

POSTAL CONVENTION

OF THE

AMERICAS AND SPAIN

16.

AND

RELATIVE DOCUMENTS

Signed at Panama, December 22, 1936



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PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1938

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COUNTRY MEMBERS

CANADA, ARGENTINA, BRAZIL, CHILE, COLOMBIA, COSTA RICA, CUBA, DOMINICAN REPUBLIC, ECUADOR, GUATEMALA, HAITI, HONDURAS, MEXICO, NICARAGUA, PANAMA, PARAGUAY, PERU, SALVADOR, SPAIN, UNITED STATES, URUGUAY AND VENEZUELA

POSTAL CONVENTION OF THE AMERICAS AND SPAIN

TABLE OF CONTENTS

| | PAGE |
|---|------|
| I. Convention..... | 5 |
| II. Final Protocol to the Convention..... | 17 |
| III. Regulations for the Execution of the Convention..... | 19 |
| IV. Provisions governing the Conveyance of Mail by Air..... | 25 |
| V. Parcel Post Agreement..... | 32 |
| VI. Final Protocol to the Parcel Post Agreement..... | 39 |

(Translation)

POSTAL CONVENTION OF THE AMERICAS AND SPAIN

CONCLUDED BETWEEN

CANADA, ARGENTINA, BOLIVIA, BRAZIL, CHILE, COLOMBIA, COSTA RICA, CUBA, DOMINICAN REPUBLIC, ECUADOR, GUATEMALA, HAYTI, HONDURAS, MEXICO, NICARAGUA, PANAMA, PARAGUAY, PERU, SALVADOR, SPAIN, UNITED STATES, URUGUAY AND VENEZUELA.

The Undersigned, Plenipotentiaries of the Governments of the Countries above enumerated, assembled in Congress in the City of Panama, Republic of Panama, availing themselves of the powers conferred upon them by Article 5 of the Convention of the Universal Postal Union and actuated by the desire to extend and improve their postal relations and ensure a solidarity of action in Universal Postal Congresses as an effective means of promoting their common interests in regard to postal communications, have determined to conclude, subject to ratification, the following Convention:—

ARTICLE 1

Postal Union of the Americas and Spain

In accordance with the foregoing declaration, the contracting countries constitute, under the title of Postal Union of the Americas and Spain, a single postal territory.

ARTICLE 2

Restricted Unions

1. The Contracting Parties, whether on account of their adjacent location or on account of the importance of their postal relations, may establish closer unions among themselves, with a view to reducing rates or introducing other improvements in any of the services referred to in this Convention or in the special Agreements concluded by this Congress.

2. Likewise, concerning matters not covered by this Convention or by that of the Universal Postal Union, the signatory countries may adopt among themselves such resolutions as they may deem necessary, through correspondence, or, if necessary, by concluding a special Agreement in accordance with the authority conferred upon them by the provisions of this Article or by their domestic legislation.

ARTICLE 3

Freedom and Gratuity of Transit

1. Territorial, fluvial and maritime transit is absolutely gratuitous throughout the territory of the Postal Union of the Americas and Spain; consequently, a contracting country shall transport across its territory and convey by the ships of its registry or flag, utilized for the transportation of its own mail, without any charge whatsoever to the other contracting countries, all mail matter which the latter may dispatch to any destination whatsoever.

2. In cases of reforwarding, the contracting parties are bound to reforward the mail by the ways and means which they utilize for their own dispatches.

ARTICLE 4

Definition of Mail Matter

1. The provisions of this Convention shall apply to letters, single and reply-paid postcards, printed matter of all kinds, commercial papers, samples without value, small packets, insured articles and insured articles of small value.

2. The services covering small packets, insured articles and insured articles of small value shall be limited to the countries agreeing to maintain such services reciprocally or in one direction only.

ARTICLE 5

Postage Rates

1. The domestic postage rates of each country shall apply in the relations of the countries constituting the Postal Union of the Americas and Spain, except in cases where the said domestic rates are higher than those applicable to mail destined to countries of the Universal Postal Union, in which case the latter shall apply.

2. International rates shall also apply in the case of services which do not exist in the domestic system.

3. In regard to small packets and insured articles of small value, respectively, the rates provided by Article 6 of this Convention shall apply.

ARTICLE 6

Small Packets

1. In the optional small packet service provided for by Article 4 of this Convention, no packet shall weigh over one kilogram or contain articles, the commercial value of which at place of mailing exceeds 10 gold francs or the equivalent thereof in the currency of the country of origin.

2. The Administrations operating the small packet service established by the Universal Postal Convention are not obliged to comply, in their reciprocal relations, with any provisions which conflict with those of the Universal Convention in relation to small packets.

3. Small packets of any kind exchanged between one country and another of the Postal Union of the Americas and Spain, in view of their not being liable to the payment of transit charges, shall be subject to prepayment at the domestic parcel post rates in force in each country; or the Administrations concerned may apply the rates prescribed by the Universal Postal Convention.

4. The Administration of the country of destination may submit small packets to customs regulations in accordance with the provisions of its domestic legislation.

5. The Administration of the country of destination may collect the following rates from the addressees of small packets:—

(a) a customs clearance charge not exceeding 50 gold centimes;

(b) a delivery charge not exceeding 15 gold centimes for each packet; this charge may be increased up to 30 gold centimes in the case of delivery at domicile.

6. The delivery charges provided by paragraph (b) of Section 5 of this Article shall not apply in cases where a small packet is considered exempt from duty by the Customs of the country of destination.

ARTICLE 7

Insured Articles of Small Value

1. An optional service, designated as "Insured Articles of Small Value," may be established by the contracting countries for the reciprocal exchange of letters containing paper money or its equivalent, or other valuable documents, insured up to the amount of the declared value, which shall not exceed 50 gold francs for each letter.

Any other article mentioned in Article 4 of this Convention may be accepted by this service, with the exception of small packets.

2. Postage on insured articles of small value above specified shall be fully prepaid by the sender and shall consist of the following:—

- (a) postage, plus the fixed charge applicable to a registered article in the domestic service of each country;
- (b) an insurance charge of 10 gold centimes for each 10 gold francs or fraction thereof of the declared value.

3. The declared value must be equal to the actual value of the article. The amount of the declared value of documents the value of which is represented by the cost of their preparation, shall not exceed the actual cost of replacement in case of loss.

4. The Administrations operating this service shall be responsible for any loss of or damage to such articles up to the amount of the actual loss or damage, the limit not to exceed, however, the sum of 50 gold francs.

5. The Administrations of the Postal Union of the Americas and Spain which do not operate such a service shall assume, nevertheless, responsibility for such articles, in transit, in closed dispatches, as provided by the said Union for registered mail.

6. The contracting countries which desire to establish the said service and are already signatories of the Universal Postal Convention covering Insured Articles, shall apply, in their reciprocal relations, the universal tariff provided for insured letters only when the value exceeds 50 gold francs.

7. The Administrations which have agreed to operate the said service shall take all necessary measures for extending it, as far as possible, to all post offices in their respective countries.

8. Except in the case of agreements to the contrary covering the exchange of insured articles of small value dealt with in this Article, the various post offices of the contracting Administrations may make use of envelopes and other forms utilized in their respective domestic services; bulletins of verification, records, way bills, as well as any entries on these or any other documents concerning insured articles of small value, may be made out in the language of the respective countries utilizing them.

ARTICLE 8

Reply Coupons

1. In the countries of the Postal Union of the Americas and Spain the sale price, to the public, of reply coupons shall be 20 gold centimes per unit or the equivalent thereof in the currency of the issuing country.

2. Each coupon is exchangeable in any country of the said Union for postage stamps to the value of 15 gold centimes in the currency of the country where the exchange is made.

3. The difference of 5 centimes shall be retained by the issuing country.

4. A special form of reply coupon is provided for use in the countries of the Postal Union of the Americas and Spain; it is to be printed and sold to the said countries by the International Bureau of Montevideo.

ARTICLE 9

Registered Mail—Responsibility

1. The articles specified in Article 4 may be registered upon payment of a fee equal to that fixed in the domestic service of the country of origin, except where the domestic rate is higher than that of the Universal Postal Convention, in which case the latter shall apply.

2. Except when due to *force majeure*, the contracting Administrations shall be responsible for the loss of any registered article. The sender shall be entitled to an indemnity not exceeding the sum of 10 gold francs or the equivalent thereof in the currency of the country paying such indemnity.

3. The Administrations shall, however, be relieved of all responsibility for the loss of registered articles whose contents come within the prohibitions specified in Article 15 of this Convention or which are prohibited by the laws or regulations of the country of origin or of destination, provided the country in question has given due notice through the usual channels.

4. An optional group of registered articles is hereby established, not entitled to indemnity, which shall include books, periodicals and other printed matter, commercial papers and samples of no value, subject to payment, in addition to ordinary postage rates, of a reduced fee set by the Administrations concerned. This new registration service shall be limited to exchange with the Administrations which have adopted it. In order to indicate their special character, the articles shall bear the letters "S.I." (*sin indemnización—no indemnity*), the same letters being entered under the heading "Remarks" in the descriptive lists, and on the forms sent for investigation purposes concerning the disposal of said articles.

5. The Administrations which adopt, in a general manner, a reduced registration fee for all articles exclusive of letters and postcards, shall not be required to comply with the rules prescribed in the last part of the preceding Section.

ARTICLE 10

Compulsory Prepayment

1. Except for letters in their usual or ordinary form, full prepayment of all classes of mail, including sealed parcels, is compulsory.

2. Sealed parcels and other articles not or insufficiently prepaid shall be held at the office of origin, which shall treat them as prescribed by domestic legislation.

3. Insufficiently prepaid letters shall be subject to the collection of double the amount of the deficiency, upon delivery to the addressee.

4. Newspapers, magazines and other periodicals accepted in the country of origin and on which postage has been paid in cash, shall be delivered free of any charge in the country of destination.

ARTICLE 11

Weight and Dimensions

The limit of weight and dimensions of the various articles of mail shall be the same as those prescribed by the Universal Postal Convention, except in the case of printed matter, the weight limit of which shall be 5 kilograms, or 10 kilograms for a publication made up in one single volume. In regard to articles weighing over 5 kilograms and up to 10 kilograms, for publications not made up in one single volume, their acceptance shall be subject to agreements previously concluded between the Administrations concerned.

ARTICLE 12

Unclaimed Articles

Ordinary postcards, printed matter and samples of no value which for any reason have not been delivered, shall be destroyed or treated in accordance with the regulations in force in the country of destination unless they bear a request for return, as well as the name and address of the sender, in which case they shall be returned to the country of origin.

ARTICLE 13

Exemptions from Postage

1. The Contracting Parties agree to exempt from postal charges, both in their domestic service and in the Spanish-American service:

- (a) all mail on postal service matters exchanged between the Administrations of the Postal Union of the Americas and Spain; between the said Administrations and the International Bureau of Montevideo; between the said Administrations and the Transshipment Office of Panama; between the latter and the International Bureau; between the post offices of the Spanish-American countries; and between the said post offices and the Postal Administrations of the said countries;
- (b) all mail of the members of the diplomatic corps of the signatory countries;
- (c) official mail forwarded by the consuls to their respective countries; mail exchanged between the various consuls; mail addressed by the consuls to the Government of the country to which they are accredited or to their respective embassies and legations, in all cases where reciprocal relations exist;
- (d) newspapers, periodicals, books, booklets and other printed matter addressed by the publishers or authors to information offices established by the Postal Administrations of the Postal Union of the Americas and Spain, as well as publications supplied free of charge to libraries and other national centres of culture, officially recognized as such by the Governments of the countries belonging to the Union;
- (e) official mail forwarded or received by the Pan-American Union in Washington.

2. Official mail of the central governments of the countries belonging to the Postal Union of the Americas and Spain and enjoying franking privileges in the domestic system of their respective countries, shall be granted the same privilege in the country of destination, without any charge whatsoever, provided reciprocal treatment is strictly adhered to.

3. Exemption from postage shall also be extended to the National Commissions of Intellectual Co-operation appointed under government auspices, in accordance with the Pan-American and Universal Conventions in force.

4. The franking privilege enjoyed by consuls in accordance with the provisions of Section 1, paragraph (c), shall be extended to vice-consuls acting as consuls.

5. All mail matter specified in paragraphs (a), (b) and (c) of Section 1 may also be registered free of charge but without right to indemnity in case of loss, rifting or damage.

6. Mail of the diplomatic corps exchanged between the Secretary of State Departments of their respective countries and their embassies or legations, shall be carried on a reciprocal basis between the two countries and forwarded in open dispatches or diplomatic pouches in accordance with the provisions of Article 106.

of the Detailed Regulations. The said pouches shall be exempt from postage and enjoy all the guarantees which apply to official dispatches.

7. The exemptions from postage herein provided shall in no case apply to the air service or to any other special service operated in the Spanish-American establishment or in the domestic services of the contracting countries.

ARTICLE 14

Reduced Rates

All mail matter exchanged between the Boards of National Elementary Schools and similar organizations within the Postal Union of the Americas and Spain shall enjoy a special rate equivalent to 50 per cent of the ordinary rate, provided its weight does not exceed one kilogram and it complies in all cases, with the conditions fixed for their respective postal classification.

Mail of an epistolary nature is excepted.

ARTICLE 15

Prohibitions

1. Without prejudice to any of the provisions of the Universal Postal Convention now in force or to the domestic legislation of any country regarding restrictions relative to the circulation of mail, the following articles shall not be accepted:

- (a) publications endangering public safety and order;
- (b) publications containing offensive or insulting statements against the legally constituted system of government;
- (c) pornographic publications and any other writings or publications considered offensive to morals and decency;
- (d) mail of any kind having for its object the commission of fraud or any other crime against persons or property. Procedure in this connection shall be governed by the domestic legislation of each country;
- (e) publications having for their main purpose the diffusion of communistic principles among the people;
- (f) mail, whether ordinary or registered, containing coin, banknotes or securities payable to bearer, in the absence of agreements to the contrary between the Administrations concerned.

2. If, notwithstanding the provisions of paragraph (f), any articles therein specified have been forwarded in error or otherwise, the Administrations of the country of destination may deliver them to their respective addressees, where domestic legislation permits, subject to the requirements thereof; otherwise, the said articles shall be returned to the country of origin.

ARTICLE 16

Special Services

The High Contracting Parties may, by special agreement or by correspondence, extend to the other countries of the Postal Union of the Americas and Spain the postal services which they now operate or may hereafter establish in their respective countries.

ARTICLE 17

Postage Paid in Cash

The contracting countries have the privilege of adopting the "Postage Paid in Cash" method for the transmission of newspapers or periodicals wrapped or not, including those containing purely commercial publicity or advertisements, provided no reduced rates are applied to the latter.

ARTICLE 18

Official Forms Forwarded by Air Mail

Official forms as provided in the Detailed Regulations of the Universal Postal Convention, covering requests for the withdrawal of mail, notices of change of address and inquiries in regard to any mail article may be forwarded by air mail.

Such forms shall be accepted by the air service only if enclosed in envelopes duly prepaid as air mail correspondence, the Administrations being authorized to collect the postage and surcharges covering prepayment.

All forms thus forwarded shall bear a corresponding note in the upper part of the obverse side of same. They shall be considered as urgent matter and shall, in consequence, be given preferential treatment by the Administrations concerned.

ARTICLE 19

Official Language

Spanish is adopted as the official language for matters relative to the postal service. Any country whose language is not Spanish may, however, use its own.

ARTICLE 20

Protection and Exchange of Postal Employees

1. The Administrations of the contracting countries are obliged, upon request, to co-operate with the officials entrusted with the transportation of mail in transit through their respective countries, and also to extend all facilities to the officials which one Administration may agree to send to another for the purpose of studying the development and improvement of the postal service.

2. The Administrations, acting through the International Bureau of Montevideo, shall conclude agreements among themselves for the annual exchange of officials of equal grade for a period not exceeding two months.

3. Once the said exchange is agreed upon by two Administrations, the latter shall decide upon the apportionment of the expenditure involved and all measures for the settlement of same shall be taken by the intermediary of the International Bureau of Montevideo.

ARTICLE 21

International Transshipment Office

1. There shall continue to be maintained in the Republic of Panama an International Transshipment Office entrusted with the receipt and despatch of all mail which originates in those countries of the Union not operating their own services in the Isthmus, thus entailing transshipment operations in the course of their transmission through same.

2. The said Office shall function in accordance with the regulations agreed upon by the International Bureau of the Postal Union of the Americas and Spain and the Postal Administration of Panama.

3. Any proposal for the amendment of the aforesaid regulations shall be submitted by the Administrations concerned to the International Bureau of Montevideo, which, in turn, shall present it for consideration to the Postal Administration of Panama.

4. The organization and operation of the International Transshipment Office are subject to the supervision and control of the Post and Telegraph Department of Panama and the International Bureau of the Postal Union of the Americas and Spain, which shall act as mediator and arbitrator in any disagreements between the Postal Administration of Panama and the countries availing themselves of the services of the said Office.

5. The officials of the said Office shall be chosen by the Post and Telegraph Department of Panama and shall be ensured permanency, as provided in the official regulations.

6. The cost of maintaining the said Office shall be borne by the countries availing themselves of its services and shall be apportioned on the basis of the number of mail bags exchanged through its intermediary.

The Administration of Panama shall advance the funds required for the maintenance, on an efficient basis, of the services of the said Office.

These amounts shall be reimbursed quarterly by each Administration concerned; any reimbursements not made within a period of six months following the end of each quarter shall bear interest at the rate of 5 per cent per annum; the sums collected in interest shall be added to the maintenance funds of the Transshipment Office.

ARTICLE 22

Arbitration

Any dispute or disagreement arising in the postal relations of the contracting countries shall be settled by arbitration in the manner prescribed by the Universal Postal Convention. The arbitrators shall be selected by the signatory countries and, should the need arise, through the intervention of the International Bureau of the Postal Union of the Americas and Spain.

ARTICLE 23

International Bureau of the Postal Union of the Americas and Spain

1. The central office, situated at Montevideo and known as the International Bureau of the Postal Union of the Americas and Spain, shall function under the supervision of the Post Office Department of the Republic of Uruguay, as a medium of information and consultation for the countries of the Union.

2. The said Bureau is entrusted with the following duties:

- (a) to gather, collate, publish and distribute all data of particular interest to the postal services of the Americas and Spain;
- (b) to give, at the express request of the parties concerned, an opinion upon questions in dispute;
- (c) to give, on its own initiative, or at the request of any of the Administrations of the signatory countries, its opinion on all matters relating to the postal service and affecting or concerning the general interests of the Postal Union of the Americas and Spain;
- (d) to report any proposals made for amendments to the Acts of the Congress and to notify any changes adopted;

- (e) to report the results obtained from the regulative provisions and measures of importance adopted by the Administrations in their domestic services, of which the Bureau has been informed;
- (f) to distribute the postal maps and guides supplied by the respective Administrations; to collect the data required for the preparation and distribution of maps showing the air mail lines of the Americas and Spain;
- (g) to prepare a summary of the postal statistics of the Americas and Spain on the basis of data supplied annually by each Administration;
- (h) to publish a report on the most rapid mail routes connecting the contracting countries;
- (i) to prepare a table giving in detail all free and gratuitous maritime services of the countries of the Postal Union of the Americas and Spain, which may be utilized for the transportation of their mail as prescribed by Article 3;
- (j) to publish the postage rates which apply to the domestic service of each of the countries concerned and the table of equivalents;
- (k) to publish and distribute annually among the countries of the Postal Union of the Americas and Spain a report on the Bureau's activities;
- (l) to carry out any studies or other work requested of the Bureau, in the interest of the contracting countries, relative to social, economic and artistic development. With a view to this, the International Bureau shall always be at the disposal of the said countries by supplying them with any special information they may request on matters relative to the Spanish-American Postal Service;
- (m) to share and collaborate in the organization and the work of the Congresses and Conferences of the Postal Union of the Americas and Spain;
- (n) to distribute among the Administrations of the countries of the Postal Union of the Americas and Spain copies of the postal laws and regulations of each country; in consequence, each of the said Administrations must supply the said Bureau with twenty-five copies of such laws and regulations.

3. The expenditure involved in the preparation of the Annual Report and of the Table of Postal Communications, as well as all expenditure in connection with Conferences or Congresses, shall be met by the Administrations in accordance with the classification established by Article 111 of the Detailed Regulations. The sums to be spent in connection with the said Conferences and Congresses shall be fixed jointly, in each instance, by the Post Office Department of Uruguay and the International Bureau of Montevideo.

4. The Post Office Department of Uruguay shall finance the operating expenses of the International Bureau of the Postal Union of the Americas and Spain and advance the funds required for that purpose.

5. The sums thus advanced by the Administration of Uruguay shall be repaid by the debtor Administrations with as little delay as possible and, at the latest, before the expiration of six months following the date on which the country concerned will have received the account rendered by the Post Office Department of Uruguay. Any amounts remaining unpaid after that date shall bear interest at the rate of 5 per cent annually, from the date of expiration of the time limit.

6. The contracting countries hereby agree to provide in their budgets an annual sum for the prompt payment of their contribution.

ARTICLE 24

Congresses

1. Congresses shall be held at least every five years from the date of the entry into force of the Convention signed at the preceding one.
2. Each Congress shall set the place and date of the next to be held.

ARTICLE 25

Introduction of Proposals between Meetings

This Convention may be amended between Congresses by following the procedure prescribed by the Universal Postal Convention. To become binding, amendments to this Article and to Articles 1, 2, 3, 4, 5, 8, 9, 12, 13, 18, 21, 22, 23, 24, 26, 28, 29, 30 and 31, require a unanimous vote; amendments to Articles 10, 14 and 15 require two-thirds of the votes, and amendments to all other Articles only require a majority.

ARTICLE 26

Amendments

Amendments or resolutions adopted by the contracting parties, including those of a domestic character but affecting the international service, shall come into force three months after notification of same by the International Bureau of the Postal Union of the Americas and Spain.

ARTICLE 27

Application of the Universal Postal Convention and of Domestic Legislation

1. All matters concerning the exchange of mail among the contracting countries which are not provided for in this Convention shall be subject to the provisions of the Convention in force in the Universal Postal Union and of its Regulations; anything not provided for in the latter shall be the subject of special agreements among the Administrations concerned.
2. Likewise, the domestic legislation of the said countries shall apply to all matters not provided for by either Convention.

ARTICLE 28

Proposals to be Submitted to the Universal Congresses

The countries belonging to the Postal Union of the Americas and Spain shall notify to one another, through the intermediary of the International Bureau of Montevideo, the proposals they intend to submit to the Universal Postal Congresses, six months in advance of the date of such Congresses.

ARTICLE 29

Joint Action at the Universal Postal Congresses

The signatories to the Postal Convention of the Americas and Spain that have ratified it or put its provisions into force shall instruct their delegates to the Universal Postal Congresses to give firm and unanimous support to all the principles laid down by the Postal Union of the Americas and Spain and also to give their votes accordingly, except in cases where the proposals under debate solely affect the countries submitting them.

ARTICLE 30

Preliminary Conferences

1. For the purposes of the provisions of Article 29, the delegates of the countries belonging to the Postal Union of the Americas and Spain shall meet, prior to the Universal Postal Congresses, in the city where the latter are to be held, fifteen days in advance of same for a preliminary conference at which the procedure relating to joint action shall be determined.

2. The International Bureau of the Postal Union of the Americas and Spain shall, in due time, extend an invitation to the Administrations of the Union to attend the said preliminary conferences, which shall be organized by the Director of the International Bureau of Montevideo, who shall be present at such conferences.

ARTICLE 31

New Adhesions

In the case of new adhesions, the Government of the Republic of Uruguay, by common consent with the Government of the country concerned, shall determine the classification of the said country in relation to the apportionment of the cost of maintaining and operating the International Bureau.

ARTICLE 32

Entry into Force and Duration of the Convention. Filing of Ratifications

1. This Convention shall come into force on October 1, 1937, and shall remain in operation for an indefinite period, each contracting party having the right, however, to withdraw from the Union by notice given one year in advance by its Government to the Government of the Republic of Uruguay.

2. The ratifications shall be filed in the City of Panama, in the Republic of Panama, as soon as possible, preferably before the date on which the Convention and Agreements become effective; each ratification shall be recorded and a copy of the record forwarded by the Government of the Republic of Panama, through diplomatic channels, to the Governments of the other signatory countries.

3. The provisions of the Postal Convention of the Americas and Spain sanctioned at Madrid on November 10, 1931, are repealed, such repeal becoming effective on the date on which this Convention comes into force.

4. The non-ratification of this Convention by one or more of the contracting parties shall not invalidate it so far as the countries which have ratified it are concerned.

5. The contracting countries may, by correspondence, provisionally ratify the Convention and the Agreements by so advising the Administrations concerned, through the intermediary of the International Bureau, without prejudice to confirmation through diplomatic channels, in accordance with the domestic legislation of each country and subject to approval by their legislatures.

In faith whereof the Plenipotentiaries of the above-mentioned countries have signed this Convention at Panama, in the Republic of Panama, on the twenty-second day of December, one thousand nine hundred and thirty-six.

For Argentina:

LUIS S. LUTI

For Bolivia:

JORGE E. BOYD

For Brazil:

LEONIDAS DE SIQUEIRA
MENESES

JAYME DIAS FRANÇA
JULIO SÁNCHEZ PÉREZ

For Canada:

PETER T. COOLICAN
F. E. JOLLIFFE

For Colombia:

ALFONSO PALACIO RUDAS

For Costa Rica:

ENRIQUE FONSECA ZÚÑIGA

For Cuba:

CARLOS A. VASSEUR

For Chile:

SILVERIO BRAÑAS
MIGUEL A. PARRA

For the Dominican Republic:

MANUEL DE J. QUIJANO

For Ecuador:

VICTORIANO ENDARA A.
VÍCTOR M. NARANJO

For Paraguay:

LUIS S. LUTI

For Peru:

AUGUSTO S. SALAZAR
ERNESTO CÁCERES B.

For Salvador:

JOSÉ E. ARJONA

For Spain:

JOSÉ V. CHÁVEZ
JOSÉ ROBERTO MONTERO

For the United States of America:

For Harlee Branch, JOHN E.
LAMIELL
JOHN E. LAMIELL
STEWART M. WEBER

For Guatemala:

TOMÁS ARIAS

For Hayti:

ANDRÉ FAUBERT

For Honduras:

ALBERTO ZÚÑIGA

For Mexico:

JOSÉ V. CHÁVEZ
JOSÉ ROBERTO MONTERO

For Nicaragua:

ADOLFO ALTAMIRANO
BROWNE

For Panama:

JOSÉ E. ARJONA
JUAN B. CHEVALIER
JUAN BRIN
CARLOS ORTIZ R.
TOMÁS H. JÁCOME
MANUEL DE J. QUIJANO
ANGELO FERRARI

For Uruguay:

HUGO V. DE PENNA

For Venezuela:

FRANCISCO VÉLEZ SALAS
CARLOS HARTMANN

FINAL PROTOCOL TO THE CONVENTION

At the time of signing the Convention concluded by the Fourth Spanish-American Postal Congress, the undersigned Plenipotentiaries have agreed as follows:

I

The United States of America reserves the right to maintain, as a temporary measure, the rates now applicable to the countries of the Postal Union of the Americas and Spain which may be higher than the rates applicable to its domestic services.

II

In regard to Article 29 of the Convention, the United States of America reserves full freedom of action in Universal Postal Union Congresses.

III

Each contracting country undertakes to maintain the privileges now enjoyed by vessels of the other countries of the Postal Union of the Americas and Spain which carry mails free of charge, and, furthermore, to extend to them, in future, all privileges enjoyed by vessels of any other country performing similar services.

IV

Bolivia, Canada, Colombia, the United States of America, Spain, Mexico and Panama make a final reservation to the effect that they do not accept the provisions of paragraphs (b) and (e) of Article 15 of the Convention because they cover matters outside the sphere of Postal Congresses and relate exclusively to the domestic legislation of each country.

V

In regard to Section 1 of Article 21, Bolivia reserves full freedom of action concerning the utilization of the services of the International Trans-shipment Office.

VI

Canada makes a reservation to the effect that it cannot accept the provisions of paragraphs (d) and (e) of Section 1 of Article 13 and of Sections 2, 3 and 6 of the said Article.

Done at Panama, on the 22nd of December, 1936.

For Argentina:

LUIS S. LUTI

For Bolivia:

JORGE E. BOYD

For Brazil:

LEONIDAS DE SIQUEIRA
MENESES

JAYME DIAS FRANÇA
JULIO SÁNCHEZ PÉREZ

For Canada:

PETER T. COOLICAN
F. E. JOLLIFFE

For Colombia:

ALFONSO PALACIO RUDAS

For Costa Rica:

ENRIQUE FONSECA ZÚÑIGA

For Cuba:

CARLOS A. VASSEUR

For Chile:

SILVERIO BRAÑAS
MIGUEL A. PARRA

For the Dominican Republic:

MANUEL DE J. QUIJANO

For Panama:

JOSÉ E. ARJONA
JUAN B. CHEVALIER
JUAN BRIN
CARLOS ORITZ R.
TOMÁS H. JÁCOME
MANUEL DE J. QUIJANO
ANGELO FERRARI

For Paraguay:

LUIS S. LUTI

For Peru:

AUGUSTO S. SALAZAR
ERNESTO CÁCERES B.

For Ecuador:

VICTORIANO ENDARA A.
VÍCTOR M. NARANJO

For Salvador:

JOSÉ E. ARJONA

For Spain:

JOSÉ V. CHÁVEZ
JOSÉ ROBERTO MONTERO

For the United States of America:

For Harllee Branch,
JOHN E. LAMIELL
JOHN E. LAMIELL
STEWART M. WEBER

For Guatemala:

TOMÁS ARIAS

For Hayti:

ANDRÉ FAUBERT

For Honduras:

ALBERTO ZÚÑIGA

For Mexico:

JOSÉ V. CHÁVEZ
JOSÉ ROBERTO MONTERO

For Nicaragua:

ADOLFO ALTAMIRANO
BROWNE

For Uruguay:

HUGO V. DE PENNA

For Venezuela:

FRANCISCO VÉLEZ SALAS
CARLOS HARTMANN

DETAILED REGULATIONS FOR THE EXECUTION OF THE CONVENTION OF THE POSTAL UNION OF THE AMERICAS AND SPAIN

AGREED TO BY

CANADA, ARGENTINA, BOLIVIA, BRAZIL, COLOMBIA, COSTA RICA,
CUBA, CHILE, DOMINICAN REPUBLIC, ECUADOR, SALVADOR,
SPAIN, UNITED STATES OF AMERICA, GUATEMALA, HAYTI,
HONDURAS, MEXICO, NICARAGUA, PANAMA, PARAGUAY,
PERU, URUGUAY AND VENEZUELA.

The undersigned, acting for their respective Administrations, have agreed on the rules hereunder for ensuring the execution of the foregoing Convention:

ARTICLE 101

Exchange of Mails

1. The Administrations of the contracting countries may send reciprocally, through the intermediary of one or more of them, both open or closed mails in the manner provided by the Convention and Regulations of the Universal Postal Union.

2. Each intermediary Administration shall convey the aforesaid mails by the most rapid routes at its disposal for the dispatch of its own mails; said transportation shall be carried out either free of charge when the services used are controlled by the said Administration or by collecting, from the Administration of the country of origin, of the same rates it is obliged to pay when the services of other Administrations are required for the subsequent transmission to those to whom such charges are to be paid.

ARTICLE 102

Equivalents

The Administrations shall inform one another, through the intermediary of the International Bureau of the Postal Union of the Americas and Spain, of their domestic rates and the equivalents of said rates fixed in gold francs of the Universal Postal Union.

They shall enter into force on the first day of a month and, at the earliest, sixty days after due notification to the International Bureau.

ARTICLE 103

Make-up of Dispatches. Empty Bags

1. Dispatches of mail exchanged within the countries of the Postal Union of the Americas and Spain shall be made up as provided in the Detailed Regulations governing the Universal Postal Convention.

2. The empty mail bags which have been utilized by the contracting Administrations for the dispatch of mail shall be returned by the exchange offices of the countries of destination to those of the countries of origin in the manner prescribed by the said Regulations. The Administrations may, however, enter into an agreement for their utilization for the dispatch of their own mails, the apportionment of the cost of the aforesaid bags to be decided by similar agreement.

ARTICLE 104

Prepayment. "Postage Paid in Cash" Service. Insufficient Prepayment of Letters

1. The prepayment of mail exchanged among the contracting countries is governed by the provisions of the Universal Postal Convention.

2. In those countries of the Postal Union of the Americas and Spain where the "Postage Paid in Cash" service is or may be established for newspapers and periodicals, including publicity and advertisement organs, packages of same shall bear, on the cover, the distinct inscription "Franqueo Pagado" (Postage Paid).

The Administrations shall exchange, through the intermediary of the International Bureau of Montevideo, any information enabling the Exchange Offices to readily distinguish such articles from those not enjoying the said privilege.

3. The Administration of the country of origin shall affix the T-stamps to the obverse side of envelopes of letters insufficiently prepaid, also indicating, in gold francs, the amount of deficiency.

ARTICLE 105

Small Packets

1. The packing and wrapping of small parcels are governed by the provisions applying to samples.

In addition, the name and address of the sender shall appear on the outside.

2. An open invoice, reduced to its essential features, or a copy of the label on the packet, with the address of the sender, may be enclosed.

3. The packets, whether accompanied by a customs declaration or not, shall bear the green tag corresponding to Form C. I., as provided in the Detailed Regulations of the Universal Postal Convention.

ARTICLE 106

Diplomatic Pouches

1. The weight and size of the diplomatic pouches exchanged between the Departments of External Affairs of the various countries of the Postal Union of the Americas and Spain and their diplomatic representatives in other countries, as provided by Article 13 of the Convention, shall be agreed upon by the parties concerned, but the weight shall not exceed 30 kilograms.

2. The said Departments of External Affairs and the diplomatic representatives shall deliver the pouches to the post offices and shall be handed receipts therefor; the same formality shall be observed by the post offices in delivery of pouches to the addressees.

3. The aforesaid pouches shall be provided with safety locks or padlocks as appropriate to the importance of such dispatches.

4. The Administration of the country of origin shall forward the diplomatic pouches to the Administration of the country of destination by the same routes used for its own mail, said dispatch being announced by means of a note on the letter-bill accompanying it.

5. In the absence of agreements to the contrary, diplomatic pouches shall not be carried free of postage by air mail.

ARTICLE 107

Diplomatic and Consular Mail

Diplomatic and consular mail shall bear the name of the dispatching embassy, legation or consulate and the distinct inscription beneath: "Diplomatic Mail" or "Consular Mail," in addition to the words "Postage Free."

ARTICLE 108

Transit Statistics

In view of the gratuity of transit provided by Article 3 of the Convention, the Administrations of the contracting countries are not required to keep statistical records of transit charges in connection with dispatches containing Spanish-American mail matter exclusively, when such dispatches are carried without the intermediary of countries or services outside the Postal Union of the Americas and Spain.

ARTICLE 109

Organization of the International Bureau

1. The Director of the International Bureau shall be appointed by the Government of Uruguay upon the recommendation of the Post Office Department of that country and shall receive a monthly salary of 500 Uruguayan pesos.

The Secretary, the Chief Translator and the other members of the staff shall be appointed by the Post Office Department of Uruguay upon the recommendation of the Director of the International Bureau; the monthly salaries of the first-named two officers shall be 250 and 150 Uruguayan pesos respectively.

The members of the staff may be removed from office solely through the intervention of the Post Office Department of Uruguay, such removal to be governed by the regulations which apply to the permanent staff of the said Department.

2. The Director of the International Bureau shall attend the Congresses and Conferences of the Postal Union of the Americas and Spain, as prescribed by Articles 23 and 30 of the Convention; he shall be present at the meetings and may participate in the discussions, but shall have no vote.

3. The official language of the International Bureau is Spanish. The countries, however, whose language is not Spanish, may use their own language in their relations with the said Bureau.

ARTICLE 110

Retirement and Pensions

1. The pensions of the staff of the International Bureau of Montevideo shall be paid exclusively from a fund set aside for that purpose by the said Bureau from the contributions of all the countries of the Union. The conditions of payment and the amounts of said pensions are similar to those provided by law in Uruguay and applied to the civil servants of that country.

2. The Government of Uruguay, acting through the intermediary of the International Bureau, shall acquaint the Administrations of the countries of the Union with the text of the regulations enacted.

ARTICLE 111

Accounts and Expenses of the International Bureau

1. The annual expenditure of the International Bureau shall not exceed the sum of 13,000 Uruguayan pesos, the said amount to include the establishment of a retirement fund for the Bureau's staff.

2. For the purpose of apportioning the annual and supplementary expenditure of the Bureau, the contracting countries are divided into three groups, each contributing to the payment thereof in the following proportion: group 1, eight units; group 2, four units; group 3, two units.

The countries are classified as follows: Group 1—Argentina, Brazil, Canada, Spain, the United States of America and Uruguay; Group 2—Colombia, Cuba, Chile, Mexico and Peru; Group 3—Bolivia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Nicaragua, Panama, Paraguay and Venezuela.

3. The Post Office Department of Uruguay shall draw up annual statements as provided by Article 23 of the Convention, and the contracting Administrations shall reimburse the said Department the amounts thus advanced.

4. Except in the case of an agreement to the contrary, the International Bureau shall settle the accounts covering services exchanged between one contracting country and another by following the procedure established by the Universal Postal Convention.

5. While Uruguayan currency remains depreciated, the Post Office Department of Uruguay shall increase by 30 per cent the salaries provided by Article 109.

ARTICLE 112

Information Service. Requests for Changes and Amendments

The International Bureau shall always be at the service of the contracting parties for the purpose of supplying them with any information they may request on matters concerning the Spanish-American Postal Service, of circulating requests for the amendment or interpretation of the regulations of the Postal Union of the Americas and Spain and of advising the contracting parties of the results in each case.

ARTICLE 113

Publications

1. The International Bureau of the Postal Union of the Americas and Spain shall issue a special circular every time an Administration requests the immediate publication of any change introduced in its service and shall forward, gratis, to each contracting party and to the International Bureau at Berne, all documents published; the number of copies supplied each Administration shall correspond to the number of units in its contribution.

The Administrations may obtain, at cost, additional copies of documents.

2. The International Bureau shall acquaint the contracting countries with the proposals it receives, in accordance with the provisions of Article 28 of the Convention. To that end, each country of the Postal Union of the Americas and Spain shall forward promptly, through the intermediary of the said Bureau, as provided for in the Convention, all proposals to be submitted to the Universal Congresses, so that all such proposals may be given the unanimous support of the said countries.

ARTICLE 114

Documents and Reports to be Transmitted to the International Bureau

1. The International Bureau shall serve as an intermediary for the transmission of regular and general information concerning the Administrations of the contracting countries exclusively.

The aforesaid Administrations shall forward the following documents and reports, regularly and promptly, to the International Bureau:

- (a) postal legislation and subsequent amendments;
- (b) the Postal Guide, each time it is published;
- (c) maps and guides of the postal routes utilized in their domestic and international services;
- (d) information concerning the most rapid land and sea routes which may be utilized for the conveyance of mail;

- (e) postal statistics covering traffic with the other Spanish-American countries;
- (f) the text of proposals they submit for the consideration of the Universal Postal Congresses;
- (g) all data concerning the Spanish-American Postal Services whenever new provisions are enacted;
- (h) all information requested by the International Bureau for inclusion in the publications, reports, etc., coming within the sphere of the said Bureau, in such manner as to enable the latter to fulfil its task with as little delay as possible;
- (i) a table giving in detail all the maritime services coming under the jurisdiction of the countries of the Postal Union of the Americas and Spain which may be utilized, free of charge, by the other countries for the conveyance of their mails.
2. Any further changes shall be notified without delay.

ARTICLE 115

Introduction of Amendments between Congresses

In the interval between Congresses the Administrations have the right to formulate proposals concerning these regulations, following the procedure established by the Universal Postal Convention.

In order to become binding, the proposals must obtain two-thirds of the votes cast.

ARTICLE 116

Application of the Universal Postal Convention and of Domestic Legislation

1. All matters pertaining to the exchange of mail between one and another of the contracting parties which are not provided for in these Regulations, shall be subject to the provisions of the Regulations of the existing Universal Postal Convention.

2. Likewise, the domestic legislation of the respective countries shall apply in all cases not covered by either of the two sets of Regulations.

ARTICLE 117

Coming into Force and Duration of the Regulations

These Regulations shall come into force on the same date as the Convention to which they relate and shall remain in force for the same length of time.

Done at Panama in the Republic of Panama on the 22nd day of December, 1936.

For Argentina:

LUIS S. LUTI

For Bolivia:

JORGE E. BOYD

For Brazil:

LEONIDAS DE SIQUEIRA
MENESES

JAYME DIAS FRANÇA

JULIO SÁNCHEZ PÉREZ

For Canada:

PETER T. COOLICAN
F. E. JOLLIFFE

For Colombia:

ALFONSO PALACIO RUDAS

For Costa Rica:

ENRIQUE FONSECA ZÚÑIGA

For Cuba:

CARLOS A. VASSEUR

For Chile:

SILVERIO BRAÑAS
MIGUEL A. PARRA

For the Dominican Republic:

MANUEL DE J. QUIJANO

For Ecuador:

VICTORIANO ENDARA A.
VÍCTOR M. NARANJO

For Salvador:

JOSÉ E. ARJONA

For Spain:

JOSÉ V. CHÁVEZ
JOSÉ ROBERTO MONTERO

For the United States of America:

For HARLEE BRANCH,
JOHN E. LAMIELL
JOHN E. LAMIELL
STEWART M. WEBER

For Guatemala:

TOMÁS ARIAS

For Hayti:

ANDRÉ FAUBERT

For Honduras:

ALBERTO ZÚÑIGA

For Mexico:

JOSÉ V. CHÁVEZ
JOSÉ ROBERTO MONTERO

For Nicaragua:

ADOLFO ALTAMIRANO
BROWNE

For Panama:

JOSÉ E. ARJONA
JUAN B. CHEVALIER
JUAN BRIN
CARLOS ORTIZ R.
TOMÁS H. JÁCOME
MANUEL DE J. QUIJANO
ANGELO FERRARI

For Paraguay:

LUIS S. LUTI

For Peru:

AUGUSTO S. SALAZAR
ERNESTO CÁCERES B.

For Uruguay:

HUGO V. DE PENA

For Venezuela:

FRANCISCO VÉLEZ SALAS
CARLOS HARTMANN

PROVISIONS GOVERNING THE CONVEYANCE OF MAIL BY AIR

The High Contracting Parties agree to adopt the following provisions regarding the conveyance of mail by air:

I

Classes of Mail Accepted for Conveyance by Air Mail

1. All articles enumerated in Article 4 of the Convention shall be accepted for conveyance by air. The exchange of small packets and insured articles shall, however, be limited to those countries which have agreed to operate such services.
2. The aforesaid articles may be registered.

II

Freedom of Transit and Routing of Air Mail

1. All domestic or international air lines operated under the direct or indirect control of an Administration and over which mail is carried, shall be available to the other Administrations, on the basis of uniform rates and general conditions applicable to all those Administrations which use these services without sharing in the operating expenses.
2. The contracting parties agree to convey, by the most rapid air routes used for their own mail, all mail reaching them from any other Administration and destined to another country of the Postal Union of the Americas and Spain or of the Universal Postal Union.

They agree, furthermore, to adopt all necessary means to extend the most favourable treatment to the handling and routing of air mail.

III

Responsibility

The contracting parties shall assume, in regard to articles forwarded by air mail, the same responsibility established for articles conveyed by ordinary means of transportation.

IV

Allocation of Air Mail Surcharges

Each Administration shall retain the whole of the air mail surcharges it collects.

V

Maximum Postage Rates

The postage rates for air mail within the Postal Union of the Americas and Spain shall not exceed the actual cost of air mail transportation to the country of origin plus the rates applying to other means of transportation in the latter's domestic service; the said rates may be rounded to multiples of five where necessary.

VI

Establishment of Rates. Unit of Weight

1. The unit of weight forming the basis of air mail rates for all the countries of the Postal Union of the Americas and Spain is 5 grams or fraction thereof for letters, letter-cards and post-cards.

2. Countries not using the decimal system may, however, adopt the nearest equivalent to 5 grams, in conformity with the system of weight used in their domestic mail service.

VII

Special Marking of Dispatches

Articles conveyed by air mail shall be marked with a blue label or stamp impression bearing the words "POR AVION," "BY AIR MAIL," or "PAR AVION."

The bags or parcels containing air mail shall also bear blue labels and shall be made, wherever possible, of material of the same colour.

VIII

Prepayment Symbols

1. The postage on air mail may be symbolized by means of handwritten figures representing the amount of postage paid in the currency of the country of origin, or of a label on which the said amount has been printed by means of a stamping machine.

2. The prepayment of the air mail surcharge on official mail dealing with postal matters exclusively and exchanged between the countries of the Postal Union of the Americas and Spain, may be symbolized by means of a handwritten note or a stamped impression showing the surcharge to which each item is subject.

The same privilege shall be extended to official mail dealing exclusively with telegraphic matters and exchanged between the Administrations of the countries of the Postal Union of the Americas and Spain; this applies to the countries whose telegraphic service is operated by the Government.

The said note shall be affixed on the face of the letter and must be certified to by an impression of the date-stamp of the post office of origin.

IX

Insufficient Prepayment

Insufficiently prepaid articles shall not be forwarded unless the air mail surcharge has been paid in full.

X

Franking Privilege for Official Mail. Exemptions from Postage

The franking privilege accorded contractually by the transportation concerns to official mail shall be uniform for all the Administrations; the latter shall consequently not impose any charge on mail exempt from postage in virtue of the franking privilege extended by the transportation concerns, on the basis of existing agreements.

The aforesaid privileges shall always be granted in all cases where the agreements of the respective countries permit it.

XI

Preferential Treatment Extended in the Case of Unforeseen Circumstances

International air mail is entitled to preferential treatment during conveyance and delivery in the country of destination in cases where, due to unforeseen or uncontrollable circumstances, it cannot be conveyed to the said country by the aircraft on which it normally would be carried.

XII

Customs Clearance

International dispatches carried by air shall enjoy preferential treatment in regard to customs regulations and other legal requirements, relating to importation and exportation, to be complied with in the exchange offices.

XIII

Delivery of Air Mail

Air mail shall be delivered promptly to the addressees, said mail to be included in the first delivery which follows its arrival at the office of delivery.

XIV

Acknowledgment of Receipt

1. Registered air mail, for which an acknowledgment of receipt has been requested at the time of mailing, shall bear on the address side the words "ACUSE DE RECIBO" (Acknowledgment of Receipt) or shall be stamped with the letters "A.R." by the office of origin.

2. When registered air mail, bearing the stamped impression "A.R." on the address side, is received at the office of destination, the latter shall forward the acknowledgment card before submitting the said mail to the usual treatment.

3. The acknowledgment of receipt shall be forwarded to the sender through the ordinary channels. The sender or the recipient may, however, request that the acknowledgment be forwarded by air mail, in which case he shall pay the proper surcharge, which shall be retained by the country concerned, without any special account being kept in that connection.

XV

Transportation Costs

1. The intermediate Administration and the Administration of the country of destination participating in the air mail service shall be entitled to payment for transportation on the basis of the gross weight of the dispatches.

2. The transportation rates for air mail shall be fixed, per kilogram, by the Administration having jurisdiction over the services used; they shall be applied proportionately to fractions of one kilogram and subject to previous agreement with the transportation companies.

XVI

Cost of Transportation of Air Mail in Transit

1. In regard to international air mail handled in transit by the countries of the Postal Union of the Americas and Spain, the intermediate Administrations shall debit the Administrations of the countries of origin, solely in the case of closed dispatches, with the actual cost of transportation on the air lines over which they are reforwarded.

2. If, by reason of particular circumstances, due to the high cost of transportation, one country or another is unable to accept this principle, agreements concerning terms of payment may be concluded between the Administrations concerned without affecting other agreements in force until the date of expiration thereof.

3. Any Administration forwarding air mail in open transit to any other country shall pay the cost of transportation in full, the said cost to be computed for the whole flight. In order to fix the rates of transportation, the net weight of these dispatches shall be increased by 10 per cent.

4. Each country shall supply the names of the offices effecting the transit of closed or open dispatches. Where such dispatches are delivered at an office of the intermediate country not appearing on the list of transfer offices for open or closed dispatches, the latter shall be subject to the international rates of transportation applying to the country of transit, over and above the rates of reshipment to the country of destination or to another intermediate country.

XVII

Payment for Using Domestic Services

The Administrations operating air services within their own territory on regular lines may collect from the country of origin a uniform sum for dispatches conveyed over their lines.

XVIII

Accounting. Settlement of Accounts

1. The statements of accounts covering the transportation of air mail shall be forwarded by the creditor to the debtor Administration monthly or quarterly, except where there is an agreement to the contrary.

2. The balances in gold francs or in dollars, as the case may be, shall be paid by the debtor to the creditor Administration in the manner specified by the latter, not later than three months from the date of acceptance of the account.

3. The Administration delivering to an air transportation company bags to be carried successively over various air services, may pay directly to the company the cost of transportation for the whole of the flight, provided this is satisfactory to the Administration concerned.

XIX

Exchange Offices

All the offices established at the regular air mail stops shall be considered as exchange offices in the international air mail service of the Americas and Spain, and shall be authorized to make up and receive direct dispatches.

To this end the signatory countries shall notify one another, by the most rapid means, of the stops established within their respective territories.

XX

Transshipments

The postal authorities of each country may intervene at the junction of air lines in regard to the transshipment of postal dispatches.

XXI

Restrictions Applying to Aircraft in Transit

The postal Administrations of the contracting countries shall obtain from their respective governments an assurance that the restrictions imposed on aircraft in transit shall never be so stringent as to constitute an impediment to the receipt of the mail they carry, either intended for the same country or for reforwarding beyond its territory by the routes agreed upon by the parties concerned.

XXII

Directions Applying to Distribution

The Administrations comprised in the air network of the Postal Union of the Americas and Spain shall forward to all the countries with which they exchange mail, full and detailed instructions in regard to each stop located on their respective territories; these points shall be listed alphabetically, in order to ensure an accurate make-up of the respective dispatches and to prevent delays that may be caused by errors in distribution.

XXIII

Direct Notification by the Administrations

Any important change in the itinerary and stops along the international lines, which may affect the delivery and receipt of air mail, shall be notified to the Administrations concerned at least 30 days in advance by the Administrations having either direct or indirect control over the transportation company operating the service.

XXIV

Communications to be Addressed to the International Bureau

1. The Administrations shall supply the International Bureau of Montevideo with the following data:

- (a) surcharge rates according to the equivalent in their own currency, compared with the gold franc of the Universal Postal Convention; the units of weight they have adopted;
- (b) a list of air lines either directly or indirectly dependent upon the respective Administrations which may be utilized for the transportation of mail;
- (c) the rates payable on the basis of contracts now in force or which may be entered into hereafter with the transportation companies;
- (d) the manner in which they wish payment of air transportation accounts to be settled;
- (e) complete timetables and itineraries of their domestic and international network;
- (f) all data required for the drawing up of an air mail map by the International Bureau of Montevideo, on which shall be indicated the total mileage of the International network of the Postal Union of the Americas and Spain; and
- (g) the text of the agreements concluded for the transportation of air mail.

The Bureau shall be notified of any changes without delay.

2. The International Bureau of Montevideo shall supply this information to the other Administrations of the Union.

XXV

Aerial Parcel Post

1. Subject to agreements among the Administrations concerned, the countries of the Postal Union of the Americas and Spain may exchange parcels by air mail; the maximum weight and volume of each dispatch shall not exceed 3 kilograms and 8 cubic decimeters respectively.

2. This service shall be known as "ENCOMIENDAS AEROPOSTALES" (Aerial Parcel Post); it shall be subject to the reduced postage rates corresponding to the express rates of the operating companies, plus the rates and fees charged by each Administration, without, however, exceeding those applicable to the latter's domestic service for similar dispatches conveyed over ordinary routes.

3. The aerial parcel post service shall be limited to periodicals and to parcels containing merchandise; mail either in open or closed dispatches shall not be accepted by this service.

4. The unit of weight in the aerial parcel post service shall be 500 grams or fraction thereof.

XXVI

Statistics

The Administrations utilizing the air routes for the exchange of parcels shall supply the International Bureau of Montevideo, semi-annually, with statistical data concerning this traffic.

XXVII

Contracts

Contracts, for the conveyance of air mail, concluded with a company, shall not contain preferential clauses restricting free competition in aerial transport.

XXVIII

Previous Concessions and Contracts

The Administrations of the Postal Union of the Americas and Spain undertake to amend all existing concessions to or contracts with private transportation companies, subject to renewal, in such manner as to conform to the present provisions; this also applies to future contracts.

XXIX

Application of the Provisions of the Universal Postal Convention

The general provisions covering transportation of air mail and annexed to the Universal Postal Convention shall apply in all cases not expressly provided for in the preceding Articles.

XXX

Entry into Force and Duration of the Provisions Adopted

1. These provisions shall come into force on the 1st day of October, 1937, and shall remain in force for an indefinite period, each contracting party reserving the right to repudiate them by notice given, one year in advance, by its own government to that of the Republic of Uruguay.

2. The ratifications shall be filed in the City of Panama with the least delay possible. The ratifications shall be recorded and the Government of Panama shall forward a copy of the said record to the governments of the other signatory countries through diplomatic channels.

3. On the date on which these provisions come into force, those concerning the transportation of air mail approved in Madrid on the 10th day of November, 1931, shall be repealed.

4. The non-ratification of these provisions by one or more of the contracting parties shall not affect their validity for the countries which have ratified them.

5. The contracting parties may ratify this Convention provisionally by correspondence, accordingly advising the Administrations concerned through the intermediary of the International Bureau, without prejudice to the confirmation through diplomatic channels, in accordance with legislation of each country and subject to the approval of their legislature.

In faith whereof the Plenipotentiaries of the above-mentioned countries have signed this Agreement at Panama, in the Republic of Panama, on the 22nd day of December, 1936.

For Argentina:

LUIS S. LUTI

For Bolivia:

JORGE E. BOYD

For Brazil:

LEONIDAS DE SIQUEIRA
MENESES
JAYME DIAS FRANÇA
JULIO SÁNCHEZ PÉREZ

For Canada:

PETER T. COOLICAN
F. E. JOLLIFFE

For Colombia:

ALFONSO PALACIO RUDAS

For Costa Rica:

ENRIQUE FONSECA ZÚÑIGA

For Cuba:

CARLOS A. VASSEUR

For Chile:

SILVERIO BRAÑAS
MIGUEL A. PARRA

For the Dominican Republic:

MANUEL DE J. QUIJANO

For Ecuador:

VICTORIANO ENDARA A.
VÍCTOR M. NARANJO

For Salvador:

JOSÉ E. ARJONA

For Spain:

JOSÉ V. CHÁVEZ
JOSÉ ROBERTO MONTERO

For Guatemala:

TOMÁS ARIAS

For Hayti:

ANDRÉ FAUBERT

For Honduras:

ALBERTO ZÚÑIGA

For Mexico:

JOSÉ V. CHÁVEZ
JOSÉ ROBERTO MONTERO

For Nicaragua:

ADOLFO ALTAMIRANO
BROWNE

For Panama:

JOSÉ E. ARJONA
JUAN B. CHEVALIER
JUAN BRIN
CARLOS ORTIZ R.
TOMÁS H. JÁCOME
MANUEL DE J. QUIJANO
ANGELO FERRARI

For Paraguay:

LUIS S. LUTI

For Peru:

ANGUSTO S. SALAZAR
ERNESTO CÁCERES B.

For Uruguay:

HUGO V. DE PENA

For Venezuela:

FRANCISCO VÉLEZ SALAS
CARLOS HARTMANN

PARCEL POST AGREEMENT

CONCLUDED BETWEEN

CANADA, ARGENTINA, BOLIVIA, BRAZIL, COLOMBIA, COSTA RICA, CUBA, CHILE, THE DOMINICAN REPUBLIC, ECUADOR, EL SALVADOR, SPAIN, THE UNITED STATES OF AMERICA, GUATEMALA, HAYTI, HONDURAS, MEXICO, NICARAGUA, PANAMA, PARAGUAY, PERU, URUGUAY AND VENEZUELA.

The undersigned, Plenipotentiaries of the Governments of the above-named countries, agree, by virtue of the provisions of Article 5 of the Universal Postal Convention and subject to ratification, to establish the Parcel Post Service in accordance with the provisions hereunder:—

ARTICLE 1

Object of the Agreement

1. The terms "Ecomienda Postal," "Paquete Postal" or "Bulto Postal" apply to packets exchanged within the Parcel Post Services of the above-named countries.
2. The sender of a parcel post packet may have the latter registered upon payment, in addition to postage, of the registration fee fixed by the country of origin.
3. Packets may be forwarded either insured or cash on delivery, if the parties concerned have agreed to provide these services in their reciprocal relations.
4. Such parcels must be properly packed and fastened.

ARTICLE 2

Transit

1. Freedom of transit is guaranteed throughout the entire territory of each contracting country. The various Administrations may consequently use the intermediary of one or more countries for the reciprocal exchange of parcels.
2. Parcels shall be forwarded in closed dispatches, or in open dispatches in the case of agreement to that effect by the Administrations concerned, over the most rapid land or sea routes utilized for their own dispatches by the countries participating in the transportation.
3. The dispatching Administrations shall forward a copy of the way bills to each of the intermediary Administrations in the case of transit in closed dispatches.

ARTICLE 3

Weight and Dimensions

1. The maximum weight of a parcel shall be 20 kilograms. It may, however, be limited to 10 kilograms by the Administrations of the countries whose domestic transportation facilities make this reduction necessary, subject, however, to notification to the other signatories through the intermediary of the International Bureau of Montevideo.

2. Parcel post packets shall be divided into the following weight classes:
- up to 1 kilogram;
 - from 1 to 5 kilograms;
 - from over 5 to 10 kilograms;
 - from over 10 to 15 kilograms;
 - from over 15 to 20 kilograms.

3. The maximum dimensions of the parcels shall be governed by the Agreement in force in the Universal Postal Union; the contracting parties may, however, accept parcels of different dimensions subject to the previous consent of the intermediate countries.

4. Bulky parcels, i.e., parcels measuring over 1.05 meters in length, width or depth, shall be accepted only where agreements to that effect have been concluded between the parties concerned.

ARTICLE 4

Postage Rates and Charges

1. The postage applicable to parcels exchanged as herein provided shall not exceed the total of the rates of origin, transit and destination. Should the case arise, however, the maritime rates provided by the Universal Postal Convention governing the exchange of parcels, shall be added to that amount.

2. The rates of origin, transit and destination, are fixed in gold francs, as hereunder, or in the equivalent thereof:

- 25 centimes for parcels weighing up to 1 kilogram;
- 50 centimes for parcels weighing from over 1 to 5 kilograms;
- 100 centimes for parcels weighing from over 5 to 10 kilograms;
- 150 centimes for parcels weighing from over 10 to 15 kilograms;
- 200 centimes for parcels weighing from over 15 to 20 kilograms;

3. The contracting Administrations have the privilege, however, of increasing these rates up to double their amount.

4. Any Administration which, in the Universal Union is authorized to increase the rates mentioned in the two preceding Sections, may also apply this authorization to the Spanish-American service.

5. Notwithstanding the provisions of the foregoing Sections, none of the contracting Administrations shall be obliged to fix a rate lower than that established for this class of article in its domestic service.

6. The Administration of origin shall credit each of the intervening Administrations, including that of the country of destination, with the corresponding rates, in accordance with the provisions of the foregoing Sections.

7. The International Bureau shall issue and distribute a table covering land transit, exit and entry rates of all Administrations, and shall keep this information up to date by means of supplements.

ARTICLE 5

Customs Clearance, Delivery, Storage and Other Charges

1. The Administrations of destination may collect the following items from the addressees of parcels:

- (a) a fee not exceeding 50 gold centimes or equivalent thereof for customs requirements;
- (b) a fee not exceeding 50 gold centimes or equivalent thereof for the transportation and delivery of each parcel to the addressee's residence;

when parcels are not delivered to the addressee's residence, the latter shall be advised of their arrival, in which case the Administrations whose domestic regulations so require, shall collect a special fee for the delivery of such notice. This fee shall not exceed the usual domestic rate of postage on an ordinary letter.

- (c) a daily storage charge, not exceeding the rate prescribed by the postal legislation of each country, charged from the time therein provided; the amount to be collected, however, shall in no case exceed 5 gold francs or equivalent thereof;
- (d) the customs duties and all other non-postal charges prescribed by domestic legislation;
- (e) the amount corresponding to the consular fee, in cases where the latter has not been prepaid by the sender;
- (f) a repacking fee, not exceeding 30 centimes, as provided for by the Universal Postal Convention. This fee is payable by the addressee or the sender, as the case may be.

2. Parcels addressed to consuls or vice-consuls acting as such shall be exempt from delivery charges when the said parcels contain articles which are not dutiable.

ARTICLE 6

Cancellation of Customs Duties

The contracting Administrations undertake to propose, as soon as possible, to the competent authorities of their respective countries, the cancellation of Customs duties, not only on parcels returned to the country of origin but also on parcels destroyed for any reason whatever or reforwarded to a third country.

The same procedure shall apply in regard to parcels which have been lost, rifled or damaged in the service of any Administration.

ARTICLE 7

Prohibition Against Other Charges

Parcel post packets shall not be subject to any other postal charges than those herein provided for.

Those Administrations, however, which have concluded agreements for the acceptance of cash-on-delivery or insured parcels, are authorized to collect the special charges applicable to this class of article.

ARTICLE 8

Responsibility

1. The Administrations shall be responsible for the loss, rifling or damage of ordinary or registered parcels.

The sender shall be entitled in such cases to indemnity covering the actual extent of the loss, rifling or damage. Sums paid in indemnity shall, however, not exceed the following:

- 10 francs gold for a parcel weighing up to 1 kilogram;
- 25 francs gold for a parcel weighing from over 1 to 5 kilograms;
- 40 francs gold for a parcel weighing from over 5 to 10 kilograms;
- 55 francs gold for a parcel weighing from over 10 to 15 kilograms;
- 70 francs gold for a parcel weighing from over 15 to 20 kilograms.

2. The payment of compensation shall be based on the current price of a similar commodity in the place where and at the time when the parcel has been accepted for transportation.

3. In regard to insured parcels exchanged between those Administrations which agree to provide this type of service, the compensation shall not exceed the insured value.

4. In cases of damage to parcels, the offices of destination shall, immediately on arrival thereof, record the condition in which they have been received, particular attention being paid to the condition in which the seals and wrappers or containers have been found; the latter shall be forwarded to the office of origin accompanied by a copy of the record and the corresponding bulletin of verification, in addition to the vouchers.

The addressees shall be notified of such irregularities only in cases where this is prescribed by the domestic legislation of the country.

The same procedure shall be followed by the offices of origin in the case of returned parcels.

ARTICLE 9

Parcels Awaiting Delivery

1. The period during which parcels must be held at the disposal of the interested parties at the offices of destination is fixed at thirty days. This period may be increased to ninety days by agreement between the Administrations concerned, it being understood that in every case the return will be effected without consulting the sender.

2. By virtue of the above provisions the senders are obliged to mention on the dispatch note or on the Customs declaration what disposal they wish to be made of their parcels in case of non-delivery, they having the choice of three methods of disposal, as follows:

- (a) return of the parcel to the country of origin;
- (b) delivery of the parcel to another addressee;
- (c) abandonment of the parcel.

ARTICLE 10

Fraudulent Declarations

1. Where it has been proved that senders of parcels, acting alone or in agreement with the addressees, have made false statements as to the quality, weight or measure of the contents, or in any other way have attempted fraudulent practices against the fiscal interests of the country of destination by evading the payment of Customs duties, and, for that purpose, concealing or declaring articles in such a way as to reveal an evident intention of eluding the payment of or reducing the amount of said duties, the Administration concerned may dispose of these articles in accordance with its domestic legislation without either the sender or the addressee being entitled to delivery, return or compensation.

2. Any Administration confiscating a parcel as herein provided, shall notify the addressee and the Administration of origin.

ARTICLE 11

Parcels for Second Addressees

Senders of parcels addressed in care of banks or other institutions, for delivery to second addressees, shall enter on the tags, labels or wrappers thereof the full name and address of the persons for whom such parcels are intended. The second addressee shall, however, be informed of the arrival

of the parcel and the fee provided by Article 5 may be collected, but he shall not be entitled to delivery of the parcel without the written authorization of the first addressee or of the sender. The latter shall, in that case, arrange for delivery through the intermediary of the Administration of the country of origin.

ARTICLE 12

Abandoned or Returned Parcels

1. Abandoned or returned parcels which cannot be delivered to the senders shall remain at the disposal of the Administrations of the countries of destination or origin, as the case may be; after the expiration of ninety days the latter may treat such parcels in accordance with the provisions of their domestic legislation.

2. The Administrations of destination may immediately return parcels that have been refused.

3. The Administrations may collect the following amounts for each parcel returned to origin as undeliverable:

- (a) a sum equivalent to the terminal tax;
- (b) the maritime transit charges prescribed by the provisions of Section 1 of Article 4;
- (c) the charges due on the parcels in the country of destination for reconsignment;
- (d) the fee prescribed by the provisions of paragraph a) of Article 5;
- (e) storage charges prescribed by paragraph c) of Article 5; and
- (f) repacking fees.

ARTICLE 13

Proposals Submitted Between Meetings

This Agreement may be amended during the period elapsing between Congresses by following the procedure established by the Universal Postal Convention.

In order to become binding, the proposals must obtain:

- (a) a unanimous vote, if they involve the addition of new provisions or amendments to this Article and to the following Articles: 1, 2, 3, 4, 5, 7, 8 and 9;
- (b) two-thirds of the votes, if they involve the amendment to other provisions.

ARTICLE 14

Equivalents

1. Each contracting party shall fix the legal equivalent of its currency in relation to the gold franc of the Universal Postal Convention.

ARTICLE 15

Matters not Provided For

1. All matters not provided for in this Agreement shall be governed by the provisions of the Universal Postal Convention and its Detailed Regulations.

2. The contracting parties may, however, agree upon other details for the operation of the service.

3. The right of the contracting parties to maintain the regulative procedure for the proper execution of the Conventions concluded among themselves is recognized, provided that such regulative measures are not contrary to the provisions of this Agreement.

ARTICLE 16

Entry into Force and Duration of the Agreement

1. This Agreement shall come into force on the 1st day of October, 1937, and shall remain in force for an indefinite period, each contracting party reserving the right to repudiate it by notice given one year in advance by its own government to that of the Republic of Uruguay.

2. The ratifications shall be filed in the City of Panama as soon as possible. The ratifications shall be recorded and the Government of Panama shall forward a copy of the said record to the governments of the other signatory countries through diplomatic channels.

3. The provisions governing the Parcel Post Service sanctioned by the Madrid Convention on the 10th day of November, 1931, are abrogated from the date on which the present Agreement becomes effective.

4. The non-ratification of this Agreement by one or more of the contracting parties shall not affect its validity for the countries which have ratified it.

5. The contracting parties may ratify this Agreement provisionally, by correspondence, accordingly advising the Administrations concerned, through the intermediary of the International Bureau, without prejudice to its confirmation through diplomatic channels, in accordance with the legislation of each country and subject to the approval of their legislature.

In faith whereof the Plenipotentiaries of the above-named countries have signed this Agreement at Panama on the 22nd day of December, 1936.

For Argentina:
LUIS S. LUTI

For Bolivia:
JORGE E. BOYD

For Brazil:
LEONIDES DE SIQUEIRA
MENESES

JAYME DIAS FRANÇA
JULIO SÁNCHEZ PÉREZ

For Canada:
PETED T. COOLICAN
F. E. JOLLIFFE

For Colombia:
ALFONSO PALACIO RUDAS

For Costa Rica:
ENRIQUE FONSECA ZÚÑIGA

For Cuba:
CARLOS A. VASSEUR

For Chile:
SILVERIO BRAÑAS
MIGUEL A. PARRA

For the Dominican Republic:
MANUEL DE J. QUIJANO

For Ecuador:
VICTORIANO ENDARA A.
VÍCTOR M. NARANJO

For Salvador:
JOSÉ E. ARJONA

For Spain:
JOSÉ V. CHÁVEZ
JOSÉ ROBERTO MONTERO

For the United States of America:
For HARLLEE BRANCH,
JOHN E. LAMIELL
JOHN E. LAMIELL
STEWART M. WEBER

For Guatemala:
TOMÁS ARIAS

For Hayti:
ANDRÉ FAUBERT

For Honduras:
ALBERTO ZÚÑIGA

For Mexico:
JOSÉ V. CHÁVEZ
JOSÉ ROBERTO MONTERO

For Nicaragua:

ADOLFO ALTAMIRANO
BROWNE

For Panama:

JOSÉ E. ARJONA
JUAN B. CHEVALIER
JUAN BRIN
CARLOS ORTIZ R.
TOMÁS H. JÁCOME
MANUEL DE J. QUIJANO
ANGELO FERRARI

For Paraguay:

LUIS S. LUTI

For Peru:

AUGUSTO S. SALAZAR
ERNESTO CACERES B.

For Uruguay:

HUGO V. DE PENNA

For Venezuela:

FRANCISCO VÉLEZ SALAS
CARLOS HARTMANN



FINAL PROTOCOL TO THE PARCEL POST AGREEMENT

At the moment of signing the Parcel Post Agreement concluded by the IVth Spanish-American Postal Congress, the undersigned Plenipotentiaries have agreed as follows:—

The Venezuelan delegation states that the Post Office Department of Venezuela cannot accept in its service for the time being parcels weighing over five kilograms.

Done at Panama on the 22nd day of December, 1936.

For Argentina:

LUIS S. LUTI

For Bolivia:

JORGE E. BOYD

For Brazil:

LEONIDAS DE SIQUEIRA
MENESES

JAYME DIAS FRANÇA
JULIO SÁNCHEZ PÉREZ

For Canada:

PETER T. COOLICAN
F. E. JOLLIFFE

For Colombia:

ALFONSO PALACIO RUDAS

For Costa Rica:

ENRIQUE FONSECA ZÚÑIGA

For Cuba:

CARLOS A. VASSEUR

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For Ecuador:

VICTORIANO ENDARA A.
VÍCTOR M. NARANJO

For Salvador:

JOSÉ E. ARJONA

For Spain:

JOSÉ V. CHÁVEZ
JOSÉ ROBERTO MONTERO

For the United States of America:

For HARLEE BRANCH,
JOHN E. LAMIELL
JOHN E. LAMIELL
STEWART M. WEBER

For Guatemala:

TOMÁS ARIAS

For Hayti:

ANDRÉ FAUBERT

For Honduras:

ALBERTO ZÚÑIGA

For Mexico:

JOSÉ V. CHÁVEZ
JOSÉ ROBERTO MONTERO

For Nicaragua:

ADOLFO ALTEMIRANO
BROWNE

For Panama:

JOSÉ E. ARJONA
JUAN B. CHEVALIER
JUAN BRIN
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