BILATERAL

PARCEL POST AGREEMENT BETWEEN THE REPUBLIC OF THE PHILIPPINES AND THE COMMONWEALTH OF AUSTRALIA

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Note: The Agreement was approved, September 2, 1949 by the Philippine Secretary of Public Works and Communications and by the Postmaster General of the Commonwealth of Australia. It entered into force on the same date.

Reference: This Agreement is also published in II DFA TS No. 3, p. 96 and 46 UNITS, p. 215.

The undersigned, by virtue of authority vested in them and with the approval proper authorities, have mutually agreed upon the following articles for the exchange of parcels through the mail between the Philippines and the Commonwealth of Australia.

ARTICLE I

SCOPE OF AGREEMENT

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 Union Convention, which will continue as heretofore, except as otherwise specified herein or in subsequent amendments hereto.

ARTICLE II

MANNER OF EXCHANGE

1. There shall be a regular exchange of ordinary parcels between the two countries which shall be effected by means of direct postal service or, when such service is not available or is interrupted by unavoidable causes, by such other means as will be agreed upon by the Postal Administrations of the two countries.

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

ARTICLE III

POSTAGE

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

2. The prepayment of the postage on every parcel shall be compulsory.

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ARTICLE IV

TERMINAL CHARGES

The country of origin shall allow to the country of destination terminal charges of .50,1.00 and 1.50 gold francs for each parcel not exceeding 1, 3 and 5 kilograms respectively.

ARTICLE V

LIMITS OF WEIGHT AND SIZE

1. No parcel shall exceed 5 kilograms in weight, 3 feet 6 inches in length and 6 feet in length and girth combined, provided that the foregoing maxima may be increased by mutual consent of the two contracting countries without the execution of formal articles.

2. As regards the exact calculation of the weight and dimensions of a parcel, the view of the dispatching office shall be accepted except in case of obvious error.

ARTICLE VI

ADDRESSING AND PACKING

1. Every parcel shall bear the exact and complete addresses of the sender and the addressee in Roman characters. The name and full address or the addressee shall be written on the parcel itself. The sender shall be advised to close in the parcel a copy of his address and that of the addressee.

2. Every parcel shall be packed in a manner adequate for the length of the journey and for the protection of the contents, but such that it can be easily opened for examination. The sealing of parcels is prohibited. Articles liable to injure postal employees or to damage other mails shall be so packed as to prevent any risk.

ARTICLE VII

DECLARATION OF CONTENTS

Each parcel shall be accompanied with & Customs Declaration and Dispatch. Note either separately or in combined form. The forms used for this purpose shall be identical with those in general use by the dispatching Administration. All information called for in said forms shall be filled in. The description of each article contained in the parcel and the statement of its value must be accurate. However, the two countries accept no responsibility in respect of the accuracy of customs declarations with respect to portions filled in by the senders of parcels or their representatives.

ARTICLE VIII

PLACE AND DATE OF POSTING

Each parcel as well as the corresponding Customs Declaration shall bear the name of the office and the date of posting.

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ARTICLE IX

PROHIBITIONS

1. The following articles are prohibited transmission by the parcel post service herein provided:

(a) Articles that are excluded from the domestic mails of each country.

(b) Letters or communications of the nature of personal correspondence, whether attached to, enclosed in, or written on a parcel.

(c) Packages enclosed in a parcel but addressed to a person other than the addressee of the parcel.

(d) Articles which, by their nature or picking, may expose postal employees to danger, or soil or damage other mails.

2. Each country shall communicate to the other all articles barred from its domestic mail or the transmission of which by parcel post is prohibited by its laws or regulations.

ARTICLE X

DISPATCH OF PARCELS

1. The country of origin shall be responsible for the conveyance of the parcel mails to the country of destination and shall bear the cost of such conveyance including transit charges of intermediary countries, if any.

2. For each parcel dispatch there shall be prepared a parcel bill on a form agreed upon between the contracting Administrations. The parcel shall be made out in duplicate, the original to be enclosed with the parcels and the duplicate to be retained by the dispatching office.

3. The parcel bills of each exchange office for another exchange office shall be numbered consecutively, commencing with No. 1 on the first of January of each year, and all particulars therein required shall be furnished and written clearly. The parcel bill of the first dispatch of each year shall bear, in addition to the serial number of that dispatch, the serial number of the last dispatch of the preceding year.

4. Parcels for dispatch shall be in closed in bags duly fastened and sealed. A label showing the exchange office of origin and the exchange office of destination shall be attached to the neck of each bag, the number of parcels contained therein being indicated on the label. The label of the bag containing the parcel bill and other documents shall be distinctively marked "F".

ARTICLE XI

RECEIPT OF DISPATCH

1. Upon receipt of a parcel dispatch, the receiving Office shall examine the parcels, and compare them with the entries on the parcel bill and/or the label of the bag. Any irregularity or discrepancy noted in the dispatch, including loss of or damage to parcels or their contents, errors in the entries on the parcel bill and other documents, and failure to seal the bags, shall be reported to the dispatching offices on a bulletin of verification, the form of which shall be mutually agreed upon between the contracting Administrations. Missing dispatches shall be reported in like manner.

2. If the parcel bill covering the parcel dispatch is missing, a substitute shall be prepared and a copy of it sent to

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the dispatching office for verification.

ARTICLE XII

CUSTOMS EXAMINATION

Parcels received at the country of destination, whether sealed or unsealed may be opened for customs examination. To that end, the seals or other fastenings may be broken without authority of the addresses, but the parcels must be refastened and officially resealed if delivery is to be effected at an office than that in which they were opened and examined.

ARTICLE XIII

DELIVERY

1. Parcels shall be delivered as quickly as possible in accordance with the conditions in force in the country of destination.

2. Demurrage or storage charges may be collected for undelivered parcels in accordance with the internal regulations of the country of destination.

3 The sender may request at the time of posting that, if the parcel is refused or cannot be delivered as addressed, it may be treated as abandoned or delivered at a second address. Such request shall be written on the parcel and the customs declaration.

ARTICLE XIV

UNPREPAID OR SHORTPAID PARCELS

Unprepaid and shortpaid parcels received at the country of destination shall be delivered to the addressee without collection of the missing postage, but shall be reported to the dispatching office. The report therefore shall contain complete description of the parcels, including weight and amount of postage paid, to enable the country of origin to collect the deficient postage and take other appropriate Action.

ARTICLE XV

RETURN, REDIRECTION OR NONDELIVERY

1. Requests for the return or redirection of a parcel shall be accompanied with the charges for such service at the same rate as the postage on parcels mailed in the country returning or redirecting the parcel.

2. If a parcel is refused or remains undelivered for 30 days from the date its receipt at the office of destination, it shall be treated in accordance with instructions of the sender written on the wrapper, customs declaration or other accompanying form, subject to the internal regulations of the country of destination in regards the treatment therein of the parcel.

3. No refund shall be made to the country of origin for the terminal charge on any parcel or redirected to it or to another country. For parcels returned or redirected the country of origin shall be debited on the parcel bill on which the returned parcel is advised to the country of origin, with the equivalent in gold francs of the amounts of the return or redirection charges, as well as other charges, if any, which shall be collected by the country of origin

from the senders or addressees as the case may be.

ARTICLE XVI

SALE OR DESTRUCTION

Articles which are liable to deterioration or corruption may be destroyed sold for the benefit of the right party without previous notice of judicial formality. Each parcel thus treated shall be notified to the country of origin.

ARTICLE XVII

MISSENT PARCELS

1. Parcels received out of course, or wrongly allowed to be dispatched shall be returned to the country of origin or, if possible, forwarded to the country of destination. In either case, the error shall be reported to the exchange office from which the parcel was received.

2. Terminal charges allowed for a missent parcel shall be refunded but the country which returns or forwards the parcel shall be entitled to reimbursement of its expenses for the retransmission thereof. Credits for such terminal charges and expenses of retransmission may be included in the quarterly accounts.

ARTICLE XVIII

INQUIRIES

Within one year from the date of posting of a parcel, an inquiry as to the disposition made thereof may be accepted and given clue course upon prepayment of a fee of not more than 40 centimes of a gold franc. Inquiries for several parcels mailed simultaneously by the same sender to the same addressee shall each be charged the required fee.

ARTICLE XIX

RESPONSIBILITY

The Postal Administration of either country will not be responsible for the loss of or damage to any parcel, or the contents thereof, and no indemnity will be paid by either country for such loss or damage.

ARTICLE XX

RETENTION OF CHARGES

Each country shall retain for its own use the whole of the amounts collects for postage, inquiry fees, redirection of parcels, and interior services, with the only exception terminal charges for retransmission of missent parcels.

ARTICLE XXI

ACCOUNTS

1. Accounts for terminal charges shall be settled quarterly. Each country shall be prepare monthly statements of parcels received from the different exchange offices of the other Administration. These statements shall be

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summarized in quarterly accounts which shall be transmitted to the country of origin in the course of the quarter following that to which they pertain.

2 After acceptance of the accounts, the country from which the balance is due shall effect payment thereof by such means as may be mutually agreed upon by correspondence, the payment to be made within 60 days from the date the accounts are accepted or the date acceptance thereof is received, as the case may be.

ARTICLE XXII

RETURN OF EMPTY SACKS

Mail sacks or receptacles used in dispatching parcels shall be returned promptly by the country of destination, either empty or as containers for empty bags. The return of empty sacks or receptacles shall be governed by the pertinent provisions of the Universal Postal Convention in so far as practicable, or be subject to such conditions as the Postal Administrations of the two countries may agree upon.

ARTICLE XXIII

APPLICATION OF INTERNAL LAWS

As to matters not provided for in this Agreement, particularly with respect posting, transmission, delivery, collection of customs duties and other charges, redirection within the country of destination, the internal laws and regulations of the respective country shall govern.

ARTICLE XXIV

EFFECTIVITY AND DURATION OF AGREEMENT

This Agreement shall come into force upon ratification or approval by proper authorities but, pending ratification or approval it may be put into force administratively on a date to be mutually settled between the Postal Administrations of the two countries; it shall remain in operation until terminated by mutual consent of the two countries or until the expiration of six months from the date of which it may have been denounced by either country.

DONE in duplicate and signed at Manila, Philippines, on the 1st day of September, 1949 and at Melbourne, Australia, on the 15th day of July, 1949

(Signed) JUAN RUIZ
Director of Posts
Republic of the Philippines

Approved September 2, 1949:

Secretary of Public Works and Communications

Republic of the Philippines

(Signed) D. CAMERON
Postmaster General
Commonwealth of Australia

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