

ANNEX

*Provisions Relating to Insurance of Parcel Post between Canada and Japan*

1. Except in cases due to force majeure, indemnity shall be paid to the sender or, at the sender's request, to the addressee for the loss of insured parcels exchanged between Canada and Japan or for the spoliation of or damage to their contents not to exceed the actual amount of the loss, spoliation or damage. Nevertheless, either Administration shall be at liberty to indemnify the sender for the loss of insured parcels or for the spoliation of or damage to their contents without recourse to the Administration of destination, even in cases where the Administration of origin recognizes that the loss, spoliation or damage in respect of an insured parcel posted in its service was due to force majeure during handling in the postal service.

2. Each Administration shall be responsible for the loss of insured parcels or the spoliation of or damage to their contents in its own service.

3. The limit of insured value shall be fixed by mutual consent between the Administrations.

4. The insurance fees shall be fixed by the Administration of origin in respect of parcels dispatched.

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

6. The Administrations may, by mutual consent, fix the articles which may not be accepted for insurance.

7. No parcel may be insured for an amount above the real value of its contents.

8. Compensation shall not be given for damage sustained by a parcel (including the spoliation of its contents) which has been delivered without external trace of injury and has been accepted by the addressee.

9. Application for indemnity must be made within one year of the date of posting of the parcel and the receipt must accompany the claim in every case.

10. Compensation shall not be given when the damage is caused by the fault or negligence of the sender or when it arises from the nature of the contents.

11. Compensation shall not include indirect loss or loss of profits.