable geographical and language distribution shall rank behind merit in the recruitment process;
 - 2.6 the Director General shall inform the Council of Administration once a year of appointments and promotions in grades P 4 to D 2.
- 3 Furthermore, the Director General shall have the following duties:
 - 3.1 acts as depositary of the Acts of the Union and as intermediary in the procedure of accession and admission to and withdrawal from the Union;
 - 3.2 notifies the decisions taken by Congress to all the Governments of member countries;
 - 3.3 notifies all member countries and their designated operators of the Regulations drawn up or revised by the Postal Operations Council;
 - 3.4 prepares the draft annual budget of the Union at the lowest possible level consistent with the requirements of the Union and submits it in due course to the Council of Administration for consideration; communicates the budget to the member countries of the Union after approval by the Council of Administration and executes it;
 - 3.5 executes the specific activities requested by the bodies of the Union and those assigned to him by the Acts;
 - 3.6 takes action to achieve the objectives set by the bodies of the Union, within the framework of the established policy and the funds available;
 - 3.7 submits suggestions and proposals to the Council of Administration or to the Postal Operations Council;
 - 3.8 following the close of Congress, submits proposals to the Postal Operations Council concerning changes to the Regulations required as a result of Congress decisions, in accordance with the Rules of Procedure of the Postal Operations Council;
 - 3.9 prepares, for the Council of Administration and on the basis of directives issued by the Councils, the draft Union Strategy and draft quadrennial UPU business plan to be submitted to Congress;
 - 3.10 prepares, for approval by the Council of Administration, a four-yearly report on the member countries' performance in respect of the Union Strategy approved by the preceding Congress, which will be submitted to the following Congress;
 - 3.11 ensures the representation of the Union;
 - 3.12 acts as an intermediary in relations between:

- 3.12.1 the UPU and the Restricted Unions;
- 3.12.2 the UPU and the United Nations;
- 3.12.3 the UPU and the international organizations whose activities are of interest to the Union;
- 3.12.4 the UPU and the international organizations or the associations or enterprises that the bodies of the Union wish to consult or associate with their work;
- 3.13 assumes the duties of Secretary General of the bodies of the Union and supervises in this capacity, taking into account the special provisions of these General Regulations, in particular:
 - 3.13.1 the preparation and organization of the work of the Union's bodies;
 - 3.13.2 the preparation, production and distribution of documents, reports and minutes;
 - 3.13.3 the functioning of the secretariat at meetings of the Union's bodies;
- 3.14 attends the meetings of the bodies of the Union and takes part in the discussions without the right to vote, with the possibility of being represented.

Article VII

(Art. 130 amended)

Preparation and distribution of documents of the Union bodies

1 The International Bureau shall prepare and make available through the UPU website all the documents published, ~~on the occasion of~~ in the language versions specified in article 155, at least two months before each session. The International Bureau shall also indicate new e-document publications on the UPU website by means of an efficient web-signalling system.

1bis Furthermore, the International Bureau shall physically distribute the Union publications, such as International Bureau circulars and POC and CA Summary Records, only at the request of an individual member country.

Article VIII

(Art. 138 amended)

Procedure for submitting proposals to Congress (Const 29)

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

- 1.1 proposals which reach the International Bureau at least six months before the date fixed for Congress shall be accepted;
- 1.2 no drafting proposal shall be accepted during the period of six months preceding the date fixed for Congress;
- 1.3 proposals of substance which reach the International Bureau in the interval between six and four months before the date fixed for Congress shall not be accepted unless they are supported by at least two member countries;
- 1.4 proposals of substance which reach the International Bureau in the interval between four and two months preceding the date fixed for Congress shall not be accepted unless they are supported by at least eight member countries; proposals which arrive after that time shall no longer be accepted;
- 1.5 declarations of support must reach the International Bureau within the same period of time as the proposals to which they refer.

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

3 Every proposal must, as a rule, have only one aim and contain only the changes justified by that aim. Similarly, each proposal liable to lead to significant costs for the Union shall be accompanied by an indication of its financial impact, prepared by the member country submitting the proposal, in consultation with the International Bureau, so that the financial resources needed for its implementation can be determined.

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

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

Article IX

(Art. 138bis added)

Procedure for amending proposals submitted in accordance with article 138

1 Amendments to proposals already made, excluding those submitted by the Council of Administration or the Postal Operations Council, may continue to be presented to the International Bureau in accordance with the provisions of the Rules of Procedure of Congresses.

2 Amendments to proposals submitted by the Council of Administration or the Postal Operations Council shall be received by the International Bureau at least two months before the opening of Congress. Beyond this point, member countries may present their amendments only orally at Congress sessions.

Article X

(Art. 140 amended)

Consideration of proposals amending the Convention or the Agreements between Congresses

1 Every proposal concerning the Convention, the Agreements and their Final Protocols shall be subject to the following procedure: where a member country has sent a proposal to the International Bureau, the latter shall forward it to all member countries for examination. They shall be allowed a period of ~~two months~~ 45 days in which to examine the proposal and forward any observations to the International Bureau. Amendments shall not be admissible. Once these ~~two months~~ 45 days have elapsed, the International Bureau shall forward to member countries all the observations it has received and invite each member country to vote for or against the proposal. Member countries that have not sent in their vote within a period of ~~two months~~ 45 days shall be considered to have abstained. The aforementioned periods shall be reckoned from the dates of the International Bureau circulars.

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

Article XI

(Art. 142 amended)

Amendment of the Regulations by the Postal Operations Council

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

2 ~~No~~ The support by a ~~of at least one~~ member country shall be required for submitting any proposal to amend the Regulations.

3 Such a proposal shall not be considered unless the Postal Operations Council agrees to its urgent necessity.

Article XII

(Art. 146 amended)

Regulation of member countries' contributions

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

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

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

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

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

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

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

8 The provisions under paragraphs 3 to 7 apply by analogy to the translation costs billed by the International Bureau to member countries belonging to the language groups.

8bis The International Bureau shall send bills payable by member countries well in advance of their due date. The original bills shall be sent to the correct address provided by the member country concerned. Electronic copies of the bills shall be sent via e-mail as pre-advise or alerts.

8ter Furthermore, the International Bureau shall provide clear information each time it charges member countries with interest on overdue payment of particular bills, so that member countries can easily verify to which bills the interest corresponds.

Article XIII

(Art. 146 amended)

Automatic sanctions

1 Any member country unable to make the assignment provided for in article 146.3 and which does not agree to submit to an amortization schedule proposed by the International Bureau in accordance with article 146.4, or which does not comply with such a schedule shall automatically lose its right to vote at Congress and at meetings of the Council of Administration and the Postal Operations Council and shall no longer be eligible for membership of these two Councils.

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

Done at Istanbul, 6 October 2016.

Rules of Procedure of Congresses

Rules of Procedure of Congresses

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Rules of Procedure of Congresses

Article 1

General provisions

The present Rules of Procedure (hereinafter referred to as "the Rules") have been drawn up pursuant to the Acts of the Union and are subordinate to them. In the event of a discrepancy between one of their provisions and a provision of the Acts, the latter shall prevail.

Article 2

Delegations

1 The term "delegation" shall denote the person or body of persons designated by a member country to take part in a Congress. The delegation shall consist of a Head of delegation and, if appropriate, his deputy, one or more delegates and, possibly, one or more attached officials (including experts, secretaries, etc.).

2 Heads of delegation, their deputies, and delegates shall be representatives of member countries within the meaning of article 14.2 of the Constitution if in possession of credentials which comply with the conditions laid down in article 3 of these Rules.

3 Attached officials shall be admitted to meetings, and shall have the right to participate in the proceedings, but they shall not normally have the right to vote. However, they may be authorized by the Head of their delegation to vote on behalf of their country at Committee meetings. Such authorizations shall be handed, in writing, to the Chairman of the Committee concerned, before the beginning of the meeting.

Article 3

Delegates' credentials

1 Delegates' credentials shall be signed by the Head of State, the Head of Government or the Minister for Foreign Affairs of the country concerned. They shall be drawn up in due and proper form. The credentials of delegates entitled to sign the Acts (plenipotentiaries) shall specify the scope of such signature (signature subject to ratification or approval, signature ad referendum, definitive signature). In the absence of such specific information, the signature shall be regarded as being subject to ratification or approval. Credentials authorizing the holder to sign the Acts shall implicitly include the right to speak and to vote. Delegates on whom the relevant authorities have conferred full powers without specifying their scope shall be authorized to speak, to vote and to sign the Acts unless the wording of the credentials is explicitly to the contrary.

2 Credentials shall be deposited at the opening of Congress with the authority designated for that purpose.

3 Delegates who are not in possession of credentials or who have not deposited their credentials may, provided their names have been communicated by their Government to the Government of the host country, take part in the debates and vote from the moment they participate in the work of Congress. The same shall apply to those whose credentials are found to be not in order. Such delegates shall cease to be empowered to vote from the time Congress approves the last report of the Credentials Committee establishing that their credentials have not been received or are not in order until such time as the position is regularized. The last report shall be approved by Congress before any elections other than that of the Chairman of Congress and before approval of the draft Acts.

4 The credentials of a member country which arranges for the delegation of another member country to represent it at Congress (proxy) shall be in the same form as those mentioned in paragraph 1.

5 Credentials and proxies sent by telegram shall not be admissible. However, telegrams sent in reply to requests for information relating to credentials shall be accepted.

6 A delegation which, after it has deposited its credentials, is prevented from attending one or more meetings, may arrange to be represented by the delegation of another member country, provided that notice in writing is given to the Chairman of the meeting concerned. However, a delegation may represent only a single country other than its own.

7 The delegates of member countries which are not parties to an Agreement may take part in the debates of Congress concerning that Agreement, without the right to vote.

Article 4

Order of seating

1 At Congress and Committee meetings, delegations shall be seated in the French alphabetical order of the member countries represented.

2 The Chairman of the Council of Administration shall draw lots, in due course, for the name of the country to be placed foremost before the rostrum at Congress and Committee meetings.

Article 5

Observers and ad hoc observers

1 The observers referred to in article 105.1 of the General Regulations shall be invited to participate in the plenary sessions and Committee meetings of Congress.

2 The ad hoc observers referred to in article 105.2 of the General Regulations may be invited to attend specific meetings of Congress and its committees when it is in the interest of the Union or the work of Congress.

3 The observers and ad hoc observers shall not be entitled to vote, but may take the floor with the permission of the Chairman of the meeting.

4 In exceptional circumstances, the right of observers and ad hoc observers to participate in certain meetings, or parts of meetings, may be restricted if the confidentiality of the subject dealt with so requires. They shall be so informed as quickly as possible. This restriction may be decided on a case-by-case basis by any body concerned or its Chairman. Such decisions shall be reviewed by the Bureau of Congress, which shall have the authority to confirm or reverse such decisions by a simple majority vote.

Article 6

Chairmanships and vice-chairmanships of Congress and Committees

1 At its first plenary meeting, Congress shall elect, on the proposal of the host member country of the Congress, the Chairman of Congress and then approve, on the proposal of the Council of Administration, the appointment of the member countries which are to assume the vice-chairmanships of Congress and the chairmanships and vice-chairmanships of the Committees. These posts will be assigned taking as much account as possible of the equitable geographical distribution of the member countries.

2 The Chairmen shall open and close the meetings over which they preside, direct the debates, give speakers the floor, put proposals to the vote and announce what majority is required for their adoption, announce decisions and, subject to the approval of Congress, interpret such decisions if necessary.

3 The Chairmen shall see that the present Rules are observed and that order is maintained at meetings.

4 Any delegation may appeal to Congress or the Committee against a decision taken by the Chairman on the basis of a provision or interpretation of the Rules. The Chairman's decision shall nevertheless hold good unless rescinded by a majority of the members present and voting.

5 Should the member country appointed to the chairmanship be no longer able to exercise this function, one of the Vice-Chairmen shall be appointed by Congress or the Committee to replace it.

Article 7

Bureau of Congress

1 The Bureau shall be the central body responsible for directing the work of Congress. It shall consist of the Chairman and Vice-Chairmen of Congress and the Chairmen of the Committees. It shall meet periodically to review the progress of the work of Congress and its Committees and to make recommendations designed to facilitate such progress. It shall assist the Chairman in drawing up the agenda of each plenary meeting and in coordinating the work of the Committees. It shall make recommendations relating to the closing of Congress.

2 The Secretary General of Congress and the Assistant Secretary General, mentioned in article 10.1, shall attend the meetings of the Bureau.

Article 8

Membership of Committees

1 The member countries represented in Congress shall, as of right, be members of the Committees responsible for studying proposals relating to the Constitution, the General Regulations and the Convention.

2 Member countries represented in Congress which are parties to one or more of the optional Agreements shall, as of right, be members of the Committee and/or Committees responsible for the revision of these Agreements. The right to vote of members of the Committee or Committees shall be confined to the Agreement or Agreements to which they are parties.

3 Delegations which are not members of Committees dealing with the Agreements may attend meetings of those Committees and take part in the debates without the right to vote.

Article 9

Working parties

Congress and each Committee may set up working parties to study special questions.

Article 10

Secretariat of Congress and of Committees

1 The Director General and the Deputy Director General of the International Bureau shall act as Secretary General and Assistant Secretary General of Congress, respectively.

2 The Secretary General and the Assistant Secretary General shall attend the meetings of Congress and of the Bureau of Congress and take part in the debates without the right to vote. They may also attend, under the same conditions, Committee meetings or be represented thereat by a senior official of the International Bureau.

3 The work of the Secretariat of Congress, the Bureau of Congress and the Committees shall be performed by the staff of the International Bureau in conjunction with the host member country.

4 Senior officials of the International Bureau shall act as Secretaries of Congress, of the Bureau of Congress and of the Committees. They shall assist the Chairman during meetings and shall be responsible for writing the reports.

5 The Secretaries of Congress and of the Committees shall be assisted by Assistant Secretaries.

Article 11
Languages of debates

- 1 Subject to paragraph 2, French, English, Spanish and Russian may be used for debates, by means of a system of simultaneous or consecutive interpretation.
- 2 The debates of the Drafting Committee shall be held in French.
- 3 Other languages may also be used for the debates mentioned in paragraph 1. The language of the host country shall have priority in this connection. Delegations using other languages shall arrange for simultaneous interpretation into one of the languages mentioned in paragraph 1, either by means of the simultaneous interpretation system, when the necessary technical alterations can be made, or by special interpreters.
- 4 The cost of installing and maintaining the technical equipment shall be borne by the Union.
- 5 The cost of the interpretation services shall be divided among the member countries using the same language in proportion to their contributions to the expenses of the Union.

Article 12
Languages used for drafting Congress documents

- 1 Documents prepared during Congress including draft decisions submitted to Congress for approval shall be published in French by the Secretariat of Congress.
- 2 To this end, documents produced by delegations of member countries shall be submitted in French, either direct or through the intermediary of the translation services attached to the Congress Secretariat.
- 3 The above services, organized at their own expense by the language groups set up in accordance with the relevant provisions of the General Regulations, may also translate Congress documents into their respective languages.

Article 13
Proposals

- 1 All questions brought before Congress shall be the subject of proposals.
- 2 All proposals published by the International Bureau before Congress shall be regarded as being submitted to Congress.
- 3 Two months before Congress opens, no proposal shall be considered except those amending earlier proposals.

3bis In the specific case of proposals from the Council of Administration or Postal Operations Council, amendments shall be received by the International Bureau at least two months before the opening of Congress. Beyond this point, member countries may present their amendments orally at sessions.

- 4 The following shall be regarded as amendments: any proposal which, without altering the substance of the original proposal, involves a deletion from, addition to or revision of a part of the original proposal. No proposed change shall be regarded as an amendment if it is inconsistent with the meaning or intent of the original proposal. In case of doubt, Congress or the Committee shall decide the matter.
- 5 Amendments submitted at Congress to proposals already made shall be handed in to the Secretariat in writing, in French, before noon on the day but one before the day on which they will be discussed, so that they can be distributed to delegates the same day. This time limit shall not apply to amendments arising directly from the debates in Congress or in a Committee. In the latter case, if so requested, the author of the amendment shall submit a written version in French, or in case of difficulty, in any other language used for debates. The Chairman concerned shall read it out or have it read out.

6 The procedure laid down in paragraph 5 shall also apply to the submission of proposals that are not designed to amend the text of the Acts (draft resolutions, draft recommendations, draft formal opinions, etc.) where these proposals result from the work of Congress.

7 Any proposal or amendment shall give the final form of the text which is to be inserted in the Acts of the Union, subject, of course to revision by the Drafting Committee.

Article 14

Consideration of proposals in Congress and in Committees

1 Drafting proposals (the number of which shall be followed by the letter R) shall be assigned to the Drafting Committee either direct, if the International Bureau has no doubt as to their nature (a list of such proposals shall be drawn up for the Drafting Committee by the International Bureau), or, if the International Bureau is in doubt as to their nature, after the other Committees have confirmed that they are purely of a drafting nature (a list of such proposals shall likewise be drawn up for the Committees concerned). If, however, such proposals are linked with other proposals of substance to be considered by Congress or by other Committees, the Drafting Committee shall postpone consideration of them until after Congress or the other Committees have taken a decision on the corresponding proposals of substance. Proposals whose numbers are not followed by the letter R but which, in the opinion of the International Bureau, are of a drafting nature, shall be referred direct to the Committees concerned with the corresponding proposals of substance. When these Committees begin work, they shall decide which of the proposals shall be assigned direct to the Drafting Committee. A list of these proposals shall be drawn up by the International Bureau for the Committees concerned.

2 If the same question is the subject of several proposals, the Chairman shall decide the order in which they are to be discussed, starting as a rule with the proposal which departs most from the basic text and entails the most significant change in relation to the status quo.

3 If a proposal can be subdivided into several parts, each part may, if the originator of the proposal or the assembly so agrees, be considered and voted upon separately.

4 Any proposal withdrawn in Congress or in Committee by its originator may be resubmitted by the delegation of another member country. Similarly, if an amendment to a proposal is accepted by the originator of the proposal, another delegation may resubmit the original, unamended proposal.

5 Any amendment to a proposal which is accepted by the delegation submitting the proposal shall be immediately included in the text thereof. If the originator of the original proposal does not accept an amendment, the Chairman shall decide whether the amendment or the proposal shall be voted upon first, starting with whichever departs furthest from the meaning or intent of the basic text and entails the most significant change in relation to the status quo.

6 The procedure described in paragraph 5 shall also apply where more than one amendment to a proposal is submitted.

7 The Chairman of Congress and the Chairmen of Committees shall arrange for the text of the proposals, amendments or decisions adopted to be passed to the Drafting Committee, in writing, after each meeting.

Article 15

Debates

1 Delegates may not take the floor until they have been given permission to do so by the Chairman of the meeting. They shall be urged to speak slowly and distinctly. The Chairman shall afford delegates the possibility of freely and fully expressing their views on the subject discussed, so long as that is compatible with the normal course of the debate.

2 Unless a majority of the members present and voting decides otherwise, speeches shall not exceed five minutes. The Chairman shall be authorized to interrupt any speaker who exceeds the said authorized time. He may also ask the delegate not to depart from the subject.

3 During a debate, the Chairman may, with the agreement of the majority of the members present and voting, declare the list of speakers closed after reading it out. When the list is exhausted, he shall declare the debate closed, although even after the closing of the list he may grant the originator of the proposal under discussion the right to reply to any of the speeches delivered.

4 The Chairman may also, with the agreement of the majority of the members present and voting, limit the number of speeches by any one delegation on a proposal or a certain group of proposals; but the originator of the proposal shall be given the opportunity of introducing it and speaking subsequently if he asks to do so in order to make new points in reply to the speeches of other delegations, so that he may, if he wishes, be the last speaker.

5 With the agreement of the majority of the members present and voting, the Chairman may limit the number of speeches on a proposal or a certain group of proposals; but this limit may not be less than five for and five against the proposal under discussion.

Article 16

Motions on points of order and procedural motions

1 During the discussion of any question and even, where appropriate, after the closure of the debate, a delegation may submit a motion on a point of order for the purpose of requesting:

- clarification on the conduct of the debates;
- observance of the Rules of Procedure;
- a change in the order of discussion of proposals suggested by the Chairman.

The motion on a point of order shall take precedence over all questions, including the procedural motions set forth in paragraph 3.

2 The Chairman shall immediately give the desired clarifications or take the decision which he considers advisable on the subject of the motion on a point of order. In the event of an objection, the Chairman's decision shall be put to the vote forthwith.

3 In addition, during discussion of a question, a delegation may introduce a procedural motion with a view to proposing:

- a the suspension of the meeting;
- b the closure of the meeting;
- c the adjournment of the debate on the question under discussion;
- d the closure of the debate on the question under discussion.

Procedural motions shall take precedence, in the order set out above, over all other proposals except the motions on points of order referred to in paragraph 1.

4 Motions for the suspension or closure of the meeting shall not be discussed, but shall be put to the vote immediately.

5 When a delegation proposes adjournment or closure of the debate on a question under discussion, only two speakers against the adjournment or the closure of the debate may speak, after which the motion shall be put to the vote.

6 The delegation which submits a motion on a point of order or a procedural motion may not, in its submission, deal with the substance of the question under discussion. The proposer of a procedural motion may withdraw it before it has been put to the vote, and any motion of this kind, whether amended or not, which is withdrawn may be reintroduced by another delegation.

Article 17

Quorum

1 Subject to paragraphs 2 and 3, the quorum necessary for the opening of the meetings and for voting shall be half the member countries represented in Congress and having the right to vote.

2 For votes on amending the Constitution and the General Regulations, the quorum required shall be two thirds of the Union member countries having the right to vote.

3 In the case of the Agreements, the quorum required for the opening of the meetings and for voting shall be half the member countries represented at Congress which are parties to the Agreement concerned and have the right to vote.

4 Delegations which are present but do not take part in a given vote, or which state that they do not wish to take part therein, shall not be considered absent for the purpose of establishing the quorums required under paragraphs 1, 2 and 3.

Article 18

Voting principle and procedure

1 Questions which cannot be settled by common consent shall be decided by vote.

2 Votes shall be taken by the traditional system or by the electronic voting system. They shall normally be taken by the electronic system when that system is available to the assembly. However, in the case of a secret ballot, the traditional system may be used if one delegation, supported by a majority of the delegations present and voting, so requests.

3 For the traditional system, the methods of voting shall be as follows:

- a by show of hands. If there is doubt about the result of such a vote, the Chairman, if he so wishes or if a delegation so requests, may arrange for an immediate roll-call vote on the same question;
- b by roll-call, at the request of a delegation or if so decided by the Chairman; the roll shall be called according to the French alphabetical order of the countries represented, beginning with the country whose name is drawn by lot by the Chairman; the result of the vote, together with a list of the countries grouped according to the way they voted, shall be included in the report of the meeting;
- c by secret ballot, using ballot papers, if requested by two delegations; in this case, the Chairman of the meeting shall appoint three tellers, having regard to equitable geographical representation and the level of economic development of the member countries, and make the necessary arrangements for the holding of a secret ballot.

4 For the electronic system, the methods of voting shall be as follows:

- a non-recorded vote: it replaces a vote by show of hands;
- b recorded vote: it replaces a roll-call vote; however, the names of the countries shall not be called unless one delegation, supported by a majority of the delegations present and voting, so requests;
- c secret ballot: it replaces the secret ballot by ballot papers.

5 Regardless of the system of voting used, the secret ballot shall take precedence over any other voting procedure.

6 Once the voting has begun, no delegation may interrupt it, except to raise a point of order relating to the way in which the vote is being taken.

7 After the vote, the Chairman may permit delegates to explain why they voted as they did.

Article 19

Conditions of approval of proposals

- 1 To be adopted, proposals involving amendments to the Acts must:
 - a in the case of the Constitution, be approved by at least two thirds of the member countries of the Union having the right to vote;
 - b in the case of the General Regulations, be approved by a majority of the member countries represented in Congress and having the right to vote;
 - c in the case of the Convention, be approved by a majority of the member countries present and voting which have the right to vote;
 - d in the case of the Agreements, be approved by a majority of the member countries present and voting which are parties to the Agreements and have the right to vote.

- 2 Procedural matters which cannot be settled by common consent shall be decided by a majority of the member countries present and voting which have the right to vote. The same shall apply to decisions not concerning changes in the Acts, unless Congress decides otherwise by a majority of the member countries present and voting which have the right to vote.

- 3 Subject to paragraph 5, "member countries present and voting" shall mean member countries which have the right to vote voting "for" or "against", abstentions being disregarded in counting the votes required to constitute a majority, and similarly blank or null and void ballot papers in the case of a secret ballot.

- 4 In the event of a tie, a proposal shall be regarded as rejected.

- 5 When the number of abstentions and blank or null and void ballot papers exceeds half the number of votes cast (for, against and abstentions), consideration of the matter shall be deferred until a subsequent meeting, at which abstentions and blank or null and void ballot papers shall be disregarded.

Article 20

Election of the members of the Council of Administration or the Postal Operations Council

In order to decide between countries which have obtained the same number of votes in elections of members of the Council of Administration or the Postal Operations Council, the Chairman shall draw lots.

Article 21

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

- 1 The elections of the Director General of the International Bureau and of the Deputy Director General shall take place by secret ballot successively at one or more meetings held on the same day. The candidate who obtains a majority of the votes cast by the member countries present and voting shall be elected. As many ballots shall be held as are necessary for a candidate to obtain this majority.

- 2 "Member countries present and voting" shall mean member countries voting for one of the candidates whose applications have been announced in due and proper form, abstentions and blank or null and void ballot papers being ignored in counting the votes required to constitute a majority.

- 3 If the number of abstentions and blank or null and void ballot papers exceeds half the number of votes cast in accordance with paragraph 2, the election shall be deferred to a later meeting, at which abstentions and blank or null and void ballot papers shall no longer be taken into account.

- 4 The candidate who obtains the least number of votes in any one ballot shall be eliminated.

- 5 In the event of a tie, an additional ballot, and if necessary a second additional ballot, shall be held in an attempt to decide between the tying candidates, the vote relating only to these candidates. If the result is inconclusive, the election shall be decided by drawing lots. The lots shall be drawn by the Chairman.

6 The candidates for Director General and Deputy Director General of the International Bureau may, at their request, be represented at the counting of the votes.

Article 22

Reports

1 The reports of the plenary meetings of Congress shall record the course of the meetings, briefly summarize speeches, and mention proposals and the outcome of the debates.

2 The debates of Committee meetings shall be the subject of reports to Congress. As a general rule, Working Parties shall prepare a report for the body that set them up.

3 Each delegate, however, shall be entitled to ask for any statement made by him to be included in the reports either verbatim or in summary form, provided the French or English text is handed to the Secretariat not later than two hours after the end of the meeting.

4 Delegates shall be allowed a period of twenty-four hours, from the moment when the draft reports are distributed, in which to make their comments to the Secretariat, which, if necessary, shall act as an intermediary between the party concerned and the Chairman of the meeting in question.

5 As a general rule and subject to the provisions of paragraph 4, at the beginning of each meeting of Congress, the Chairman shall submit the report of a previous meeting for approval. The same shall apply in regard to Committee reports. The reports of the last meetings which it has not been possible to approve in Congress or in a Committee shall be approved by the respective Chairmen of the meetings. The International Bureau shall also take account of any comments received from delegates of member countries within forty days of the dispatch of the reports to them.

6 The International Bureau shall be authorized to correct in the reports of meetings of Congress and Committees any clerical errors which were not brought to light when the minutes were approved in accordance with paragraph 5.

Article 23

Appeal against decisions taken by the Committees and by Congress

1 Any delegation may appeal against a decision concerning proposals (Acts, resolutions, etc.) which have been approved or rejected in Committee. Notice of the appeal must be given to the Chairman of Congress, in writing, within 48 hours from the adjournment of the Committee meeting at which the proposal was approved or rejected. The appeal shall be considered during the next plenary meeting.

2 When a proposal has been adopted or rejected by Congress, it can be reconsidered by the same Congress only if the appeal has been supported by at least 10 delegations. Such an appeal must be approved by a two-thirds majority of the members present and voting which have the right to vote. This possibility shall be limited to proposals submitted direct to plenary meetings, it being understood that a single question cannot give rise to more than one appeal.

Article 24

Approval by Congress of draft decisions (Acts, resolutions, etc.)

1 As a general rule, each draft Act submitted by the Drafting Committee shall be studied article by article. The Chairman may, with the agreement of the majority, use a faster procedure, for instance chapter by chapter. Each Act can only be regarded as adopted after an overall favourable vote. Article 19.1, shall apply to such a vote.

2 The International Bureau shall be authorized to correct in the final Acts any clerical errors which have not come to light during the study of the draft Acts, the numbering of articles and paragraphs and references.

3 The drafts of decisions other than those amending the Acts, submitted by the Drafting Committee, shall as a general rule be considered en bloc. The provisions of paragraph 2 shall also apply to the drafts of these decisions.

Article 25

Assignment of studies to the Council of Administration and the Postal Operations Council

On the recommendation of its Bureau, Congress shall assign studies to the Council of Administration and the Postal Operations Council, in accordance with the respective compositions and responsibilities of these two bodies as they are set forth in articles 106, 107, 112 and 113 of the General Regulations.

Article 26

Reservations to Acts

1 Reservations must be submitted in the form of a proposal to the Secretariat in writing in one of the working languages of the International Bureau (proposals concerning the Final Protocol) as soon as possible after adoption of the proposal concerning the article to which the reservation refers.

2 To enable it to distribute proposals concerning reservations to all member countries before adoption of the Final Protocol by Congress, the Congress Secretariat shall set a deadline for the submission of reservations and notify member countries of it.

3 Reservations to the Acts of the Union submitted after the deadline set by the Secretariat shall not be considered by the Secretariat or by Congress.

Article 27

Signature of Acts

Acts finally approved by Congress shall be submitted to the plenipotentiaries for signature.

Article 28

Amendment of the Rules

1 Each Congress may amend the Rules of Procedure. In order to be accepted for discussion, proposals to amend the present Rules, unless submitted by a UPU body empowered to put forward proposals, shall be supported in Congress by at least 10 delegations.

2 To be adopted, proposals for amendments to the present Rules must be approved by at least two thirds of the member countries represented in Congress and having the right to vote.

Universal Postal Convention and Final Protocol

(the Final Protocol will be published separately)

Universal Postal Convention

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Universal Postal Convention

The undersigned, plenipotentiaries of the governments of the member countries of the Union, having regard to article 22.3 of the Constitution of the Universal Postal Union concluded at Vienna on 10 July 1964, have by common consent and subject to article 25.4 of the Constitution drawn up in this Convention the rules applicable throughout the international postal service.

Section I

Rules applicable in common throughout the international postal service

Article 1

Definitions

1 For the purposes of the Universal Postal Convention, the following terms shall have the meanings defined below:

- ~~1.1 parcel: item conveyed under the conditions of the Convention and the Parcel Post Regulations;~~
- 1.0bis letter-post item: item described in and conveyed under the conditions of the Universal Postal Convention and Regulations;
- 1.0ter parcel-post item: item described in and conveyed under the conditions of the Universal Postal Convention and Regulations;
- 1.0quater EMS item: item described in and conveyed under the conditions of the Universal Postal Convention, Regulations and associated EMS instruments;
- 1.0quinquies documents: a letter-post, parcel-post or EMS item consisting of any piece of written, drawn, printed or digital information, excluding objects of merchandise, whose physical specifications lie within the limits specified in the Regulations;
- 1.0sexies goods: a letter-post, parcel-post or EMS item consisting of any tangible and movable object other than money, including objects of merchandise, which does not fall under the definition of "document" as provided in § 1.0quinquies above and whose physical specifications lie within the limits specified in the Regulations;
- 1.2 closed mail: labelled ~~bag or set of bags or other~~ receptacles sealed with or without lead, containing postal items;
- 1.3 misrouted mails: receptacles received at an office of exchange other than the one mentioned on the (~~bag~~ receptacle) label;
- 1.4 personal data: information needed to identify a postal service user;
- 1.5 missent items: items received at an office of exchange meant for an office of exchange in another member country;
- ~~1.6 postal item: generic term referring to anything dispatched by the Post's services (letter post, parcel post, money orders, etc.);~~

- 1.7 transit charges: remuneration for services rendered by a carrier in the country crossed (designated operator, other service or combination of the two) in respect of the land, sea and/or air transit of ~~mails~~ letter-post items;
- 1.8 terminal dues: remuneration owed to the designated operator of the country of destination by the designated operator of the dispatching country in compensation for the costs incurred in the country of destination for letter-post items received;
- 1.9 designated operator: any governmental or non-governmental entity officially designated by the member country to operate postal services and to fulfil the related obligations arising out of the Acts of the Union on its territory;
- 1.10 small packet: item conveyed under the conditions of the Convention and the ~~Letter-Post~~ Regulations;
- 1.11 inward land rate: remuneration owed to the designated operator of the country of destination by the designated operator of the dispatching country in compensation for the costs incurred in the country of destination for parcels received;
- 1.12 transit land rate: remuneration owed for services rendered by a carrier in the country crossed (designated operator, other service or combination of the two) in respect of the land and/or air transit of parcels through its territory;
- 1.13 sea rate: remuneration owed for services rendered by a carrier (designated operator, other service or a combination of the two) participating in the sea conveyance of parcels;
- 1.13bis inquiry: a complaint or query relating to the use of a postal service submitted in accordance with the conditions of the Convention and its Regulations;
- 1.14 universal postal service: the permanent provision of quality basic postal services at all points in a member country's territory, for all customers, at affordable prices;
- 1.15 transit à découvert: open transit through an intermediate country, of items whose number or weight does not justify the make-up of closed mails for the destination country.

Article 2

Designation of the entity or entities responsible for fulfilling the obligations arising from adherence to the Convention

1 Member countries shall notify the International Bureau, within six months of the end of Congress, of the name and address of the governmental body responsible for overseeing postal affairs. Within six months of the end of Congress, member countries shall also provide the International Bureau with the name and address of the operator or operators officially designated to operate postal services and to fulfil the obligations arising from the Acts of the Union on their territory. Between Congresses, member countries shall notify the International Bureau of any changes in the governmental bodies as soon as possible, and Any changes with regard to the officially designated operators shall also be notified to the International Bureau as soon as possible, and preferably at least three months prior to the implementation of the change.

1bis When a member country officially designates a new operator, it shall indicate the scope of the postal services that the latter will provide under the Acts of the Union, as well as the operator's geographical coverage on its territory.

Article 3

Universal postal service

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

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

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

4 Member countries shall ensure that the universal postal service is provided on a viable basis, thus guaranteeing its sustainability.

Article 4

Freedom of transit

1 The principle of the freedom of transit is set forth in article 1 of the Constitution. It shall carry with it the obligation for each member country to ensure that its designated operators forward, always by the quickest routes and the most secure means which they use for their own items, closed mails and à découvert letter-post items which are passed to them by another designated operator. This principle shall also apply to missent items and misrouted mails.

2 Member countries which do not participate in the exchange of letters postal items containing infectious substances or radioactive substances shall have the option of not admitting these items in transit à découvert through their territory. ~~The same shall apply to letter-post items other than letters, postcards and items for the blind. It~~ The same shall also apply to printed papers, periodicals, magazines, small packets and M bags the content of which does not satisfy the legal requirements governing the conditions of their publication or circulation in the country crossed.

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

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

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

Article 5

Ownership of postal items. Withdrawal from the post. Alteration or correction of address and/or name of the addressee (name of the legal person, or family name, given name or patronymic (if any)). Redirection. Return to sender of undeliverable items

1 A postal item shall remain the property of the sender until it is delivered to the rightful owner, except when the item has been seized in pursuance of the national legislation of the country of origin or destination and, in case of application of article 18.2.1.1 or 18.3, in accordance with the national legislation of the country of transit.

2 The sender of a postal item may have it withdrawn from the post or have its address and/or the name of the addressee (name of the legal person, or family name, given name or patronymic (if any)) altered or corrected. The charges and other conditions are laid down in the Regulations.

3 Member countries shall ensure that their designated operators redirect postal items if an addressee has changed his address, and return undeliverable items to the sender. The charges and other conditions are laid down in the Regulations.

Article 6

Postage stamps

1 The term "postage stamp" shall be protected under the present Convention and shall be reserved exclusively for stamps which comply with the conditions of this article and of the Regulations.

2 Postage stamps:

2.1 shall be issued and put into circulation solely under the authority of the member country or territory, in conformity with the Acts of the Union;

- 2.2 are a manifestation of sovereignty and constitute proof of prepayment of the postage corresponding to their intrinsic value when affixed to postal items, in conformity with the Acts of the Union;
- 2.3 must be in circulation, for postal prepayment or for philatelic purposes, in the member country or territory of issue, according to its national legislation;
- 2.4 must be accessible to all citizens within the member country or territory of issue.
- 3 Postage stamps comprise:
- 3.1 the name of the member country or territory of issue, in roman letters, or, if the UPU International Bureau is so requested by the member country or territory of issue, the abbreviation or initials officially representing the member country or territory of issue, in accordance with the conditions laid down in the Regulations;¹
- 3.2 the face value, expressed:
- 3.2.1 in principle, in the official currency of the country or territory of issue, or as a letter or symbol;
- 3.2.2 through other identifying characteristics.
- 4 Emblems of state, official control marks and logos of intergovernmental organizations featuring on postage stamps shall be protected within the meaning of the Paris Convention for the Protection of Industrial Property.
- 5 The subjects and designs of postage stamps shall:
- 5.1 be in keeping with the spirit of the Preamble to the UPU Constitution and with decisions taken by the Union's bodies;
- 5.2 be closely linked to the cultural identity of the member country or territory, or contribute to the dissemination of culture or to maintaining peace;
- 5.3 have, when commemorating leading figures or events not native to the member country or territory, a close bearing on the country or territory in question;
- 5.4 be devoid of political character or of any topic of an offensive nature in respect of a person or a country;
- 5.5 be of major significance to the member country or territory.
- 6 Postal prepayment impressions, franking machine impressions and impressions made by a printing press or another printing or stamping process in accordance with the UPU Acts may be used only with the authorization of the member country or territory.
- 7 Prior to issuing postage stamps using new materials or technologies, member countries shall provide the International Bureau with the necessary information concerning their compatibility with mail processing machines. The International Bureau shall inform the other member countries and their designated operators accordingly.

Article 7

Sustainable development

- 1 Member countries and/or their designated operators shall adopt and implement a proactive sustainable development strategy focusing on environmental, social and economic action at all levels of postal operations and promote sustainable development awareness ~~in the postal services~~.

Article 8

Postal security

- 1 Member countries and their designated operators shall observe the security requirements defined in the UPU security standards and shall adopt and implement a proactive security strategy at all levels of postal operations to maintain and enhance the confidence of the general public in the postal services

¹ An exception shall be granted to Great Britain, the country which invented the postage stamp.

provided by designated operators, in the interests of all officials involved. This strategy shall, ~~in particular,~~ include the objectives defined in the Regulations, as well as the principle of complying with requirements for providing electronic advance data on postal items identified in implementing provisions (including the type of, and criteria for, postal items) adopted by the Council of Administration and Postal Operations Council, in accordance with UPU technical messaging standards. The strategy shall also include the exchange of information on maintaining the safe and secure transport and transit of mails between member countries and their designated operators.

2 Any security measures applied in the international postal transport chain must be commensurate with the risks or threats that they seek to address, and must be implemented without hampering worldwide mail flows or trade by taking into consideration the specificities of the mail network. Security measures that have a potential global impact on postal operations must be implemented in an internationally coordinated and balanced manner, with the involvement of the relevant stakeholders.

Article 9

Violations

1 Postal items

1.1 Member countries shall undertake to adopt the necessary measures to prevent, prosecute and punish any person found guilty of the following:

1.1.1 the insertion in postal items of narcotics and psychotropic substances, as well as ~~explosive, flammable or other~~ dangerous substances goods, where their insertion has not been expressly authorized by the Convention and Regulations;

1.1.2 the insertion in postal items of objects of a paedophilic nature or of a pornographic nature using children.

2 Means of postal prepayment and postal payment itself

2.1 Member countries shall undertake to adopt the necessary measures to prevent, prosecute and punish any violations concerning the means of postal prepayment set out in this Convention, such as:

2.1.1 postage stamps, in circulation or withdrawn from circulation;

2.1.2 prepayment impressions;

2.1.3 impressions of franking machines or printing presses;

2.1.4 international reply coupons.

2.2 In this Convention, violations concerning means of postal prepayment refer to any of the acts outlined below committed by any persons with the intention of obtaining illegitimate gain for oneself or for a third party. The following acts shall be punished:

2.2.1 any act of falsifying, imitating or counterfeiting any means of postal prepayment, or any illegal or unlawful act linked to the unauthorized manufacturing of such items;

2.2.2 ~~any act of using, circulating, marketing, distributing, disseminating, transporting, exhibiting, showing, or publicizing~~ manufacture, use, release for circulation, commercialization, distribution, dissemination, transportation, exhibition or display (also in the form of catalogues and for advertising purposes) of any means of postal prepayment which has been falsified, imitated or counterfeited;

2.2.3 any act of using or circulating, for postal purposes, any means of postal prepayment which has already been used;

2.2.4 any attempt to commit any of these violations.

3 Reciprocity

3.1 As regards sanctions, no distinction shall be made between the acts outlined in 2, irrespective of whether national or foreign means of postal prepayment are involved; this provision shall not be subject to any legal or conventional condition of reciprocity.

Article 10

Processing of personal data

- 1 Personal data on users may be employed only for the purposes for which they were gathered in accordance with applicable national legislation.
- 2 Personal data on users shall be disclosed only to third parties authorized by applicable national legislation to access them.
- 3 Member countries and their designated operators shall ensure the confidentiality and security of personal data on users, in accordance with their national legislation.
- 4 Designated operators shall inform their customers of the use that is made of their personal data, and of the purpose for which they have been gathered.

4bis Without prejudice to the foregoing, designated operators may transfer electronically personal data to the designated operators of destination or transit countries that need these data in order to fulfil the service.

Article 11

Exchange of closed mails with military units

- 1 Closed letter-post mails may be exchanged through the intermediary of the land, sea or air services of other countries:
 - 1.1 between the post offices of any member country and the commanding officers of military units placed at the disposal of the United Nations;
 - 1.2 between the commanding officers of such military units;
 - 1.3 between the post offices of any member country and the commanding officers of naval, air or army units, warships or military aircraft of the same country stationed abroad;
 - 1.4 between the commanding officers of naval, air or army units, warships or military aircraft of the same country.
- 2 Letter-post items enclosed in the mails referred to under 1 shall be confined to items addressed to or sent by members of military units or the officers and crews of the ships or aircraft to or from which the mails are forwarded. The rates and conditions of dispatch applicable to them shall be fixed, according to its regulations, by the designated operator of the member country which has made the military unit available or to which the ships or aircraft belong.
- 3 In the absence of special agreement, the designated operator of the member country which has made the military unit available or to which the warships or military aircraft belong shall be liable to the designated operators concerned for the transit charges for the mails, the terminal dues and the air conveyance dues.

Article 12

Posting abroad of letter-post items

- 1 A designated operator shall not be bound to forward or deliver to the addressee letter-post items which senders residing in the territory of its member country post or cause to be posted in a foreign country with the object of profiting by the more favourable rate conditions there.
- 2 The provisions set out under 1 shall be applied without distinction both to letter-post items made up in the sender's country of residence and then carried across the frontier and to letter-post items made up in a foreign country.
- 3 The designated operator of destination may claim ~~from the sender and, failing this, from the designated operator of posting, payment of the internal rates. If neither the sender nor the designated operator of posting agrees~~ does not agree to pay these rates within a time limit set by the designated operator of destination, the latter may either return the items to the designated operator of posting and shall be entitled to claim reimbursement of the redirection costs, or handle them in accordance with its national legislation.

4 A designated operator shall not be bound to forward or deliver to the addressees letter-post items which senders post or cause to be posted in large quantities in a country other than the country where they reside if the amount of terminal dues to be received is lower than the sum that would have been received if the mail had been posted in the country where the senders reside. The designated operator of destination may claim from the designated operator of posting payment commensurate with the costs incurred and which may not exceed the higher of the following two amounts: either 80% of the domestic tariff for equivalent items, or the rates applicable pursuant to articles 30.5 to 30.9, 30.10 to 30.11, or 31.8, as appropriate. If the designated operator of posting does not agree to pay the amount claimed within a time limit set by the designated operator of destination, the designated operator of destination may either return the items to the designated operator of posting and shall be entitled to claim reimbursement of the redirection costs, or handle them in accordance with its national legislation.

Article 12bis

Use of UPU forms

1 Unless otherwise provided by the Acts of the Union, only designated operators shall use UPU forms and documentation for the operation of postal services and exchange of postal items in accordance with the Acts of the Union.

2 Designated operators may use UPU forms and documentation for the operation of extraterritorial offices of exchange (ETOE), as well as international mail processing centres (IMPCs) established by designated operators outside their respective national territory, as further defined in § 6, in order to facilitate the operation of the aforementioned postal services and exchange of postal items.

3 The exercise of the possibility outlined in § 2 shall be subject to the national legislation or policy of the member country or territory in which the ETOE or IMPC is established. In this regard, and without prejudice to the designation obligations contained in article 2, designated operators shall guarantee the continued fulfilment of their obligations under the Convention and be fully responsible for all their relations with other designated operators and with the International Bureau.

4 The requirement set forth in § 3 shall equally apply to the destination member country for the acceptance of postal items from such ETOEs and IMPCs.

5 Member countries shall inform the International Bureau on their policies with regard to postal items transmitted and/or received from ETOEs or IMPCs. Such information shall be made available on the Union's website.

6 Strictly for the purposes of this article, ETOEs shall be defined as offices or facilities established for commercial purposes and operated by designated operators or under the responsibility of designated operators on the territory of a member country or territory other than their own, with the objective of drawing business in markets outside their respective national territory. IMPCs shall be defined as international mail processing facilities for the processing of international mail exchanged either in order to generate or receive mail dispatches, or to act as transit centres for international mail exchanged between other designated operators.

7 Nothing in this article shall be construed to imply that ETOEs or IMPCs (including the designated operators responsible for their establishment and operation outside their respective national territory) are in the same situation as designated operators of the host country under the UPU Acts, nor impose a legal obligation on other member countries to recognize such ETOEs or IMPCs as designated operators on the territory where they are established and operated.

Section II

Quality of service standards and targets

Article 13

Quality of service standards and targets

1 Member countries or their designated operators shall establish and publish delivery standards and targets for their inward letter-post items and parcels.

2 These standards and targets, increased by the time normally required for customs clearance, shall be no less favourable than those applied to comparable items in their domestic service.

3 Member countries or their designated operators of origin shall also establish and publish end-to-end standards for priority and airmail letter-post items as well as for parcels and economy/surface parcels.

4 Member countries or their designated operators shall measure the application of quality of service standards.

Section III

Charges, surcharges and exemption from postal charges

Article 14

Charges

1 The charges for the various ~~international postal and special~~ services defined in the Convention shall be set by the member countries or their designated operators, depending on national legislation, in accordance with the principles set out in the Convention and its Regulations. They shall in principle be related to the costs of providing these services.

2 The member country of origin or its designated operator, depending on national legislation, shall fix the postage charges for the conveyance of letter- and parcel-post items. The postage charges shall cover delivery of the items to the place of address provided that this delivery service is operated in the country of destination for the items in question.

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

4 Member countries or their designated operators, depending on national legislation, shall be authorized to exceed any guideline charges appearing in the Acts.

5 Above the minimum level of charges laid down in 3, member countries or their designated operators may allow reduced charges based on their national legislation for letter-post items and parcels posted in the territory of the member country. They may, for instance, give preferential rates to major users of the Post.

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

7 Except where otherwise provided in the Acts, each designated operator shall retain the charges which it has collected.

Article 15

Exemption from postal charges

1 Principle

1.1 Cases of exemption from postal charges, as meaning exemption from postal prepayment, shall be expressly laid down by the Convention. Nonetheless, the Regulations may provide for ~~both exemption from postal prepayment, and exemption from payment of transit charges, terminal dues and inward rates for letter-post items and postal parcels relating to the postal service sent by member countries, designated operators and Restricted Unions and relating to the postal services.~~ Furthermore, letter-post items and postal parcels sent by the UPU International Bureau to Restricted Unions, member countries and designated operators ~~shall be considered to be items relating to the postal service and~~ shall be exempted from all postal charges. However, the member country of origin or its designated operator shall have the option of collecting air surcharges on the latter items.

- 2 Prisoners of war and civilian internees
- 2.1 Letter-post items, postal parcels and postal payment services items addressed to or sent by prisoners of war, either direct or through the offices mentioned in the Regulations of the Convention and of the Postal Payment Services Agreement, shall be exempt from all postal charges, with the exception of air surcharges. Belligerents apprehended and interned in a neutral country shall be classed with prisoners of war proper so far as the application of the foregoing provisions is concerned.
- 2.2 The provisions set out under 2.1 shall also apply to letter-post items, postal parcels and postal payment services items originating in other countries and addressed to or sent by civilian internees as defined by the Geneva Convention of 12 August 1949 relative to the protection of civilian persons in time of war, either direct or through the offices mentioned in the Regulations of the Convention and of the Postal Payment Services Agreement.
- 2.3 The offices mentioned in the Regulations of the Convention and of the Postal Payment Services Agreement shall also enjoy exemption from postal charges in respect of letter-post items, postal parcels and postal payment services items which concern the persons referred to under 2.1 and 2.2, which they send or receive, either direct or as intermediaries.
- 2.4 Parcels shall be admitted free of postage up to a weight of 5 kilogrammes. The weight limit shall be increased to 10 kilogrammes 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.
- 2.5 In the accounting between designated operators, rates shall not be allocated for service parcels and for prisoner-of-war and civilian internee parcels, apart from the air conveyance dues applicable to air parcels.
- 3 Items for the blind
- 3.1 Any item for the blind sent to or by an organization for the blind or sent to or by a blind person shall be exempt from all postal charges, with the exception of air surcharges, to the extent that these items are admissible as such in the internal service of the sending designated operator.
- 3.2 In this article:
- 3.2.1 a blind person means a person who is registered as blind or partially sighted in his or her country or who meets the World Health Organization's definition of a blind person or a person with low vision;
- 3.2.2 an organization for the blind means an institution or association serving or officially representing blind persons;
- 3.2.3 items for the blind shall include correspondence, literature in whatever format including sound recordings, and equipment or materials of any kind made or adapted to assist blind persons in overcoming the problems of blindness, as specified in the ~~Letter-Post~~ Regulations.

Section IV

Basic and supplementary services

Article 16

Basic services

- 1 Member countries shall ensure that their designated operators accept, handle, convey and deliver letter-post items.
- 2 Letter-post items containing only documents are:
- 2.1 priority items and non-priority items, up to 2 kilogrammes;
- 2.2 letters, postcards, and printed papers ~~and small packets~~, up to 2 kilogrammes;
- 2.3 items for the blind, up to 7 kilogrammes;
- 2.4 special bags containing newspapers, periodicals, books and similar printed documentation for the same addressee at the same address called "M bags", up to 30 kilogrammes.
- 2bis Letter-post items containing goods are:

2bis.1 priority and non-priority small packets, up to 2 kilogrammes.

3 Letter-post items shall be classified on the basis ~~either of~~ both the speed of treatment of the items ~~or of and~~ the contents of the items in accordance with the ~~Letter-Post~~ Regulations.

4 Within the classification systems referred to in 3, letter-post items may also be classified on the basis of their format as small letters (P), large letters (G), ~~or bulky letters (E)~~ or small packets (E). The size and weight limits are specified in the ~~Letter-Post~~ Regulations.

5 Higher weight limits than those indicated in paragraph 2 apply optionally for certain letter-post item categories under the conditions specified in the ~~Letter-Post~~ Regulations.

6 ~~Subject to paragraph 9, Member countries shall also ensure that their designated operators accept, handle, convey and deliver postal parcels~~ parcel-post items up to 20 kilogrammes, ~~either as laid down in the Convention, or, in the case of outward parcels and after bilateral agreement, by any other means which is more advantageous to their customers.~~

7 Weight limits higher than 20 kilogrammes apply optionally for certain parcel-post ~~categories~~ items under the conditions specified in the ~~Parcel-Post~~ Regulations.

~~8 Any member country whose designated operator does not undertake the conveyance of parcels may arrange for the provisions of the Convention to be implemented by transport companies. It may, at the same time, limit this service to parcels originating in or addressed to places served by these companies.~~

~~9 Notwithstanding paragraph 6, member countries which, prior to 1 January 2001 were not parties to the Postal Parcels Agreement shall not be obliged to provide the postal parcels service.~~

Article 17

Supplementary services

1 Member countries shall ensure the provision of the following mandatory supplementary services:

1.1 registration service for outbound priority and airmail letter-post items;

1.2 registration service for all inbound registered letter-post items.

2 Member countries or their designated operators may provide the following optional supplementary services in relations between those designated operators which agreed to provide the service:

2.1 insurance for letter-post items and parcels;

2.2 cash-on-delivery service for letter-post items and parcels;

2.3 ~~express~~ tracked delivery service for letter-post items and parcels;

2.4 delivery to the addressee in person of registered or insured letter-post items;

2.5 free of charges and fees delivery service for letter-post items and parcels;

2.6 fragile and cumbersome parcels services;

2.7 consignment service for collective items from one consignor sent abroad;

2.8 merchandise return service, which involves the return of merchandise by the addressee to the original seller, with the latter's authorization.

3 The following three supplementary services have both mandatory and optional parts:

3.1 international business reply service (IBRS), which is basically optional. All member countries or their designated operators shall, however, be obliged to operate the IBRS "return" service;

3.2 international reply coupons, which shall be exchangeable in any member country. The sale of international reply coupons is, however, optional;

3.3 advice of delivery for registered letter-post items, parcels and insured items. All member countries or their designated operators shall admit incoming advices of delivery. The provision of an outward advice of delivery service is, however, optional.

4 The description of these services and their charges are set out in the Regulations.

5 Where the service features below are subject to special charges in the domestic service, designated operators shall be authorized to collect the same charges for international items, under the conditions described in the Regulations:

- 5.1 delivery for small packets weighing over 500 grammes;
- 5.2 letter-post items posted after the latest time of posting;
- 5.3 items posted outside normal counter opening hours;
- 5.4 collection at sender's address;
- 5.5 withdrawal of a letter-post item outside normal counter opening hours;
- 5.6 poste restante;
- 5.7 storage for letter-post items weighing over 500 grammes (with the exception of items for the blind), and for parcels;
- 5.8 delivery of parcels, in response to the advice of arrival;
- 5.9 cover against risks of force majeure;
- 5.9bis delivery of letter-post items outside normal counter opening hours.

Section V

Prohibitions and customs matters

Article 18

Items not admitted. Prohibitions

1 General

- 1.1 Items not fulfilling the conditions laid down in the Convention and the Regulations shall not be admitted. Items sent in furtherance of a fraudulent act or with the intention of avoiding full payment of the appropriate charges shall not be admitted.
- 1.2 Exceptions to the prohibitions contained in this article are set out in the Regulations.
- 1.3 All member countries or their designated operators shall have the option of extending the prohibitions contained in this article, which may be applied immediately upon their inclusion in the relevant compendium.

2 Prohibitions in all categories of items

- 2.1 The insertion of the articles referred to below shall be prohibited in all categories of items:
 - 2.1.1 narcotics and psychotropic substances, as defined by the International Narcotics Control Board, or other illicit drugs which are prohibited in the country of destination;
 - 2.1.2 obscene or immoral articles;
 - 2.1.3 counterfeit and pirated articles;
 - 2.1.4 other articles the importation or circulation of which is prohibited in the country of destination;
 - 2.1.5 articles which, by their nature or their packing, may expose officials or the general public to danger, or soil or damage other items, postal equipment or third-party property;
 - 2.1.6 documents having the character of current and personal correspondence exchanged between persons other than the sender and the addressee or persons living with them;

3 ~~Explosive, flammable or radioactive materials and~~ Dangerous goods

- 3.1 The insertion of ~~explosive, flammable or other~~ dangerous goods as ~~well as radioactive materials described in the Convention and Regulations~~ shall be prohibited in all categories of items.
- 3.2 The insertion of replica and inert explosive devices and military ordnance, including replica and inert grenades, inert shells and the like, shall be prohibited in all categories of items.

- 3.3 Exceptionally, ~~the dangerous goods specifically referred to in the Regulations as being admissible shall~~ may be admitted in relations between member countries that have declared their willingness to admit them either reciprocally or in one direction, provided that they are in compliance with national and international transport rules and regulations.
- 4 Live animals
- 4.1 Live animals shall be prohibited in all categories of items.
- 4.2 Exceptionally, the following shall be admitted in letter-post items other than insured items:
- 4.2.1 bees, leeches and silk-worms;
- 4.2.2 parasites and destroyers of noxious insects intended for the control of those insects and exchanged between officially recognized institutions;
- 4.2.3 flies of the family Drosophilidae for biomedical research exchanged between officially recognized institutions.
- 4.3 Exceptionally, the following shall be admitted in parcels:
- 4.3.1 live animals whose conveyance by post is authorized by the postal regulations and/or national legislation of the countries concerned.
- 5 Insertion of correspondence in parcels
- 5.1 The insertion of the articles mentioned below shall be prohibited in postal parcels:
- 5.1.1 correspondence, with the exception of archived materials, exchanged between persons other than the sender and the addressee or persons living with them.
- 6 Coins, bank notes and other valuable articles
- 6.1 It shall be prohibited to insert coins, bank notes, currency notes or securities of any kind payable to bearer, travellers' cheques, platinum, gold or silver, whether manufactured or not, precious stones, jewels or other valuable articles:
- 6.1.1 in uninsured letter-post items;
- 6.1.1.1 however, if the national legislation of the countries of origin and destination permits this, such articles may be sent in a closed envelope as registered items;
- 6.1.2 in uninsured parcels; except where permitted by the national legislation of the countries of origin and destination;
- 6.1.3 in uninsured parcels exchanged between two countries which admit insured parcels;
- 6.1.3.1 in addition, any member country or designated operator may prohibit the enclosure of gold bullion in insured or uninsured parcels originating from or addressed to its territory or sent in transit à découvert across its territory; it may limit the actual value of these items.
- 7 Printed papers and items for the blind:
- 7.1 shall not bear any inscription or contain any item of correspondence;
- 7.2 shall not contain any postage stamp or form of prepayment, whether cancelled or not, or any paper representing a monetary value, except in cases where the item contains as an enclosure a card, envelope or wrapper bearing the printed address of the sender of the item or his agent in the country of posting or destination of the original item, which is prepaid for return.
- 8 Treatment of items wrongly admitted
- 8.1 The treatment of items wrongly admitted is set out in the Regulations. However, items containing articles mentioned in 2.1.1, 2.1.2, 3.1 and 3.2 shall in no circumstances be forwarded to their destination, delivered to the addressees or returned to origin. In the case of articles mentioned in ~~2.1.1, 3.1 and 3.2~~ discovered while in transit, such items shall be handled in accordance with the national legislation of the country of transit. In the case of articles mentioned in 3.1 and 3.2 discovered during transport, the relevant designated operator shall be entitled to remove the article from the item and dispose of it. The designated operator may then forward the remainder of the item to its destination, together with information about the disposal of the inadmissible article.

Article 19

Customs control. Customs duty and other fees

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

2 Items submitted to customs control may be subjected to a presentation-to-Customs charge, the guideline amount of which is set in the Regulations. This charge shall only be collected for the submission to Customs and customs clearance of items which have attracted customs charges or any other similar charge.

3 Designated operators which are authorized to clear items through the Customs on behalf of customers, whether in the name of the customer or of the designated operator of the destination country, may charge customers a customs clearance fee based on the actual costs. This fee may be charged for all items declared at Customs according to national legislation, including those exempt from customs duty. Customers shall be clearly informed in advance about the required fee.

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

Section VI

Liability

Article 20

Inquiries

1 Each designated operator shall be bound to accept inquiries relating to parcels or registered or insured items posted in its own service or that of any other designated operator, provided that the inquiries are presented by customers within a period of six months from the day after that on which the item was posted. The transmission and processing of inquiries between designated operators shall be made under the conditions laid down in the Regulations ~~by registered priority mail, by EMS or by electronic means.~~ The period of six months shall concern relations between claimants and designated operators and shall not include the transmission of inquiries between designated operators.

~~2 Inquiries shall be entertained under the conditions laid down in the Regulations.~~

3 Inquiries shall be free of charge. However, additional costs caused by a request for transmission by EMS shall, in principle, be borne by the person making the request.

Article 21

Liability of designated operators. Indemnities

1 General

1.1 Except for the cases provided for in article 24, designated operators shall be liable for:

1.1.1 the loss of, theft from or damage to registered items, ordinary parcels (with the exception of parcels in the e-commerce delivery category ("ECOMPRO parcels"), whose specifications are further defined in the Regulations) and insured items;

1.1.2 the return of registered items, insured items and ordinary parcels on which the reason for non-delivery is not given.

1.2 Designated operators shall not be liable for items other than those mentioned in 1.1.1 and 1.1.2, nor for ECOMPRO parcels.

1.3 In any other case not provided for in this Convention, designated operators shall not be liable.

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

1.5 The amounts of indemnity to be paid shall not exceed the amounts mentioned in the ~~Letter Post Regulations and the Parcel Post Regulations.~~

- 1.6 In cases of liability, consequential losses, loss of profits or moral damage shall not be taken into account in the indemnity to be paid.
- 1.7 All provisions regarding liability of designated operators shall be strict, binding and complete. Designated operators shall in no case, even in case of severe fault, be liable above the limits provided for in the Convention and the Regulations.
- 2 Registered items
- 2.1 If a registered item is lost, totally rifled or totally damaged, the sender shall be entitled to an indemnity set in the ~~Letter-Post~~ Regulations. If the sender has claimed an amount less than the amount set in the ~~Letter-Post~~ Regulations, designated operators may pay that lower amount and shall receive reimbursement on this basis from any other designated operators involved.
- 2.2 If a registered item is partially rifled or partially damaged, the sender is entitled to an indemnity corresponding, in principle, to the actual value of the theft or damage.
- 3 Ordinary parcels
- 3.1 If a parcel is lost, totally rifled or totally damaged, the sender shall be entitled to an indemnity of an amount set in the ~~Parcel-Post~~ Regulations. If the sender has claimed an amount less than the amount set in the ~~Parcel-Post~~ Regulations, designated operators may pay that lower amount and shall receive reimbursement on this basis from any other designated operators involved.
- 3.2 If a parcel is partially rifled or partially damaged, the sender shall be entitled to an indemnity corresponding, in principle, to the actual value of the theft or damage.
- 3.3 Designated operators may agree to apply, in their reciprocal relations, the amount per parcel set in the ~~Parcel-Post~~ Regulations, regardless of the weight.
- 4 Insured items
- 4.1 If an insured item is lost, totally rifled or totally damaged, the sender shall be entitled to an indemnity corresponding, in principle, to the insured value in SDRs.
- 4.2 If an insured item is partially rifled or partially damaged, the sender shall be entitled to an indemnity corresponding, in principle, to the actual value of the theft or damage. It may, however, in no case exceed the amount of the insured value in SDRs.
- 5 If a registered or insured letter-post item is returned and the reason for non-delivery is not given, the sender shall be entitled to a refund of the charges paid for posting the item only.
- 6 If a parcel is returned and the reason for non-delivery is not given, the sender shall be entitled to a refund of the charges paid by the sender for posting the parcel in the country of origin and the expenses occasioned by the return of the parcel from the country of destination.
- 7 In the cases mentioned in 2, 3 and 4, the indemnity shall be calculated according to the current price, converted into SDRs, of articles or goods of the same kind at the place and time at which the item was accepted for conveyance. Failing a current price, the indemnity shall be calculated according to the ordinary value of articles or goods whose value is assessed on the same basis.
- 8 When an indemnity is due for the loss of, total theft from or total damage to a registered item, ordinary parcel or insured item, the sender, or the addressee, as the case may be, shall also be entitled to repayment of the charges and fees paid for posting the item with the exception of the registration or insurance charge. The same shall apply to registered items, ordinary parcels or insured items refused by the addressee because of their bad condition ~~if that is attributable to the postal service and involves its liability when the liability of a designated operator is involved.~~
- 9 Notwithstanding the provisions set out under 2, 3 and 4, the addressee shall be entitled to the indemnity for a rifled, damaged or lost registered item, ordinary parcel or insured item if the sender waives his rights in writing in favour of the addressee. This waiver shall not be necessary in cases where the sender and the addressee are the same.
- 10 The designated operator of origin shall have the option of paying senders in its country the indemnities prescribed by its national legislation for registered items and uninsured parcels, provided that they are not lower than those laid down in 2.1 and 3.1. The same shall apply to the designated operator of

destination when the indemnity is paid to the addressee. However, the amounts laid down in 2.1 and 3.1 shall remain applicable:

- 10.1 in the event of recourse against the designated operator liable; or
- 10.2 if the sender waives his rights in favour of the addressee.

11 Reservations concerning the exceeding of deadlines for inquiries and payment of indemnity to designated operators, including the periods and conditions fixed in the Regulations, shall not be made, except in the event of bilateral agreement.

Article 22

Non-liability of member countries and designated operators

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

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

2 Member countries and designated operators shall not be liable:

- 2.1 in cases of force majeure, subject to article 15.5.9;
- 2.2 when they cannot account for items owing to the destruction of official records by force majeure, provided that proof of their liability has not been otherwise produced;
- 2.3 when such loss or damage has been caused by the fault or negligence of the sender or arises from the nature of the contents;
- 2.4 in the case of items that fall within the prohibitions specified in article 18;
- 2.5 when the items have been seized under the national legislation of the country of destination, as notified by the member country or designated operator of that country;
- 2.6 in the case of insured items which have been fraudulently insured for a sum greater than the actual value of the contents;
- 2.7 when the sender has made no inquiry within six months from the day after that on which the item was posted;
- 2.8 in the case of prisoner-of-war or civilian internee parcels;
- 2.9 when the sender's actions may be suspected of fraudulent intent, aimed at receiving compensation.

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

Article 23

Sender's liability

1 The sender of an item shall be liable for injuries caused to postal officials and for any damage caused to other postal items and postal equipment, as a result of the dispatch of articles not acceptable for conveyance or the non-observance of the conditions of acceptance.

2 In the case of damage to other postal items, the sender shall be liable for each item damaged within the same limits as designated operators.

3 The sender shall remain liable even if the office of posting accepts such an item.

4 However, where the conditions of acceptance have been observed by the sender, the sender shall not be liable, in so far as there has been fault or negligence in handling the item on the part of designated operators or carriers, after acceptance.

Article 24

Payment of indemnity

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

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

Article 25

Possible recovery of the indemnity from the sender or the addressee

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

2 If the sender and the addressee refuse to take delivery of the item or do not reply within the period provided for in paragraph 1, it shall become the property of the designated operator or, where appropriate, designated operators which bore the loss.

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

Section VII

Remuneration

A. Transit charges

Article 26

Transit charges

1 Closed mails and à découvert transit items exchanged between two designated operators or between two offices of the same member country by means of the services of one or more other designated operators (third party services) shall be subject to the payment of transit charges. The latter shall constitute remuneration for the services rendered in respect of land transit, sea transit and air transit. This principle shall also apply to missent items and misrouted mails.

B. Terminal dues

Article 27

Terminal dues. General provisions

1 Subject to exemptions provided in the Regulations, each designated operator which receives letter-post items from another designated operator shall have the right to collect from the dispatching designated operator a payment for the costs incurred for the international mail received.

2 For the application of the provisions concerning the payment of terminal dues by their designated operators, countries and territories shall be classified in accordance with the lists drawn up for this purpose by Congress in its resolution C ~~77/2012~~ 7/2016, as follows:

2.1 countries and territories in the target system prior to 2010 (group I);

2.2 countries and territories in the target system as of 2010 and 2012 (group II);

2.3 countries and territories in the target system as from ~~2014 (new target system countries)~~ 2016 (group III);

2.4 countries and territories in the transitional system (group IV).

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

4 Access to domestic services. Direct access

4.1 In principle, each designated operator of a country that was in the target system prior to 2010 shall make available to the other designated operators all the rates, terms and conditions offered in its domestic service on conditions identical to those proposed to its national customers. It shall be up to the designated operator of destination to decide whether the terms and conditions of direct access have been met by the designated operator of origin.

4.2 Designated operators of countries in the target system prior to 2010 shall make available to other designated operators of countries that were in the target system prior to 2010 the rates, terms and conditions offered in their domestic service, on conditions identical to those proposed to their national customers.

4.3 Designated operators of countries that joined the target system from 2010 may opt to make available to a limited number of designated operators the application of domestic conditions, on a reciprocal basis, for a trial period of two years. After that period, they must choose either to cease making available the application of domestic conditions or to continue to make their own domestic conditions available to all designated operators. However, if designated operators of countries that joined the target system from 2010 ask designated operators of countries that were in the target system prior to 2010 for the application of domestic conditions, they must make available to all designated operators the rates, terms and conditions offered in their domestic service on conditions identical to those proposed to their national customers.

4.4 Designated operators of countries in the transitional system may opt not to make available to other designated operators the application of domestic conditions. They may, however, opt to make available to a limited number of designated operators the application of domestic conditions, on a reciprocal basis, for a trial period of two years. After that period, they must choose either to cease making available the application of domestic conditions or to continue to make their own domestic conditions available to all designated operators.

5 Terminal dues remuneration shall be based on quality of service performance in the country of destination. The Postal Operations Council shall therefore be authorized to supplement the remuneration in articles 30 and 31 to encourage participation in monitoring systems and to reward designated operators for reaching their quality targets. The Postal Operations Council may also fix penalties in case of insufficient quality, but the remuneration shall not be less than the minimum remuneration according to articles 30 and 31.

6 Any designated operator may waive wholly or in part the payment provided for under 1.

7 M bags weighing less than 5 kilogrammes shall be considered as weighing 5 kilogrammes for terminal dues payment purposes. The terminal dues rates to be applied for M bags shall be:

7.1 for the year ~~2014~~ 2018, ~~0.845~~ 0.909 SDR per kilogramme;

7.2 for the year ~~2015~~ 2019, ~~0.838~~ 0.935 SDR per kilogramme;

7.3 for the year ~~2016~~ 2020, ~~0.864~~ 0.961 SDR per kilogramme;

7.4 for the year ~~2017~~ 2021, ~~0.885~~ 0.988 SDR per kilogramme.

8 For registered items there shall be an additional payment of ~~0.617~~ 1.100 SDR per item for ~~2014~~ 2018, ~~0.634~~ 1.200 SDR per item for ~~2015~~ 2019, ~~0.652~~ 1.300 SDR per item for ~~2016~~ 2020 and ~~0.670~~ 1.400 SDR for ~~2017~~ 2021. For insured items, there shall be an additional payment of ~~1.234~~ 1.400 SDR per item for ~~2014~~ 2018, ~~1.269~~ 1.500 SDR per item for ~~2015~~ 2019, ~~1.305~~ 1.600 SDR per item for ~~2016~~ 2020 and ~~1.342~~ 1.700 SDR for ~~2017~~ 2021. The Postal Operations Council shall be authorized to supplement remuneration for these and other supplementary services where the services provided contain additional features to be specified in the ~~Letter-Post~~ Regulations.

9 For registered and insured items not carrying a barcoded identifier or carrying a barcoded identifier that is not compliant with UPU Technical Standard S10, there shall be a further additional payment of 0.5 SDR per item unless otherwise bilaterally agreed.

10 For terminal dues payment purposes, letter-post items posted in bulk by the same sender and received in the same dispatch or in separate dispatches in accordance with the conditions specified in the ~~Letter-Post~~ Regulations shall be referred to as "bulk mail". The payment for bulk mail shall be established as provided for in articles ~~30~~ 28 and ~~34~~ 29.

11 Any designated operator may, by bilateral or multilateral agreement, apply other payment systems for the settlement of terminal dues accounts.

12 Designated operators may exchange non-priority mail on an optional basis by applying a 10% discount to the priority terminal dues rate.

13 The provisions applicable between designated operators of countries in the target system shall apply to any designated operator of a country in the transitional system which declares that it wishes to join the target system. The Postal Operations Council may set transitional measures in the ~~Letter-Post~~ Regulations. The full provisions of the target system may apply to any new target designated operator that declares that it wishes to apply such full provisions without transitional measures.

Article 28

Terminal dues. Provisions applicable to mail flows between designated operators of countries in the target system

1 Payment for letter-post items, including bulk mail but excluding M bags and IBRS items, shall be established on the basis of the application of the rates per item and per kilogramme reflecting the handling costs in the country of destination. Charges corresponding to priority items in the domestic service which are part of the universal service provision will be used as a basis for the calculation of terminal dues rates.

2 The terminal dues rates in the target system shall be calculated taking into account, where applicable in the domestic service, the classification of items based on their format, as provided for in article 14 of the Convention.

3 Designated operators in the target system shall exchange format-separated mails in accordance with the conditions specified in the ~~Letter-Post~~ Regulations.

4 Payment for IBRS items shall be as described in the ~~Letter-Post~~ Regulations.

5 The rates per item and per kilogramme are separated for small (P) and large (G) letter-post items and bulky (E) letter-post items. They shall be calculated on the basis of 70% of the charges for a 20-gramme small (P) letter-post item and for a 175-gramme large (G) letter-post item, exclusive of VAT or other taxes. For bulky (E) letter-post items, they shall be calculated from the P/G format line at 375 grammes, exclusive of VAT or other taxes.

6 The Postal Operations Council shall define the conditions for the calculation of the rates as well as the necessary operational, statistical and accounting procedures for the exchange of format-separated mails.

7 The rates applied for flows between countries in the target system in a given year shall not lead to an increase of more than 13% in the terminal dues revenue for a letter-post item in the P/G format of 84-8 37.6 grammes and in the E format of 375 grammes, compared to the previous year.

8 The rates applied for flows between countries in the target system prior to 2010 for small (P) and for large (G) letter-post items may not be higher than:

8.1 for the year ~~2014~~ 2018, ~~0.294~~ 0.331 SDR per item and ~~2.294~~ 2.585 SDR per kilogramme;

8.2 for the year ~~2015~~ 2019, ~~0.303~~ 0.341 SDR per item and ~~2.363~~ 2.663 SDR per kilogramme;

8.3 for the year ~~2016~~ 2020, ~~0.312~~ 0.351 SDR per item and ~~2.434~~ 2.743 SDR per kilogramme;

8.4 for the year ~~2017~~ 2021, ~~0.324~~ 0.362 SDR per item and ~~2.507~~ 2.825 SDR per kilogramme.

8bis The rates applied for flows between countries in the target system prior to 2010 for bulky (E) letter-post items may not be higher than:

8bis.1 for the year 2018, 0.705 SDR per item and 1.584 SDR per kilogramme;

8bis.2 for the year 2019, 0.726 SDR per item and 1.632 SDR per kilogramme;

8bis.3 for the year 2020, 0.748 SDR per item and 1.681 SDR per kilogramme;

8bis.4 for the year 2021, 0.770 SDR per item and 1.731 SDR per kilogramme.

9 The rates applied for flows between countries in the target system prior to 2010 or from 2010, 2012 and 2016 for small (P) and for large (G) letter-post items may not be lower than:

9.1 for the year ~~2014~~ 2018, ~~0.203~~ 0.227 SDR per item and ~~1.594~~ 1.774 SDR per kilogramme;

9.2 for the year ~~2015~~ 2019, ~~0.209~~ 0.233 SDR per item and ~~1.636~~ 1.824 SDR per kilogramme;

9.3 for the year ~~2016~~ 2020, ~~0.215~~ 0.240 SDR per item and ~~1.682~~ 1.875 SDR per kilogramme;

9.4 for the year ~~2017~~ 2021, ~~0.224~~ 0.247 SDR per item and ~~1.729~~ 1.928 SDR per kilogramme.

9bis The rates applied for flows between countries in the target system prior to 2010 or from 2010, 2012 and 2016 for bulky (E) letter-post items may not be lower than:

9bis.1 for the year 2018, 0.485 SDR per item and 1.089 SDR per kilogramme;

9bis.2 for the year 2019, 0.498 SDR per item and 1.120 SDR per kilogramme;

9bis.3 for the year 2020, 0.512 SDR per item and 1.151 SDR per kilogramme;

9bis.4 for the year 2021, 0.526 SDR per item and 1.183 SDR per kilogramme.

10 The rates applied for flows between countries in the target system as from 2010 and 2012 as well as between these countries and countries in the target system prior to 2010 for small (P) and for large (G) letter-post items may not be higher than:

10.1 for the year ~~2014~~ 2018, ~~0.209~~ 0.264 SDR per item and ~~1.644~~ 2.064 SDR per kilogramme;

10.2 for the year ~~2015~~ 2019, ~~0.222~~ 0.280 SDR per item and ~~1.739~~ 2.188 SDR per kilogramme;

10.3 for the year ~~2016~~ 2020, ~~0.235~~ 0.297 SDR per item and ~~1.843~~ 2.319 SDR per kilogramme;

10.4 for the year ~~2017~~ 2021, ~~0.249~~ 0.315 SDR per item and ~~1.954~~ 2.458 SDR per kilogramme.

10bis The rates applied for flows between countries in the target system as from 2010 and 2012 as well as between these countries and countries in the target system prior to 2010 for bulky (E) letter-post items may not be higher than:

10bis.1 for the year 2018, 0.584 SDR per item and 1.313 SDR per kilogramme;

10bis.2 for the year 2019, 0.640 SDR per item and 1.439 SDR per kilogramme;

10bis.3 for the year 2020, 0.701 SDR per item and 1.577 SDR per kilogramme;

10bis.4 for the year 2021, 0.770 SDR per item and 1.731 SDR per kilogramme.

10ter The rates applied for flows between countries in the target system as from 2016 as well as between these countries and countries in the target system prior to 2010 or as from 2010 and 2012 for small (P) and for large (G) letter-post items may not be higher than:

10ter.1 for the year 2018, 0.234 SDR per item and 1.831 SDR per kilogramme;

10ter.2 for the year 2019, 0.248 SDR per item and 1.941 SDR per kilogramme;

10ter.3 for the year 2020, 0.263 SDR per item and 2.057 SDR per kilogramme;

10ter.4 for the year 2021, 0.279 SDR per item and 2.180 SDR per kilogramme.

10quater The rates applied for flows between countries in the target system as from 2016 as well as between these countries and countries in the target system prior to 2010 or as from 2010 and 2012 for bulky (E) letter-post items may not be higher than:

10quater.1 for the year 2018, 0.533 SDR per item and 1.198 SDR per kilogramme;

10quater.2 for the year 2019, 0.602 SDR per item and 1.354 SDR per kilogramme;

10quater.3 for the year 2020, 0.680 SDR per item and 1.530 SDR per kilogramme;

10quater.4 for the year 2021, 0.770 SDR per item and 1.731 SDR per kilogramme.

~~11~~ The rates applied for flows between countries in the target system as from 2010 and 2012 as well as between these countries and countries in the target system prior to 2010 may not be lower than the rates provided for in paragraphs 9.1 to 9.4 above.

~~12~~ The rates applied for flows to, from or between new target system countries, other than for bulk mail, shall be those provided for in paragraphs 9.1 to 9.4.

~~13~~ For flows below ~~75~~ 50 tonnes a year between countries that joined the target system in 2010 and 2012 or after that date, as well as between these countries and countries that were in the target system prior to 2010, the per-kilogramme and per-item components shall be converted into a total rate per kilogramme on the basis of a worldwide average of ~~12.23 items per kilogramme~~ composition of one kilogramme of mail in which P and G format items account for 8.16 items weighing 0.31 kilogrammes and E format items account for 2.72 items weighing 0.69 kilogrammes.

13bis For flows below 75 tonnes a year in 2018, 2019 and 2020, and below 50 tonnes in 2021, between countries that joined the target system in 2016 or after that date, as well as between these countries and countries in the target system prior to 2010 or as from 2010 and 2012, the per-kilogramme and per-item components shall be converted into a total rate per kilogramme on the basis of a worldwide average composition of one kilogramme of mail, as referred to in paragraph 13.

~~14~~ The payment for bulk mail sent to countries in the target system prior to 2010 shall be established by applying the rates per item and per kilogramme provided for in paragraphs 5 to ~~9~~ 9bis.

~~15~~ The payment for bulk mail sent to countries in the target system as from 2010, ~~and 2012~~ and 2016 shall be established by applying the rates per item and per kilogramme provided for in paragraphs ~~5, 40 and 9~~ to 10quater 44.

~~16~~ No reservations may be made to this article, except within the framework of a bilateral agreement.

Article 29

Terminal dues. Provisions applicable to mail flows to, from and between designated operators of countries in the transitional system

1 In preparation for the entry into the target system of the designated operators of countries in the terminal dues transitional system, payment for letter-post items, including bulk mail but excluding M bags and IBRS items, shall be established on the basis of a rate per item and a rate per kilogramme.

2 Payment for IBRS items shall be as described in the ~~Letter Post~~ Regulations.

3 The rates applied for flows to, from and between countries in the transitional system for small (P) and for large (G) letter-post items shall be:

3.1 for the year ~~2014~~ 2018, ~~0.203~~ 0.227 SDR per item and ~~4.594~~ 1.774 SDR per kilogramme;

- 3.2 for the year ~~2015~~ 2019, ~~0.209~~ 0.233 SDR per item and ~~4.636~~ 1.824 SDR per kilogramme;
- 3.3 for the year ~~2016~~ 2020, ~~0.215~~ 0.240 SDR per item and ~~4.682~~ 1.875 SDR per kilogramme;
- 3.4 for the year ~~2017~~ 2021, ~~0.224~~ 0.247 SDR per item and ~~4.729~~ 1.928 SDR per kilogramme.

3bis The rates applied for flows between countries in the transitional system for bulky (E) letter-post items shall be:

3bis.1 for the year 2018, 0.485 SDR per item and 1.089 SDR per kilogramme;

3bis.2 for the year 2019, 0.498 SDR per item and 1.120 SDR per kilogramme;

3bis.3 for the year 2020, 0.512 SDR per item and 1.151 SDR per kilogramme;

3bis.4 for the year 2021, 0.526 SDR per item and 1.183 SDR per kilogramme.

4 For flows below ~~75 tonnes a year~~ the flow threshold specified in article 28.13, the per-kilogramme and per-item components shall be converted into a total rate per kilogramme on the basis of a worldwide average of ~~12.23 items per kilogramme, except for the year 2014, for which the total rate per kilogramme of the year 2013 shall apply~~ composition of one kilogramme of mail. The following rates shall apply:

4.1 for the year ~~2014~~ 2018, ~~4.462~~ 4.472 SDR per kilogramme;

4.2 for the year ~~2015~~ 2019, ~~4.492~~ 4.592 SDR per kilogramme;

4.3 for the year ~~2016~~ 2020, ~~4.344~~ 4.724 SDR per kilogramme;

4.4 for the year ~~2017~~ 2021, ~~4.432~~ 4.858 SDR per kilogramme.

5 For mail flows over ~~75 tonnes per year~~ the flow threshold specified in article 28.13bis, the flat rate per kilogramme listed above shall be applied if neither the origin designated operator nor the destination designated operator requests the revision mechanism in order to revise the rate on the basis of the actual number of items per kilogramme, rather than the worldwide average. The sampling for the revision mechanism shall be applied in accordance with the conditions specified in the ~~Letter Post~~ Regulations.

6 The downward revision of the total rate in paragraph 4 may not be invoked by a country in the target system against a country in the transitional system unless the latter asks for a revision in the opposite direction.

7 Designated operators of countries in the terminal dues transitional system may send and receive format-separated mail on an optional basis, in accordance with the conditions specified in the ~~Letter Post~~ Regulations. In the case of format separated-exchanges the rates in paragraphs 3 and 3bis above shall apply.

8 The payment for bulk mail to designated operators of countries in the target system shall be established by applying the rates per item and per kilogramme provided for in article ~~30~~ 28. For bulk mail received, designated operators in the transitional system may request payment according to paragraphs 3 and 3bis.

9 No reservations may be made to this article, except within the framework of a bilateral agreement.

Article 30

Quality of Service Fund

1 Terminal dues payable by all countries and territories to the countries classified ~~by Congress as group 5 countries~~ as least developed countries and included in group IV for terminal dues and the Quality of Service Fund (QSF) purposes, except for M bags, IBRS items and bulk mail items, shall be increased by 20% of the rates given in article ~~34~~ 29 for payment into the Quality of Service Fund (QSF) for improving the quality of service in ~~group 5~~ those countries. There shall be no such payment from one group ~~5~~ IV country to another group ~~5~~ IV country.

2 Terminal dues, except for M bags, IBRS items and bulk mail items, payable by countries and territories classified ~~by Congress as group 4 I~~ countries to the countries classified ~~by Congress as group 4~~ IV countries, other than the least developed countries referred to in paragraph 1 of this article, shall be increased by 10% of the rates given in article ~~34~~ 29, for payment into the QSF for improving the quality of service in ~~group 4~~ those countries.

3 Terminal dues, except for M bags, IBRS items and bulk mail items, payable by countries and territories classified by Congress as group 2 ~~II~~ countries to the countries classified by Congress as group 4 ~~IV~~ countries, other than the least developed countries referred to in paragraph 1 of this article, shall be increased by 10% of the rates given in article 34 ~~29~~, for payment into the QSF for improving the quality of service in group 4 ~~those~~ countries.

~~3bis Terminal dues, except in respect of M bags, IBRS items and bulk mail items, payable by countries and territories classified as group III countries to the countries classified as group IV countries, other than the least developed countries referred to in paragraph 1 of this article, shall be increased by 5% of the rates given in article 29, for payment into the QSF for improving the quality of service in those countries.~~

~~3ter An increase of 1%, calculated on the basis of terminal dues payable by countries and territories classified as group I, II and III countries to the countries classified as group III countries, except in respect of M bags, IBRS items and bulk mail items, shall be paid into a common fund to be managed in accordance with the relevant procedures set by the Postal Operations Council and established for improving the quality of service in countries classified in groups II, III and IV.~~

~~3quater Subject to the relevant procedures set by the Postal Operations Council, any unused amounts contributed under paragraphs 1, 2, 3 and 3bis of this article and accumulated over the four preceding QSF reference years (with 2018 as the earliest reference year) shall also be transferred to the common fund referred to in paragraph 3ter of this article. For the purposes of this paragraph, only funds that have not been used in QSF-approved quality of service projects within two years following receipt of the last payment of contributed amounts for any given four-year period as defined above shall be transferred to the aforementioned common fund.~~

~~4 Terminal dues, except in respect of M bags, IBRS items and bulk mail items, payable by countries and territories classified by Congress as group 1 countries to the countries classified by Congress as group 3 countries shall be increased in 2014 and 2015 by 8% of the rates given in article 31, and in 2016 and 2017 by 6% of the rates given in article 30.12, for payment into the QSF for improving the quality of service in group 3 countries.~~

~~5 Terminal dues, except in respect of M bags, IBRS items and bulk mail items, payable by countries and territories classified by Congress as group 2 countries to the countries classified by Congress as group 3 countries shall be increased in 2014 and 2015 by 2% of the rates given in article 31, for payment into the QSF for improving the quality of service in group 3 countries.~~

6 The combined terminal dues payable into the QSF for improving the quality of service of countries in groups 3, 4 and 5 ~~group IV~~ shall be subject to a minimum of 20,000 SDR per annum for each beneficiary country. The additional funds needed for reaching this minimum amount shall be invoiced, in proportion to the volumes exchanged, to the countries in the target system prior to 2010 ~~groups I, II and III~~.

~~6bis The Postal Operations Council shall adopt or update, in 2018 at the latest, procedures for financing QSF projects.~~

~~7 Regional projects should in particular promote the implementation of UPU quality of service improvement programmes and the introduction of cost accounting systems in developing countries. The Postal Operations Council shall adopt, in 2014 at the latest, procedures for financing these projects.~~

C. Rates for parcel post

Article 31

Parcel post land and sea rates

1 With the exception of ECOMPRO parcels, parcels exchanged between two designated operators shall be subject to inward land rates calculated by combining the base rate per parcel and base rate per kilogramme laid down in the Regulations.

1.1 Bearing in mind the above base rates, designated operators may, in addition, be authorized to claim supplementary rates per parcel and per kilogramme in accordance with provisions laid down in the Regulations.

1.2 The rates mentioned in 1 and 1.1 shall be payable by the designated operator of the country of origin, unless the Parcel Post Regulations provide for exceptions to this principle.

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

2 Parcels exchanged between two designated operators or between two offices of the same country by means of the land services of one or more other designated operators shall be subject to the transit land rates, payable to the designated operators which take part in the routing on land, laid down in the Regulations, according to the distance step applicable.

2.1 For parcels in transit à découvert, intermediate designated operators shall be authorized to claim the single rate per item laid down in the Regulations.

2.2 Transit land rates shall be payable by the designated operator of the country of origin unless the ~~Parcel Post~~ Regulations provide for exceptions to this principle.

3 Any designated operator which participates in the sea conveyance of parcels shall be authorized to claim sea rates. These rates shall be payable by the designated operator of the country of origin, unless the ~~Parcel Post~~ Regulations provide for exceptions to this principle.

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

3.2 Designated operators may increase by 50% at most the sea rate calculated in accordance with 3.1. On the other hand, they may reduce it as they wish.

D. Air conveyance dues

Article 32

Basic rates and provisions concerning air conveyance dues

1 The basic rate applicable to the settlement of accounts between designated operators in respect of air conveyance shall be approved by the Postal Operations Council—~~it~~ and shall be calculated by the International Bureau according to the formula specified in the ~~Letter Post~~ Regulations. ~~However,~~ The rates applying to the air conveyance of parcels sent via the merchandise return service shall be calculated according to the provisions defined in the ~~Parcel Post~~ Regulations.

2 The calculation of air conveyance dues on closed dispatches, priority items, airmail items and air parcels sent in transit à découvert, missent items and misrouted mails, as well as the relevant methods of accounting, are described in the ~~Letter Post and Parcel Post~~ Regulations.

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

3.1 in the case of closed mails, by the designated operator of the country of origin of the mails, including when these mails transit via one or more intermediate designated operators;

3.2 in the case of priority items and airmail items in transit à découvert, including missent items, by the designated operator which forwards the items to another designated operator.

4 These same regulations shall be applicable to items exempted from land and sea transit charges if they are conveyed by air.

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

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

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

E. Settlement of accounts

Article 33

Provisions specific to the settlement of accounts and payments for international postal exchanges

1 Settlements in respect of operations carried out in accordance with the present Convention (including settlements for the transport (forwarding) of postal items, settlements for the treatment of postal items in the country of destination and settlements in compensation for any loss, theft or damage relating to postal items) shall be based on and made in accordance with the provisions of the Convention and other Acts of the Union, and shall not require the preparation of any documents by a designated operator except in cases provided for in the Acts of the Union.

F. Fixing of charges and rates

Article 34

Authority of the Postal Operations Council to fix charges and rates

1 The Postal Operations Council shall have the authority to fix the following rates and charges, which are payable by designated operators in accordance with the conditions shown in the Regulations:

- 1.1 transit charges for the handling and conveyance of letter mails through one or more intermediary countries;
- 1.2 basic rates and air conveyance dues for the carriage of mail by air;
- 1.3 inward land rates for the handling of all inward parcels except ECOMPRO parcels;
- 1.4 transit land rates for the handling and conveyance of parcels through an intermediary country;
- 1.5 sea rates for the conveyance of parcels by sea.
- 1.6 outward land rates for the provision of the merchandise return service for parcels.

2 Any revision made, in accordance with a methodology that ensures equitable remuneration for designated operators performing the services, must be based on reliable and representative economic and financial data. Any change decided upon shall enter into force at a date set by the Postal Operations Council.

Section VIII

Optional services

Article 35

EMS and integrated logistics

- 1 Member countries or designated operators may agree with each other to participate in the following services, which are described in the Regulations:
- 1.1 EMS, which is a postal express service for documents and merchandise, and shall whenever possible be the quickest postal service by physical means. This service may be provided on the basis of the EMS Standard Multilateral Agreement or by bilateral agreement;
 - 1.2 integrated logistics, which is a service that responds fully to customers' logistical requirements and includes the phases before and after the physical transmission of goods and documents.

Article 36

Electronic postal services

- 1 Member countries or designated operators may agree with each other to participate in the following electronic postal services, which are described in the Regulations:
- 1.1 electronic postal mail, which is an electronic postal service involving the transmission of electronic messages and information by designated operators;

- 1.2 electronic postal registered mail, which is a secure electronic postal service that provides proof of sending and proof of delivery of an electronic message and a secure communication channel to the authenticated users;
- 1.3 electronic postal certification mark, which provides evidentiary proof of an electronic event, in a given form, at a given time, and involving one or more parties;
- 1.4 electronic postal mailbox, which enables the sending of electronic messages by an authenticated mailer and the delivery and storage of electronic messages and information for the authenticated addressee.

Section IX

Final provisions

Article 37

Conditions for approval of proposals concerning the Convention and the Regulations

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

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

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

3.1 two thirds of the votes, at least one half of the member countries of the Union which have the right to vote having taken part in the vote, if they involve amendments;

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

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

Article 38

Reservations at Congress

1 Any reservation which is incompatible with the object and purpose of the Union shall not be permitted.

2 As a general rule, any member country whose views are not shared by other member countries shall endeavour, as far as possible, to conform to the opinion of the majority. Reservations should be made only in cases of absolute necessity, and proper reasons given.

3 Reservations to any article of the present Convention shall be submitted to Congress as a Congress proposal written in one of the working languages of the International Bureau and in accordance with the relevant provisions of the Rules of Procedure of Congresses.

4 To become effective, proposals concerning reservations must be approved by whatever majority is required for amendment of the article to which the reservation relates.

5 In principle, reservations shall be applied on a reciprocal basis between the reserving member country and the other member countries.

6 Reservations to the present Convention shall be inserted in the Final Protocol to the present Convention, on the basis of proposals approved by Congress.

Article 39

Entry into force and duration of the Convention

1 This Convention shall come into force on 1 January 2014 and shall remain in operation until the entry into force of the Acts of the next Congress.

In witness whereof the plenipotentiaries of the Governments of the member countries have signed this Convention in a single original which shall be deposited with the Director General of the International Bureau. A copy thereof shall be delivered to each party by the International Bureau of the Universal Postal Union.

Done at Istanbul, 6 October 2016.

Final Protocol to the Universal Postal Convention

Final Protocol to the Universal Postal Convention

Article

- I. Ownership of postal items. Withdrawal from the post. Alteration or correction of address
- II. Postage stamps
- III. Posting abroad of letter-post items
- IV. Charges
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- VI. Basic services
- VII. Advice of delivery
- VIII. Prohibitions (letter post)
- IX. Prohibitions (postal parcels)
- X. Articles subject to customs duty
- XI. Presentation-to-Customs charge
- XII. Inquiries
- XIII. Exceptional inward land rates
- XIV. Basic rates and provisions concerning air conveyance dues
- XV. Special tariffs
- XVI. Authority of the Postal Operations Council to fix charges and rates

Final Protocol to the Universal Postal Convention

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

Article I

Ownership of postal items. Withdrawal from the post. Alteration or correction of address

1 The provisions in article 5.1 and 2 shall not apply to Antigua and Barbuda, Bahrain (Kingdom), Barbados, Belize, Botswana, Brunei Darussalam, Canada, Hong Kong, China, Dominica, Egypt, Fiji, Gambia, United Kingdom of Great Britain and Northern Ireland, Overseas Dependent Territories of the United Kingdom, Grenada, Guyana, Ireland, Jamaica, Kenya, Kiribati, Kuwait, Lesotho, Malawi, Malaysia, Mauritius, Nauru, New Zealand, Nigeria, Papua New Guinea, Saint Christopher and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Seychelles, Sierra Leone, Singapore, Solomon Islands, Swaziland, Tanzania (United Rep.), Trinidad and Tobago, Tuvalu, Uganda, Vanuatu and Zambia.

2 Nor shall article 5.1 and 2 apply to Austria, Denmark and Iran (Islamic Rep.), whose internal legislation does not allow withdrawal from the Post or alteration of the address of correspondence, at the request of the sender, from the time when the addressee has been informed of the arrival of an item addressed to him.

3 Article 5.1 shall not apply to Australia, Ghana and Zimbabwe.

4 Article 5.2 shall not apply to Bahamas, Belgium, the Dem. People's Rep. of Korea, Iraq and Myanmar, whose legislation does not permit withdrawal from the post or alteration of address of letter-post items at the sender's request.

5 Article 5.2 shall not apply to the United States of America.

6 Article 5.2 shall apply to Australia only in so far as that article is consistent with its domestic legislation.

7 Notwithstanding article 5.2, Dem. Rep. of the Congo, El Salvador, Panama (Rep.), Philippines and Venezuela (Bolivarian Rep.) 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 II

Postage stamps

1 Notwithstanding article 6.7, Australia, Great Britain, Malaysia and New Zealand will process letter-post items and postal parcels bearing postage stamps using new materials or technologies that are not compatible with their respective mail processing machines only upon prior agreement with the designated operator of origin concerned.

Article III

Posting abroad of letter-post items

1 Australia, Austria, United Kingdom of Great Britain and Northern Ireland, Greece, New Zealand and United States of America reserve the right to impose a charge, equivalent to the cost of the work it incurs, on any designated operator which, under the provisions of article 12.4, sends to it items for disposal which were not originally dispatched as postal items by their services.

2 Notwithstanding article 12.4, Canada reserves the right to collect from the designated operator of origin such amount as will ensure recovery of not less than the costs incurred by it in the handling of such items.

3 Article 12.4 allows the designated operator of destination to claim, from the designated operator of posting, appropriate remuneration for delivering letter-post items posted abroad in large quantities. Australia and the United Kingdom of Great Britain and Northern Ireland reserve the right to limit any such payment to the appropriate domestic tariff for equivalent items in the country of destination.

4 Article 12.4 allows the designated operator of destination to claim, from the designated operator of posting, appropriate remuneration for delivering letter-post items posted abroad in large quantities. The following member countries reserve the right to limit any such payment to the limits authorized in the Regulations for bulk mail: Bahamas, Barbados, Brunei Darussalam, China (People's Rep.), United Kingdom of Great Britain and Northern Ireland, Overseas Dependent Territories of the United Kingdom, Grenada, Guyana, India, Malaysia, Nepal, Netherlands, Netherlands Antilles and Aruba, New Zealand, Saint Lucia, Saint Vincent and the Grenadines, Singapore, Sri Lanka, Suriname, Thailand and United States of America.

5 Notwithstanding the reservations under 4, the following member countries reserve the right to apply in full the provisions of article 12 of the Convention to mail received from Union member countries: Argentina, Australia, Austria, Azerbaijan, Benin, Brazil, Burkina Faso, Cameroon, Canada, Côte d'Ivoire (Rep.), Cyprus, Denmark, Egypt, France, Germany, Greece, Guinea, Iran (Islamic Rep.), Israel, Italy, Japan, Jordan, Lebanon, Luxembourg, Mali, Mauritania, Monaco, Morocco, Norway, Pakistan, Portugal, Russian Federation, Saudi Arabia, Senegal, Switzerland, Syrian Arab Rep., ~~and Togo~~ and Turkey.

6 In application of article 12.4, Germany reserves the right to request the mailing country to grant compensation of the amount it would receive from the country of which the sender is resident.

7 Notwithstanding the reservations made under article III, China (People's Rep.) reserves the right to limit any payment for delivering letter-post items posted abroad in large quantities to the limits authorized in the UPU Convention and ~~Letter-Post~~ Regulations for bulk mail.

7bis Notwithstanding article 12.3, Austria, Germany, Great Britain, Liechtenstein and Switzerland reserve the right to claim from the sender or, failing that, from the designated operator of posting, the payment of the internal rates.

Article IV Charges

1 Notwithstanding article 14, Australia, Belarus, Canada and New Zealand shall be authorized to collect postal charges other than those provided for in the Regulations, when such charges are consistent with the legislation of their countries.

1bis Notwithstanding article 14, Brazil shall be authorized to collect an additional fee from the addressees of ordinary items received containing merchandise that needs to be converted to tracked items as a result of customs and security requirements.

Article V Exception to the exemption of items for the blind from postal charges

1 Notwithstanding article 15, Indonesia, Saint Vincent and the Grenadines and Turkey, which do not concede exemption from postal charges to items for the blind in their internal service, may collect the postage and charges for special services which may not, however, exceed those in their internal service.

2 France shall apply the provisions of article 15 concerning items for the blind subject to its national regulations.

3 Notwithstanding article 15.3, and in accordance with its national legislation, Brazil reserves the right to consider as items for the blind only those items which are sent by or addressed to blind persons or organizations for the blind. Items not satisfying these conditions shall be subject to payment of postage.

4 Notwithstanding article 15, New Zealand will accept as items for the blind for delivery in New Zealand only those items that are exempted from postal charges in its domestic service.

5 Notwithstanding article 15, Finland, which does not provide exemption from postal charges for items for the blind in its domestic service according to the definitions in article 7 adopted by Congress, may collect the domestic charges for items for the blind destined for other countries.

6 Notwithstanding article 15, Canada, Denmark and Sweden allow exemption from postal charges for the blind only to the extent provided for in their internal legislation.

7 Notwithstanding article 15, Iceland accepts exemption from postal charges for the blind only to the extent provided for in its internal legislation.

8 Notwithstanding article 15, Australia will accept as items for the blind for delivery in Australia only those items that are exempted from postal charges in its domestic service.

9 Notwithstanding article 15, Australia, Austria, Azerbaijan, Canada, Germany, United Kingdom of Great Britain and Northern Ireland, Japan, Switzerland and United States of America may collect the charges for special services which are applied items for the blind in their internal service.

Article VI

Basic services

1 Notwithstanding the provisions of article 16, Australia does not agree to the extension of basic services to include postal parcels.

2 The provisions of article 16.2.4 shall not apply to Great Britain, whose national legislation requires a lower weight limit. Health and safety legislation in Great Britain limits the weight of mail bags to 20 kilogrammes.

3 Notwithstanding article 16.2.4, Azerbaijan, Kazakhstan, Kyrgyzstan and Uzbekistan shall be authorized to limit to 20 kilo-grammes the maximum weight of inward and outward M bags.

Article VII

Advice of delivery

1 Canada and Sweden shall be authorized not to apply article 17.3.3, as regards parcels, given that it ~~does~~ they do not offer the advice of delivery service for parcels in ~~its~~ their internal service.

1bis Notwithstanding article 17.3.3, Denmark and Great Britain reserve the right not to admit inward advices of delivery, given that they do not offer advice of delivery in their internal service.

1ter Notwithstanding article 17.3.3, Brazil shall be authorized to admit inward advices of delivery only when they can be returned electronically.

Article VIII

Prohibitions (letter post)

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

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

3 Myanmar reserves the right not to accept insured items containing the valuable articles listed in article 18.6, as this is contrary to its internal regulations.

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

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

6 Iran (Islamic Rep.) does not accept items containing articles contrary to the principles of the Islamic religion, and reserves the right not to accept letter-post items (ordinary, registered or insured) containing coins, bank notes, travellers' cheques, platinum, gold or silver, whether manufactured or not, precious stones, jewels or other valuable articles, and shall accept no liability in cases of loss or damage to such items.

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

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

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

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

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

12 Viet Nam reserves the right not to accept letters containing articles or goods.

13 Indonesia does not accept registered or insured items containing coins, bank notes, cheques, postage stamps, foreign currency, or any kind of securities payable to bearer for delivery in Indonesia, and shall accept no liability in cases of loss of or damage to such items.

14 Kyrgyzstan reserves the right not to accept letter-post items (ordinary, registered, insured, small packets) containing coins, currency notes or securities of any kind payable to bearer, travellers' cheques, platinum, gold or silver, whether manufactured or not, precious stones, jewels or other valuable articles, and shall accept no liability in cases of loss of or damage to such items.

15 Azerbaijan and Kazakhstan shall not accept registered or insured items containing coins, banknotes, credit notes or any securities payable to bearer, cheques, precious metals, whether manufactured or not, precious stones, jewels and other valuable articles or foreign currency, and shall accept no liability in cases of loss of or damage to such items.

16 Moldova and the Russian Federation do not accept registered or insured items containing bank notes in circulation, securities (cheques) of any kind payable to bearer or foreign currency, and shall accept no liability in cases of loss of or damage to such items.

17 Notwithstanding article 18.3, France reserves the right not to accept items containing goods in cases where these items do not comply with its national regulations, or international regulations, or technical and packing instructions for air transport.

17bis Cuba reserves the right not to accept, handle, convey or deliver letter-post items containing coins, banknotes, currency notes or securities of any kind payable to bearer, cheques, precious metals and stones, jewels or other valuable articles, or any kind of document, goods or object in cases where these items do not comply with its national regulations, or international regulations, or technical and packing instructions for air transport, and shall accept no liability in cases of theft, loss or damage to such items. Cuba reserves the

right not to accept letter-post items subject to customs duty containing goods that are imported to the country if their value does not comply with its national regulations.

Article IX

Prohibitions (postal parcels)

1 Myanmar and Zambia shall be authorized not to accept insured parcels containing the valuable articles covered in article 18.6.1.3.1, since this is contrary to their internal regulations.

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

3 Brazil shall be authorized not to accept insured parcels containing coins and currency notes in circulation, as well as any securities payable to bearer, since this is contrary to its internal regulations.

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

5 In addition to the articles listed in article 18, Saudi Arabia shall be authorized not to accept parcels containing coins, currency notes or securities of any kind payable to bearer, travellers' cheques, platinum, gold or silver, whether manufactured or not, precious stones or other valuable articles. Nor does it accept parcels containing medicines of any kind unless they are accompanied by a medical prescription issued by a competent official authority, products designed for extinguishing fires, chemical liquids or articles contrary to the principles of the Islamic religion.

6 In addition to the articles referred to in article 18, Oman does not accept items containing:

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

6.2 fire-extinguishing products or chemical liquids;

6.3 articles contrary to the principles of the Islamic religion.

7 In addition to the articles listed in article 18, Iran (Islamic Rep.) shall be authorized not to accept parcels containing articles contrary to the principles of the Islamic religion, and reserves the right not to accept ordinary or insured parcels containing coins, bank notes, travellers' cheques, platinum, gold or silver, whether manufactured or not, precious stones, jewels or other valuable articles; it shall accept no liability in cases of loss or damage to such items.

8 The Philippines shall be authorized not to accept any kind of parcel 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.

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

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

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

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

13 Moldova, the Russian Federation, Ukraine and Uzbekistan do not accept ordinary or insured parcels containing bank notes in circulation, securities (cheques) of any kind payable to bearer or foreign currency, and shall accept no liability in cases of loss of or damage to such items.

14 Azerbaijan and Kazakhstan do not accept ordinary or insured parcels containing coins, bank notes, credit notes or any securities payable to bearer, cheques, precious metals, whether manufactured or not, precious stones, jewels and other valuable articles or foreign currency, and shall accept no liability in cases of loss of or damage to such items.

14bis Cuba reserves the right not to accept, handle, convey or deliver postal parcels containing coins, banknotes, currency notes or securities of any kind payable to bearer, cheques, precious metals and stones, jewels or other valuable articles, or any kind of document, goods or object in cases where these items do not comply with its national regulations, or international regulations, or technical and packing instructions for air transport, and shall accept no liability in cases of theft, loss or damage to such items. Cuba reserves the right not to accept postal parcels subject to customs duty containing goods that are imported to the country if their value does not comply with its national regulations.

Article X

Articles subject to customs duty

1 With reference to article 18, Bangladesh and El Salvador do not accept insured items containing articles subject to customs duty.

2 With reference to article 18, Afghanistan, Albania, Azerbaijan, Belarus, Cambodia, Chile, Colombia, Cuba, Dem. People's Rep. of Korea, El Salvador, Estonia, Kazakhstan, Latvia, Moldova, Nepal, Peru, Russian Federation, San Marino, Turkmenistan, Ukraine, Uzbekistan and Venezuela (Bolivarian Rep.) do not accept ordinary and registered letters containing articles subject to customs duty.

3 With reference to article 18, Benin, Burkina Faso, Côte d'Ivoire (Rep.), Djibouti, Mali and Mauritania do not accept ordinary letters containing articles subject to customs duty.

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

Article XI

Presentation-to-Customs charge

1 Gabon reserves the right to collect a presentation-to-Customs charge from customers.

2 Notwithstanding article 19.2, Australia, Brazil, Canada, Cyprus and the Russian Federation reserves the right to collect a presentation-to-Customs charge from customers for any item submitted to customs control.

3 Notwithstanding article 19.2, Azerbaijan, Greece, Pakistan and Turkey reserves the right to collect from customers a presentation-to-Customs charge for all items presented to customs authorities.

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

Article XII

Inquiries

1 Notwithstanding article 20.3, Cape Verde, Chad, Dem. People's Rep. of Korea, Egypt, Gabon, Overseas Dependent Territories of the United Kingdom, Greece, Iran (Islamic Rep.), Kyrgyzstan, Mongolia, Myanmar, Philippines, Saudi Arabia, Sudan, Syrian Arab Rep., Turkmenistan, Ukraine, Uzbekistan and Zambia reserve the right to collect from customers charges on inquiries lodged in respect of letter-post items.

2 Notwithstanding article 20.3, Argentina, Austria, Azerbaijan, Hungary, Lithuania, Moldova, Norway and Slovakia reserve the right to collect a special charge when, on completion of the investigation conducted in response to the inquiry, it emerges that the latter was unjustified.

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

4 Notwithstanding article 20.3, Brazil, Panama (Rep.) and the United States of America reserve the right to collect a charge from customers for inquiries lodged in respect of letter-post items and parcels posted in countries which apply that type of charge in accordance with paragraphs 1 to 3 of this article.

Article XIII

Exceptional inward land rates

1 Notwithstanding article 31, Afghanistan reserves the right to collect an additional exceptional inward land rate of 7.50 SDR per parcel.

Article XIV

Basic rates and provisions concerning air conveyance dues

1 Notwithstanding the provisions of article 32, Australia reserves the right to apply air conveyance rates for outward parcels sent via the merchandise return service, either as laid down in the ~~Parcel Post~~ Regulations or by any other means, including bilateral agreements.

Article XV

Special tariffs

1 Belgium, Norway and United States of America may collect higher land rates for air parcels than for surface parcels.

2 Lebanon shall be authorized to collect for parcels up to 1 kilogramme the charge applicable to parcels over 1 and up to 3 kilogrammes.

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

Article XVI

Authority of the Postal Operations Council to fix charges and rates

1 Notwithstanding article 34.1.6, Australia reserves the right to apply outward land rates for the provision of the merchandise return service for parcels, either as laid down in the ~~Parcel Post~~ Regulations or by any other means, including bilateral agreements.

In witness whereof, the plenipotentiaries below have drawn up this Protocol which shall have the same force and the same validity as if its provisions were inserted in the text of the Convention itself, and they have signed it in a single original which shall be deposited with the Director General of the International Bureau. A copy thereof shall be delivered to each party by the International Bureau of the Universal Postal Union.

Done at Istanbul, 6 October 2016.

Postal Payment Services Agreement

Postal Payment Services Agreement

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Postal Payment Services Agreement

The undersigned, plenipotentiaries of the Governments of the member countries of the Union, in provision with article 22.4 of the Constitution of the Universal Postal Union concluded at Vienna on 10 July 1964, have, by common consent and subject to article 25.4 of the Constitution, drawn up the following Agreement, which is in line with the principles of the Constitution, in particular in order to foster financial inclusion and implement a secure and accessible postal payment service adapted to the greatest number of users on the basis of systems enabling the interoperability of designated operators' networks.

Part I

Common principles applying to the postal payment services

Chapter I

General provisions

Article 1

Scope of the Agreement

- 1 Each member country shall ensure on a best effort basis that at least one of the following postal payment services is ~~provided~~ offered or accepted on its territory:
 - 1.1 Money order in cash: the sender hands over funds at the service access point of the designated operator and asks for the full amount to be paid to the payee in cash, with no deductions.
 - 1.2 Outpayment money order: the sender gives instructions for his account held by the designated operator to be debited and asks for the payee to be paid the full amount in cash, with no deductions.
 - 1.3 Inpayment money order: the sender hands over funds at the service access point of the designated operator and asks for them to be paid into the payee's account, with no deductions.
 - 1.4 Postal transfer: the sender gives instructions for his account held by the designated operator to be debited and asks for the payee's account with the paying designated operator to be credited with the equivalent amount, with no deductions.
 - 1.5 COD money order: the recipient of the COD item hands over funds at the service access point of the designated operator or gives instructions for his account to be debited, and asks that the full amount specified by the sender of the COD item be paid to the latter, without any deductions.
 - 1.6 Urgent money order: the sender hands over the postal payment order at the service access point of the designated operator and asks that it be transferred within thirty minutes and paid in full to the payee, with no deductions, at the payee's first request, at any service access point of the country of destination (in accordance with the list of service access points of the country of destination).
- 2 The Regulations shall define the procedures for executing the present Agreement.

Article 2 Definitions

1 Competent authority – any national authority of a member country which, by virtue of the powers conferred on it by the law or regulations, supervises the activities of the designated operator or of the persons referred to in the present article. The competent authority may contact the administrative or legal authorities engaged in combating money laundering and terrorist financing, and in particular the national financial intelligence unit and the oversight authorities.

2 Instalment – partial advance payment made by the issuing designated operator to the paying designated operator to ease the cash situation of the paying designated operator's postal payment services.

3 Money laundering – the conversion or transfer of funds in the knowledge that these funds are derived from a criminal activity or participation in such activity, with the aim of hiding or disguising the illegal origins of the funds or of helping any person having participated in such activity to escape the legal consequences of his action; money laundering shall be considered as such when the activities producing funds to be laundered are liable to prosecution in the territory of another member country or a third country.

4 Ring-fencing – the compulsory separation of users' funds from those of the designated operator which prevents the use of users' funds for purposes other than the execution of postal payment service operations.

5 Clearing house – within the framework of multilateral exchanges, a clearing house handles mutual debts and claims arising from services provided by one operator to another. Its role is to put to account exchanges between operators that are settled through a settlement bank, and to take the necessary steps in the event of settlement irregularities.

6 Clearing – a system enabling the number of payments to be made to be kept to a minimum by drawing up a periodic debit and credit balance for the parties involved. Clearing involves two stages: determining the bilateral balances and, by adding these balances, calculating the overall position of each entity with regard to the entire community in order to carry out only one settlement based on the debtor or creditor position of the entity in question.

7 Concentration account – an aggregation of funds from various sources combined into one account.

8 Liaison account – giro account opened reciprocally by designated operators as part of bilateral relations, by means of which mutual debts and credits are settled.

9 Criminal activity – any type of participation in, or perpetration of, a crime or misdemeanour, as defined by the national legislation.

10 Security deposit – amount deposited, in the form of cash or securities, to guarantee payments between designated operators.

11 Payee – natural or legal person designated by the sender as the beneficiary of the money order or postal giro transfer.

12 Third currency – intermediate currency used in cases of non-convertibility between two currencies or for clearing/settlement of accounts.

13 Due diligence in relation to users – general obligation on the part of designated operators, comprising the following duties:

13.1 identifying users;

13.2 obtaining information on the purpose of the postal payment order;

13.3 monitoring postal payment orders;

13.4 checking that the information concerning users is up to date;

13.5 reporting suspicious transactions to the competent authorities.

14 Electronic data relating to postal payment orders – data transmitted by electronic means, from one designated operator to another, relating to the execution of postal payment orders, inquiries, alteration or

correction of addresses or reimbursement; these data are either entered by designated operators, or generated automatically by their information system, and indicate a change in the status of the postal payment order or of the order request.

15 Personal data – personal information needed in order to identify the sender or the payee.

16 Postal data – data needed for the routing and tracking of a postal payment order or for statistical purposes, as well as for the centralized clearing system.

17 Electronic data interchange (EDI) – computer-to-computer exchange of data concerning operations, by means of networks and standard formats compatible with the Union system.

18 Sender – natural or legal person that gives the designated operator the order to execute a postal payment service in accordance with the Acts of the Union.

19 Terrorist financing – covers the financing of acts of terrorism, of terrorists and of terrorist organizations.

20 Users' funds – sums delivered by the sender to the issuing designated operator in cash, or debited to the sender's account written up in the books of the issuing designated operator, or by any other secure method of electronic banking, placed at the disposal of the issuing designated operator or any other financial operator by the sender, to be paid to a payee specified by the sender in accordance with the present Agreement and its Regulations.

21 COD (cash-on-delivery) money order – operational term used to designate a postal payment order given in exchange for the delivery of a COD item, as defined in article 1 of the present Agreement.

22 Currency of issue – currency of the country of destination or third currency authorized by the destination country in which the postal payment order is issued.

23 Issuing designated operator – designated operator which transmits a postal payment order to the paying designated operator, in accordance with the Acts of the Union.

24 Paying designated operator – designated operator responsible for executing the postal payment order in the destination country, in accordance with the Acts of the Union.

25 Validity period – period of time during which the postal payment order may be executed or cancelled.

26 Service access point – physical or virtual place where the user may deposit or receive a postal payment order.

27 Remuneration – sum owed by the issuing designated operator to the paying designated operator for payment to the payee.

28 Revocability – the ability of the sender to recall his postal payment order (money order or transfer) up to the moment of payment, or at the end of the validity period if payment has not been made.

29 Counterparty risk – risk that one of the parties to a contract will default, leading to loss or liquidity risk.

30 Liquidity risk – risk that a settlement system participant or a counterpart is temporarily unable to fulfil an obligation in its entirety at the required time.

31 Reporting of suspicious transaction – obligation of the designated operator, based on the national legislation and Union resolutions, to provide its competent national authorities with information on suspicious transactions.

32 Track and trace – system that enables the progress of postal payment order to be monitored and its location and status to be identified at any time.

33 Price – amount paid by the sender to the issuing designated operator for a postal payment service.

34 Suspicious transaction – single or repeated postal payment order or request for reimbursement relating to a postal payment order linked to a money-laundering or terrorist financing offence.

35 User – natural or legal person, sender or payee, that uses the postal payment services in accordance with the present Agreement.

Article 3

Designation of the operator entity or entities responsible for fulfilling the obligations arising from adherence to this Agreement

1 Member countries shall notify the International Bureau, within six months of the end of Congress, of the name and address of the governmental body responsible for ~~overseeing~~ providing governmental regulation and oversight related to the provision of postal payment services. ~~Within six months of the end of Congress, member countries shall also provide the International Bureau with the name and address of the operator(s) officially designated to operate the postal payment services by means of its (their) network and to fulfil the obligations arising from the Acts of the Union on their territories. Between Congresses, changes concerning the governmental bodies and the officially designated operators shall be notified to the International Bureau as soon as possible.~~

1bis Within six months of the end of Congress, member countries shall also provide the International Bureau with the name and address of the operator(s) officially designated to operate the postal payment services by means of its (their) network, by offering (issuing or paying) at least one postal payment service, and to fulfil the obligations arising from the Acts of the Union on their territories.

1ter In the absence of such notification within the prescribed six-month period, the International Bureau shall send a reminder to the member country.

1quater Between Congresses, changes concerning the governmental bodies and the officially designated operators shall be notified to the International Bureau as soon as possible.

2 Designated operators shall provide the postal payment services in accordance with the present Agreement.

Article 4

Functions of member countries

1 Member countries shall take the necessary steps towards ensuring the continuity of the postal payment services in the event of default by their designated operator(s), without prejudice to the liability of that (those) operator(s) towards other designated operators by virtue of the Acts of the Union.

2 In the event of the default of its designated operator(s), the member country shall inform, through the International Bureau, the other member countries party to the present Agreement:

2.1 of the suspension of its postal payment services, with effect from the date indicated and until further notice;

2.2 of the measures taken to re-establish its services under the responsibility of any new designated operator.

Article 5

Operational functions

1 The designated operators shall be responsible for the execution of postal payment services vis-à-vis other operators and users.

2 They shall be accountable for risks such as operational risks, liquidity risks, and counterparty risks, in accordance with the national legislation.

3 In order to implement the postal payment services whose provision is entrusted to them by their respective member country, designated operators shall conclude bilateral or multilateral agreements with the designated operators of their choice.

3bis Without prejudice to the foregoing obligations, a designated operator shall have the possibility of subcontracting, in part, the interconnection and operation of the postal payment services, defined herein as entrusted by its member country, to other entities contractually bound with that designated operator and in accordance with national legislation. In this regard, the designated operator shall guarantee the continued fulfilment of its obligations in accordance with the present Agreement and be fully responsible for all its relations with designated operators of other member countries and with the International Bureau.

Article 6

Ownership of postal payment services funds

1 Any sum of money, given in cash or debited to an account for the execution of a postal payment order, shall belong to the sender until such time as it is paid to the payee or credited to the payee's account, except in the case of COD money orders.

2 During the validity period of the postal payment order, the sender may recall this postal payment order until its payment to the payee or until it is credited to the payee's account, except in the case of COD money orders.

3 Any sum of money, given in cash or debited to an account for the execution of a COD money order, shall belong to the sender of the COD item once the order has been issued. The payment order shall then be irrevocable.

Article 7

Prevention of money laundering, terrorist financing and financial crime

1 Designated operators shall take all necessary steps to fulfil their obligations stemming from national and international legislation aimed at combating money laundering, terrorist financing and financial crime.

2 They should inform their country's competent authorities of suspicious transactions, in accordance with national laws and regulations.

3 The Regulations shall set out the detailed obligations of designated operators in respect of user identification, due diligence and the procedures for implementing regulations against money laundering, terrorist financing and financial crime.

Article 8

Confidentiality and use of personal data

1 Member countries and their designated operators shall ensure the confidentiality and security of personal data in accordance with national legislation and, where applicable, international obligations, and the Regulations.

2 Personal data may be employed only for the purposes for which it was gathered in accordance with applicable national legislation and international obligations.

3 Personal data shall be notified only to third parties authorized by applicable national legislation to access that data.

4 Designated operators shall inform their customers of the use that is made of their personal data, and of the purpose for which it has been gathered.

5 The data required to execute the postal payment order shall be confidential.

6 For statistical purposes, and possibly also for the purpose of quality of service measurement and centralized clearing, designated operators shall be required to provide the International Bureau of the Universal Postal Union with postal data at least once a year. The International Bureau shall treat all individual postal data in confidence.

Article 9

Technological neutrality

1 The exchange of data necessary for the provision of the services defined in this Agreement shall be governed by the principle of technological neutrality, which means that the provision of these services does not depend on the use of a particular technology.

2 The procedures for executing postal payment orders, including the conditions for depositing, entering, dispatching, paying and reimbursing orders and for processing inquiries, and the time limit for making the funds available to the payee, may vary according to the technology used for transmitting the order.

3 Postal payment services may be provided on the basis of a combination of different technologies.

Chapter II

General principles and quality of service

Article 10

General principles

1 Accessibility via the network and financial inclusion

1.1 The postal payment services shall be provided by the designated operators via their network(s) and/or via any other partner network in order to ensure accessibility to these services for the greatest number, and with a view to ensuring access to, and use of, a wide range of affordably priced postal payment services.

1.2 All users shall have access to postal payment services regardless of any contractual or commercial relationship existing with the designated operator.

2 Separation of funds

2.1 Users' funds shall be ring-fenced. These funds and the flows that they generate shall be separate from operators' other funds and flows, particularly their own funds.

2.2 Settlements relating to remuneration between designated operators are separate from settlements relating to users' funds.

3 Currency of issue and currency of payment in respect of postal payment orders

3.1 The amount of the postal payment order shall be expressed and paid in the currency of the destination country or in any other currency authorized by the destination country.

4 Non-repudiability

4.1 The transmission of postal payment orders by electronic means shall be subject to the principle of non-repudiability, in the sense that the issuing designated operator shall not question the existence of these orders and the paying designated operator shall not deny receipt of the orders, insofar as the message conforms to the applicable technical standards.

4.2 The non-repudiability of electronic postal payment orders shall be ensured by technological means, regardless of the system used by the designated operators.

- 5 Execution of postal payment orders
- 5.1 Postal payment orders transmitted between designated operators must be executed, subject to the provisions of the present Agreement and the national legislation.
- 5.2 In the designated operators' network, if both member countries use the same currency, the sum delivered to the issuing designated operator by the sender shall be the same as the sum paid to the payee by the paying designated operator. If the currency is not the same, the sum shall be converted on the basis of an established exchange rate upon issue and/or payment, as appropriate.
- 5.3 Payment in cash to the payee shall not be conditional on receipt by the paying designated operator of the corresponding funds from the sender. It shall be made subject to the fulfilment by the issuing designated operator of its obligations towards the paying designated operator regarding instalments, the regular settlement of accounts, ~~or~~ the provision of a liaison account or settlement via the centralized clearing and settlement system.
- 5.3bis Payment into the payee's account by the paying designated operator shall be conditional on receipt of the corresponding funds from the sender, to be made available by the issuing designated operator to the paying designated operator. These funds may come from the liaison account of the issuing designated operator or from a centralized clearing and settlement system.
- 6 Setting of rates
- 6.1 The issuing designated operator shall set the price of postal payment services.
- 6.2 Charges may be added to this price for any optional or supplementary service required by the sender.
- 7 Exemption from charges
- 7.1 The provisions of the Universal Postal Convention concerning exemption from postal charges on postal items intended for prisoners of war and civil internees shall apply to the postal payment service items for this category of payee.
- 8 Remuneration of the paying designated operator
- 8.1 The paying designated operator shall be remunerated by the issuing designated operator for the execution of postal payment orders.
- 9 Intervals for settlement between designated operators
- 9.1 The frequency of settlement between designated operators of sums paid or credited to a payee on behalf of a sender may be different from that in respect of the settlement of remuneration between designated operators. Sums paid or credited shall be settled at least once a month.
- 10 Obligation to inform users
- 10.1 Users shall be entitled to the following information, which shall be published and made available to all senders: conditions covering the provision of postal payment services, prices, charges, exchange rates and arrangements, conditions of implementation of liability, and the addresses of information and inquiry services.
- 10.2 Access to this information shall be provided free of charge.

Article 11 Quality of service

- 1 Designated operators may decide to identify postal payment services by means of a collective brand.
- 2 The Postal Operations Council shall define the quality of service objectives, elements and standards for postal payment orders transmitted electronically.
- 3 Designated operators must apply a minimum number of quality of service elements and standards for postal payment orders transmitted electronically.

Chapter III

Principles for electronic data interchange

Article 12

Interoperability

1 Networks

1.1 In order to exchange the data needed to execute postal payment services between all designated operators, and to monitor quality of service, designated operators shall use the Union's electronic data (EDI) exchange system or any other system ensuring the interoperability of the postal payment services in accordance with this Agreement.

Article 13

Ensuring the security of electronic exchanges

1 Designated operators shall be responsible for the proper functioning of their equipment.

2 The electronic transmission of data shall be made secure in order to ensure the authenticity and integrity of the data transmitted.

3 Designated operators shall make transactions secure, in accordance with international standards.

Article 14

Track and trace

1 The systems used by designated operators shall permit the monitoring of the processing of the order and its revocation by the sender, until such time as the corresponding amount is paid to the payee or credited to the payee's account, or, if appropriate, reimbursed to the sender.

Part II

Rules governing the postal payment services

Chapter I

Processing of postal payment orders

Article 15

Deposit, entry and transmission of postal payment orders

1 The conditions for depositing, entering and transmitting postal payment orders are set out in the Regulations.

2 The period of validity for postal payment orders may not be extended and is set in the Regulations.

Article 16

Checking and release of funds

1 After confirming the payee's identity in accordance with national legislation and the accuracy of the information he has provided, the designated operator shall make the payment in cash. For an inpayment order or a transfer, this payment shall be credited to the payee's account.

2 The time limits for release of the funds shall be established in the bilateral and multilateral agreements between designated operators.

Article 17

Maximum amount

1 Designated operators shall inform the International Bureau of the Universal Postal Union of the maximum amounts for sending or receipt set according to their national legislation.

Article 18

Reimbursement

1 Extent of reimbursement

1.1 Reimbursement within the framework of the postal payment services shall cover the full amount of the postal payment order in the currency of the issuing country. The amount to be reimbursed shall be equal to the amount paid by the sender or to the amount charged to his account. The price of the postal payment service shall be added to the amount reimbursed in the event of an error made by a designated operator.

1.2 There shall be no reimbursement of a COD money order.

Chapter II

Inquiries and liability

Article 19

Inquiries

1 Inquiries shall be entertained within a period of six months from the day after that on which the postal payment order was accepted.

2 Designated operators, subject to their national legislation, shall have the right to collect from customers charges on inquiries in regard to postal payment orders.

Article 20

Liability of designated operators with regard to users

1 Treatment of funds

1.1 Except in the case of COD money orders, the issuing designated operator shall be accountable to the sender for the sums handed over at the counter or debited to the sender's account until:

1.1.1 the postal payment order has been duly paid; or

1.1.2 the payee's account has been credited; or

1.1.3 the funds have been reimbursed to the sender in the form of cash or as a credit to his account.

1.2 For COD money orders, the issuing designated operator shall be accountable to the payee for the sums handed over at the counter or debited to the sender's account until the COD money order has been duly paid or the payee's account has been duly credited.

Article 21

Obligations and liability of designated operators to each other

1 Each designated operator shall be liable for its own errors.

2 The conditions and extent of liability are set out in the Regulations.

Article 22

Non-liability of designated operators

- 1 Designated operators shall not be liable:
- 1.1 in cases of delay in the execution of the service;
 - 1.2 when they cannot account for the execution of a postal payment order owing to the destruction of postal payment service data by force majeure, unless proof of their liability is otherwise produced;
 - 1.3 when the damage has been caused by the fault or negligence of the sender, particularly concerning his responsibility to provide correct information in support of his postal payment order, including the fact that the funds remitted are from a legitimate source and that the postal payment order is for a legitimate purpose;
 - 1.4 if the funds remitted are seized;
 - 1.5 in the case of prisoner-of-war or civilian internee funds;
 - 1.6 when the user has made no inquiry within the period set in the present Agreement;
 - 1.7 when the time allowed for recourse in respect of postal payment services in the issuing country has expired.

Article 23

Reservations regarding liability

1 No reservations may be made to the provisions regarding liability prescribed in articles 20 to 22, other than in case of a bilateral agreement.

Chapter III

Financial relations

Article 24

Accounting and financial rules

- 1 Accounting rules
- 1.1 Designated operators shall comply with the accounting rules defined in the Regulations.
- 2 Preparation of monthly and general accounts
- 2.1 The paying designated operator shall prepare for each issuing designated operator a monthly account showing the sums paid for postal payment orders. The monthly accounts shall be incorporated, at the same intervals, in a general offset account including instalments and giving rise to a balance.
- 3 Instalment
- 3.1 In case of an imbalance in exchanges between designated operators, an instalment shall be paid by the issuing designated operator to the paying designated operator, at least once a month, at the beginning of the settlement period. In cases where increasing the frequency of settlement of exchanges reduces the period to less than a week, operators can agree to waive this instalment.
- 4 Concentration account
- 4.1 In principle, each designated operator shall have one concentration account for users' funds. These funds shall be used solely for settling postal payments paid to the payees or for reimbursing non-executed postal payment orders to senders.

- 4.2 Any instalments paid by the issuing designated operator shall be credited to the concentration account for the paying designated operator. These instalments shall be used exclusively for payments to payees.
- 5 Security deposit
- 5.1 The payment of a security deposit may be required in accordance with the conditions provided for in the Regulations.

Article 25

Settlement and clearing

- 1 Centralized settlement
- 1.1 Settlements between designated operators may pass through a central clearing house, in accordance with the procedures set out in the Regulations and shall be carried out from the designated operators' concentration accounts.
- 2 Bilateral settlement
- 2.1 Billing on the basis of the general account balance
- 2.1.1 In general, designated operators that are not members of a centralized clearing system shall settle accounts on the basis of the balance of the general account.
- 2.2 Liaison account
- 2.2.1 Where designated operators have a giro institution, they may each open a liaison account by means of which shall be settled their mutual debts and claims resulting from postal payment services.
- 2.2.2 Where the paying designated operator does not have a giro system, the liaison account may be opened with another financial institution.
- 2.3 Currency of settlement
- 2.3.1 Settlements shall be carried out in the currency of the destination country or in a third currency agreed between the designated operators.

Part III

Transitional and final provisions

Article 26

Reservations at Congress

- 1 Any reservation which is incompatible with the object and purpose of the Union shall not be permitted.
- 2 As a general rule, any member country whose views are not shared by other member countries should endeavour, as far as possible, to conform to the opinion of the majority. Reservations shall be made only in cases of absolute necessity, and shall be duly justified.
- 3 Any reservation to an article of the present Agreement shall be submitted to Congress as a Congress proposal written in one of the working languages of the International Bureau and in accordance with the relevant provisions of the Rules of Procedure of Congresses.
- 4 To become effective, any proposal concerning reservations must be approved by whatever majority is required for amendment of the article to which the reservation relates.
- 5 In principle, reservations shall be applied on a reciprocal basis between the reserving member country and the other member countries.

6 Reservations to the present Agreement shall be inserted in its Final Protocol on the basis of proposals approved by Congress.

Article 27

Final provisions

- 1 The Convention shall be applicable, where appropriate, by analogy, in all cases not expressly governed by this Agreement.
- 2 Article 4 of the Constitution shall not apply to this Agreement.
- 3 Conditions for approval of proposals concerning this Agreement and the Regulations
 - 3.1 To become effective, proposals submitted to Congress relating to this Agreement must be approved by a majority of the member countries present and voting which are parties to the Agreement and which have the right to vote. At least half of these member countries represented at Congress and having the right to vote shall be present at the time of voting.
 - 3.2 To become effective, proposals relating to the Regulations of the present Agreement must be approved by a majority of the members of the Postal Operations Council which are present and voting, which have the right to vote, and which are signatories or have acceded to the Agreement.
 - 3.3 To become effective, proposals introduced between two Congresses relating to this Agreement must obtain:
 - 3.3.1 two thirds of the votes, with at least one half of the member countries which are parties to the Agreement and have the right to vote having taken part in the vote, if they involve the addition of new provisions;
 - 3.3.2 a majority of the votes, with at least one half of the member countries which are parties to the Agreement and have the right to vote having taken part in the vote, if they involve amendments to the provisions of this Agreement;
 - 3.3.3 a majority of the votes, if they involve interpretation of the provisions of this Agreement.
 - 3.4 Notwithstanding the provisions under 3.3.1, any member country whose national legislation is as yet incompatible with the proposed addition may, within 90 days from the date of notification of the latter, make a written declaration to the Director General of the International Bureau stating that it is unable to accept this addition.

Article 28

Entry into force and duration of the Postal Payment Services Agreement

- 1 This Agreement shall come into force on 1 January ~~2014~~ 2018 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 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 International Bureau of the Universal Postal Union.

Done at Istanbul, 6 October 2016.

5.1

2016 Istanbul Acts

Final Protocol to the Postal Payment Services Agreement

Final Protocol to the Postal Payment Services Agreement

Contents

Article

I. (Art. 0bis added) Operational functions

Article I

(Art. 0bis added)

Operational functions

1 With reference to article 5.3bis and in application of articles 3 and 4 of the Postal Payment Services Agreement, an operator designated by France shall open postal payment services only with operators of member countries that are signatories to the Agreement.

2 In cases where one of these operators is not a designated operator, it shall be able to pay only orders received from the French designated operator. To conclude an exchange contract with a French designated operator, this operator shall provide an advance copy of the declaration of its participation in the exclusive execution of postal payment service orders, made to the competent authorities of the member country concerned, which may, at its discretion, combine it with an authorization.

3 These same provisions shall apply reciprocally on the national territory of France to any operator in France wishing to enter into a partnership exclusively with designated operators of other member countries that are signatories to the Postal Payment Services Agreement.

Done at Istanbul, 6 October 2016.