

POSTAL UNION OF THE AMERICAS AND SPAIN: MONEY ORDERS

*Agreement and final protocol signed at Rio de Janeiro September 25, 1946*¹

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*²

61 Stat. 3540; Treaties and Other
International Acts Series 1682

[TRANSLATION]

AGREEMENT RELATIVE TO MONEY ORDERS

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

The undersigned, Plenipotentiaries of the Governments of the countries mentioned, in exercise of the authority conferred by the Convention of the Universal Postal Union, agree *ad referendum* to execute the money order service, in accordance with the following clauses:

ARTICLE 1

Object of the agreement

The exchange of money orders among the contracting countries whose Administrations agree to perform this service will be governed by the provisions of the present Agreement.

¹ For forms attached to agreement, see 61 Stat. 3553 or p. 15 of TIAS 1682.

² 2 UST 1435; TIAS 2288.

ARTICLE 2

Currency

The amount of the money orders will be expressed in the currency of the country of destination. Nevertheless the Administrations are authorized to adopt another currency by common consent if they deem it convenient.

ARTICLE 3

Conditions for the exchange of money orders

1. The exchange of money orders between the contracting nations will be effected by means of lists conforming to model A attached,³ which shall be forwarded to their destination by ordinary or air mail as the interested Administrations may agree.

2. Furthermore, upon previous agreement, an addition may be made to the aforementioned forms "A" at the request of the remitter of the money order, or a private message addressed to the beneficiary, relative to the respective remittance may be attached to the list.

3. Each Administration will designate the Offices of its country which will be responsible for issuing the lists and for forwarding them to the other Offices which will be designated by the other Administrations for the same purpose.

4. In case of *force majeure* which renders impossible the direct exchange of money orders, the issuing country, even without a request of the remitter or of the payee may redirect them, upon previous agreement among the Administrations involved and subject to the aforementioned rules, to a different country that the latter, in its turn, may reforward them to their destination by the route which seems most practical for their delivery.

ARTICLE 4

Telegraphic money orders

The provisions of this Agreement will be extended to telegraphic money order service between the countries which agree to provide it. To this end they will adopt, by agreement among themselves, regulations to govern the service.

ARTICLE 5

Maximum amount of money orders

The Administrations of the countries which agree to provide this service will come to an agreement to fix the maximum amount of the money orders exchanged among them, but this amount may not be less than 300 gold francs or its equivalent in the respective currencies.

³ See footnote 1, p. 171.

Nevertheless, money orders relating to the postal services and which are issued free of charge as provided in Article 9, may exceed the limits fixed by any Administration.

ARTICLE 6

Rates and commission fees

1. The remitter of every money order issued in accordance with the provisions of the present Agreement must pay the fee fixed by the Administration of origin, in accordance with its regulations and the scales adopted and promulgated for its domestic service.

2. When money orders are sent by air mail or special delivery, the Administrations may collect the special rates and the established air mail surtaxes, which must not exceed those in effect for letters.

ARTICLE 7

Endorsements

The contracting powers are authorized to permit, in their territories and in accordance with their domestic legislation, the endorsement of money orders originating in any country.

ARTICLE 8

Responsibility

The Administrations will be responsible to the remitters for the amounts which these deposit for conversion into money orders, until they have been paid to the payees or endorsees.

ARTICLE 9⁴

Exemption from charges

Orders relating to the service exchanged between Administrations or between the post offices of any Administration, as well as those sent to the International Office of Montevideo, and vice-versa, will be exempt from all charges.

ARTICLE 10

Period of validity of orders

1. In the absence of agreement to the contrary, every money order will be payable in the country of destination for a period of twelve months after issue.

2. The amount of the money orders which have not been paid within the period stipulated above will be credited to the Administration of origin, to

⁴ For text of a U.S. reservation made at time of signing, see final protocol, p. 179.

which country there shall be sent for the purpose a form D with the detailed listing of such orders so that it can proceed in accordance with its regulations.

ARTICLE 11

Change of address and repayment of order

1. When the remitter desires to correct an error in the address of the beneficiary or seeks repayment of a money order, he must make his request to the Administration of the country which issued the money order.

2. In general, no money order will be repaid without authorization of the Central Administration of the paying country. This authorization will be granted in a separate communication addressed to the Administration of origin and the total amount of the money orders whose reimbursement is allowed will be added to the next account to be made up.

ARTICLE 12⁴

Advice of payment

1. The remitter of a money order may obtain a notice of payment for a fee equal to that collected by the Administration of origin for a return receipt for a registered letter. The fee will be retained by the Administration of origin.

2. The Administration of destination will issue the receipt on a printed form like model F and will send it directly to the interested party or to the Administration of origin for delivery to him.

ARTICLE 13

Reissuance

1. At the request of the remitter or payee of an order, it may be reforwarded to another country, whenever an exchange of money orders exists with the new country of destination.

2. The reissuing Administration will have the right to deduct from the amount of the order the fees due for the issuance of a new money order in accordance with Article 6.

3. In case of reissuance, the order will be considered as having been paid by the reissuing Administration, which will include it in the account for that purpose, adding the word "Reissued".

ARTICLE 14

Domestic legislation

Money orders exchanged between two countries will be governed by the provisions of the domestic legislation of the countries of origin and destination, applicable to domestic money orders, according to the case, in all matters relative to issuance and payment.

ARTICLE 15

Preparation of lists

1. Each Exchange Office will communicate to the corresponding Exchange Office, daily, or at times mutually agreed on, the amounts received in its country to be paid in the other, making use of model A, attached.

2. Each money order noted in the lists will bear a consecutive number to be known as the "international number" which numbering will begin on January 1 or July 1 of each year as may be agreed upon, with the number 1. The lists will also have a serial number beginning with number 1 on the first of January or first of July, of each year. When a change in numbering occurs, the first list of the new series will bear also the last number of the preceding series.

3. The Exchange Offices will acknowledge the receipt of each list on the first subsequent list sent in the opposite direction.

4. When a list is not received, the Exchange Office which notices the fact will claim it immediately. In such a case the sending Office will send to the claiming Office a duly authenticated duplicate of the missing list at the earliest possible moment.

5. With respect to money orders sent by air the same procedure will be followed as that established in the above Sections, except that the lists of form A will be used, marked by a heading or label of blue color, and will carry a separate numbering.

ARTICLE 16

Verification and correction of the lists

1. The lists will be carefully examined by the receiving Exchange Office and corrected when they contain simple errors. The dispatching Exchange Office will be informed of such corrections when the receipt of the list is acknowledged.

2. When the lists are found to contain other irregularities the Exchange Office of destination will request explanations from the dispatching office, which must forward them at the earliest possible time. In the meantime the issuance of domestic money orders corresponding to the mentioned irregular notations will be suspended.

ARTICLE 17

Payment of orders

1. When the Exchange Office receives a list as provided in Article 15 it will proceed to effect or order the payment to the payees, in the currency of the country of destination, of the amounts which appear in the list in that currency or any other agreed upon according to the regulations in effect in each country for the payment of international money orders.

2. The Administration of destination will endeavor to effect payment in all cases to payees without delay. If, one month after the mailing of the notice

to the payee, the payment has not been effected, the fact will be communicated to the Administration of origin in order that the remitter may be notified.

3. Duplicates of money orders will be issued only by the Administration of the reissuing country in accordance with its domestic legislation and upon the previous proof that the money order has not been paid to the payee or repaid to the remitter.

ARTICLE 18

Rendering and settlement of accounts

1. In the absence of agreement to the contrary, the creditor Administration at the end of every quarter will prepare the relative account for the corresponding Administration which will contain in detail the following:

(a) The totals of the lists which give in detail the money orders issued in both countries during the quarter.

(b) The totals of the money orders which have been repaid to the remitters.

(c) The totals of the money orders which have become invalid during the quarter.

2. The credit balance of each Administration will be expressed in its own currency.

The smaller amount will be converted into the currency of the creditor country on the basis of the average rate of exchange which has prevailed during the quarter covered by the account.

3. This account will be sent by the Administration which has made it up, in duplicate to the corresponding Administration.

If the balance is in favor of the latter Administration, it will be paid by transmitting with the account of a sight draft on the creditor country.

If the balance is in favor of the country which has rendered the account, the payment will be made by the debtor Administration in the manner indicated in the preceding paragraph when the account is returned accepted.

These quarterly accounts will be prepared in accordance with Forms B, C, D and E, attached to the present Agreement.

4. Administrations may also agree not to make conversions, but to make unilateral settlements; that is for each Administration to credit the other with the total money orders it has paid on its account. In this case each Administration will render a quarterly account.

ARTICLE 19

Discontinuance of money orders accounts

By mutual agreement the Administrations may discontinue the accounting referred to in the preceding Article. In this event they undertake to attach a check for the total amount of the money orders when they forward

Form A and adopt the same process when the use of Forms C and D are required.

In the absence of agreement to the contrary, the checks will be drawn in currency of the creditor country and the conversion will be made on the basis of the open exchange.

ARTICLE 20

Advance payments on account

When an Administration owes another, on account of the money orders, a balance which is over 25,000 gold francs, or its approximate equivalent in its own money, the debtor Administration will send to the creditor Administration, as soon as possible, as an advance payment, a sum approximating its balance in the quarterly settlement referred to in Article 18.

ARTICLE 21

Suspension of service

1. The contracting Administrations under extraordinary circumstances may suspend the issuance of money orders temporarily and adopt such provisions as they deem necessary to safeguard their interests and to avoid any speculation through the money order service.

2. The Administration which adopts any of the measures referred to in the preceding paragraph should immediately notify all Administrations with which it exchanges money orders of the fact.

ARTICLE 22

Propositions during the interval between meetings

The present Agreement may be modified in the interval between the Congresses in accordance with the procedure established by the Convention of the Universal Postal Union. In order to become effective, the modifications must obtain:

- a) a unanimity of votes for the modifications of Articles 1, 2, 5, 8, 9, 14, 18, 19, 20, 21, 22, and 23;
- b) two thirds of the votes to modify the other Articles.

ARTICLE 23

Effective date and duration of this Agreement

1. The present Agreement will become effective on January 1, 1947, and will remain in effect without any time limit; each of the contracting powers reserving the right to denounce it by means of a notification from its Government to the Government of the Oriental Republic of Uruguay, sent one year in advance.

2. The deposit of ratification will be made in Rio de Janeiro, Brazil, at the earliest possible date. A certificate of the deposit of the ratification of each country will be issued and the Brazilian Government will send via diplo-

matic channels, a copy of the same to the Governments of all the signatory powers.

3. The stipulations of the Money Order Agreement signed at Panama, December 22, 1936,⁵ are abrogated on the date when the present Agreement becomes effective.

4. In the event that this Agreement is not ratified by one or more countries it will still be valid for others who have ratified it.

5. The contracting powers may make provisional ratification of this Agreement by correspondence, advising the respective Administrations through the intermediary of the International Office without prejudicing the subsequent approval of the same by the National Congresses according to domestic legislation and the confirmation thereof by diplomatic channels.

In faith of which the Plenipotentiaries of the above countries sign the present Agreement in Rio de Janeiro on September 25, 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 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

⁵ *Ante*, vol. 3, p. 329.

FINAL PROTOCOL OF THE MONEY ORDER AGREEMENT

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

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The United States of America advises that it cannot accept the provisions of Articles 9 and 12.

RIO DE JANEIRO, *September 25, 1946*

For Argentina:

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

For Bolivia:

JOSÉ LIÉVANA FORRALTA
RAFAEL BARRIENTOS

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[For forms attached to agreement, see 61 Stat. 3553 or p. 15 of TIAS 1682.]