

ARTICLE 58

Period for Payment

1. The payment of compensation must take place as soon as possible, and at the latest within six months from the day following the date of the application. This period is extended to nine months in relations with distant countries.

The despatching Office may exceptionally postpone settlement of the compensation beyond the period mentioned in the preceding paragraph, when the question whether the loss of the article is due to a cause beyond control has not been decided.

2. The Office of origin is authorized to settle with the sender on account of the Office, whether intermediate or of destination, which, duly informed of the application, has let three months pass without settling the matter; this period is extended to six months in relations with distant countries.

ARTICLE 59

Fixing of Responsibility

1. Until the contrary is proved, responsibility for the loss of a registered article rests with the Administration which, having received the article without making any observation, and being furnished with all the materials for inquiry prescribed by the regulations, cannot establish delivery to the addressee or regular transfer to the following Office, as the case may be.

Nevertheless, an intermediate Office or Office of destination is relieved of all responsibility when it can prove that it has not received the inquiry until after the destruction of its service documents relating to the article inquired for, the period of retention prescribed by Article 78 of the Detailed Regulations having expired. This reservation does not affect the rights of the claimant.

If the loss has occurred in course of conveyance without its being possible to ascertain on the territory or in the service of which country the loss took place, the Administrations concerned bear the loss in equal shares. Nevertheless, the whole of the compensation due must be paid to the Office of origin by the first Administration which is unable to establish the regular transfer of the article in question to the next Office. It is left to this Administration to recover from the other responsible Offices the share borne by each in compensating the sender.

2. When a registered article has been lost in circumstances beyond control, the Office on the territory or in the service of which the loss has occurred is responsible to the Office of origin only when both countries undertake risks arising from causes beyond control.

3. The customs and other charges which cannot be cancelled are borne by the Administrations responsible for the loss.

4. By paying compensation the responsible Administration takes over the rights of the person who has received it, up to the amount of this compensation, in any action which may be taken against the sender, the addressee, or third parties.

5. If a registered article considered as lost is subsequently found, the person to whom the compensation has been paid must be advised that he may take possession of the article against repayment of the amount of the compensation.

ARTICLE 60

Repayment of Compensation to the Despatching Office

1. The Office responsible or on whose account payment is made in accordance with Article 58 is bound to repay to the despatching Office within a period of three months after notice of payment the amount of the compensation actually paid to the sender.