

CANADA

TREATY SERIES, 1947

No. 41

CONVENTION

OF THE

POSTAL UNION

OF

THE AMERICAS AND SPAIN
AND RELATED DOCUMENTS

Signed at Rio de Janeiro, September 25, 1946

Canadian ratification deposited on May 18, 1948



OTTAWA
EDMOND CLOUTIER, C.M.G., B.A., L.Ph.,
KING'S PRINTER AND CONTROLLER OF STATIONERY
1949

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FINAL PROTOCOL OF THE
PROVISIONS REGARDING THE CONVEYANCE
OF LETTER MAILED BY AIR.

TREATY SERIES 1941

Rate for Air Conveyance of Closed Mails

Exceptionally, Administrations have the right, subject to notification accordingly being given to the Administrations concerned, to apply the tariffs applicable to Category B to each section of their inland air service.

CONVENTION

Right of reducing the unit of weight of Air Mail correspondence.

Where the system of weights adopted by an Administration has the right to adopt a unit of weight less than that of 20 grammes provided by Article 5. In this case, the fee is fixed according to the unit adopted.

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Done at Paris, the 5th of July, 1941



(For the list of the signatory countries, see page 30)
OTTAWA
EDMUND CLOUTIER, C.M.G., B.A., F.P.S.
KING'S PRINTER AND CONTROLLER OF STATIONERY

1947 No. 11
1947 No. 11

CONVENTION OF THE
POSTAL UNION OF THE AMERICAS AND SPAIN
AND RELATED DOCUMENTS

Signed at Rio de Janeiro, September 25, 1946*

Canadian ratification deposited at Rio de Janeiro, May 18, 1948

Translation

I

CONVENTION

concluded between

Argentina, Bolivia, Brazil, Canada, Colombia, Costa Rica, Cuba, Chile, the Dominican Republic, Ecuador, El Salvador, Spain, the United States of America, the United States of Venezuela, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru and Uruguay.

The undersigned, Plenipotentiaries of the Governments of the countries enumerated, assembled in Congress in the city of Rio de Janeiro, Republic of the United States of Brazil, in exercise of the right granted them by the Convention of the Universal Postal Union in force,** and inspired by the desire to extend, facilitate and perfect their postal relations and establish a solidarity of action capable of representing effectively in Universal Postal Congresses their common interests in regard to communications by mail, have determined to conclude, *ad referendum*, the following Convention:

ARTICLE 1

Postal Union of the Americas and Spain

The contracting countries, in accordance with the foregoing declaration, constitute, under the name of *Postal Union of the Americas and Spain*, a single postal territory.

ARTICLE 2

Restricted Unions

1. The contracting countries, whether on account of their adjacent location or on account of the intensity of their postal relations, may establish closer unions among themselves, with a view to the reduction of rates or the introduction of other improvements in any of the services referred to in the present Convention or in the special Agreements concluded by this Congress.

2. Likewise, concerning matters not provided for in the present Convention, or in that of the Universal Postal Union, the signatory countries may adopt among themselves such resolutions as they deem convenient, through corres-

*For reservations made by Canada with respect to the Convention, see Final Protocol on page 14.

**For the text of the Universal Postal Convention in force at the time the present Convention was signed, see *Canada Treaty Series*, 1940, No. 7. A new Universal Postal Convention was signed in Paris on July 5, 1947, and may be found in *Canada Treaty Series*, 1947, No. 40.

pondence, or, if necessary, by establishing a special Agreement, in accordance with the authorization conferred upon them by the present Article or their domestic legislation.

ARTICLE 3

Free and gratuitous transit

1. The gratuity of territorial, fluvial and maritime transit is absolute in the territory of the Postal Union of the Americas and Spain; consequently, the countries which form it obligate themselves to transport across their territories, and to convey by the ships of their registry or flag, without any charge whatsoever to the contracting countries, all correspondence which the latter send to any destination.

2. In case of reforwarding, the contracting countries are bound to reforward the correspondence by the ways and means which they utilize for their own dispatches.

ARTICLE 4

Convention and Agreements of the Union

Articles of correspondence

1. The provisions of this Convention and its Regulations of Execution will regulate all matters and services relative to correspondence.

2. The other services will be governed by the Agreements of this Union, by those which the countries may sign among themselves on the subject, or, in their absence, by those of the Universal Postal Union.

3. The denomination "articles of correspondence" applies to letters, single and reply post cards, commercial papers, prints, raised print for the use of the blind, samples of merchandise, small packets, and phonopostal articles.

4. The exchange of small packets and phonopostal articles will be restricted to the countries which agree to execute it, either in their reciprocal relations or in only one direction.

ARTICLE 5

Postage rates

1. The postage rates of the domestic service of each country will govern in the relations of the countries which constitute the Postal Union of the Americas and Spain, except when said domestic rates are higher than those applicable to correspondence destined for countries of the Universal Postal Union, in which case the latter will govern.

2. The international rates will also govern when it is a question of services which do not exist in the domestic regime.

3. For small packets the rate will govern which is determined in Article 6 of this Convention.

4. The contracting Powers may fix a storage charge, upon previous agreement among the interested Administrations, for printed matter, when they deem it desirable.

ARTICLE 6

Small packets

1. In the optional service of small packets mentioned in Article 4 of this Convention, no article may weigh more than one kilogram, or contain objects whose mercantile value at the place where they are mailed exceeds the value of 10 gold francs or the equivalent thereof in money of the country of origin.

2. Administrations which execute the service of small packets regulated by the Universal Convention will not be obliged to observe, in their reciprocal relations, any provision in conflict with the respective stipulations of said Convention.

3. Small packets of any kind exchanged between countries of the Postal Union of the Americas and Spain, in view of the fact that they are not liable to payment of transit charges, will be prepaid at the rates adopted in each country for parcels in its domestic service, or the Administrations may apply to such small packets the rates prescribed by the Universal Postal Convention.

4. The Administrations of destination may submit small packets to customs handling in accordance with the provisions of their domestic legislation.

5. The Administrations of the countries of destination may collect from the addressees of small packets:

(a) A fee of 40 centimes of a gold franc at most for the operations, formalities and handling involved in customs clearance;

(b) A fee which will not exceed 15 centimes of a gold franc for the delivery of each packet; that fee will be increased to 30 centimes of a gold franc at most in case of delivery at the addressee's residence.

6. When small packets are considered by the customs of the country of destination as exempt from payment of customs duties, the delivery fees provided for in paragraph (b) of Section 5 of this Article will not be applicable.

ARTICLE 7

Reply coupons

1. Under the Postal Union of the Americas and Spain, the selling-price to the public of reply coupons shall be fixed by the interested Administration, but may not be lower than the equivalent of 15 centimes of a gold franc in the money of the country which issues them.

2. Each coupon is exchangeable, in any of the countries which form the Union, for a stamp or stamps representing the postage on an ordinary letter originating in the same country destined for another country of the Union. The period of validity of the coupon is unlimited.

3. Reply coupons will be printed by the International Office of Montevideo and will be furnished to the Administrations of the Union at cost.

4. In the settlement of accounts among the Administrations the value of the reply coupons will be calculated at the rate of 15 centimes of a gold franc per unit.

5. When the annual balance in the relations between two Administrations is not more than 10 gold francs, the debtor Administration will be exempt from any payment.

6. Administrations will be allowed to refuse to sell reply coupons, although their exchange is obligatory.

7. When the settlement of accounts arising from the exchange of Americo-Spanish reply coupons is not effected directly between the Administrations concerned, the International Office of Montevideo will act as intermediary. In this case, it will make up an annual statement of debtor and creditor Administrations, in accordance with the respective provisions of the Universal Postal Union.

ARTICLE 8

Return, reforwarding or change of address

The provisions of the Convention of the Universal Postal Union and its Regulations of Execution relative to the requests for return or change of address and reforwarding will govern in the Postal Union of the Americas and Spain; such requests, however, will be deemed out of order after the Administration of destination has sent the articles to the jurisdiction of the Customs.*

*See *Final Protocol of the Convention*, Par. V on page 14.

ARTICLE 9

Registered correspondence
Responsibility

1. The articles designated in Article 4 may be sent under registration upon payment of a fee equal to that established in the domestic service of the country of origin, except when the domestic fee is higher than that applicable under the Universal Postal Convention, in which case the latter will govern.

2. Save in case of *force majeure*, the contracting Administrations will be responsible for the loss of every registered article. The sender will be entitled to an indemnity which may in no case exceed ten gold francs or the equivalent thereof in money of the country which must pay it, being able, however, to request a smaller indemnity.

3. Administrations will be relieved of responsibility for loss of registered articles whose contents fall under the prohibitions of the Universal Postal Convention, or which are prohibited by the laws and regulations of the country of origin or of destination, provided that said countries have given due notice by the usual means.

4. There is maintained, as optional, a special category of registers without right to indemnity, applicable to the articles of correspondence referred to in Section 3 of Article 4 of this Convention. The Administrations which put this service into effect are obliged to communicate the fact to the International Office by the most rapid means, so that it may circularize the information among the other countries. Articles to which a reduced registry is applicable will be endorsed on the reverse side with the letters "S. I." (without indemnity) and a similar notation will be made in the descriptive lists, in the "Observations" column, as well as on inquiries made in order to determine the whereabouts of the matter.

5. Administrations which adopt, in a general manner, a reduced registration fee for all articles other than letters and post cards, will not be obliged to observe the formalities prescribed by the last part of the preceding Section.

ARTICLE 10

Inquiries

Complaints or requests for information regarding any article will be charged with a fee equal to that established in the domestic regimes of the contracting powers, except when such domestic fee is higher than that established by the Universal Postal Convention, in which case the latter will govern.

ARTICLE 11

Articles subject to customs clearance

1. The application of the label, C-1, established by the Universal Postal Convention, to articles of correspondence whose contents are subject to customs duties in the country of destination, is obligatory. The use of the declaration, C-2, is optional for the aforementioned articles.

2. Nevertheless, for unsealed matter, except small packets, the use of neither of the documents mentioned in the foregoing Section is obligatory, without prejudice to customs clearance by the country of destination.

ARTICLE 12

Weight and dimensions

1. The limits of weight and dimensions of articles of correspondence will conform to those fixed by the Universal Postal Convention, with the exception of prints whose weight can attain 5 kilograms, or even as much as 10 kilograms

when it is a question of works in a single volume. However, articles with a weight greater than 5, but not exceeding 10 kilograms will be accepted even when it is not a question of works in a single volume, if previous agreement is made between the Administrations concerned.

2. Articles in roll form, when it is a question of indivisible objects, may measure as much as 120 centimeters, adding their length to the diameters of both bases, but the greatest dimension may not exceed 100 centimeters.

ARTICLE 13

Franking privilege

1. The contracting parties agree to grant the franking privilege, in their domestic service and in the Americo-Spanish service:

(a) To correspondence relative to the postal service exchanged between Administrations of the Postal Union of the Americas and Spain; between these Administrations and the International Office of Montevideo; between the same Administrations and the Transfer Office of Panama; between the latter and the aforesaid International Office; between post offices of America-Spanish countries and between these offices and the Postal Administrations of the countries mentioned;

(b) To correspondence of members of the Diplomatic Corps of the signatory countries;

(c) To official correspondence which Consuls and Vice-Consuls acting as Consuls, send to their respective countries; to that which they exchange among themselves; to that which they address to the authorities of the country in which they are accredited, and to that which they exchange with their respective Embassies and Legations, whenever reciprocity exists;

(d) The franking privilege will be enjoyed by newspapers, periodical publications, books, pamphlets, and other prints sent by publishers or authors to Information Offices established by Postal Administrations of the Postal Union of the Americas and Spain, as well as those sent free of charge to libraries and other national cultural centers officially recognized by the Governments of the countries forming this Union;*

(e) To official correspondence sent and received by the Pan American Union in Washington.*

2. The correspondence referred to by paragraphs (a), (b) and (c) of the preceding Section may also be sent free of postage under registration, but without right to indemnity.

3. Official correspondence of the Central Governments of the countries of the Postal Union of the Americas and Spain which circulates free in their domestic services under their domestic legislation is admitted to the same franking privilege in the country of destination without the collection of any charge therefor, whenever strict reciprocity is observed.*

4. The franking privilege will also be enjoyed by correspondence of National Commissions of Intellectual Cooperation set up under the auspices of the Governments in accordance with the Pan American and Universal Conventions in force.*

5. The exchange of correspondence of the Diplomatic Corps, between the Secretariats of State of the respective countries and their Embassies or Legations will have a reciprocal character among the contracting countries and will be effected in open mail or by means of diplomatic pouches, in accordance with the provisions of Article 105 of the Regulations of Execution. These pouches will enjoy the franking privilege and all safeguards of official dispatches.

*See *Final Protocol of the Convention*, Par. III on page 14.

6. The franking privilege dealt with in the present Article will not affect the air service or other special services existing in the Americo-Spanish regime or in the domestic services of the contracting countries.

ARTICLE 14

Reduction of rates

Articles of correspondence other than small packets exchanged by administrations of schools of the countries of the Postal Union of the Americas and Spain, or among the students of the same through their directors will enjoy a 50 per cent reduction in the ordinary rate so long as their weight does not exceed 1 kilogram and they satisfy the other conditions for their postal classification.

ARTICLE 15

Special services

The High Contracting Parties may, on the basis of special agreements or by correspondence, extend to the other countries of the Postal Union of the Americas and Spain such postal services as they carry on or may in the future establish within their respective countries.

ARTICLE 16

Service forms sent by air mail

1. The forms provided for in the Regulations of Execution of the Universal Postal Convention for requests for the withdrawal of correspondence or change of address, as well as those provided for inquiries regarding articles of correspondence and requests for information, may be dispatched by air mail.

2. To this end the Forms C-11, C-12 and C-13 will be differentiated in the following manner: blue color for those which must be forwarded by air mail and pink for those which must be also answered by air mail.

3. The forwarding by air will give rise to the collection of a supplementary fee which the sender will pay when he fills out his form. It will be the equivalent to the postage for an air mail letter of 5 grams to the country of destination or to double this rate if a prepaid reply by air is requested. These payments will accrue exclusively to the country which collects them.

ARTICLE 17

Official language

Spanish is adopted as the official language for matters relative to the postal service. Nevertheless, countries whose language is not this may use their own.

ARTICLE 18

Protection and exchange of postal functionaries

1. The Administrations of the contracting countries will be obliged to lend mutually, upon request, the cooperation required by their employees charged with the transportation of correspondence in transit through such countries. Likewise, they will furnish all manner of facilities to such functionaries as one Administration may agree to send to any other to carry on studies regarding the development and perfection of postal services.

2. The Administrations through the intermediary of the International Office of Montevideo, will come to agreements to effect an exchange of functionaries.

Notwithstanding what has been established previously, the Administrations may also make agreements to send functionaries for apprenticeship or instruction without its being required that an interchange of functionaries take place.

3. Once that the exchange or unilateral assignment of functionaries provided for by the preceding Sections is agreed upon between two or more Administrations, the latter will decide upon the manner in which the relative expenses are to be shared, and, when they consider it necessary, upon the initiative and through the intermediary of the International Office of Montevideo.

ARTICLE 19

International Transfer Office

1. There shall continue to exist in the Republic of Panama an International Transfer Office, which is charged with receiving and forwarding all mail dispatches originating in Administrations of the Union which do not have their own service in the Isthmus and which, upon passing in transit through the same, give rise to transfer operations.

2. Said Office will function in accordance with the Regulations agreed upon between the International Office of the Postal Union of the Americas and Spain and the Postal Administration of Panama.

3. Amendments which at any time may have to be made in the aforesaid Regulations will be submitted by the Administrations concerned to the International Office at Montevideo for consideration in order that they may be proposed to the Postal Administration of Panama through its mediation.

4. The organization and operation of the International Transfer Office are subject to supervision and control by the Administration of Posts and Telegraphs of Panama and the International Office of the Postal Union of the Americas and Spain with headquarters in Montevideo, upon which latter it is incumbent to act as mediator and arbitrator in any dispute arising between the Postal Administration of Panama and countries which utilize the services of said Office.

5. The personnel attached to the service of the aforesaid Office will be designated by the Administration of Posts and Telegraphs of Panama, and will be considered permanent, in accordance with the provisions established by the Regulations of the Office concerning it. They will enjoy the same rights and obligations which the postal laws of the Republic of Panama establish for the employees of the Postal Services.

6. The expenses to which the maintenance of this Office gives rise will be borne by the countries which utilize its services, divided proportionally to the number of their own sacks which they exchange through its intermediary.

The Administration of Panama will advance the necessary funds for the maintenance of prompt services by the Office.

Said amounts will be repaid quarterly by each Administration concerned, but payments which are not made within a period of six months from the date on which the debtor Administration received the account submitted to it by the International Transfer Office, will bear interest at the rate of 5 per cent per year payable to the latter Office.

ARTICLE 20

Arbitration

Every conflict or disagreement arising in the postal relations of the contracting countries will be settled by arbitration, which will be effected in the manner prescribed by the Convention of the Universal Postal Union in force. The designation of arbitrators shall be incumbent upon the signatory countries, with the intervention of the International Office of the Postal Union of the Americas and Spain, if necessary.

ARTICLE 21

International Office of the Postal Union of the Americas and Spain

1. With the name of *International Office of the Postal Union of the Americas and Spain*, there functions in Montevideo under the general supervision of the Administration of Posts of the Oriental Republic of the Uruguay, a central Office which serves as an organ of liaison, information and consultation for countries of the Union.

2. This Office will be charged with:

(a) Assembling, co-ordinating, publishing and distributing information of all kinds which specially concerns the Americo-Spanish postal service.

(b) Giving, at the express request of the parties concerned, its opinion on disputed questions.

(c) Giving, on its own initiative or at the request of any of the Administrations of the signatory countries, its opinion on all matters of a postal character which effect or relate to the general interests of the Postal Union of the Americas and Spain.

(d) Making known requests for modification of Acts of the Congress which are formulated, and giving notice of changes which are adopted.

(e) Making known the results obtained from the regulatory provisions and measures of importance which the Administrations adopt in their domestic service, which are communicated to it by the same Administrations as information.

(f) Distributing postal maps and guides which the respective Administrations send to it.

(g) Making a summary of Americo-Spanish postal statistics, on the basis of data which each Administration communicates to it annually, for which purpose a questionnaire with complete and detailed requests for postal statistical data in accordance with a scientific and rational plan, will be submitted to all Administrations.

(h) Publishing a report relative to the most rapid routes for transmission of correspondence from one of the contracting countries to another.

(i) Preparing a table giving in detail all maritime services dependent upon countries of the Postal Union of the Americas and Spain, which may be utilized gratuitously for the transportation of their correspondence, under conditions laid down by Article 3.

(j) Publishing the tariff of postage rates of the domestic service of each of the countries concerned.

(k) Preparing a table of equivalents of the money of the countries concerned in gold francs and dollars.

(l) Publishing and distributing among the countries of the Postal Union of the Americas and Spain, annually, a report of the work which it performs.

(m) Carrying out studies and works requested of it in the interest of the contracting countries, relative to work of social, economic and artistic cooperation for which purpose the International Office will always be at the disposal of the said countries, to furnish them any special information which they require on matters relative to the Americo-Spanish postal service.

(n) Taking part and collaborating in the organization and convening of Congresses and Conferences of the Postal Union of the Americas and Spain.

(o) Distributing among the Administrations of the Postal Union of the Americas and Spain the postal laws and regulations of each; said Administrations accordingly being obligated to furnish the Office mentioned twenty-five copies of the laws and regulations in question.

(p) Organizing a special section charged with collecting the stamps sent to the Administrations in compliance with Article 113, Section 1, paragraph (k), of the Regulations of Execution, and centralizing philatelic information about the countries of the Postal Union of the Americas and Spain.

(q) Intervening as the compensating Administration in the liquidation of postal accounts, at the request of the Administrations concerned.

(r) Preparing international insignia of the Postal Union of the Americas and Spain consisting of an emblem for the personal use of the functionaries of the Administrations belonging to the Union.

(s) Printing and furnishing the reply coupons provided for by paragraph 7 of Article 7.

3. The International Office of the Postal Union of the Americas and Spain will also publish an official compilation of all the data relative to the execution of the Convention and its Regulations in each country which is of special interest to Americo-Spanish postal services, in accordance with the information submitted to it by the Administrations.

The same Office will also publish similar compilations concerning the execution of the Agreements relative to Parcel Post and Money Orders.

4. The special expenses arising from the preparation of the Annual Report and the Table or Information concerning Postal Communications of the contracting countries, and those arising on account of meetings of Congresses or Conferences, will be shared by the Administrations of said countries in accordance with the groups established in Article 110 of the Regulations of Execution.

The expenses in connection with the holding of such Congresses and Conferences will be fixed on each occasion by the Director General of Posts of the Oriental Republic of the Uruguay, by agreement with the International Office of Montevideo.

5. The Administration of Posts of Uruguay will supervise the expenses of the International Office of the Postal Union of the Americas and Spain, and will make the advances which it requires.

6. The amounts advanced by the Administration of Uruguay in accordance with the foregoing Section will be repaid by the debtor Administrations as soon as possible, and at the latest before six months from the date on which the country concerned receives the account formulated by the Director General of Posts of Uruguay. After that date, the amounts due will bear interest at the rate of 5 per cent a year, counting from the date of expiration of the said period.

7. The contracting countries are bound to include in their budgets an annual amount destined to take care promptly of the payment of their contributive quotas.

ARTICLE 22

Congresses

1. The Congresses will meet not later than two years after the holding of each Universal Postal Congress. Nevertheless if the interval between the latter should exceed five years, the Administrations of the Postal Union of the Americas and Spain may come to agreement, through the intermediary of the International Office of Montevideo and by unanimity of votes, on an eventual meeting.

2. Each Congress will fix the place in which the next one shall convene.

ARTICLE 23

Resolutions of the Congress

The contracting powers will inform the International Office of Montevideo, three months in advance of the meeting of each Congress, of the measures it has taken to put into effect the resolutions and recommendations of each last Congress.

ARTICLE 24

Propositions in the interval between meetings

The present Convention may be modified in the interval between Congresses, following the procedure established in the Universal Postal Convention in force. In order to become effective, modifications must obtain unanimity of votes for the present Article and Articles 1, 2, 3, 4, 5, 7, 8, 9, 10, 13, 16, 19, 20, 21, 22, 24, 25, 27, 28, 29 and 30; two-thirds of the votes for Articles 14 and 23; and a simple majority for the rest.

ARTICLE 25

Modifications and amendments

Modifications or resolutions adopted by the High Contracting Parties, even those of a domestic order, which affect the international service, will become effective three months after the date of the relative notice of the International Office of the Postal Union of the Americas and Spain.

ARTICLE 26

Application of the Universal Postal Convention and domestic legislation

1. All matters in connection with the exchange of correspondence among the contracting countries which are not provided for in this Convention, will be subject to the stipulations of the Universal Postal Convention and its Regulations. In turn, those which are not covered by these last two will form the subject of special agreements between the Administrations concerned.

2. Likewise, the domestic legislation of the said countries will apply to everything which has not been provided for in either Convention.

ARTICLE 27

Propositions for Universal Congresses

All the countries forming the Postal Union of the Americas and Spain will advise one another, through the intermediary of the International Office of Montevideo, of the propositions which they formulate for Universal Postal Congresses, six months in advance of the date on which they are to be held.

ARTICLE 28

Unity of action in Universal Postal Congresses

The countries signatory to the Americo-Spanish Postal Convention which have ratified the same or put it into force administratively obligate themselves to instruct their delegates to Universal Postal Congresses to sustain unanimously and firmly, all principles established in the Postal Union of the Americas and Spain, and also to vote in accordance with these postulates, except only in cases where the propositions to be debated affect only the countries proposing them.*

ARTICLE 29

Preliminary Conferences

1. In view of the preceding Article, the Delegates of the countries composing the Postal Union of the Americas and Spain, prior to Universal Postal Congresses, shall assemble in the city designated as the seat of the Congress fifteen days before the date of inauguration thereof, in order to hold a preliminary conference, at which the procedure of joint action to be followed will be determined.

*See *Final Protocol of the Convention*, Par. II on page 14.

2. At the proper time before the meeting of Universal Congresses, the International Office of Montevideo will invite the signatory Administrations to hold the preliminary conferences mentioned in the preceding Section, and the Director of the International Office of Montevideo is charged with organizing those conferences and attending them with the necessary personnel.

ARTICLE 30

New adherences

In case of a new adherence, the Government of the Oriental Republic of Uruguay by common consent with the International Office of Montevideo and the Government of the country concerned, will determine the group in which said country is to be included, for purposes of sharing the expenses of the International Office.

ARTICLE 31

Effective date and duration of Convention and deposit of ratifications

1. The present Convention will become effective January 1, 1947, and will remain in force without time-limit, each of the contracting parties reserving the right to withdraw from this Union by means of notice given by its Government to that of the Oriental Republic of Uruguay one year in advance.

2. The deposit of ratifications will be effected in the city of Rio de Janeiro, Republic of the United States of Brazil, as soon as possible, preferably before the effective date of the Convention and Agreements in question, and the relative certificate will be made up for each of them, a copy of which will be sent by the Government of the Republic of Brazil, through diplomatic channels, to the Governments of the other signatory countries.

3. The stipulations of the Postal Convention of the Americas and Spain signed in Panama on December 22, 1936,¹ are abrogated, beginning with the date on which the present Convention enters into force.

4. In case that the Convention is not ratified by one or more of the contracting countries, it will nevertheless be valid for those which have ratified it.

5. The contracting countries may ratify the Convention and Agreements provisionally by correspondence, giving notice thereof to the respective Administrations through the medium of the International Office without prejudice to the fact that, according to the legislation of each country, and after approval by the National Congresses, it may be confirmed through diplomatic channels.

In faith of which, the Plenipotentiaries of the Governments of the countries above named sign the present Convention in the city of Rio de Janeiro, Republic of the United States of Brazil, on the 25th day of the month of September, 1946.

(Here follow the names of the plenipotentiaries for Argentina, Bolivia, Brazil, Canada, Columbia, Costa-Rica, Cuba, Chile, Ecuador, Salvador, Spain, the United States of America, the United States of Venezuela, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Dominican Republic, Uruguay).

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2. At the proper time before the meeting of Universal Congresses, the International Office of Meteorology will invite the signatory Administrations to hold the preliminary conference mentioned in the preceding Section, and the Director of the International Office of Meteorology is charged with organizing those conferences and attending them with the necessary personnel.

21, 22, 23, 24, 25, 26, 27, 28, 29, 30 and 31
30

II FINAL PROTOCOL OF THE CONVENTION

At the moment of signing the Convention concluded by the Fifth American-Spanish Postal Congress, the undersigned Plenipotentiaries have agreed upon the following:

I

The United States of America reserves the right, as a transitory measure, to maintain its present rates for countries of the Postal Union of the Americas and Spain which may be higher than those of its domestic service.

II

In connection with Article 28 of the Convention, Canada and the United States of America reserve complete liberty of action in Congresses of the Universal Postal Union.

III

Canada formulates reservation in the sense that it cannot accept the provision of clauses (d) and (e) of Section 1 of Article 13, and of Sections 3 and 4 of that Article.

IV

The Republic of Panama formulates a transitory reservation regarding Article 3 of the Convention which refers to ships that do not transport its own correspondence, until the adoption of legal provisions which will permit the application of that provision.

V

Canada formulates a reservation in the sense that the provisions of Article 8 are not applicable in Canada.

(For the list of the signatory countries, see page 13).

III

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

concluded between

Argentina, Bolivia, Brazil, Canada, Colombia, Costa Rica, Cuba, Chile, Ecuador, El Salvador, Spain, the United States of America, the United States of Venezuela, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, the Dominican Republic and Uruguay.

The undersigned, in the name of the Administrations they represent, have approved the following Regulations to assure the execution of the foregoing Convention:

ARTICLE 101

Exchange of Mails

1. The Administrations of the contracting countries may send to one another reciprocally, through the intermediary of one or several of them, both closed mails and correspondence in open mail, under the conditions fixed by the Convention and Regulations in force in the Universal Postal Union.

2. In cases of reforwarding, the contracting countries are bound to reforward the correspondence by the most rapid routes and means which they utilize for their own dispatches. Transportation will be gratuitous when it is a question of services which belong to its Administration, but they may charge the Administration of origin the same amounts they are obliged to pay when the onward transmission of the closed dispatches requires the services of foreign Administrations to which those charges must be paid.

3. When the intermediary Administrations referred to in the above Section must collect amounts from the foreign countries of origin for the use of services of foreign Administrations for onward transmission, they must make up the accounts for these expenses without exceeding, in any case, the charges fixed in the Universal Postal Union Convention and provided for in the rules established in its Regulations of Execution.

ARTICLE 102

Domestic postage rates and equivalents

The Administrations will communicate to one another, as soon as possible, through the intermediary of the International Office of the Postal Union of the Americas and Spain, all modifications of their domestic postage rates, as well as the equivalents of said rates in gold francs.

ARTICLE 103

Preparation of dispatches—Empty sacks

1. Dispatches containing correspondence exchanged between two countries of the Postal Union of the Americas and Spain will be prepared in accordance with the provisions of the Regulations of Execution of the Convention of the Universal Postal Union.

2. The sacks utilized by the contracting Administrations for the dispatch of correspondence will be returned empty by the exchange offices of destination to those of origin, in the manner prescribed by the relative Article of said Regulations. However, Administrations may come to an agreement for the purpose of using them for the dispatch of their own correspondence.

ARTICLE 104

Small packets

1. The preparation and packing of small packets will be governed by the same provisions as those fixed for samples. Moreover, the names and addresses of the senders shall appear on the outside of the articles.

2. It will be permissible to inclose in such articles an open invoice, reduced to its essential features, or else a simple copy of the address with indication of the address of the sender.

3. The packets, whether accompanied by customs declarations or not, shall always bear a green label conforming to Model C 1 of the Regulations of Execution of the Universal Postal Convention.

ARTICLE 105

Diplomatic pouches

1. Diplomatic pouches exchanged by the Ministries of Foreign Relations of the countries of the Postal Union of the Americas and Spain with their diplomatic representatives in the other countries, by virtue of the provisions of Article 13 of the Convention, may not exceed the weight of 20 kilograms or the following dimensions: length, width and height, together, 140 centimeters, and greatest dimension must not exceed 60 centimeters.

2. The Ministries of Foreign Relations and the diplomatic representatives will deposit these pouches in the post offices, as registered articles. That office will enter in the column "Observations" of the registry special list the words "Valija Diplomática (Diplomatic Pouches)" and the number of these if there are more than one.

3. These pouches will be provided with fastenings, locks or other safety devices appropriate to the importance of such dispatches.

4. Diplomatic pouches will be forwarded by the same routes used by the dispatching Administrations for the transmission of its correspondence to the Administration of destination, their sending being announced by means of a note entered in the letter bill of the dispatch containing them.

5. In the absence of agreement to the contrary between the parties concerned, diplomatic pouches will not be dispatched under the franking privilege by air mail.

ARTICLE 106

Diplomatic and consular correspondence

Diplomatic and consular correspondence shall bear the following indications: The name of the sending Embassy, Legation or Consulate, and the conspicuous inscription *Diplomatic correspondence* or *Consular correspondence*, in addition to the declaration *Libre de porte* (Free of postage), which shall appear under the former inscription.

ARTICLE 107

Transit statistics

As a result of the gratuity of transit referred to by Article 3 of the Convention, the Administrations of the contracting countries will not perform any transit statistical operations in connection with dispatches containing Americo-Spanish

correspondence exclusively, whenever this correspondence is forwarded without the intervention of countries or services foreign to the Postal Union of the Americas and Spain.

ARTICLE 108

Constitution of International Office

1. The Director of the International Office will be appointed by the Government of the Oriental Republic of Uruguay, at the proposal of the Administration of Posts of the said country, and will receive monthly compensation in the amount of 900 Uruguayan pesos.

The Subdirector-Secretary General, the Secretarial Official, the Translating Official and other personnel of the Office will be appointed, at the proposal of the Director of the International Office, by the Direction General of Posts of Uruguay. The monthly salary of the Subdirector-Secretary General is fixed at 700 Uruguayan pesos; that of the Secretarial Official at 500 pesos; that of the Translating Official at 350 pesos; that of the two assistants at 200 pesos each; and that of the janitor at 150 pesos.

The said personnel may be removed from their posts only with the intervention of the Direction General of Posts of Uruguay, in accordance with the procedure established in that connection for permanent employees of that Administration.

2. The Director of the International Office will attend Congresses and Conferences of the Postal Union of the Americas and Spain, for the purpose of complying with the provisions of Articles 21 and 29 of the Convention, and will be present at sessions, being permitted to take part in discussions without right to vote.

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

ARTICLE 109

Retirement and pensions

The pensions and retirement of personnel of the International Office of Montevideo will be paid exclusively from the special fund which the said Office has set aside for that purpose out of the contributions of all the countries of the Union. The conditions for and amount of such retirement and pensions will be governed by the laws on the subject in force in Uruguay for its own officers and employees.

ARTICLE 110

Account and expenses of International Office

1. The expenses of the International Office may not exceed the annual sum of 55,000 Uruguayan gold pesos; said amount including the establishment of a retirement fund for the personnel thereof.

2. For the division of the annual and extraordinary expenses of the Office the countries are divided into three groups; those of the first group having to contribute eight units; those of second, four units; and those of the third, two units.

The following belong to the first group:

Argentina, Brazil, Canada, Spain, the United States of America and Uruguay.

The following to the second group:

Colombia, Costa Rica, Cuba, Chile, the United States of Venezuela, Mexico, Panama and Peru.

The following to the third group:

Bolivia, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Nicaragua, Paraguay, and the Dominican Republic.

ARTICLE 111

Information—Requests for modification of Acts

The International Office will always be at the service of the contracting parties, to furnish them whatever special information they require concerning matters connected with the Americo-Spanish postal service; and will circulate requests for modification or interpretation of the provisions governing the Postal Union of the Americas and Spain, and make known the result of each operation.

ARTICLE 112

Publications

1. The International Office of the Postal Union of the Americas and Spain will send out a special circular when an Administration requests immediate publication of any change that has been introduced in its service, and will likewise furnish gratuitously, to each of the Administrations of the contracting countries and to the International Bureau of Berne, the documents which it publishes, allowing each Administration the number of copies which corresponds to the number of units which it contributes.

Additional copies of documents requested by Administrations will be paid for by them at cost.

2. The International Office will distribute among the contracting countries the propositions which it receives in accordance with the provisions of Article 27 of the Convention. To that end, all countries of the Postal Union of the Americas and Spain will make known through the intermediary of the same Office, and in due time, as established by the Convention, the propositions which they formulate for Universal Congresses, in order that such propositions may be supported by all the said countries.

ARTICLE 113

Documents and information to be sent to International Office

1. The International Office will serve as intermediary for regular and general notifications which exclusively concern the Administrations of the contracting countries.

Said Administrations shall send to the International Office, regularly and promptly:

- (a) Their postal legislation and its subsequent modifications.
- (b) Their Postal Guide, each time that it is published.
- (c) Maps and guides of postal communications which they utilize for both domestic and international services.
- (d) Information as to the most rapid territorial and maritime routes which may be used for exchange of correspondence.
- (e) The results of the annual statistics of their postal traffic with other Americo-Spanish countries.
- (f) The text of their propositions submitted to Universal Postal Congresses for consideration.
- (g) Data of all kinds concerning the Americo-Spanish postal service, every time that some new provision is established.

(h) All information requested by the International Office itself for publication, reports and other matters pertaining to it, in such manner as to permit the execution of its task as soon as possible.

(i) A table showing in detail all maritime services belonging to countries of the Postal Union of the Americas and Spain which may be used gratuitously by the others for the transportation of their correspondence.

(j) The variations in the equivalents, as soon as they occur.

(k) Three copies of the postage stamps which are issued and of the impressions of the stamping machines, with a copy of the respective provisions of issuance.

2. All subsequent modifications will be communicated without delay.

ARTICLE 114

Modifications in the interval between meetings of Congresses

1. In the interval between Congresses, Administrations will have the right to formulate propositions relative to the present Regulations, following the procedure indicated in the Convention of the Universal Postal Union.

2. In order to become effective, those propositions must obtain two-thirds of the votes cast.

ARTICLE 115

Application of Universal Postal Convention and domestic legislation

For all matters not provided for by these Regulations regarding the exchange of correspondence among the contracting countries, the provisions of the Regulations of the Convention of the Universal Postal Union will be applicable, and, in the absence of these, the domestic legislation of the same countries.

ARTICLE 116

Effective date and duration of regulations

The present Regulations will become effective on the same date as the Convention to which they relate, and will have the same duration. In the city of Rio de Janeiro, Republic of the United States of Brazil, on the 25th day of September, 1946.

(For the list of the signatory countries, see page 13).

IV
AGREEMENT RELATIVE TO PARCEL POST

concluded between

Argentina, Bolivia, Brazil, Canada, Colombia, Costa Rica, Cuba, Chile, Ecuador, El Salvador, Spain, the United States of America, the United States of Venezuela, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay and the Dominican Republic.

The undersigned, Plenipotentiaries of the Governments of the countries mentioned, in the exercise of the option conferred by the Convention of the Universal Postal Union* agree, *ad referendum*, to execute the parcel post service in accordance with the following provisions:

ARTICLE 1

Object of the Agreement

1. Under the denomination of "parcel post" (*Encomienda postal, Paquete postal or Bulto postal*) the countries mentioned may exchange this class of mail matter.

2. Parcels may be sent registered by paying the registration fee in effect in the country of origin, in addition to the postage.

3. Parcels may be sent insured or collect-on-delivery, when the adhering countries agree to adopt these types of service in their reciprocal relations. The dispatch of such parcels in containers in good condition, properly fastened, will be obligatory.

ARTICLE 2

Transit

1. Liberty of transit is guaranteed over the territory of every one of the contracting countries. Consequently, the various Administrations may use the intermediary of one or more countries for the reciprocal exchange of parcels.

2. Parcels will be sent in closed mails, or in open mail when the Administrations concerned have so agreed, and shall be forwarded by the most rapid land and sea routes which are utilized for their own mails by the countries participating in the transportation.

3. The dispatching Administrations will be obliged to send a copy of the parcel bills C.P. 12 or another similar bill, to each of the intermediary Administrations when the dispatches are sent in closed mail transit.

ARTICLE 3

Weight and dimensions

The maximum weight and dimensions will be those fixed by the Agreement of the Universal Postal Convention. However, the contracting Administrations may, after obtaining consent of the intermediary countries, accept parcels with other limits of dimensions.

ARTICLE 4

Postage rates and payments

1. The postage on parcels exchanged under this Agreement is composed only of the sum of the territorial rates of origin, transit and destination. If necessary, the maritime rates provided for by the Parcel Post Agreement of the Universal Postal Union in force will be added.

*For the text of the *Universal Postal Convention* signed at Buenos Aires, May 23, 1930, see *Canada Treaty Series* 1940, No. 7.

2. The territorial charges of origin, transit and destination are fixed for each country in gold francs or their equivalent, as follows:

- 25 centimes for parcels up to 1 kilogram;
- 40 centimes for parcels from 1 to 3 kilograms;
- 50 centimes for parcels from 3 to 5 kilograms;
- 100 centimes for parcels from 5 to 10 kilograms;
- 150 centimes for parcels from 10 to 15 kilograms;
- 200 centimes for parcels from 15 to 20 kilograms.

3. The Administrations of origin and destination will have the option of increasing the rates applicable to parcels 1, 3, 5 and 10 kilograms up to double their amount, as well as applying a surcharge of 25 centimes to each parcel of these weight limits.

The rates of departure and arrival applying to parcels of 15 and 20 kilograms will be fixed at the discretion of each Administration.

4. Administrations which, in the Universal service, are specially authorized to increase the rates set forth in the two preceding Sections, may also make use of such authorization in the Americo-Spanish service.

5. The Administration of origin will credit each of the Administrations taking part in the transportation, including that of destination, with the corresponding charges, in accordance with the provisions of the foregoing Sections.

6. The International Office will publish and distribute the table of land transit rates and those of departure and arrival payable to each Administration, keeping it up to date by means of supplements.

ARTICLE 5

Cancellation of balances under 50 gold francs

When in the settlement of the parcel post service between two countries the annual balance does not exceed 50 gold francs, the debtor Administration will be exempt from any payment, provided that agreement to such effect has been reached with the creditor Administration.

ARTICLE 6

Customs clearance, delivery, storage and other charges

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

(a) A fee of 50 centimes of a gold franc or the equivalent thereof, as a maximum, for the operations, formalities and transactions in connection with customs handling.

(b) A fee similar to that established for its domestic service up to a maximum of 40 centimes of a gold franc, or its equivalent, for the transmission and delivery of each parcel to the address of the addressee.

When parcels are not delivered at the address of the addressee, the latter shall be advised of their arrival. The Administrations whose domestic regulations require it, will collect a special fee for the delivery of such notice, which may not exceed the postage for a single weight unit of an ordinary letter in the domestic service.

(c) A daily storage charge not exceeding that fixed by the domestic legislation of each country, from the time prescribed therein, provided that the total to be collected may in no case exceed five gold francs or the equivalent thereof.

(d) The customs duties and all other non-postal charges which their domestic legislation establishes.

(e) The amount corresponding to the consular fee, when it has not been prepaid by the sender.

(f) The repacking fee of 30 centimes of a gold franc at most, provided for in the corresponding Agreement of the Universal Postal Convention. This fee will be collected from the addressee or from the sender, according to the circumstances.

2. Parcels addressed to member of the Diplomatic and Consular Corps mentioned in Article 13 of the Convention will be exempt from the payment of delivery fees, except those addressed to the latter when they contain articles liable to payment of customs duties.

ARTICLE 7

Prohibition against other charges

The parcels of which the present Agreement treats may not be subjected to any other postal charges than those established in the foregoing Articles.

However, Administrations which agree among themselves on the admission of collect-on-delivery or insured parcels, will be authorized to collect the charges relative to these classes of articles.

ARTICLE 8

Responsibility

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

The sender will be entitled, on that account, to an indemnity equivalent to the actual amount of loss, rifling or damage. This indemnity may not exceed:

- 10 gold francs for each parcel up to 1 kilogram;
- 15 gold francs for each parcel from 1 to 3 kilograms;
- 25 gold francs for each parcel from 3 to 5 kilograms;
- 40 gold francs for each parcel from 5 to 10 kilograms;
- 55 gold francs for each parcel from 10 to 15 kilograms;
- 70 gold francs for each parcel from 15 to 20 kilograms.

2. The indemnity will be calculated according to the current price of merchandise of the same kind at the place where and the time when the parcel was accepted for mailing.

3. For insured parcels exchanged between those Administrations which agree to establish this type of service, the indemnity may not exceed the insured value.

4. In order that responsibility of the Administrations may be properly determined, the exchange offices of destination, whenever they note irregularities calling for the preparation of a report, must describe the conditions under which the parcels were received, especially as regards the condition of the fastenings and containers, which shall be sent to the Administration of origin, accompanied by a copy of the report and the bulletin of verification issued in this connection, the covers and wrappers of the parcels in question and all other elements of proof.

ARTICLE 9

Parcels pending delivery

1. The period for which parcels must be held at the disposal of the interested parties at the office of destination is fixed at thirty days.

This period, which is counted from the day following the mailing of the notice of arrival, may, at the request of the addressee, be increased to three months if, in addition, the sender has made a statement to such effect in accordance with paragraph (d) of Section 2, and when the Administration of destination does not object to it.

2. The senders, by virtue of the provisions contained in the preceding Section, will be obliged to indicate on the dispatch note or customs declaration, as well as on the cover of the parcel, what disposal is to be made of the same in case of non-delivery, limiting themselves to one of the following instructions:

- (a) That the parcel be returned to origin;
- (b) That the parcel be delivered to another addressee;
- (c) That it be considered as abandoned;
- (d) That it be held at the disposal of the addressee, up to three months, under the conditions of Section 1.

When no instructions have been given and the parcel remains undelivered, it will be returned immediately to the office of origin.

ARTICLE 10

Fraudulent declarations

1. In cases where it is proved that the senders of the parcels, by themselves or by agreement with the addressees, falsely declare the quality, weight, or measure of the contents, or in any other manner attempt to defraud the fiscal interests of the country of destination by avoiding payment of import duties, concealing articles or declaring them in such a manner as to show evident intention of nullifying or reducing the amount of such duties, the Administration concerned is authorized to dispose of those articles in accordance with its domestic legislation, and neither the sender nor the addressee will have any right to delivery, return or indemnity.

2. The Administration confiscating a parcel in accordance with the preceding authorization 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 organizations for delivery to second addressees, will be obliged to state on the tags, labels or wrappers thereof, the exact names and addresses of the persons for whom such parcels are intended. Nevertheless, the second addressee will be notified that such parcel is on hand and the fee provided for by Article 6 may be collected; but he may not claim delivery without the written authorization of the first addressee or of the sender. The latter shall, in that case, arrange for its delivery through the Administration of origin.

ARTICLE 12

Abandoned or returned parcels

1. Abandoned parcels, or those returned to origin which cannot be delivered to the senders, will remain at the disposal of the Administration of destination or origin, as the case may be, to be treated in accordance with their domestic legislation.

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

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

- (a) The amount due to them as terminal charge;
- (b) The charges referred to in Section 1 of Article 4;
- (c) The charges due on parcels in the country of destination on account of forwarding;
- (d) The fee mentioned in Section 1 (a) of Article 6;
- (e) The storage charges indicated in Section 1 (c) of Article 6.
- (f) The repacking fee.

ARTICLE 13

Propositions in the interval between meetings

The present Agreement may be modified in the interval which transpires between Congresses, following the procedure established by the Convention of the Universal Postal Union in force.

In order to become effective, modifications must obtain:

- (a) Unanimity of votes, if it is a question of introducing new provisions or modifying the present Article or Articles 1, 2, 3, 4, 6, 7, 8 and 9.
- (b) Two-thirds of the votes, in order to modify the other provisions.

ARTICLE 14

Matters not provided for

1. All matters not provided for by this Agreement will be governed by the provisions of the Parcel Post Agreement of the Universal Postal Union and its Regulations of Execution.

2. However, the contracting Administrations may fix other details for the execution of the service, after previous agreement.

3. The right of the contracting countries to retain in force the regulatory procedure adopted for the execution of Conventions among themselves is recognized, provided that such procedure is not contrary to the provisions of this Agreement.

ARTICLE 15

Effective date and duration of the Agreement

1. The present Agreement will become effective January 1, 1947, and will remain in force without time limit, each of the contracting parties reserving the right to denounce it by means of notice given by its Government to that of the Oriental Republic of Uruguay one year in advance.

2. The deposit of ratifications will be effected in the city of Rio de Janeiro, Republic of the United States of Brazil, as soon as possible. The relative certificate will be prepared in regard to the ratifications by each country, and the Government of Brazil will send a copy of the said certificate, through diplomatic channels, to the Governments of the other signatory countries.

3. The stipulations of the Parcel Post Agreement signed in Panama on December 22, 1936,¹ are abrogated, beginning with the date on which the present Agreement becomes effective.

4. In case that the Agreement is not ratified by one or more of the contracting countries, it will nevertheless be valid for the countries which have ratified it.

5. The contracting countries may ratify this Agreement provisionally, by correspondence, giving notice thereof to the respective Administrations through the medium of the International Office, without prejudice to the fact that, according to the legislation of each country, and after approval by the National Congresses, it may be confirmed through diplomatic channels.

In faith of which, the Plenipotentiaries of the countries enumerated sign the present Agreement in the city of Rio de Janeiro, United States of Brazil, on the 25th day of September, 1946.

(For the list of the signatory countries, see page 13).

V

PROVISIONS GOVERNING THE CONVEYANCE OF MAIL BY AIR

FINAL PROTOCOL TO THE PARCEL POST AGREEMENT

At the time of signing the Parcel Post Agreement concluded by the Fifth Americo-Spanish Postal Congress, the Plenipotentiaries signing agreed upon the following:

The United States of America is permitted to increase up to double their amount the territorial transit charges fixed by Article 4 of the Agreement, and to apply also a surcharge of 25 centimes per parcel.

RIO DE JANEIRO, September 25, 1946. (*)

II

Freedom of Transit and Routing of Air Mail

1. All letters of international air mail... 2. The Contracting Parties agree to convey by the most rapid air routes used for their own mails all mail reaching them from any other Administration and destined to another country of the Postal Union of the Americas and Spain...

3. Except in cases where indications to the contrary have been given by the sender on the envelope or wrapper of the article, all correspondence accepted for conveyance by air shall be carried by air throughout the territory of the Postal Union of the Americas and Spain...

III

Allocation of Air Mail Surcharges

Each Administration shall retain the whole of the air mail surcharge... (*) Approved by acclamation in Plenary Session of the Fifth Congress of the Postal Union of the Americas and Spain, September 21, 1946. [Footnote in certified copy.]

VI

PROVISIONS GOVERNING THE CONVEYANCE OF MAIL BY AIR

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

I

Classes of Mails admitted in the Air Mails

1. All the classes of correspondence enumerated in Article 4 of the Convention shall be admitted to air conveyance, for the whole or part of the journey, including money orders, accounts for collection and subscriptions to newspapers and magazines. All these articles shall be included under the denomination "correspondencia-avion" (air mail).

2. The articles mentioned in the above paragraph may be registered or forwarded C.O.D.

3. The exchange of insured letters and boxes and of small packets shall be limited to the Administrations who agree to operate this service.

II

Freedom of Transit and Routing of Air Mail

1. All internal or international air lines operated under the direct or indirect jurisdiction of an Administration and over which mail is carried shall be made 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 costs.

2. The Contracting Parties agree to convey by the most rapid air routes used for their own mails 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.

3. Except in cases where indications to the contrary have been given by the sender on the envelope or wrapper of the article, all correspondence accepted for conveyance by air shall be carried by air throughout the territory of the Postal Union of the Americas and Spain without the air journey being limited or interrupted in all cases in which an established service exists which ensures the most rapid arrival at destination. This rule shall not apply to articles reforwarded to a new destination, in which respect the provisions of the Universal Postal Union shall govern.

4. Any air mail misdirected through the fault of the Postal Services shall be reforwarded by air mail by the receiving Administration. The costs incurred in this manner may be charged to the Administrations of origin.

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 air mail rates shall be made up of the ordinary rate applicable to each particular class of article and of a surcharge to be fixed by the country of origin which, however, shall not exceed the actual cost incurred by the said country. The said surcharge rates may be rounded to multiples of five where necessary.

VI *Unit of Weight*

1. The unit of weight on which shall be based the air mail rates for all the countries of the Postal Union of the Americas and Spain is hereby fixed at 5 grams or multiples thereof in regard to all articles mentioned in Article I.

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

VII *Marking of Dispatches*

Articles conveyed by air mail shall bear a blue label or stamp impression with the words "POR AVION," "BY AIR MAIL," or "PAR AVION," or other similar expression.

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

VIII *Prepayment Symbols*

1. The postage on air mail may have the form of postage stamps, or be symbolized by the stamped impressions made by a franking machine on the wrapper of the article, or on a special label affixed thereto. It may also be effected by means of a handwritten note showing the amount prepaid, provided the said note bears the seal of the remitting office.

2. The prepayment of the air mail surcharge on correspondence exclusively concerning official postal matters exchanged among the Administrations of 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 amount.

The same procedure shall be applied to correspondence exclusively concerning official or telegraphic matters exchanged among the Post Office and Telegraph Departments of the countries of the Postal Union of the Americas and Spain; this applies to countries where the telegraphic services are also operated by the Government.

3. 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. Nevertheless, the Administrations of origin may

dispatch this correspondence by air when the amount prepaid represents at least 25 per cent of the said surcharge.

The lack or insufficiency of ordinary postage and of surcharge shall be liable to the payment of the fine prescribed.

X

Freedom from Postage

The free conveyance granted by transportation concerns to official correspondence shall be uniform for all Administrations; the latter shall consequently not impose any charge on correspondence exempted from postage in virtue of the franking privilege extended by the transportation concerns on the basis of existing contracts.

The aforesaid privileges shall always be granted in all cases where the contracts entered into by the respective countries permit it.

XI

Preferential Treatment in 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 circumstances or circumstances beyond control, it cannot be conveyed in 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 clearance and other formalities relating to importation and exportation to be complied with in the exchange offices.

XIII

Delivery of Air Mail

Air mail shall be delivered to the addressees with promptitude and shall 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, plainly visible, the words "ACUSE DE RECIBO" (Acknowledgment of Receipt) or shall be stamped with the letters "A.R." The sender shall indicate on the outside his name and address, in Latin letters.

2. This correspondence shall be accompanied by the form A.R., which shall be securely attached to the outside of the article. If such form does not arrive at the office of destination, the latter shall issue a new acknowledgment of receipt. The weight of the form may be taken into account in the calculation of the air mail surcharge.

3. The acknowledgment of receipt to the sender of the air mail referred to shall be sent by air, and the Administrations are entitled to collect from the sender a small additional surcharge, which they may retain.

XV

Payment of Transportation Costs

1. The intermediate Administration and the Administrations 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 subject to previous arrangements with the air companies concerned.

3. Notwithstanding the provisions of the preceding paragraphs, any Administration may arrange with the international air line companies operating in its country for payment directly to the latter of costs incurred in the conveyance of its own dispatches for the whole flight, no matter what number of lines are utilized for transportation to destination, without it being necessary, in each instance to obtain beforehand the consent of the intermediate Administrations; a simple notification to the latter shall be sufficient.

4. The contracting Administrations undertake to ask the said companies, in all instances where it is possible, that they reduce their transportation rates to a minimum level per kilogram-kilometre or more favourable basis, the said rates to be uniform for all the countries of the Union, except in the case of agreements providing for reductions in regard to long distances, the rates being graduated on the basis of 500 kilometre stretches or other distances decided upon by the contracting parties.

The said rates shall be applicable proportionately to fractions of one kilogram.

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 only with the actual cost of transportation over the air lines over which closed dispatches are reforwarded.

2. If, for special reasons due to the high cost of transportation, some country or other 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 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. The costs occasioned by the carrying out of the provisions of paragraph 3, Article II, shall be collected from the Administration of origin, except in regard to the provisions of Art. XVII or agreement to the contrary.

5. Each country shall supply the name of its offices looking after the transit of closed or open dispatches. In the case where such dispatches are delivered to 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 internal rates of transportation applying to the country of transit, over and above the rates of reforwarding to the country of destination or to another intermediate country.

XVII

Payment for Using the International Service

1. The Administrations operating air services within their own territory on regular lines shall reforward over the said lines any air mail they receive from

countries of the Postal Union of the Americas and Spain and destined to their own service, without any charge to the country of origin, as long as no disbursements are made by them for that purpose.

The Administrations undertake to request the companies concerned that said transportation be effected free of charge.

2. Any Administration of destination may request any of the other Administrations to make up direct dispatches for its exchange offices whenever the volume of correspondence or other requirements of the service justify it.

XVIII

Accounting

The statements of account concerning the transportation of air mail shall be forwarded by the creditor to the debtor Administration either monthly or quarterly, except in cases of agreements to the contrary.

The debit balances in gold francs or dollars, as the case may be, shall be paid by the debtor to the creditor Administration, in the form requested by the latter, not later than three months after the date on which the account has been accepted.

XIX

Exchange Offices

All the offices established at the regular stops of mail aircraft 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 landing and junction points 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 endeavour to obtain from their respective governments that the restrictions imposed on aircraft in transit never be so severe as to be an impediment to the receipt of the mail they carry, no matter if the latter is destined to the same country or is to be reforwarded to points outside of its territory; the route utilized shall be the one agreed upon by the parties concerned.

XXII

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 are in postal relations full and detailed information 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 dispatches and to prevent delays that may be caused by errors in routing and sorting.

XXIII

Direct Notification among 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 beforehand by the Administrations having direct or indirect jurisdiction over the transportation company operating the service.

XXIV

Information destined to the International Bureau

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

- (a) Surcharge rates fixed in the equivalent of their own currency with respect to the gold franc and the units of weight they have adopted;
- (b) A list of air lines under the direct or indirect jurisdiction of the respective Administrations and which may be utilized for the transportation of mail;
- (c) The rates payable on the basis of contracts, now in force or which may hereafter come into force, with the transportation companies;
- (d) The way in which they require settlement of the accounts for air transportation;
- (e) Complete timetables and itineraries of their internal and international network;
- (f) Copies of the contracts concluded for the transportations of air mail.

The Bureau shall be notified of any changes without delay.

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

XXV

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, and establish limits of weight and volume.

2. This service shall be known as "ENCOMIENDAS AEROPOSTALES" (Aerial Parcel Post); it shall be subject to the reduced postage rates equivalent to the express rates of the operating companies, plus the territorial rates fixed by the Administration of origin and destination, which may not exceed 50 per cent of the amounts established by the corresponding agreement for ordinary parcels.

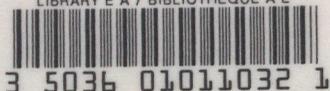
3. In regard to matters not provided for herein, the provisions of the Ordinary Parcel Post Agreement shall apply to the air mail parcel service, the inclusion of any personal correspondence being prohibited either in open or closed envelopes or wrappers.

4. The unit of weight in the air mail parcel post service shall be 500 grams or fractions 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

The contracts for the conveyance of air mail entered into 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 adjust to the provisions herein all previous concessions or contracts which are subject to renewal, and which they have concluded with private transportation companies; this also applies to contracts which may be concluded hereafter.

XXIX

Application of the Provisions of the Universal Postal Convention

The general provisions concerning transportation of air mail annexed to the Convention in force of the Universal Postal Union shall be applicable in all cases not expressly provided for herein or in the Parcel Post Agreement.

XXX

Entry into Force and Duration of the Provisions Adopted

1. The provisions herein shall come into force on the 1st day of January, 1947, 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 deposited in the City of Rio de Janeiro, Republic of the United States of Brazil, as soon as possible. The ratifications of each country shall be recorded and the Government of Brazil shall forward a copy of the said record to the governments of the other signatory country through diplomatic channels.

3. On the date on which these provisions come into force, those concerning the transportation of air mail approved in Panama on December 22, 1936, 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 countries may ratify this Convention provisionally by correspondence, accordingly advising the Administrations concerned through the intermediary of the International Bureau, without prejudice of the confirmation through diplomatic channels, in accordance with the legislation of each country and subject to the approval of their legislative bodies.

In faith whereof the Plenipotentiaries of the above-named governments have signed this Convention in the City of Rio de Janeiro, Republic of the United States of Brazil, on the 25th of September, 1946.

(Here follow the names of the plenipotentiaries for Argentina, Bolivia, Brazil, Canada, Colombia, Costa-Rica, Cuba, Chile, Ecuador, Salvador, Spain, the United States of Venezuela, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Dominican Republic, Uruguay).