

DEPARTMENT OF FOREIGN AFFAIRS AND TRADE

CANBERRA

**UNIVERSAL POSTAL UNION:**

**EIGHTH ADDITIONAL PROTOCOL TO THE CONSTITUTION OF  
10 JULY 1964, AS AMENDED; CONVENTION AND FINAL PROTOCOL;  
FIRST ADDITIONAL PROTOCOL TO THE GENERAL REGULATIONS;  
POSTAL PAYMENT SERVICES AGREEMENT**

**DONE AT GENEVA ON 12 AUGUST 2008**

Not yet in force

[2010] ATNIF 35



Universal Postal Union

---

Eighth Additional Protocol to the  
Constitution of the Universal  
Postal Union

First Additional Protocol to the  
General Regulations of the  
Universal Postal Union

Universal Postal Convention

Postal Payment Services  
Agreement

Constitution of the Universal  
Postal Union

General Regulations of the  
Universal Postal Union

Berne 2008

---

**Note on the printing of the texts adopted by the 24th Congress – 2008 reproduced in this volume.**

Bold type appearing in the texts of the Eighth Additional Protocol to the Constitution, the First Additional Protocol to the General Regulations, the Rules of Procedure of Congresses, the Convention, the Constitution and the General Regulations indicates amendments with respect to the Acts adopted by the 2004 Bucharest Congress.

As the Postal Payment Services Agreement submitted to, and adopted by, the 24th Congress is a completely recast version replacing the old Postal Payment Services Agreement, this text is printed in normal type.

The declarations made on signature of the Acts, the Constitution of the Universal Postal Union adopted at Vienna in 1964 and amended by the 1969 Tokyo, 1974 Lausanne, 1984 Hamburg, 1989 Washington, 1994 Seoul, 1999 Beijing, 2004 Bucharest and 24th Congress – 2008 Additional Protocols, and the General Regulations adopted at Bucharest in 2004 and amended by the First Additional Protocol (24th Congress – 2008), are reproduced in this volume for information purposes, but do not form part of the Acts signed at Geneva.

## Eighth Additional Protocol to the Constitution of the Universal Postal Union

### Contents

#### Article

I.	(art. 1bis amended)	Definitions
II.	(art. 4 amended)	Exceptional relations
III.	(art. 8 amended)	Restricted Unions. Special Agreements
IV.	(art. 11 amended)	Accession or admission to the Union. Procedure
V.	(art. 22 amended)	Acts of the Union
VI.	(art. 25 amended)	Signature, authentication, ratification and other forms of approval of the Acts of the Union
VII.	(art. 29 amended)	Presentation of proposals
VIII.	(art. 32 amended)	Arbitration
IX.		Accession to the Additional Protocol and to the other Acts of the Union
X.		Entry into force and duration of the Additional Protocol to the Constitution of the Universal Postal Union

## Eighth Additional Protocol to the Constitution of the Universal Postal Union

The plenipotentiaries of the governments of the member countries of the Universal Postal Union, met in Congress at Geneva, in view of article 30.2 of the Constitution of the Universal Postal Union concluded at Vienna on 10 July 1964, have adopted, subject to ratification, the following amendments to that Constitution.

### Article I (Article 1bis amended) Definitions

- 1 For the purposes of the Acts of the Universal Postal Union, the following terms shall have the meanings defined below:
  - 1.1 Postal service: all postal services whose scope is determined by the bodies of the Union. The main obligations of postal services are to satisfy certain social and economic objectives of member countries, by ensuring the collection, sorting, transmission and delivery of postal items.
  - 1.2 Member country: a country that fulfils the conditions of article 2 of the Constitution.
  - 1.3 Single postal territory (one and the same postal territory): the obligation upon the contracting parties to the UPU Acts to provide for the reciprocal exchange of letter-post items, including freedom of transit, and to treat postal items in transit from other countries like their own postal items, without discrimination.
  - 1.4 Freedom of transit: obligation for **an** intermediate **member country** to **ensure the** transport **of** postal items passed on to **it** in transit **for** another **member country**, providing similar treatment to that given to domestic items.
  - 1.5 Letter-post item: items described in the Convention.
  - 1.6 International postal service: postal operations or services regulated by the Acts; set of these operations or services.
  - 1.7 **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.**
  - 1.8 **Reservation: an exemption clause whereby a member country purports to exclude or to modify the legal effect of a clause of an Act, other than the Constitution and the General Regulations, in its application to that member country. Any reservation shall be compatible with the object and purpose of Union as defined in the preamble and article 1 of the Constitution. It must be duly justified and approved by the majority required for approval of the Act concerned, and inserted in the Final Protocol thereto.**

Article II  
(Article 4 amended)  
Exceptional relations

**Member countries whose designated operators** provide a service with territories not included in the Union are bound to act as intermediaries for other **member countries**. The provisions of the Convention and its Regulations shall be applicable to such exceptional relations.

Article III  
(Article 8 amended)  
Restricted Unions. Special Agreements

1 Member countries, or their **designated operators** if the legislation of those **member countries** so permits, may establish Restricted Unions and make Special Agreements concerning the international postal service, provided always that they do not introduce provisions less favourable to the public than those provided for by the Acts to which the member countries concerned are parties.

2 Restricted Unions may send observers to Congresses, conferences and meetings of the Union, to the Council of Administration and to the Postal Operations Council.

3 The Union may send observers to Congresses, conferences and meetings of Restricted Unions.

Article IV  
(Article 11 amended)  
Accession or admission to the Union. Procedure

1 Any member of the United Nations may accede to the Union.

2 Any sovereign country which is not a member of the United Nations may apply for admission as a member country of the Union.

3 Accession or application for admission to the Union must entail a formal declaration of accession to the Constitution and to the obligatory Acts of the Union. It shall be addressed by the government of the country concerned to the Director General of the International Bureau, who shall notify the accession or consult the member countries on the application for admission, as the case may be.

4 A country which is not a member of the United Nations shall be deemed to be admitted as a member country if its application is approved by at least two thirds of the member countries of the Union. Member countries which have not replied within a period of four months **counting from the date of the consultation** shall be considered as having abstained.

5 Accession or admission to membership shall be notified by the Director General of the International Bureau to the governments of member countries. It shall take effect from the date of such notification.

Article V  
(Article 22 amended)  
Acts of the Union

1 The Constitution shall be the basic Act of the Union. It shall contain the organic rules of the Union and shall not be subject to reservations.

2 The General Regulations shall embody those provisions which ensure the application of the Constitution and the working of the Union. They shall be binding on all member countries and shall not be subject to reservations.

3 The Universal Postal Convention, the Letter Post Regulations and the Parcel Post Regulations shall embody the rules applicable throughout the international postal service and the provisions concerning the letter-post and postal parcels services. These Acts shall be binding on all member countries. **Member countries shall ensure that their designated operators fulfil the obligations arising from the Convention and its Regulations.**

4 The Agreements of the Union, and their Regulations, shall regulate the services other than those of the letter post and postal parcels between those member countries which are parties to them. They shall be binding on those **member** countries only. **Signatory member countries shall ensure that their designated operators fulfil the obligations arising from the Agreements and their Regulations.**

5 The Regulations, which shall contain the rules of application necessary for the implementation of the Convention and of the Agreements, shall be drawn up by the Postal Operations Council, bearing in mind the decisions taken by Congress.

6 The Final Protocols annexed to the Acts of the Union referred to in paragraphs 3, 4 and 5 shall contain the reservations to those Acts.

#### Article VI

(Article 25 amended)

Signature, authentication, ratification and other forms of approval of the Acts of the Union

1 The Acts of the Union arising from the Congress shall be signed by the plenipotentiaries of the member countries.

2 The Regulations shall be authenticated by the Chairman and the Secretary General of the Postal Operations Council.

3 The Constitution shall be ratified as soon as possible by the signatory countries.

4 Approval of the Acts of the Union other than the Constitution shall be governed by the constitutional regulations of each signatory country.

5 When a **member** country does not ratify the Constitution or does not approve the other Acts which it has signed, the Constitution and other Acts shall be no less valid for the other **member** countries that have ratified or approved them.

#### Article VII

(Article 29 amended)

Presentation of proposals

1 **A** member country shall have the right to present, either to Congress or between Congresses, proposals concerning the Acts of the Union to which **it** is a party.

2 However, proposals concerning the Constitution and the General Regulations may be submitted only to Congress.

3 Moreover, proposals concerning the Regulations shall be submitted direct to the Postal Operations Council but must first be transmitted by the International Bureau to all member countries **and all designated operators.**

Article VIII  
(Article 32 amended)  
Arbitration

In the event of a dispute between two or more member countries concerning the interpretation of the Acts of the Union or the responsibility imposed on a **member country** by the application of those Acts, the question at issue shall be settled by arbitration.

Article IX  
Accession to the Additional Protocol and to the other Acts of the Union

1 Member countries which have not signed the present Protocol may accede to it at any time.

2 Member countries which are party to the Acts renewed by Congress but which have not signed them shall accede thereto as soon as possible.

3 Instruments of accession relating to the cases set forth in paragraphs 1 and 2 shall be sent to the Director General of the International Bureau, who shall notify the governments of the member countries of their deposit.

Article X  
Entry into force and duration of the Additional Protocol to the Constitution of the Universal Postal Union

This Additional Protocol shall come into force on **1 January 2010** and shall remain in force for an indefinite period.

In witness whereof the plenipotentiaries of the governments of the member countries have drawn up this Additional Protocol, which shall have the same force and the same validity as if its provisions were inserted in the text of the Constitution itself, and they have signed it 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 **Geneva, 12 August 2008**.





# First Additional Protocol to the General Regulations of the Universal Postal Union

## Contents

### Article

I.	(art. 101bis new)	<b>Functions of Congress</b>
II.	(art. 102 amended)	Composition, functioning and meetings of the Council of Administration
III.	(art. 103 amended)	Information on the activities of the Council of Administration
IV.	(art. 104 amended)	Composition, functioning and meetings of the Postal Operations Council
V.	(art. 105 amended)	Information on the activities of the Postal Operations Council
VI.	(art. 106 amended)	Composition, functioning and meetings of the Consultative Committee
VII.	(art. 107 amended)	Information on the activities of the Consultative Committee
VIII.	(art. 110 amended)	Languages used for documentation, for debates and for official correspondence
IX.	(art. 112 amended)	Duties of the Director General
X.	(art. 114 amended)	Secretariat of the Union's bodies
XI.	(art. 116 amended)	Information. Opinions. Requests for interpretation and amendment of the Acts. Inquiries. Role in the settlement of accounts
XII.	(art. 118 amended)	Forms supplied by the International Bureau
XIII.	(art. 119 amended)	Acts of Restricted Unions and Special Agreements
XIV.	(art. 121 amended)	Biennial report on the work of the Union
XV.	(art. 122 amended)	Procedure for submitting proposals to Congress
XVI.	(art. 123 amended)	Procedure for submitting proposals to the Postal Operations Council concerning the preparation of new Regulations in the light of decisions taken by Congress
XVII.	(art. 124 amended)	Procedure for submitting proposals between Congresses
XVIII.	(art. 125 amended)	Consideration of proposals between Congresses
XIX.	(art. 126 amended)	Notification of decisions adopted between Congresses (
XX.	(art. 128 amended)	Fixing and regulation of the expenditure of the Union
XXI.	(art. 130 amended)	Contribution classes
XXII.	(art. 131 amended)	Payment for supplies from the International Bureau
XXIII.	(art. 132 amended)	Arbitration procedure
XXIV.	(art. 135 amended)	Amendment, entry into force and duration of the General Regulations
XXV.		Accession to the Additional Protocol
XXVI.		Entry into force and duration of the Additional Protocol to the General Regulations

## First Additional Protocol to the General Regulations of the Universal Postal Union

The plenipotentiaries of the governments of the member countries of the Universal Postal Union, met in Congress at Geneva, in view of article 22.2 of the Constitution concluded at Vienna on 10 July 1964, have, by common consent and subject to article 25.4 of the Constitution, adopted the following amendments to the General Regulations.

### Article I

#### **(Article 101bis)**

#### **Functions of Congress**

- 1 On the basis of proposals by member countries, the Council of Administration and the Postal Operations Council, Congress shall:**
  - 1.1 determine the general policies for achieving the object and purpose of the Union set out in the Preamble and article 1 of the Constitution;**
  - 1.2 consider and adopt, where appropriate, proposals for amendments to the Constitution, General Regulations, Convention and Agreements submitted by member countries and the Councils, in accordance with article 29 of the Constitution and article 122 of the General Regulations;**
  - 1.3 set the date for the entry into force of the Acts;**
  - 1.4 adopt its Rules of Procedure and the amendments to those Rules;**
  - 1.5 consider the comprehensive reports on the work of the Council of Administration, the Postal Operations Council and the Consultative Committee, covering the period from the previous Congress, presented by these respective bodies in accordance with articles 103, 105 and 107 of the General Regulations;**
  - 1.6 adopt the Union's strategy;**
  - 1.7 fix the maximum amount of the Union's expenditure in accordance with article 21 of the Constitution;**
  - 1.8 elect the member countries to sit on the Council of Administration and the Postal Operations Council;**
  - 1.9 elect the Director General and Deputy Director General;**
  - 1.10 set in a resolution the ceiling of the costs to be borne by the Union for the production of documents in Chinese, German, Portuguese and Russian.**
- 2 Congress, as the supreme body of the Union, shall deal with such other questions concerning postal services.**

## Article II

(Article 102 amended)

## Composition, functioning and meetings of the Council of Administration (Const 17)

1 The Council of Administration shall consist of forty-one members who shall exercise their functions during the period between two successive Congresses.

2 The chairmanship shall devolve by right on the host **member** country of Congress. If that **member** country waives this right, it shall become a de jure member and, as a result, the geographical group to which it belongs shall have at its disposal an additional seat, to which the restrictive provisions of paragraph 3 shall not apply. In that case, the Council of Administration shall elect to the chairmanship one of the member countries belonging to the geographical group of the host **member** country.

3 The forty other members of the Council of Administration shall be elected by Congress on the basis of an equitable geographical distribution. At least a half of the membership shall be renewed at each Congress; no member may be chosen by three successive Congresses.

4 Each member of the Council of Administration shall appoint its representative, who shall be competent in postal matters.

5 The office of member of the Council of Administration shall be unpaid. The operational expenses of this Council shall be borne by the Union.

6 The Council of Administration shall have the following functions:

- 6.1 to supervise the activities of the Union between Congresses, ensuring compliance with the decisions of Congress, studying questions with respect to governmental policies on postal issues, and taking account of international regulatory developments such as those relating to trade in services and to competition;
- 6.2 to consider and approve, within the framework of its competence, any action considered necessary to safeguard and enhance the quality of and to modernize the international postal service;
- 6.3 to promote, coordinate and supervise all forms of postal technical assistance within the framework of international technical cooperation;
- 6.4 to consider and approve the biennial **Programme and Budget** and the accounts of the Union;
- 6.5 to authorize the ceiling of expenditure to be exceeded, if circumstances so require, in accordance with article 128.3 to 5;
- 6.6 to lay down the Financial Regulations of the **Union**;
- 6.7 to lay down the rules governing the Reserve Fund;
- 6.8 to lay down the rules governing the Special Fund;
- 6.9 to lay down the rules governing the Special Activities Fund;
- 6.10 to lay down the rules governing the Voluntary Fund;
- 6.11 to provide control over the activities of the International Bureau;
- 6.12 to authorize election of a lower contribution class, if it is so requested, in accordance with the conditions set out in article 130.6;
- 6.13 to authorize a change of geographical group if it is so requested **by a member country**, taking into account the views expressed by the **member** countries which are members of the geographical groups concerned;
- 6.14 to lay down the Staff Regulations and the conditions of service of the elected officials;

- 6.15 to create or abolish International Bureau posts taking into account the restrictions imposed by the expenditure ceiling fixed;
- 6.16 to lay down the Regulations of the Social Fund;
- 6.17 to approve the biennial report on the work of the Union and the biennial Financial Operating Reports prepared by the International Bureau and where appropriate to furnish observations on them;
- 6.18 to decide on the contacts to be established with **member countries** in order to carry out its functions;
- 6.19 after consulting the Postal Operations Council, to decide on the contacts to be established with the organizations which are not de jure observers, to consider and approve the reports by the International Bureau on UPU relations with other international bodies and to take the decisions which it considers appropriate on the conduct of such relations and the action to be taken on them; to designate in due course, after consulting the Postal Operations Council and the Secretary General, the international organizations, associations, enterprises and qualified persons to be invited to be represented at specific meetings of Congress and its Committees when this is in the interest of the Union or the work of Congress and to instruct the Director General to issue the necessary invitations;
- 6.20 to establish principles, as may be considered necessary, for the Postal Operations Council to take into account in its study of questions with major financial repercussions (charges, terminal dues, transit charges, basic airmail conveyance rates and the posting abroad of letter-post items), to follow closely the study of these questions, and to review and approve, for conformity with the aforementioned principles, Postal Operations Council proposals relating to these questions;
- 6.21 to study, at the request of Congress, the Postal Operations Council or **member countries**, administrative, legislative and legal problems concerning the Union or the international postal service; it shall be for the Council of Administration to decide, in the above-mentioned fields, whether it is expedient to undertake the studies requested by **member countries** between Congresses;
- 6.22 to formulate proposals which shall be submitted for the approval either of Congress or of **member countries** in accordance with article 125;
- 6.23 to approve, within the framework of its competence, the recommendations of the Postal Operations Council for the adoption, if necessary, of regulations or of a new procedure until such time as Congress takes a decision in the matter;
- 6.24 to consider the annual report prepared by the Postal Operations Council and any proposals submitted by the Council;
- 6.25 to submit subjects for study to the Postal Operations Council for examination in accordance with article 104.9.16;
- 6.26 to designate the **member** country where the next Congress is to be held in the case provided for in article 101.4;
- 6.27 to determine in due course and after consulting the Postal Operations Council, the number of Committees required to carry out the work of Congress and to specify their functions;
- 6.28 to designate, after consulting the Postal Operations Council and subject to the approval of Congress, the member countries prepared:
- to assume the vice-chairmanships of Congress and the chairman-ships and vice-chairmanships of the Committees, taking as much account as possible of the equitable geographical distribution of the member countries; and
  - to sit on the restricted Committees of Congress;

- 6.29 to review and approve, **in consultation with the Postal Operations Council**, the draft **Strategy** for presentation to Congress;
- 6.30 to approve the four-yearly report, prepared by the International Bureau in consultation with the POC, on the performance of member countries in respect of the execution of the Union Strategy approved by the preceding Congress, for submission to the following Congress;**
- 6.31** to establish the framework for the organization of the Consultative Committee and concur in the organization of the Consultative Committee in accordance with the provisions of article 106;
- 6.32** to establish criteria for membership of the Consultative Committee and to approve or reject applications for membership in accordance with those criteria, ensuring that action on the applications is accomplished through an expedited process between meetings of the Council of Administration;
- 6.33** to designate **those of its** members that will serve as members of the Consultative Committee;
- 6.34** to receive and discuss reports and recommendations from the Consultative Committee and to consider recommendations from the Consultative Committee for submission to Congress.

7 At its first meeting, which shall be convened by the Chairman of Congress, the Council of Administration shall elect four Vice-Chairmen from among its members and draw up its Rules of Procedure.

8 On convocation by its Chairman, the Council of Administration shall meet in principle once a year, at Union headquarters.

9 The Chairman, the Vice-Chairmen and the Committee Chairmen of the Council of Administration shall form the Management Committee. This Committee shall prepare and direct the work of each session of the Council of Administration. It shall approve, on behalf of the Council of Administration, the biennial report prepared by the International Bureau on the work of the Union and it shall take on any other task which the Council of Administration decides to assign to it or the need for which arises in the course of the strategic planning process.

10 The **travel expenses of the** representative of each of the members of the Council of Administration participating in its meetings **shall be borne by his member country. However, the representative of each of the member countries classified as developing or least developed countries according to the lists established by the United Nations shall, except for meetings which take place during Congress,** be entitled to reimbursement of the cost of either an economy class return air ticket or first class return rail ticket, or expenses incurred for travel by any other means, subject to the condition that the amount does not exceed the price of the economy class return **air** ticket. The same entitlement shall be granted to each member of its Committees, Working Parties or other bodies when these meet outside Congress and the sessions of the Council.

11 The Chairman of the Postal Operations Council shall represent that body at meetings of the Council of Administration on the agenda of which there are questions of interest to the body which he directs.

12 The Chairman of the Consultative Committee shall represent it at meetings of the Council of Administration when the agenda contains questions of interest to the Consultative Committee.

13 To ensure effective liaison between the work of the two bodies, the Postal Operations Council may designate representatives to attend Council of Administration meetings as observers.

14 The **member** country in which the Council of Administration meets shall be invited to take part in the meetings in the capacity of observer, if **it** is not a member of the Council of Administration.

15 The Council of Administration may invite any international body, any representative of an association or enterprise, or any qualified person whom it wishes to associate with its work to its meetings, without the right to vote. It may also invite, under the same conditions, one or more member countries concerned with questions on its agenda.

16 If they so request, the following observers may participate in the plenary sessions and Committee meetings of the Council of Administration, without the right to vote:

- 16.1 members of the Postal Operations Council;
- 16.2 members of the Consultative Committee;
- 16.3 intergovernmental organizations interested in the work of the Council of Administration;
- 16.4 other member countries of the Union.

17 For logistical reasons, the Council of Administration may limit the number of attendees per observer participating. It may also limit their right to speak during the debates.

18 The members of the Council of Administration shall take an active part in its work. Observers may, at their request, be allowed to cooperate in the studies undertaken, subject to such conditions as the Council may establish to ensure the efficiency and effectiveness of its work. They may also be invited to chair Working Parties and Project Teams when their experience or expertise justifies it. The participation of observers shall be carried out without additional expense for the Union.

19 In exceptional circumstances, observers may be excluded from a meeting or a portion of a meeting or may have their right to receive documents restricted if the confidentiality of the subject of the meeting or document so requires. This restriction may be decided on a case-by-case basis by any body concerned or its Chair. The case-by-case situations shall be reported to the Council of Administration and to the Postal Operations Council when matters of interest to the Postal Operations Council are concerned. If it considers this necessary, the Council of Administration may subsequently review restrictions, in consultation with the Postal Operations Council where appropriate.

### Article III

(Article 103 amended)

#### Information on the activities of the Council of Administration

1 After each session, the Council of Administration shall inform the member countries, **their designated operators**, the Restricted Unions and the members of the Consultative Committee about its activities by sending them, inter alia, a summary record and its resolutions and decisions.

2 The Council of Administration shall make to Congress a comprehensive report on its work and send it to the member countries, **their designated operators** and the members of the Consultative Committee at least two months before the opening of Congress.

Article IV

(Article 104 amended)

Composition, functioning and meetings of the Postal Operations Council (Const 18)

1 The Postal Operations Council shall consist of forty members who shall exercise their functions during the period between successive Congresses.

2 The members of the Postal Operations Council shall be elected by Congress on the basis of qualified geographical distribution. Twenty-four seats shall be reserved for developing **member** countries and sixteen seats for developed **member** countries. At least one third of the members shall be renewed at each Congress.

3 Each member of the Postal Operations Council shall appoint its representative, who shall have responsibilities for delivering services mentioned in the Acts of the Union.

4 The operational expenses of the Postal Operations Council shall be borne by the Union. Its members shall not receive any payment. Travelling and living expenses incurred by representatives of **member countries** participating in the Postal Operations Council shall be borne by **these member countries**. However, the representative of each of the **member** countries considered to be disadvantaged according to the lists established by the United Nations shall, except for meetings which take place during Congress, be entitled to reimbursement of the price of an economy class return air ticket or first class return rail ticket, or expenses incurred for travel by any other means, subject to the condition that the amount does not exceed the price of the economy class return air ticket.

5 At its first meeting, which shall be convened and opened by the Chairman of Congress, the Postal Operations Council shall choose from among its members a Chairman, a Vice-Chairman, **and** the Committee Chairmen.

6 The Postal Operations Council shall draw up its Rules of Procedure.

7 In principle, the Postal Operations Council shall meet every year at Union headquarters. The date and place of the meeting shall be fixed by its Chairman in agreement with the Chairman of the Council of Administration and the Director General of the International Bureau.

8 The Chairman, the Vice-Chairman and the Committee Chairmen of the Postal Operations Council shall form the Management Committee. This Committee shall prepare and direct the work of each meeting of the Postal Operations Council and take on all the tasks which the latter decides to assign to it or the need for which arises in the course of the strategic planning process.

9 The functions of the Postal Operations Council shall be the following:

9.1 to conduct the study of the most important operational, commercial, technical, economic and technical cooperation problems which are of interest to all member countries **or their designated operators**, including questions with major financial repercussions (charges, terminal dues, transit charges, airmail conveyance rates, parcel-post rates, and the posting abroad of letter-post items), and to prepare information, opinions and recommendations for action on them;

9.2 to revise the Regulations of the Union within six months following the end of the Congress unless the latter decides otherwise; in case of urgent necessity, the Postal Operations Council may also amend the said Regulations at other sessions; in both cases, the Operations Council shall be subject to Council of Administration guidance on matters of fundamental policy and principle;

9.3 to coordinate practical measures for the development and improvement of international postal services;



- 9.4 to take, subject to Council of Administration approval within the framework of the latter's competence, any action considered necessary to safeguard and enhance the quality of and to modernize the international postal service;
- 9.5 to formulate proposals which shall be submitted for the approval either of Congress or of **member countries** in accordance with article 125; the approval of the Council of Administration is required when these proposals concern questions within the latter's competence;
- 9.6 to examine, at the request of a member country, any proposal which that **member country** forwards to the International Bureau under article 124, to prepare observations on it and to instruct the International Bureau to annex these observations to the proposal before submitting it for approval to the member countries;
- 9.7 to recommend, if necessary, and where appropriate after approval by the Council of Administration and consultation of all the **member countries**, the adoption of regulations or of a new procedure until such time as Congress takes a decision in the matter;
- 9.8 to prepare and issue, in the form of recommendations to **member countries and their designated operators**, standards for technological, operational and other processes within its competence where uniformity of practice is essential; it shall similarly issue, as required, amendments to standards it has already set;
- 9.9 **to provide input to the Council of Administration for the development of the draft Strategy to be submitted to Congress;**
- 9.10 to approve those parts of the biennial report on the work of the Union prepared by the International Bureau which concern the responsibilities and functions of the Postal Operations Council;
- 9.11 to decide on the contacts to be established with **member countries and their designated operators** in order to carry out its functions;
- 9.12 to study teaching and vocational training problems of interest to **member countries and their designated operators as well as to the new and developing countries;**
- 9.13 to take the necessary steps to study and publicize the experiments and progress made by certain **member countries and their designated operators** in the technical, operational, economic and vocational training fields of interest to the postal services;
- 9.14 to study the present position and needs of the postal services in the new and developing countries and to prepare appropriate recommendations on ways and means of improving the postal services in those countries;
- 9.15 to take, in consultation with the Council of Administration, appropriate steps in the sphere of technical cooperation with all member countries of the Union **and their designated operators** and in particular with the new and developing countries **and their designated operators;**
- 9.16 to examine any other questions submitted to it by a member of the Postal Operations Council, by the Council of Administration or by any member country **or designated operator;**
- 9.17 to receive and discuss reports as well as recommendations from the Consultative Committee and, when matters of interest to the Postal Operations Council are involved, to examine and comment on recommendations from the Consultative Committee for submission to Congress;
- 9.18 to designate **those of its** members that will serve as members of the Consultative Committee.
- 10 On the basis of the Union **Strategy** adopted by Congress and, in particular the part relating to the strategies of the Permanent Bodies of the Union, the Postal Operations Council shall, at its first session after Congress, prepare a draft basic work programme, containing a

number of tactics aimed at implementing strategies. This basic work programme, which shall include a limited number of projects on topical subjects of common interest, shall be revised annually in the light of new realities and priorities.

11 In order to ensure effective liaison between the work of the two bodies, the Council of Administration may designate representatives to attend Postal Operations Council meetings as observers.

12 If they so request, the following observers may participate in the plenary sessions and Committee meetings of the Postal Operations Council, without the right to vote:

12.1 members of the Council of Administration;

12.2 members of the Consultative Committee;

12.3 intergovernmental organizations interested in the work of the Postal Operations Council;

12.4 other member countries of the Union.

13 For logistical reasons, the Postal Operations Council may limit the number of attendees per observer participating. It may also limit their right to speak during the debates.

14 The members of the Postal Operations Council shall take an active part in its work. Observers may, at their request, be allowed to cooperate in the studies undertaken, subject to such conditions as the Council may establish to ensure the efficiency and effectiveness of its work. They may also be invited to chair Working Parties and Project Teams when their experience or expertise justifies it. The participation of observers shall be carried out without additional expense for the Union.

15 In exceptional circumstances observers may be excluded from a meeting or a portion of a meeting or may have their right to receive documents restricted if the confidentiality of the subject of the meeting or document so requires. This restriction may be decided on a case-by-case basis by any body concerned or its Chair. The case-by-case situations shall be reported to the Council of Administration and to the Postal Operations Council. If it considers this necessary, the Council of Administration may, in consultation with the Postal Operations Council, subsequently review restrictions where appropriate.

16 The Chairman of the Consultative Committee shall represent that organization at meetings of the Postal Operations Council when the agenda contains questions of interest to the Consultative Committee.

17 The Postal Operations Council may invite the following to take part in its meetings without the right to vote:

17.1 any international body or any qualified person whom it wishes to associate with its work;

17.2 **any member country** not belonging to the Postal Operations Council;

17.3 any association or enterprise that it wishes to consult with respect to its work.

#### Article V

(Article 105 amended)

#### Information on the activities of the Postal Operations Council

1 After each session, the Postal Operations Council shall inform the member countries, **their designated operators**, the Restricted Unions and the members of the Consultative Committee about its activities by sending them, inter alia, a summary record and its resolutions and decisions.

2 The Postal Operations Council shall prepare for the Council of Administration an annual report on its work.

3 The Postal Operations Council shall make to Congress a comprehensive report on its work and send it to the member countries, **their designated operators** and the members of the Consultative Committee at least two months before the opening of Congress.

#### Article VI

(Article 106 amended)

#### Composition, functioning and meetings of the Consultative Committee

1 The aim of the Consultative Committee shall be to represent the interests of the wider international postal sector, and to provide a framework for effective dialogue between stakeholders. It shall consist of non-governmental organizations representing customers, delivery service providers, organizations of workers, suppliers of goods and services to the postal services sector and like organizations of individuals and companies which have an interest in **supporting the mission and objectives of the Union**. Where such organizations are registered, they must be registered in a member country of the Union. The Council of Administration and the Postal Operations Council shall designate the members of their respective Councils as members of the Consultative Committee. Apart from members designated by the Council of Administration and the Postal Operation Council, membership in the Consultative Committee shall be determined through a process of application and acceptance established by the Council of Administration, carried out in accordance with article 102.6.31.

2 Each member of the Consultative Committee shall appoint its own representative.

3 The operational costs of the Consultative Committee shall be shared by the Union and members of the Committee as determined by the Council of Administration.

4 The members of the Consultative Committee shall not receive remuneration or any other compensation.

5 The Consultative Committee shall reorganize itself after each Congress in accordance with the framework established by the Council of Administration. The Chairman of the Council of Administration shall preside at the organizational meeting of the Consultative Committee, which shall elect its Chairman at that meeting.

6 The Consultative Committee shall determine its internal organization and shall draw up its own rules of procedure, taking into account the general principles of the Union and subject to the concurrence of the Council of Administration after having consulted the Postal Operations Council.

7 The Consultative Committee shall meet twice annually. In principle, the meetings will be held at Union headquarters at the same time as meetings of the Council of Administration and the Postal Operations Council. The date and location of each meeting shall be fixed by the Chairman of the Consultative Committee in agreement with the Chairmen of the Council of Administration and the Postal Operations Council and the Director General of the International Bureau.

8 The Consultative Committee shall establish its own programme within the framework of the following functions:

8.1 to examine documents and reports of the Council of Administration and the Postal Operations Council. In exceptional circumstances, the right to receive certain texts and documents may be restricted if the confidentiality of the subject of the meeting or document so requires. This restriction may be decided on a case-by-case basis by any body concerned or its Chairman. The case-by-case situations shall be reported to the

Council of Administration, and to the Postal Operations Council when matters of interest to the Postal Operations Council are concerned. If it considers this necessary, the Council of Administration may subsequently review restrictions, in consultation with the Postal Operations Council, where appropriate;

- 8.2 to conduct studies of and debate issues of importance to the Consultative Committee's members;
- 8.3 to consider issues affecting the postal services sector and issue reports on such issues;
- 8.4 to provide input to the work of the Council of Administration and the Postal Operations Council, including submitting reports and recommendations and giving opinions at the request of the two Councils;
- 8.5 to make recommendations to Congress, subject to the approval of the Council of Administration and, when matters of interest to the Postal Operations Council are involved, subject to examination and comment by the Postal Operations Council.

9 The Chairman of the Council of Administration and the Chairman of the Postal Operations Council shall represent those bodies at meetings of the Consultative Committee when the agenda of such meetings contains questions of interest to those bodies.

10 In order to ensure effective liaison with the bodies of the Union, the Consultative Committee may designate representatives to attend meetings of Congress, the Council of Administration, and the Postal Operations Council, and their respective Committees, as observers without the right to vote.

11 If they so request, members of the Consultative Committee may attend plenary sessions and Committee meetings of the Council of Administration and the Postal Operations Council in accordance with articles 102.16 and 104.12. They may also participate in the work of project teams and working groups under terms established under articles 102.18 and 104.14. Members of the Consultative Committee may attend Congress as observers without the right to vote.

12 If they so request, the following observers may participate in the sessions of the Consultative Committee, without the right to vote:

- 12.1 members of the Postal Operations Council and the Council of Administration;
- 12.2 intergovernmental organizations interested in the work of the Consultative Committee;
- 12.3 Restricted Unions;
- 12.4 other member countries of the Union.

13 For logistical reasons, the Consultative Committee may limit the number of attendees per observer participating. It may also limit their right to speak during the debates.

14 In exceptional circumstances observers may be excluded from a meeting or a portion of a meeting or may have their right to receive documents restricted if the confidentiality of the subject of the meeting or document so requires. This restriction may be decided on a case-by-case basis by any body concerned or its Chair. The case-by-case situations shall be reported to the Council of Administration and to the Postal Operations Council when matters of interest to the Postal Operations Council are concerned. If it considers this necessary, the Council of Administration may subsequently review restrictions, in consultation with the Postal Operations Council where appropriate.

15 The International Bureau, under the responsibility of the Director General, shall provide the secretariat for the Consultative Committee.

Article VII

(Article 107 amended)

Information on the activities of the Consultative Committee

1 After each session, the Consultative Committee shall inform the Council of Administration and the Postal Operations Council of its activities by sending to the Chairmen of those bodies, inter alia, a summary record of its meetings and its recommendations and views.

2 The Consultative Committee shall make to the Council of Administration an annual activity report, with a copy to the Postal Operations Council. This report shall be included in the documentation of the Council of Administration that is provided to **Union** member countries, **to their designated operators** and **to the** Restricted Unions, in accordance with article 103.

3 The Consultative Committee shall make to Congress a comprehensive report on its work and send it to the member countries **and their designated operators** at least two months before the opening of Congress.

Article VIII

(Article 110 amended)

Languages used for documentation, for debates and for official correspondence

1 For the documentation of the Union, the French, English, Arabic and Spanish languages shall be used. The Chinese, German, Portuguese and Russian languages shall also be used provided that only the most important basic documentation is produced in these languages. Other languages may also be used on condition that the member countries which have made the request shall bear all of the costs involved.

2 The member country or countries which have requested a language other than the official language constitute a language group.

3 Documentation shall be published by the International Bureau in the official language and in the languages of the duly constituted language groups, either directly or through the intermediary of the regional offices of those groups in conformity with the procedures agreed with the International Bureau. Publication in the different languages shall be effected in accordance with a common standard.

4 Documentation published directly by the International Bureau shall, as far as possible, be distributed simultaneously in the different languages requested.

5 Correspondence between the **member countries or their designated operators** and the International Bureau and between the latter and outside entities may be exchanged in any language for which the International Bureau has available a translation service.

6 The costs of translation into any language, including those resulting from the application of paragraph 5, shall be borne by the language group which has asked for that language. The member countries using the official language shall pay, in respect of the translation of non-official documents, a lump-sum contribution, the amount of which per contribution unit shall be the same as that borne by the member countries using the other International Bureau working language. All other costs involved in the supply of documents shall be borne by the Union. The ceiling of the costs to be borne by the Union for the production of documents in Chinese, German, Portuguese and Russian shall be fixed by a Congress resolution.

7 The costs to be borne by a language group shall be divided among the members of that group in proportion to their contributions to the expenses of the Union. These costs may be divided among the members of the language group according to another system, provided that the

**member** countries concerned agree to it and inform the International Bureau of their decision through the intermediary of the spokesman of the group.

8 The International Bureau shall give effect to any change in the choice of language requested by a member country after a period which shall not exceed two years.

9 For the discussions at meetings of the Union's bodies, the French, English, Spanish and Russian languages shall be admissible, by means of a system of interpretation – with or without electronic equipment – the choice being left to the judgment of the organizers of the meeting after consultation with the Director General of the International Bureau and the member countries concerned.

10 Other languages shall likewise be admissible for the discussions and meetings mentioned in paragraph 9.

11 Delegations using other languages shall arrange for simultaneous interpretation into one of the languages mentioned in paragraph 9, either by the system indicated in the same paragraph, when the necessary technical modifications can be made, or by individual interpreters.

12 The costs of the interpretation services shall be shared among the member countries using the same language in proportion to their contributions to the expenses of the Union. However, the costs of installing and maintaining the technical equipment shall be borne by the Union.

13 **Member countries and/or their designated operators** may come to an understanding about the language to be used for official correspondence in their relations with one another. In the absence of such an understanding the language to be used shall be French

#### Article IX

(Article 112 amended)

#### Duties of the Director General

1 The Director General shall organize, administer and direct the International Bureau, of which he is the legal representative. He shall be empowered to classify posts in grades G 1 to D 2 and to appoint and promote officials in those grades. For appointments in grades P 1 to D 2, he shall consider the professional qualifications of the candidates recommended by the member countries of which the candidates are nationals or in which they exercise their professional activities, taking into account equitable geographical distribution with respect to continents and languages. D 2 posts shall as far as possible be filled by candidates from different regions and from regions other than those from which the Director General and Deputy Director General originate, bearing in mind the paramount consideration of the efficiency of the International Bureau. In the case of posts requiring special qualifications, the Director General may seek applications from outside. He shall also consider, for the appointment of a new official, that, in principle, persons occupying grade D 2, D 1 and P 5 posts must be nationals of different member countries of the Union. For the promotion of an official of the International Bureau to grades D 2, D 1 and P 5, he shall not be bound to apply that principle. Moreover, the requirements of equitable geographical and language distribution shall rank behind merit in the recruitment process. The Director General shall inform the Council of Administration once a year of appointments and promotions in grades P 4 to D 2.

2 The Director General shall have the following duties:

2.1 to act as depositary of the Acts of the Union and as intermediary in the procedure of accession and admission to and withdrawal from the Union;

2.2 to notify the decisions taken by Congress to all the Governments of member countries;

- 2.3 to notify all **member countries and their designated operators** of the Regulations drawn up or revised by the Postal Operations Council;
- 2.4 to prepare the draft annual budget of the Union at the lowest possible level consistent with the requirements of the Union and to submit it in due course to the Council of Administration for consideration; to communicate the budget to the member countries of the Union after approval by the Council of Administration and to execute it;
- 2.5 to execute the specific activities requested by the bodies of the Union and those assigned to him by the Acts;
- 2.6 to take action to achieve the objectives set by the bodies of the Union, within the framework of the established policy and the funds available;
- 2.7 to submit suggestions and proposals to the Council of Administration or to the Postal Operations Council;
- 2.8 following the close of Congress, to submit proposals to the Postal Operations Council concerning changes to the Regulations required as a result of Congress decisions, in accordance with the Rules of Procedure of the Postal Operations Council;
- 2.9 to prepare, for the Council **of Administration** and on the basis of directives issued by the **Councils**, the draft Strategy to be submitted to Congress;
- 2.10 to prepare, for approval by the Council of Administration, a four-yearly report on the member countries' performance in respect of the Union Strategy approved by the preceding Congress, which will be submitted to the following Congress;**
- 2.11** to ensure the representation of the Union;
- 2.12** to act as an intermediary in relations between:
- the UPU and the Restricted Unions;
  - the UPU and the United Nations;
  - the UPU and the international organizations whose activities are of interest to the Union;
  - the UPU and the international organizations or the associations or enterprises that the bodies of the Union wish to consult or associate with their work;
- 2.13** to assume the duties of Secretary General of the bodies of the Union and supervise in this capacity and taking into account the special provisions of these General Regulations, in particular:
- the preparation and organization of the work of the Union's bodies;
  - the preparation, production and distribution of documents, reports and minutes;
  - the functioning of the secretariat at meetings of the Union's bodies;
- 2.14** to attend the meetings of the bodies of the Union and take part in the discussions without the right to vote, with the possibility of being represented.

#### Article X

(Article 114 amended)

Secretariat of the Union's bodies (Const 14, 15, 17, 18)

The secretariat of the Union's bodies shall be provided by the International Bureau under the responsibility of the Director General. It shall send all the documents published on the occasion of each session to the **member countries** of the body **and their designated operators**, to **member countries and their designated operators** which, while not members of the body, cooperate in the studies undertaken, to the Restricted Unions and to other member countries **and their designated operators** which ask for them.

Article XI

(Article 116 amended)

Information. Opinions. Requests for interpretation and amendment of the Acts. Inquiries. Role in the settlement of accounts (Const 20; Gen Regs 124, 125, 126)

1 The International Bureau shall be at all times at the disposal of the Council of Administration, the Postal Operations Council and **member countries and their designated operators** for the purpose of supplying them with any necessary information on questions relating to the service.

2 In particular it shall collect, collate, publish and distribute all kinds of information of interest to the international postal service, give an opinion, at the request of the parties involved, on questions in dispute, act on requests for interpretation and amendment of the Acts of the Union and, in general, carry out such studies and editorial or documentary work as are assigned to it by those Acts or as may be referred to it in the interest of the Union.

3 It shall also conduct inquiries requested by **member countries and their designated operators** to obtain the views of other **member countries and their designated operators** on a particular question. The result of an inquiry shall not have the status of a vote and shall not be formally binding.

4 It may act as a clearing house in the settlement of accounts of all kinds relating to the postal service.

Article XII

(Article 118 amended)

Forms supplied by the International Bureau (Const 20)

The International Bureau shall be responsible for arranging the manufacture of international reply coupons and for supplying them, at cost, to **member countries or their designated operators** ordering them.

Article XIII

(Article 119 amended)

Acts of Restricted Unions and Special Agreements (Const 8)

1 Two copies of the Acts of Restricted Unions and of Special Agreements concluded under article 8 of the Constitution shall be sent to the International Bureau by the offices of such Unions, or failing that, by one of the contracting parties.

2 The International Bureau shall see that the Acts of Restricted Unions and Special Agreements do not include conditions less favourable to the public than those which are provided for in the Acts of the Union and shall inform **member countries and their designated operators** of the existence of such Unions and Agreements. The International Bureau shall notify the Council of Administration of any irregularity discovered through applying this provision.

Article XIV

(Article 121 amended)

Biennial report on the work of the Union (Const 20; Gen Regs 102.6.17)

The International Bureau shall make a biennial report on the work of the Union, which shall be sent, after approval by the Council of Administration, to **member countries and their designated operators**, the Restricted Unions and the United Nations.



Article XV

(Article 122 amended)

Procedure for submitting proposals to Congress (Const 29)

1 Subject to the exceptions provided for in paragraphs 2 and 5, the following procedure shall govern the submission of proposals of all kinds to Congress by member countries:

- a proposals which reach the International Bureau at least six months before the date fixed for Congress shall be accepted;
- b no drafting proposal shall be accepted during the period of six months preceding the date fixed for Congress;
- c proposals of substance which reach the International Bureau in the interval between six and four months before the date fixed for Congress shall not be accepted unless they are supported by at least two **member countries**;
- d proposals of substance which reach the International Bureau in the interval between four and two months preceding the date fixed for Congress shall not be accepted unless they are supported by at least eight **member countries**; proposals which arrive after that time shall no longer be accepted;
- e declarations of support shall reach the International Bureau within the same period as the proposals to which they refer.

2 Proposals concerning the Constitution or the General Regulations shall reach the International Bureau not later than six months before the opening of Congress; any received after that date but before the opening of Congress shall not be considered unless Congress so decides by a majority of two thirds of the countries represented at Congress and unless the conditions laid down in paragraph 1 are fulfilled.

3 Every proposal shall, as a rule, have only one aim and contain only the changes justified by that aim. **Similarly, each proposal liable to lead to significant costs for the Union shall be accompanied by an indication of its financial impact, prepared by the member country submitting the proposal in consultation with the International Bureau, so that the financial resources needed for its implementation can be determined.**

4 Drafting proposals shall be headed "Drafting proposal" by the **member countries** which submit them and shall be published by the International Bureau under a number followed by the letter R. Proposals which do not bear this indication but which, in the opinion of the International Bureau, deal only with drafting points shall be published with an appropriate annotation; the International Bureau shall draw up a list of these proposals for Congress.

5 The procedure prescribed in paragraphs 1 and 4 shall not apply either to proposals concerning the Rules of Procedure of Congresses or to amendments to proposals already made.

Article XVI

(Article 123 amended)

Procedure for submitting proposals to the Postal Operations Council concerning the preparation of new Regulations in the light of decisions taken by Congress

1 The Regulations of the Universal Postal Convention and the Postal Payment Services Agreement shall be drawn up by the Postal Operations Council in the light of the decisions taken by Congress.

2 Proposals that are consequential on proposed amendments to the Convention or Postal Payment Services Agreement shall be submitted to the International Bureau simultaneously with the Congress proposals to which they relate. They may be submitted by a single member country

without the support of other member countries. Such proposals shall be distributed to all member countries no later than one month prior to Congress.

3 Other proposals concerning the Regulations for consideration by the Postal Operations Council in its preparation of the new Regulations within the six months following Congress shall be submitted to the International Bureau at least two months prior to Congress.

4 Proposals concerning changes to the Regulations required as a result of Congress decisions that are submitted by member countries must reach the International Bureau no later than two months before the opening of the Postal Operations Council. Such proposals shall be distributed to all member countries **and their designated operators** no later than one month prior to the opening of the Postal Operations Council.

#### Article XVII

(Article 124 amended)

Procedure for submitting proposals between Congresses (Const 29; Gen Regs 116)

1 To be eligible for consideration every proposal concerning the Convention or the Agreements submitted by a **member country** between Congresses shall be supported by at least two other **member countries**. Such proposals shall lapse if the International Bureau does not receive, at the same time, the necessary number of declarations of support.

2 These proposals shall be sent to other **member countries** through the intermediary of the International Bureau.

3 Proposals concerning the Regulations shall not require support but shall not be considered by the Postal Operations Council unless the latter agrees to the urgent necessity.

#### Article XVIII

(Article 125 amended)

Consideration of proposals between Congresses (Const 29; Gen Regs 116, 124)

1 Every proposal concerning the Convention, the Agreements and their Final Protocols shall be subject to the following procedure: where a member country has sent a proposal to the International Bureau, the latter shall forward it to all member countries for examination. They shall be allowed a period of two months in which to examine the proposal and forward any observations to the International Bureau. Amendments shall not be admissible. Once these two months have elapsed, the International Bureau shall forward to member countries all the observations it has received and invite each member country to vote for or against the proposal. **Member** countries that have not sent in their vote within a period of two months shall be considered to have abstained. The aforementioned periods shall be reckoned from the dates of the International Bureau circulars.

2 Proposals for amending the Regulations shall be dealt with by the Postal Operations Council.

3 If the proposal relates to an Agreement or its Final Protocol, only the member countries which are parties to that Agreement may take part in the procedure described in paragraph 1.

Article XIX

(Article 126 amended)

Notification of decisions adopted between Congresses (Const 29; Gen Regs 124, 125)

1 Amendments made to the Convention, the Agreements and the Final Protocols to those Acts shall be sanctioned by notification thereof to the governments of member countries by the Director General of the International Bureau.

2 Amendments made to the Regulations and their Final Protocols by the Postal Operations Council shall be communicated to **member countries and their designated operators** by the International Bureau. The same shall apply to the interpretations referred to in article 36.3.2 of the Convention and in the corresponding provisions of the Agreements.

Article XX

(Article 128 amended)

Fixing and regulation of the expenditure of the Union (Const 22)

1 Subject to the provisions of paragraphs 2 to 6, the annual expenditure relating to the activities of bodies of the Union may not exceed the following sums for **2009** and subsequent years: 37,000,000 Swiss francs for the years **2009 and 2010, and 37,235,000 Swiss francs for the years 2011 and 2012**. The basic limit for **2012** shall also apply to the following years in case the Congress scheduled for **2012** is postponed.

2 The expenditure relating to the convening of the next Congress (travelling expenses of the secretariat, transport charges, cost of installing simultaneous interpretation equipment, cost of reproducing documents during the Congress, etc.) shall not exceed the limit of 2,900,000 Swiss francs.

3 The Council of Administration shall be authorized to exceed the limits laid down in paragraphs 1 and 2 to take account of increases in salary scales, pension contributions or allowances, including post adjustments, approved by the United Nations for application to its staff working in Geneva.

4 The Council of Administration shall also be authorized to adjust, each year, the amount of expenditure other than that relating to staff on the basis of the Swiss consumer price index.

5 Notwithstanding paragraph 1, the Council of Administration, or in case of extreme urgency, the Director General, may authorize the prescribed limits to be exceeded to meet the cost of major and unforeseen repairs to the International Bureau building, provided however that the amount of the increase does not exceed 125,000 Swiss francs per annum.

6 If the credits authorized in paragraphs 1 and 2 prove inadequate to ensure the smooth running of the Union, these limits may only be exceeded with the approval of the majority of the member countries of the Union. Any consultation shall include a complete description of the facts justifying such a request.

7 Countries which accede to the Union or are admitted to the status of members of the Union as well as those which leave the Union shall pay their contributions for the whole of the year during which their admission or withdrawal becomes effective.

8 Member countries shall pay their contributions to the Union's annual expenditure in advance on the basis of the budget laid down by the Council of Administration. These contributions shall be paid not later than the first day of the financial year to which the budget refers. After that date, the sums due shall be chargeable with interest in favour of the Union at the rate of 6% per annum from the **fourth** month.

9 Where the arrears of mandatory contributions, not including interest, owed to the Union by a member country are equal to or more than the amount of the contributions of that member country for the preceding two financial years, such member country may irrevocably assign to the Union all or part of the credits owed it by other member countries, in accordance with the arrangements laid down by the Council of Administration. The conditions of this assignment of credit shall be determined by agreement reached between the member country, its debtors/creditors and the Union.

10 A member country which, for legal or other reasons, cannot make such assignment shall undertake to conclude a schedule for the amortization of its arrears.

11 Other than in exceptional circumstances, recovery of arrears of mandatory contributions owed to the Union may not extend over more than ten years.

12 In exceptional circumstances, the Council of Administration may release a member country from all or part of the interest owed if that country has paid the full capital amount of its debts in arrears.

13 A member country may also be released, within the framework of an amortization schedule approved by the Council of Administration for its accounts in arrears, from all or part of the interest accumulated or to accrue; such release shall, however, be subject to the full and punctual execution of the amortization schedule within an agreed period of ten years at most.

14 To cover shortfalls in Union financing, a Reserve Fund shall be established the amount of which shall be fixed by the Council of Administration. This Fund shall be maintained primarily from budget surpluses. It may also be used to balance the budget or to reduce the amount of member countries' contributions.

15 As regards temporary financing shortfalls, the Government of the Swiss Confederation shall make the necessary short-term advances, on conditions which are to be fixed by mutual agreement. That Government shall supervise, without charge, book-keeping and accounting of the International Bureau within the limits of the credits fixed by Congress.

**16 The provisions under paragraphs 9, 10, 11, 12 and 13 apply by analogy to the translation costs billed by the International Bureau to member countries belonging to the language groups.**

#### Article XXI

(Article 130 amended)

Contribution classes (Const 21; Gen Regs 115, 128)

1 Member countries shall contribute to defraying Union expenses according to the contribution class to which they belong. These classes shall be the following:

- class of 50 units;
- class of 45 units;
- class of 40 units;
- class of 35 units;
- class of 30 units;
- class of 25 units;
- class of 20 units;
- class of 15 units;
- class of 10 units;
- class of 5 units;
- class of 3 units;
- class of 1 unit;

class of 0.5 unit, reserved for the least advanced countries as listed by the United Nations and for other countries designated by the Council of Administration.

2 Notwithstanding the contribution classes listed in paragraph 1, any member country may elect to contribute **a higher number of units than that corresponding to the contribution class to which it belongs, for a minimum term equivalent to the period between Congresses. The announcement of a change shall be made at the latest at Congress. At the end of the period between Congresses, the member country shall return automatically to its original number of contribution units unless it decides to maintain its contribution of a higher number of units. The payment of additional contributions shall increase the expenditure accordingly.**

3 Member countries shall be included in one of the above-mentioned contribution classes upon their admission or accession to the Union in accordance with the procedure laid down in article 21.4 of the Constitution.

4 Member countries may subsequently **be placed in a lower** contribution class, on condition that the change **request is sent** to the International Bureau at least two months before the opening of Congress. **Congress shall give a non-binding opinion on these requests for a change in contribution class. The member country shall be free to decide whether to follow the opinion of Congress. The final decision of the member country shall be transmitted to the International Bureau Secretariat before the end of Congress.** This **change request** shall take effect on the date of the entry into force of the financial provisions drawn up by Congress. Member countries that have not made known their wish to change contribution class within the required time shall remain in the class to which they belonged up to that time.

5 Member countries may not insist on being lowered more than one class at a time.

6 Nevertheless, in exceptional circumstances such as natural disasters necessitating international aid programmes, the Council of Administration may authorize a temporary reduction in contribution class once between two Congresses when so requested by a member country if the said member establishes that it can no longer maintain its contribution at the class originally chosen. In the same circumstances, the Council of Administration may also authorize a temporary reduction for the non-least developed countries already in the class of 1 unit by placing them in the class of 0.5 unit.

7 The temporary reduction in contribution class in application of paragraph 6 may be authorized by the Council of Administration for a maximum period of two years or up to the next Congress, whichever is earlier. On expiry of the specified period, the country concerned shall automatically revert to its original contribution class.

8 Notwithstanding paragraphs 4 and 5, changes to a higher class shall not be subject to any restriction.

## Article XXII

(Article 131 amended)

Payment for supplies from the International Bureau (Gen Regs 118)

Supplies provided by the International Bureau to **member countries and their designated operators** against payment shall be paid for in the shortest possible time and at the latest within six months from the first day of the month following that in which the account is sent by the Bureau. After that period the sums due shall be chargeable with interest in favour of the Union at the rate of 5% per annum reckoned from the date of expiry of that period.

Article XXIII

(Article 132 amended)

Arbitration procedure (Const 32)

1 If a dispute has to be settled by arbitration, each of the **member countries** party to the case shall select a member country not directly involved in the dispute. When several **member countries** make common cause, they shall count only as a single **member country** for the purposes of this provision.

2 If one of the **member countries** party to the case does not act on a proposal for arbitration within a period of six months **from the date of its sending**, the International Bureau, if so requested, shall itself call upon the defaulting **member country** to appoint an arbitrator or shall itself appoint one ex officio.

3 The parties to the case may agree to appoint a single arbitrator which may be the International Bureau.

4 The decision of the arbitrators shall be taken by a majority of votes.

5 In the event of a tie the arbitrators shall select another **member country**, not involved in the dispute either, to settle the matter. Should they fail to agree on the choice, this **member country** shall be appointed by the International Bureau from among **member countries** not proposed by the arbitrators.

6 If the dispute concerns one of the Agreements, the arbitrators may be appointed only from among the **member countries** that are parties to that Agreement.

**7 If a dispute has to be settled by arbitration between designated operators, the operators concerned shall ask their member countries to act in accordance with the procedure provided for in paragraphs 1 to 6.**

Article XXIV

(Article 135 amended)

**Amendment**, entry into force and duration of the General Regulations

**The amendments adopted by a Congress shall be the subject of an additional protocol and, unless that Congress decides otherwise, shall come into effect at the same time as the other Acts renewed in the course of the same Congress.**

These General Regulations shall come into force on 1 January 2006 and shall remain in force for an indefinite period.

Article XXV

Accession to the Additional Protocol

Member countries which have not signed the present Protocol may accede to it at any time. The relevant instruments of accession shall be deposited with the Director General of the International Bureau, who shall notify the governments of the member countries of their deposit.

Article XXVI

Entry into force and duration of the Additional Protocol to the General Regulations

This Additional Protocol shall come into force on 1 January 2010 and shall remain in force for an indefinite period.

In witness whereof the plenipotentiaries of the governments of the member countries have drawn up this Additional Protocol, which shall have the same force and the same validity as if its provisions were inserted in the text of the General Regulations itself, and they have signed it 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 Geneva, 12 August 2008.

---

# Universal Postal Convention

## Table of contents

### Part I

#### Rules applicable in common throughout the international postal service

#### Sole chapter

#### General provisions

##### Article

- 1 Definitions
- 2 Designation of the entity or entities responsible for fulfilling the obligations arising from adherence to the Convention
- 3 Universal postal service
- 4 Freedom of transit
- 5 Ownership of postal items. Withdrawal from the post. Alteration or correction of address. Redirection. Return to sender of undeliverable items
- 6 Charges
- 7 Exemption from postal charges
- 8 Postage stamps
- 9 Postal security
- 10 **Sustainable development**
- 11 Violations

### Part II

#### Rules applicable to letter post and postal parcels

#### Chapter 1

#### Provision of services

- 12 Basic services
- 13 Supplementary services



- 14 Electronic mail, EMS, integrated logistics and new services
- 15 Items not admitted. Prohibitions
- 16 Admissible radioactive materials and **infectious substances**
- 17 Inquiries
- 18 Customs control. Customs duty and other fees
- 19 Exchange of closed mails with military units
- 20 Quality of service standards and targets

## Chapter 2

### Liability

- 21 Liability of **designated operators**. Indemnities
- 22 Non-liability of **member countries and designated operators**
- 23 Sender's liability
- 24 Payment of indemnity
- 25 Possible recovery of the indemnity from the sender or the addressee

## Chapter 3

### Provisions specific to letter post

- 26** Posting abroad of letter-post items

## Part III

### Remuneration

## Chapter 1

### Provisions specific to letter post

- 27** Terminal dues. General provisions
- 28** Terminal dues. Provisions applicable to **mail flows** between **designated operators of** countries in the target system
- 29** Terminal dues. Provisions applicable to flows to, from and between **designated operators of** countries in the transitional system
- 30** Quality of Service Fund
- 31** Transit charges

## Chapter 2

### Other provisions

- 32** Basic rates and provisions concerning air conveyance dues
- 33** Parcel post land and sea rates
- 34** Authority of the Postal Operations Council to fix charges and rates

## Part IV

### Final provisions

- 35** Conditions of approval of proposals concerning the Convention and the Regulations
- 36** Reservations at Congress
- 37** Entry into force and duration of the Convention

## Final Protocol to the Universal Postal Convention

### Article

- I. Ownership of postal items. Withdrawal from the post. Alteration or correction of address
- II. Charges
- III. Exception to the exemption of literature for the blind from postal charges
- IV. Basic services
- V.** Advice of delivery
- VI.** International business reply service (IBRS)
- VII.** Prohibitions (letter post)
- VIII.** Prohibitions (postal parcels)
- IX. Admissible radioactive materials and biological materials**
- X. Articles subject to customs duty
- XI. Inquiries
- XII. Presentation-to-Customs charge
- XIII. Posting abroad of letter-post items
- XIV. Exceptional inward land rates
- XV. Special tariffs

# 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 missent items: items received at an office of exchange meant for an office of exchange in another member country;**
- 1.5 postal item: generic term referring to anything dispatched by the Post's services (letter post, parcel post, money orders, etc.);
- 1.6 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;
- 1.7 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;

- 1.8 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;**
- 1.9 small packet: item conveyed under the conditions of the Convention and the Letter Post Regulations;**
- 1.10** 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;
- 1.11** 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;
- 1.12** 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;
- 1.13** 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;
- 1.14** 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 quickest 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 literature 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 15.2.1.1 or 15.3, 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 financial 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 financial 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 financial 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 Literature for the blind

3.1 Literature for the blind shall be exempt from all postal charges, with the exception of air surcharges.

## 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<sup>1</sup>;

**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;

<sup>1</sup> **An exception shall be granted to Great Britain, the country which invented the postage stamp.**



5.5 be of major significance to the **member country or territory**.

**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**.

#### Article 9

##### Postal security

1 Member countries **and their designated operators** 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 include the exchange of information on maintaining the safe and secure transport and transit of mails between member countries **and their designated operators**.

#### Article 10

##### **Sustainable development**

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.

## Part II

### Rules applicable to letter post and postal parcels

#### Chapter 1

##### Provision of services

###### Article 12 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 literature 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 13

### 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 outbound non-priority and surface letter-post items to destinations for which there is no priority or airmail service;
- 1.3 registration service for all inbound letter-post items.

2 The provision of a registration service for outbound non-priority and surface letter-post items to destinations for which there is a priority or airmail service shall be optional.

3 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:

- 3.1 insurance for letter-post items and parcels;
- 3.2 recorded delivery for letter-post items;
- 3.3 cash-on-delivery service for letter-post items and parcels;
- 3.4 express delivery service for letter-post items and parcels;
- 3.5 delivery to the addressee in person of registered, recorded delivery or insured letter-post items;
- 3.6 free of charges and fees service for letter-post items and parcels;
- 3.7 fragile and cumbersome parcels services;
- 3.8 consignment service for collective items from one consignor sent abroad.

4 The following three supplementary services have both mandatory and optional parts:

- 4.1 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;
- 4.2 international reply coupons, which shall be exchangeable in any member country. The sale of international reply coupons is, however, optional;
- 4.3 advice of delivery for registered and recorded delivery 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.

5 The description of these services and their charges are set out in the Regulations.

6 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:

- 6.1 delivery for small packets weighing over 500 grammes;
- 6.2 letter-post items posted after the latest time of posting;
- 6.3 items posted outside normal counter opening hours;
- 6.4 collection at sender's address;
- 6.5 withdrawal of a letter-post item outside normal counter opening hours;
- 6.6 poste restante;
- 6.7 storage for letter-post items weighing over 500 grammes, and for parcels;
- 6.8 delivery of parcels, in response to the advice of arrival;
- 6.9 cover against risks of force majeure.

#### Article 14

Electronic mail, EMS, integrated logistics and new services

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 electronic mail, which is a postal service involving the electronic transmission of messages; **designated operators may enhance electronic mail by offering registered electronic mail, which supplements electronic mail by providing proof of sending, proof of delivery and a secure communication channel between authenticated users;**
- 1.2 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;
- 1.3 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;
- 1.4 the 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.

2 **Member countries or designated operators** may by mutual consent create a new service not expressly provided for in the Acts of the Union. Charges for a new service shall be laid down by each **designated operator** concerned, having regard to the expenses of operating the service.

#### Article 15

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 following **dangerous goods** shall be admitted:
    - 3.3.1** the radioactive materials sent in letter-post items and postal parcels mentioned in article 16.1;
    - 3.3.2** the **infectious** substances sent in letter-post items **and postal parcels** mentioned in article 16.2.
- 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 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 literature for the blind
- 7.1 Printed papers and literature for the blind:
- 7.1.1 shall nor bear any inscription or contain any item of correspondence;
- 7.1.2 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 16

### Admissible radioactive materials and **infectious substances**

- 1 Radioactive materials shall be admitted in letter-post items and parcels in relations between **member countries** which have declared their willingness to admit them either reciprocally or in one direction only under the following conditions:
- 1.1 radioactive materials shall be made up and packed in accordance with the respective provisions of the Regulations;
- 1.2 when they are sent in letter-post items, they shall be subject to the tariff for priority items or the tariff for letters and registration;
- 1.3 radioactive materials contained in letter-post items or postal parcels shall be forwarded by the quickest route, normally by air, subject to payment of the corresponding surcharges;
- 1.4 radioactive materials may be posted only by duly authorized senders.
- 2 **Infectious substances, with the exception of category A infectious substances affecting humans (UN 2814) and affecting animals (UN 2900)** shall be admitted in letter-post items **and postal parcels**, under the following conditions:

- 2.1 **Category B infectious substances (UN 3373) may be exchanged by mail only between officially recognized senders, as determined by their competent authority. These dangerous goods may be acceptable in mail, subject to the national and international legislation in force and the current edition of the United Nations Recommendations on the Transport of Dangerous Goods, as promulgated by the International Civil Aviation Organization (ICAO).**
- 2.2 **Category B infectious substances (UN 3373) must be handled, packed and labelled in accordance with the provisions listed in the Letter Post Regulations and Parcel Post Regulations. These items shall be subject to the tariff for priority items or the tariff for registered letters. An additional charge for the handling of these items shall be allowed.**
- 2.3 **Exempt patient specimens (human or animal) may be exchanged by mail only between officially recognized senders determined by their competent authority. These materials may be acceptable in mail, subject to the national and international legislation in force and the current edition of the United Nations Recommendations on the Transport of Dangerous Goods, as promulgated by the ICAO.**
- 2.4 **Exempt patient specimens (human or animal) must be handled, packed and labelled in accordance with the provisions listed in the Letter Post Regulations. These items shall be subject to the tariff for priority items or to the tariff for registered letters. An additional charge for the handling of these items is allowed.**
- 2.5 **Admission of infectious substances and exempt patient specimens (human or animal) shall be restricted to member countries that have declared their willingness to admit such items, whether reciprocally or in one direction only.**
- 2.6 **Permissible infectious substances and exempt patient specimens (human or animal) shall be forwarded by the quickest route, normally by air, subject to the payment of the corresponding air surcharges, and shall be given priority in delivery.**

#### Article 17 Inquiries

1 Each **designated operator** shall be bound to accept inquiries relating to **parcels or registered, insured or recorded delivery 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 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 18 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 col-

lected 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 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 19

##### 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 20

##### 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 21

##### Liability of **designated operators**. Indemnities

###### 1 General

- 1.1 Except for the cases provided for in article 22, **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 loss of recorded delivery items;
  - 1.1.3 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 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 Recorded delivery items

- 3.1 If a recorded delivery item is lost, totally rifled or totally damaged, the sender shall be entitled to refund of the charges paid **for posting the item** only.

###### 4 Ordinary parcels

- 4.1 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.

4.2 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.

4.3 **Designated operators** may agree to apply, in their reciprocal relations, the amount per parcel set in the Parcel Post Regulations, regardless of the weight.

5 Insured items

5.1 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.

5.2 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.

**6 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.**

**7 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.**

**8** In the cases mentioned in **2**, **4** and **5**, 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.

**9** 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.

**10** Notwithstanding the provisions set out under **2**, **4** and **5**, the addressee shall be entitled to the indemnity after delivery of a rifled or damaged registered item, ordinary parcel or insured item.

**11** 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 **4.1**. 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 **4.1** shall remain applicable.

**11.1** in the event of recourse against the **designated operator** liable; or

**11.2** if the sender waives his rights in favour of the addressee or vice versa.

**12** 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 22

Non-liability of **member countries and designated operators**

1 **Designated operators** shall cease to be liable for registered items, recorded delivery 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 mailbox 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 13.6.9;
- 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, theft 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 15;
- 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 23

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 24

##### 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. Conversely, the addressee may waive his rights in favour of the sender. The sender or the addressee may authorize a third party to receive the indemnity if internal legislation allows this.

#### Article 25

##### 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 26

##### 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 28.3 to 28.7 or 29.7, 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 27

###### 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 18/2008, 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 (new target system countries);**

**2.3 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 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 shall make available to other designated operators 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 new target system countries may opt not to make available to other designated operators the rates, terms and conditions offered in their domestic service on conditions identical to those proposed to their national customers. Those designated operators 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. However, if designated operators of new target system countries ask designated operators of target system countries 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 28 and 29 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 28 and 29.
- 6 Any **designated operator** may waive wholly or in part the payment provided for under 1.
- 7 **For M bags, the terminal dues rate to be applied shall be 0.793 SDR per kilogramme. M bags weighing less than 5 kilogrammes shall be considered as weighing 5 kilogrammes for terminal dues payment purposes.**
- 8 **For registered items there shall be an additional payment of 0.55 SDR per item for 2010 and 2011 and 0.6 SDR for 2012 and 2013. For insured items, there shall be an additional payment of 1.1 SDR per item for 2010 and 2011 and 1.2 SDR for 2012 and 2013. 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 **Any designated operator** may, by bilateral or multilateral agreement, apply other payment systems for the settlement of terminal dues accounts.
- 10 **Designated operators may exchange non-priority mail on an optional basis by applying a 10% discount to the priority terminal dues rate.**

**11 Designated operators may exchange format-separated mail on an optional basis at a discounted terminal dues rate.**

**12 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 28

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; these costs must be **related to** the domestic tariffs. The rates shall be calculated in accordance with the conditions specified in the Letter Post Regulations.

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

**3 The rates per item and per kilogramme shall be calculated on the basis of a percentage of the charge for a 20-gramme priority letter in the domestic service, which shall be 70% for countries in the target system prior to 2010 and 100% for countries entering the target system from 2010 or 2012 (new target system countries).**

**4 The Postal Operations Council will conduct a study of the cost of handling inbound mail during 2009 and 2010. If this study reveals a percentage different from the 70% set out under paragraph 3, the POC shall consider whether to change the percentage of the charge for a 20-gramme priority letter for the years 2012 and 2013.**

**5 From the charge used for the calculation in paragraph 3 above, 50% of the VAT or other taxes shall be excluded for the years 2010 and 2011, and 100% for the years 2012 and 2013.**

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

**6.1** for the year **2010**, **0.253** SDR per item and **1.980** SDR per kilogramme;

**6.2** for the year **2011**, **0.263** SDR per item and **2.059** SDR per kilogramme;

**6.3** for the year **2012**, **0.274** SDR per item and **2.141** SDR per kilogramme;

**6.4** for the year **2013**, **0.285** SDR per item and **2.227** SDR per kilogramme.

7 The rates applied **for flows between countries in the target system prior to 2010** may not be lower than **the rates in 2009, prior to application of the quality of service link. The rates may also not be lower than:**

**7.1** for the year **2010**, **0.165** SDR per item and **1.669** SDR per kilogramme;

**7.2** for the year **2011**, **0.169** SDR per item and **1.709** SDR per kilogramme;

**7.3** for the year **2012**, **0.173** SDR per item and **1.750** SDR per kilogramme;

**7.4** for the year **2013**, **0.177** SDR per item and **1.792** SDR per kilogramme.

**8** The rates applied for flows to, from or between new target system countries, other than for bulk mail, shall be:

**8.1** for the year 2010: 0.155 SDR per item and 1.562 SDR per kilogramme;

**8.2** for the year 2011: 0.159 SDR per item and 1.610 SDR per kilogramme;

**8.3** for the year 2012: 0.164 SDR per item and 1.648 SDR per kilogramme;

**8.4** for the year 2013: 0.168 SDR per item and 1.702 SDR per kilogramme.

**9** The payment for bulk mail shall be established by applying the rates per item and per kilogramme provided for in article 28, paragraphs 3 to 7.

**10** For registered or 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.

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

#### Article 29

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 yearly increases of 2.8% on the adjusted 2009 rates, using the worldwide average of 14.64 items 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 2010: 0.155 SDR per item and 1.562 SDR per kilogramme;

**3.2** for the year 2011: 0.159 SDR per item and 1.610 SDR per kilogramme;

**3.3** for the year 2012: 0.164 SDR per item and 1.648 SDR per kilogramme;

**3.4** for the year 2013: 0.168 SDR per item and 1.702 SDR per kilogramme.

**4** For flows below 100 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 14.64 items per kilogramme. The following rates shall apply:

**4.1** for the year 2010: 3.831 SDR per kilogramme;

**4.2** for the year 2011: 3.938 SDR per kilogramme;

**4.3** for the year 2012: 4.049 SDR per kilogramme;

**4.4** for the year 2013: 4.162 SDR per kilogramme.

**5** For mail flows over 100 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** 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 28. For bulk mail received, designated operators in the transitional system may request payment according to paragraph 3.

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

### Article 30

#### 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 29 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 29, for payment into the QSF for improving the quality of service in group 4 countries.

**3** As of 1 January 2012, 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 4 countries shall be increased by **10%** of the rates given in article 29, 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 which were in the target system prior to 2010 to the countries classified by Congress as group 3 countries shall be increased by **8%** of the rates given in article 29, 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 1 countries which will join the target system in 2010 to the countries classified by Congress as group 3 countries shall be increased by **4%** of the rates given in article 29, for payment into the QSF for improving the quality of service in group 3 countries.

**6** As of 1 January 2012, 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 by **4%** of the rates given in article 29, for payment into the QSF for improving the quality of service in group 3 countries.

**7** 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 2 countries which benefited from an **8%** increase prior to 2010, shall be increased in 2010 and 2011 by **4%** of the rates given in article 29,

and in 2012 and 2013 by 2% of the rates given in article 28.8, for payment into the QSF for improving the quality of service in group 2 countries.

**8** 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 2 countries which benefited from a 1% increase prior to 2010 shall be increased in 2010 and 2011 by 1% of the rates given in article 29, for payment into the QSF for improving the quality of service in group 2 countries.

**9** The combined terminal dues payable into the QSF for improving the quality of service of countries in groups 2, 3, 4 and 5 shall be subject to a minimum of 12,565 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.

**10** 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 **2010** at the latest, procedures for financing these projects.

#### Article 31

##### 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 32

##### 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.

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 33

#### 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 34

Authority of the POC 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.

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.

### Part IV

#### Final provisions

#### Article 35

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 36**

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 37**

Entry into force and duration of the Convention

1 This Convention shall come into force on **1 January 2010** 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 **Geneva, 12 August 2008**

## Final Protocol to the Universal Postal Convention

At the moment of proceeding to signature of the Universal Postal Convention concluded this day, the undersigned plenipotentiaries have agreed the following:

### Article I

Ownership of postal items. Withdrawal from the post. Alteration or correction of address

1 The provisions in article 5.1 and 2 shall not apply to Antigua and Barbuda, Bahrain, Barbados, Belize, Botswana, Brunei Darussalam, Canada, Hong Kong, China, Dominica, Egypt, Fiji, Gambia, United Kingdom of Great Britain and Northern Ireland, Overseas Dependent Territories of the United Kingdom, Grenada, Guyana, Ireland, Jamaica, Kenya, Kiribati, Kuwait, Lesotho, Malawi, Malaysia, Mauritius, Nauru, New Zealand, Nigeria, Papua New Guinea, Saint Christopher and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Seychelles, Sierra Leone, Singapore, Solomon Islands, Swaziland, Tanzania (United Rep.), Trinidad and Tobago, Tuvalu, Uganda, Vanuatu and Zambia.

2 Nor shall article 5.1 and 2 apply to Austria, Denmark and Iran (Islamic Rep.), whose internal legislation does not allow withdrawal from the Post or alteration of the address of correspondence, at the request of the sender, from the time when the addressee has been informed of the arrival of an item addressed to him.

3 Article 5.1 shall not apply to Australia, Ghana and Zimbabwe.

4 Article 5.2 shall not apply to Bahamas, **Belgium**, the Dem. People's Rep. of Korea, Iraq and Myanmar, whose legislation does not permit withdrawal from the post or alteration of address of letter-post items at the sender's request.

5 Article 5.2 shall not apply to the United States of America.

6 Article 5.2 shall apply to Australia only in so far as that article is consistent with its domestic legislation.

7 Notwithstanding article 5.2, Dem. Rep. of the Congo, El Salvador, Panama (Rep.), Philippines and Venezuela shall be authorized not to return postal parcels after the addressee has requested their clearance by Customs, since this is incompatible with those countries' customs legislation.

Article II  
Charges

1 Notwithstanding article **6, Australia**, Canada and New Zealand shall be authorized to collect postal charges other than those provided for in the Regulations, when such charges are consistent with the legislation of their countries.

Article III  
Exception to the exemption of literature for the blind from postal charges

1 Notwithstanding article **7, Indonesia**, Saint Vincent and the Grenadines and Turkey, which do not concede exemption from postal charges to literature for the blind in their internal service, may collect the postage and charges for special services which may not, however, exceed those in their internal service.

2 Notwithstanding article **7, Australia**, Austria, Canada, Germany, United Kingdom of Great Britain and Northern Ireland, Japan, Switzerland and United States of America may collect the charges for special services which are applied to literature for the blind in their internal service.

Article IV  
Basic services

1 Notwithstanding the provisions of article 12, Australia does not agree to the extension of basic services to include postal parcels.

2 The provisions of article 12.2.4 shall not apply to Great Britain, whose national legislation requires a lower weight limit. Health and safety legislation in Great Britain limits the weight of mail bags to 20 kilogrammes.

**3 Notwithstanding article 12.2.4, Kazakhstan and Uzbekistan shall be authorized to limit to 20 kilogrammes the maximum weight of inward and outward M bags.**

Article V  
Advice of delivery

**1 Canada** shall be authorized not to apply article 13.4.3, as regards parcels, given that it does not offer the advice of delivery service for parcels in its internal service.

Article VI  
International business reply service (IBRS)

1 Notwithstanding article **13.4.1, Bulgaria (Rep.)** shall provide the international business reply service after negotiations with the **member country** concerned.

Article VII  
Prohibitions (letter post)

1 **Exceptionally, Dem. People's Rep. of Korea** and Lebanon shall not accept registered items containing coins, bank notes, securities of any kind payable to bearer, travellers' cheques, platinum, gold or silver whether manufactured or not, precious stones, jewels or other valuable articles. They shall not be strictly bound by the provisions of the Letter Post Regulations with

regard to their liability in cases of theft or damage, or where items containing articles made of glass or fragile articles are concerned.

**2** **Exceptionally, Bolivia,** China (People's Rep.), excluding Hong Kong Special Administrative Region, Iraq, Nepal, Pakistan, Saudi Arabia, Sudan and Viet Nam shall not accept registered items containing 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.

**3** **Myanmar** reserves the right not to accept insured items containing the valuable articles listed in article 15.5, as this is contrary to its internal regulations.

**4** **Nepal** does not accept registered items or insured items containing currency notes or coins, except by special agreement to that effect.

**5** **Uzbekistan** does not accept registered or insured items containing coins, bank notes, cheques, postage stamps or foreign currency and shall accept no liability in cases of loss of or damage to such items.

**6** **Iran (Islamic Rep.)** does not accept items containing articles contrary to the principles of the Islamic religion.

**7** **The Philippines** reserves the right not to accept any kind of letter post (ordinary, registered or insured) containing coins, currency notes or securities of any kind payable to bearer, travellers' cheques, platinum, gold or silver, whether manufactured or not, precious stones or other valuable articles.

**8** **Australia** does not accept postal items of any kind containing bullion or bank notes. In addition, it does not accept registered items for delivery in Australia, or items in transit à découvert, containing valuables such as jewellery, precious metals, precious or semi-precious stones, securities, coins or any form of negotiable financial instrument. It declines all liability for items posted which are not in compliance with this reservation.

**9** **China (People's Rep.),** excluding Hong Kong Special Administrative Region, shall not accept insured items containing coins, bank notes, currency notes or securities of any kind payable to bearer and travellers' cheques in accordance with its internal regulations.

**10** **Latvia** and Mongolia reserve the right not to accept, in accordance with their national legislation, ordinary, registered or insured mail containing coins, bank notes, securities payable to bearer and travellers' cheques.

**11** **Brazil** reserves the right not to accept ordinary, registered or insured mail containing coins, bank notes in circulation or securities of any kind payable to bearer.

**12** **Viet Nam** reserves the right not to accept letters containing articles or goods.

**13** **Indonesia does not accept registered or insured items containing coins, bank notes, cheques, postage stamps, foreign currency, or any kind of securities payable to bearer for delivery in Indonesia, and shall accept no liability in cases of loss of or damage to such items.**

**14** **Kyrgyzstan reserves the right not to accept letter-post items (ordinary, registered, insured, small packets) containing coins, 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, and shall accept no liability in cases of loss of or damage to such items.**



**15** Kazakhstan shall not accept registered or insured items containing coins, bank-notes, credit notes or any securities payable to bearer, cheques, precious metals whether manufactured or not, precious stones, jewels and other valuable articles or foreign currency, and shall accept no liability in cases of loss of or damage to such items.

**16** Moldova and the Russian Federation do not accept registered or insured items containing bank notes in circulation, securities (cheques) of any kind payable to bearer or foreign currency, and shall accept no liability in cases of loss of or damage to such items.

#### Article VIII

##### Prohibitions (postal parcels)

**1** Myanmar and Zambia shall be authorized not to accept insured parcels containing the valuable articles covered in article 15.6.1.3.1, since this is contrary to their internal regulations.

**2** Exceptionally, Lebanon and Sudan shall not accept parcels containing coins, currency notes or securities of any kind payable to bearer, travellers' cheques, platinum, gold or silver whether manufactured or not, precious stones or other valuable articles, or containing liquids or easily liquefiable elements or articles made of glass or similar or fragile articles. They shall not be bound by the relevant provisions of the Parcel Post Regulations.

**3** Brazil shall be authorized not to accept insured parcels containing coins and currency notes in circulation, as well as any securities payable to bearer, since this is contrary to its internal regulations.

**4** Ghana shall be authorized not to accept insured parcels containing coins and currency notes in circulation, since this is contrary to its internal regulations.

**5** In addition to the articles listed in article 15, Saudi Arabia shall be authorized not to accept parcels containing coins, currency notes or securities of any kind payable to bearer, travellers' cheques, platinum, gold or silver, whether manufactured or not, precious stones or other valuable articles. Nor does it accept parcels containing medicines of any kind unless they are accompanied by a medical prescription issued by a competent official authority, products designed for extinguishing fires, chemical liquids or articles contrary to the principles of the Islamic religion.

**6** In addition to the articles referred to in article 15, Oman does not accept items containing:

- 6.1 medicines of any sort unless they are accompanied by a medical prescription issued by a competent official authority;
- 6.2 fire-extinguishing products or chemical liquids;
- 6.3 articles contrary to the principles of the Islamic religion.

**7** In addition to the articles listed in article 15, Iran (Islamic Rep.) shall be authorized not to accept parcels containing articles contrary to the principles of the Islamic religion.

**8** The Philippines shall be authorized not to accept any kind of parcel containing coins, currency notes or securities of any kind payable to bearer, travellers' cheques, platinum, gold or silver whether manufactured or not, precious stones or other valuable articles, or containing liquids or easily liquefiable elements or articles made of glass or similar or fragile articles.

**9** Australia does not accept postal items of any kind containing bullion or bank notes.

**10** China (People's Rep.) shall not accept ordinary parcels containing coins, currency notes or securities of any kind payable to bearer, travellers' cheques, platinum, gold or silver, whether

manufactured or not, precious stones or other valuable articles. Furthermore, with the exception of the Hong Kong Special Administrative Region, insured parcels containing coins, currency notes or securities of any kind payable to bearer and travellers' cheques shall not be accepted.

**11 Mongolia** reserves the right not to accept, in accordance with its national legislation, parcels containing coins, bank notes, securities payable to bearer and travellers' cheques.

**12 Latvia** does not accept ordinary and insured parcels containing coins, bank notes, securities (cheques) of any kind payable to bearer or foreign currency, and shall accept no liability in cases of loss of or damage to such items.

**13 Moldova, the Russian Federation, Ukraine and Uzbekistan do not accept ordinary or insured parcels containing bank notes in circulation, securities (cheques) of any kind payable to bearer or foreign currency, and shall accept no liability in cases of loss of or damage to such items.**

**14 Kazakhstan does not accept ordinary or insured parcels containing coins, bank notes, credit notes or any securities payable to bearer, cheques, precious metals, whether manufactured or not, precious stones, jewels and other valuable articles or foreign currency, and shall accept no liability in cases of loss of or damage to such items.**

#### Article IX

##### Admissible radioactive materials and infectious substances

**1 Notwithstanding the provisions of article 16, Mongolia reserves the right not to accept, in accordance with its national legislation, postal items containing any radioactive materials or infectious substances.**

#### Article X

##### Articles subject to customs duty

1 With reference to article **15, Bangladesh** and El Salvador do not accept insured items containing articles subject to customs duty.

2 With reference to article **15, Afghanistan**, Albania, Azerbaijan, Belarus, Cambodia, Chile, Colombia, Cuba, Dem. People's Rep. of Korea, El Salvador, Estonia, Italy, **Kazakhstan**, Latvia, **Moldova**, Nepal, Peru, **Russian Federation**, San Marino, Turkmenistan, Ukraine, Uzbekistan and Venezuela do not accept ordinary and registered letters containing articles subject to customs duty.

3 With reference to article **15, Benin**, Burkina Faso, Côte d'Ivoire (Rep.), Djibouti, Mali and Mauritania do not accept ordinary letters containing articles subject to customs duty.

4 Notwithstanding the provisions set out under 1 to 3, the sending of serums, vaccines and urgently required medicaments which are difficult to procure shall be permitted in all cases.

#### Article XI

##### Inquiries

1 Notwithstanding article **17.3, Bulgaria (Rep.)**, Cape Verde, Chad, Dem. People's Rep. of Korea, Egypt, Gabon, Overseas Dependent Territories of the United Kingdom, Greece, Iran (Islamic Rep.), Kyrgyzstan, Mongolia, Myanmar, Philippines, Saudi Arabia, Sudan, Syrian Arab Rep., Turkmenistan, Ukraine, Uzbekistan and Zambia reserve the right to collect from customers charges on inquiries lodged in respect of letter-post items.

2 Notwithstanding article **17.3**, **Argentina**, Austria, Azerbaijan, **Lithuania**, **Moldova** and Slovakia reserve the right to collect a special charge when, on completion of the investigation conducted in response to the inquiry, it emerges that the latter was unjustified.

**3** **Afghanistan**, Bulgaria (Rep.), Cape Verde, Congo (Rep.), Egypt, Gabon, Iran (Islamic Rep.), Kyrgyzstan, Mongolia, Myanmar, Saudi Arabia, Sudan, Suriname, Syrian Arab Rep., Turkmenistan, Ukraine, Uzbekistan and Zambia reserve the right to collect an inquiry charge from customers in respect of parcels.

4 Notwithstanding article **17.3**, **Brazil**, Panama (Rep.) and the United States of America reserve the right to collect a charge from customers for inquiries lodged in respect of letter-post items and parcels posted in countries which apply that type of charge in accordance with paragraphs 1 to 3 of this article.

#### Article XII

##### Presentation-to-Customs charge

**1** **Gabon** reserves the right to collect a presentation-to-Customs charge from customers.

**2** **Congo (Rep.)** and Zambia reserve the right to collect a presentation-to-Customs charge from customers in respect of parcels.

#### Article XIII

##### Posting abroad of letter-post items

**1** **Australia**, Austria, United Kingdom of Great Britain and Northern Ireland, Greece, New Zealand and United States of America reserve the right to impose a charge, equivalent to the cost of the work it incurs, on any **designated operator** which, under the provisions of article **26.4**, sends to it items for disposal which were not originally dispatched as postal items by their services.

2 Notwithstanding article **26.4**, **Canada** reserves the right to collect from the **designated operator** of origin such amount as will ensure recovery of not less than the costs incurred by it in the handling of such items.

3 Article **26.4** allows the **designated operator** of destination to claim, from the **designated operator** of posting, appropriate remuneration for delivering letter-post items posted abroad in large quantities. Australia and the United Kingdom of Great Britain and Northern Ireland reserve the right to limit any such payment to the appropriate domestic tariff for equivalent items in the country of destination.

4 Article **26.4** allows the **designated operator** of destination to claim, from the **designated operator** of posting, appropriate remuneration for delivering letter-post items posted abroad in large quantities. The following **member** countries reserve the right to limit any such payment to the limits authorized in the Regulations for bulk mail: Bahamas, Barbados, Brunei Darussalam, China (People's Rep.), United Kingdom of Great Britain and Northern Ireland, Overseas Dependent Territories of the United Kingdom, Grenada, Guyana, India, Malaysia, Nepal, Netherlands, Netherlands Antilles and Aruba, New Zealand, Saint Lucia, Saint Vincent and the Grenadines, Singapore, Sri Lanka, Suriname, Thailand and United States of America.

5 Notwithstanding the reservations under 4, the following **member** countries reserve the right to apply in full the provisions of article **26** of the Convention to mail received from Union member countries: Argentina, Austria, Benin, Brazil, Burkina Faso, Cameroon, Côte d'Ivoire (Rep.), Cyprus, Denmark, Egypt, France, Germany, Greece, Guinea, Israel, Italy, Japan, Jordan,

Lebanon, Luxembourg, Mali, Mauritania, Monaco, Morocco, Norway, Portugal, Saudi Arabia, Senegal, Syrian Arab Rep. and Togo.

6 In application of article **26.4** Germany reserves the right to request the mailing country to grant compensation of the amount it would receive from the country of which the sender is resident.

7 Notwithstanding the reservations made under article XIII, China (People's Rep.) reserves the right to limit any payment for delivering letter-post items posted abroad in large quantities to the limits authorized in the UPU Convention and Letter Post Regulations for bulk mail.

#### Article XIV

##### Exceptional inward land rates

1 Notwithstanding article **33, Afghanistan** reserves the right to collect an additional exceptional inward land rate of 7.50 SDR per parcel.

#### Article XV

##### Special tariffs

**1 Belgium**, Norway and United States of America may collect higher land rates for air parcels than for surface parcels.

**2 Lebanon** shall be authorized to collect for parcels up to 1 kilogramme the charge applicable to parcels over 1 and up to 3 kilogrammes.

**3 Panama (Rep.)** shall be authorized to collect 0.20 SDR per kilogramme for surface airlifted (S.A.L.) parcels in transit.

In witness whereof, the plenipotentiaries below have drawn up this Protocol which shall have the same force and the same validity as if its provisions were inserted in the text of the Convention itself, and they have signed it 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 **Geneva, 12 August 2008.**

# Postal Payment Services Agreement

## Table of contents

### Part I

#### Common principles applying to the postal payment services

##### Chapter I

###### General provisions

###### Article

- 1 Scope of the Agreement
- 2 Definitions
- 3 Designation of the operator
- 4 Functions of member countries
- 5 Operational functions
- 6 Ownership of postal payment services funds
- 7 Prevention of money laundering, terrorist funding and financial crime
- 8 Confidentiality
- 9 Technological neutrality

##### Chapter II

###### General principles and quality of service

- 10 General principles
- 11 Quality of service

##### Chapter III

###### Principles for electronic data interchange

- 12 Interoperability
- 13 Ensuring the security of electronic exchanges
- 14 Track and trace

## Part II

### Rules governing the postal payment services

#### Chapter I

##### Processing of postal payment orders

- 15 Deposit, entry and transmission of postal payment orders
- 16 Checking and release of funds
- 17 Maximum amount
- 18 Reimbursement

#### Chapter II

##### Inquiries and liability

- 19 Inquiries
- 20 Liability of designated operators with regard to users
- 21 Obligations and liability of designated operators to each other
- 22 Non-liability of designated operators
- 23 Reservations regarding liability

#### Chapter III

##### Financial relations

- 24 Accounting and financial rules
- 25 Settlement and clearing

## Part III

### Transitional and final provisions

- 26 Reservations at Congress
- 27 Final provisions
- 28 Entry into force and duration of the Postal Payment Services Agreement

# Postal Payment Services Agreement

The undersigned, plenipotentiaries of the Governments of the member countries of the Union, in provision with article 22.4 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 the following Agreement, which is in line with the principles of the Constitution to implement a secure and accessible postal payment service adapted to the greatest number of users on the basis of systems enabling the interoperability of designated operators' networks.

## Part I

### Common principles applying to the postal payment services

#### Chapter I

##### General provisions

###### Article 1

###### Scope of the Agreement

- 1 Each member country shall ensure on a best effort basis that at least one of the following postal payment services is provided on its territory:
  - 1.1 Money order in cash: the sender hands over funds at the service access point of the designated operator and asks for the full amount to be paid to the payee in cash, with no deductions.
  - 1.2 Outpayment money order: the sender gives instructions for his account held by the designated operator to be debited and asks for the payee to be paid the full amount in cash, with no deductions.
  - 1.3 Inpayment money order: the sender hands over funds at the service access point of the designated operator and asks for them to be paid into the payee's account, with no deductions.
  - 1.4 Postal transfer: the sender gives instructions for his account held by the designated operator to be debited and asks for the payee's account with the paying designated operator to be credited with the equivalent amount, with no deductions.
- 2 The Regulations shall define the procedures for executing the present Agreement.

Article 2

Definitions

1 Competent authority – any national authority of a member country which, by virtue of the powers conferred on it by the law or regulations, supervises the activities of the designated operator or of the persons referred to in the present article. The competent authority may contact the administrative or legal authorities engaged in combating money laundering and terrorist financing, and in particular the national financial intelligence unit and the oversight authorities.

2 Instalment – partial advance payment made by the issuing designated operator to the paying designated operator to ease the cash situation of the paying designated operator's postal payment services.

3 Money laundering – the conversion or transfer of funds in the knowledge that these funds are derived from a criminal activity or participation in such activity, with the aim of hiding or disguising the illegal origins of the funds or of helping any person having participated in such activity to escape the legal consequences of his action; money laundering shall be considered as such when the activities producing funds to be laundered are liable to prosecution in the territory of another member country or a third country.

4 Ring-fencing – the compulsory separation of users' funds from those of the designated operator which prevents the use of users' funds for purposes other than the execution of postal payment service operations.

5 Clearing house – within the framework of multilateral exchanges, a clearing house handles mutual debts and claims arising from services provided by one operator to another. Its role is to put to account exchanges between operators that are settled through a settlement bank, and to take the necessary steps in the event of settlement irregularities.

6 Clearing – a system enabling the number of payments to be made to be kept to a minimum by drawing up a periodic debit and credit balance for the parties involved. Clearing involves two stages: determining the bilateral balances and, by adding these balances, calculating the overall position of each entity with regard to the entire community in order to carry out only one settlement based on the debtor or creditor position of the entity in question.

7 Concentration account – an aggregation of funds from various sources combined into one account.

8 Liaison account – giro account opened reciprocally by designated operators as part of bilateral relations, by means of which mutual debts and credits are settled.

9 Criminal activity – any type of participation in, or perpetration of, a crime or misdemeanour, as defined by the national legislation.

10 Security deposit – amount deposited, in the form of cash or securities, to guarantee payments between designated operators.

11 Payee – natural or legal person designated by the sender as the beneficiary of the money order or postal giro transfer.

12 Third currency – intermediate currency used in cases of non-convertibility between two currencies or for clearing/settlement of accounts.

13 Due diligence in relation to users – general obligation on the part of designated operators, comprising the following duties:



- identifying users;
- obtaining information on the purpose of the postal payment order;
- monitoring postal payment orders;
- checking that the information concerning users is up to date;
- reporting suspicious transactions to the competent authorities.

14 Electronic data relating to postal payment orders – data transmitted by electronic means, from one designated operator to another, relating to the execution of postal payment orders, inquiries, alteration or correction of addresses or reimbursement; these data are either entered by designated operators, or generated automatically by their information system, and indicate a change in the status of the postal payment order or of the order request.

15 Personal data – personal identification data referring to the sender or the payee, which may be used only for the purpose for which they were collected.

16 Postal data – data needed for the routing and tracking of a postal payment order or for statistical purposes, as well as for the centralized clearing system.

17 Electronic data interchange (EDI) – computer-to-computer exchange of data concerning operations, by means of networks and standard formats compatible with the Union system.

18 Sender – natural or legal person that gives the designated operator the order to execute a postal payment service in accordance with the Acts of the Union.

19 Terrorist financing – covers the financing of acts of terrorism, of terrorists and of terrorist organizations.

20 Users' funds – sums delivered by the sender to the issuing designated operator in cash, or debited to the sender's account written up in the books of the issuing designated operator, or by any other secure method of electronic banking, placed at the disposal of the issuing designated operator or any other financial operator by the sender, to be paid to a payee specified by the sender in accordance with the present Agreement and its Regulations.

21 Currency of issue – currency of the country of destination or third currency authorized by the destination country in which the postal payment order is issued.

22 Issuing designated operator – designated operator which transmits a postal payment order to the paying designated operator, in accordance with the Acts of the Union.

23 Paying designated operator – designated operator responsible for executing the postal payment order in the destination country, in accordance with the Acts of the Union.

24 Validity period – period of time during which the postal payment order may be executed or cancelled.

25 Service access point – physical or virtual place where the user may deposit or receive a postal payment order.

26 Remuneration – sum owed by the issuing designated operator to the paying designated operator for payment to the payee.

27 Revocability – the ability of the sender to recall his postal payment order (money order or transfer) up to the moment of payment, or at the end of the validity period if payment has not been made.

28 Counterparty risk – risk that one of the parties to a contract will default, leading to loss or liquidity risk.

29 Liquidity risk – risk that a settlement system participant or a counterpart is temporarily unable to fulfil an obligation in its entirety at the required time.

30 Reporting of suspicious transaction – obligation of the designated operator, based on the national legislation and Union resolutions, to provide its competent national authorities with information on suspicious transactions.

31 Track and trace – system that enables the progress of postal payment order to be monitored and its location and status to be identified at any time.

32 Price – amount paid by the sender to the issuing designated operator for a postal payment service.

33 Suspicious transaction – single or repeated postal payment order or request for reimbursement relating to a postal payment order linked to a money-laundering or terrorist financing offence.

34 User – natural or legal person, sender or payee, that uses the postal payment services in accordance with the present Agreement.

### Article 3

#### Designation of the operator

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 payment services. Within six months of the end of Congress, member countries shall also provide the International Bureau with the name and address of the operator(s) officially designated to operate the postal payment services by means of its (their) network and to fulfil the obligations arising from the Acts of the Union on its (their) territory. Between Congresses, changes concerning the governmental bodies and the officially designated operators shall be notified to the International Bureau as soon as possible.

2 Designated operators shall provide the postal payment services in accordance with the present Agreement.

### Article 4

#### Functions of member countries

1 Member countries shall take the necessary steps towards ensuring the continuity of the postal payment services in the event of default by their designated operator(s), without prejudice to the liability of that (those) operator(s) towards other designated operators by virtue of the Acts of the Union.

2 In the event of the default of its designated operator, a member country shall inform, through the International Bureau, the other member countries party to the Agreement:

2.1 of the suspension of its postal payment services, from the date indicated and until further notice;

2.2 of the measures taken to re-establish its services under the responsibility of any new designated operator.

## Article 5

### Operational functions

- 1 The designated operators shall be responsible for the execution of postal payment services vis-à-vis other operators and users.
- 2 They shall be accountable for risks such as operational risks, liquidity risks, and counterparty risks, in accordance with the national legislation.
- 3 In order to implement the postal payment services whose provision is entrusted to them by their respective member country, designated operators shall conclude bilateral or multilateral agreements with the designated operators of their choice.

## Article 6

### Ownership of postal payment services funds

- 1 Any sum of money, delivered in cash or debited to an account for the execution of a postal payment order, shall belong to the sender until such time as it is paid to the payee or credited to the payee's account.
- 2 During the validity period of the postal payment order, the sender may recall it up until its payment to the payee or until it is credited to the payee's account.

## Article 7

### Prevention of money laundering, terrorist funding and financial crime

- 1 Designated operators shall take all necessary steps to fulfil their obligations stemming from national and international legislation aimed at combating money laundering, terrorist funding and financial crime.
- 2 They should inform their country's competent authorities of suspicious transactions, in accordance with national laws and regulations.
- 3 The Regulations shall set out the detailed obligations of designated operators in respect of user identification, due diligence and the procedures for implementing regulations against money laundering, terrorist funding and financial crime.

## Article 8

### Confidentiality

- 1 Designated operators shall ensure the confidentiality of, and the use of, personal data in accordance with national legislation and, where applicable, international obligations, and the Regulations. The provision of this article shall not restrict the provision of personal data on the request based on each member country's national laws.
- 2 The data required to execute the postal payment order shall be confidential.
- 3 For statistical purposes, and possibly also for the purpose of quality of service measurement and centralized clearing, designated operators shall be required to provide the International Bureau of the Universal Postal Union with postal data at least once a year. The International Bureau shall treat all individual postal data in confidence.

## Article 9

### Technological neutrality

1 The exchange of data necessary for the provision of the services defined in this Agreement shall be governed by the principle of technological neutrality, which means that the provision of these services does not depend on the use of a particular technology.

2 The procedures for executing postal payment orders, including the conditions for depositing, entering, dispatching, paying and reimbursing orders and for processing inquiries, and the time limit for making the funds available to the payee, may vary according to the technology used for transmitting the order.

3 Postal payment services may be provided on the basis of a combination of different technologies.

## Chapter II

### General principles and quality of service

## Article 10

### General principles

#### 1 Accessibility via the network

1.1 The postal payment services shall be provided by the designated operators via their network(s) and/or via any other partner network in order to ensure accessibility to these services for the greatest number.

1.2 All users shall have access to postal payment services regardless of any contractual or commercial relationship existing with the designated operator.

#### 2 Separation of funds

2.1 Users' funds shall be ring-fenced. These funds and the flows that they generate shall be separate from operators' other funds and flows, particularly their own funds.

2.2 Settlements relating to remuneration between designated operators are separate from settlements relating to users' funds.

#### 3 Currency of issue and currency of payment in respect of postal payment orders

3.1 The amount of the postal payment order shall be expressed and paid in the currency of the destination country or in any other currency authorized by the destination country.

#### 4 Non-repudiability

4.1 The transmission of postal payment orders by electronic means shall be subject to the principle of non-repudiability, in the sense that the issuing designated operator shall not question the existence of these orders and the paying designated operator shall not deny receipt of the orders, insofar as the message conforms to the applicable technical standards.

4.2 The non-repudiability of electronic postal payment orders shall be ensured by technological means, regardless of the system used by the designated operators.

5 Execution of postal payment orders

- 5.1 Postal payment orders transmitted between designated operators must be executed, subject to the provisions of the present Agreement and the national legislation.
- 5.2 In the designated operators' network, the sum delivered to the issuing designated operator by the sender shall be the same as the sum paid to the payee by the paying designated operator.
- 5.3 Payment to the payee shall not be conditional on receipt by the paying designated operator of the corresponding funds from the sender. It shall be made subject to the fulfilment by the issuing designated operator of its obligations towards the paying designated operator regarding instalments or the provision of a liaison account.

6 Setting of rates

- 6.1 The issuing designated operator shall set the price of postal payment services.
- 6.2 Charges may be added to this price for any optional or supplementary service required by the sender.

7 Exemption from charges

- 7.1 The provisions of the Universal Postal Convention concerning exemption from postal charges on postal items intended for prisoners of war and civil internees may apply to the postal payment service items for this category of payee.

8 Remuneration of the paying designated operator

- 8.1 The paying designated operator shall be remunerated by the issuing designated operator for the execution of postal payment orders.

9 Intervals for settlement between designated operators

- 9.1 The frequency of settlement between designated operators of sums paid or credited to a payee on behalf of a sender may be different from that in respect of the settlement of remuneration between designated operators. Sums paid or credited shall be settled at least once a month.

10 Obligation to inform users

- 10.1 Users shall be entitled to the following information, which shall be published and made available to all senders: conditions covering the provision of postal payment services, prices, charges, exchange rates and arrangements, conditions of implementation of liability, and the addresses of information and inquiry services.
- 10.2 Access to this information shall be provided free of charge.

Article 11  
Quality of service

- 1 Designated operators may decide to identify postal payment services by means of a collective brand.

## Chapter III

### Principles for electronic data interchange

#### Article 12

##### Interoperability

##### 1 Networks

1.1 In order to exchange the data needed to execute postal payment services between all designated operators, and to monitor quality of service, designated operators shall use the Union's electronic data (EDI) exchange system or any other system ensuring the interoperability of the postal payment services in accordance with this Agreement.

#### Article 13

##### Ensuring the security of electronic exchanges

1 Designated operators shall be responsible for the proper functioning of their equipment.

2 The electronic transmission of data shall be made secure in order to ensure the authenticity and integrity of the data transmitted.

3 Designated operators shall make transactions secure, in accordance with international standards.

#### Article 14

##### Track and trace

1 The systems used by designated operators shall permit the monitoring of the processing of the order and its revocation by the sender, until such time as the corresponding amount is paid to the payee or credited to the payee's account, or, if appropriate, reimbursed to the sender.

## Part II

### Rules governing the postal payment services

#### Chapter I

##### Processing of postal payment orders

#### Article 15

##### Deposit, entry and transmission of postal payment orders

1 The conditions for depositing, entering and transmitting postal payment orders are set out in the Regulations.

2 The period of validity for postal payment orders may not be extended and is set in the Regulations.

## Article 16

### Checking and release of funds

1 After confirming the payee's identity in accordance with national legislation and the accuracy of the information he has provided, the designated operator shall make the payment in cash. For an inpayment order or a transfer, this payment shall be credited to the payee's account.

2 The time limits for release of the funds shall be established in the bilateral and multilateral agreements between designated operators.

## Article 17

### Maximum amount

1 Designated operators shall inform the International Bureau of the Universal Postal Union of the maximum amounts for sending or receipt set according to their national legislation.

## Article 18

### Reimbursement

1 Extent of reimbursement

1.1 Reimbursement within the framework of the postal payment services shall cover the full amount of the postal payment order in the currency of the issuing country. The amount to be reimbursed shall be equal to the amount paid by the sender or to the amount charged to his account. The price of the postal payment service shall be added to the amount reimbursed in the event of an error made by a designated operator.

## Chapter II

### Inquiries and liability

## Article 19

### Inquiries

1 Inquiries shall be entertained within a period of six months from the day after that on which the postal payment order was accepted.

2 Designated operators, subject to their national legislation, shall have the right to collect from customers charges on inquiries in regard to postal payment orders.

## Article 20

### Liability of designated operators with regard to users

1 Treatment of funds

1.1 The issuing designated operator shall be accountable to the sender for the sums handed over at the counter or debited to the sender's account until the postal payment order has been duly paid or the payee's account credited, or until the funds have been reimbursed to the sender in the form of cash or as a credit to his account.

Article 21

Obligations and liability of designated operators to each other

- 1 Each designated operator shall be liable for its own errors.
- 2 The conditions and extent of liability are set out in the Regulations.

Article 22

Non-liability of designated operators

- 1 Designated operators shall not be liable:
  - 1.1 in cases of delay in the execution of the service;
  - 1.2 when they cannot account for the execution of a postal payment order owing to the destruction of postal payment service data by force majeure, unless proof of their liability is otherwise produced;
  - 1.3 when the damage has been caused by the fault or negligence of the sender, particularly concerning his responsibility to provide correct information in support of his postal payment order, including the fact that the funds remitted are from a legitimate source and that the postal payment order is for a legitimate purpose;
  - 1.4 if the funds remitted are seized;
  - 1.5 in the case of prisoner-of-war or civilian internee funds;
  - 1.6 when the user has made no inquiry within the period set in the Regulations;
  - 1.7 when the time allowed for recourse in respect of postal payment services in the issuing country has expired.

Article 23

Reservations regarding liability

- 1 No reservations may be made to the provisions regarding liability prescribed in articles 20 to 22, other than in case of a bilateral agreement.

## Chapter III

### Financial relations

Article 24

Accounting and financial rules

- 1 Accounting rules
  - 1.1 Designated operators shall comply with the accounting rules defined in the Regulations.



- 2 Preparation of monthly and general accounts
  - 2.1 The paying designated operator shall prepare for each issuing designated operator a monthly account showing the sums paid for postal payment orders. The monthly accounts shall be incorporated, at the same intervals, in a general offset account including instalments and giving rise to a balance.
- 3 Instalment
  - 3.1 In case of an imbalance in exchanges between designated operators, an instalment shall be paid by the issuing designated operator to the paying designated operator, at least once a month, at the beginning of the settlement period. In cases where increasing the frequency of settlement of exchanges reduces the period to less than a week, operators can agree to waive this instalment.
- 4 Concentration account
  - 4.1 In principle, each designated operator shall have one concentration account for users' funds. These funds shall be used solely for settling orders paid to the payees or for reimbursing non-executed orders to senders.
  - 4.2 Any instalments paid by the issuing designated operator shall be credited to the concentration account for the paying designated operator. These instalments shall be used exclusively for payments to payees.
- 5 Security deposit
  - 5.1 The payment of a security deposit may be required in accordance with the conditions provided for in the Regulations.

## Article 25

### Settlement and clearing

- 1 Centralized settlement
  - 1.1 Settlements between designated operators may pass through a central clearing house, in accordance with the procedures set out in the Regulations and shall be carried out from the designated operators' concentration accounts.
- 2 Bilateral settlement
  - 2.1 Billing on the basis of the general account balance
    - 2.1.1 In general, designated operators that are not members of a centralized clearing system shall settle accounts on the basis of the balance of the general account.
  - 2.2 Liaison account
    - 2.2.1 Where designated operators have a giro institution, they may each open a liaison account by means of which shall be settled their mutual debts and claims resulting from postal payment services.
    - 2.2.2 Where the paying designated operator does not have a giro system, the liaison account may be opened with another financial institution.
- 2.3 Currency of settlement
  - 2.3.1 Settlements shall be carried out in the currency of the destination country or in a third currency agreed between the designated operators.

## Part III

### Transitional and final provisions

#### Article 26

##### 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 should endeavour, as far as possible, to conform to the opinion of the majority. Reservations shall be made only in cases of absolute necessity, and shall be duly justified.
- 3 Any reservation to an article of the present Agreement 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, any proposal 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 Agreement shall be inserted in its Final Protocol on the basis of proposals approved by Congress.

#### Article 27

##### Final provisions

- 1 The Convention shall be applicable, where appropriate, by analogy, in all cases not expressly governed by this Agreement.
- 2 Article 4 of the Constitution shall not apply to this Agreement.
- 3 Conditions for approval of proposals concerning this Agreement and the Regulations
  - 3.1 To become effective, proposals submitted to Congress relating to this Agreement must be approved by a majority of the member countries present and voting which are parties to the Agreement and which have the right to vote. At least half of these member countries represented at Congress and having the right to vote shall be present at the time of voting.
  - 3.2 To become effective, proposals relating to the Regulations of the present Agreement must be approved by a majority of the members of the Postal Operations Council which are parties to the Agreement and which have the right to vote.
  - 3.3 To become effective, proposals introduced between two Congresses relating to this Agreement must obtain:
    - 3.3.1 two thirds of the votes, with at least one half of the member countries which are parties to the Agreement and have the right to vote having taken part in the vote, if they involve the addition of new provisions;

- 3.3.2 a majority of the votes, with at least one half of the member countries which are parties to the Agreement and have the right to vote having taken part in the vote, if they involve amendments to the provisions of this Agreement;
- 3.3.3 a majority of the votes, if they involve interpretation of the provisions of this Agreement.
- 3.4 Notwithstanding the provisions under 3.3.1, any member country whose national legislation is as yet incompatible with the proposed addition may, within 90 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 this addition.

#### Article 28

##### Entry into force and duration of the Postal Payment Services Agreement

- 1 This Agreement shall come into force on 1 January 2010 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 contracting countries have signed this Agreement 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 Geneva, 12 August 2008.

# Constitution of the Universal Postal Union

(amended by the 1969 Tokyo, 1974 Lausanne, 1984 Hamburg, 1989 Washington, 1994 Seoul, 1999 Beijing, 2004 Bucharest and 24th Congress – 2008 Additional Protocols<sup>1</sup>)

## Table of contents

### Preamble

### Section I

### Organic provisions

### Chapter I

### General

#### Article

- 1 Scope and objectives of the Union
- 1bis Definitions
- 2 Members of the Union
- 3 Jurisdiction of the Union
- 4 Exceptional relations
- 5 Seat of the Union
- 6 Official language of the Union
- 7 Monetary unit
- 8 Restricted Unions. Special Agreements
- 9 Relations with the United Nations
- 10 Relations with international organizations

<sup>1</sup> For the 1969 Tokyo Additional Protocol, see the documents of that Congress, volume III, pages 9 to 12. For the Second Additional Protocol (Lausanne 1974), see the documents of that Congress, volume III, pages 23 to 25. For the Third Additional Protocol (Hamburg 1984), see the documents of that Congress, volume III, pages 25 to 28. For the Fourth Additional Protocol (Washington 1989), see the documents of that Congress, volume III/1, pages 27 to 32. For the Fifth Additional Protocol (Seoul 1994), see the documents of that Congress, volume III, pages 25 to 29. For the Sixth Additional Protocol (Beijing 1999), see pages A 3 to A 6 of the brochure published in Berne in 1999. For the Seventh Additional Protocol (Bucharest 2004), see pages 3 to 7 of the brochure published in Berne in 2004. For the Eighth Additional Protocol (24th Congress – 2008), see pages xx to xx of the present brochure.

## Chapter II

### Accession or admission to the Union. Withdrawal from the Union

- 11 Accession or admission to the Union. Procedure
- 12 Withdrawal from the Union. Procedure

## Chapter III

### Organization of the Union

- 13 Bodies of the Union
- 14 Congress
- 15 Extraordinary Congresses
- 16 Administrative Conferences (deleted)
- 17 Council of Administration
- 18 Postal Operations Council
- 19 Special Committees (deleted)
- 20 International Bureau

## Chapter IV

### Finances of the Union

- 21 Expenditure of the Union. Contributions of member countries

## Section II

### Acts of the Union

## Chapter I

### General

- 22 Acts of the Union
- 23 Application of the Acts of the Union to territories for whose international relations a member country is responsible
- 24 National legislation

## Chapter II

### Acceptance and denunciation of the Acts of the Union

- 25 Signature, authentication, ratification and other forms of approval of the Acts of the Union
- 26 Notification of ratifications and other forms of approval of the Acts of the Union
- 27 Accession to the Agreements
- 28 Denunciation of an Agreement

## Chapter III

### Amendment of the Acts of the Union

- 29 Presentation of proposals
- 30 Amendment of the Constitution
- 31 Amendment of the General Regulations, the Convention and the Agreements

## Chapter IV

### Settlement of disputes

- 32 Arbitration

## Section III

### Final provisions

- 33 Coming into operation and duration of the Constitution

## Constitution of the Universal Postal Union

(amended by the 1969 Tokyo, 1974 Lausanne, 1984 Hamburg, 1989 Washington, 1994 Seoul, 1999 Beijing, 2004 Bucharest and 24th Congress – 2008 Additional Protocols)

### Preamble<sup>1</sup>

With a view to developing communications between peoples by the efficient operation of the postal services, and to contributing to the attainment of the noble aims of international collaboration in the cultural, social and economic fields, the plenipotentiaries of the governments of the contracting countries have, subject to ratification, adopted this Constitution.

The mission of the Union is to stimulate the lasting development of efficient and accessible universal postal services of quality in order to facilitate communication between the inhabitants of the world by:

- guaranteeing the free circulation of postal items over a single postal territory composed of interconnected networks;
- encouraging the adoption of fair common standards and the use of technology;
- ensuring cooperation and interaction among stakeholders;
- promoting effective technical cooperation;
- ensuring the satisfaction of customers' changing needs.

<sup>1</sup> Amended by the 2004 Bucharest Congress.

## Section I

### Organic provisions

#### Chapter I

##### General

###### Article 1

###### Scope and objectives of the Union

1 The countries adopting this Constitution shall comprise, under the title of the Universal Postal Union, a single postal territory for the reciprocal exchange of letter-post items. Freedom of transit shall be guaranteed throughout the entire territory of the Union.

2 The aim of the Union shall be to secure the organization and improvement of the postal services and to promote in this sphere the development of international collaboration.

3 The Union shall take part, as far as possible, in postal technical assistance sought by its member countries.

###### Article 1bis<sup>1</sup>

###### Definitions

1 For the purpose of the Acts of the Universal Postal Union, the following terms shall have the meanings defined below:

1.1 Postal service: all postal services, whose scope is determined by the bodies of the Union. The main obligations of postal services are to satisfy certain social and economic objectives of member countries, by ensuring the collection, sorting, transmission and delivery of postal items.

1.2 Member country: a country that fulfils the conditions of article 2 of the Constitution.

1.3 Single postal territory (one and the same postal territory): the obligation upon the contracting parties to the UPU Acts to provide for the reciprocal exchange of letter-post items, including freedom of transit, and to treat postal items in transit from other countries like their own postal items, without discrimination.

1.4 Freedom of transit: obligation for **an** intermediate **member country** to **ensure the transport of** postal items passed on to **it** in transit **for** another **member country**<sup>2</sup>, providing similar treatment to that given to domestic items.

1.5 Letter-post item: items described in the Convention.

1.6 International postal service: postal operations or services regulated by the Acts; set of these operations or services.

**1.6bis 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.<sup>2</sup>**

**1.6ter Reservation: an exemption clause whereby a member country purports to exclude or to modify the legal effect of a clause of an Act, other than the Constitution and**

<sup>1</sup> Introduced by the 2004 Bucharest Congress.

<sup>2</sup> Amended by the 24th Congress – 2008.



**the General Regulations, in its application to that member country. Any reservation shall be compatible with the object and purpose of Union as defined in the preamble and article 1 of the Constitution. It must be duly justified and approved by the majority required for approval of the Act concerned, and inserted in the Final Protocol thereto.<sup>1</sup>**

#### Article 2

##### Members of the Union

Member countries of the Union shall be:

- a countries which have membership status at the date on which the Constitution comes into force;
- b countries admitted to membership in accordance with article 11.

#### Article 3

##### Jurisdiction of the Union

The Union shall have within its jurisdiction:

- a the territories of member countries;
- b post offices set up by member countries in territories not included in the Union;
- c territories which, without being members of the Union, are included in it because from the postal point of view they are dependent on member countries.

#### Article 4

##### Exceptional relations

**Member countries whose designated operators** provide a service with territories not included in the Union are bound to act as intermediaries for other **member countries**.<sup>1</sup> The provisions of the Convention and its Regulations shall be applicable to such exceptional relations.

#### Article 5

##### Seat of the Union

The seat of the Union and of its permanent organs shall be at Berne.

#### Article 6

##### Official language of the Union

The official language of the Union shall be French.

#### Article 7<sup>2</sup>

##### Monetary unit

The monetary unit used in the Acts of the Union shall be the accounting unit of the International Monetary Fund (IMF).

<sup>1</sup> Amended by the 24th Congress – 2008.

<sup>2</sup> Amended by the 1989 Washington Congress.

## Article 8

### Restricted Unions. Special Agreements

1 Member countries, or their **designated operators** if the legislation of those **member**<sup>1</sup> countries so permits, may establish Restricted Unions and make Special Agreements concerning the international postal service, provided always that they do not introduce provisions less favourable to the public than those provided for by the Acts to which the member countries concerned are parties.

2 Restricted Unions may send observers to Congresses, conferences and meetings of the Union, to the Council of Administration and to the Postal Operations Council.<sup>2</sup>

3 The Union may send observers to Congresses, conferences and meetings of Restricted Unions.

## Article 9

### Relations with the United Nations

The relations between the Union and the United Nations shall be governed by the Agreements whose texts are annexed to this Constitution.

## Article 10

### Relations with international organizations

In order to secure close cooperation in the international postal sphere, the Union may collaborate with international organizations having related interests and activities.

## Chapter II

### Accession or admission to the Union. Withdrawal from the Union

## Article 11<sup>3</sup>

### Accession or admission to the Union. Procedure

1 Any member of the United Nations may accede to the Union.

2 Any sovereign country which is not a member of the United Nations may apply for admission as a member country of the Union.

3 Accession or application for admission to the Union must entail a formal declaration of accession to the Constitution and to the obligatory Acts of the Union. It shall be addressed by the government of the country concerned to the Director General of the International Bureau, who shall notify the accession or consult the member countries on the application for admission, as the case may be.

4 A country which is not a member of the United Nations shall be deemed to be admitted as a member country if its application is approved by at least two thirds of the member countries

<sup>1</sup> Amended by the 24th Congress – 2008.

<sup>2</sup> Amended by the 1969 Tokyo and 1994 Seoul Congresses.

<sup>3</sup> Amended by the 1969 Tokyo and 1989 Washington Congresses.

of the Union. Member countries which have not replied within a period of four months **counting from the date of the consultation**<sup>1</sup> shall be considered as having abstained.

5 Accession or admission to membership shall be notified by the Director General of the International Bureau to the governments of member countries. It shall take effect from the date of such notification.

#### Article 12<sup>2</sup>

##### Withdrawal from the Union. Procedure

1 Each member country may withdraw from the Union by notice of denunciation of the Constitution given by the government of the country concerned to the Director General of the International Bureau and by him to the governments of member countries.

2 Withdrawal from the Union shall become effective one year after the day on which the notice of denunciation provided for in paragraph 1 is received by the Director General of the International Bureau.

### Chapter III

#### Organization of the Union

#### Article 13<sup>3</sup>

##### Bodies of the Union

1 The Union's bodies shall be Congress, the Council of Administration, the Postal Operations Council and the International Bureau.

2 The Union's permanent bodies shall be the Council of Administration, the Postal Operations Council and the International Bureau.

#### Article 14

##### Congress

1 Congress shall be the supreme body of the Union.

2 Congress shall consist of the representatives of member countries.

#### Article 15

##### Extraordinary Congresses

An Extraordinary Congress may be convened at the request or with the consent of at least two thirds of the member countries of the Union.

<sup>1</sup> Amended by the 24th Congress – 2008.

<sup>2</sup> Amended by the 1989 Washington Congress.

<sup>3</sup> Amended by the 1969 Tokyo, 1984 Hamburg and 1994 Seoul Congresses.

Article 16  
Administrative Conferences

(Deleted.)<sup>1</sup>

Article 17<sup>2</sup>  
Council of Administration

1 Between Congresses the Council of Administration (CA) shall ensure the continuity of the work of the Union in accordance with the provisions of the Acts of the Union.

2 Members of the Council of Administration shall carry out their functions in the name and in the interests of the Union.

Article 18<sup>3</sup>  
Postal Operations Council

The Postal Operations Council (POC) shall be responsible for operational, commercial, technical and economic questions concerning the postal service.

Article 19  
Special Committees

(Deleted.)<sup>4</sup>

Article 20<sup>5</sup>  
International Bureau

A central office operating at the seat of the Union under the title of the International Bureau of the Universal Postal Union, directed by a Director General and placed under the control of the Council of Administration, shall serve as an organ of execution, support, liaison, information and consultation.

<sup>1</sup> By the 1984 Hamburg Congress.

<sup>2</sup> Amended by the 1994 Seoul Congress.

<sup>3</sup> Amended by the 1969 Tokyo and 1994 Seoul Congresses.

<sup>4</sup> By the 1984 Hamburg Congress.

<sup>5</sup> Amended by the 1984 Hamburg and 1994 Seoul Congresses.

## Chapter IV

### Finances of the Union

#### Article 21<sup>1</sup>

Expenditure of the Union. Contributions of member countries

- 1 Each Congress shall fix the maximum amount which:
  - a the expenditure of the Union may reach annually;
  - b the expenditure relating to the organization of the next Congress may reach.
- 2 The maximum amount for expenditure referred to in paragraph 1 may be exceeded if circumstances so require, provided that the relevant provisions of the General Regulations are observed.
- 3 The expenses of the Union, including where applicable the expenditure envisaged in paragraph 2, shall be jointly borne by the member countries of the Union. For this purpose, each member country shall choose the contribution class in which it intends to be included. The contribution classes shall be laid down in the General Regulations.
- 4 In the case of accession or admission to the Union under article 11, the country concerned shall freely choose the contribution class into which it wishes to be placed for the purpose of apportioning the expenses of the Union.

## Section II

### Acts of the Union

## Chapter I

### General

#### Article 22

Acts of the Union

- 1 The Constitution shall be the basic Act of the Union. It shall contain the organic rules of the Union and shall not be subject to reservations.<sup>2</sup>
- 2 The General Regulations shall embody those provisions which ensure the application of the Constitution and the working of the Union. They shall be binding on all member countries and shall not be subject to reservations.<sup>2</sup>

<sup>1</sup> Amended by the 1969 Tokyo, 1974 Lausanne and 1989 Washington Congresses.

<sup>2</sup> Amended by the 2004 Bucharest Congress.

3 The Universal Postal Convention, the Letter Post Regulations and the Parcel Post Regulations shall embody the rules applicable throughout the international postal service and the provisions concerning the letter-post and postal parcels services. These Acts shall be binding on all member countries.<sup>1</sup> **Member countries shall ensure that their designated operators fulfil the obligations arising from the Convention and its Regulations.**<sup>2</sup>

4 The Agreements of the Union, and their Regulations, shall regulate the services other than those of the letter post and postal parcels between those member countries which are parties to them. They shall be binding on those **member countries only. Signatory member countries shall ensure that their designated operators fulfil the obligations arising from the Agreements and their Regulations.**<sup>2</sup>

5 The Regulations, which shall contain the rules of application necessary for the implementation of the Convention and of the Agreements, shall be drawn up by the Postal Operations Council, bearing in mind the decisions taken by Congress.<sup>3</sup>

6 The Final Protocols annexed to the Acts of the Union referred to in paragraphs 3, 4 and 5 shall contain the reservations to those Acts.

#### Article 23<sup>4</sup>

Application of the Acts of the Union to territories for whose international relations a member country is responsible

1 Any country may declare at any time that its acceptance of the Acts of the Union includes all the territories for whose international relations it is responsible, or certain of them only.

2 The declaration provided for in paragraph 1 must be addressed to the Director General of the International Bureau.

3 Any member country may at any time address to the Director General of the International Bureau a notification of its intention to denounce the application of those Acts of the Union in respect of which it has made the declaration provided for in paragraph 1. Such notification shall take effect one year after the date of its receipt by the Director General of the International Bureau.

4 The declarations and notifications provided for in paragraphs 1 and 3 shall be communicated to member countries by the Director General of the International Bureau.

5 Paragraphs 1 to 4 shall not apply to territories having the status of a member of the Union and for whose international relations a member country is responsible.

#### Article 24

National legislation

The provisions of the Acts of the Union shall not derogate from the legislation of any member country in respect of anything which is not expressly provided for by those Acts.

<sup>1</sup> Amended by the 1999 Beijing Congress.

<sup>2</sup> Amended by the 24th Congress – 2008.

<sup>3</sup> Amended by the 1989 Washington, 1994 Seoul and 1999 Beijing Congresses.

<sup>4</sup> Amended by the 1989 Washington Congress.

## Chapter II

### Acceptance and denunciation of the Acts of the Union

#### Article 25<sup>1</sup>

Signature, authentication, ratification and other forms of approval of the Acts of the Union

- 1 The Acts of the Union arising from the Congress shall be signed by the plenipotentiaries of the member countries.
- 2 The Regulations shall be authenticated by the Chairman and the Secretary General of the Postal Operations Council.<sup>2</sup>
- 3 The Constitution shall be ratified as soon as possible by the signatory countries.
- 4 Approval of the Acts of the Union other than the Constitution shall be governed by the constitutional regulations of each signatory country.
- 5 When a **member**<sup>3</sup> country does not ratify the Constitution or does not approve the other Acts which it has signed, the Constitution and other Acts shall be no less valid for the other **member**<sup>3</sup> countries that have ratified or approved them.

#### Article 26<sup>4</sup>

Notification of ratifications and other forms of approval of the Acts of the Union

The instruments of ratification of the Constitution and the Additional Protocols thereto and, where appropriate, of approval of the other Acts of the Union shall be deposited as soon as possible with the Director General of the International Bureau who shall notify the governments of the member countries of their deposit.

#### Article 27

Accession to the Agreements

- 1 Member countries may, at any time, accede to one or more of the Agreements provided for in article 22.4.
- 2 Accession of member countries to the Agreements shall be notified in accordance with article 11.3.

#### Article 28

Denunciation of an Agreement

Each member country may cease being a party to one or more of the Agreements, under the conditions laid down in article 12.

<sup>1</sup> Amended by the 1989 Washington and 1994 Seoul Congresses.

<sup>2</sup> Amended by the 1999 Beijing Congress.

<sup>3</sup> Amended by the 24th Congress – 2008.

<sup>4</sup> Amended by the 1969 Tokyo and 1989 Washington Congresses.

## Chapter III

### Amendment of the Acts of the Union

#### Article 29

##### Presentation of proposals

1 **A**<sup>1</sup> member country shall have the right to present, either to Congress or between Congresses, proposals concerning the Acts of the Union to which **it** is a party.

2 However, proposals concerning the Constitution and the General Regulations may be submitted only to Congress.

3 Moreover, proposals concerning the Regulations shall be submitted direct to the Postal Operations Council but must first be transmitted by the International Bureau to all member countries **and all designated operators**.<sup>1, 2</sup>

#### Article 30

##### Amendment of the Constitution

1 To be adopted, proposals submitted to Congress and relating to this Constitution must be approved by at least two thirds of the member countries of the Union having the right to vote.<sup>3</sup>

2 Amendments adopted by a Congress shall form the subject of an additional protocol and, unless that Congress decides otherwise, shall enter into force at the same time as the Acts renewed in the course of the same Congress. They shall be ratified as soon as possible by member countries and the instruments of such ratification shall be dealt with in accordance with the procedure laid down in article 26.

#### Article 31<sup>4</sup>

##### Amendment of the General Regulations, the Convention and the Agreements

1 The General Regulations, the Convention and the Agreements shall define the conditions to be fulfilled for the approval of proposals which concern them.

2 The Convention and the Agreements referred to in paragraph 1 shall enter into force simultaneously and shall have the same duration. As from the day fixed by Congress for the entry into force of these Acts, the corresponding Acts of the preceding Congress shall be abrogated.<sup>3</sup>

<sup>1</sup> Amended by the 24th Congress – 2008.

<sup>2</sup> Amended by the 1999 Beijing Congress and 24th Congress – 2008.

<sup>3</sup> Amended by the 2004 Bucharest Congress.

<sup>4</sup> Amended by the 1984 Hamburg Congress.



## Chapter IV

### Settlement of disputes

#### Article 32 Arbitration

In the event of a dispute between two or more **member countries**<sup>1</sup> concerning the interpretation of the Acts of the Union or the responsibility imposed on a **member country**<sup>1</sup> by the application of those Acts, the question at issue shall be settled by arbitration.

## Section III

### Final provisions

#### Article 33 Coming into operation and duration of the Constitution

This Constitution shall come into operation on 1 January 1966 and shall remain in force for an indefinite period.

In witness whereof, the plenipotentiaries of the Governments of the contracting countries have signed this Constitution in a single original which shall be deposited in the archives of the Government of the country in which the seat of the Union is situated. A copy thereof shall be delivered to each party by the International Bureau of the Universal Postal Union.<sup>2</sup>

Done at Vienna, 10 July 1964.

<sup>1</sup> Amended by the 24th Congress – 2008.

<sup>2</sup> Amended by the 2004 Bucharest Congress.

# General Regulations of the Universal Postal Union

(amended by the First Additional Protocol of the 24th Congress – 2008)

## Table of contents

### Chapter I

#### Functioning of the Union's bodies

##### Art

- 101 Organization and convening of Congresses and Extraordinary Congresses
- 101bis Functions of Congress**
- 102 Composition, functioning and meetings of the Council of Administration
- 103 Information on the activities of the Council of Administration
- 104 Composition, functioning and meetings of the Postal Operations Council
- 105 Information on the activities of the Postal Operations Council
- 106 Composition, functioning and meetings of the Consultative Committee
- 107 Information on the activities of the Consultative Committee
- 108 Rules of Procedure of Congresses
- 109 Working languages of the International Bureau
- 110 Languages used for documentation, for debates and for official correspondence

### Chapter II

#### International Bureau

- 111 Election of the Director General and Deputy Director General of the International Bureau
- 112 Duties of the Director General
- 113 Duties of the Deputy Director General
- 114 Secretariat of the Union's bodies
- 115 List of member countries
- 116 Information. Opinions. Requests for interpretation and amendment of the Acts. Inquiries.  
Role in the settlement of accounts
- 117 Technical cooperation
- 118 Forms supplied by the International Bureau
- 119 Acts of Restricted Unions and Special Agreements

- 120 Union periodical
- 121 Biennial report on the work of the Union

### Chapter III

#### Procedure for the submission and consideration of proposals

- 122 Procedure for submitting proposals to Congress
- 123 Procedure for submitting proposals to the Postal Operations Council concerning the preparation of new Regulations in the light of decisions taken by Congress
- 124 Procedure for submitting proposals between Congresses
- 125 Consideration of proposals between Congresses
- 126 Notification of decisions adopted between Congresses
- 127 Entry into force of the Regulations and of the other decisions adopted between Congresses

### Chapter IV

#### Finance

- 128 Fixing and regulation of the expenditure of the Union
- 129 Automatic sanctions
- 130 Contribution classes
- 131 Payment for supplies from the International Bureau

### Chapter V

#### Arbitration

- 132 Arbitration procedure

### Chapter VI

#### Final provisions

- 133 Conditions for approval of proposals concerning the General Regulations
- 134 Proposals concerning the Agreements with the United Nations
- 135 **Amendment**, entry into force and duration of the General Regulations

# General Regulations of the Universal Postal Union

(amended by the First Additional Protocol of the 24th Congress – 2008)

The undersigned plenipotentiaries of the Governments of member countries of the Union, having regard to article 22.2, 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 these General Regulations the following provisions securing the application of the Constitution and the functioning of the Union.

## Chapter I

### Functioning of the Union's bodies

#### Article 101

Organization and convening of Congresses and Extraordinary Congresses (Const. 14, 15)

1 The representatives of member countries shall meet in Congress not later than four years after the end of the year during which the preceding Congress took place.

2 Each member country shall arrange for its representation at Congress by one or more plenipotentiaries furnished by their Government with the necessary powers. It may, if need be, arrange to be represented by the delegation of another member country. Nevertheless it shall be understood that a delegation may represent only one member country other than its own.

3 In debates, each member country shall be entitled to one vote, subject to the sanctions provided for in article 129.

4 In principle, each Congress shall designate the country in which the next Congress will be held. If that designation proves inapplicable, the Council of Administration shall be authorized to designate the country where Congress is to meet, after consultation with the latter country.

5 After consultation with the International Bureau, the host Government shall fix the definitive date and the precise locality of Congress. In principle one year before that date the host Government shall send an invitation to the Government of each member country of the Union. This invitation may be sent direct or through the intermediary of another Government or through the Director General of the International Bureau.

6 When a Congress has to be convened without a host Government, the International Bureau, with the agreement of the Council of Administration and after consultation with the Government of the Swiss Confederation, shall take the necessary steps to convene and organize the Congress in the country in which the seat of the Union is situated. In this event the International Bureau shall perform the functions of the host Government.

7 The meeting place of an Extraordinary Congress shall be fixed, after consultation with the International Bureau, by the member countries which have initiated that Congress.

8 Paragraphs 2 to 6 shall be applicable by analogy to Extraordinary Congresses.

#### **Article 101bis**

##### **Functions of Congress**

**1 On the basis of proposals by member countries, the Council of Administration and the Postal Operations Council, Congress shall:**

- 1.1 determine the general policies for achieving the object and purpose of the Union set out in the Preamble and article 1 of the Constitution;**
- 1.2 consider and adopt, where appropriate, proposals for amendments to the Constitution, General Regulations, Convention and Agreements submitted by member countries and the Councils, in accordance with article 29 of the Constitution and article 122 of the General Regulations;**
- 1.3 set the date for the entry into force of the Acts;**
- 1.4 adopt its Rules of Procedure and the amendments to those Rules;**
- 1.5 consider the comprehensive reports on the work of the Council of Administration, the Postal Operations Council and the Consultative Committee, covering the period from the previous Congress, presented by these respective bodies in accordance with articles 103, 105 and 107 of the General Regulations;**
- 1.6 adopt the Union's strategy;**
- 1.7 fix the maximum amount of the Union's expenditure in accordance with article 21 of the Constitution;**
- 1.8 elect the member countries to sit on the Council of Administration and the Postal Operations Council;**
- 1.9 elect the Director General and Deputy Director General;**
- 1.10 set in a resolution the ceiling of the costs to be borne by the Union for the production of documents in Chinese, German, Portuguese and Russian.**

**2 Congress, as the supreme body of the Union, shall deal with such other questions concerning postal services.**

#### Article 102

Composition, functioning and meetings of the Council of Administration (Const 17)

1 The Council of Administration shall consist of forty-one members who shall exercise their functions during the period between two successive Congresses.

2 The chairmanship shall devolve by right on the host **member** country of Congress. If that **member** country waives this right, it shall become a de jure member and, as a result, the geographical group to which it belongs shall have at its disposal an additional seat, to which the restrictive provisions of paragraph 3 shall not apply. In that case, the Council of Administration shall elect to the chairmanship one of the member countries belonging to the geographical group of the host **member** country.

3 The forty other members of the Council of Administration shall be elected by Congress on the basis of an equitable geographical distribution. At least a half of the membership shall be renewed at each Congress; no member may be chosen by three successive Congresses.

- 4 Each member of the Council of Administration shall appoint its representative, who shall be competent in postal matters.
- 5 The office of member of the Council of Administration shall be unpaid. The operational expenses of this Council shall be borne by the Union.
- 6 The Council of Administration shall have the following functions:
- 6.1 to supervise the activities of the Union between Congresses, ensuring compliance with the decisions of Congress, studying questions with respect to governmental policies on postal issues, and taking account of international regulatory developments such as those relating to trade in services and to competition;
  - 6.2 to consider and approve, within the framework of its competence, any action considered necessary to safeguard and enhance the quality of and to modernize the international postal service;
  - 6.3 to promote, coordinate and supervise all forms of postal technical assistance within the framework of international technical cooperation;
  - 6.4 to consider and approve the biennial **Programme and Budget** and the accounts of the Union;
  - 6.5 to authorize the ceiling of expenditure to be exceeded, if circumstances so require, in accordance with article 128.3 to 5;
  - 6.6 to lay down the Financial Regulations of the **Union**;
  - 6.7 to lay down the rules governing the Reserve Fund;
  - 6.8 to lay down the rules governing the Special Fund;
  - 6.9 to lay down the rules governing the Special Activities Fund;
  - 6.10 to lay down the rules governing the Voluntary Fund;
  - 6.11 to provide control over the activities of the International Bureau;
  - 6.12 to authorize election of a lower contribution class, if it is so requested, in accordance with the conditions set out in article 130.6;
  - 6.13 to authorize a change of geographical group if it is so requested **by a member country**, taking into account the views expressed by the **member** countries which are members of the geographical groups concerned;
  - 6.14 to lay down the Staff Regulations and the conditions of service of the elected officials;
  - 6.15 to create or abolish International Bureau posts taking into account the restrictions imposed by the expenditure ceiling fixed;
  - 6.16 to lay down the Regulations of the Social Fund;
  - 6.17 to approve the biennial report on the work of the Union and the biennial Financial Operating Reports prepared by the International Bureau and where appropriate to furnish observations on them;
  - 6.18 to decide on the contacts to be established with **member countries** in order to carry out its functions;
  - 6.19 after consulting the Postal Operations Council, to decide on the contacts to be established with the organizations which are not de jure observers, to consider and approve the reports by the International Bureau on UPU relations with other international bodies and to take the decisions which it considers appropriate on the conduct of such relations and the action to be taken on them; to designate in due course, after consulting the Postal Operations Council and the Secretary General, the international organizations, associations, enterprises and qualified persons to be invited to be represented at specific

- meetings of Congress and its Committees when this is in the interest of the Union or the work of Congress and to instruct the Director General to issue the necessary invitations;
- 6.20 to establish principles, as may be considered necessary, for the Postal Operations Council to take into account in its study of questions with major financial repercussions (charges, terminal dues, transit charges, basic airmail conveyance rates and the posting abroad of letter-post items), to follow closely the study of these questions, and to review and approve, for conformity with the aforementioned principles, Postal Operations Council proposals relating to these questions;
- 6.21 to study, at the request of Congress, the Postal Operations Council or **member countries**, administrative, legislative and legal problems concerning the Union or the international postal service; it shall be for the Council of Administration to decide, in the above-mentioned fields, whether it is expedient to undertake the studies requested by **member countries** between Congresses;
- 6.22 to formulate proposals which shall be submitted for the approval either of Congress or of **member countries** in accordance with article 125;
- 6.23 to approve, within the framework of its competence, the recommendations of the Postal Operations Council for the adoption, if necessary, of regulations or of a new procedure until such time as Congress takes a decision in the matter;
- 6.24 to consider the annual report prepared by the Postal Operations Council and any proposals submitted by the Council;
- 6.25 to submit subjects for study to the Postal Operations Council for examination in accordance with article 104.9.16;
- 6.26 to designate the **member** country where the next Congress is to be held in the case provided for in article 101.4;
- 6.27 to determine in due course and after consulting the Postal Operations Council, the number of Committees required to carry out the work of Congress and to specify their functions;
- 6.28 to designate, after consulting the Postal Operations Council and subject to the approval of Congress, the member countries prepared:
- to assume the vice-chairmanships of Congress and the chairman-ships and vice-chairmanships of the Committees, taking as much account as possible of the equitable geographical distribution of the member countries; and
  - to sit on the restricted Committees of Congress;
- 6.29 to review and approve, **in consultation with the Postal Operations Council**, the draft **Strategy** for presentation to Congress ;
- 6.30 to approve the four-yearly report, prepared by the International Bureau in consultation with the POC, on the performance of member countries in respect of the execution of the Union Strategy approved by the preceding Congress, for submission to the following Congress;**
- 6.31** to establish the framework for the organization of the Consultative Committee and concur in the organization of the Consultative Committee in accordance with the provisions of article 106;
- 6.32** to establish criteria for membership of the Consultative Committee and to approve or reject applications for membership in accordance with those criteria, ensuring that action on the applications is accomplished through an expedited process between meetings of the Council of Administration;
- 6.33** to designate **those of its** members that will serve as members of the Consultative Committee;

**6.34** to receive and discuss reports and recommendations from the Consultative Committee and to consider recommendations from the Consultative Committee for submission to Congress.

7 At its first meeting, which shall be convened by the Chairman of Congress, the Council of Administration shall elect four Vice-Chairmen from among its members and draw up its Rules of Procedure.

8 On convocation by its Chairman, the Council of Administration shall meet in principle once a year, at Union headquarters.

9 The Chairman, the Vice-Chairmen and the Committee Chairmen of the Council of Administration shall form the Management Committee. This Committee shall prepare and direct the work of each session of the Council of Administration. It shall approve, on behalf of the Council of Administration, the biennial report prepared by the International Bureau on the work of the Union and it shall take on any other task which the Council of Administration decides to assign to it or the need for which arises in the course of the strategic planning process.

10 The **travel expenses of the** representative of each of the members of the Council of Administration participating in its meetings **shall be borne by his member country. However, the representative of each of the member countries classified as developing or least developed countries according to the lists established by the United Nations shall, except for meetings which take place during Congress,** be entitled to reimbursement of the cost of either an economy class return air ticket or first class return rail ticket, or expenses incurred for travel by any other means, subject to the condition that the amount does not exceed the price of the economy class return **air** ticket. The same entitlement shall be granted to each member of its Committees, Working Parties or other bodies when these meet outside Congress and the sessions of the Council.

11 The Chairman of the Postal Operations Council shall represent that body at meetings of the Council of Administration on the agenda of which there are questions of interest to the body which he directs.

12 The Chairman of the Consultative Committee shall represent it at meetings of the Council of Administration when the agenda contains questions of interest to the Consultative Committee.

13 To ensure effective liaison between the work of the two bodies, the Postal Operations Council may designate representatives to attend Council of Administration meetings as observers.

14 The **member** country in which the Council of Administration meets shall be invited to take part in the meetings in the capacity of observer, if **it** is not a member of the Council of Administration.

15 The Council of Administration may invite any international body, any representative of an association or enterprise, or any qualified person whom it wishes to associate with its work to its meetings, without the right to vote. It may also invite, under the same conditions, one or more member countries concerned with questions on its agenda.

16 If they so request, the following observers may participate in the plenary sessions and Committee meetings of the Council of Administration, without the right to vote:

16.1 members of the Postal Operations Council;

16.2 members of the Consultative Committee;

16.3 intergovernmental organizations interested in the work of the Council of Administration;

16.4 other member countries of the Union.



17 For logistical reasons, the Council of Administration may limit the number of attendees per observer participating. It may also limit their right to speak during the debates.

18 The members of the Council of Administration shall take an active part in its work. Observers may, at their request, be allowed to cooperate in the studies undertaken, subject to such conditions as the Council may establish to ensure the efficiency and effectiveness of its work. They may also be invited to chair Working Parties and Project Teams when their experience or expertise justifies it. The participation of observers shall be carried out without additional expense for the Union.

19 In exceptional circumstances, observers may be excluded from a meeting or a portion of a meeting or may have their right to receive documents restricted if the confidentiality of the subject of the meeting or document so requires. This restriction may be decided on a case-by-case basis by any body concerned or its Chair. The case-by-case situations shall be reported to the Council of Administration and to the Postal Operations Council when matters of interest to the Postal Operations Council are concerned. If it considers this necessary, the Council of Administration may subsequently review restrictions, in consultation with the Postal Operations Council where appropriate.

#### Article 103

##### Information on the activities of the Council of Administration

1 After each session, the Council of Administration shall inform the member countries, **their designated operators**, the Restricted Unions and the members of the Consultative Committee about its activities by sending them, inter alia, a summary record and its resolutions and decisions.

2 The Council of Administration shall make to Congress a comprehensive report on its work and send it to the member countries, **their designated operators** and the members of the Consultative Committee at least two months before the opening of Congress.

#### Article 104

##### Composition, functioning and meetings of the Postal Operations Council (Const 18)

1 The Postal Operations Council shall consist of forty members who shall exercise their functions during the period between successive Congresses.

2 The members of the Postal Operations Council shall be elected by Congress on the basis of qualified geographical distribution. Twenty-four seats shall be reserved for developing **member** countries and sixteen seats for developed **member** countries. At least one third of the members shall be renewed at each Congress.

3 Each member of the Postal Operations Council shall appoint its representative, who shall have responsibilities for delivering services mentioned in the Acts of the Union.

4 The operational expenses of the Postal Operations Council shall be borne by the Union. Its members shall not receive any payment. Travelling and living expenses incurred by representatives of **member countries** participating in the Postal Operations Council shall be borne by **these member countries**. However, the representative of each of the **member** countries considered to be disadvantaged according to the lists established by the United Nations shall, except for meetings which take place during Congress, be entitled to reimbursement of the price of an economy class return air ticket or first class return rail ticket, or expenses incurred for travel by any other means, subject to the condition that the amount does not exceed the price of the economy class return air ticket.

- 5 At its first meeting, which shall be convened and opened by the Chairman of Congress, the Postal Operations Council shall choose from among its members a Chairman, a Vice-Chairman, **and** the Committee Chairmen.
- 6 The Postal Operations Council shall draw up its Rules of Procedure.
- 7 In principle, the Postal Operations Council shall meet every year at Union headquarters. The date and place of the meeting shall be fixed by its Chairman in agreement with the Chairman of the Council of Administration and the Director General of the International Bureau.
- 8 The Chairman, the Vice-Chairman and the Committee Chairmen of the Postal Operations Council shall form the Management Committee. This Committee shall prepare and direct the work of each meeting of the Postal Operations Council and take on all the tasks which the latter decides to assign to it or the need for which arises in the course of the strategic planning process.
- 9 The functions of the Postal Operations Council shall be the following:
- 9.1 to conduct the study of the most important operational, commercial, technical, economic and technical cooperation problems which are of interest to all member countries **or their designated operators**, including questions with major financial repercussions (charges, terminal dues, transit charges, airmail conveyance rates, parcel-post rates, and the posting abroad of letter-post items), and to prepare information, opinions and recommendations for action on them;
  - 9.2 to revise the Regulations of the Union within six months following the end of the Congress unless the latter decides otherwise; in case of urgent necessity, the Postal Operations Council may also amend the said Regulations at other sessions; in both cases, the Operations Council shall be subject to Council of Administration guidance on matters of fundamental policy and principle;
  - 9.3 to coordinate practical measures for the development and improvement of international postal services;
  - 9.4 to take, subject to Council of Administration approval within the framework of the latter's competence, any action considered necessary to safeguard and enhance the quality of and to modernize the international postal service;
  - 9.5 to formulate proposals which shall be submitted for the approval either of Congress or of **member countries** in accordance with article 125; the approval of the Council of Administration is required when these proposals concern questions within the latter's competence;
  - 9.6 to examine, at the request of a member country, any proposal which that **member country** forwards to the International Bureau under article 124, to prepare observations on it and to instruct the International Bureau to annex these observations to the proposal before submitting it for approval to the member countries;
  - 9.7 to recommend, if necessary, and where appropriate after approval by the Council of Administration and consultation of all the **member countries**, the adoption of regulations or of a new procedure until such time as Congress takes a decision in the matter;
  - 9.8 to prepare and issue, in the form of recommendations to **member countries and their designated operators**, standards for technological, operational and other processes within its competence where uniformity of practice is essential; it shall similarly issue, as required, amendments to standards it has already set;
  - 9.9 **to provide input to the Council of Administration for the development of the draft Strategy to be submitted to Congress;**

- 9.10 to approve those parts of the biennial report on the work of the Union prepared by the International Bureau which concern the responsibilities and functions of the Postal Operations Council;
- 9.11 to decide on the contacts to be established with **member countries and their designated operators** in order to carry out its functions;
- 9.12 to study teaching and vocational training problems of interest to **member countries and their designated operators as well as to the new and developing countries**;
- 9.13 to take the necessary steps to study and publicize the experiments and progress made by certain **member countries and their designated operators** in the technical, operational, economic and vocational training fields of interest to the postal services;
- 9.14 to study the present position and needs of the postal services in the new and developing countries and to prepare appropriate recommendations on ways and means of improving the postal services in those countries;
- 9.15 to take, in consultation with the Council of Administration, appropriate steps in the sphere of technical cooperation with all member countries of the Union **and their designated operators** and in particular with the new and developing countries **and their designated operators**;
- 9.16 to examine any other questions submitted to it by a member of the Postal Operations Council, by the Council of Administration or by any member country **or designated operator**;
- 9.17 to receive and discuss reports as well as recommendations from the Consultative Committee and, when matters of interest to the Postal Operations Council are involved, to examine and comment on recommendations from the Consultative Committee for submission to Congress;
- 9.18 to designate **those of its** members that will serve as members of the Consultative Committee.

10 On the basis of the Union **Strategy** adopted by Congress and, in particular the part relating to the strategies of the Permanent Bodies of the Union, the Postal Operations Council shall, at its first session after Congress, prepare a draft basic work programme, containing a number of tactics aimed at implementing strategies. This basic work programme, which shall include a limited number of projects on topical subjects of common interest, shall be revised annually in the light of new realities and priorities.

11 In order to ensure effective liaison between the work of the two bodies, the Council of Administration may designate representatives to attend Postal Operations Council meetings as observers.

12 If they so request, the following observers may participate in the plenary sessions and Committee meetings of the Postal Operations Council, without the right to vote:

- 12.1 members of the Council of Administration;
- 12.2 members of the Consultative Committee;
- 12.3 intergovernmental organizations interested in the work of the Postal Operations Council;
- 12.4 other member countries of the Union.

13 For logistical reasons, the Postal Operations Council may limit the number of attendees per observer participating. It may also limit their right to speak during the debates.

14 The members of the Postal Operations Council shall take an active part in its work. Observers may, at their request, be allowed to cooperate in the studies undertaken, subject to such conditions as the Council may establish to ensure the efficiency and effectiveness of its work.

They may also be invited to chair Working Parties and Project Teams when their experience or expertise justifies it. The participation of observers shall be carried out without additional expense for the Union.

15 In exceptional circumstances observers may be excluded from a meeting or a portion of a meeting or may have their right to receive documents restricted if the confidentiality of the subject of the meeting or document so requires. This restriction may be decided on a case-by-case basis by any body concerned or its Chair. The case-by-case situations shall be reported to the Council of Administration and to the Postal Operations Council. If it considers this necessary, the Council of Administration may, in consultation with the Postal Operations Council, subsequently review restrictions where appropriate.

16 The Chairman of the Consultative Committee shall represent that organization at meetings of the Postal Operations Council when the agenda contains questions of interest to the Consultative Committee.

17 The Postal Operations Council may invite the following to take part in its meetings without the right to vote:

17.1 any international body or any qualified person whom it wishes to associate with its work;

17.2 **any member country** not belonging to the Postal Operations Council;

17.3 any association or enterprise that it wishes to consult with respect to its work.

#### Article 105

##### Information on the activities of the Postal Operations Council

1 After each session, the Postal Operations Council shall inform the member countries, **their designated operators**, the Restricted Unions and the members of the Consultative Committee about its activities by sending them, inter alia, a summary record and its resolutions and decisions.

2 The Postal Operations Council shall prepare for the Council of Administration an annual report on its work.

3 The Postal Operations Council shall make to Congress a comprehensive report on its work and send it to the member countries, **their designated operators** and the members of the Consultative Committee at least two months before the opening of Congress.

#### Article 106

##### Composition, functioning and meetings of the Consultative Committee

1 The aim of the Consultative Committee shall be to represent the interests of the wider international postal sector, and to provide a framework for effective dialogue between stakeholders. It shall consist of non-governmental organizations representing customers, delivery service providers, organizations of workers, suppliers of goods and services to the postal services sector and like organizations of individuals and companies which have an interest in **supporting the mission and objectives of the Union**. Where such organizations are registered, they must be registered in a member country of the Union. The Council of Administration and the Postal Operations Council shall designate the members of their respective Councils as members of the Consultative Committee. Apart from members designated by the Council of Administration and the Postal Operation Council, membership in the Consultative Committee shall be determined through a process of application and acceptance established by the Council of Administration, carried out in accordance with article 102.6.31.

2 Each member of the Consultative Committee shall appoint its own representative.

3 The operational costs of the Consultative Committee shall be shared by the Union and members of the Committee as determined by the Council of Administration.

4 The members of the Consultative Committee shall not receive remuneration or any other compensation.

5 The Consultative Committee shall reorganize itself after each Congress in accordance with the framework established by the Council of Administration. The Chairman of the Council of Administration shall preside at the organizational meeting of the Consultative Committee, which shall elect its Chairman at that meeting.

6 The Consultative Committee shall determine its internal organization and shall draw up its own rules of procedure, taking into account the general principles of the Union and subject to the concurrence of the Council of Administration after having consulted the Postal Operations Council.

7 The Consultative Committee shall meet twice annually. In principle, the meetings will be held at Union headquarters at the same time as meetings of the Council of Administration and the Postal Operations Council. The date and location of each meeting shall be fixed by the Chairman of the Consultative Committee in agreement with the Chairmen of the Council of Administration and the Postal Operations Council and the Director General of the International Bureau.

8 The Consultative Committee shall establish its own programme within the framework of the following functions:

- 8.1 to examine documents and reports of the Council of Administration and the Postal Operations Council. In exceptional circumstances, the right to receive certain texts and documents may be restricted if the confidentiality of the subject of the meeting or document so requires. This restriction may be decided on a case-by-case basis by any body concerned or its Chairman. The case-by-case situations shall be reported to the Council of Administration, and to the Postal Operations Council when matters of interest to the Postal Operations Council are concerned. If it considers this necessary, the Council of Administration may subsequently review restrictions, in consultation with the Postal Operations Council, where appropriate;
- 8.2 to conduct studies of and debate issues of importance to the Consultative Committee's members;
- 8.3 to consider issues affecting the postal services sector and issue reports on such issues;
- 8.4 to provide input to the work of the Council of Administration and the Postal Operations Council, including submitting reports and recommendations and giving opinions at the request of the two Councils;
- 8.5 to make recommendations to Congress, subject to the approval of the Council of Administration and, when matters of interest to the Postal Operations Council are involved, subject to examination and comment by the Postal Operations Council.

9 The Chairman of the Council of Administration and the Chairman of the Postal Operations Council shall represent those bodies at meetings of the Consultative Committee when the agenda of such meetings contains questions of interest to those bodies.

10 In order to ensure effective liaison with the bodies of the Union, the Consultative Committee may designate representatives to attend meetings of Congress, the Council of Administration, and the Postal Operations Council, and their respective Committees, as observers without the right to vote.

11 If they so request, members of the Consultative Committee may attend plenary sessions and Committee meetings of the Council of Administration and the Postal Operations Council in

accordance with articles 102.16 and 104.12. They may also participate in the work of project teams and working groups under terms established under articles 102.18 and 104.14. Members of the Consultative Committee may attend Congress as observers without the right to vote.

12 If they so request, the following observers may participate in the sessions of the Consultative Committee, without the right to vote:

- 12.1 members of the Postal Operations Council and the Council of Administration;
- 12.2 intergovernmental organizations interested in the work of the Consultative Committee;
- 12.3 Restricted Unions;
- 12.4 other member countries of the Union.

13 For logistical reasons, the Consultative Committee may limit the number of attendees per observer participating. It may also limit their right to speak during the debates.

14 In exceptional circumstances observers may be excluded from a meeting or a portion of a meeting or may have their right to receive documents restricted if the confidentiality of the subject of the meeting or document so requires. This restriction may be decided on a case-by-case basis by any body concerned or its Chair. The case-by-case situations shall be reported to the Council of Administration and to the Postal Operations Council when matters of interest to the Postal Operations Council are concerned. If it considers this necessary, the Council of Administration may subsequently review restrictions, in consultation with the Postal Operations Council where appropriate.

15 The International Bureau, under the responsibility of the Director General, shall provide the secretariat for the Consultative Committee.

#### Article 107

##### Information on the activities of the Consultative Committee

1 After each session, the Consultative Committee shall inform the Council of Administration and the Postal Operations Council of its activities by sending to the Chairmen of those bodies, inter alia, a summary record of its meetings and its recommendations and views.

2 The Consultative Committee shall make to the Council of Administration an annual activity report, with a copy to the Postal Operations Council. This report shall be included in the documentation of the Council of Administration that is provided to **Union** member countries, **to their designated operators** and **to the** Restricted Unions, in accordance with article 103.

3 The Consultative Committee shall make to Congress a comprehensive report on its work and send it to the member countries **and their designated operators** at least two months before the opening of Congress.

#### Article 108

##### Rules of Procedure of Congresses (Const. 14)

1 For the organization of its work and the conduct of its debates, Congress shall apply the Rules of Procedure of Congresses.

2 Each Congress may amend these Rules under the conditions laid down in the Rules of Procedure themselves.

Article 109

Working languages of the International Bureau

The working languages of the International Bureau shall be French and English.

Article 110

Languages used for documentation, for debates and for official correspondence

1 For the documentation of the Union, the French, English, Arabic and Spanish languages shall be used. The Chinese, German, Portuguese and Russian languages shall also be used provided that only the most important basic documentation is produced in these languages. Other languages may also be used on condition that the member countries which have made the request shall bear all of the costs involved.

2 The member country or countries which have requested a language other than the official language constitute a language group.

3 Documentation shall be published by the International Bureau in the official language and in the languages of the duly constituted language groups, either directly or through the intermediary of the regional offices of those groups in conformity with the procedures agreed with the International Bureau. Publication in the different languages shall be effected in accordance with a common standard.

4 Documentation published directly by the International Bureau shall, as far as possible, be distributed simultaneously in the different languages requested.

5 Correspondence between the **member countries or their designated operators** and the International Bureau and between the latter and outside entities may be exchanged in any language for which the International Bureau has available a translation service.

6 The costs of translation into any language, including those resulting from the application of paragraph 5, shall be borne by the language group which has asked for that language. The member countries using the official language shall pay, in respect of the translation of non-official documents, a lump-sum contribution, the amount of which per contribution unit shall be the same as that borne by the member countries using the other International Bureau working language. All other costs involved in the supply of documents shall be borne by the Union. The ceiling of the costs to be borne by the Union for the production of documents in Chinese, German, Portuguese and Russian shall be fixed by a Congress resolution.

7 The costs to be borne by a language group shall be divided among the members of that group in proportion to their contributions to the expenses of the Union. These costs may be divided among the members of the language group according to another system, provided that the **member** countries concerned agree to it and inform the International Bureau of their decision through the intermediary of the spokesman of the group.

8 The International Bureau shall give effect to any change in the choice of language requested by a member country after a period which shall not exceed two years.

9 For the discussions at meetings of the Union's bodies, the French, English, Spanish and Russian languages shall be admissible, by means of a system of interpretation – with or without electronic equipment – the choice being left to the judgment of the organizers of the meeting after consultation with the Director General of the International Bureau and the member countries concerned.

10 Other languages shall likewise be admissible for the discussions and meetings mentioned in paragraph 9.

11 Delegations using other languages shall arrange for simultaneous interpretation into one of the languages mentioned in paragraph 9, either by the system indicated in the same paragraph, when the necessary technical modifications can be made, or by individual interpreters.

12 The costs of the interpretation services shall be shared among the member countries using the same language in proportion to their contributions to the expenses of the Union. However, the costs of installing and maintaining the technical equipment shall be borne by the Union.

13 **Member countries and/or their designated operators** may come to an understanding about the language to be used for official correspondence in their relations with one another. In the absence of such an understanding the language to be used shall be French.

## Chapter II

### International Bureau

#### Article 111

##### Election of the Director General and Deputy Director General of the International Bureau

1 The Director General and the Deputy Director General of the International Bureau shall be elected by Congress for the period between two successive Congresses, the minimum duration of their term of office being four years. Their term of office shall be renewable once only. Unless Congress decides otherwise, the date on which they take up their duties shall be fixed at 1 January of the year following that in which Congress is held.

2 At least seven months before the opening of Congress, the Director General of the International Bureau shall send a memorandum to the Governments of member countries inviting them to submit their applications, if any, for the posts of Director General and Deputy Director General and indicating at the same time whether the Director General and Deputy Director General in office are interested in a renewal of their initial term of office. The applications, accompanied by a curriculum vitae, must reach the International Bureau at least two months before the opening of Congress. The candidates must be nationals of the member countries which put them forward. The International Bureau shall prepare the election documents for Congress. The election of the Director General and that of the Deputy Director General shall take place by secret ballot, the first election being for the post of Director General.

3 If the post of Director General falls vacant, the Deputy Director General shall take over the functions of Director General until the expiry of the latter's term of office; he shall be eligible for election to that post and shall automatically be accepted as a candidate, provided that his initial term of office as Deputy Director General has not already been renewed once by the preceding Congress and that he declares his interest in being considered as a candidate for the post of Director General.

4 If the posts of Director General and Deputy Director General fall vacant at the same time, the Council of Administration shall elect, on the basis of the applications received following notification of the vacancies, a Deputy Director General for the period extending up to the next Congress. With regard to the submission of applications, paragraph 2 shall apply by analogy.

5 If the post of Deputy Director General falls vacant, the Council of Administration shall, on the proposal of the Director General, instruct one of the grade D 2 Directors at the International Bureau to take over the functions of Deputy Director General until the following Congress.



Article 112

Duties of the Director General

1 The Director General shall organize, administer and direct the International Bureau, of which he is the legal representative. He shall be empowered to classify posts in grades G 1 to D 2 and to appoint and promote officials in those grades. For appointments in grades P 1 to D 2, he shall consider the professional qualifications of the candidates recommended by the member countries of which the candidates are nationals or in which they exercise their professional activities, taking into account equitable geographical distribution with respect to continents and languages. D 2 posts shall as far as possible be filled by candidates from different regions and from regions other than those from which the Director General and Deputy Director General originate, bearing in mind the paramount consideration of the efficiency of the International Bureau. In the case of posts requiring special qualifications, the Director General may seek applications from outside. He shall also consider, for the appointment of a new official, that, in principle, persons occupying grade D 2, D 1 and P 5 posts must be nationals of different member countries of the Union. For the promotion of an official of the International Bureau to grades D 2, D 1 and P 5, he shall not be bound to apply that principle. Moreover, the requirements of equitable geographical and language distribution shall rank behind merit in the recruitment process. The Director General shall inform the Council of Administration once a year of appointments and promotions in grades P 4 to D 2.

2 The Director General shall have the following duties:

- 2.1 to act as depositary of the Acts of the Union and as intermediary in the procedure of accession and admission to and withdrawal from the Union;
- 2.2 to notify the decisions taken by Congress to all the Governments of member countries;
- 2.3 to notify all **member countries and their designated operators** of the Regulations drawn up or revised by the Postal Operations Council;
- 2.4 to prepare the draft annual budget of the Union at the lowest possible level consistent with the requirements of the Union and to submit it in due course to the Council of Administration for consideration; to communicate the budget to the member countries of the Union after approval by the Council of Administration and to execute it;
- 2.5 to execute the specific activities requested by the bodies of the Union and those assigned to him by the Acts;
- 2.6 to take action to achieve the objectives set by the bodies of the Union, within the framework of the established policy and the funds available;
- 2.7 to submit suggestions and proposals to the Council of Administration or to the Postal Operations Council;
- 2.8 following the close of Congress, to submit proposals to the Postal Operations Council concerning changes to the Regulations required as a result of Congress decisions, in accordance with the Rules of Procedure of the Postal Operations Council;
- 2.9 to prepare, for the Council **of Administration** and on the basis of directives issued by the **Councils**, the draft Strategy to be submitted to Congress;
- 2.10 to prepare, for approval by the Council of Administration, a four-yearly report on the member countries' performance in respect of the Union Strategy approved by the preceding Congress, which will be submitted to the following Congress;**
- 2.11 to ensure the representation of the Union;
- 2.12 to act as an intermediary in relations between:
  - the UPU and the Restricted Unions;
  - the UPU and the United Nations;

- the UPU and the international organizations whose activities are of interest to the Union;
  - the UPU and the international organizations or the associations or enterprises that the bodies of the Union wish to consult or associate with their work;
- 2.13** to assume the duties of Secretary General of the bodies of the Union and supervise in this capacity and taking into account the special provisions of these General Regulations, in particular:
- the preparation and organization of the work of the Union's bodies;
  - the preparation, production and distribution of documents, reports and minutes;
  - the functioning of the secretariat at meetings of the Union's bodies;
- 2.14** to attend the meetings of the bodies of the Union and take part in the discussions without the right to vote, with the possibility of being represented.

#### Article 113

##### Duties of the Deputy Director General

1 The Deputy Director General shall assist the Director General and shall be responsible to him.

2 If the Director General is absent or prevented from discharging his duties, the Deputy Director General shall exercise his functions. The same shall apply in the case of a vacancy in the post of Director General as mentioned in article 111.3.

#### Article 114

##### Secretariat of the Union's bodies (Const 14, 15, 17, 18)

The secretariat of the Union's bodies shall be provided by the International Bureau under the responsibility of the Director General. It shall send all the documents published on the occasion of each session to the **member countries** of the body **and their designated operators**, to **member countries and their designated operators** which, while not members of the body, cooperate in the studies undertaken, to the Restricted Unions and to other member countries **and their designated operators** which ask for them.

#### Article 115

##### List of member countries (Const. 2)

The International Bureau shall prepare and keep up to date the list of member countries of the Union showing therein their contribution class, their geographical group and their position with respect to the Acts of the Union.

#### Article 116

##### Information. Opinions. Requests for interpretation and amendment of the Acts. Inquiries. Role in the settlement of accounts (Const 20; Gen Regs 124, 125, 126)

1 The International Bureau shall be at all times at the disposal of the Council of Administration, the Postal Operations Council and **member countries and their designated operators** for the purpose of supplying them with any necessary information on questions relating to the service.

2 In particular it shall collect, collate, publish and distribute all kinds of information of interest to the international postal service, give an opinion, at the request of the parties involved, on questions in dispute, act on requests for interpretation and amendment of the Acts of the Union and, in general, carry out such studies and editorial or documentary work as are assigned to it by those Acts or as may be referred to it in the interest of the Union.

3 It shall also conduct inquiries requested by **member countries and their designated operators** to obtain the views of other **member countries and their designated operators** on a particular question. The result of an inquiry shall not have the status of a vote and shall not be formally binding.

4 It may act as a clearing house in the settlement of accounts of all kinds relating to the postal service.

#### Article 117

##### Technical cooperation (Const. 1)

The International Bureau shall develop postal technical assistance in all its forms within the framework of international technical cooperation.

#### Article 118

##### Forms supplied by the International Bureau (Const 20)

The International Bureau shall be responsible for arranging the manufacture of international reply coupons and for supplying them, at cost, to **member countries or their designated operators** ordering them.

#### Article 119

##### Acts of Restricted Unions and Special Agreements (Const 8)

1 Two copies of the Acts of Restricted Unions and of Special Agreements concluded under article 8 of the Constitution shall be sent to the International Bureau by the offices of such Unions, or failing that, by one of the contracting parties.

2 The International Bureau shall see that the Acts of Restricted Unions and Special Agreements do not include conditions less favourable to the public than those which are provided for in the Acts of the Union and shall inform **member countries and their designated operators** of the existence of such Unions and Agreements. The International Bureau shall notify the Council of Administration of any irregularity discovered through applying this provision.

#### Article 120

##### Union periodical

The International Bureau shall publish, with the aid of the documents made available to it, a periodical in Arabic, Chinese, English, French, German, Russian and Spanish.

#### Article 121

##### Biennial report on the work of the Union (Const. 20; Gen Regs 102.6.17)

The International Bureau shall make a biennial report on the work of the Union, which shall be sent, after approval by the Council of Administration, to **member countries and their designated operators**, the Restricted Unions and the United Nations.

## Chapter III

### Procedure for the submission and consideration of proposals

#### Article 122

##### Procedure for submitting proposals to Congress (Const 29)

1 Subject to the exceptions provided for in paragraphs 2 and 5, the following procedure shall govern the submission of proposals of all kinds to Congress by member countries:

- a proposals which reach the International Bureau at least six months before the date fixed for Congress shall be accepted;
- b no drafting proposal shall be accepted during the period of six months preceding the date fixed for Congress;
- c proposals of substance which reach the International Bureau in the interval between six and four months before the date fixed for Congress shall not be accepted unless they are supported by at least two **member countries**;
- d proposals of substance which reach the International Bureau in the interval between four and two months preceding the date fixed for Congress shall not be accepted unless they are supported by at least eight **member countries**; proposals which arrive after that time shall no longer be accepted;
- e declarations of support shall reach the International Bureau within the same period as the proposals to which they refer.

2 Proposals concerning the Constitution or the General Regulations shall reach the International Bureau not later than six months before the opening of Congress; any received after that date but before the opening of Congress shall not be considered unless Congress so decides by a majority of two thirds of the countries represented at Congress and unless the conditions laid down in paragraph 1 are fulfilled.

3 Every proposal shall, as a rule, have only one aim and contain only the changes justified by that aim. **Similarly, each proposal liable to lead to significant costs for the Union shall be accompanied by an indication of its financial impact, prepared by the member country submitting the proposal in consultation with the International Bureau, so that the financial resources needed for its implementation can be determined.**

4 Drafting proposals shall be headed "Drafting proposal" by the **member countries** which submit them and shall be published by the International Bureau under a number followed by the letter R. Proposals which do not bear this indication but which, in the opinion of the International Bureau, deal only with drafting points shall be published with an appropriate annotation; the International Bureau shall draw up a list of these proposals for Congress.

5 The procedure prescribed in paragraphs 1 and 4 shall not apply either to proposals concerning the Rules of Procedure of Congresses or to amendments to proposals already made.

#### Article 123

##### Procedure for submitting proposals to the Postal Operations Council concerning the preparation of new Regulations in the light of decisions taken by Congress

1 The Regulations of the Universal Postal Convention and the Postal Payment Services Agreement shall be drawn up by the Postal Operations Council in the light of the decisions taken by Congress.

2 Proposals that are consequential on proposed amendments to the Convention or Postal Payment Services Agreement shall be submitted to the International Bureau simultaneously with the Congress proposals to which they relate. They may be submitted by a single member country without the support of other member countries. Such proposals shall be distributed to all member countries no later than one month prior to Congress.

3 Other proposals concerning the Regulations for consideration by the Postal Operations Council in its preparation of the new Regulations within the six months following Congress shall be submitted to the International Bureau at least two months prior to Congress.

4 Proposals concerning changes to the Regulations required as a result of Congress decisions that are submitted by member countries must reach the International Bureau no later than two months before the opening of the Postal Operations Council. Such proposals shall be distributed to all member countries **and their designated operators** no later than one month prior to the opening of the Postal Operations Council.

#### Article 124

Procedure for submitting proposals between Congresses (Const 29; Gen Regs 116)

1 To be eligible for consideration every proposal concerning the Convention or the Agreements submitted by a **member country** between Congresses shall be supported by at least two other **member countries**. Such proposals shall lapse if the International Bureau does not receive, at the same time, the necessary number of declarations of support.

2 These proposals shall be sent to other **member countries** through the intermediary of the International Bureau.

3 Proposals concerning the Regulations shall not require support but shall not be considered by the Postal Operations Council unless the latter agrees to the urgent necessity.

#### Article 125

Consideration of proposals between Congresses (Const 29; Gen Regs 116, 124)

1 Every proposal concerning the Convention, the Agreements and their Final Protocols shall be subject to the following procedure: where a member country has sent a proposal to the International Bureau, the latter shall forward it to all member countries for examination. They shall be allowed a period of two months in which to examine the proposal and forward any observations to the International Bureau. Amendments shall not be admissible. Once these two months have elapsed, the International Bureau shall forward to member countries all the observations it has received and invite each member country to vote for or against the proposal. **Member** countries that have not sent in their vote within a period of two months shall be considered to have abstained. The aforementioned periods shall be reckoned from the dates of the International Bureau circulars.

2 Proposals for amending the Regulations shall be dealt with by the Postal Operations Council.

3 If the proposal relates to an Agreement or its Final Protocol, only the member countries which are parties to that Agreement may take part in the procedure described in paragraph 1.

## Article 126

Notification of decisions adopted between Congresses (Const. 29; Gen. Regs 124, 125)

1 Amendments made to the Convention, the Agreements and the Final Protocols to those Acts shall be sanctioned by notification thereof to the governments of member countries by the Director General of the International Bureau.

2 Amendments made to the Regulations and their Final Protocols by the Postal Operations Council shall be communicated to **member countries and their designated operators** by the International Bureau. The same shall apply to the interpretations referred to in article 36.3.2 of the Convention and in the corresponding provisions of the Agreements.

## Article 127

Entry into force of the Regulations and of the other decisions adopted between Congresses

1 The Regulations shall come into force on the same date and shall have the same duration as the Acts laid down by Congress.

2 Subject to paragraph 1, decisions on amending the Acts of the Union which are adopted between Congresses shall not take effect until at least three months after their notification.

## Chapter IV

## Finance

## Article 128

Fixing and regulation of the expenditure of the Union (Const 22)

1 Subject to the provisions of paragraphs 2 to 6, the annual expenditure relating to the activities of bodies of the Union may not exceed the following sums for **2009** and subsequent years: 37,000,000 Swiss francs for the years **2009 and 2010, and 37,235,000 Swiss francs for the years 2011 and 2012**. The basic limit for **2012** shall also apply to the following years in case the Congress scheduled for **2012** is postponed.

2 The expenditure relating to the convening of the next Congress (travelling expenses of the secretariat, transport charges, cost of installing simultaneous interpretation equipment, cost of reproducing documents during the Congress, etc.) shall not exceed the limit of 2,900,000 Swiss francs.

3 The Council of Administration shall be authorized to exceed the limits laid down in paragraphs 1 and 2 to take account of increases in salary scales, pension contributions or allowances, including post adjustments, approved by the United Nations for application to its staff working in Geneva.

4 The Council of Administration shall also be authorized to adjust, each year, the amount of expenditure other than that relating to staff on the basis of the Swiss consumer price index.

5 Notwithstanding paragraph 1, the Council of Administration, or in case of extreme urgency, the Director General, may authorize the prescribed limits to be exceeded to meet the cost of major and unforeseen repairs to the International Bureau building, provided however that the amount of the increase does not exceed 125,000 Swiss francs per annum.

6 If the credits authorized in paragraphs 1 and 2 prove inadequate to ensure the smooth running of the Union, these limits may only be exceeded with the approval of the majority of the member countries of the Union. Any consultation shall include a complete description of the facts justifying such a request.

7 Countries which accede to the Union or are admitted to the status of members of the Union as well as those which leave the Union shall pay their contributions for the whole of the year during which their admission or withdrawal becomes effective.

8 Member countries shall pay their contributions to the Union's annual expenditure in advance on the basis of the budget laid down by the Council of Administration. These contributions shall be paid not later than the first day of the financial year to which the budget refers. After that date, the sums due shall be chargeable with interest in favour of the Union at the rate of 6% per annum from the **fourth** month.

9 Where the arrears of mandatory contributions, not including interest, owed to the Union by a member country are equal to or more than the amount of the contributions of that member country for the preceding two financial years, such member country may irrevocably assign to the Union all or part of the credits owed it by other member countries, in accordance with the arrangements laid down by the Council of Administration. The conditions of this assignment of credit shall be determined by agreement reached between the member country, its debtors/creditors and the Union.

10 A member country which, for legal or other reasons, cannot make such assignment shall undertake to conclude a schedule for the amortization of its arrears.

11 Other than in exceptional circumstances, recovery of arrears of mandatory contributions owed to the Union may not extend over more than ten years.

12 In exceptional circumstances, the Council of Administration may release a member country from all or part of the interest owed if that country has paid the full capital amount of its debts in arrears.

13 A member country may also be released, within the framework of an amortization schedule approved by the Council of Administration for its accounts in arrears, from all or part of the interest accumulated or to accrue; such release shall, however, be subject to the full and punctual execution of the amortization schedule within an agreed period of ten years at most.

14 To cover shortfalls in Union financing, a Reserve Fund shall be established the amount of which shall be fixed by the Council of Administration. This Fund shall be maintained primarily from budget surpluses. It may also be used to balance the budget or to reduce the amount of member countries' contributions.

15 As regards temporary financing shortfalls, the Government of the Swiss Confederation shall make the necessary short-term advances, on conditions which are to be fixed by mutual agreement. That Government shall supervise, without charge, book-keeping and accounting of the International Bureau within the limits of the credits fixed by Congress.

**15bis The provisions under paragraphs 9, 10, 11, 12 and 13 apply by analogy to the translation costs billed by the International Bureau to member countries belonging to the language groups.**

Article 129  
Automatic sanctions

1 Any member country unable to make the assignment provided for in article 128.9 and which does not agree to submit to an amortization schedule proposed by the International Bureau in accordance with article 128.10, or which does not comply with such a schedule shall automatically lose its right to vote at Congress and at meetings of the Council of Administration and the Postal Operations Council and shall no longer be eligible for membership of these two Councils.

2 Automatic sanctions shall be lifted as a matter of course and with immediate effect as soon as the member country concerned has paid its arrears of mandatory contributions owed to the Union, in capital and interest, or has agreed to submit to a schedule for the amortization of the arrears.

Article 130  
Contribution classes (Const 21; Gen Regs 115, 128)

1 Member countries shall contribute to defraying Union expenses according to the contribution class to which they belong. These classes shall be the following:

class of 50 units;  
class of 45 units;  
class of 40 units;  
class of 35 units;  
class of 30 units;  
class of 25 units;  
class of 20 units;  
class of 15 units;  
class of 10 units;  
class of 5 units;  
class of 3 units;  
class of 1 unit;  
class of 0.5 unit, reserved for the least advanced countries as listed by the United Nations and for other countries designated by the Council of Administration.

2 Notwithstanding the contribution classes listed in paragraph 1, any member country may elect to contribute **a higher number of units than that corresponding to the contribution class to which it belongs, for a minimum term equivalent to the period between Congresses. The announcement of a change shall be made at the latest at Congress. At the end of the period between Congresses, the member country shall return automatically to its original number of contribution units unless it decides to maintain its contribution of a higher number of units. The payment of additional contributions shall increase the expenditure accordingly.**

3 Member countries shall be included in one of the above-mentioned contribution classes upon their admission or accession to the Union in accordance with the procedure laid down in article 21.4 of the Constitution.

4 Member countries may subsequently **be placed in a lower** contribution class, on condition that the change **request is sent** to the International Bureau at least two months before the opening of Congress. **Congress shall give a non-binding opinion on these requests for a change in contribution class. The member country shall be free to decide whether to follow the opinion of Congress. The final decision of the member country shall be transmitted to the International Bureau Secretariat before the end of Congress.** This **change request** shall take effect on the date of the entry into force of the financial provisions drawn up by Congress.



Member countries that have not made known their wish to change contribution class within the required time shall remain in the class to which they belonged up to that time.

5 Member countries may not insist on being lowered more than one class at a time.

6 Nevertheless, in exceptional circumstances such as natural disasters necessitating international aid programmes, the Council of Administration may authorize a temporary reduction in contribution class once between two Congresses when so requested by a member country if the said member establishes that it can no longer maintain its contribution at the class originally chosen. In the same circumstances, the Council of Administration may also authorize a temporary reduction for the non-least developed countries already in the class of 1 unit by placing them in the class of 0.5 unit.

7 The temporary reduction in contribution class in application of paragraph 6 may be authorized by the Council of Administration for a maximum period of two years or up to the next Congress, whichever is earlier. On expiry of the specified period, the country concerned shall automatically revert to its original contribution class.

8 Notwithstanding paragraphs 4 and 5, changes to a higher class shall not be subject to any restriction.

#### Article 131

Payment for supplies from the International Bureau (Gen Regs 118)

Supplies provided by the International Bureau to **member countries and their designated operators** against payment shall be paid for in the shortest possible time and at the latest within six months from the first day of the month following that in which the account is sent by the Bureau. After that period the sums due shall be chargeable with interest in favour of the Union at the rate of 5% per annum reckoned from the date of expiry of that period.

## Chapter V

### Arbitration

#### Article 132

Arbitration procedure (Const 32)

1 If a dispute has to be settled by arbitration, each of the **member countries** party to the case shall select a member country not directly involved in the dispute. When several **member countries** make common cause, they shall count only as a single **member country** for the purposes of this provision.

2 If one of the **member countries** party to the case does not act on a proposal for arbitration within a period of six months **from the date of its sending**, the International Bureau, if so requested, shall itself call upon the defaulting **member country** to appoint an arbitrator or shall itself appoint one ex officio.

3 The parties to the case may agree to appoint a single arbitrator which may be the International Bureau.

4 The decision of the arbitrators shall be taken by a majority of votes.

5 In the event of a tie the arbitrators shall select another **member country**, not involved in the dispute either, to settle the matter. Should they fail to agree on the choice, this **member country** shall be appointed by the International Bureau from among **member countries** not proposed by the arbitrators.

6 If the dispute concerns one of the Agreements, the arbitrators may be appointed only from among the **member countries** that are parties to that Agreement.

**6bis If a dispute has to be settled by arbitration between designated operators, the operators concerned shall ask their member countries to act in accordance with the procedure provided for in paragraphs 1 to 6.**

## Chapter VI

### Final provisions

#### Article 133

Conditions for approval of proposals concerning the General Regulations

To become effective, proposals submitted to Congress relating to these General Regulations shall be approved by a majority of the member countries represented at Congress and having the right to vote. At least two thirds of the member countries of the Union having the right to vote shall be present at the time of voting.

#### Article 134

Proposals concerning the Agreements with the United Nations (Const. 9)

The conditions of approval referred to in article 133 shall apply equally to proposals designed to amend the Agreements concluded between the Universal Postal Union and the United Nations, in so far as those Agreements do not lay down conditions for the amendment of the provisions they contain.

#### Article 135

**Amendment**, entry into force and duration of the General Regulations

**Amendments adopted by a Congress shall form the subject of an additional protocol and, unless that Congress decides otherwise, shall enter into force at the same time as the Acts renewed in the course of the same Congress.**

These General Regulations shall come into force on 1 January 2006 and shall remain in force for an indefinite period.

In witness whereof the plenipotentiaries of the Governments of the member countries have signed these General Regulations 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 Bucharest, 5 October 2004.