

Universal Postal Convention

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

Part I

Rules applicable in common throughout the international postal service

Sole chapter

General provisions

Article 1

Definitions

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

- 1.1 parcel: item conveyed under the conditions of the Convention and the Parcel Post Regulations;
- 1.2 closed mail: labelled bag or set of bags or other receptacles sealed with or without lead, containing postal items;
- 1.3 misrouted mails: receptacles received at an office of exchange other than the one mentioned on the (bag) label;
- 1.4 **personal data: information needed to identify a postal service user;**
- 1.5 missent items: items received at an office of exchange meant for an office of exchange in another member country;
- 1.6 postal item: generic term referring to anything dispatched by the Post's services (letter post, parcel post, money orders, etc.);
- 1.7 transit charges: remuneration for services rendered by a carrier in the country crossed (designated operator, other service or combination of the two) in respect of the land, sea and/or air transit of mails;
- 1.8 terminal dues: remuneration owed to the designated operator of the country of destination by the designated operator of the dispatching country in compensation for the costs incurred in the country of destination for letter-post items received;

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

Article 2

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

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

Article 3

Universal postal service

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

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

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

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

Article 4

Freedom of transit

1 The principle of the freedom of transit is set forth in article 1 of the Constitution. It shall carry with it the obligation for each member country to ensure that its designated operators forward, always by the quick-

est routes and the most secure means which they use for their own items, closed mails and à découvert letter-post items which are passed to them by another designated operator. This principle shall also apply to missent items and misrouted mails.

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

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

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

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

Article 5

Ownership of postal items. Withdrawal from the post. Alteration or correction of address. Redirection. Return to sender of undeliverable items

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

2 The sender of a postal item may have it withdrawn from the post or have its address altered or corrected. The charges and other conditions are laid down in the Regulations.

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

Article 6

Charges

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

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

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

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

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

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

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

Article 7

Exemption from postal charges

1 Principle

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

2 Prisoners of war and civilian internees

2.1 Letter-post items, postal parcels and postal **payment** services items addressed to or sent by prisoners of war, either direct or through the offices mentioned in the Regulations of the Convention and of the Postal Payment Services Agreement, shall be exempt from all postal charges, with the exception of air surcharges. Belligerents apprehended and interned in a neutral country shall be classed with prisoners of war proper so far as the application of the foregoing provisions is concerned.

2.2 The provisions set out under 2.1 shall also apply to letter-post items, postal parcels and postal **payment** services items originating in other countries and addressed to or sent by civilian internees as defined by the Geneva Convention of 12 August 1949 relative to the protection of civilian persons in time of war, either direct or through the offices mentioned in the Regulations of the Convention and of the Postal Payment Services Agreement.

2.3 The offices mentioned in the Regulations of the Convention and of the Postal Payment Services Agreement shall also enjoy exemption from postal charges in respect of letter-post items, postal parcels and postal **payment** services items which concern the persons referred to under 2.1 and 2.2, which they send or receive, either direct or as intermediaries.

2.4 Parcels shall be admitted free of postage up to a weight of 5 kilogrammes. The weight limit shall be increased to 10 kilogrammes in the case of parcels the contents of which cannot be split up and of parcels addressed to a camp or the prisoners' representatives there ("*hommes de confiance*") for distribution to the prisoners.

2.5 In the accounting between designated operators, rates shall not be allocated for service parcels and for prisoner-of-war and civilian internee parcels, apart from the air conveyance dues applicable to air parcels.

3 Items for the blind

3.1 Any item for the blind sent to or by an organization for the blind or sent to or by a blind person shall be exempt from all postal charges, with the exception of air surcharges, to the extent that these items are admissible as such in the internal service of the sending designated operator.

- 3.2 In this article:
- 3.2.1 a blind person means a person who is registered as blind or partially sighted in his or her country or who meets the World Health Organization's definition of a blind person or a person with low vision;
- 3.2.2 an organization for the blind means an institution or association serving or officially representing blind persons;
- 3.2.3 items for the blind shall include correspondence, literature in whatever format including sound recordings, and equipment or materials of any kind made or adapted to assist blind persons in overcoming the problems of blindness, as specified in the Letter Post Regulations.

Article 8

Postage stamps

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

2 Postage stamps:

- 2.1 shall be issued and put into circulation solely under the authority of the member country or territory, in conformity with the Acts of the Union;
- 2.2 are a manifestation of sovereignty and constitute proof of prepayment of the postage corresponding to their intrinsic value when affixed to postal items, in conformity with the Acts of the Union;
- 2.3 must be in circulation, for postal prepayment or for philatelic purposes, in the member country or territory of issue, according to its national legislation;
- 2.4 must be accessible to all citizens within the member country or territory of issue.

3 Postage stamps comprise:

- 3.1 the name of the member country or territory of issue, in roman letters;¹
- 3.2 the face value, expressed:
- 3.2.1 in principle, in the official currency of the country or territory of issue, or as a letter or symbol;
- 3.2.2 through other identifying characteristics.

4 Emblems of state, official control marks and logos of intergovernmental organizations featuring on postage stamps shall be protected within the meaning of the Paris Convention for the Protection of Industrial Property.

5 The subjects and designs of postage stamps shall:

- 5.1 be in keeping with the spirit of the Preamble to the UPU Constitution and with decisions taken by the Union's bodies;
- 5.2 be closely linked to the cultural identity of the member country or territory, or contribute to the dissemination of culture or to maintaining peace;
- 5.3 have, when commemorating leading figures or events not native to the member country or territory, a close bearing on the country or territory in question;
- 5.4 be devoid of political character or of any topic of an offensive nature in respect of a person or a country;
- 5.5 be of major significance to the member country or territory.

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

6 Postal prepayment impressions, franking machine impressions and impressions made by a printing press or another printing or stamping process in accordance with the UPU Acts may be used only with the authorization of the member country or territory.

7 Prior to issuing postage stamps using new materials or technologies, member countries shall provide the International Bureau with the necessary information concerning their compatibility with mail processing machines. The International Bureau shall inform the other member countries and their designated operators accordingly.

Article 9 Postal security

1 Member countries and their designated operators shall **observe the security requirements defined in the UPU security standards and shall** adopt and implement a proactive security strategy at all levels of postal operations to maintain and enhance the confidence of the general public in the postal services, in the interests of all officials involved. **This strategy shall, in particular, include the principle of complying with requirements for providing electronic advance data on postal items identified in implementing provisions (including the type of, and criteria for, postal items) adopted by the Council of Administration and Postal Operations Council, in accordance with UPU technical messaging standards. The strategy shall also** include the exchange of information on maintaining the safe and secure transport and transit of mails between member countries and their designated operators.

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

Article 10 Sustainable development

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

Article 11 Violations

1 Postal items

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

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

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

2 Means of postal prepayment and postal payment itself

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

2.1.1 postage stamps, in circulation or withdrawn from circulation;

- 2.1.2 prepayment impressions;
- 2.1.3 impressions of franking machines or printing presses;
- 2.1.4 international reply coupons.
- 2.2 In this Convention, violations concerning means of postal prepayment refer to any of the acts outlined below committed with the intention of obtaining illegitimate gain for oneself or for a third party. The following acts shall be punished:
 - 2.2.1 any act of falsifying, imitating or counterfeiting any means of postal prepayment, or any illegal or unlawful act linked to the unauthorized manufacturing of such items;
 - 2.2.2 any act of using, circulating, marketing, distributing, disseminating, transporting, exhibiting, showing, or publicizing any means of postal prepayment which has been falsified, imitated or counterfeited;
 - 2.2.3 any act of using or circulating, for postal purposes, any means of postal prepayment which has already been used;
 - 2.2.4 any attempt to commit any of these violations.
- 3 Reciprocity
- 3.1 As regards sanctions, no distinction shall be made between the acts outlined in 2, irrespective of whether national or foreign means of postal prepayment are involved; this provision shall not be subject to any legal or conventional condition of reciprocity.

Article 12

Processing of personal data

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

Part II

Rules applicable to letter post and postal parcels

Chapter 1

Provision of services

Article 13

Basic services

- 1 Member countries shall ensure that their designated operators accept, handle, convey and deliver letter-post items.**

- 2 Letter-post items are:
- 2.1 priority items and non-priority items, up to 2 kilogrammes;
 - 2.2 letters, postcards, printed papers and small packets, up to 2 kilogrammes;
 - 2.3 **items** for the blind, up to 7 kilogrammes;
 - 2.4 special bags containing newspapers, periodicals, books and similar printed documentation for the same addressee at the same address called "M bags", up to 30 kilogrammes.
- 3 Letter-post items shall be classified on the basis either of the speed of treatment of the items or of the contents of the items in accordance with the Letter Post Regulations.
- 4 Higher weight limits than those indicated in paragraph 2 apply optionally for certain letter-post item categories under the conditions specified in the Letter Post Regulations.
- 5 Subject to paragraph 8, member countries shall also ensure that their designated operators accept, handle, convey and deliver postal parcels up to 20 kilogrammes, either as laid down in the Convention, or, in the case of outward parcels and after bilateral agreement, by any other means which is more advantageous to their customers.
- 6 Weight limits higher than 20 kilogrammes apply optionally for certain parcel-post categories under the conditions specified in the Parcel Post Regulations.
- 7 Any member country whose designated operator does not undertake the conveyance of parcels may arrange for the provisions of the Convention to be implemented by transport companies. It may, at the same time, limit this service to parcels originating in or addressed to places served by these companies.
- 8 Notwithstanding paragraph 5, member countries which, prior to 1 January 2001 were not parties to the Postal Parcels Agreement shall not be obliged to provide the postal parcels service.

Article 14
Classification of letter-post items based on their formats

1 **Within the classification systems referred to in article 13.3, letter-post items may also be classified on the basis of their format as small letters (P), large letters (G) or bulky letters (E). The size and weight limits are specified in the Letter Post Regulations.**

Article 15
Supplementary services

- 1 Member countries shall ensure the provision of the following mandatory supplementary services:
- 1.1 registration service for outbound priority and airmail letter-post items;
 - 1.2 registration service for all inbound **registered** letter-post items.
- 2 Member countries or their designated operators may provide the following optional supplementary services in relations between those designated operators which agreed to provide the service:
- 2.1 insurance for letter-post items and parcels;
 - 2.2 cash-on-delivery service for letter-post items and parcels;
 - 2.3 express delivery service for letter-post items and parcels;
 - 2.4 delivery to the addressee in person of **registered or insured** letter-post items;
 - 2.5 free of charges and fees **delivery** service for letter-post items and parcels;
 - 2.6 fragile and cumbersome parcels services;

- 2.7 consignment service for collective items from one consignor sent abroad;
- 2.8 **merchandise return service, which involves the return of merchandise by the addressee to the original seller, with the latter's authorization.**
- 3 The following three supplementary services have both mandatory and optional parts:
- 3.1 international business reply service (IBRS), which is basically optional. All member countries or their designated operators shall, however, be obliged to operate the IBRS "return" service;
- 3.2 international reply coupons, which shall be exchangeable in any member country. The sale of international reply coupons is, however, optional;
- 3.3 advice of delivery for **registered letter-post** items, parcels and insured items. All member countries or their designated operators shall admit incoming advices of delivery. The provision of an outward advice of delivery service is, however, optional.
- 4 The description of these services and their charges are set out in the Regulations.
- 5 Where the service features below are subject to special charges in the domestic service, designated operators shall be authorized to collect the same charges for international items, under the conditions described in the Regulations:
- 5.1 delivery for small packets weighing over 500 grammes;
- 5.2 letter-post items posted after the latest time of posting;
- 5.3 items posted outside normal counter opening hours;
- 5.4 collection at sender's address;
- 5.5 withdrawal of a letter-post item outside normal counter opening hours;
- 5.6 poste restante;
- 5.7 storage for letter-post items weighing over 500 grammes, and for parcels;
- 5.8 delivery of parcels, in response to the advice of arrival;
- 5.9 cover against risks of force majeure.

Article 16

EMS and integrated logistics

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

Article 17

Electronic postal services

- 1 Member countries or designated operators may agree with each other to participate in the following electronic postal services, which are described in the Regulations:
- 1.1 electronic postal mail, which is an electronic postal service involving the transmission of electronic messages and information by designated operators;
- 1.2 electronic postal registered mail, which is a secure electronic postal service that provides proof of sending and proof of delivery of an electronic message and a secure communication channel to the authenticated users;

- 1.3 electronic postal certification mark, which provides evidentiary proof of an electronic event, in a given form, at a given time, and involving one or more parties;
- 1.4 electronic postal mailbox, which enables the sending of electronic messages by an authenticated mailer and the delivery and storage of electronic messages and information for the authenticated addressee.

Article 18

Items not admitted. Prohibitions

- 1 General
 - 1.1 Items not fulfilling the conditions laid down in the Convention and the Regulations shall not be admitted. Items sent in furtherance of a fraudulent act or with the intention of avoiding full payment of the appropriate charges shall not be admitted.
 - 1.2 Exceptions to the prohibitions contained in this article are set out in the Regulations.
 - 1.3 All member countries or their designated operators shall have the option of extending the prohibitions contained in this article, which may be applied immediately upon their inclusion in the relevant compendium.
- 2 Prohibitions in all categories of items
 - 2.1 The insertion of the articles referred to below shall be prohibited in all categories of items:
 - 2.1.1 narcotics and psychotropic substances, as defined by the International Narcotics Control Board, or other illicit drugs which are prohibited in the country of destination;
 - 2.1.2 obscene or immoral articles;
 - 2.1.3 counterfeit and pirated articles;
 - 2.1.4 other articles the importation or circulation of which is prohibited in the country of destination;
 - 2.1.5 articles which, by their nature or their packing, may expose officials or the general public to danger, or soil or damage other items, postal equipment or third-party property;
 - 2.1.6 documents having the character of current and personal correspondence exchanged between persons other than the sender and the addressee or persons living with them;
- 3 Explosive, flammable or radioactive materials and dangerous goods
 - 3.1 The insertion of explosive, flammable or other dangerous goods as well as radioactive materials shall be prohibited in all categories of items.
 - 3.2 The insertion of replica and inert explosive devices and military ordnance, including replica and inert grenades, inert shells and the like, shall be prohibited in all categories of items.
 - 3.3 Exceptionally, **the dangerous goods specifically referred to in the Regulations as being admissible shall be admitted.**
- 4 Live animals
 - 4.1 Live animals shall be prohibited in all categories of items.
 - 4.2 Exceptionally, the following shall be admitted in letter-post items other than insured items:
 - 4.2.1 bees, leeches and silk-worms;
 - 4.2.2 parasites and destroyers of noxious insects intended for the control of those insects and exchanged between officially recognized institutions;
 - 4.2.3 flies of the family Drosophilidae for biomedical research exchanged between officially recognized institutions.
 - 4.3 Exceptionally, the following shall be admitted in parcels:

- 4.3.1 live animals whose conveyance by post is authorized by the postal regulations **and/or national legislation** of the countries concerned.
- 5 Insertion of correspondence in parcels
- 5.1 The insertion of the articles mentioned below shall be prohibited in postal parcels:
- 5.1.1 correspondence, with the exception of archived materials, exchanged between persons other than the sender and the addressee or persons living with them.
- 6 Coins, bank notes and other valuable articles
- 6.1 It shall be prohibited to insert coins, bank notes, currency notes or securities of any kind payable to bearer, travellers' cheques, platinum, gold or silver, whether manufactured or not, precious stones, jewels or other valuable articles:
- 6.1.1 in uninsured letter-post items;
- 6.1.1.1 however, if the national legislation of the countries of origin and destination permits this, such articles may be sent in a closed envelope as registered items;
- 6.1.2 in uninsured parcels; except where permitted by the national legislation of the countries of origin and destination;
- 6.1.3 In uninsured parcels exchanged between two countries which admit insured parcels;
- 6.1.3.1 in addition, any member country or designated operator may prohibit the enclosure of gold bullion in insured or uninsured parcels originating from or addressed to its territory or sent in transit à découvert across its territory; it may limit the actual value of these items.
- 7 Printed papers and **items** for the blind:
- 7.1 shall not bear any inscription or contain any item of correspondence;
- 7.2 shall not contain any postage stamp or form of prepayment, whether cancelled or not, or any paper representing a monetary value, except in cases where the item contains as an enclosure a card, envelope or wrapper bearing the printed address of the sender of the item or his agent in the country of posting or destination of the original item, which is prepaid for return.
- 8 Treatment of items wrongly admitted
- 8.1 The treatment of items wrongly admitted is set out in the Regulations. However, items containing articles mentioned in 2.1.1, 2.1.2, 3.1 and 3.2 shall in no circumstances be forwarded to their destination, delivered to the addressees or returned to origin. In the case of articles mentioned in 2.1.1, 3.1 and 3.2 discovered while in transit, such items shall be handled in accordance with the national legislation of the country of **transit**.

Article 19

Inquiries

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

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

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

Article 20

Customs control. Customs duty and other fees

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

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

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

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

Article 21

Exchange of closed mails with military units

1 Closed letter-post mails may be exchanged through the intermediary of the land, sea or air services of other countries:

- 1.1 between the post offices of any member country and the commanding officers of military units placed at the disposal of the United Nations;
- 1.2 between the commanding officers of such military units;
- 1.3 between the post offices of any member country and the commanding officers of naval, air or army units, warships or military aircraft of the same country stationed abroad;
- 1.4 between the commanding officers of naval, air or army units, warships or military aircraft of the same country.

2 Letter-post items enclosed in the mails referred to under 1 shall be confined to items addressed to or sent by members of military units or the officers and crews of the ships or aircraft to or from which the mails are forwarded. The rates and conditions of dispatch applicable to them shall be fixed, according to its regulations, by the designated operator of the member country which has made the military unit available or to which the ships or aircraft belong.

3 In the absence of special agreement, the designated operator of the member country which has made the military unit available or to which the warships or military aircraft belong shall be liable to the designated operators concerned for the transit charges for the mails, the terminal dues and the air conveyance dues.

Article 22

Quality of service standards and targets

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

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

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

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

Chapter 2

Liability

Article 23

Liability of designated operators. Indemnities

- 1 General
 - 1.1 Except for the cases provided for in article 24, designated operators shall be liable for:
 - 1.1.1 the loss of, theft from or damage to registered items, ordinary parcels and insured items;
 - 1.1.2 the return of registered items, insured items and ordinary parcels on which the reason for non-delivery is not given.
 - 1.2 Designated operators shall not be liable for items other than those mentioned in 1.1.1 and 1.1.2.
 - 1.3 In any other case not provided for in this Convention, designated operators shall not be liable.
 - 1.4 When the loss of or total damage to registered items, ordinary parcels and insured items is due to a case of force majeure for which indemnity is not payable, the sender shall be entitled to repayment of the charges paid for posting the item, with the exception of the insurance charge.
 - 1.5 The amounts of indemnity to be paid shall not exceed the amounts mentioned in the Letter Post Regulations and the Parcel Post Regulations.
 - 1.6 In cases of liability, consequential losses, or loss of profits or **moral damage** shall not be taken into account in the indemnity to be paid.
 - 1.7 All provisions regarding liability of designated operators shall be strict, binding and complete. Designated operators shall in no case, even in case of severe fault, be liable above the limits provided for in the Convention and the Regulations.
- 2 Registered items
 - 2.1 If a registered item is lost, totally rifled or totally damaged, the sender shall be entitled to an indemnity set in the Letter Post Regulations. If the sender has claimed an amount less than the amount set in the Letter Post Regulations, designated operators may pay that lower amount and shall receive reimbursement on this basis from any other designated operators involved.
 - 2.2 If a registered item is partially rifled or partially damaged, the sender is entitled to an indemnity corresponding, in principle, to the actual value of the theft or damage.
- 3 Ordinary parcels
 - 3.1 If a parcel is lost, totally rifled or totally damaged, the sender shall be entitled to an indemnity of an amount set in the Parcel Post Regulations. If the sender has claimed an amount less than the amount set in the Parcel Post Regulations, designated operators may pay that lower amount and shall receive reimbursement on this basis from any other designated operators involved.
 - 3.2 If a parcel is partially rifled or partially damaged, the sender shall be entitled to an indemnity corresponding, in principle, to the actual value of the theft or damage.
 - 3.3 Designated operators may agree to apply, in their reciprocal relations, the amount per parcel set in the Parcel Post Regulations, regardless of the weight.

- 4 Insured items
- 4.1 If an insured item is lost, totally rifled or totally damaged, the sender shall be entitled to an indemnity corresponding, in principle, to the insured value in SDRs.
- 4.2 If an insured item is partially rifled or partially damaged, the sender shall be entitled to an indemnity corresponding, in principle, to the actual value of the theft or damage. It may, however, in no case exceed the amount of the insured value in SDRs.
- 5 If a registered or insured letter-post item is returned and the reason for non-delivery is not given, the sender shall be entitled to a refund of the charges paid for posting the item only.
- 6 If a parcel is returned and the reason for non-delivery is not given, the sender shall be entitled to a refund of the charges paid by the sender for posting the parcel in the country of origin and the expenses occasioned by the return of the parcel from the country of destination.
- 7 In the cases mentioned in 2, 3 and 4, the indemnity shall be calculated according to the current price, converted into SDRs, of articles or goods of the same kind at the place and time at which the item was accepted for conveyance. Failing a current price, the indemnity shall be calculated according to the ordinary value of articles or goods whose value is assessed on the same basis.
- 8 When an indemnity is due for the loss of, total theft from or total damage to a registered item, ordinary parcel or insured item, the sender, or the addressee, as the case may be, shall also be entitled to repayment of the charges and fees paid for posting the item with the exception of the registration or insurance charge. The same shall apply to registered items, ordinary parcels or insured items refused by the addressee because of their bad condition if that is attributable to the postal service and involves its liability.
- 9 Notwithstanding the provisions set out under 2, 3 and 4, the addressee shall be entitled to the indemnity for a rifled, damaged or lost registered item, ordinary parcel or insured item if the sender waives his rights in writing in favour of the addressee. This waiver shall not be necessary in cases where the sender and the addressee are the same.
- 10 The designated operator of origin shall have the option of paying senders in its country the indemnities prescribed by its national legislation for registered items and uninsured parcels, provided that they are not lower than those laid down in 2.1 and 3.1. The same shall apply to the designated operator of destination when the indemnity is paid to the addressee. However, the amounts laid down in 2.1 and 3.1 shall remain applicable:
- 10.1 in the event of recourse against the designated operator liable; or
- 10.2 if the sender waives his rights in favour of the addressee.
- 11 Reservations concerning the exceeding of deadlines for inquiries and payment of indemnity to designated operators, including the periods and conditions fixed in the Regulations, shall not be made, except in the event of bilateral agreement.

Article 24

Non-liability of member countries and designated operators

- 1 Designated operators shall cease to be liable for registered items, parcels and insured items which they have delivered according to the conditions laid down in their regulations for items of the same kind. Liability shall, however, be maintained:
- 1.1 when theft or damage is discovered either prior to or at the time of delivery of the item;
- 1.2 when, internal regulations permitting, the addressee, or the sender if it is returned to origin, makes reservations on taking delivery of a rifled or damaged item;
- 1.3 when, internal regulations permitting, the registered item was delivered to a private mail-box and the addressee declares that he did not receive the item;

- 1.4 when the addressee or, in the case of return to origin, the sender of a parcel or of an insured item, although having given a proper discharge, notifies the designated operator that delivered the item without delay that he has found theft or damage. He shall furnish proof that such theft or damage did not occur after delivery. The term "without delay" shall be interpreted according to national law.
- 2 Member countries and designated operators shall not be liable:
- 2.1 in cases of force majeure, subject to article 15.5.9;
- 2.2 when they cannot account for items owing to the destruction of official records by force majeure, provided that proof of their liability has not been otherwise produced;
- 2.3 when such **loss or damage** has been caused by the fault or negligence of the sender or arises from the nature of the contents;
- 2.4 in the case of items that fall within the prohibitions specified in article 18;
- 2.5 when the items have been seized under the legislation of the country of destination, as notified by the member country or designated operator of that country;
- 2.6 in the case of insured items which have been fraudulently insured for a sum greater than the actual value of the contents;
- 2.7 when the sender has made no inquiry within six months from the day after that on which the item was posted;
- 2.8 in the case of prisoner-of-war or civilian internee parcels;
- 2.9 when the sender's actions may be suspected of fraudulent intent, aimed at receiving compensation.
- 3 Member countries and designated operators shall accept no liability for customs declarations in whatever form these are made or for decisions taken by the Customs on examination of items submitted to customs control.

Article 25
Sender's liability

- 1 The sender of an item shall be liable for injuries caused to postal officials and for any damage caused to other postal items and postal equipment, as a result of the dispatch of articles not acceptable for conveyance or the non-observance of the conditions of acceptance.
- 2 In the case of damage to other postal items, the sender shall be liable for each item damaged within the same limits as designated operators.
- 3 The sender shall remain liable even if the office of posting accepts such an item.
- 4 However, where the conditions of acceptance have been observed by the sender, the sender shall not be liable, in so far as there has been fault or negligence in handling the item on the part of designated operators or carriers, after acceptance.

Article 26
Payment of indemnity

- 1 Subject to the right of recourse against the designated operator which is liable, the obligation to pay the indemnity and to refund the charges and fees shall rest either with the designated operator of origin or with the designated operator of destination.
- 2 The sender may waive his rights to the indemnity in favour of the **addressee**. The sender, or the addressee **in the case of a waiver**, may authorize a third party to receive the indemnity if internal legislation allows this.

Article 27

Possible recovery of the indemnity from the sender or the addressee

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

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

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

Chapter 3

Provisions specific to letter post

Article 28

Posting abroad of letter-post items

1 A designated operator shall not be bound to forward or deliver to the addressee letter-post items which senders residing in the territory of its member country post or cause to be posted in a foreign country with the object of profiting by the more favourable rate conditions there.

2 The provisions set out under 1 shall be applied without distinction both to letter-post items made up in the sender's country of residence and then carried across the frontier and to letter-post items made up in a foreign country.

3 The designated operator of destination may claim from the sender and, failing this, from the designated operator of posting, payment of the internal rates. If neither the sender nor the designated operator of posting agrees to pay these rates within a time limit set by the designated operator of destination, the latter may either return the items to the designated operator of posting and shall be entitled to claim reimbursement of the redirection costs, or handle them in accordance with its national legislation.

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

Part III

Remuneration

Chapter 1

Provisions specific to letter post

Article 29

Terminal dues. General provisions

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

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

2.1 countries and territories in the target system prior to 2010;

2.2 countries and territories in the target system as of 2010 and 2012;

2.3 countries and territories in the target system as from 2014 (new target system countries);

2.4 countries and territories in the transitional system.

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

4 Access to domestic services. Direct access

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

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

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

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

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

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

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

7.1 for the year 2014, 0.815 SDR per kilogramme;

7.2 for the year 2015, 0.838 SDR per kilogramme;

7.3 for the year 2016, 0.861 SDR per kilogramme;

7.4 for the year 2017, 0.885 SDR per kilogramme.

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

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

10 For terminal dues payment purposes, letter-post items posted in bulk by the same sender and received in the same dispatch or in separate dispatches in accordance with the conditions specified in the Letter Post Regulations shall be referred to as "bulk mail". The payment for bulk mail shall be established as provided for in articles 30 and 31.

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

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

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

Article 30

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

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

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

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

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

5 The rates per item and per kilogramme shall be calculated on the basis of 70% of the charges for a 20-gramme small (P) letter-post item and for a 175-gramme large (G) letter-post item, exclusive of VAT or other taxes.

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

7 The rates applied for flows between countries in the target system in a given year shall not lead to an increase of more than 13% in the terminal dues revenue for a letter-post item of 81.8 grammes, compared to the previous year.

8 The rates applied for flows between countries in the target system prior to 2010 may not be higher than:

8.1 for the year 2014, 0.294 SDR per item and 2.294 SDR per kilogramme;

8.2 for the year 2015, 0.303 SDR per item and 2.363 SDR per kilogramme;

8.3 for the year 2016, 0.312 SDR per item and 2.434 SDR per kilogramme;

8.4 for the year 2017, 0.321 SDR per item and 2.507 SDR per kilogramme.

9 The rates applied for flows between countries in the target system prior to 2010 may not be lower than:

9.1 for the year 2014, 0.203 SDR per item and 1.591 SDR per kilogramme;

9.2 for the year 2015, 0.209 SDR per item and 1.636 SDR per kilogramme;

9.3 for the year 2016, 0.215 SDR per item and 1.682 SDR per kilogramme;

9.4 for the year 2017, 0.221 SDR per item and 1.729 SDR per kilogramme.

10 The rates applied for flows between countries in the target system as from 2010 and 2012 as well as between these countries and countries in the target system prior to 2010 may not be higher than:

10.1 for the year 2014, 0.209 SDR per item and 1.641 SDR per kilogramme;

10.2 for the year 2015, 0.222 SDR per item and 1.739 SDR per kilogramme;

10.3 for the year 2016, 0.235 SDR per item and 1.843 SDR per kilogramme;

10.4 for the year 2017, 0.249 SDR per item and 1.954 SDR per kilogramme.

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

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

13 For flows below 75 tonnes a year between countries that joined the target system in 2010 or after that date, as well as between these countries and countries that were in the target system prior

to 2010, the per-kilogramme and per-item components shall be converted into a total rate per kilogramme on the basis of a worldwide average of 12.23 items per kilogramme.

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

15 The payment for bulk mail sent to countries in the target system as from 2010 and 2012 shall be established by applying the rates per item and per kilogramme provided for in paragraphs 5, 10 and 11.

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

Article 31

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

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

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

3 The rates applied for flows to, from and between countries in the transitional system shall be:

3.1 for the year 2014: 0.203 SDR per item and 1.591 SDR per kilogramme;

3.2 for the year 2015: 0.209 SDR per item and 1.636 SDR per kilogramme;

3.3 for the year 2016: 0.215 SDR per item and 1.682 SDR per kilogramme;

3.4 for the year 2017: 0.221 SDR per item and 1.729 SDR per kilogramme.

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

4.1 for the year 2014: 4.162 SDR per kilogramme;

4.2 for the year 2015: 4.192 SDR per kilogramme;

4.3 for the year 2016: 4.311 SDR per kilogramme;

4.4 for the year 2017: 4.432 SDR per kilogramme.

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

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

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

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

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

Article 32

Quality of Service Fund

1 Terminal dues payable by all countries and territories to the countries classified by Congress as group 5 countries for terminal dues and the Quality of Service Fund (QSF), except for M bags, IBRS items and bulk mail items, shall be increased by 20% of the rates given in article 31 for payment into the Quality of Service Fund (QSF) for improving the quality of service in group 5 countries. There shall be no such payment from one group 5 country to another group 5 country.

2 Terminal dues, except for M bags, IBRS items and bulk mail items, payable by countries and territories classified by Congress as group 1 countries to the countries classified by Congress as group 4 countries shall be increased by 10% of the rates given in article 31, for payment into the QSF for improving the quality of service in group 4 countries.

3 Terminal dues, except for M bags, IBRS items and bulk mail items, payable by countries and territories classified by Congress as group 2 countries to the countries classified by Congress as group 4 countries shall be increased by 10% of the rates given in article 31, for payment into the QSF for improving the quality of service in group 4 countries.

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

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

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

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

Article 33

Transit charges

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

Chapter 2

Other provisions

Article 34

Basic rates and provisions concerning air conveyance dues

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

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

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

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

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

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

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

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

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

Article 35

Parcel post land and sea rates

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

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

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

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

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

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

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

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

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

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

Article 36

Authority of the Postal Operations Council to fix charges and rates

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

1.1 transit charges for the handling and conveyance of letter mails through one or more intermediary countries;

1.2 basic rates and air conveyance dues for the carriage of mail by air;

1.3 inward land rates for the handling of inward parcels;

1.4 transit land rates for the handling and conveyance of parcels through an intermediary country;

1.5 sea rates for the conveyance of parcels by sea.

1.6 **outward land rates for the provision of the merchandise return service for parcels.**

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

Article 37

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

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

Part IV

Final provisions

Article 38

Conditions for approval of proposals concerning the Convention and the Regulations

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

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

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

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

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

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

Article 39

Reservations at Congress

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

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

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

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

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

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

Article 40

Entry into force and duration of the Convention

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

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

Done at **Doha, 11 October 2012**