

POSTAL UNION OF THE AMERICAS AND SPAIN: PARCEL POST

*Agreement signed at Rio de Janeiro September 25, 1946, and final
protocol*

*Ratified and approved by the Postmaster General of the United States
February 20, 1947*

Approved by the President of the United States February 27, 1947

*Ratification of the United States deposited at Rio de Janeiro June 22,
1948*

Entered into force January 1, 1947

*Terminated by agreement of November 9, 1950*¹

61 Stat. 3524; Treaties and Other
International Acts Series 1681

[TRANSLATION]

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.

¹ 2 UST 1391; TIAS 2287.

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 4²

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.

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.

² For an agreement permitting the United States to increase transit charges, see final protocol, p. 170.

3. The Administrations of origin and destination will have the option of increasing the rates applicable to parcels of 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

Cancelation 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 members 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 undeliverable, 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, 1936,³ 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.

³ *Ante*, vol. 3, p. 319.

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 Argentina:
OSCAR L. M. NICOLINI
CARLOS M. LASCANO
MANUEL PRECEDO
DOMINGO B. CANALLE

For Bolivia:
JOSÉ LIÉVANA FORRALTA
RAFAEL BARRIENTOS

For Brazil:
RAÚL DE ALBUQUERQUE
CARLOS LUIS TAVEIRA
JAIME SLOAN CHERMONT
AUREO MAIA
JAIME DÍAS FRANÇA
JOAQUIM VIANNA
JULIO SÁNCHEZ PÉREZ
CARLOS F. DE FIGUEIREDO

For Canada:
WALTER JAMES TURNBULL
CNE. EDWARD JAMES UNDERWOOD,
O.B.E.
FRANCIS EVERETT JOLLIFFE, M.B.E.

For Colombia:
LUIS GARCÍA CADENA
LUIS JORGE GARZÓN

For Costa Rica:
ROBERTO TINOCO GUTIÉRREZ

For Cuba:
GABRIEL LANDA Y CHAO
JESÚS LAGO LUNAR

For Chile:
LUIS FELIPE LASO
MIGUEL A. PARRA
GUILLERMO JIMÉNEZ MORGAN

For Ecuador:
RAFAEL ALVARADO

For El Salvador:
CORONEL CARLOS MEJÍA OSORIO

For Spain:
LUIS RODRÍGUEZ DE MIGUEL
ELÍAS URDANGARAIN BERNACH

For the United States of America:
JOHN J. GILLEN
EDWARD J. MAHONEY

For the United States of Venezuela:
PABLO CASTRO BECERRA
FRANCISCO VELEZ SALAS
CARLOS HARTMANN

For Guatemala:
FLAVIO HERRERA

For Haiti:
LUIS MORAIS JUNIOR

For Honduras:
MARCO ANTONIO BATRES
MANUEL SOTO DE PONTES CAMARA

For Mexico:
ANTONIO VILLALOBOS
DIDIER DOMÍNGUEZ VALDÉS
LAURO F. RAMÍREZ UMAÑA

For Nicaragua:
JOSÉ MERCEDES PALMA

For Panama:
CATALINO ARROCHA GRAELL
JULIO TRELLES
ROQUE JAVIER LAURENZA

For Paraguay:
ANÍBAL IBARRA G.

For Peru:
GERMÁN LLOSA PARDO
ERNESTO CÁCERES BOLUARTE

For the Dominican Republic:
MIGUEL ANTONIO OLAVARRIETA
PÉREZ

For Uruguay:
ENRIQUE E. BUERO
MIGUEL AGUERRE ARISTEGUI
CÉSAR I. ROSSI

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 supply also a surcharge of 25 centimes per parcel.

RIO DE JANEIRO, *September 25, 1946.*⁴

⁴ 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.]