BILATERAL

POSTAL PARCELS AGREEMENT BETWEEN THE BUREAU OF POSTS OF THE REPUBLIC OF THE PHILIPPINES AND DIRECTORATE GENERAL OF POSTS OF THE MINISTRY OF POSTS AND TELECOMMUNICATIONS OF THE P...

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Being desirous of promoting the development of the economic and cultural relations between the two countries, the Bureau of Posts of the Republic of the Philippines and the Directorate General of Posts of the Ministry of Posts and Telecommunications of the People's Republic of China, hereinafter referred to in this Agreement and its Detailed Regulations as "Administrations", through friendly consultations on the establishing of a direct exchange service of postal parcels between the two countries, have agreed upon the following articles:

ARTICLE 1

Scope of Agreement

1. The provisions of this Agreement relate only to parcel post packages to be exchanged by the system herein provided for, and do not affect the arrangements now existing under the Universal Postal Convention, which will continue as heretofore, except as otherwise specified herein or in subsequent amendments hereto.

2. In this Agreement and its Detailed Regulations, the abbreviation "parcels" shall apply to all postal parcels.

ARTICLE II

Manner of Exchange

1. Both administrations agree to maintain the regular exchange and transit services of ordinary parcels by surface and air routes between the two countries.

2. Each Administration shall designate its exchange offices through which it will dispatch and receive parcels, communicating to the other the names of such exchange offices.

ARTICLE III

Postage

1. Each Administration shall fix the rates of postage it shall charge on parcels and communicate to the other said rates and any changes therein.

2. The parcel postage referred to in the preceding section shall be prepaid at the time of posting.

ARTICLE IV

Credits

1. The Administration of the country of the origin shall allow the Administration of the country of destination:

a) To fix the terminal charges

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b) To fix the internal air conveyance charge for incoming air parcels.

The above charges shall be communicated in writing to the Administration of the country of origin by the Administration of the country of destination.

2. No refund shall be made to the country of origin for the charges referred to in the preceding section on any parcel returned or redirected in the country of destination, or to another country.

ARTICLE V

Limits of Weight and Size

1. No parcel shall exceed 1o kilograms in weight, 1.05 meters in length, and 2 meters in length and girth combined. Places in each country where parcels of the maximum weight and size cannot be sent at any time for any reason shall be communicated to the other country.

2. As regards the exact calculation of the weight and size, the view of the dispatching office shall prevail except in case of obvious error. However, if the discrepancies in weight which are established entail a change in rates the new weight shall be valid.

ARTICLE VI

Prohibitions

1. The following articles are prohibited for transmission by the parcel service:

a)

Articles excluded from the domestic mails of either country.

b)

Articles the importation of which is not admitted in accordance with Customs and other laws and regulations in force in the country of destination.

c)

Letters or communications having the nature of current and personal correspondence.

d)

Articles addressed to a person other than the addressee of the parcel.

e)

Articles which, by their nature or packaging, may expose postal employees to danger or soil or damage other parcels and postal equipment.

2. When a parcel containing any prohibited article is received at the country of destination, it shall be treated in accordance with the Internal laws and regulations of that country. However, explosives, inflammable or dangerous articles, as well as documents, pictures, and other articles injurious to public morals, health, order, or security are under no circumstances forwarded to destination, delivered to the addressees or returned to origin.

3. Each Administration shall communicate to the other to the other list of all articles barred from its domestic mails or the transmission of which by the parcel service is prohibited by its laws and regulations.

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ARTICLE VII

Application of Customs Regulations and other Laws Customs Duties and other Charges
1. Parcels are subject to all customs and other laws and regulations in force in the country of destination. The customs duties and other non-postal charges payable on that account are collected from the addresses.

2. Customs duties and other non-postal charges on parcels either returned to origin, abandoned by the sender, destroyed on account of the whole loss of the contents, or redirected to a third country shall be cancelled.

3. For customs examination, the seals or other fastenings of parcels may be broken without authority of the addresses. In case this faculty is exercised, the parcels must be repacked in such a manner as prescribed in the internal legislation of the country of destination if delivery is not effected immediately after examination.

ARTICLE VIII

Responsibility. Indemnity
The Postal Administration of either country will not be responsible for the loss of, theft from or damage to any ordinary parcel and no indemnity will be paid on that account.

ARTICLE IX

Fee for Customs Formalities
Fee for Delivery
Warehousing Charges
1. The administration of the country of destination may collect from the addressee, either in respect of delivery to the Customs authorities and clearance through Customs, or in respect of delivery to the customs authorities only, a fee equal to that payable for items of that nature received from abroad.

2. The Administration of the country of destination may collect from the addressee for the delivery of parcels at the post office or at the addressee’s residence a fee equal to that applied in the internal service. The same fee may be charged for each presentation after the first at the addressee’s residence.

3. The Administration of the country of destination may collect, in accordance with its internal legislation, from the addressee a warehousing charge for a parcel not claimed within the prescribed period.

4. The fees and charges prescribed by the above three sections may not be cancelled even in case the parcel is redirected or returned out of the country.

ARTICLE X

Delivery. Redirection
1. Parcels shall be delivered as quickly as possible in accordance with the internal legislation in the country of destination.

2. Parcels may, at the request of the sender or the addressee, be redirected within the country of destination or to a third country in consequence of the change of address of addressees. However, in the latter case, the redirection is effected provided that the parcels comply with the conditions required for their onward conveyance and provided further that the charge conveyance and, if any, various charges of which the cancellation is not allowed by the retransmitting, Administration are prepaid by the sender or the addressee or collectible from the Administration of the new destination.

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3. The Administration of destination may collect from addressee additional charges prescribes by its internal regulations for redirection of parcels within that country. These charges shall not be cancelled even if the parcel is redirected to a third country or returned to origin.

4. The redirection may effected by air route at the request of the sender or the addressee and if the payment of air charge for new transmission is guaranteed.

5. The sender is entitled to forbid any redirection by means of a suitable annotation on the parcel and on the dispatch note.

6. In case of redirection of parcels from one of the two countries to the other, the charge for conveyance and if any, various charges of which the cancellation is not allowed by the retransmitting administration, shall be collected from the addressee, if not prepaid.

ARTICLE XI

Recall. Change of Address
1. So long as the parcel has not been duly delivered, the sender may recall it or cause it address to be altered.

2. The request for this purpose shall be transmitted by mail or by telegraph. The Administration of the country of origin may collect from the sender a fee equal to that for the requests of the same nature. When the request is to be transmitted by air route, or by telegraph, the Administration may additionally collect from the sender a charge for its air transmission or a charge for the telegram. However, only one of the fees or charges shall be charged in respect of a request concerning two or more parcels mailed simultaneously at the same office by the same sender to the same addressee at the same address.

3. When parcels are returned to origin, in consequence of the request for recall, the charge for conveyance and, if any, various charges of which the cancellation is not allowed by the returning Administration shall

4. When, in consequence of the request for change of address, parcels are redirected within the country of destination or to a third country, the provisions of Section 2 and 3 of Article X shall correspondingly apply.

ARTICLE XII

Non-Delivery
1. The sender of the parcel may make a request at the time of mailing as to the disposal of the parcel in the event it is not deliverable as addresses.

2. If the sender does not make any request in accordance with the preceding section or the sender’s request has not resulted in delivery, undeliverable parcels shall be returned to the sender at the expiration of the period prescribed by internal regulations of the country of destination, except that parcels refused by the addressee or the immediate return of which is requested by the sender shall be returned at once.

3. The provision of Section 2 including its proviso, and Section 3 and 6 of Article X are applicable to parcels redirected in and out of the country in consequence of non-delivery.

4. Undeliverable parcels which the sender has requested to be abandoned are not returned but are disposed of in accordance with the internal legislation of the country of destination.

ARTICLE XIII

Claims for Charges on Returned or Redirected Parcels

1. In case of redirection or return of parcels from one of the two countries to the other, the retransmitting Administration shall claim from the other:

a)

The shares of charges due to it, if the charge of conveyance is not prepaid;

b)

Various charges the cancellation of which is not allowed by it.

ARTICLE XIV

Inquiry

1. Within one year from the day after that on which the parcel is posted, an inquiry as to the disposition made thereof may be accepted and given due course upon prepayment of a fee for inquiry. Inquiries for several parcels mailed simultaneously by the same sender to the same addressee shall be charged only one inquiry fee.

2. The inquiry shall be forwarded as a matter of course by air-mail. If the inquiry is to be transmitted by telegraph, the charge for the telegram shall be collected in addition to the prescribed fee.

ARTICLE XV

Disposal of Deteriorating Parcels

Each Administration may dispose of the contents of a parcel when such contents are liable to deterioration or decay in its service, in accordance with its internal regulations, without previous notice or judicial formality.

ARTICLE XVI

Wrongly Accepted and Missent Parcels

1. Except those confiscated by virtue of the provisions on the prohibitions, parcels wrongly accepted and dispatched may be returned to origin by the Administration of the country of destination.

2. Missent parcels shall be reforwarded to their correct destination by the most direct route at the disposal of the Administration to which they were missent. However, missent parcels which cannot be reforwarded to their correct destination shall be returned to origin.

3. The reforwarding to the correct destination or the return to the origin of missent air parcels is effected by air route, provided that the reforwarding to the correct destination may be effected by surface route when no air service is available and if such reforwarding is anticipated to take less than twice the transmission through the country of origin by air route.

ARTICLE XVII

Unauthorized Postal Charges

No postal charges other than those prescribed by this Agreement shall be collected for parcels exchanged between the two parties.

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ARTICLE XVIII

Standard Monetary Unit
The monetary unit related to in the provisions of this Agreement shall be the standard monetary unit prescribed in the UPU Acts.

ARTICLE XIX

Parcels Forms. Service Notifications
The parcel forms usable shall be printed in accordance with the Specifications prescribed by the Universal Postal Union. English or French is allowed to be used in the forms and letters or telegrams relating to services exchanged between postal units of both countries.

ARTICLE XX

Temporary Suspension of Services
Each Administration may temporarily suspend the exchange of parcels, either entirely or partially, whenever each considers it necessary or advisable, on condition that the other Administration is immediately notified.

ARTICLE XXI

Detailed Regulations and Application of Internal laws
The details necessary for the execution of this Agreement shall be mutually provided for in the form of Detailed Regulations; as to matters not provided for in this Agreement, each Party shall apply its internal laws and regulations respectively.

ARTICLE XXII

Entry into Force and Duration of Agreement
1. This Agreement shall enter into force on the date of notification by both Parties after having completed their own legal formalities.

2. This Agreement will remain in force for 5 years, and if neither of the two Parties notifies the other in writing of its intention to terminate the present agreement within 6 months before the expiry of the period of validity, it will extend automatically for another 5 years, and shall be renewable accordingly.

3. Amendments and additions to this Agreement shall be made with the Agreement between both Parties through consultation, and shall enter into force on the date of notification by both Parties after having completed their legal formalities respectively.

The present agreement has been signed on November 18th, 1978 in Peking, The People’s Republic of China, and has been executed in duplicate in each of the two languages, the English and Chinese languages. The texts in English and Chinese are equally valid.

(Sgd.)

(Sgd.)

FELIZARDO R. TANABE
POSTMASTER GENERAL

For the Bureau of Posts of
the Republic of the Philippines

SUNG HSING-MIN
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Entry into Force: March 12, 1981

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