United States Treaties and Other International Agreements

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The Act approved September 23, 1950, Ch. 1001, § 2, 64 Stat. 979, 1 U.S.C. 112a, provides in part as follows:

". . . United States Treaties and Other International Agreements shall be legal evidence of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and agreements, therein contained, in all the courts of the United States, the several States, and the Territories and insular possessions of the United States."

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UNION OF SOVIET SOCIALIST REPUBLICS

Double Taxation: Taxes on Income

Convention, with related letters, signed at Washington June 20, 1973;
Ratification advised by the Senate of the United States of America December 15, 1975;
Ratified by the President of the United States of America December 17, 1975;
Ratified by the Union of Soviet Socialist Republics December 24, 1975;
Ratifications exchanged at Moscow December 30, 1975;
Proclaimed by the President of the United States of America January 22, 1976;
Entered into force January 29, 1976;
Effective January 1, 1976.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

CONSIDERING THAT:

The Convention between the United States of America and the Union of Soviet Socialist Republics on Matters of Taxation, with related letters, was signed at Washington on June 20, 1973, the text of which Convention, with related letters, in the English and Russian languages, is hereto annexed;

The Senate of the United States of America by its resolution of December 15, 1975, two-thirds of the Senators present concurring therein, gave its advice and consent to ratification of the Convention, with related letters;

The Convention, with related letters, was ratified by the President of the United States of America on December 17, 1975, in pursuance of the advice and consent of the Senate, and was ratified on the part of the Union of Soviet Socialist Republics on December 24, 1975;

It is provided in Article XIII of the Convention that the Convention shall enter into force on the thirtieth day after the exchange of instruments of ratification, with effectiveness on January 1 of the year following the year in which the instruments of ratification are exchanged;

The instruments of ratification of the Convention were exchanged at Moscow on December 30, 1975, and accordingly the Convention, with related letters, enters into force on January 29, 1976, effective January 1, 1976;

NOW, THEREFORE, I, Gerald R. Ford, President of the United States of America, proclaim and make public the Convention, with related letters, to the end that it shall be observed and fulfilled with good faith on and after January 29, 1976, by the United States of America and by the citizens of the United States of America and all other persons subject to the jurisdiction thereof.

IN TESTIMONY WHEREOF, I have signed this proclamation and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this twenty-second day of January in the year of our Lord one thousand nine hundred seventy-
[SEAL] six and of the Independence of the United States of America the two hundredth.

GERALD R. FORD

By the President
JOSEPH JOHN SISCO
Acting Secretary of State

CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND THE UNION OF SOVIET SOCIALIST REPUBLICS ON MATTERS OF TAXATION

The President of the United States of America and the Presidium of the Supreme Soviet of the Union of Soviet Socialist Republics, desiring to avoid double taxation and to promote the development of economic, scientific, technical and cultural cooperation between both States, have appointed for this purpose as their respective plenipotentiaries:

The President of the United States of America:

George P. Shultz, Secretary of the Treasury of the USA; and

The Presidium of the Supreme Soviet of the Union of Soviet Socialist Republics:

Nikolai Semenovich Patolichev, Minister of Foreign Trade of the USSR;

Who have agreed as follows:

Article I

1. The taxes which are the subject of this Convention are:

(a) In the case of the Union of Soviet Socialist Republics, taxes and dues provided for by the All-Union legislation;

(b) In the case of the United States of America, taxes and dues provided for by the Internal Revenue Code.

2. This Convention shall also apply to taxes and dues substantially similar to those covered by paragraph 1. which are imposed in addition to, or in place of, existing taxes and dues after the signature of this Convention.

Article II

In this Convention, the terms listed below shall have the following meaning:

1. "Soviet Union" or "USSR" means the Union of Soviet Socialist Republics and, when used in a geographical sense, means the territories of all the Union Republics. Such term also includes:

(a) The territorial sea thereof, and

(b) The seabed and subsoil of the submarine areas adjacent to the coast thereof, but beyond the territorial sea, over which the Soviet Union exercises sovereign rights, in accordance with international law, for the purpose of exploration for and exploitation of the natural resources of such areas. However, it is understood that such term includes such areas only to the extent that the person, property or activity with respect to which questions of taxation arise is connected with such exploration or exploitation.

2. "United States" or "USA" means the United States of America and, when used in a geographical sense, means the territories of all the states and of the District of Columbia. Such term also includes:

(a) The territorial sea thereof, and

(b) The seabed and subsoil of the submarine areas adjacent to the coast thereof, but beyond the territorial sea, over which the United States exercises sovereign rights, in accordance with international law, for the purpose of exploration for and exploitation of the natural resources of such areas. However, it is understood that such term includes such areas only to the extent that the person, property or activity with respect to which questions of taxation arise is connected with such exploration or exploitation.

3. "Resident of the Soviet Union" means:

(a) a legal entity or any other organization treated in the USSR as a legal entity for tax purposes which is created under the laws of the Soviet Union or any Union Republic and

(b) an individual resident in the Soviet Union for purposes of its tax.

4. "Resident of the United States" means:

(a) a corporation or any other organization treated in the United States as a corporation for tax purposes which is created or organized under the laws of the United States or any state thereof or of the District of Columbia and

(b) an individual resident in the United States for purposes of its tax.

5. "Contracting State" means the United States or the Soviet Union, as the context requires.

6. The term "competent authorities" means:

(a) in the case of the Soviet Union, the Ministry of Finance

(b) in the case of the United States, the Secretary of the Treasury or his delegate.

Article III

1. The following categories of income derived from sources within one Contracting State by a resident of the other Contracting State shall be subject to tax only in that other Contracting State:

(a) rentals, royalties, or other amounts paid as consideration for the use of or right to use literary, artistic, and scientific works, or for the use of copyrights of such works, as well as the rights to inventions (patents, author's certificates), industrial designs, processes or formulae, computer programs, trademarks, service marks, and other similar property or rights, or for industrial, commercial, or scientific equipment, or for knowledge, experience, or skill (know-how);

(b) gains derived from the sale or exchange of any such rights or property, whether or not the amounts realized on sale or exchange are contingent in whole or in part, on the extent and nature of use or disposition of such rights or property;

(c) gains from the sale or other disposition of property received as a result of inheritance or gift;

(d) income from the furnishing of engineering, architectural, designing, and other technical services in connection with an installation contract with a resident of the first Contracting State which are carried out in a period not exceeding 36 months at one location;

(e) income from the sale of goods or the supplying of services through a broker, general commission agent or other agent

of independent status, where such broker, general commission agent or other agent is acting in the ordinary course of his business;

(f) reinsurance premiums; and

(g) interest on credits, loans and other forms of indebtedness connected with the financing of trade between the USA and the USSR except where received by a resident of the other Contracting State from the conduct of a general banking business in the first Contracting State.

2. A Contracting State shall not attribute taxable income to the following activities conducted within that Contracting State by a resident of the other Contracting State:

(a) the purchase of goods or merchandise;

(b) the use of facilities for the purpose of storage or delivery of goods or merchandise belonging to the resident of the other Contracting State;

(c) the display of goods or merchandise belonging to the resident of the other Contracting State, and also the sale of such items on termination of their display;

(d) advertising by a resident of the other Contracting State, the collection or dissemination of information, or the conducting of scientific research, or similar activities, which have a preparatory or auxiliary character for the resident.

Article IV

1. Income from commercial activity derived in one Contracting State by a resident of the other Contracting State, shall be taxable in the first Contracting State only if it is derived by a representation.

2. The term "representation" means:

(a) with regard to income derived within the USSR, an office or representative bureau established in the USSR by a resident of the United States in accordance with the laws and regulations in force in the Soviet Union;

(b) with regard to income derived within the USA, an office or other place of business established in the USA by a resident of the Soviet Union in accordance with the laws and regulations in force in the United States.

3. In the determination of the profits of a representation, there shall be allowed as deductions from total income the expenses that are connected with the performance of its activity, including executive and general administrative expenses.

4. This article applies to income, other than income of an individual dealt with in Article VI, from the furnishing of tour performances and other public appearances.

5. The provisions of this article shall not affect the exemptions from taxes provided for by Articles III and V.

Article V

1. Income which a resident of the Soviet Union derives from the operation in international traffic of ships or aircraft registered in the USSR and gains which a resident of the USSR derives from the sale, exchange, or other disposition of ships or aircraft operated in international traffic by such resident and registered in the USSR shall be exempt from tax in the United States.

2. Income which a resident of the United States derives from operation in international traffic of ships or aircraft registered in

the USA and gains which a resident of the USA derives from the sale, exchange, or other disposition of ships or aircraft operated in international traffic by such resident and registered in the USA shall be exempt from tax in the Soviet Union.

3. Remuneration derived by an individual from the performance of labor or personal services as an employee aboard ships or aircraft operated by one of the Contracting States or a resident thereof in international traffic shall be exempt from tax in the other Contracting State if such individual is a member of the regular complement of the ship or aircraft.

Article VI

1. Special exemptions.

Income derived by an individual who is a resident of one of the Contracting States shall be exempt from tax in the other Contracting State as provided in subparagraphs (a) through (f).

(a) Governmental employees.

(1) An individual receiving remuneration from government funds of the Contracting State of which the individual is a citizen for labor or personal services performed as an employee of governmental agencies or institutions of that Contracting State in the discharge of governmental functions shall not be subject to tax on such remuneration in that other Contracting State.

(2) Labor or personal services performed by a citizen of one of the Contracting States shall be treated by the other Contracting State as performed in the discharge of governmental functions if such labor or personal services would be treated under the internal laws of the first Contracting State as so performed. However, it is understood that persons engaged

in commercial activity, such as employees or representatives of commercial organizations of the USA and employees or representatives of the foreign trade organizations of the USSR, shall not be considered in the USSR and USA respectively as engaged in the discharge of governmental functions.

(3) The provisions of this Convention shall not affect the fiscal privileges of diplomatic and consular officials under the general rules of international law or under special agreements.

(b) Participants in programs of intergovernmental cooperation.

An individual who is a resident of one of the Contracting States and who is temporarily present in the other Contracting State under an exchange program provided for by agreements between the governments of the Contracting States on cooperation in various fields of science and technology shall not be subject to tax in that other Contracting State on remuneration received from sources within either Contracting State.

(c) Teachers and researchers.

(1) An individual who is a resident of one of the Contracting States and who is temporarily present in the other Contracting State at the invitation of a governmental agency or institution or an educational or scientific research institution in that other Contracting State for the primary purpose of teaching, engaging in research, or participating in scientific, technical or professional conferences shall not be subject to tax in that other Contracting State on his income from teaching or research or participating in such conferences.

(2) Subparagraph (1) shall not apply to income from research if such research is undertaken primarily for the benefit of a private person or commercial enterprise of the USA or a foreign trade organization of the USSR. However, subparagraph (1) shall apply in all cases where research is conducted on the basis of intergovernmental agreements on cooperation.

(d) Students.

An individual who is a resident of one of the Contracting States and who is temporarily present in the other Contracting State for the primary purpose of studying at an educational or scientific research institution or for the purpose of acquiring a profession or a specialty shall be exempt from taxes in the other Contracting State on a stipend, scholarship, or other substitute type of allowance, necessary to provide for ordinary living expenses.

(e) Trainees and specialists.

An individual who is a resident of one of the Contracting States, who is temporarily present in the other Contracting State for the primary purpose of acquiring technical, professional, or commercial experience or performing technical services, and who is an employee of, or under contract with, a resident of the first mentioned Contracting State, shall not be subject to tax in that other Contracting State on remuneration received from abroad. Also, such individual shall not be subject to tax in that other Contracting State on amounts received from sources within that other Contracting State which are necessary to provide for ordinary living expenses.

(f) Duration of exemptions.

The exemptions provided for under subparagraphs (b), (c), (d), and (e) of this article shall extend only for such period of time as is required to effectuate the purpose of the visit, but in no case shall such period of time exceed:

(1) One year in the case of subparagraphs (b) (Participants in programs of intergovernmental cooperation) and (e) (Trainees and specialists);

(2) Two years in the case of subparagraph (c) (Teachers and researchers); and

(3) Five years in the case of subparagraph (d) (Students).

If an individual qualifies for exemption under more than one of subparagraphs (b), (c), (d), and (e), the provisions of that subparagraph which is most favorable to him shall apply. However, in no case shall an individual have the cumulative benefits of subparagraphs (b), (c), (d), and (e) for more than five taxable years from the date of his arrival in the other Contracting State.

2. General exemptions.

Income derived by an individual who is a resident of one of the Contracting States from the performance of personal services in the other Contracting State, which is not exempt from tax in accordance with paragraph 1. of this article, may be taxed in that other Contracting State, but only if the individual is present in that other Contracting State for a period aggregating more than 183 days in the taxable year.

Article VII

This Convention shall not restrict the right of a Contracting State to tax a citizen of that Contracting State.

Article VIII

This Convention shall apply only to the taxation of income from activity conducted in a Contracting State in accordance with the laws and regulations in force in such Contracting State.

Article IX

If the income of a resident of one of the Contracting States is exempt from tax in the other Contracting State, in accordance with this Convention, such resident shall also be exempt from any tax which is at present imposed or which may be imposed subsequently in that Contracting State on the transaction giving rise to such income.

Article X

1. A citizen of one of the Contracting States who is a resident of the other Contracting State shall not be subjected in that other Contracting State to more burdensome taxes than a citizen of that other Contracting State who is a resident thereof carrying on the same activities.

2. A citizen of one of the Contracting States who is a resident of the other Contracting State or a representation established by a resident of the first Contracting State in the other Contracting State shall not be subjected in that other Contracting State to more burdensome taxes than are generally imposed in that State on citizens or representations of residents of third States carrying on the same activities. However, this provision shall not require a Contracting State to grant to citizens or representations of residents of the other Contracting State tax benefits granted by special agreements to citizens or representations of a third State.

3. The provisions of paragraphs 1. and 2. of this article shall apply to taxes of any kind imposed on the Federal or All-Union level, the state or Republic level, and on the local level.

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Article XI

1. If a resident of one of the Contracting States considers that the action of one or both of the Contracting States results or will result for him in taxation not in accordance with this Convention, he may, notwithstanding the remedies provided by the laws of the Contracting States, present his case to the competent authorities of the Contracting State of which he is a resident or citizen. Should the claim be considered to have merit by the competent authorities of the Contracting State to which the claim is made, they shall endeavor to come to an agreement with the competent authorities of the other Contracting State with a view to the avoidance of taxation not in accordance with the provisions of this Convention.

2. In the event that such an agreement is reached the competent authorities of the Contracting States shall, as necessary, refund the excess amounts paid, allow tax exemptions, or levy taxes.

Article XII

The competent authorities of the Contracting States shall notify each other annually of amendments of the tax legislation referred to in paragraph 1. of Article I and of the adoption of taxes referred to in paragraph 2. of Article I by transmitting the texts of amendments or new statutes and notify each other of any material concerning the application of this Convention.

Article XIII

This Convention shall be subject to ratification and shall enter into force on the thirtieth day after the exchange of instruments of ratification.[1] The instruments of ratification shall be exchanged at Moscow as soon as possible.

[1] Jan. 29, 1976.

The provisions of this Convention shall, however, have effect for income derived on or after January 1 of the year following the year in which the instruments of ratification are exchanged.

Article XIV

1. This Convention shall remain in force for a period of three years after it takes effect and shall remain in force thereafter for an indefinite period. Either of the Contracting States may terminate this Convention at any time after three years from the date on which the Convention enters into force by giving notice of termination through diplomatic channels at least six months before the end of any calendar year. In such event, the Convention shall cease to have effect beginning on January 1 of the year following the year in which notice is given.

2. Notwithstanding the provisions of paragraph 1. of this article, upon prior notice to be given through diplomatic channels, the provisions of subparagraphs (e), (f), or (g) of paragraph 1. of Article III and the provisions of Article IX may be terminated separately by either Contracting State at any time after three years from the date on which this Convention enters into force. In such event such provisions shall cease to have effect beginning on January 1 of the year following the year in which notice is given.

In witness whereof, the plenipotentiaries of the two Contracting States have signed the present Convention and have affixed their seals thereto.

Done at Washington, this 20th day of June, 1973, in duplicate, in the English and Russian languages, both texts being equally authentic.

For the President
of the United States
of America

George P. Shultz [1]

For the Presidium of the
Supreme Soviet of the Union
of Soviet Socialist Republics

N. Patolichev [2]

[1] George P. Shultz
[2] N. Patolichev

КОНВЕНЦИЯ

МЕЖДУ СОЕДИНЕННЫМИ ШТАТАМИ АМЕРИКИ И СОЮЗОМ СОВЕТСКИХ СОЦИАЛИСТИЧЕСКИХ РЕСПУБЛИК ПО ВОПРОСАМ НАЛОГООБЛОЖЕНИЯ

Президент Соединенных Штатов Америки и Президиум Верховного Совета Союза Советских Социалистических Республик, желая устранить двойное налогообложение и содействовать развитию экономического, научно-технического и культурного сотрудничества между обоими Государствами, назначили с этой целью своими Уполномоченными:

Президент Соединенных Штатов Америки - Джорджа П.Шульца, Министра финансов США;

Президиум Верховного Совета Союза Советских Социалистических Республик - Николая Семеновича Патоличева, Министра внешней торговли СССР,

которые договорились о нижеследующем:

Статья I

I. Налоги, являющиеся предметом настоящей Конвенции, включают в себя:

a) применительно к Союзу Советских Социалистических Республик - налоги и сборы, предусмотренные общесоюзным законодательством;

b) применительно к Соединенным Штатам Америки - налоги и сборы, предусмотренные Кодексом внутренних доходов.

2. Настоящая Конвенция будет также применяться к налогам и сборам,по существу аналогичным предусмотренным в пункте I, которые будут взиматься в дополнение к существующим налогам и сборам либо вместо них после подписания настоящей Конвенции.

Статья П

В настоящей Конвенции приводимые ниже термины имеют следующее значение:

I."Советский Союз" или "СССР" означает Союз Советских Социалистических Республик и при употреблении в географическом смысле - территорию всех союзных республик. Этот термин также включает:

a) территориальное море СССР, а также

b) морское дно и недра подводных районов, прилегающих к побережью СССР, но выходящих за пределы территориального моря, в отношении которых Советский Союз в соответствии с международным правом осуществляет суверенные права с целью разведки и использования природных ресурсов таких районов. Однако имеется в виду, что этот термин включает такие районы только при условии, что лицо, имущество или деятельность, в отношении которых возникают вопросы налогообложения, связаны с такой разведкой или использованием.

2. "Соединенные Штаты" или "США" означает Соединенные Штаты Америки и при употреблении в географическом смысле - территорию всех штатов и округа Колумбия. Этот термин также включает:

a) территориальное море США, а также

b) морское дно и недра подводных районов, прилегающих к побережью США, но выходящих за пределы территориального моря, в отношении которых Соединенные Штаты в соответствии с международным правом осуществляют суверенные права с целью разведки и использования природных ресурсов таких районов. Однако имеется в виду, что этот термин включает такие районы только при условии, что лицо, имущество или деятельность, в отношении которых возникают вопросы налогообложения, связаны с такой разведкой или использованием.

3. "Лицо с постоянным местопребыванием в Советском Союзе" означает:

a) юридическое лицо или любую иную организацию, рассматриваемую с точки зрения налогообложения в СССР как юридическое

лицо, образованные по законам Советского Союза или любой союзной республики, а также

b) физическое лицо, имеющее с точки зрения налогообложения в СССР постоянное местопребывание в Советском Союзе.

4. "Лицо с постоянным местопребыванием в Соединенных Штатах" означает:

a) корпорацию или любую иную организацию, рассматриваемую с точки зрения налогообложения в США как корпорацию, созданные или организованные по законам Соединенных Штатов, либо отдельного штата, или округа Колумбия, а также

b) физическое лицо, имеющее с точки зрения налогообложения в США постоянное местопребывание в Соединенных Штатах.

5. "Договаривающееся Государство" означает Советский Союз или Соединенные Штаты в зависимости от контекста.

6. Термин "компетентные власти" означает:

a) применительно к Советскому Союзу - Министерство финансов СССР;

b) применительно к Соединенным Штатам - Министр финансов или назначенное им лицо.

Статья Ш

I. Следующие категории доходов, извлекаемые из источников на территории одного Договаривающегося Государства лицом с постоянным местопребыванием в другом Договаривающемся Государстве, подлежат налогообложению только в этом другом Договаривающемся Государстве:

a) плата за пользование, роялти или прочие суммы, выплачиваемые в качестве вознаграждения за использование или право использования литературных, художественных и научных произведений, либо за пользование авторскими правами на такие произведения, а также правами на изобретения (патенты, авторские свидетельства), промышленные образцы, процессы или формулы,

программы электронно-вычислительных и подобных им машин, товарные знаки, знаки обслуживания, а также другую подобную собственность или права, либо плата за использование промышленного, торгового или научного оборудования, либо знаний, опыта или навыков ("ноу-хау");

b) доходы, извлекаемые от продажи или обмена таких прав или собственности, независимо от того, связаны или нет суммы, получаемые в результате продажи или обмена целиком или частично с об"емом и характером использования или распоряжения такими правами или собственностью;

c) доходы от продажи или иного распоряжения собственностью, полученной в результате наследования или дарения;

d) доходы, получаемые от предоставления инженерных, архитектурных, проектных и других технических услуг в соответствии с контрактом по монтажу с лицом с постоянным местопребыванием в первом Договаривающемся Государстве в течение срока, не превышающего 36 месяцев на одном об"екте;

e) доходы от продажи товаров или предоставления услуг, осуществляемых через брокера, комиссионера, или другого агента с независимым статусом, если эта деятельность не противоречит обычным функциям такого брокера, комиссионера или другого агента;

f) премии по перестраховочным операциям и

g) проценты по кредитам, ссудам и другим видам задолженности, связанным с финансированием торговли между США и СССР, за исключением процентов, получаемых лицом с постоянным местопребыванием в другом Договаривающемся Государстве от проведения обычных банковских операций в первом Договаривающемся Государстве.

2. Каждое Договаривающееся Государство не будет рассматривать в качестве дохода, подлежащего налогообложению, доход от следующих видов деятельности, проводимых в одном Договаривающемся Государстве лицом с постоянным местопребыванием в другом Договаривающемся Государстве:

a) закупка товаров;

b) использование помещений и различных технических средств для хранения или поставки товаров, принадлежащих лицу с постоянным местопребыванием в другом Договаривающемся Государстве;

c) демонстрация товаров, принадлежащих лицу с постоянным местопребыванием в другом Договаривающемся Государстве, а также операции по продаже таких товаров по окончании демонстрации;

d) осуществление лицом с постоянным местопребыванием в другом Договаривающемся Государстве рекламы, сбора или распространения информации, а также проведение научных исследований или аналогичной деятельности, имеющей для такого лица подготовительный или вспомогательный характер.

Статья IУ

I. Доходы от коммерческой деятельности, извлекаемые в одном Договаривающемся Государстве лицом с постоянным местопребыванием в другом Договаривающемся Государстве, облагаются налогами в первом Договаривающемся Государстве только если они извлекаются через представительство.

2. Термин "представительство" означает:

a) в отношении доходов, извлекаемых на территории СССР - контору или представительство, открываемые в СССР лицом с постоянным местопребыванием в Соединенных Штатах в соответствии с законами и правилами, действующими в Советском Союзе;

b) в отношении доходов, извлекаемых на территории США - контору или другое место деятельности, открываемые в США лицом с постоянным местопребыванием в Советском Союзе в соответствии с законами и правилами, действующими в Соединенных Штатах.

3. При определении доходов представительства из общей суммы доходов вычитаются расходы, связанные с осуществлением его деятельности, включая управленческие и общие административные расходы.

4. Настоящая статья распространяется на доходы, кроме доходов физического лица, предусмотренных в статье УI, полученные от проведения гастрольных и других публичных выступлений.

5. Положения настоящей статьи не затрагивают освобождения от налогов, предусмотренного статьями Ш и У.

Статья У

I. Доход, извлекаемый лицом с постоянным местопребыванием в Советском Союзе от операций по международным перевозкам на морских и воздушных судах, зарегистрированных в СССР, а также доходы, получаемые лицом с постоянным местопребыванием в СССР от продажи, обмена, либо иного распоряжения морскими и воздушными судами, используемыми в международных перевозках таким лицом и зарегистрированными в СССР, освобождаются от налогов в Соединенных Штатах.

2. Доход, извлекаемый лицом с постоянным местопребыванием в Соединенных Штатах от операций по международным перевозкам на морских и воздушных судах, зарегистрированных в США, а также доходы, получаемые лицом с постоянным местопребыванием в США от продажи, обмена, либо иного распоряжения морскими и воздушными судами, используемыми в международных перевозках таким лицом и зарегистрированными в США, освобождаются от налогов в Советском Союзе.

3. Вознаграждение, получаемое физическим лицом за работу или службу по найму в качестве члена команды морского или экипажа воздушного судна, используемого одним из Договаривающихся Государств или лицом с постоянным местопребыванием в нем для международных перевозок, освобождается от налогов в другом Договаривающемся Государстве, если такое физическое лицо является членом постоянного состава команды морского или экипажа воздушного судна.

Статья УI

I. Специальные льготы

Доход, получаемый физическим лицом с постоянным местопребыванием в одном Договаривающемся Государстве, освобождается в другом Договаривающемся Государстве от налогов в соответствии с подпунктами (а) - (f):

а) Государственные служащие

I) Физическое лицо, получающее вознаграждение из государственных средств Договаривающегося Государства, гражданином которого оно является, за работу или службу по найму в государственных органах или учреждениях этого Договаривающегося Государства при осуществлении им государственных функций, не подлежит налогообложению в другом Договаривающемся Государстве в отношении такого вознаграждения.

2) Работа или служба гражданина одного Договаривающегося Государства рассматривается другим Договаривающимся Государством как осуществление государственных функций, если эта работа или служба признаются таковыми внутренним законодательством первого Договаривающегося Государства. При этом имеется в виду, что лица, занимающиеся коммерческой деятельностью, такие как сотрудники или представители коммерческих организаций США и сотрудники или представители внешнеторговых организаций СССР не будут рассматриваться в СССР и США соответственно как осуществляющие государственные функции.

3) Положения настоящей Конвенции не затрагивают налоговых привиллегий сотрудников дипломатической и консульской служб, установленных общими нормами международного права или на основании специальных соглашений.

b) Лица, участвующие в осуществлении программ межгосударственного сотрудничества

Физическое лицо с постоянным местопребыванием в одном из Договаривающихся Государств, временно находящееся в другом Дого-

варивающемся Государстве в соответствии с программами обмена, предусмотренными соглашениями между Правительствами Договаривающихся Государств о сотрудничестве в различных областях науки и техники, не подлежит налогообложению в этом другом Договаривающемся Государстве в отношении вознаграждения, получаемого из источников на территории любого Договаривающегося Государства.

c) Преподаватели и научные сотрудники

I) Физическое лицо с постоянным местопребыванием в одном Договаривающемся Государстве, временно находящееся в другом Договаривающемся Государстве по приглашению государственного органа или учреждения, учебного или научно-исследовательского заведения в этом другом Договаривающемся Государстве главным образом для преподавания, проведения научных исследований, либо для участия в научно-технических или профессиональных конференциях, не подлежит налогообложению в этом другом Договаривающемся Государстве в отношении его доходов от преподавания, научных исследований или участия в таких конференциях.

2) Подпункт (I) не применяется к доходам от исследований, если эти исследования проводятся главным образом в интересах внешнеторговой организации СССР или частного лица или коммерческого предприятия США. Однако, подпункт (I) применяется во всех случаях, когда исследования проводятся на основе межправительственных соглашений о сотрудничестве.

d) Учащиеся

Физическое лицо с постоянным местопребыванием в одном Договаривающемся Государстве, временно находящееся в другом Договаривающемся Государстве главным образом с целью обучения в учебном или научно-исследовательском заведении, либо приобретения профессии или специальности, освобождается в другом Договаривающемся Государстве от налогов в отношении стипендии, специального пособия для получения образования (Scholarship) или

другого заменяющего пособия, необходимого для обеспечения нормального прожиточного уровня.

e) Практиканты и специалисты

Физическое лицо с постоянным местопребыванием в одном Договаривающемся Государстве, временно находящееся в другом Договаривающемся Государстве, главным образом с целью приобретения технического, профессионального или коммерческого опыта, и которое работает по найму или по контракту с лицом с постоянным местопребыванием в первом упомянутом Договаривающемся Государстве, а также с целью предоставления технических услуг, не подлежит налогообложению в другом Договаривающемся Государстве в отношении вознаграждения, получаемого из-за рубежа. Такое физическое лицо также не подлежит налогообложению в этом другом Договаривающемся Государстве в отношении сумм, получаемых из источников на территории этого Договаривающегося Государства и необходимых для обеспечения нормального прожиточного уровня.

f) Продолжительность льгот

Льготы, предусмотренные подпунктами (b), (c), (d) и (e) настоящей статьи, предоставляются только на срок, необходимый для достижения цели пребывания, но ни при каких условиях этот срок не будет превышать:

1) одного года - в случае подпунктов (b) (Лица, участвующие в осуществлении программ межгосударственного сотрудничества) и (e) (Практиканты и специалисты);

2) двух лет - в случае подпункта (c) (Преподаватели и научные сотрудники) и

3) пяти лет - в случае подпункта (d) (Учащиеся).

Если физическое лицо имеет право пользоваться льготами, предоставляемыми более чем одним из подпунктов (b), (c), (d) и (e), то к нему будут применяться положения подпункта, предоставляющего ему наибольшие льготы. Однако, ни при каких условиях физическое лицо не будет пользоваться льготами, предоставляемы-

ми в совокупности подпунктами (b), (c), (d) и (e), свыше пяти налоговых лет со дня его прибытия в другое Договаривающееся Государство.

2. Общие льготы

Доход, получаемый физическим лицом с постоянным местопребыванием в одном Договаривающемся Государстве от работы в другом Договаривающемся Государстве, который не освобождается от налогов в соответствии с пунктом I настоящей статьи, может облагаться налогом в этом другом Договаривающемся Государстве, но только в том случае, если физическое лицо находится в этом другом Договаривающемся Государстве в течение периода времени, составляющего в сумме свыше 183 дней в данном налоговом году.

Статья УП

Настоящая Конвенция не будет ограничивать права Договаривающегося Государства облагать налогами гражданина этого Договаривающегося Государства.

Статья УШ

Настоящая Конвенция применяется к налогообложению доходов, получаемых только от той деятельности, которая осуществляется в Договаривающемся Государстве в соответствии с законами и правилами, действующими в таком Договаривающемся Государстве.

Статья IX

Если доход лица с постоянным местопребыванием в одном Договаривающемся Государстве освобождается от налогообложения в другом Договаривающемся Государстве в соответствии с настоящей Конвенцией, то такое лицо будет также освобождаться от любого налога, который установлен или может быть введен дополнительно в этом Договаривающемся Государстве на сделку, приносящую такой доход.

Статья X

I. Гражданин одного Договаривающегося Государства с постоянным местопребыванием в другом Договаривающемся Государстве не облагается в этом другом Договаривающемся Государстве более высокими налогами, чем гражданин этого другого Договаривающегося Государства, имеющий в нем постоянное местопребывание и осуществляющий ту же самую деятельность.

2. Гражданин одного из Договаривающихся Государств, который имеет постоянное местопребывание в другом Договаривающемся Государстве, или представительство, образованное в другом Договаривающемся Государстве лицом с постоянным местопребыванием в первом Договаривающемся Государстве, не облагаются в другом Договаривающемся Государстве более высокими налогами, чем те, которые обычно взимаются с граждан или представительств третьих стран, осуществляющих ту же самую деятельность. Однако, это положение не будет обязывать Договаривающееся Государство предоставлять гражданам или представительствам лиц, имеющих постоянное местопребывание в другом Договаривающемся Государстве, налоговые льготы предоставляемые специальными соглашениями гражданам или представительствам третьей страны.

3. Положения пунктов I и 2 настоящей статьи распространяются на налоги любой категории, введенные на федеральном или общесоюзном уровне, на уровне штатов или республик и на местном уровне.

Статья XI.

I. Если лицо с постоянным местопребыванием в одном Договаривающемся Государстве считает, что действия одного или обоих Договаривающихся Государств приводят или приведут к налогообложению его не в соответствии с настоящей Конвенцией, оно может, независимо от средств защиты, предусмотренных законодательством Договаривающихся Государств, подать заявление компетентным властям Договаривающегося Государства, в котором оно имеет свое

постоянное место пребывания или гражданином которого оно является. Если компетентные власти Договаривающегося Государства, которому пред"явлена претензия, признают последнюю обоснованной, они будут стремиться прийти к соглашению с компетентными властями другого Договаривающегося Государства для того, чтобы избежать налогообложения, не соответствующего положениям настоящей Конвенции.

2. В случае достижения такого согласия компетентные власти Договаривающихся Государств, если это необходимо, вернут переплаченные суммы, предоставят налоговые льготы, либо произведут взимание налогов.

Статья ХП

Компетентные власти Договаривающихся Государств будут ежегодно уведомлять друг друга об изменениях налогового законодательства, указанного в пункте I статьи I, и о введении налогов, указанных в пункте 2 статьи I, путем передачи текстов изменений или новых законодательных актов, а также уведомлять друг друга о материалах, касающихся применения настоящей Конвенции.

Статья ХШ

Настоящая Конвенция подлежит ратификации и вступит в силу на тридцатый день после обмена ратификационными грамотами. Обмен ратификационными грамотами будет произведен в Москве в возможно короткий срок.

Положения настоящей Конвенции будут, однако, применяться в отношении доходов, полученных начиная с первого января года, следующего за тем, в котором произведен обмен ратификационными трамотами или после этой даты.

Статья XIУ

I. Настоящая Конвенция будет действовать в течение трех лет со дня вступления в силу и будет оставаться в силе после

этого срока неопределенное время. Каждое из Договаривающихся Государств может прекратить действие Конвенции в любое время по истечении трех лет со дня вступления в силу настоящей Конвенции путем уведомления о прекращении действия через дипломатические каналы по крайней мере за шесть месяцев до окончания любого календарного года. В этом случае Конвенция прекратит свое действие начиная с первого января года, следующего за тем, в котором было передано уведомление.

2. Несмотря на положения пункта I настоящей статьи, каждое Договаривающееся Государство может прекратить действие любого из положений, предусмотренных подпунктами (e), (f) и (g) пункта I статьи Ш, а также положения статьи IX путем уведомления через дипломатические каналы в любое время по истечении трех лет со дня вступления Конвенции в силу. В этом случае такие положения прекратят свое действие начиная с первого января года, следующего за тем, в котором было передано уведомление.

В удостоверение чего Уполномоченные обоих Договаривающихся Государств подписали настоящую Конвенцию и скрепили ее своими печатями.

Совершено в Вашингтоне 20 июня 1973 года в двух экземплярах, каждый на английском и русском языках, причем оба текста имеют одинаковую силу.

За Президента Соединенных Штатов Америки

За Президиум Верховного Совета Союза Советских Социалистических Республик

TIAS 8225

87-129 O - 77 - 3

[RELATED LETTERS]

THE SECRETARY OF THE TREASURY
WASHINGTON, D.C. 20220

JUNE 20, 1973

DEAR MR. MINISTER:

In connection with the Income Tax Convention signed today, I should like to state our understanding of the agreement reached by the delegations of the United States of America and of the Union of Soviet Socialist Republics concerning the application of certain provisions of the Convention.

1. In connection with Article III, subparagraph 1.(e), it is our understanding that Soviet foreign trading organizations perform the functions of a broker or general commission agent for various Soviet industrial and other organizations in the purchase of goods and services from foreign suppliers. Accordingly, a representation of a United States commercial organization in the Soviet Union making sales to a Soviet foreign trading organization will be regarded as making sales through a broker or general commission agent.

It is understood that a firm acting in the USA as a broker, general commission agent or other agent for a Soviet foreign trade organization will not be considered to be of independent status if it is owned or otherwise controlled by an authorized organization of the Soviet Union.

It is also understood that if such a broker, general commission agent or other agent has no income other than commission income, such broker, general commission agent or other agent will be taxable only on such commission income.

2. In Article VI, subparagraphs 1.(d) and (e) provide exemption under certain circumstances of an amount "necessary to provide for ordinary living expenses." It is agreed that the exemption under subparagraph 1.(e) in any taxable year will not apply to any amount in excess of $10,000 or its equivalent in rubles, and that the exemption under subparagraph 1.(d) will generally apply to a lesser amount, to be determined in each specific case.

3. With respect to income mentioned in Article V, it is understood that each of the Contracting States will, if necessary, endeavor to secure exemption from taxes which may be imposed in Republics, states, or at the local level.

4. It is understood that both Contracting States continue to exercise tax jurisdiction over journalists and press, television, and radio correspondents on foreign assignment. Accordingly, it is agreed on the basis of reciprocity that subparagraph 1.(c)(1) of Article VI shall apply to such journalists and correspondents for a two-year period whether or not they are present in the other Contracting State at the invitation of a governmental agency or institution. It is understood

that the exemption granted by the host country will apply only to compensation received from abroad.

5. It is understood that customs duties are not considered taxes for purposes of Article IX and paragraph 3 of Article X.

Please accept, Mr. Minister, assurances of my highest consideration.

Sincerely yours,

GEORGE P. SHULTZ

George P. Shultz

Mr. NIKOLAI S. PATOLICHEV
Ministry of Foreign Trade
Union of Soviet Socialist Republics

МИНИСТЕРСТВО
ВНЕШНЕЙ ТОРГОВЛИ
С.С.С.Р

Вашингтон, 20 июня 1973 года

Уважаемый господин Министр,

В связи с подписанием сего числа Конвенции по вопросам налогообложения, я хотел бы подтвердить наше понимание соглашения, достигнутое делегациями Союза Советских Социалистических Республик и Соединенных Штатов Америки, относительно применения ряда положений Конвенции.

I. В связи с подпунктом I (е) статьи Ш мы понимаем, что советские внешнеторговые организации выполняют функции брокера, комиссионера или другого агента для различных советских промышленных и иных организаций при закупке товаров и услуг у иностранных поставщиков. Соответственно, представительства коммерческих организаций Соединенных Штатов в Советском Союзе при продаже товаров советским внешнеторговым организациям будут рассматриваться как осуществляющие запродажи через брокера, комиссионера или другого агента.

Понимается, что фирма, действующая в США как брокер, комиссионер или другой агент для какой-либо советской внешнеторговой организации, не будет рассматриваться как организация с независимым статусом, если она находится во владении или контролируется иным образом уполномоченной организацией Советского Союза.

Понимается также, что если такой брокер, комиссионер или другой агент не имеет другого дохода, кроме комиссионного вознаграждения, то такой брокер, комиссионер или другой

Господину Джорджу П.Шульцу,
Министру финансов
Соединенных Штатов Америки

агент будет облагаться налогом только с указанного комиссионного вознаграждения.

2. В статье УI, подпунктах (d) и (e) пункта I предусматривается освобождение от налогообложения при определенных обстоятельствах суммы, "необходимой для обеспечения нормального прожиточного уровня". Понимается, что освобождение от налогообложения в соответствии с подпунктом I (e) в любом налоговом году не будет применяться к сумме, превышающей I0.000 долларов или ее эквиваленту в рублях, и что освобождение от налогообложения в соответствии с подпунктом I (d) будет, как правило, применяться к меньшей сумме, определяемой в каждом конкретном случае.

3. В отношении доходов, предусмотренных статьей У, понимается, что каждое Договаривающееся Государство в случае необходимости будет стремиться обеспечить освобождение от налогообложения, которое может быть установлено в республиках или штатах или на местном уровне.

4. Понимается, что каждое Государство сохраняет за собой право обложения налогами журналистов и корреспондентов печати, радио и телевидения, командируемых за границу. Достигнута договоренность, что, на основе взаимности, пункт I (c) (I) статьи УI будет применяться к таким журналистам и корреспондентам на двухлетний период, независимо от того, находятся ли они в другом Договаривающемся Государстве по приглашению государственного учреждения или нет. При этом понимается, что освобождение от налогообложения, предоставляемое страной пребывания, будет применяться только к вознаграждению, получаемому из-за рубежа.

5. Понимается, что таможенные пошлины не рассматриваются как налоги для целей статьи IX и пункта 3 статьи X.

Примите, господин Министр, уверения в моем высоком к Вам уважении,

Искренне Ваш,

Н. Патоличев

TRANSLATION

MINISTRY OF FOREIGN TRADE
U.S.S.R.

June 20, 1973

Dear Mr. Secretary:

In connection with the Income Tax Convention signed today, I should like to state our understanding of the agreement reached by the delegations of the United States of America and of the Union of Soviet Socialist Republics concerning the application of certain provisions of the Convention.

1. In connection with Article III, subparagraph 1. (e), it is our understanding that Soviet foreign trading organizations perform the functions of a broker, general commission agent or other agent for various Soviet industrial and other organizations in the purchase of goods and services from foreign suppliers. Accordingly, a representation of a United States commercial organization in the Soviet Union making sales to a Soviet foreign trading organization will be regarded as making sales through a broker, general commission agent or other agent.

It is understood that a firm acting in the USA as a broker, general commission agent or other agent for a Soviet foreign trade organization will not be considered to be of independent status if it is owned or otherwise controlled by an authorized organization of the Soviet Union.

It is also understood that if such a broker, general commission agent or other agent has no income other than commission income, such broker, general commission agent or other agent will be taxable only on such commission income.

2. In Article VI, subparagraphs 1.(d) and (e) provide exemption under certain circumstances of an amount "necessary to provide for ordinary living expenses." It is agreed that the exemption under subparagraph 1.(e) in any taxable year will not apply to any amount in excess of $10,000 or its equivalent in rubles, and that the exemption under subparagraph 1.(d) will generally apply to a lesser amount, to be determined in each specific case.

3. With respect to income mentioned in Article V, it is understood that each of the Contracting States will, if necessary, endeavor to secure exemption from taxes which may be imposed in Republics, states, or at the local level.

4. It is understood that both Contracting States continue to exercise tax jurisdiction over journalists and press, television, and radio correspondents on foreign assignment. Accordingly, it is agreed on the basis of reciprocity that subparagraph 1.(c)(1) of Article VI shall apply to such journalists and correspondents for a two-year period whether or not they are present in the other Contracting State at the invitation of a governmental agency or institution. It is understood that the exemption granted by the host country will apply only to compensation received from abroad.

5. It is understood that customs duties are not considered taxes for purposes of Article IX and paragraph 3 of Article X.

Please accept, Mr. Secretary, assurances of my highest consideration.

Sincerely yours,

N PATOLICHEV

Mr. George P. Shultz
Secretary of the Treasury
United States of America

MULTILATERAL

Protection of World Cultural and Natural Heritage

Convention done at Paris November 23, 1972;
Ratification advised by the Senate of the United States of America, subject to a declaration, October 30, 1973;
Ratified by the President of the United States of America, subject to said declaration, November 13, 1973;
Ratification of the United States of America deposited with the Director-General of the United Nations Educational, Scientific and Cultural Organization December 7, 1973;
Proclaimed by the President of the United States of America March 1, 1976;
Entered into force December 17, 1975.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

CONSIDERING THAT:

The Convention Concerning the Protection of the World Cultural and Natural Heritage was done at Paris on November 23, 1972, a certified copy of which Convention, in the English, Spanish, French, Russian, and Arabic languages, is hereto annexed;

The Senate of the United States of America by its resolution of October 30, 1973, two-thirds of the Senators present concurring therein, gave its advice and consent to ratification of the Convention, subject to a declaration under Article 16(2) that the United States shall not be bound by the provisions of Article 16(1);

On November 13, 1973, the President of the United States of America ratified the Convention, subject to the aforesaid declaration;

The United States of America deposited its instrument of ratification on December 7, 1973, in accordance with the provisions of the Convention;

The Convention entered into force on December 17, 1975;

NOW, THEREFORE, I, Gerald R. Ford, President of the United States of America, proclaim and make public the Convention, to the end that it shall be observed and fulfilled with good faith on and after December 17, 1975, by the United States of America and by the citizens of the United States of America and all other persons subject to the jurisdiction thereof.

IN TESTIMONY WHEREOF, I have signed this proclamation and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this first day of March in the year of our Lord one thousand nine hundred seventy-six and of the Independence of the United States of America the two hundredth.

[SEAL]

GERALD R. FORD

By the President:
ROBERT S. INGERSOLL
Acting Secretary of State

United Nations Educational, Scientific and Cultural Organization
Organización de las Naciones Unidas para la Educación, la Ciencia y la Cultura
Organisation des Nations Unies pour l'éducation, la science et la culture
Организация объединенных наций по вопросам образования, науки и культуры
منظمة الامم المتحدة للتربية والعلم والثقافة

Convention concerning the protection of the world cultural and natural heritage

adopted by the General Conference at its seventeenth session
Paris, 16 November 1972

Convención sobre la protección del patrimonio mundial, cultural y natural

aprobada por la Conferencia General en su decimoséptima reunión
París, 16 de noviembre de 1972

Convention concernant la protection du patrimoine mondial, culturel et naturel

adoptée par la Conférence générale à sa dix-septième session
Paris, 16 novembre 1972

Конвенция об охране всемирного культурного и природного наследия

принятая Генеральной конференцией на семнадцатой сессии,
Париж, 16 ноября 1972 г.

اتفاقية لحماية التراث العالمى الثقافى والطبيعى

أقرها المؤتمر العام فى دورته السابعة عشرة
باريس ، ١٦ نوفمبر/تشرين الثانى ١٩٧٢

CONVENTION FOR THE PROTECTION OF THE
WORLD CULTURAL AND NATURAL HERITAGE

The General Conference of the United Nations Educational, Scientific and Cultural Organization meeting in Paris from 17 October to 21 November 1972, at its seventeenth session,

Noting that the cultural heritage and the natural heritage are increasingly threatened with destruction not only by the traditional causes of decay, but also by changing social and economic conditions which aggravate the situation with even more formidable phenomena of damage or destruction,

Considering that deterioration or disappearance of any item of the cultural or natural heritage constitutes a harmful impoverishment of the heritage of all the nations of the world,

Considering that protection of this heritage at the national level often remains incomplete because of the scale of the resources which it requires and of the insufficient economic, scientific and technical resources of the country where the property to be protected is situated,

Recalling that the Constitution of the Organization provides that it will maintain, increase and diffuse knowledge, by assuring the conservation and protection of the world's heritage, and recommending to the nations concerned the necessary international conventions,

Considering that the existing international conventions, recommendations and resolutions concerning cultural and natural property demonstrate the importance, for all the peoples of the world, of safeguarding this unique and irreplaceable property, to whatever people it may belong,

Considering that parts of the cultural or natural heritage are of outstanding interest and therefore need to be preserved as part of the world heritage of mankind as a whole,

Considering that, in view of the magnitude and gravity of the new dangers threatening them, it is incumbent on the international community as a whole to participate in the protection of the cultural and natural heritage of outstanding universal value, by the granting of collective assistance which, although not taking the place of action by the State concerned, will serve as an effective complement thereto,

Considering that it is essential for this purpose to adopt new provisions in the form of a convention establishing an effective system of collective protection of the cultural and natural heritage of outstanding universal value, organized on a permanent basis and in accordance with modern scientific methods,

Having decided, at its sixteenth session, that this question should be made the subject of an international convention,

Adopts this sixteenth day of November 1972 this Convention.

I. DEFINITIONS OF THE CULTURAL AND THE NATURAL HERITAGE

Article 1

For the purposes of this Convention, the following shall be considered as "cultural heritage":

monuments: architectural works, works of monumental sculpture and painting, elements or structures of an archaeological nature, inscriptions, cave dwellings and combinations of features, which are of outstanding universal value from the point of view of history, art or science;

groups of buildings: groups of separate or connected buildings which, because of their architecture, their homogeneity or their place in the landscape, are of outstanding universal value from the point of view of history, art or science;

sites: works of man or the combined works of nature and of man, and areas including archaeological sites which are of outstanding universal value from the historical, aesthetic, ethnological or anthropological points of view.

Article 2

For the purposes of this Convention, the following shall be considered as "natural heritage";

natural features consisting of physical and biological formations or groups of such formations, which are of outstanding universal value from the aesthetic or scientific point of view;

geological and physiographical formations and precisely delineated areas which constitute the habitat of threatened species of animals and plants of outstanding universal value from the point of view of science or conservation;

natural sites or precisely delineated natural areas of outstanding universal value from the point of view of science, conservation or natural beauty.

Article 3

It is for each State Party to this Convention to identify and delineate the different properties situated on its territory mentioned in Articles 1 and 2 above.

II. NATIONAL PROTECTION AND INTERNATIONAL PROTECTION OF THE CULTURAL AND NATURAL HERITAGE

Article 4

Each State Party to this Convention recognizes that the duty of ensuring the identification, protection, conservation, presentation and transmission to future generations of the cultural and natural heritage referred to in Articles 1 and 2 and situated on its territory, belongs primarily to that State. It will do all it can to this end, to the utmost of its own resources and, where appropriate, with any international assistance and co-operation, in particular, financial, artistic, scientific and technical, which it may be able to obtain.

Article 5

To ensure that effective and active measures are taken for the protection, conservation and presentation of the cultural and natural heritage situated on its territory, each State Party to this Convention shall endeavour, in so far as possible, and as appropriate for each country:

(a) to adopt a general policy which aims to give the cultural and natural heritage a function in the life of the community and to integrate the protection of that heritage into comprehensive planning programmes;

(b) to set up within its territories, where such services do not exist, one or more services for the protection, conservation and presentation of the cultural and natural heritage with an appropriate staff and possessing the means to discharge their functions;

(c) to develop scientific and technical studies and research and to work out such operating methods as will make the State capable of counteracting the dangers that threaten its cultural or natural heritage;

(d) to take the appropriate legal, scientific, technical, administrative and financial measures necessary for the identification, protection, conservation, presentation and rehabilitation of this heritage; and

(e) to foster the establishment or development of national or regional centres for training in the protection, conservation and presentation of the cultural and natural heritage and to encourage scientific research in this field.

Article 6

1. Whilst fully respecting the sovereignty of the States on whose territory the cultural and natural heritage mentioned in Articles 1 and 2 is situated, and without prejudice to property rights provided by national legislation, the States Parties to this Convention recognize that such heritage constitutes a world heritage for whose protection it is the duty of the international community as a whole to co-operate.

2. The States Parties undertake, in accordance with the provisions of this Convention, to give their help in the identification, protection, conservation and preservation of the cultural and natural heritage referred to in paragraphs 2 and 4 of Article 11 if the States on whose territory it is situated so request.

3. Each State Party to this Convention undertakes not to take any deliberate measures which might damage directly or indirectly the cultural and natural heritage referred to in Articles 1 and 2 situated on the territory of other States Parties to this Convention.

Article 7

For the purpose of this Convention, international protection of the world cultural and natural heritage shall be understood to mean the establishment of a system of international co-operation and assistance designed to support States Parties to the Convention in their efforts to conserve and identify that heritage.

III. INTERGOVERNMENTAL COMMITTEE FOR THE PROTECTION OF THE WORLD CULTURAL AND NATURAL HERITAGE

Article 8

1. An Intergovernmental Committee for the Protection of the Cultural and Natural Heritage of Outstanding Universal Value, called "the World Heritage Committee", is hereby established within the United Nations Educational, Scientific and Cultural Organization. It shall be composed of 15 States Parties to the Convention, elected by States Parties to the Convention meeting in general assembly during the ordinary session of the General Conference of the United Nations Educational, Scientific and Cultural Organization. The number of States members of the Committee shall be increased to 21 as from the date of the ordinary session of the General Conference following the entry into force of this Convention for at least 40 States.

2. Election of members of the Committee shall ensure an equitable representation of the different regions and cultures of the world.

3. A representative of the International Centre for the Study of the Preservation and Restoration of Cultural Property (Rome Centre), a representative of the International Council of Monuments and Sites (ICOMOS) and a representative of the International Union for Conservation of Nature and Natural Resources (IUCN), to whom may be added, at the request of States Parties to the Convention meeting in general assembly during the ordinary sessions of the General Conference of the United Nations Educational, Scientific and Cultural Organization, representatives of other intergovernmental or non-governmental organizations, with similar objectives, may attend the meetings of the Committee in an advisory capacity.

Article 9

1. The term of office of States members of the World Heritage Committee shall extend from the end of the ordinary session of the General Conference during which they are elected until the end of its third subsequent ordinary session.

2. The term of office of one-third of the members designated at the time of the first election shall, however, cease at the end of the first ordinary session of the General Conference following that at which they were elected; and the term of office of a further third of the members designated at the same time shall cease at the end of the second ordinary session of the General Conference following that at which they were elected. The names of these members shall be chosen by lot by the President of the General Conference of the United Nations Educational, Scientific and Cultural Organization after the first election.

3. States members of the Committee shall choose as their representatives persons qualified in the field of the cultural or natural heritage.

Article 10

1. The World Heritage Committee shall adopt its Rules of Procedure.

2. The Committee may at any time invite public or private organizations or individuals to participate in its meetings for consultation on particular problems.

3. The Committee may create such consultative bodies as it deems necessary for the performance of its functions.

Article 11

1. Every State Party to this Convention shall, in so far as possible, submit to the World Heritage Committee an inventory of property forming part of the cultural and natural heritage, situated in its territory and suitable for inclusion in the list provided for in paragraph 2 of this Article. This inventory, which shall not be considered exhaustive, shall include documentation about the location of the property in question and its significance.

2. On the basis of the inventories submitted by States in accordance with paragraph 1, the Committee shall establish, keep up to date and publish, under the title of "World Heritage List, a list of properties forming part of the cultural heritage and natural heritage, as defined in Articles 1 and 2 of this Convention, which it considers as having outstanding universal value in terms of such criteria as it shall have established. An updated list shall be distributed at least every two years.

3. The inclusion of a property in the World Heritage List requires the consent of the State concerned. The inclusion of a property situated in a territory, sovereignty or jurisdiction over which is claimed by more than one State shall in no way prejudice the rights of the parties to the dispute.

4. The Committee shall establish, keep up to date and publish, whenever circumstances shall so require, under the title of "List of World Heritage in Danger", a list of the property appearing in the World Heritage List for the conservation of which major operations are necessary and for which assistance has been requested under this Convention. This list shall contain an estimate of the cost of such operations. The list may include only such property forming part of the cultural and natural heritage as is threatened by serious and specific dangers, such as the threat of disappearance caused by accelerated deterioration, large-scale public or private projects or rapid urban or tourist development projects; destruction caused by changes in the use or ownership of the land; major alterations due to unknown causes; abandonment for any reason whatsoever; the outbreak or the threat of an armed conflict; calamities and cataclysms; serious fires, earthquakes, landslides; volcanic eruptions; changes in water level, floods, and tidal waves. The Committee may at any time, in case of urgent need, make a new entry in the List of World Heritage in Danger and publicize such entry immediately.

5. The Committee shall define the criteria on the basis of which a property belonging to the cultural or natural heritage may be included in either of the lists mentioned in paragraphs 2 and 4 of this article.

6. Before refusing a request for inclusion in one of the two lists mentioned in paragraphs 2 and 4 of this article, the Committee shall consult the State Party in whose territory the cultural or natural property in question is situated.

7. The Committee shall, with the agreement of the States concerned, co-ordinate and encourage the studies and research needed for the drawing up of the lists referred to in paragraphs 2 and 4 of this article.

Article 12

The fact that a property belonging to the cultural or natural heritage has not been included in either of the two lists mentioned in paragraphs 2 and 4 of Article 11 shall in no way be construed to mean that it does not have an outstanding universal value for purposes other than those resulting from inclusion in these lists.

Article 13

1. The World Heritage Committee shall receive and study requests for international assistance formulated by States Parties to this Convention with respect to property forming part of the cultural or natural heritage, situated in their territories, and included or potentially suitable for inclusion in the lists referred to in paragraphs 2 and 4 of Article 11. The purpose of such requests may be to secure the protection, conservation, presentation or rehabilitation of such property.

2. Requests for international assistance under paragraph 1 of this article may also be concerned with identification of cultural or natural property defined in Articles 1 and 2, when preliminary investigations have shown that further inquiries would be justified.

3. The Committee shall decide on the action to be taken with regard to these requests, determine where appropriate, the nature and extent of its assistance, and authorize the conclusion, on its behalf, of the necessary arrangements with the government concerned.

4. The Committee shall determine an order of priorities for its operations. It shall in so doing bear in mind the respective importance for the world cultural and natural heritage of the property requiring protection, the need to give international assistance to the property most representative of a natural environment or of the genius and the history of the peoples of the world, the urgency of the work to be done, the resources available to the States on whose territory the threatened property is situated and in particular the extent to which they are able to safeguard such property by their own means.

5. The Committee shall draw up, keep up to date and publicize a list of property for which international assistance has been granted.

6. The Committee shall decide on the use of the resources of the Fund established under Article 15 of this Convention. It shall seek ways of increasing these resources and shall take all useful steps to this end.

7. The Committee shall co-operate with international and national governmental and non-governmental organizations having objectives similar to those of this Convention. For the implementation of its programmes and projects, the Committee may call on such organizations, particularly the International Centre for the Study of the Preservation and Restoration of Cultural Property (the Rome Centre), the International Council of Monuments and Sites (ICOMOS) and the International Union for Conservation of Nature and Natural Resources (IUCN), as well as on public and private bodies and individuals.

8. Decisions of the Committee shall be taken by a majority of two-thirds of its members present and voting. A majority of the members of the Committee shall constitute a quorum.

Article 14

1. The World Heritage Committee shall be assisted by a Secretariat appointed by the Director-General of the United Nations Educational, Scientific and Cultural Organization.

2. The Director-General of the United Nations Educational, Scientific and Cultural Organization, utilizing to the fullest extent possible the services of the International Centre for the Study of the Preservation and the Restoration of Cultural Property (the Rome Centre), the International Council of Monuments and Sites (ICOMOS) and the International Union for Conservation of Nature and Natural Resources (IUCN) in their respective areas of competence and capability, shall prepare the Committee's documentation and the agenda of its meetings and shall have the responsibility for the implementation of its decisions.

IV. FUND FOR THE PROTECTION OF THE WORLD CULTURAL AND NATURAL HERITAGE

Article 15

1. A Fund for the Protection of the World Cultural and Natural Heritage of Outstanding Universal Value, called "the World Heritage Fund" is hereby established.

2. The Fund shall constitute a trust fund, in conformity with the provisions of the Financial Regulations of the United Nations Educational, Scientific and Cultural Organization.

3. The resources of the Fund shall consist of:

   (a) compulsory and voluntary contributions made by the States Parties to this Convention,

   (b) contributions, gifts or bequests which may be made by:

      (i) other States;

      (ii) the United Nations Educational, Scientific and Cultural Organization, other organizations of the United Nations system, particularly the United Nations Development Programme or other intergovernmental organizations;

      (iii) public or private bodies or individuals;

   (c) any interest due on the resources of the Fund;

   (d) funds raised by collections and receipts from events organized for the benefit of the Fund; and

   (e) all other resources authorized by the Fund's regulations, as drawn up by the World Heritage Committee.

4. Contributions to the Fund and other forms of assistance made available to the Committee may be used only for such purposes as the Committee shall define. The Committee may accept contributions to be used only for a certain programme or project, provided that the Committee shall have decided on the implementation of such programme or project. No political conditions may be attached to contributions made to the Fund.

Article 16

1. Without prejudice to any supplementary voluntary contribution, the States Parties to this Convention undertake to pay regularly, every two years, to the World Heritage Fund, contributions, the amount of which, in the form of a uniform percentage applicable to all States, shall be determined by the General Assembly of States Parties to the Convention, meeting during the sessions of the General Conference of the United Nations Educational, Scientific and Cultural Organization. This decision of the General Assembly requires the majority of the States Parties present and voting, which have not made the declaration referred to in paragraph 2 of this Article. In no case shall the compulsory contribution of States Parties to the Convention exceed 1% of the contribution to the Regular Budget of the United Nations Educational, Scientific and Cultural Organization.

2. However, each State referred to in Article 31 or in Article 32 of this Convention may declare, at the time of the deposit of its instruments of ratification, acceptance or accession, that it shall not be bound by the provisions of paragraph 1 of this Article.

3. A State Party to the Convention which has made the declaration referred to in paragraph 2 of this Article may at any time withdraw the said declaration by notifying the Director-General of the United Nations Educational, Scientific and Cultural Organization. However, the withdrawal of the declaration shall not take effect in regard to the compulsory contribution due by the State until the date of the subsequent General Assembly of States Parties to the Convention.

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4. In order that the Committee may be able to plan its operations effectively, the contributions of States Parties to this Convention which have made the declaration referred to in paragraph 2 of this Article, shall be paid on a regular basis, at least every two years, and should not be less than the contributions which they should have paid if they had been bound by the provisions of paragraph 1 of this Article.

5. Any State Party to the Convention which is in arrears with the payment of its compulsory or voluntary contribution for the current year and the calendar year immediately preceding it shall not be eligible as a Member of the World Heritage Committee, although this provision shall not apply to the first election.

The terms of office of any such State which is already a member of the Committee shall terminate at the time of the elections provided for in Article 8, paragraph 1 of this Convention.

Article 17

The States Parties to this Convention shall consider or encourage the establishment of national, public and private foundations or associations whose purpose is to invite donations for the protection of the cultural and natural heritage as defined in Articles 1 and 2 of this Convention.

Article 18

The States Parties to this Convention shall give their assistance to international fund-raising campaigns organized for the World Heritage Fund under the auspices of the United Nations Educational, Scientific and Cultural Organization. They shall facilitate collections made by the bodies mentioned in paragraph 3 of Article 15 for this purpose.

V. CONDITIONS AND ARRANGEMENTS FOR INTERNATIONAL ASSISTANCE

Article 19

Any State Party to this Convention may request international assistance for property forming part of the cultural or natural heritage of outstanding universal value situated within its territory. It shall submit with its request such information and documentation provided for in Article 21 as it has in its possession and as will enable the Committee to come to a decision.

Article 20

Subject to the provisions of paragraph 2 of Article 13, sub-paragraph (c) of Article 22 and Article 23, international assistance provided for by this Convention may be granted only to property forming part of the cultural and natural heritage which the World Heritage Committee has decided, or may decide, to enter in one of the lists mentioned in paragraphs 2 and 4 of Article 11.

Article 21

1. The World Heritage Committee shall define the procedure by which requests to it for international assistance shall be considered and shall specify the content of the request, which should define the operation contemplated, the work that is necessary, the expected cost thereof, the degree of urgency and the reasons why the resources of the State requesting assistance do not allow it to meet all the expenses. Such requests must be supported by experts' reports whenever possible.

2. Requests based upon disasters or natural calamities should, by reasons of the urgent work which they may involve, be given immediate, priority consideration by the Committee, which should have a reserve fund at its disposal against such contingencies.

3. Before coming to a decision, the Committee shall carry out such studies and consultations as it deems necessary.

Article 22

Assistance granted by the World Heritage Committee may take the following forms:

(a) studies concerning the artistic, scientific and technical problems raised by the protection, conservation, presentation and rehabilitation of the cultural and natural heritage, as defined in paragraphs 2 and 4 of Article 11 of this Convention;

(b) provision of experts, technicians and skilled labour to ensure that the approved work is correctly carried out;

(c) training of staff and specialists at all levels in the field of identification, protection, conservation, presentation and rehabilitation of the cultural and natural heritage;

(d) supply of equipment which the State concerned does not possess or is not in a position to acquire;

(e) low-interest or interest-free loans which might be repayable on a long-term basis;

(f) the granting, in exceptional cases and for special reasons, of non-repayable subsidies.

Article 23

The World Heritage Committee may also provide international assistance to national or regional centres for the training of staff and specialists at all levels in the field of identification, protection, conservation, presentation and rehabilitation of the cultural and natural heritage.

Article 24

International assistance on a large scale shall be preceded by detailed scientific, economic and technical studies. These studies shall draw upon the most advanced techniques for the protection, conservation, presentation and rehabilitation of the natural and cultural heritage and shall be consistent with the objectives of this Convention. The studies shall also seek means of making rational use of the resources available in the State concerned.

Article 25

As a general rule, only part of the cost of work necessary shall be borne by the international community. The contribution of the State benefiting from international assistance shall constitute a substantial share of the resources devoted to each programme or project, unless its resources do not permit this.

Article 26

The World Heritage Committee and the recipient State shall define in the agreement they conclude the conditions in which a programme or project for which international assistance under the terms of this Convention is provided, shall be carried out. It shall be the responsibility of the State receiving such international assistance to continue to protect, conserve and present the property so safeguarded, in observance of the conditions laid down by the agreement.

VI. EDUCATIONAL PROGRAMMES

Article 27

1. The States Parties to this Convention shall endeavour by all appropriate means, and in particular by educational and information programmes, to strengthen appreciation and respect by their peoples of the cultural and natural heritage defined in Articles 1 and 2 of the Convention.

2. They shall undertake to keep the public broadly informed of the dangers threatening this heritage and of activities carried on in pursuance of this Convention.

Article 28

States Parties to this Convention which receive international assistance under the Convention shall take appropriate measures to make known the importance of the property for which assistance has been received and the rôle played by such assistance.

VII. REPORTS

Article 29

1. The States Parties to this Convention shall, in the reports which they submit to the General Conference of the United Nations Educational, Scientific and Cultural Organization on dates and in a manner to be determined by it, give information on the legislative and administrative provisions which they have adopted and other action which they have taken for the application of this Convention, together with details of the experience acquired in this field.

2. These reports shall be brought to the attention of the World Heritage Committee.

3. The Committee shall submit a report on its activities at each of the ordinary sessions of the General Conference of the United Nations Educational, Scientific and Cultural Organization.

VIII. FINAL CLAUSES

Article 30

This Convention is drawn up in Arabic, English, French, Russian and Spanish, the five texts being equally authoritative.

Article 31

1. This Convention shall be subject to ratification or acceptance by States members of the United Nations Educational, Scientific and Cultural Organization in accordance with their respective constitutional procedures.

2. The instruments of ratification or acceptance shall be deposited with the Director-General of the United Nations Educational, Scientific and Cultural Organization.

Article 32

1. This Convention shall be open to accession by all States not members of the United Nations Educational, Scientific and Cultural Organization which are invited by the General Conference of the Organization to accede to it.

2. Accession shall be effected by the deposit of an instrument of accession with the Director-General of the United Nations Educational, Scientific and Cultural Organization.

Article 33

This Convention shall enter into force three months after the date of the deposit of the twentieth instrument of ratification, acceptance or accession, but only with respect to those States which have deposited their respective instruments of ratification, acceptance or accession on or before that date. It shall enter into force with respect to any other State three months after the deposit of its instrument of ratification, acceptance or accession.

Article 34

The following provisions shall apply to those States Parties to this Convention which have a federal or non-unitary constitutional system:

(a) with regard to the provisions of this Convention, the implementation of which comes under the legal jurisdiction of the federal or central legislative power, the obligations of the federal or central government shall be the same as for those States Parties which are not federal States;

(b) with regard to the provisions of this Convention, the implementation of which comes under the legal jurisdiction of individual constituent States, countries, provinces or cantons that are not obliged by the constitutional system of the federation to take legislative measures, the federal government shall inform the competent authorities of such States, countries, provinces or cantons of the said provisions, with its recommendation for their adoption.

Article 35

1. Each State Party to this Convention may denounce the Convention.

2. The denunciation shall be notified by an instrument in writing, deposited with the Director-General of the United Nations Educational, Scientific and Cultural Organization.

3. The denunciation shall take effect twelve months after the receipt of the instrument of denunciation. It shall not affect the financial obligations of the denouncing State until the date on which the withdrawal takes effect.

Article 36

The Director-General of the United Nations Educational, Scientific and Cultural Organization shall inform the States members of the Organization, the States not members of the Organization which are referred to in Article 32, as well as the United Nations, of the deposit of all the instruments of ratification, acceptance, or accession provided for in Articles 31 and 32, and of the denunciations provided for in Article 35.

Article 37

1. This Convention may be revised by the General Conference of the United Nations Educational, Scientific and Cultural Organization. Any such revision shall, however, bind only the States which shall become Parties to the revising convention.

2. If the General Conference should adopt a new convention revising this Convention in whole or in part, then, unless the new convention otherwise provides, this Convention shall cease to be open to ratification, acceptance or accession, as from the date on which the new revising convention enters into force.

Article 38 [1]

In conformity with Article 102 of the Charter of the United Nations, this Convention shall be registered with the Secretariat of the United Nations at the request of the Director-General of the United Nations Educational, Scientific and Cultural Organization.

Done in Paris, this twenty-third day of November 1972, in two authentic copies bearing the signature of the President of the seventeenth session of the General Conference and of the Director-General of the United Nations Educational, Scientific and Cultural Organization, which shall be deposited in the archives of the United Nations Educational, Scientific and Cultural Organization, and certified true copies of which shall be delivered to all the States referred to in Articles 31 and 32 as well as to the United Nations.

[1] TS 993; 59 Stat. 1031.

CONVENCION PARA LA PROTECCION DEL
PATRIMONIO MUNDIAL CULTURAL Y NATURAL

La Conferencia General de la Organización de las Naciones Unidas para la Educación, la Ciencia y la Cultura, en su 17a. reunión celebrada en París del 17 de octubre al 21 de noviembre de 1972,

Constatando que el patrimonio cultural y el patrimonio natural están cada vez más amenazados de destrucción, no sólo por las causas tradicionales de deterioro sino también por la evolución de la vida social y económica que las agrava con fenómenos de alteración o de destrucción aún más temibles,

Considerando que el deterioro o la desaparición de un bien del patrimonio cultural y natural constituye un empobrecimiento nefasto del patrimonio de todos los pueblos del mundo,

Considerando que la protección de ese patrimonio a escala nacional es en muchos casos incompleto, dada la magnitud de los medios que requiere y la insuficiencia de los recursos económicos, científicos y técnicos del país en cuyo territorio se encuentra el bien que ha de ser protegido,

Teniendo presente que la Constitución de la Unesco estipula que la Organización ayudará a la conservación, al progreso y a la difusión del saber, velando por la conservación y la protección del patrimonio universal, y recomendando a los interesados las convenciones internacionales que sean necesarias para ese objeto,

Considerando que las convenciones, recomendaciones y resoluciones internacionales existentes en favor de los bienes culturales y naturales, demuestran la importancia que tiene para todos los pueblos del mundo, la conservación de esos bienes únicos e irremplazables de cualquiera que sea el país a que pertenezcan,

Considerando que ciertos bienes del patrimonio cultural y natural presentan un interés excepcional que exige se conserven como elementos del patrimonio mundial de la humanidad entera,

Considerando que, ante la amplitud y la gravedad de los nuevos peligros que les amenazan, incumbe a la colectividad internacional entera participar en la protección del patrimonio cultural y natural de valor universal excepcional prestando una asistencia colectiva que sin reemplazar la acción del Estado interesado la complete eficazmente,

Considerando que es indispensable adoptar para ello nuevas disposiciones convencionales que establezcan un sistema eficaz de protección colectiva del patrimonio cultural y natural de valor excepcional organizada de una manera permanente, y según métodos científicos y modernos,

Habiendo decidido, en su décimosexta reunión, que esta cuestión sería objeto de una Convención internacional,

Aprueba en este día dieciséis de noviembre de 1972, la presente Convención:

I. DEFINICIONES DEL PATRIMONIO CULTURAL Y NATURAL

ARTICULO 1

A los efectos de la presente Convención se considerará "patrimonio cultural":

- los monumentos: obras arquitectónicas, de escultura o de pintura monumentales, elementos o estructuras de carácter arqueológico, inscripciones, cavernas y grupos de elementos, que tengan un valor universal excepcional desde el punto de vista de la historia, del arte o de la ciencia,

- los conjuntos: grupos de construcciones, aisladas o reunidas, cuya arquitectura, unidad e integración en el paisaje les dé un valor universal excepcional desde el punto de vista de la historia, del arte o de la ciencia,

- los lugares: obras del hombre u obras conjuntas del hombre y la naturaleza así como las zonas incluidos los lugares arqueológicos que tengan un valor universal excepcional desde el punto de vista histórico, estético, etnológico o antropológico.

ARTICULO 2

A los efectos de la presente Convención se considerarán "patrimonio natural":

- los monumentos naturales constituidos por formaciones físicas y biológicas o por grupos de esas formaciones que tengan un valor universal excepcional desde el punto de vista estético o científico,

- las formaciones geológicas y fisiográficas y las zonas estrictamente delimitadas que constituyan el habitat de especies animal y vegetal amenazadas, que tengan un valor universal excepcional desde el punto de vista estético o científico,

- los lugares naturales o las zonas naturales estrictamente delimitadas, que tengan un valor universal excepcional desde el punto de vista de la ciencia, de la conservación o de la belleza natural.

ARTICULO 3

Incumbirá a cada Estado Parte en la presente Convención identificar y delimitar los diversos bienes situados en su territorio y mencionados en los artículos 1 y 2.

II. PROTECCION NACIONAL Y PROTECCION INTERNACIONAL DEL PATRIMONIO CULTURAL Y NATURAL

ARTICULO 4

Cada uno de los Estados Partes en la presente Convención reconoce que la obligación de identificar, proteger, conservar, rehabilitar y transmitir a las generaciones futuras el patrimonio cultural y natural situado en su territorio, le incumbe primordialmente. Procurará actuar con ese objeto por su propio esfuerzo y hasta el máximo de los recursos de que disponga, y llegado el caso, mediante la asistencia y la cooperación internacionales de que se pueda beneficiar, sobre todo en los aspectos financiero, artístico, científico y técnico.

ARTICULO 5

Con objeto de garantizar una protección y una conservación eficaces y revalorizar lo más activamente posible el patrimonio cultural y natural situado en su territorio y en las condiciones adecuadas a cada país, cada uno de los Estados Partes en la presente Convención procurará dentro de lo posible:

a) adoptar una política general encaminada a atribuir al patrimonio cultural y natural una función en la vida colectiva y a integrar la protección de ese patrimonio en los programas de planificación general;

b) instituir en su territorio, si no existen, uno o varios servicios de protección, conservación y revalorización del patrimonio cultural y natural, dotados de un personal adecuado que disponga de medios que le permitan llevar a cabo las tareas que le incumban;

c) desarrollar los estudios y la investigación científica y técnica y perfeccionar los métodos de intervención que permitan a un Estado hacer frente a los peligros que amenacen a su patrimonio cultural y natural;

d) adoptar las medidas jurídicas, científicas, técnicas, administrativas y financieras adecuadas, para identificar, proteger, conservar, revalorizar y rehabilitar ese patrimonio; y

e) facilitar la creación o el desenvolvimiento de centros nacionales o regionales de formación en materia de protección, conservación y revalorización del patrimonio cultural y natural y estimular la investigación científica en este campo;

ARTICULO 6

1. Respetando plenamente la soberanía de los Estados en cuyos territorios se encuentre el patrimonio cultural y natural a que se refieren los artículos 1 y 2 y sin perjuicio de los derechos reales previstos por la legislación nacional sobre ese patrimonio, los Estados Partes en la presente Convención reconocen que constituye un patrimonio universal en cuya protección la comunidad internacional entera tiene el deber de cooperar.

2. Los Estados Partes se obligan, en consecuencia y de conformidad con lo dispuesto en la presente Convención, a prestar su concurso para identificar, proteger, conservar y revalorizar el patrimonio cultural y natural de que trata el artículo 11, párrafos 2 y 4, si lo pide el Estado en cuyo territorio esté situado.

3. Cada uno de los Estados Partes en la presente Convención se obliga a no tomar deliberadamente ninguna medida que pueda causar daño, directa o indirectamente, al patrimonio cultural y natural de que tratan los artículos 1 y 2 situado en el territorio de otros Estados Partes en esta Convención.

ARTICULO 7

Para los fines de la presente Convención, se entenderá por protección internacional del patrimonio mundial cultural y natural el establecimiento de un sistema de cooperación y asistencia internacional destinado a secundar a los Estados Partes en la Convención en los esfuerzos que desplieguen para conservar e identificar ese patrimonio.

III. COMITE INTERGUBERNAMENTAL DE PROTECCION DEL PATRIMONIO MUNDIAL CULTURAL Y NATURAL

ARTICULO 8

1. Se crea en la Organización de las Naciones Unidas para la Educación, la Ciencia y la Cultura un Comité intergubernamental de protección del patrimonio cultural y natural de valor universal excepcional, denominado "el Comité del Patrimonio Mundial". Estará compuesto de 15 Estados Partes en la Convención, elegidos por los Estados Partes en ella, constituidos en Asamblea General durante las reuniones ordinarias de la Conferencia General de la Organización de las Naciones Unidas para la Educación, la Ciencia y la Cultura. El número de Estados Miembros del Comité se aumentará hasta 21, a partir de la reunión ordinaria de la Conferencia General que siga a la entrada en vigor de la presente Convención en 40 o más Estados.

2. La elección de los miembros del Comité garantizará la representación equitativa de las diferentes regiones y culturas del mundo.

3. A las sesiones del Comité podrán asistir, con voz consultiva, un representante del Centro Internacional de estudios para la conservación y restauración de los bienes culturales (Centro de Roma) un representante del Consejo internacional de monumentos y lugares de interés artístico e histórico (ICOMOS) y un representante de la Unión internacional para la conservación de la naturaleza y sus recursos (UICN), a los que se podrán añadir, a petición de los Estados Partes reunidos en Asamblea General durante las reuniones ordinarias de la Conferencia General de la Organización de las Naciones Unidas para la Educación, la Ciencia y la Cultura, representantes de otras organizaciones intergubernamentales o no gubernamentales que tengan objetivos similares.

ARTICULO 9

1. Los Estados Miembros del Comité del patrimonio mundial ejercerán su mandato desde que termine la reunión ordinaria de la Conferencia General en la que hayan sido elegidos hasta la clausura de la tercera reunión ordinaria siguiente.

2. Sin embargo, el mandato de un tercio de los miembros designados en la primera elección expirará al fin de la primera reunión ordinaria de la Conferencia General siguiente a aquella en que hayan sido elegidos y el mandato de un segundo tercio de los miembros designados al mismo tiempo, expirará al fin de la segunda reunión ordinaria de la Conferencia General siguiente a aquella en que hayan sido elegidos. Los nombres de esos miembros serán sorteados por el Presidente de la Conferencia General después de la primera elección.

3. Los Estados Miembros del Comité designarán, para que los representen en él, a personas calificadas en el campo del patrimonio cultural o del patrimonio natural.

ARTICULO 10

1. El Comité del Patrimonio Mundial aprobará su reglamento.

2. El Comité podrá en todo momento invitar a sus reuniones a organismos públicos o privados, así como a personas privadas, para consultarles sobre cuestiones determinadas.

3. El Comité podrá crear los órganos consultivos que considere necesarios para ejecutar su labor.

ARTICULO 11

1. Cada uno de los Estados Partes en la presente Convención presentará al Comité del Patrimonio Mundial, en la medida de lo posible, un inventario de los bienes del patrimonio cultural y natural situados en su territorio y aptos para ser incluídos en la lista de que trata el párrafo 2 de este artículo. Este inventario, que no se considerará exhaustivo, habrá de contener documentación sobre el lugar en que estén situados los bienes y sobre el interés que presenten.

2. A base de los inventarios presentados por los Estados según lo dispuesto en el párrafo 1, el Comité establecerá, llevará al día y publicará, con el título de "Lista del patrimonio mundial", una lista de los bienes del patrimonio cultural y del patrimonio natural, tal como los definen los artículos 1 y 2 de la presente Convención, que considere que poseen un valor universal excepcional siguiendo los criterios que haya establecido. Una lista revisada puesta al día se distribuirá al menos cada dos años.

3. Será preciso el consentimiento del Estado interesado para inscribir un bien en la Lista del patrimonio mundial. La inscripción de un bien situado en un territorio que sea objeto de reivindicación de soberanía o de jurisdicción por parte de varios Estados no prejuzgará nada sobre los derechos de las partes en litigio.

4. El Comité establecerá, llevará al día y publicará, cada vez que las circunstancias lo exijan, con el nombre de "Lista del patrimonio mundial en peligro" una lista de los bienes que figuren en la Lista del patrimonio mundial, cuya protección exija grandes trabajos de conservación para los cuales se haya pedido ayuda en virtud de la presente Convención. Esta lista contendrá una estimación del costo de las operaciones. Sólo podrán figurar en esa lista los bienes del patrimonio cultural y natural que estén amenazados por peligros graves y precisos como la amenaza de desaparición debida a un deterioro acelerado, proyectos de grandes obras públicas o privadas, rápido desarrollo urbano y turístico, destrucción debida a cambios de utilización o de propiedad de tierra, alteraciones profundas debidas a una causa desconocida, abandono por cualquier motivo, conflicto armado que haya estallado o amenace estallar, catástrofes y cataclismos, incendios, terremotos, deslizamientos de terreno, erupciones volcánicas, modificaciones del nivel de las aguas, inundaciones y maremotos. El Comité podrá siempre, en caso de urgencia, efectuar una nueva inscripción en la Lista del patrimonio mundial en peligro y darle una difusión inmediata.

5. El Comité definirá los criterios que servirán de base para la inscripción de un bien del patrimonio cultural y natural en una u otra de las listas de que tratan los párrafos 2 y 4 del presente artículo.

6. Antes de denegar una petición de inscripción en una de las dos listas de que tratan los párrafos 2 y 4 del presente artículo, el Comité consultará con el Estado Parte en cuyo territorio esté situado el bien del patrimonio cultural o natural de que se trate.

7. El Comité con el acuerdo de los Estados interesados, coordinará y estimulará los estudios y las investigaciones necesarios para constituir las listas a que se refieren los párrafos 2 y 4 del presente artículo.

ARTICULO 12

El hecho de que un patrimonio cultural y natural no se haya inscrito en una u otra de las dos listas de que tratan los párrafos 2 y 4 del artículo 11 no significará en modo alguno que no tenga un valor universal excepcional para fines distintos de los que resultan de la inscripción en estas listas.

ARTICULO 13

1. El Comité del Patrimonio Mundial recibirá y estudiará las peticiones de asistencia internacional formuladas por los Estados Partes en la presente Convención en lo que respecta a los bienes del patrimonio cultural y natural situados en sus territorios, que figuran o son susceptibles de figurar en las listas de que tratan los párrafos 2 y 4 del artículo 11. Esas peticiones podrán tener por objeto la protección, la conservación, la revalorización o la rehabilitación de dichos bienes.

2. Las peticiones de ayuda internacional, en aplicación del párrafo 1 del presente artículo, podrán tener también por objeto la identificación de los bienes del patrimonio cultural o natural definidos en los artículos 1 y 2, cuando las investigaciones preliminares hayan demostrado que merecen ser proseguidas.

3. El Comité decidirá sobre esas peticiones, determinará, llegado el caso, la índole y la importancia de su ayuda y autorizará la celebración en su nombre, de los acuerdos necesarios con el Gobierno interesado.

4. El Comité fijará el orden de prioridad de sus intervenciones. Para ello tendrá en cuenta la importancia respectiva de los bienes que se hayan de proteger para el patrimonio mundial cultural y natural, la necesidad de asegurar una protección internacional a los bienes más representativos de la naturaleza o del genio y la historia de los pueblos del mundo, la urgencia de los trabajos que se hayan de emprender, la importancia de los recursos de los Estados en cuyo territorio se encuentren los bienes amenazados y en particular la medida en que podrán asegurar la salvaguardia de esos bienes por sus propios medios.

5. El Comité establecerá, pondrá al día y difundirá una lista de los bienes para los que se haya prestado ayuda internacional.

6. El Comité decidirá sobre la utilización de los recursos del Fondo creado en virtud de lo dispuesto en el artículo 15 de la presente Convención. Buscará la manera de aumentar los recursos y tomará para ello las disposiciones necesarias.

7. El Comité cooperará con las organizaciones internacionales y nacionales gubernamentales y no gubernamentales, cuyos objetivos sean análogos a los de la presente Convención. Para elaborar sus programas y, ejecutar sus proyectos, el Comité podrá recurrir a esas organizaciones y, en particular al Centro internacional de estudios de conservación y restauración de los bienes culturales (Centro de Roma), al Consejo internacional de monumentos y de lugares de interés artístico e histórico (ICOMOS) o a la Unión Internacional para la conservación de la naturaleza y sus recursos (UICN), como también a organismos públicos y privados, y a particulares.

8. El Comité tomará sus decisiones por mayoría de dos tercios de los miembros presentes y votantes. Constituirá quorum la mayoría de los miembros del Comité.

ARTICULO 14

1. El Comité del Patrimonio Mundial estará secundado por una secretaría nombrada por el Director General de la Organización de las Naciones Unidas para la Educación, la Ciencia y la Cultura.

2. El Director General de la Organización de las Naciones Unidas para la Educación, la Ciencia y la Cultura, utilizando lo más posible los servicios del Centro Internacional de estudios para la conservación y la restauración de los bienes culturales (Centro Roma), del Consejo Internacional de monumentos y de lugares de interés artístico e histórico (ICOMOS) y los de la Unión internacional para la conservación de la naturaleza y sus recursos (UICN) dentro de sus competencias y de sus atribuciones respectivas, preparará la documentación del Comité y el orden del día de sus reuniones, y ejecutará sus decisiones.

IV. FONDO PARA LA PROTECCION DEL PATRIMONIO MUNDIAL CULTURAL Y NATURAL

ARTICULO 15

1. Se crea un Fondo para la Protección del Patrimonio Cultural y Natural Mundial de Valor Universal Excepcional, denominado "el Fondo del Patrimonio Mundial".

2. El Fondo estará constituido como fondo fiduciario, de conformidad con las disposiciones pertinentes del Reglamento Financiero de la Organización de las Naciones Unidas para la Educación, la Ciencia y la Cultura.

3. Los recursos del Fondo estarán constituidos por:

a) Las contribuciones obligatorias y las contribuciones voluntarias de los Estados Partes en la presente Convención;

b) Las aportaciones, donaciones o legados que puedan hacer:

i) otros Estados

ii) la Organización de las Naciones Unidas para la Educación, la Ciencia y la Cultura, las demás organizaciones del sistema de las Naciones Unidas, especialmente el Programa de las Naciones Unidas para el Desarrollo y otras organizaciones intergubernamentales

iii) organismos públicos o privados o personas privadas.

c) Todo interés producido por los recursos del Fondo

d) El producto de las colectas y las recaudaciones de las manifestaciones organizadas en provecho del Fondo

e) Todos los demás recursos autorizados por el Reglamento que elaborará el Comité del Patrimonio Mundial.

4. Las contribuciones al Fondo y las demás formas de ayuda que se presten al Comité sólo se podrán dedicar a los fines fijados por él. El Comité podrá aceptar contribuciones que hayan de ser destinadas a un determinado programa o a un proyecto específico, a condición de que él haya decidido poner en práctica ese programa o ejecutar ese proyecto. Las contribuciones que se hagan al fondo no han de estar supeditadas a condiciones políticas.

ARTICULO 16

1. Sin perjuicio de cualquier contribución voluntaria complementaria, los Estados Partes en la presente Convención se obligan a ingresar normalmente, cada dos años, en el Fondo del Patrimonio Mundial, contribuciones cuya cuantía en forma de un porcentaje único aplicable a todos los Estados decidirá la Asamblea General de los Estados Partes en la Convención, reunida durante la celebración de la Conferencia General de la Organización de las Naciones Unidas para la Educación, la Ciencia y la Cultura. Esa decisión de la Asamblea General requerirá la mayoría de los Estados Partes presentes y votantes que no hayan hecho la declaración que menciona el párrafo 2 del presente artículo. La contribución obligatoria de los Estados Partes en la Convención no podrá exceder en ningún caso del 1% de la contribución al presupuesto ordinario de la Organización de las Naciones Unidas, para la Educación, la Ciencia y la Cultura.

2. No obstante, cualquiera de los Estados a que se refiere el artículo 31 o el artículo 32 de la presente Convención podrá. en el momento de depositar su instrumento de ratificación, de aceptación o de adhesión, declarar que no se considera obligado por las disposiciones del párrafo 1 del presente artículo.

3. Todo Estado Parte en la Convención que haya formulado la declaración mencionada en el párrafo 2 del presente artículo, podrá retirarla en cualquier momento, notificándolo al Director General de la Organización de las Naciones Unidas para la Educación, la Ciencia y la Cultura. Sin embargo, el hecho de retirar la declaración no producirá efecto alguno respecto de la contribución obligatoria que adeude dicho Estado hasta la fecha de la siguiente Asamblea General de los Estados Partes en la Convención.

4. Para que el Comité esté en condiciones de prever sus operaciones de manera eficaz, las contribuciones de los Estados Partes en la presente Convención que hayan hecho la declaración de que trata el párrafo 2 del presente artículo habrán de ser entregadas de una manera regular, cada dos años por lo menos, y no deberían ser inferiores a las contribuciones que hubieran tenido que pagar si hubiesen estado obligados por las disposiciones del párrafo 1 del presente artículo.

5. Todo Estado Parte en la Convención que esté en retraso en el pago de su contribución obligatoria o voluntaria en lo que respecta al año en curso y al año civil inmediatamente anterior, no podrá ser elegido miembro del Comité del Patrimonio Mundial, si bien esta disposición no será aplicable en la primera elección. Si tal Estado es ya miembro del Comité no será aplicable en la primera elección. Si tal Estado es ya miembro del Comité, su mandato se extinguirá en el momento en que se efectúen las elecciones previstas por el párrafo 1 del artículo 8 de la presente Convención.

ARTICULO 17

Los Estados Partes en la presente Convención considerarán o favorecerán la creación de fundaciones o de asociaciones nacionales públicas y privadas que tengan por objeto estimular las liberalidades en favor de la protección del patrimonio cultural y natural definido en los artículos 1 y 2 de la presente Convención.

ARTICULO 18

Los Estados Partes en la presente Convención prestarán su concurso a las campañas internacionales de colecta de fondos que se organicen en provecho del Fondo del Patrimonio Mundial bajo los auspicios de la Organización de las Naciones Unidas para la Educación, la Ciencia y la Cultura. Facilitarán las colectas hechas con este propósito por los organismos mencionados en el párrafo 3 del artículo 15.

V. CONDICIONES Y MODALIDADES DE LA ASISTENCIA INTERNACIONAL

ARTICULO 19

Todo Estado Parte en la presente Convención podrá pedir asistencia internacional en favor de los bienes del patrimonio cultural o natural de valor universal excepcional situados en su territorio. Unirá a su petición los elementos de información y los documentos previstos en el artículo 21 de que disponga que el Comité necesite para tomar su decisión.

ARTICULO 20

Sin perjuicio de las disposiciones del párrafo 2 del artículo 13 del apartado c) del artículo 22 y del artículo 23, la asistencia internacional prevista por la presente Convención sólo se podrá conceder a los bienes del patrimonio cultural y natural que el Comité del Patrimonio Mundial haya decidido o decida hacer figurar en una o en las dos listas de que tratan los párrafos 2 y 4 del artículo 11.

ARTICULO 21

1. El Comité del Patrimonio Mundial determinará el procedimiento de examen de las peticiones de asistencia internacional que estará llamado a prestar e indicará los elementos que habrá de contener la petición que describirá la operación que se proyecte, los trabajos necesarios, una evaluación de su costo, su urgencia y las razones por las cuales los recursos del Estado peticionario no le permiten hacer frente a la totalidad de los gastos. Siempre que sea posible, las peticiones se apoyarán en un dictamen de expertos.

2. Por razón de los trabajos que se pueda tener que emprender, sin demora, el Comité examinará con preferencia las peticiones que se presenten justificadas por calamidades naturales o por catástrofes. El Comité dispondrá para esos casos de un fondo de reserva.

3. Antes de tomar una decisión, el Comité efectuará los estudios o las consultas que estime necesarios.

ARTICULO 22

La asistencia del Comité del Patrimonio Mundial podrá tomar las formas siguientes:

a) estudios sobre los problemas artísticos, científicos y técnicos que plantean la protección, la conservación, la revalorización y la rehabilitación del patrimonio cultural y natural definido en los párrafos 2 y 4 del artículo 11, de la presente Convención;

b) servicios de expertos, de técnicos y de mano de obra calificada para velar por la buena ejecución del proyecto aprobado;

c) formación de especialistas de todos los niveles en materia de identificación, protección, conservación, revalorización y rehabilitación del patrimonio cultural y natural;

d) suministro de equipo que el Estado interesado no posea o no pueda adquirir;

e) préstamos a interés reducido, sin interés o reintegrables a largo plazo;

f) concesión en casos excepcionales y especialmente motivados, de subvenciones no reintegrables.

ARTICULO 23

El Comité del Patrimonio Mundial podrá también prestar asistencia internacional a centros nacionales o regionales de formación de especialistas de todos grados en materia de identificación; protección, conservación, revalorización y rehabilitación del patrimonio cultural y natural.

ARTICULO 24

Una asistencia internacional muy importante sólo se podrá conceder después de un estudio científico, económico y técnico detallado. Este estudio habrá de hacer uso de las técnicas más avanzadas de protección, de conservación, de revalorización y de rehabilitación del patrimonio cultural y natural y habrá de corresponder a los objetivos de la presente Convención. Habrá de buscar también la manera de emplear racionalmente los recursos disponibles en el Estado interesado.

ARTICULO 25

El financiamiento de los trabajos necesarios no incumbirá, en principio, a la comunidad internacional más que parcialmente. La participación del Estado que reciba la asistencia internacional habrá de constituir una parte cuantiosa de su aportación a cada programa o proyecto, salvo cuando sus recursos no se lo permitan.

ARTICULO 26

El Comité del Patrimonio Mundial y el Estado beneficiario definirán en el acuerdo que concierten las condiciones en que se llevará a cabo un programa o proyecto para el que se facilite asistencia internacional con arreglo a las disposiciones de esta Convención. Incumbirá al Estado que reciba tal asistencia internacional seguir protegiendo, conservando y revalorizando los bienes así preservados, en cumplimiento de las condiciones establecidas en el acuerdo.

VI. PROGRAMAS EDUCATIVOS

ARTICULO 27

1. Los Estados Partes en la presente Convención, por todos los medios apropiados, y sobre todo mediante programas de educación y de información, harán todo lo posible por estimular en sus pueblos el respeto y el aprecio del patrimonio cultural y natural definido en los artículos 1 y 2 de la presente Convención.

2. Se obligarán a informar ampliamente al público de las amenazas que pesen sobre ese patrimonio y de las actividades emprendidas en aplicación de la presente Convención.

ARTICULO 28

Los Estados Partes en la presente Convención, que reciban en virtud de ella, una asistencia internacional tomarán las medidas necesarias para hacer que se conozca la importancia de los bienes que hayan sido objeto de asistencia y el papel que ésta haya desempeñado.

ARTICULO 29

1. Los Estados Partes en la presente Convención indicarán en los informes que presenten a la Conferencia General de la Organización de las Naciones Unidas para la Educación, la Ciencia y la Cultura, en las fechas y en la forma que ésta determine, las disposiciones legislativas y reglamentarias, y las demás medidas que hayan tomado para aplicar la presente Convención, así como la experiencia que hayan adquirido en este campo.

2. Esos informes se comunicarán al Comité del Patrimonio Mundial.

3. El Comité presentará un informe sobre sus trabajos en cada una de las reuniones ordinarias de la Conferencia General de la Organización de las Naciones Unidas para la Educación, la Ciencia y la Cultura.

VIII. CLAUSULAS FINALES

ARTICULO 30

La presente Convención está redactada en árabe, español, francés, inglés y ruso, siendo los cinco textos igualmente auténticos.

ARTICULO 31

1. La presente Convención será sometida a la ratificación o a la aceptación de los Estados Miembros de la Organización de las Naciones Unidas para la Educación, la Ciencia y la Cultura, de conformidad con sus respectivos procedimientos constitucionales.

2. Los instrumentos de ratificación o de aceptación serán depositados en poder del Director General de la Organización de las Naciones Unidas para la Educación, la Ciencia y la Cultura.

ARTICULO 32

1. La presente Convención quedará abierta a la adhesión de todos los Estados no miembros de la Organización de las Naciones Unidas para la Educación, la Ciencia y la Cultura, invitados a adherirse a ella por la Conferencia General de la Organización.

2. La adhesión se efectuará depositando un instrumento de adhesión en poder del Director General de la Organización de las Naciones Unidas para la Educación, la Ciencia y la Cultura.

ARTICULO 33

La presente Convención entrará en vigor tres meses después de la fecha del depósito del vigésimo instrumento de ratificación, de aceptación o de adhesión, pero sólo respecto de los Estados que hayan depositado sus instrumentos respectivos de ratificación, de aceptación o de adhesión en esa fecha o anteriormente. Para los demás Estados, entrará en vigor tres meses después de efectuado el depósito de su instrumento de ratificación, de aceptación o de adhesión.

ARTICULO 34

A los Estados Partes en la presente Convención que tengan un sistema constitucional federal o no unitario les serán aplicables las disposiciones siguientes:

a) En lo que respecta a las disposiciones de esta Convención cuya aplicación entraña una acción legislativa del poder legislativo federal o central, las obligaciones del Gobierno federal o central serán las mismas que las de los Estados Partes que no sean Estados federales.

b) En lo que respecta a las disposiciones de esta Convención cuya aplicación dependa de la acción legislativa de cada uno de los Estados, países, provincias o cantones constituyentes, que en virtud del sistema constitucional de la federación, no estén facultados para tomar medidas legislativas, el Gobierno federal comunicará esas disposiciones, con su dictamen favorable, a las autoridades competentes de los Estados, países, provincias, o cantones.

ARTICULO 35

1. Cada uno de los Estados Partes en la presente Convención tendrá la facultad de denunciarla.

2. La denuncia se notificará por medio de un instrumento escrito, que se depositará en poder del Director General de la Organización de las Naciones Unidas para la Educación, la Ciencia y la Cultura.

3. La denuncia surtirá efecto doce meses después de la recepción del instrumento de denuncia. No modificará en nada las obligaciones financieras que haya de asumir el Estado denunciante hasta la fecha en que la retirada sea efectiva.

ARTICULO 36

El Director General de la Organización de las Naciones Unidas para la Educación, la Ciencia y la Cultura informará a los Estados Miembros de la Organización, a los Estados no miembros a que se refiere el artículo 32, así como a las Naciones Unidas, del depósito de todos los instrumentos de ratificación, de aceptación o de adhesión mencionados en los artículos 31 y 32, y de las denuncias previstas en el artículo 35.

ARTICULO 37

1. La Conferencia General de la Organización de las Naciones Unidas para la Educación, la Ciencia y la Cultura, podrá revisar la presente Convención. Pero esta revisión sólo obligará a los Estados que lleguen a ser Partes en la Convención revisada.

2. En el caso de que la Conferencia General apruebe una nueva Convención, que constituya una revisión total o parcial de la presente, y a menos que la nueva Convención disponga otra cosa, la presente Convención dejará de estar abierta a la ratificación, a la aceptación o a la adhesión, a partir de la fecha de entrada en vigor de la nueva Convención revisada.

ARTICULO 38

En virtud de lo dispuesto en el artículo 102 de la Carta de las Naciones Unidas, la presente Convención se registrará en la Secretaría de las Naciones Unidas a petición del Director General de la Organización de las Naciones Unidas para la Educación, la Ciencia y la Cultura.

Hecho en París, en este día veintitrés de noviembre de 1972, en dos ejemplares auténticos que llevan la firma del Presidente de la Conferencia General, en la 17a. reunión, y del Director General de la Organización de las Naciones Unidas para la Educación, la Ciencia y la Cultura, que se depositarán en los archivos de la Organización de las Naciones Unidas para la Educación, la Ciencia y la Cultura y cuyas copias autenticadas se entregarán a todoa los Estados a que se refieren los artículos 31 y 32, así como a las Naciones Unidas.

CONVENTION POUR LA PROTECTION
DU PATRIMOINE MONDIAL, CULTUREL ET NATUREL

La Conférence générale de l'Organisation des Nations Unies pour l'éducation, la science et la culture, réunie à Paris du 17 octobre au 21 novembre 1972, en sa dix-septième session,

Constatant que le patrimoine culturel et le patrimoine naturel sont de plus en plus menacés de destruction non seulement par les causes traditionnelles de dégradation mais encore par l'évolution de la vie sociale et économique qui les aggrave par des phénomènes d'altération ou de destruction encore plus redoutables,

Considérant que la dégradation ou la disparition d'un bien du patrimoine culturel et naturel constitue un appauvrissement néfaste du patrimoine de tous les peuples du monde,

Considérant que la protection de ce patrimoine à l'échelon national reste souvent incomplète en raison de l'ampleur des moyens qu'elle nécessite et de l'insuffisance des ressources économiques, scientifiques et techniques du pays sur le territoire duquel se trouve le bien à sauvegarder,

Rappelant que l'Acte constitutif de l'Organisation prévoit qu'elle aidera au maintien, à l'avancement et à la diffusion du savoir en veillant à la conservation et protection du patrimoine universel et en recommandant aux peuples intéressés des conventions internationales à cet effet,

Considérant que les conventions, recommandations et résolutions internationales existantes en faveur des biens culturels et naturels démontrent l'importance que présente, pour tous les peuples du monde, la sauvegarde de ces biens uniques et irremplaçables à quelque peuple qu'ils appartiennent,

Considérant que certains bien du patrimoine culturel et naturel présentent un intérêt exceptionnel qui nécessite leur préservation en tant qu'élément du patrimoine mondial de l'humanité tout entière,

Considérant que devant l'ampleur et la gravité des dangers nouveaux qui les menacent il incombe à la collectivité internationale tout entière de participer à la protection du patrimoine culturel et naturel de valeur universelle exceptionnelle, par l'octroi d'une assistance collective qui sans se substituer à l'action de l'Etat intéressé la complétera efficacement,

Considérant qu'il est indispensable d'adopter à cet effet de nouvelles dispositions conventionnelles établissant un système efficace de protection collective du patrimoine culturel et naturel de valeur universelle exceptionnelle organisé d'une façon permanente et selon des méthodes scientifiques et modernes,

Après avoir décidé lors de sa seizième session que cette question ferait l'objet d'une Convention internationale,

Adopte ce seizième jour de novembre 1972 la présente Convention.

I. DEFINITIONS DU PATRIMOINE CULTUREL ET NATUREL

ARTICLE 1

Aux fins de la présente Convention sont considérés comme "patrimoine culturel" :

- les monuments : oeuvres architecturales, de sculpture ou de peinture monumentales, éléments ou structures de caractère archéologique, inscriptions, grottes et groupes d'éléments, qui ont une valeur universelle exceptionnelle du point de vue de l'histoire, de l'art ou de la science,

- les ensembles : groupes de constructions isolées ou réunies, qui, en raison de leur architecture, de leur unité, ou de leur intégration dans le paysage, ont une valeur universelle exceptionnelle du point de vue de l'histoire, de l'art ou de la science,

- les sites : oeuvres de l'homme ou oeuvres conjuguées de l'homme et de la nature, ainsi que les zones y compris les sites archéologiques qui ont une valeur universelle exceptionnelle du point de vue historique, esthétique, ethnologique ou anthropologique.

ARTICLE 2

Aux fins de la présente Convention sont considérés comme "patrimoine naturel" :

- les monuments naturels constitués par des formations physiques et biologiques ou par des groupes de telles formations qui ont une valeur universelle exceptionnelle du point de vue esthétique ou scientifique,

- les formations géologiques et physiographiques et les zones strictement délimitées constituant l'habitat d'espèces animale et végétale menacées, qui ont une valeur universelle exceptionnelle du point de vue de la science ou de la conservation,

- les sites naturels ou les zones naturelles strictement délimitées, qui ont une valeur universelle exceptionnelle du point de vue de la science, de la conservation ou de la beauté naturelle.

ARTICLE 3

Il appartient à chaque Etat partie à la présente Convention d'identifier et de délimiter les différents biens situés sur son territoire et visés aux articles 1 et 2 ci-dessus.

II. PROTECTION NATIONALE ET PROTECTION INTERNATIONALE DU PATRIMOINE CULTUREL ET NATUREL

ARTICLE 4

Chacun des Etats parties à la présente Convention reconnaît que l'obligation d'assurer l'identification, la protection, la conservation, la mise en valeur et la transmission aux générations futures du patrimoine culturel et naturel visé aux articles 1 et 2 et situé sur son territoire, lui incombe en premier chef. Il s'efforce d'agir à cet effet tant par son propre effort au maximum de ses ressources disponibles que, le cas échéant, au moyen de l'assistance et de la coopération internationales dont il pourra bénéficier, notamment aux plans financier, artistique, scientifique et technique.

ARTICLE 5

Afin d'assurer une protection et une conservation aussi efficaces et une mise en valeur aussi active que possible du patrimoine culturel et naturel situé sur leur territoire et dans les conditions appropriées à chaque pays, les Etats parties à la présente Convention s'efforceront dans la mesure du possible :

(a) d'adopter une politique générale visant à assigner une fonction au patrimoine culturel et naturel dans la vie collective, et à intégrer la protection de ce patrimoine dans les programmes de planification générale ;

(b) d'instituer sur leur territoire, dans la mesure où ils n'existent pas, un ou plusieurs services de protection, de conservation et de mise en valeur du patrimoine culturel et naturel, dotés d'un personnel approprié, et disposant des moyens lui permettant d'accomplir les tâches qui lui incombent ;

(c) de développer les études et les recherches scientifiques et techniques et perfectionner les méthodes d'intervention qui permettent à un Etat de faire face aux dangers qui menacent son patrimoine culturel ou naturel ;

(d) de prendre les mesures juridiques, scientifiques, techniques, administratives et financières adéquates pour l'identification, la protection, la conservation, la mise en valeur et la réanimation de ce patrimoine ; et

(e) de favoriser la création ou le développement de centres nationaux ou régionaux de formation dans le domaine de la protection, de la conservation et de la mise en valeur du patrimoine culturel et naturel et d'encourager la recherche scientifique dans ce domaine.

ARTICLE 6

1. En respectant pleinement la souveraineté des Etats sur le territoire desquels est situé le patrimoine culturel et naturel visé aux articles 1 et 2, et sans préjudice des droits réels prévus par la législation nationale sur ledit patrimoine, les Etats parties à la présente convention reconnaissent qu'il constitue un patrimoine universel pour la protection duquel la communauté internationale tout entière a le devoir de coopérer.

2. Les Etats parties s'engagent en conséquence, et conformément aux dispositions de la présente convention, à apporter leur concours à l'identification, à la protection, à la conservation et à la mise en valeur du patrimoine culturel et naturel visé aux paragraphes 2 et 4 de l'article 11 si l'Etat sur le territoire duquel il est situé le demande.

3. Chacun des Etats parties à la présente convention s'engage à ne prendre délibérément aucune mesure susceptible d'endommager directement ou indirectement le patrimoine culturel et naturel visé aux articles 1 et 2 qui est situé sur le territoire d'autres Etats parties à cette convention.

ARTICLE 7

Aux fins de la présente convention, il faut entendre par protection internationale du patrimoine mondial culturel et naturel la mise en place d'un système de coopération et d'assistance internationales visant à seconder les Etats parties à la convention dans les efforts qu'ils déploient pour préserver et identifier ce patrimoine.

III. COMITE INTERGOUVERNEMENTAL DE LA PROTECTION DU PATRIMOINE MONDIAL CULTUREL ET NATUREL

ARTICLE 8

1. Il est institué auprès de l'Organisation des Nations Unies pour l'éducation, la science et la culture, un Comité intergouvernemental de la protection du patrimoine culturel et naturel de valeur universelle exceptionnelle dénommé "le Comité du patrimoine mondial". Il est composé de 15 Etats parties à la convention, élus par les Etats parties à la convention réunis en assemblée générale au cours de sessions ordinaires de la Conférence générale de l'Organisation des Nations Unies pour l'éducation, la science et la culture. Le nombre des Etats membres du Comité sera porté à 21 à compter de la session ordinaire de la Conférence générale qui suivra l'entrée en vigueur de la présente convention pour au moins 40 Etats.

2. L'élection des membres du Comité doit assurer une représentation équitable des différentes régions et cultures du monde.

3. Assistent aux séances du Comité avec voix consultative un représentant du Centre international d'études pour la conservation et la restauration des biens culturels (Centre de Rome), un représentant du Conseil international des monuments et des sites (ICOMOS), et un représentant de l'Union internationale pour la conservation de la nature et de ses ressources (UICN), auxquels peuvent s'ajouter, à la demande des Etats parties réunis en assemblée générale au cours

des sessions ordinaires de la Conférence générale de l'Organisation des Nations Unies pour l'éducation, la science et la culture, des représentants d'autres organisations intergouvernementales ou non gouvernementales ayant des objectifs similaires.

ARTICLE 9

1. Les Etats membres du Comité du patrimoine mondial exercent leur mandat depuis la fin de la session ordinaire de la Conférence générale au cours de laquelle ils ont été élus jusqu'à la fin de sa troisième session ordinaire subséquente.

2. Toutefois, le mandat d'un tiers des membres désignés lors de la première élection se terminera à la fin de la première session ordinaire de la Conférence générale suivant celle au cours de laquelle ils ont été élus et le mandat d'un second tiers des membres désignés en même temps,se terminera à la fin de la deuxième session ordinaire de la Conférence générale suivant celle au cours de laquelle ils ont été élus. Les noms de ces membres seront tirés au sort par le Président de la Conférence générale après la première élection.

3. Les Etats membres du Comité choisissent pour les représenter des personnes qualifiées dans le domaine du patrimoine culturel ou du patrimoine naturel.

ARTICLE 10

1. Le Comité du patrimoine mondial adopte son règlement intérieur.

2. Le Comité peut à tout moment inviter à ses réunions des organismes publics ou privés, ainsi que des personnes privées, pour les consulter sur des questions particulières.

3. Le Comité peut créer les organes consultatifs qu'il estime nécessaires à l'exécution de sa tâche.

ARTICLE 11

1. Chacun des Etats parties à la présente convention soumet, dans toute la mesure du possible, au Comité du patrimoine mondial un inventaire des biens du patrimoine culturel et naturel situés sur son territoire et susceptibles d'être inscrits sur la liste prévue au paragraphe 2 du présent article. Cet inventaire, qui n'est pas considéré comme exhaustif, doit comporter une documentation sur le lieu des biens en question et sur l'intérêt qu'ils présentent.

2. Sur la base des inventaires soumis par les Etats en exécution du paragraphe 1 ci-dessus, le Comité établit, met à jour et diffuse, sous le nom de "liste du patrimoine mondial", une liste des biens du patrimoine culturel et du patrimoine naturel, tels qu'ils sont définis aux articles 1 et 2 de la présente convention, qu'il considère comme ayant une valeur universelle exceptionnelle en application des critères qu'il aura établis. Une mise à jour de la liste doit être diffusée au moins tous les deux ans.

3. L'inscription d'un bien sur la liste du patrimoine mondial ne peut se faire qu'avec le consentement de l'Etat intéressé. L'inscription d'un bien situé sur un territoire faisant l'objet de revendication de souveraineté ou de juridiction de la part de plusieurs Etats ne préjuge en rien les droits des parties au différend.

4. Le Comité établit, met à jour et diffuse, chaque fois que les circonstances l'exigent, sous le nom de "liste du patrimoine mondial en péril", une liste des biens figurant sur la liste du patrimoine mondial pour la sauvegarde desquels de grands travaux sont nécessaires et pour lesquels une assistance a été demandée aux termes de la présente convention. Cette liste contient une estimation du coût des opérations. Ne peuvent figurer sur cette liste que des biens du patrimoine culturel et naturel qui sont menacés de dangers graves et précis, tels que menace de disparition due à une dégradation accélérée, projets de grands travaux publics ou privés, rapide développement urbain et touristique, destruction due à des changements d'utilisation ou de propriété de la terre, altérations profondes dues à une cause inconnue. abandon

pour des raisons quelconques, conflit armé venant ou menaçant d'éclater, calamités et cataclysmes, grands incendies, séismes, glissements de terrain, éruptions volcaniques, modification du niveau des eaux, inondations, raz de marée. Le Comité peut, à tout moment, en cas d'urgence, procéder à une nouvelle inscription sur la liste du patrimoine mondial en péril et donner à cette inscription une diffusion immédiate.

5. Le Comité définit les critères sur la base desquels un bien du patrimoine culturel et naturel peut être inscrit dans l'une ou l'autre des listes visées aux paragraphes 2 et 4 du présent article.

6. Avant de refuser une demande d'inscription sur l'une des deux listes visées aux paragraphes 2 et 4 du présent article, le Comité consulte l'Etat partie sur le territoire duquel est situé le bien du patrimoine culturel ou naturel dont il s'agit.

7. Le Comité, avec l'accord des Etats intéressés, coordonne et encourage les études et les recherches nécessaires à la constitution des listes visées aux paragraphes 2 et 4 du présent article.

ARTICLE 12

Le fait qu'un bien du patrimoine culturel et naturel n'ait pas été inscrit sur l'une ou l'autre des deux listes visées aux paragraphes 2 et 4 de l'article 11 ne saurait en aucune manière signifier qu'il n'a pas une valeur universelle exceptionnelle à des fins autres que celles résultant de l'inscription sur ces listes.

ARTICLE 13

1. Le Comité du patrimoine mondial reçoit et étudie les demandes d'assistance internationale formulées par les Etats parties à la présente Convention en ce qui concerne les biens du patrimoine culturel et naturel situés sur leur territoire, qui figurent ou sont susceptibles de figurer sur les listes visées aux paragraphes 2 et 4 de l'article 11. Ces demandes peuvent avoir pour objet la protection, la conservation, la mise en valeur ou la réanimation de ces biens.

2. Les demandes d'assistance internationale en application du paragraphe 1 du présent article peuvent aussi avoir pour objet l'identification de biens du patrimoine culturel et naturel défini aux articles 1 et 2, lorsque des recherches préliminaires ont permis d'établir que ces dernières méritaient d'être poursuivies.

3. Le Comité décide de la suite à donner à ces demandes, détermine, le cas échéant, la nature et l'importance de son aide et autorise la conclusion, en son nom, des arrangements nécessaires avec le gouvernement intéressé.

4. Le Comité fixe un ordre de priorité pour ses interventions. Il le fait en tenant compte de l'importance respective des biens à sauvegarder pour le patrimoine mondial culturel et naturel, de la nécessité d'assurer l'assistance internationale aux biens les plus représentatifs de la nature ou du génie et de l'histoire des peuples du monde et de l'urgence des travaux à entreprendre, de l'importance des ressources des Etats sur le territoire desquels se trouvent les biens menacés et en particulier de la mesure dans laquelle ils pourraient assurer la sauvegarde de ces biens par leurs propres moyens.

5. Le Comité établit, met à jour et diffuse une liste des biens pour lesquels une assistance internationale a été fournie.

6. Le Comité décide de l'utilisation des ressources du Fonds créé aux termes de l'article 15 de la présente Convention. Il recherche les moyens d'en augmenter les ressources et prend toutes mesures utiles à cet effet.

7. Le Comité coopère avec les organisations internationales et nationales, gouvernementales et non gouvernementales, ayant des objectifs similaires à ceux de la présente Convention. Pour la mise en oeuvre de ses programmes et l'exécution de ses projets, le Comité peut faire appel à

ces organisations, en particulier au Centre international d'études pour la conservation et la restauration des biens culturels (Centre de Rome), au Conseil international des monuments et des sites (ICOMOS) et à l'Union internationale pour la conservation de la nature et de ses ressources (UICN), ainsi qu'à d'autres organismes publics ou privés et à des personnes privées.

8. Les décisions du Comité sont prises à la majorité des deux tiers des membres présents et votants. Le quorum est constitué par la majorité des membres du Comité.

ARTICLE 14

1. Le Comité du patrimoine mondial est assisté par un secrétariat nommé par le Directeur général de l'Organisation des Nations Unies pour l'éducation, la science et la culture.

2. Le Directeur général de l'Organisation des Nations Unies pour l'éducation, la science et la culture, utilisant le plus possible les services du Centre international d'études pour la conservation et la restauration des biens culturels (Centre de Rome), du Conseil international des monuments et des sites (ICOMOS), et de l'Union internationale pour la conservation de la nature et de ses ressources (UICN), dans les domaines de leurs compétences et de leurs possibilités respectives, prépare la documentation du Comité, l'ordre du jour de ses réunions et assure l'exécution de ses décisions.

IV. FONDS POUR LA PROTECTION DU PATRIMOINE MONDIAL CULTUREL ET NATUREL

ARTICLE 15

1. Il est créé un fonds pour la protection du patrimoine mondial culturel et naturel de valeur universelle exceptionnelle, dénommé "Le Fonds du patrimoine mondial".

2. Le Fonds est constitué en fonds de dépôt, conformément aux dispositions du règlement financier de l'Organisation des Nations Unies pour l'éducation, la science et la culture.

3. Les ressources du Fonds sont constituées par :

   (a) les contributions obligatoires et les contributions volontaires des Etats parties à la présente convention ;

   (b) les versements, dons ou legs que pourront faire :

      (i) d'autres Etats,

      (ii) l'Organisation des Nations Unies pour l'éducation, la science et la culture, les autres organisations du système des Nations Unies, notamment le Programme de développement des Nations Unies et d'autres organisations intergouvernementales,

      (iii) des organismes publics ou privés ou des personnes privées ;

   (c) tout intérêt dû sur les ressources du Fonds ;

   (d) le produit des collectes et les recettes des manifestations organisées au profit du Fonds et

   (e) toutes autres ressources autorisées par le règlement qu'élaborera le Comité du patrimoine mondial.

4. Les contributions au Fonds et les autres formes d'assistance fournies au Comité ne peuvent être affectées qu'aux fins définies par lui. Le Comité peut accepter des contributions ne devant être affectées qu'à un certain programme ou à un projet particulier, à la condition que la mise en oeuvre de ce programme ou l'exécution de ce projet ait été décidée par le Comité. Les contributions au Fonds ne peuvent être assorties d'aucune condition politique.

ARTICLE 16

1. Sans préjudice de toute contribution volontaire complémentaire, les Etats parties à la présente convention s'engagent à verser régulièrement, tous les deux ans, au Fonds du patrimoine mondial des contributions dont le montant, calculé selon un pourcentage uniforme applicable à tous les Etats, sera décidé par l'assemblée générale des Etats parties à la convention, réunis au cours de sessions de la Conférence générale de l'Organisation des Nations Unies pour l'éducation, la science et la culture. Cette décision de l'assemblée générale requiert la majorité des Etats parties présents et votants qui n'ont pas fait la déclaration visée au paragraphe 2 du présent article. En aucun cas, la contribution obligatoire des Etats parties à la convention ne pourra dépasser 1 % de sa contribution au budget ordinaire de l'Organisation des Nations Unies pour l'éducation, la science et la culture.

2. Toutefois, tout Etat visé à l'article 31 ou à l'article 32 de la présente convention peut, au moment du dépôt de ses instruments de ratification, d'acceptation ou d'adhésion, déclarer qu'il ne sera pas lié par les dispositions du paragraphe (1) du présent article.

3. Un Etat partie à la convention ayant fait la déclaration visée au paragraphe (2) du présent article, peut à tout moment retirer ladite déclaration moyennant notification du Directeur général de l'Organisation des Nations Unies pour l'éducation, la science et la culture. Toutefois, le retrait de la déclaration n'aura d'effet sur la contribution obligatoire due par cet Etat qu'à partir de la date de l'assemblée générale des Etats parties qui suivra.

4. Afin que le Comité soit en mesure de prévoir ses opérations d'une manière efficace, les contributions des Etats parties à la présente convention, ayant fait la déclaration visée au paragraphe 2 du présent article, doivent être versées sur une base régulière, au moins tous les deux ans, et ne devraient pas être inférieures aux contributions qu'ils auraient dû verser s'ils avaient été liés par les dispositions du paragraphe 1 du présent article.

5. Tout Etat partie à la convention qui est en retard dans le paiement de sa contribution obligatoire ou volontaire en ce qui concerne l'année en cours et l'année civile qui l'a immédiatement précédée, n'est pas éligible au Comité du patrimoine mondial, cette disposition ne s'appliquant pas lors de la première élection. Le mandat d'un tel Etat qui est déjà membre du Comité prendra fin au moment de toute élection prévue à l'article 8, paragraphe 1, de la présente convention.

ARTICLE 17

Les Etats parties à la présente convention envisagent ou favorisent la création de fondations ou d'associations nationales publiques et privées ayant pour but d'encourager les libéralités en faveur de la protection du patrimoine culturel et naturel défini aux articles 1 et 2 de la présente Convention.

ARTICLE 18

Les Etats parties à la présente Convention prêtent leur concours aux campagnes internationales de collecte qui sont organisées au profit du Fonds du patrimoine mondial sous les auspices de l'Organisation des Nations Unies pour l'éducation, la science et la culture. Ils facilitent les collectes faites à ces fins par des organismes mentionnés au paragraphe 3, article 15.

V. CONDITIONS ET MODALITES DE L'ASSISTANCE INTERNATIONALE

ARTICLE 19

Tout Etat partie à la présente Convention peut demander une assistance internationale en faveur de biens du patrimoine culturel ou naturel de valeur universelle exceptionnelle situés sur son territoire. Il doit joindre à sa demande les éléments d'information et les documents prévus à l'article 21 dont il dispose et dont le Comité a besoin pour prendre sa décision.

ARTICLE 20

Sous réserve des dispositions du paragraphe 2 de l'article 13, de l'alinéa (c) de l'article 22, et de l'article 23, l'assistance internationale prévue par la présente Convention ne peut être accordée qu'à des biens du patrimoine culturel et naturel que le Comité du patrimoine mondial a décidé ou décide de faire figurer sur l'une des listes visées aux paragraphes 2 et 4 de l'article 11.

ARTICLE 21

1. Le Comité du patrimoine mondial définit la procédure d'examen des demandes d'assistance internationale qu'il est appelé à fournir et précise notamment les éléments qui doivent figurer dans la demande, laquelle doit décrire l'opération envisagée, les travaux nécessaires, une estimation de leur coût, leur urgence et les raisons pour lesquelles les ressources de l'Etat demandeur ne lui permettent pas de faire face à la totalité de la dépense. Les demandes doivent, chaque fois que possible, s'appuyer sur l'avis d'experts.

2. En raison des travaux qu'il peut y avoir lieu d'entreprendre sans délai, les demandes fondées sur des calamités naturelles ou des catastrophes doivent être examinées d'urgence et en priorité par le Comité, qui doit disposer d'un fonds de réserve servant à de telles éventualités.

3. Avant de prendre une décision, le Comité procède aux études et aux consultations qu'il juge nécessaires.

ARTICLE 22

L'assistance accordée par le Comité du patrimoine mondial peut prendre les formes suivantes :

(a) études sur les problèmes artistiques, scientifiques et techniques que posent la protection, la conservation, la mise en valeur et la réanimation du patrimoine culturel et naturel, tel qu'il est défini aux paragraphes 2 et 4 de l'article 11 de la présente Convention ;

(b) mise à la disposition d'experts, de techniciens et de main-d'oeuvre qualifiée pour veiller à la bonne exécution du projet approuvé ;

(c) formation de spécialistes de tous niveaux dans le domaine de l'identification, de la protection, de la conservation, de la mise en valeur et de la réanimation du patrimoine culturel et naturel ;

(d) fourniture de l'équipement que l'Etat intéressé ne possède pas ou n'est pas en mesure d'acquérir ;

(e) prêts à faible intérêt, sans intérêt, ou qui pourraient être remboursés à long terme ;

(f) octroi, dans des cas exceptionnels et spécialement motivés, de subventions non remboursables.

ARTICLE 23

Le Comité du patrimoine mondial peut également fournir une assistance internationale à des centres nationaux ou régionaux de formation de spécialistes de tous niveaux dans le domaine de l'identification, de la protection, de la conservation, de la mise en valeur et de la réanimation du patrimoine culturel et naturel.

ARTICLE 24

Une assistance internationale très importante ne peut être accordée qu'après une étude scientifique, économique et technique détaillée. Cette étude doit faire appel aux techniques les plus avancées de protection, de conservation, de mise en valeur et de réanimation du patrimoine culturel et naturel et correspondre aux objectifs de la présente Convention. L'étude doit aussi rechercher les moyens d'employer rationnellement les ressources disponibles dans l'Etat intéressé.

ARTICLE 25

Le financement des travaux nécessaires ne doit, en principe, incomber que partiellement à la communauté internationale. La participation de l'Etat qui bénéficie de l'assistance internationale doit constituer une part substantielle des ressources apportées à chaque programme ou projet, sauf si ses ressources ne le lui permettent pas.

ARTICLE 26

Le Comité du patrimoine mondial et l'Etat bénéficiaire définissent dans l'accord qu'ils concluent les conditions dans lesquelles sera exécuté un programme ou projet pour lequel est fournie une assistance internationale au titre de la présente convention. Il incombe à l'Etat qui reçoit cette assistance internationale de continuer à protéger, conserver et mettre en valeur les biens ainsi sauvegardés, conformément aux conditions définies dans l'accord.

VI. PROGRAMMES EDUCATIFS

ARTICLE 27

1. Les Etats parties à la présente Convention s'efforcent par tous les moyens appropriés, notamment par des programmes d'éducation et d'information, de renforcer le respect et l'attachement de leurs peuples au patrimoine culturel et naturel défini aux articles 1 et 2 de la Convention.

2. Ils s'engagent à informer largement le public des menaces qui pèsent sur ce patrimoine et des activités entreprises en application de la présente Convention.

ARTICLE 28

Les Etats parties à la présente Convention qui reçoivent une assistance internationale en application de la Convention prennent les mesures nécessaires pour faire connaître l'importance des biens qui ont fait l'objet de cette assistance et le rôle que cette dernière a joué.

VII. RAPPORTS

ARTICLE 29

1. Les Etats parties à la présente Convention indiquent dans les rapports qu'ils présenteront à la Conférence générale de l'Organisation des Nations Unies pour l'éducation, la science et la culture aux dates et sous la forme qu'elle déterminera, les dispositions législatives et réglementaires et les autres mesures qu'ils auront adoptées pour l'application de la Convention, ainsi que l'expérience qu'ils auront acquise dans ce domaine.

2. Ces rapports seront portés à la connaissance du Comité du patrimoine mondial.

3. Le Comité présente un rapport sur ses activités à chacune des sessions ordinaires de la Conférence générale de l'Organisation des Nations Unies pour l'éducation, la science et la culture.

VIII. CLAUSES FINALES

ARTICLE 30

La présente Convention est établie en anglais, en arabe, en espagnol, en français et en russe, les cinq textes faisant également foi.

ARTICLE 31

1. La présente Convention sera soumise à la ratification ou à l'acceptation des Etats membres de l'Organisation des Nations Unies pour l'éducation, la science et la culture, conformément à leurs procédures constitutionnelles respectives.

2. Les instruments de ratification ou d'acceptation seront déposés auprès du Directeur général de l'Organisation des Nations Unies pour l'éducation, la science et la culture.

ARTICLE 32

1. La présente Convention est ouverte à l'adhésion de tout Etat non membre de l'Organisation des Nations Unies pour l'éducation, la science et la culture, invité à y adhérer par la Conférence générale de l'Organisation.

2. L'adhésion se fera par le dépôt d'un instrument d'adhésion auprès du Directeur général de l'Organisation des Nations Unies pour l'éducation, la science et la culture.

ARTICLE 33

La présente Convention entrera en vigueur trois mois après la date du dépôt du vingtième instrument de ratification, d'acceptation ou d'adhésion mais uniquement à l'égard des Etats qui auront déposé leurs instruments respectifs de ratification, d'acceptation ou d'adhésion à cette date ou antérieurement. Elle entrera en vigueur pour chaque autre Etat trois mois après le dépôt de son instrument de ratification, d'acceptation ou d'adhésion.

ARTICLE 34

Les dispositions ci-après s'appliquent aux Etats parties à la présente Convention ayant un système constitutionnel fédératif ou non unitaire :

(a) en ce qui concerne les dispositions de cette Convention dont la mise en oeuvre relève de l'action législative du pouvoir législatif fédéral ou central, les obligations du gouvernement fédéral ou central seront les mêmes que celles des Etats parties qui ne sont pas des Etats fédératifs ;

(b) en ce qui concerne les dispositions de cette Convention dont l'application relève de l'action législative de chacun des Etats, pays, provinces ou cantons constituants, qui ne sont pas en vertu du système constitutionnel de la fédération tenus à prendre des mesures législatives, le gouvernement fédéral portera, avec son avis favorable, lesdites dispositions à la connaissance des autorités compétentes des Etats, pays, provinces ou cantons.

ARTICLE 35

1. Chacun des Etats parties à la présente Convention aura la faculté de dénoncer la Convention.

2. La dénonciation sera notifiée par un instrument écrit déposé auprès du Directeur général de l'Organisation des Nations Unies pour l'éducation, la science et la culture.

3. La dénonciation prendra effet 12 mois après réception de l'instrument de dénonciation. Elle ne modifiera en rien les obligations financières à assumer par l'Etat dénonciateur jusqu'à la date à laquelle le retrait prendra effet.

ARTICLE 36

Le Directeur général de l'Organisation des Nations Unies pour l'éducation, la science et la culture informera les Etats membres de l'Organisation, les Etats non membres visés à l'article 32, ainsi que l'Organisation des Nations Unies, du dépôt de tous les instruments de ratification, d'acceptation ou d'adhésion mentionnés aux articles 31 et 32, de même que des dénonciations prévues à l'article 35.

ARTICLE 37

1. La présente convention pourra être revisée par la Conférence générale de l'Organisation des Nations Unies pour l'éducation, la science et la culture. La révision ne liera cependant que les Etats qui deviendront parties à la Convention portant révision.

2. Au cas où la Conférence générale adopterait une nouvelle convention portant revision totale ou partielle de la présente Convention et à moins que la nouvelle convention n'en dispose autrement, la présente convention cesserait d'être ouverte à la ratification, à l'acceptation ou à l'adhésion, à partir de la date d'entrée en vigueur de la nouvelle convention portant revision.

ARTICLE 38

Conformément à l'article 102 de la Charte des Nations Unies, la présente convention sera enregistrée au Secrétariat des Nations Unies à la requête du Directeur général de l'Organisation des Nations Unies pour l'éducation, la science et la culture.

Fait à Paris, ce vingt-troisième jour de novembre 1972, en deux exemplaires authentiques portant la signature du Président de la Conférence générale, réunie en sa dix-septième session, et du Directeur général de l'Organisation des Nations Unies pour l'éducation, la science et la culture, qui seront déposés dans les archives de l'Organisation des Nations Unies pour l'éducation, la science et la culture, et dont les copies certifiées conformes seront remises à tous les Etats visés aux articles 31 et 32 ainsi qu'à l'Organisation des Nations Unies.

КОНВЕНЦИЯ ОБ ОХРАНЕ ВСЕМИРНОГО
КУЛЬТУРНОГО И ПРИРОДНОГО НАСЛЕДИЯ

Генеральная конференция Организации объединенных наций по вопросам образования, науки и культуры, собравшаяся в Париже с 17 октября по 21 ноября 1972 г. на свою семнадцатую сессию,

констатируя, что культурному и природному наследию все более угрожает разрушение, вызываемое не только традиционными причинами повреждений, но также и эволюцией социальной и экономической жизни, которая усугубляет их еще более опасными вредоносными и разрушительными явлениями,

принимая во внимание, что повреждение или исчезновение любых образцов культурной ценности или природной среды представляют собой пагубное обеднение достояния всех народов мира,

принимая во внимание, что охрана этого наследия на национальном уровне часто бывает недостаточной в связи с объемом средств, которых она требует, и недостаточностью экономических, научных и технических ресурсов страны, на территории которой находится ценность, подлежащая защите,

напоминая, что в Уставе Организации предусматривается, что она помогает сохранению, прогрессу и распространению знаний, заботясь о сохранении и об охране всеобщего наследия человечества, а также рекомендуя заинтересованным народам заключение соответствующих международных конвенций,

считая, что существующие международные конвенции, рекомендации и резолюции в пользу культурных и природных ценностей свидетельствуют о той важности, которую представляют для всех народов мира сохранение уникальных и незаменимых ценностей, независимо от того, какому народу они принадлежат,

принимая во внимание, что некоторые ценности культурного и природного наследия представляют исключительный интерес, что требует их сохранения как части всемирного наследия всего человечества,

принимая во внимание, что в связи с масштабом и серьезностью новых опасностей, которые им угрожают, все международное сообщество должно участвовать в охране природного и культурного наследия, предоставляя коллективное содействие, которое, не заменяя деятельность заинтересованного государства, на территории которого находится ценность, ее эффективно дополнит,

принимая во внимание, что с этой целью необходимо принять новые договорные положения, устанавливающие эффективную систему коллективной охраны памятников выдающегося универсального, культурного и природного значения, организованную на постоянной основе в соответствии с современными научными методами,

решив на своей шестнадцатой сессии, что этот вопрос явится предметом Международной конвенции,

приняла сего шестнадцатого ноября 1972 года настоящую Конвенцию:

I. ОПРЕДЕЛЕНИЯ КУЛЬТУРНОГО И ПРИРОДНОГО НАСЛЕДИЯ

Статья 1

В настоящей Конвенции под "культурным наследием" понимаются:

памятники: произведения архитектуры, монументальной скульптуры и живописи, элементы или структуры археологического характера, надписи, пещеры и группы элементов, которые имеют выдающуюся универсальную ценность с точки зрения истории, искусства или науки;

ансамбли: группы изолированных или объединенных строений, архитектура, единство или связь с пейзажем которых представляют выдающуюся универсальную ценность с точки зрения истории, искусства или науки;

достопримечательные места: произведения человека или совместные творения человека и природы, а также зоны, включая археологические достопримечательные места, представляющие выдающуюся универсальную ценность с точки зрения истории, эстетики, этнологии или антропологии.

Статья 2

В настоящей Конвенции под "природным наследием" понимаются:

природные памятники, созданные физическими и биологическими образованиями или группами таких образований, имеющие выдающуюся универсальную ценность с точки зрения эстетики или науки;

геологические и физиографические образования и строго ограниченные зоны, представляющие ареал подвергающихся угрозе видов животных и растений, имеющих выдающуюся универсальную ценность с точки зрения науки или сохранения;

природные достопримечательные места или строго ограниченные природные зоны, имеющие выдающуюся универсальную ценность с точки зрения науки, сохранения или природной красоты.

Статья 3

Каждому государству - стороне настоящей Конвенции - надлежит определить и разграничить различные ценности, расположенные на его территории и предусматриваемые вышеупомянутыми статьями 1 и 2.

II. НАЦИОНАЛЬНАЯ ОХРАНА И МЕЖДУНАРОДНАЯ ОХРАНА КУЛЬТУРНОГО И ПРИРОДНОГО НАСЛЕДИЯ

Статья 4

Каждое государство - сторона настоящей Конвенции - признает, что обязательство обеспечивать выявление, охрану, сохранение, популяризацию и передачу будущим поколениям культурного и природного наследия, упоминаемого в статьях 1 и 2, которое расположено на его территории, возлагается прежде всего на него. С этой целью оно стремится действовать как путем собственных усилий, максимально использующих наличные ресурсы, так и, в случае необходимости, посредством международной помощи и сотрудничества, которыми оно может пользоваться, в частности, в финансовом, художественном, научном и техническом отношениях.

Статья 5

Государства - стороны настоящей Конвенции, по возможности, стремятся, с тем чтобы обеспечить возможно более эффективную охрану и сохранение и возможно более активную популяризацию культурного и природного наследия, расположенного на их территории, в условиях, свойственных каждой стране:

(a) проводить общую политику, направленную на придание культурному и природному наследию определенных функций в общественной жизни и на включение охраны этого наследия в программы общего планирования;

(b) учреждать, если они еще не созданы, на своей территории одну или несколько служб по охране, сохранению и популяризации культурного и природного наследия, располагающих соответствующим персоналом и средствами, позволяющими выполнять возложенные на них задачи;

(c) развивать научные и технические разработки и исследования и совершенствовать методы работы, позволяющие государству устранять опасности, угрожающие его культурному и природному наследию;

(d) принимать соответствующие юридические, научные, технические, административные и финансовые меры для выявления, охраны, сохранения, популяризации и восстановления этого наследия; и

(e) содействовать созданию или развитию национальных или региональных центров подготовки в области охраны, сохранения и популяризации культурного и природного наследия, а также поощрять научные исследования в этой области.

Статья 6

1. Полностью уважая суверенитет государств, на территории которых находится культурное и природное наследие, определяемое в статьях 1 и 2, и не ущемляя прав, предусмотренных национальным законодательством в отношении указанного наследия, государства - стороны настоящей Конвенции признают, что оно является всеобщим наследием, для охраны которого все международное сообщество обязано сотрудничать.

2. Государства-стороны обязуются поэтому в соответствии с положениями настоящей Конвенции оказывать содействие признанию, охране, сохранению и популяризации культурного и природного наследия, упоминаемого в пунктах 2 и 4 статьи 11, если об этом попросят государства, на территории которых оно находится.

3. Каждое государство - сторона настоящей Конвенции обязуется не принимать каких-либо преднамеренных действий, которые могли бы причинить прямо или косвенно ущерб культурному и природному наследию, упоминаемому в статьях 1 и 2, расположенному на территории других государств - сторон настоящей Конвенции.

Статья 7

В настоящей Конвенции под международной охраной всемирного культурного и природного наследия понимается создание системы международного сотрудничества и помощи для оказания государствам - сторонам Конвенции помощи в усилиях, направленных на сохранение и выявление этого наследия.

III. МЕЖПРАВИТЕЛЬСТВЕННЫЙ КОМИТЕТ ПО ОХРАНЕ ВСЕМИРНОГО КУЛЬТУРНОГО И ПРИРОДНОГО НАСЛЕДИЯ

Статья 8

1. При Организации объединенных наций по вопросам образования, науки и культуры учреждается Межправительственный комитет по охране культурного и природного наследия всеобщего выдающегося значения, называемый "Комитетом всемирного наследия". Он состоит из пятнадцати государств - сторон Конвенции, избираемых государствами - сторонами Конвенции, собирающимися на генеральную ассамблею во время очередных сессий Генеральной конференции Организации объединенных наций по вопросам образования, науки и культуры. Число государств, входящих в состав Комитета, будет доведено до 21, начиная с очередной сессии Генеральной конференции, которая будет проведена после вступления в силу настоящей Конвенции для не менее 40 государств.

2. Выборы членов Комитета должны обеспечивать справедливое представительство различных районов и культур мира.

3. На заседаниях Комитета могут присутствовать с совещательным правом голоса по одному представителю от Международного исследовательского центра по сохранению и реставрации культурных ценностей (Римский центр), от Международного совета по охране памятников и исторических мест (ИКОМОС) и от Международного союза охраны природы и естественных богатств (МСОП), к которым могут присоединиться по просьбе государств - сторон Конвенции, собирающихся на генеральную ассамблею

во время очередных сессий Генеральной конференции Организации объединенных наций по вопросам образования, науки и культуры, представители других межправительственных или неправительственных организаций, ставящих перед собой аналогичные цели.

Статья 9

1. Государства-члены Комитета всемирного наследия осуществляют свои полномочия, начиная с конца очередной сессии Генеральной конференции, на которой они были выбраны, до конца ее третьей последующей очередной сессии.

2. Полномочия одной трети членов, назначенных во время первых выборов, истекают в конце первой очередной сессии Генеральной конференции, следующей за той, на которой они были избраны, а полномочия второй трети членов, назначенных в то же время, истекают в конце второй очередной сессии Генеральной конференции, следующей за той, на которой они были избраны. Имена этих членов Комитета определяются Председателем Генеральной конференции Организации объединенных наций по вопросам образования, науки и культуры путем жеребьевки после первых выборов.

3. Государства-члены Комитета отбирают в качестве своих представителей компетентных лиц в области культурного или природного наследия.

Статья 10

1. Комитет всемирного наследия принимает свои правила процедуры.

2. Комитет может в любое время приглашать на свои заседания общественные или частные организации, а также частных лиц для консультаций по отдельным вопросам.

3. Комитет может создавать консультативные органы, которые он считает необходимыми для выполнения своих задач.

Статья 11

1. Каждое государство-сторона настоящей Конвенции представляет, по мере возможности, Комитету всемирного наследия перечень ценностей культурного и природного наследия, расположенных на его территории, которые могут быть включены в список, предусмотренный в пункте 2 настоящей Статьи. Этот перечень, который не следует считать исчерпывающим, должен содержать документацию относительно места расположения данных ценностей и представляемого ими интереса.

2. На основе перечней, представляемых государствами в соответствии с пунктом 1, Комитет составляет, обновляет и публикует под названием "Список всемирного наследия", список ценностей культурного и природного наследия, как они определены в статьях 1 и 2 настоящей Конвенции, которые, по его мнению, имеют выдающуюся универсальную ценность в соответствии с установленными им критериями. Обновленный список рассылается не реже одного раза в два года.

3. Внесение ценностей в Список всемирного наследия не может быть произведено без согласия заинтересованного государства-участника. Включение ценности, расположенной на территории, суверенитет или юрисдикция которой оспаривается несколькими государствами, никоим образом не отражается на правах спорящих сторон.

4. Комитет составляет, обновляет и публикует, когда этого требуют обстоятельства, под названием "Список всемирного наследия, находящегося под угрозой", список ценностей, фигурирующих в Списке всемирного наследия, для спасения которых требуются значительные работы и для которых в рамках настоящей Конвенции была запрошена помощь. В этом списке указывается примерная стоимость операций. В этот список могут включаться только ценности культурного и природного наследия, которым угрожают серьезные и конкретные опасности, как например, угроза исчезновения вследствие прогрессирующего разрушения, проекты проведения крупных общественных или частных работ, быстрое развитие городов и туризма, разрушение в связи с изменением предназначения или права собственности на землю, серьезные повреждения вследствие неустановленной причины, заброшенность по каким-либо при-

чинам, стихийные бедствия и катаклизмы, опасность вооруженных конфликтов, большие пожары, землетрясения, оползни, вулканические извержения, изменения уровня вод, наводнения, приливы. В случае чрезвычайных обстоятельств Комитет может в любое время включить в Список всемирного наследия, находящегося под угрозой, новую ценность и немедленно сообщить об этом.

5. Комитет определяет критерии, на основе которых ценность культурного или природного наследия может быть включена в оба списка, предусматриваемые в пунктах 2 и 4 настоящей статьи.

6. До того, как принять окончательное решение о невключении ценности в один из двух списков, упомянутых в пунктах 2 и 4 настоящей статьи, Комитет консультируется с государствами - сторонами, на территории которых находится вышеупомянутая ценность культурного или природного наследия.

7. Комитет, по договоренности с заинтересованными государствами, координирует и поощряет проведение изучений и исследований, необходимых для составления списков, указанных в пунктах 2 и 4 настоящей статьи.

Статья 12

Тот факт, что какая-либо ценность культурного или природного наследия не была включена в один из двух списков, упомянутых в пунктах 2 и 4 статьи 11, ни в коей мере не означает, что она не имеет выдающейся универсальной ценности или других целей помимо тех, которые являются следствием включения их в эти списки.

Статья 13

1. Комитет всемирного наследия получает и изучает заявки о предоставлении международной помощи, сформулированные государствами - сторонами настоящей Конвенции в том, что касается ценностей культурного и природного наследия, расположенных на их территории, которые включены или которые могут быть включены в списки, упоминаемые в пунктах 2 и 4 статьи 11. Предметом таких заявок может быть охрана, сохранение, популяризация или восстановление этих ценностей.

2. Заявки о международной помощи в соответствии с пунктом 1 настоящей статьи, могут также касаться выявления культурного или природного наследия, определенного в статьях 1 и 2 в том случае, когда предварительные исследования показали, что это будет оправдано.

3. Комитет принимает решение по этим заявкам, определяет, в случае необходимости, характер и объем своей помощи и разрешает заключение от своего имени необходимых соглашений с заинтересованным правительством.

4. Комитет устанавливает порядок очередности для своих операций. Он делает это, принимая во внимание важность для всемирного культурного и природного наследия ценностей, подлежащих защите, необходимость обеспечить международную охрану наиболее представительных ценностей природы, гения и истории народов мира и срочность работ, которые необходимо предпринять, размер ресурсов государств, на территории которых находятся эти ценности, и, в частности, степень, в которой они могли бы обеспечить сохранность этих ценностей своими средствами.

5. Комитет составляет, обновляет и распространяет список ценностей, для которых выделяется международная помощь.

6. Комитет принимает решение об использовании средств фонда, созданного в соответствии со статьей 15 настоящей Конвенции. Он изыскивает средства для пополнения этих средств и принимает в связи с этим все необходимые меры.

7. Комитет сотрудничает с международными и национальными, правительственными и неправительственными организациями, преследующими цели, аналогичные целям настоящей Конвенции. Для целей выполнения своих программ и проектов, Комитет может, в частности, прибегать к помощи Международного исследовательского центра по сохранению и реставрации культурных цен-

ностей (Римский центр), Международного совета по охране памятников и исторических мест (ИКОМОС) и Международного союза охраны природы и естественных богатств (МСОП), а также государственных и частных органов и частных лиц.

8. Решения Комитета принимаются большинством двух третей присутствующих и участвующих в голосовании членов. Кворум составляет большинство членов Комитета.

Статья 14

1. Комитету всемирного наследия помогает Секретариат, назначаемый Генеральным директором Организации объединенных наций по вопросам образования, науки и культуры.

2. Генеральный директор Организации объединенных наций по вопросам образования, науки и культуры, используя в самой большой мере услуги Международного исследовательского центра по сохранению и реставрации культурных ценностей (Римский центр), Международного совета по охране памятников и исторических мест (ИКОМОС) и Международного союза охраны природы и естественных богатств (МСОП) в областях их компетенции и их соответствующих возможностей, готовит документацию Комитета, повестку дня его засаданий и обеспечивает выполнение его решений.

IV. ФОНД ОХРАНЫ ВСЕМИРНОГО КУЛЬТУРНОГО И ПРИРОДНОГО НАСЛЕДИЯ

Статья 15

1. Настоящим учреждается Фонд охраны всемирного культурного и природного наследия, имеющего выдающуюся универсальную ценность, называемый "Фонд всемирного наследия".

2. Этот Фонд согласно соответствующим статьям Положения о финансах Организации объединенных наций по вопросам образования, науки и культуры является целевым фондом.

3. Средства фонда состоят из:

(a) добровольных и обязательных взносов государств - сторон настоящей Конвенции;

(b) вкладов, даров или завещанных сумм, которые могут быть сделаны:

(i) другими государствами,

(ii) Организацией объединенных наций по вопросам образования, науки и культуры и другими организациями системы Организации Объединенных Наций, в частности, Программой развития Организации Объединенных Наций и другими межправительственными организациями,

(iii) государственными или частными органами или физическими лицами;

(c) процентов с сумм, одолженных фондом;

(d) сумм сборов и поступлений от мероприятий, организованных в пользу Международного фонда, а также

(e) любых других ресурсов, утвержденных в соответствии с положениями о фонде, разработанными Комитетом всемирного наследия.

4. Взносы в фонд и другие формы предоставляемой Комитету помощи могут использоваться только в целях, определяемых Комитетом. Комитет может принимать взносы, предназначенные только для определенной программы или конкретного проекта при условии, что Комитет примет решение о выполнении этой программы или проекта. Внесение взносов в Фонд не сопровождается какими-либо политическими условиями.

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Статья 16

1. Без ущерба всякому добровольному дополнительному взносу государства - стороны настоящей Конвенции обязуются уплачивать регулярно раз в два года в Фонд всемирного наследия взносы, сумма которых, составляющая одинаковый процент для всех государств, будет определяться Генеральной ассамблеей государств - сторон Конвенции, собравшихся на сессию Генеральной конференции Организации объединенных наций по вопросам образования, науки и культуры. Принятие этого решения Генеральной ассамблеей требует большинства голосов присутствующих и голосующих государств-сторон, которые не сделали заявления, предусмотренного в пункте 2 настоящей статьи. Ни в коем случае обязательный взнос государств - сторон Конвенции не может превышать 1 проц. их взноса в Обычный бюджет Организации объединенных наций по вопросам образования, науки и культуры.

2. Однако как предусматривается в статье 31 или в статье 32 настоящей Конвенции, каждое государство может в момент сдачи своих ратификационных грамот, актов о принятии или вступлении заявить, что оно не будет связано положениями пункта 1 настоящей статьи.

3. Государство - сторона Конвенции, сделавшее заявление, предусмотренное в пункте 2 настоящей статьи, может в любой момент изъять вышеупомянутое заявление путем уведомления Генерального директора Организации объединенных наций по вопросам образования, науки и культуры. Однако изъятие заявления будет иметь влияние на обязательный взнос этого государства только со дня очередной Генеральной ассамблеи государств-сторон.

4. С тем чтобы Комитет смог эффективно планировать проведение своей деятельности, взносы государств - сторон настоящей Конвенции, сделавших заявления, предусмотренные в пункте 2 настоящей статьи, должны вноситься на регулярной основе, по крайней мере, раз в два года и не должны быть меньше суммы взносов, которые они должны вносить в том случае, если бы они были связаны положениями пункта 1 настоящей статьи.

5. Любое государство - сторона Конвенции, которое имеет задолженность по своим обязательствам или добровольным взносам за текущий год и календарный год, который непосредственно предшествует ему, не может быть избрано в Комитет фонда всемирного наследия: данное положение не применяется в ходе первых выборов. Полномочия такого государства, являющегося членом Комитета, истекают в момент выборов, предусмотренных в пункте 1 статьи 8 настоящей Конвенции.

Статья 17

Государства - стороны настоящей Конвенции способствуют созданию государственных или частных национальных фондов или ассоциаций, имеющих целью поощрять пожертвования для охраны культурного и природного наследия в соответствии с положениями статей 1 и 2 настоящей Конвенции.

Статья 18

Государства - стороны настоящей Конвенции оказывают помощь организуемым под эгидой Организации объединенных наций по вопросам образования, науки и культуры международным кампаниям по сбору средств для Фонда всемирного наследия. Они способствуют сбору средств, проводимому организациями, упомянутыми в пункте 3 статьи 15, для этих целей.

V. УСЛОВИЯ И ФОРМЫ ПРЕДОСТАВЛЕНИЯ МЕЖДУНАРОДНОЙ ПОМОЩИ

Статья 19

Любое государство - сторона настоящей Конвенции может обращаться с просьбой о предоставлении международной помощи в пользу ценностей культурного или природного наследия, имеющих выдающуюся универсальную ценность, расположенных на его территории. Оно должно представить вместе со своей заявкой информацию и документацию, предусмотренную в статье 21, которой оно располагает и которая необходима Комитету для принятия решения.

Статья 20

Международная помощь в соответствии с настоящей Конвенцией может предоставляться лишь для ценностей культурного и природного наследия, которые Комитет всемирного наследия решил или решает включить в один из списков, упомянутых в пунктах 2 и 4 статьи 11, согласно пункта 2 статьи 13, статьи 22 пункта (с) и статьи 23.

Статья 21

1. Комитет всемирного наследия определяет процедуру рассмотрения заявок о предоставлении Фондом международной помощи, которую он призван оказывать, и указывает, в частности, какие элементы должны содержаться в заявке, в которой должны содержаться описание предполагаемой деятельности, необходимых работ, их примерной стоимости, срочности и изложение причин, в силу которых ресурсы государства, обращающегося с заявкой, не позволяют ему полностью произвести необходимые расходы. Заявки должны всякий раз, когда это возможно, подкрепляться заключением экспертов.

2. Заявки о помощи, поданные в связи с катастрофами и стихийными бедствиями, ввиду срочности работ, которые, возможно, необходимо будет осуществить, должны рассматриваться Комитетом в первую очередь, который должен располагать резервным фондом, предназначенным для подобных случаев.

3. Перед принятием решения Комитет может провести исследования или консультации, которые он сочтет необходимыми.

Статья 22

Помощь, предоставляемая Комитетом всемирного наследия, может иметь следующие формы:

(a) исследование художественных, научных и технических проблем, которые ставят охрана, сохранение, восстановление и популяризация культурного и природного наследия так, как оно определяется в пунктах 2 и 4 статьи 11 настоящей Конвенции;

(b) направление экспертов, техников и квалифицированных рабочих для обеспечения удовлетворительного выполнения утвержденного проекта;

(c) подготовка специалистов всех уровней в области выявления охраны, сохранения, восстановления и популяризации культурного и природного наследия;

(d) предоставление оборудования. которым заинтересованное государство не располагает или не в состоянии приобрести;

(e) предоставление займов с низким процентом или без процента, которые могут погашаться на долгосрочной основе;

(f) предоставление в исключительных и специально мотивированных случаях безвозмездных субсидий.

Статья 23

Комитет всемирного наследия может также предоставлять международную помощь национальным или региональным центрам подготовки специалистов всех уровней в области выявления,охраны, сохранения, восстановления и популяризации культурного и природного наследия.

Статья 24

Предоставлению значительной помощи должны предшествовать тщательные научные, экономические и технические исследования. В этих исследованиях необходимо использовать самые передовые методы охраны, сохранения, восстановления и популяризации культурного и природ-

ного наследия и отвечать целям настоящей Конвенции. В исследованиях должны также определяться пути, позволяющие рационально использовать наличные ресурсы заинтересованного государства.

Статья 25

В принципе финансирование необходимых работ должно лишь частично возлагаться на международное сообщество. Финансовое участие государства, пользующегося международной помощью должно являться значительной частью средств, выделяемых для каждой программы или проекта за исключением тех случаев, когда его средства не позволяют этого.

Статья 26

Комитет по всемирному наследию и получающее помощь государство определяют в заключаемом ими соглашении условия, на которых должны осуществляться программа или проект, являющиеся предметом международной помощи, согласно настоящей Конвенции. Государству, пользующемуся этой международной помощью, надлежит по условиям, определённым в соглашении, продолжать охранять, сохранять и популяризировать подлежащие сбережению ценности.

VI. ПРОСВЕТИТЕЛЬНЫЕ ПРОГРАММЫ

Статья 27

1. Государства - стороны настоящей Конвенции стремятся, применяя все соответствующие средства и, в частности, просветительные и информационные программы, укреплять уважение и привязанность своих народов к культурному и природному наследию, определяемому в статьях 1 и 2 Конвенции.

2. Они обязуются широко информировать общественность об опасностях, грозящих этому наследию, а также о мерах, принимаемых во исполнение настоящей Конвенции

Статья 28

Государства - стороны настоящей Конвенции, получающие международную помощь в соответствии с данной Конвенцией, принимают соответствующие меры в целях ознакомления с важностью наследия, которое получило такую помощь, и ролью, которую она сыграла.

VII. ДОКЛАДЫ

Статья 29

1. Государства - стороны настоящей Конвенции сообщают в докладах, которые они представляют Генеральной конференции Организации объединенных наций по вопросам образования, науки и культуры в установленные ею сроки и форме, о законодательных и регламентирующих положениях и о других мерах, принятых ими в целях выполнения настоящей Конвенции, а также сведения об опыте, накопленном ими в этой области.

2. Эти доклады доводятся до сведения Комитета всемирного наследия.

3. Комитет представляет каждой очередной сессии Генеральной конференции Организации объединенных наций по вопросам образования, науки и культуры доклад о своей деятельности.

VIII. ЗАКЛЮЧИТЕЛЬНЫЕ ПОЛОЖЕНИЯ

Статья 30

Настоящая Конвенция составлена на английском, арабском, испанском, французском и русском языках, причем все пять текстов имеют равную силу.

Статья 31

1. Настоящая Конвенция подлежит ратификации или принятию государствами-членами Организации объединенных наций по вопросам образования, науки и культуры в порядке, предусмотренном их конституциями.

2. Ратификационные грамоты или акты о принятии сдаются на хранение Генеральному директору Организации объединенных наций по вопросам образования, науки и культуры.

Статья 32

1. К настоящей Конвенции может присоединиться любое государство, не являющееся членом Организации объединенных наций по вопросам образования, науки и культуры, которое получит от Генеральной конференции Организации приглашение присоединиться к ней.

2. Присоединение осуществляется путем сдачи акта о присоединении на хранение Генеральному директору Организации объединенных наций по вопросам образования, науки и культуры.

Статья 33

Настоящая Конвенция вступает в силу через три месяца со дня сдачи на хранение двадцатой ратификационной грамоты или акта о принятии или присоединении, но лишь в отношении тех государств, которые сдали на хранение свои акты о ратификации, принятии или присоединении в указанный день или ранее. В отношении любого другого государства Конвенция вступает в силу через три месяца после того, как оно сдало на хранение свой акт о ратификации, принятии или присоединении.

Статья 34

К государствам - сторонам настоящей Конвенции, имеющим федеральные устройства, относятся следующие положения:

(a) в том, что касается положений настоящей Конвенции, выполнение которых является предметом законодательной деятельности центральной или федеральной законодательной власти, обязательства федерального или центрального правительства будут теми же, что и обязательства государств-участников, не являющихся федеративными государствами;

(b) в том, что касается положений настоящей Конвенции, выполнение которых является предметом законодательной деятельности каждого из штатов, стран, провинций, кантонов, которые в соответствии с системой федерации не обязаны принимать законодательных мер, федеральное правительство доводит указанные положения до сведения компетентных властей штатов, стран, провинций и кантонов с целью их принятия.

Статья 35

1. Каждое государство - сторона настоящей Конвенции может денонсировать данную Конвенцию.

2. Денонсация нотифицируется письменным актом, который сдается Генеральному директору Организации объединенных наций по вопросам образования, науки и культуры.

3. Денонсация вступает в силу через двенадцать месяцев после получения акта о денонсации. Она никоим образом не изменяет финансовые обязательства, принятые на себя денонсирующим государством, до даты вступления в силу денонсации.

Статья 36

Генеральный директор Организации объединенных наций по вопросам образования, науки и культуры сообщает государствам-членам Организации, государствам, не являющимся члена-

ми Организации, упомянутым в статье 32, а также Организации Объединенных Наций о сдаче на хранение всех актов о ратификации, принятии или присоединении, упомянутых в статьях 31 и 32, а также о денонсациях, указанных в статье 35.

Статья 37

1. Настоящая Конвенция может быть пересмотрена Генеральной конференцией Организации объединенных наций по вопросам образования, науки и культуры. Однако ее пересмотренный текст будет обязывать лишь те государства, которые станут сторонами пересмотренной Конвенции.

2. В случае, если Генеральная конференция примет новую Конвенцию в результате полного или частичного пересмотра настоящей Конвенции и если новая Конвенция не будет содержать других указаний, настоящая Конвенция будет закрыта для ратификации, принятия или присоединения со дня вступления в силу новой Конвенции, содержащей пересмотренный текст.

Статья 38

Согласно статье 102 Устава Организации Объединенных Наций, настоящая Конвенция будет зарегистрирована в Секретариате Организации Объединенных Наций по просьбе Генерального директора Организации объединенных наций по вопросам образования, науки и культуры.

Совершено в Париже сего двадцать третьего ноября 1972 года в двух экземплярах, имеющих одинаковую силу, за подписью Председателя Генеральной конференции, собравшейся на свою семнадцатую сессию, и Генерального директора организации объединенных наций по вопросам образования, науки и культуры, которые будут помещены в архивы Организации объединенных наций по вопросам образования, науки и культуры, и заверенные копии которых будут направлены всем государствам, указанным в статьях 31 и 32, а также Организации Объединенных Наций.

المادة ٣٥

١ – لكل دولة طرف فى هذه الاتفاقية ان تنسحب منها ،

٢ – ويتم الانسحاب بموجب وثيقة مكتوبة تودع لدى المدير العام لمنظمة الامم المتحدة للتربية ، والعلم والثقافة ،

٣ – ويصبح الانسحاب نافذا بعد انقضاء ١٢ شهرا على تاريخ استلام وثيقة الانسحاب . ولا تغير هذه الوثيقة شيئا فى الالتزامات المالية المترتبة فى حق الدولة المنسحبة حتى نفاذ تاريخ الانسحاب .

المادة ٣٦

يعلم المدير العام لمنظمة الامم المتحدة للتربية ، والعلم والثقافة ، الدول الاعضاء فى المنظمة ، والدول غير الاعضاء فيها والمشار اليها فى المادة ٣٢، بكل ما يودع لديه من وثائق التصديق او القبول او الانضمام المنصوص عليها فى المادتين ٣١ و٣٢ ، وبوثائق الانسحاب المنصوص عليها فى المادة ٣٥ .

المادة ٣٧

١ – يجوز للمؤتمر العام لمنظمة الامم المتحدة للتربية والعلم والثقافة ، ان يعدل هذه الاتفاقية ، غير ان هذا التعديل لن يكون ملزما الا بالنسبة الى الدول التى تصبح اطرافا فى الاتفاقية المنقحة .

٢ – اذا اعتمد المؤتمر العام اتفاقية جديدة تكون بمثابة تعديل كلى او جزئى لهذه الاتفاقية ، ففى هذه الحالة ، وما لم تنص الاتفاقية الجديدة على خلاف ذلك ، يوقف التصديق على هذه الاتفاقية او قبولها او الانضمام اليها ، وذلك اعتبارا من تاريخ نفاذ الاتفاقية المنقحة الجديدة .

المادة ٣٨

تنفيذا للمادة ١٠٢ من ميثاق الامم المتحدة ، تسجل هذه الاتفاقية فى سكرتارية الامم المتحدة ، بناء على طلب المدير العام لمنظمة الامم المتحدة للتربية والعلم والثقافة .

حررت فى باريس بتاريخ هذا اليوم الثالث والعشرين من نوفمبر/تشرين الثانى ١٩٧٢، من نسختين أصليتين تحملان توقيعى رئيس المؤتمر العام فى دورته السابعة عشرة ، والمدير العام لمنظمة الامم المتحدة للتربية والعلم والثقافة . وسوف تودع هاتان النسختان فى محفوظات منظمة الامم المتحدة للتربية والعلم والثقافة ، وتؤخذ عنهما نسخ مصدقة لترسل الى الدول المشار اليهما فى المادتين ٣١ و٣٢ ، والى منظمة الامم المتحدة ايضا .

ثامنا : أحكام ختامية

المادة ٣٠

حررت هذه الاتفاقية بالاسبانية والانجليزية والروسية والعربية والفرنسية ، ويعتبر كل من النصوص الخمسة نصا رسميا .

المادة ٣١

١ - ترفع هذه الاتفاقية الى الدول الاعضاء فى منظمة الامم المتحدة للتربية والعلم والثقافة ، للتصديق عليها او قبولها ، وفقا للاجراءات الدستورية النافذة فى كل منها .

٢ - تودع وثائق التصديق او القبول لدى المدير العام لمنظمة الامم المتحدة للتربية والعلم والثقافة .

المادة ٣٢

١ - لجميع الدول غير الاعضاء بمنظمة الامم المتحدة للتربية والعلم والثقافة ان تنضم الى هذه الاتفاقية ، متى دعاها للانضمام اليها المؤتمر العام للمنظمة .

٢ - يتم الانضمام بايداع وثيقة الانضمام لدى المدير العام لمنظمة الامم المتحدة للتربية والعلم والثقافة .

المادة ٣٣

تصبح هذه الاتفاقية نافذة بعد مضى ثلاثة شهور على تاريخ ايداع الوثيقة العشرين للتصديق او القبول او الانضمام ، على ان يقتصر نفاذها على الدول التى اودعت وثائقها فى ذلك التاريخ او قبله . وتصبح نافذة بالنسبة لاى دولة اخرى بعد مضى ثلاثة شهور على تاريخ ايداع وثيقة تصديقها او قبولها او انضمامها .

المادة ٣٤

تنفذ الاحكام التالية على الدول الاطراف فى هذه الاتفاقية التى لها نظام دستورى اتحادى او غير وحدوى :

(أ) فيما يتعلق باحكام هذه الاتفاقية التى يقع تنفيذها فى اختصاص السلطة التشريعية الاتحادية او المركزية ، تكون التزامات الحكومة الاتحادية او المركزية نفس التزامات الدول الاطراف التى ليست دولا اتحادية .

(ب) وفيما يتعلق باحكام هذه الاتفاقية التى يقع تنفيذها فى اختصاص كل من الدول او الاقطار ، او الولايات او المحافظات (التى تتألف منها الدولة الاتحادية) ، والتى لا تكون ملزمة وفقا لنظام الاتحاد الدستورى ، باتخاذ تدابير تشريعية فى مثل هذه الحالة ، تقوم الحكومة الاتحادية باطلاع السلطات ذات الصلاحية فى الدول ، والاقطار ، والولايات والمحافظات على هذه الاحكام ، مع توصيتها باتباعها .

المادة ٢٥

لايسهم المجتمع الدولى ، كقاعدة عامة ، الا جزئيا فى تمويل الاعمال اللازمة . ويجب ان تكون مساهمة الدولة المستفيدة من العون الدولى جانبا هاما من الموارد المخصصة لكل برنامج او مشروع ، الا اذا كانت موارد هذه الدولة لا تسمح لها بذلك .

المادة ٢٦

تحدد لجنة التراث الثقافى والدولة المستفيدة فى عقد يتفق عليه بينهما ، الشروط التى ينفذ بمقتضاها برنامج او مشروع منح لهما عون دولى بموجب هذه الاتفاقية . وتكون الدولة المستفيدة من مثل هذا العون الدولى ، مسؤولة عن المواظبة على حماية الممتلكات موضوع العون المذكور ، والمحافظة عليها وعرضها وفقا للشروط التى تضمنها العقد .

سادسا : المناهج التربوية

المادة ٢٧

١ - تعمل الدول الاطراف فى هذه الاتفاقية ، بكل الوسائل المناسبة ، خاصة بمناهج التربية والاعلام ، على تعزيز احترام وتعلق شعوبها بالتراث الثقافى والطبيعى المحدد فى المادتين ١ و ٢ من الاتفاقية ،

٢ - وتتعهد باعلام الجمهور ، اعلاما مستفيضا ، عن الاخطار الجاثمة على هذا التراث وعن اوجه النشاط التى تتم تنفيذا لهذه الاتفاقية .

المادة ٢٨

تتخذ الدول الاطراف فى هذه الاتفاقية والتى تتلقى عونا دوليا تنفيذا لها ، الاجراءات اللازمة ، للاعلام عن اهمية الممتلكات التى كانت موضوع هذا العون وعن الدور الذى اداه العون الدولى فى هذا المضمار .

سابعا : التقارير

المادة ٢٩

١ - تقدم الدول الاطراف فى هذه الاتفاقية ، فى التقارير التى تقدمها الى المؤتمر العام لمنظمة الامم المتحدة للتربية والعلم والثقافة فى التواريخ وبالصورة التى يحددها هذا المؤتمر ، معلومات حول الاحكام التشريعية والتنظيمية ، والاجراءات الاخرى المتخذة لتنفيذ الاتفاقية ، كما تشير الى تفاصيل التجربة المكتسبة فى هذا المضمار ،

٢ - ويجب ان تخطر لجنة التراث العالمى بمضمون هذه التقارير ،

٣ - وتقدم اللجنة تقريرا عن اوجه نشاطها الى كل دورة عادية من دورات المؤتمر العام لمنظمة الامم المتحدة للتربية والعلم والثقافة .

المادة ٢١

١ ـ تحدد لجنة التراث العالمي اجراءات فحص طلبات العون الدولي الذي تدعى الى تقديمه كما تحدد العناصر اللازم ادراجها في الطلب الذي يجب ان يتضمن وصفا للعملية المزمع اجراؤها والاعمال اللازمة وتقدير النفقات المتوقعة ، ودرجة الاستعجال ، والاسباب التي تحول دون الدولة الطالبة وتحمل كل النفقات . ويجب ان تدعم الطلبات بتقارير الخبراء .

٢ ـ كلما كان ذلك ممكنا يجب فحص الطلبات المبنية على الكوارث الطبيعية والنكبات على وجه الاستعجال ، وان تعطى الاولوية ، من اللجنة التي يجب ان تحتفظ بصندوق احتياطي يستخدم في مثل هذه الحالات ، وذلك نظرا لما تقتضيه هذه الطلبات من اعمال سريعة .

٣ ـ تجري اللجنة الدراسات والاستشارات التي تراها لازمة قبل اتخاذ قراراتها .

المادة ٢٢

يتخذ العون الذي تمنحه لجنة التراث العالمي الاشكال التالية :

(أ) اجراء دراسات للمسائل الفنية ، والعلمية ، والتقنية التي يتطلبها حماية التراث الثقافي والطبيعي المحدد في الفقرتين ٢ و ٤ من المادة ١١ في هذه الاتفاقية والمحافظة عليه وعرضه واحيائه .

(ب) جلب الخبراء ، والتقنيين واليد العاملة للسهر على تنفيذ المشروع الموافق عليه ،

(ج) تدريب الاختصاصيين على كل المستويات في مضمار تعيين التراث الثقافي والفني ، وحمايته ، والمحافظة عليه وعرضه واحيائه ،

(د) تقديم المعدات التي لا تملكها الدولة المعنية او التي يتعذر عليها حيازتها ،

(هـ) منح القروض ذات الفوائد المنخفضة ، او بغير فوائد والتي قد تمدد على آجال طويلة ،

(و) تقديم المنح التي لا تسترد ، وذلك في الحالات الاستثنائية التي تبررها اسباب خاصة .

المادة ٢٣

يمكن للجنة التراث العالمي ان تقدم عونا دوليا للمراكز الوطنية والاقليمية لتدريب الاختصاصيين على كل المستويات ، في مضمار تعيين التراث الثقافي والطبيعي ، والمحافظة عليه وعرضه واحيائه .

المادة ٢٤

لا يمكن منح عون دولي كبير الا بعد اجراء دراسة علمية ، واقتصادية ، وتقنية مفصلة . ويجب ان تعتمد هذه الدراسة على التقنيات الحديثة في حماية التراث الثقافي والطبيعي ، والمحافظة عليه وعرضه واحيائه ، وان تتفق مع اهداف هذه الاتفاقية ، كما تغطي الدراسات المذكورة وسائل استخدام الموارد المتوفرة في الدولة المعنية استخداما رشيدا .

٢ ـ على ان بامكان كل دولة مشار اليها فى المادة ٣١ او المادة ٣٢ ، ان تصرح فى وقت ايداعها وثائق التصديق او القبول او الانضمام انها غير مرتبطة باحكام الفقرة ١ من هذه المادة .

٣ ـ يمكن للدولة التى قدمت التصريح المشار اليه فى الفقرة ٢ من هذه المادة ، ان تسحب هذا التصريح فى اى وقت ، معلمة بذلك المدير العام لمنظمة الامم المتحدة للتربية والعلم والثقافة . على ان سحب التصريح لا يؤثر على المساهمة الاجبارية المتوجبة على هذه الدولة ، الا اعتبارا من تاريخ الاجتماع العام للدول الاطراف الذى يلى .

٤ ـ لكى تتمكن اللجنة من تخطيط عملياتها بشكل فعال ، يتوجب على الدول الاطراف فى الاتفاقية التى قدمت التصريح المشار اليه فى الفقرة ٢ من هذه المادة ، ان تدفع مساهماتها على اساس منتظم ، وكل سنتين على الاقل ، على الا تكون هذه المساهمات اقل من المساهمات التى كان يتوجب عليها دفعها ، لو كانت مرتبطة بأحكام الفقرة (١) من هذه المادة .

٥ ـ لا يمكن انتخاب اية دولة طرف فى الاتفاقية الى لجنة التراث الثقافى العالمى ، اذا تخلفت عن دفع مساهمتها الاجبارية او الاختيارية للسنة الجارية والسنة المدنية التى تقدمتها مباشرة ، ولا ينفذ هذا الحكم لدى اول انتخاب . وتنتهى مدة عضوية مثل هذه الدولة فى اللجنة ، لدى كل انتخاب ملحوظ فى المادة ٨ ، الفقرة ١ من الاتفاقية .

المادة ١٧

تدرس الدول الاطراف فى هذه الاتفاقية وتشجع تأسيس المؤسسات والجمعيات الوطنية العامة والخاصة التى تستهدف تشجيع بذل المال فى سبيل حماية التراث الثقافى والطبيعى المحدد فى المادتين ١ و ٢ من هذه الاتفاقية .

المادة ١٨

تقدم الدول الاطراف فى هذه الاتفاقية مساعدتها لحملات جمع المال الدولية التى تنظم فى صالح صندوق التراث العالمى تحت اشراف منظمة الامم المتحدة للتربية والعلم والثقافة . وتسهل تنفيذا لهذه الاغراض ، جمع الاموال بواسطة الهيئات المشار اليها فى الفقرة ٣ ، من المادة ١٥ .

خامسا : شروط العون الدولى واجراءاته

المادة ١٩

لكل دولة طرف فى هذه الاتفاقية ان تطلب عونا دوليا فى صالح ممتلكات التراث الثقافى او الطبيعى ذى القيمة العالمية الاستثنائية الواقعة فى اقليمها . ويتوجب عليها ان ترفق بطلبها المعلومات والوثائق المنصوص عليها فى المادة ٢١ ، التى تتوفر لديها والتى تحتاج اليها اللجنة لتتخذ قرارها .

المادة ٢٠

دون اخلال باحكام الفقرة ٢ من المادة ١٣ ، والبند (جـ) من المادة ٢٢ ، والمادة ٢٣ ، لا يمكن منح العون الدولى المنصوص عليه فى هذه الاتفاقية ، الا الى ممتلكات التراث الثقافى والطبيعى التى تقرر لجنة التراث العالمى ادراجها فى احدى القائمتين المشار اليهما فى الفقرتين ٢ و ٤ من المادة ١١ .

رابعا : صندوق حماية التراث العالمي الثقافي والطبيعي

المادة ١٥

١ - ينشأ صندوق لحماية التراث العالمي الثقافي والطبيعي ذي القيمة العالمية الاستثنائية ، يعرف باسم " صندوق التراث العالمي " .

٢ - يتأسس الصندوق ، كصندوق ايداع ، وفقا لاحكام النظام المالي لمنظمة الامم المتحدة للتربية والعلم والثقافة .

٣ - تتألف موارد الصندوق من :

(أ) المساهمات الاجبارية والمساهمات الاختيارية التي تقدمها الدول الاطراف في الاتفاقية ،

(ب) المدفوعات والهدايا ، والهبات التي يمكن ان تقدمها له :

(١) دول اخرى ،

(٢) منظمة الامم المتحدة للتربية والعلم والثقافة ، والمنظمات الاخرى المرتبطة بالامم المتحدة ، وخاصة برنامج التنمية للامم المتحدة ، والمنظمات الدولية الحكومية الاخرى ،

(٣) الهيئات العامة والخاصة والافراد ،

(ج) كل فائدة مستحقة عن موارد الصندوق ،

(د) حصيلة التبرعات والحفلات التي تنظم لصالح الصندوق ،

(هـ) وكل موارد اخرى يجيزها النظام الذي تضعه لجنة التراث العالمي .

٤ - لايمكن تخصيص المساهمات المدفوعة للصندوق ، وكل اشكال العون الاخرى المقدم الى اللجنة ، الا للاغراض التي تحددها اللجنة . ويمكن للجنة ان تقبل مساهمات تخصص لبرنامج ، او لمشروع معين ، شريطة ان تكون قد اقرت مسبقا تنفيذ هذا البرنامج او المشروع . ولا يمكن ربط المساهمات المدفوعة للصندوق بأي شرط سياسي .

المادة ١٦

١ - تتعهد الدول الاطراف في الاتفاقية ، دون المساس بأية مساهمة اختيارية اضافية ، ان تدفع بانتظام كل عامين ، لصندوق التراث العالمي ، مساهمات يقرر الاجتماع العام للدول الاطراف في الاتفاقية الذي ينعقد خلال دورات المؤتمر العام لمنظمة الامم المتحدة للتربية والعلم والثقافة ، مقدارها على شكل نسبة مئوية تطبق على كل الدول . ويتطلب هذا القرار الذي يتخذه الاجتماع العام ، اكثرية الدول الحاضرة والمصوتة التي لم تقدم التصريح المشار اليه بالفقرة ٢ من هذه المادة . ولا يمكن بأي حال ان تتجاوز المساهمة الاجبارية للدول الاطراف في الاتفاقية ١٪ من مساهمتها في الميزانية العادية لمنظمة الامم المتحدة للتربية والعلم والثقافة .

المادة ١٣

(١) تتلقى لجنة التراث العالمي وتدرس طلبات العون الدولي التي تقدمها الدول الاطراف في هذه الاتفاقية بخصوص ممتلكات التراث الثقافي والطبيعي الواقعة في أراضيها، والمدرجة أو التي تصلح أن تدرج في القائمتين المشار اليهما في الفقرتين ٢ و ٤ من المادة ١١، ويمكن أن يكون موضوع هذه الطلبات، حماية الممتلكات المذكورة، أو المحافظة عليها أو عرضها أو احيائها.

(٢) تنفيذا للفقرة ١ من هذه المادة، يمكن أن يكون موضوع طلبات العون الدولي، تعيين ممتلكات التراث الثقافي والطبيعي المحدد في المادتين ١ و ٢، وذلك اذا أظهرت الأبحاث التمهيدية أهمية الاستمرار في البحث.

(٣) تقرر اللجنة التدابير الواجب اتخاذها بشأن هذه الطلبات، وتحدد اذا اقتضى الأمر، طبيعة وأهمية ما تمنحه من عون، وتجيز عقد الترتيبات اللازمة باسمها، مع الحكومة المعنية.

(٤) تحدد اللجنة نظاما للأولوية في تنفيذ الأعمال التي تزمع القيام بها وتفعل ذلك بعد أن تأخذ بعين الاعتبار، أهمية الممتلكات الواجب انقاذها بالنسبة للتراث العالمي الثقافي والطبيعي، وضرورة تأمين العون الدولي للممتلكات التي هي أكثر تمثيلا لبيئة طبيعية معينة، أو لعبقرية شعوب العالم ولتاريخ هذه الشعوب، وكذلك مدى ضرورة الاسراع في الأعمال التي يلزم القيام بها، وأهمية موارد الدول التي توجد في أراضيها الممتلكات المهددة، وخاصة مدى مقدرة هذه الدول على تأمين انقاذ الممتلكات المذكورة بوسائلها الخاصة.

(٥) تنظم اللجنة، وتنقح أولا بأول، وتعمم قائمة بالممتلكات التي قدم لها عون دولي.

(٦) تقرر اللجنة أوجه استخدام موارد الصندوق المنشأ بموجب المادة ١٥ من هذه الاتفاقية، وتبحث عن وسائل تنمية هذه الموارد، وتتخذ كل الاجراءات المفيدة لهذا الغرض.

(٧) تتعاون اللجنة مع المنظمات الدولية والوطنية، الحكومية وغير الحكومية، التي لها أهداف مماثلة لأهداف هذه الاتفاقية، وللجنة، من أجل تطبيق مناهجها وتنفيذ مشاريعها، أن تستعين بهذه المنظمات، وعلى الأخص بالمركز الدولي لدراسات صون الممتلكات الثقافية وترميمها (مركز روما)، والمجلس الدولي للآثار والمواقع (م د ل أ م) والاتحاد الدولي لصون الطبيعة ومواردها (أ د ص ط)، وكذلك بالمؤسسات العامة والخاصة وبالافراد.

(٨) تتخذ قرارات اللجنة بأكثرية ثلثي الأعضاء الحاضرين والمشتركين في التصويت. ويتألف النصاب من أكثرية أعضاء اللجنة.

المادة ١٤

(١) تساعد لجنة التراث العالمي أمانة عامة يعينها المدير العام لمنظمة الامم المتحدة للتربية والعلم والثقافة.

(٢) يهيء المدير العام لمنظمة الامم المتحدة للتربية والعلم والثقافة وثائق اللجنة، وجدول أعمال اجتماعاتها، ويؤمن تنفيذ مقرراتها، مستفيدا ما أمكن من خدمات المركز الدولي لدراسات صون الممتلكات الثقافية وترميمها (مركز روما)، والمجلس الدولي للآثار والمواقع (م د ل أ م)، والاتحاد الدولي لصون الطبيعة ومواردها (أ د ص ط)، في حدود اختصاصات وامكانات كل منها.

المادة ١١

(١) ترفع كل دولة طرف فى هذه الاتفاقية ، الى لجنة التراث العالمى ، بقدر الامكان ، جردا بممتلكات التراث الثقافى والطبيعى الواقعة فى اقليمها ، والتى تصلح لأن تسجل فى القائمة المنصوص عليها فى الفقرة ٢ من هذه المادة . ويتضمن أن يحوى هذا الجرد ، الذى لن يعتبر شاملا ، وثائق عن مواقع الممتلكات المذكورة ، وعن الأهمية التى تمثلها .

(٢) بالاعتماد على الجرود التى تقدمها الدول وفقا للفقرة ١ ، تنظم اللجنة وتنقح أول بأول ، وتنشر تحت عنوان " قائمة التراث العالمى " قائمة بممتلكات التراث الثقافى والطبيعى المحددة فى المادتين ١ و ٢ من هذه الاتفاقية ، والتى ترى بعد تطبيق المعايير التى تتخذها ، ان لها قيمة عالمية استثنائية . ويجب توزيع القائمة المنقحة ، مرة كل سنتين على الأقل .

(٣) لا يدرج بند فى قائمة التراث العالمى ، الا بموافقة الدولة المعنية ، ولا يؤثر ادراج ملك واقع فى أرض تكون السيادة أو الاختصاص عليها موضوع مطالبة عدة دول على حقوق الاطراف فى المنازعة .

(٤) تنظم اللجنة ، وتنقح أولا بأول ، وتنشر ، كلما اقتضت الظروف ذلك ، تحت عنوان " قائمة التراث العالمى المعرض للخطر " ، قائمة بالممتلكات المدرجة فى قائمة التراث العالمى ، التى يحتاج انقاذها الى أعمال كبرى والتى من أجل تنفيذها طلب عون وفقا لهذه الاتفاقية ، وتتضمن هذه القائمة تقديرا لنفقات العمليات اللازمة . ولا يدرج فيها الا ممتلكات التراث الثقافى والطبيعى التى تهددها أخطار جسيمة محددة ، كخطر الزوال الناشىء عن الاندثار المطرد ، أو عن مشاريع الاعمال الكبرى العامة أو الخاصة ، أو التطور العمرانى أو السياحى السريع ، أو التهدم نتيجة تغيير استخدام الارض أو تبدل ملكيتها ، أو التغيرات الضخمة التى ترجع لأسباب مجهولة ، أو هجر المكان لأى سبب ، أو النزاع المسلح أو التهديد به ، أو الكوارث والنكبات ، أو الحرائق الكبرى ، أو الهزات الأرضية ، أو انهيارات الأراضى ، أو الاندفاعات البركانية ، أو التحول فى منسوب المياه ، أو الفيضانات ، أو طغيان البحر . وللجنة ، فى أى وقت ، فى حالة الاستعجال ، أن تقدم على ادراج بند جديد فى قائمة التراث العالمى المعرض للخطر ، وأن تؤمن لهذا الادراج تعميما فوريا .

(٥) تحدد اللجنة المعايير التى يستند عليها ، لادراج ملك من التراث الثقافى والطبيعى فى احدى القائمتين المشار اليهما فى الفقرتين ٢ و ٤ من هذه المادة .

(٦) قبل أن ترفض اللجنة طلبا لادراج ملك ثقافى أو طبيعى فى احدى القائمتين المشار اليهما فى الفقرتين ٢ و ٤ من هذه المادة ، عليها أن تستشير الدولة التى يقع فى اقليمها هذا الملك .

(٧) تقوم اللجنة بالاتفاق مع الدول المعنية ، بتنسيق وتشجيع الدراسات والأبحاث اللازمة لاعداد القائمتين المشار اليهما فى الفقرتين ٢ و ٤ من هذه المادة .

المادة ١٢

لا يعنى عدم ادراج ملك ضمن التراث الثقافى والطبيعى ، فى أى من القائمتين المشار اليهما فى الفقرتين ٢ و ٤ من المادة ١١ ، ان هذا الملك ليست له قيمة عالمية استثنائية فى غير الاغراض المتوخاة من ادراجه فى القائمتين المذكورتين .

ثالثا : اللجنة الدولية الحكومية لحماية
التراث العالمي الثقافي والطبيعي

المادة ٨

(١) تنشأ لدى منظمة الامم المتحدة للتربية والعلم والثقافة لجنة دولية حكومية لحماية التراث الثقافي والطبيعي ذي القيمة العالمية الاستثنائية ، تعرف باسم (لجنة التراث العالمي). وتتألف اللجنة من خمسة عشر دولة أطراف في الاتفاقية ، تنتخبها الدول الأطراف في الاتفاقية، في اجتماع عام خلال دورات المؤتمر العام العادية لمنظمة الامم المتحدة للتربية والعلم والثقافة ، ويصبح عدد الدول الأعضاء في اللجنة احدى وعشرين دولة ، ابتداء من الدورة العادية للمؤتمر العام الذي يلي نفاذ هذه الاتفاقية في حق ٤٠ دولة على الأقل.

(٢) يجب أن يؤمن انتخاب أعضاء اللجنة تمثيلا عادلا لمختلف مناطق العالم وثقافاته .

(٣) يحضر جلسات اللجنة ، بصورة استشارية ، ممثل عن المركز الدولي لدراسات صون الممتلكات الثقافية وترميمها (مركز روما)، وممثل عن المجلس الدولي للآثار والمواقع (م د ل ا م)، وممثل عن الاتحاد الدولي لصون الطبيعة ومرافقها (أ د ص ط). ويمكن أن يضاف الى هؤلاء بناء على طلب الدول الاطراف في اجتماع عام ، خلال دورات المؤتمر العام العادية لمنظمة الامم المتحدة للتربية والعلم والثقافة ، ممثلون عن المنظمات الدولية الحكومية وغير الحكومية الأخرى التي لها أهداف مماثلة .

المادة ٩

(١) تباشر الدول الاعضاء في لجنة التراث العالمي مدة عضويتها ، اعتبارا من انتهاء الدورة العادية للمؤتمر العام الذي انتخبت خلاله ، حتى نهاية الدورة الثالثة العادية التالية .

(٢) غير أن مدة عضوية ثلث الاعضاء المختارين في الانتخاب الأول تنتهي بنهاية الدورة العادية الاولى للمؤتمر العام التي انتخبوا خلالها ، كما تنتهي مدة عضوية الثلث الثاني بنهاية الدورة العادية الثانية للمؤتمر العام التي تلي الدورة التي انتخبوا خلالها . ويحسب رئيس المؤتمر العام أسماء هؤلاء الأعضاء بالاقتراع، اثر الانتخاب الأول.

(٣) تختار الدول أعضاء اللجنة ممثليها فيها من بين المتخصصين في ميادين التراث الثقافي والطبيعي .

المادة ١٠

(١) تعتمد لجنة التراث العالمي نظامها الداخلي .

(٢) للجنة أن تدعو في أي وقت ، الى اجتماعاتها ، المؤسسات العامة والخاصة ، وكذلك الأفراد ، لاستشارتهم في قضايا معينة .

(٣) للجنة أن تنشيء الهيئات الاستشارية التي ترى لزوما لها في أداء مهمتها .

المادة ٥

لتأمين اتخاذ تدابير فعالة ونشطة لحماية التراث الثقافي والطبيعي الواقع في اقليمها والمحافظة عليه وعرضه، تعمل الدول الأطراف في هذه الاتفاقية، كل بحسب ظروفها، وفي حدود امكاناتها، على ما يلي:

(أ) اتخاذ سياسة عامة تستهدف جعل التراث الثقافي والطبيعي يؤدي وظيفة في حياة الجماعة، وادماج حماية هذا التراث في مناهج التخطيط العام؛

(ب) تأسيس دائرة أو عدة دوائر، حيث لا توجد مثل هذه الدائرة في اقليمها، لحماية التراث الثقافي والطبيعي والمحافظة عليه وعرضه، وتزويد هذه الدائرة بالموظفين الأكفاء، وتمكينها من الوسائل التي تسمح لها بأداء الواجبات المترتبة عليها؛

(ج) تنمية الدراسات والأبحاث العلمية والتقنية، ووضع وسائل العمل التي تسمح للدولة بأن تجابه الأخطار المهددة للتراث الثقافي والطبيعي؛

(د) اتخاذ التدابير القانونية، والعلمية، والتقنية، والادارية، والمالية المناسبة لتعيين هذا التراث، وحمايته، والمحافظة عليه وعرضه واحيائه؛

(هـ) دعم انشاء أو تنمية مراكز التدريب الوطنية والاقليمية، في مضمار حماية التراث الثقافي والطبيعي، والمحافظة عليه وعرضه، وتشجيع البحث العلمي في هذا المضمار.

المادة ٦

(١) تعترف الدول الاطراف في هذه الاتفاقية، مع احترامها كليا سيادة الدول التي يقع في اقليمها التراث الثقافي والطبيعي المشار اليه في المادتين ١ و ٢، ودون المساس بالحقوق العينية التي تقررها التشريعات الوطنية فيما يتعلق بهذا التراث، انه يؤلف تراثا عالميا، تستوجب حمايته التعاون بين أعضاء المجتمع الدولي كافة.

(٢) وتتعهد الدول الاطراف أن تقدم مساعدتها، وفقا لأحكام هذه الاتفاقية، لتعيين التراث الثقافي والطبيعي المشار اليه في المادتين ١ و ٢، وحمايته، والمحافظة عليه وعرضه، اذا طلبت ذلك الدولة التي يقع هذا التراث في اقليمها.

(٣) وتتعهد كل من الدول الاطراف في هذه الاتفاقية، ألا تتخذ متعمدة، أي اجراء من شأنه الحاق الضرر بصورة مباشرة أو غير مباشرة، بالتراث الثقافي والطبيعي المشار اليه في المادتين ١ و ٢، والواقع في أقاليم الدول الاخرى الاطراف في هذه الاتفاقية.

المادة ٧

لاغراض هذه الاتفاقية، تعني الحماية الدولية للتراث العالمي الثقافي والطبيعي، اقامة نظام للتعاون والعون الدوليين، يستهدف موازرة الدول الاطراف في الاتفاقية، في الجهود التي تبذلها للمحافظة على هذا التراث ولتعيينه.

أولا : تعريف التراث الثقافي والطبيعي

المادة ١

يعنى " التراث الثقافي " لاغراض هذه الاتفاقية :

- الآثار : الاعمال المعمارية ، وأعمال النحت والتصوير على المباني ، والعناصر أو التكاوين ذات الصفة الأثرية ، والنقوش ، والكهوف ، ومجموعات المعالم التي لها جميعا قيمة عالمية استثنائية من وجهة نظر التاريخ ، أو الفن ، أو العلم ؛

- المجمعات : مجموعات المباني المنعزلة أو المتصلة ، التي لها بسبب عمارتها ، أو تناسقها ، أو اندماجها في منظر طبيعي ، قيمة عالمية استثنائية من وجهة نظر التاريخ ، أو الفن ، أو العلم ؛

- المواقع : أعمال الانسان ، أو الأعمال المشتركة بين الانسان والطبيعة ، وكذلك المناطق بما فيها المواقع الأثرية ، التي لها قيمة عالمية استثنائية من وجهة النظر التاريخية ، أو الجمالية ، أو الاثنولوجية ، أو الانثروبولوجية .

المادة ٢

يعنى " التراث الطبيعي " لاغراض هذه الاتفاقية :

- المعالم الطبيعية المتألفة من التشكلات الفيزيائية أو البيولوجية ، أو من مجموعات هذه التشكلات ، التي لها قيمة عالمية استثنائية من وجهة النظر الجمالية ، أو العلمية ؛

- التشكلات الجيولوجية أو الفيزيوغرافية ، والمناطق المحددة بدقة مولفة موطن الأجناس الحيوانية أو النباتية المهددة ، التي لها قيمة عالمية استثنائية من وجهة نظر العلم ، أو المحافظة على الثروات ؛

- المواقع الطبيعية أو المناطق الطبيعية المحددة بدقة ، التي لها قيمة عالمية استثنائية من وجهة نظر العلم ، أو المحافظة على الثروات أو الجمال الطبيعي .

المادة ٣

لكل دولة طرف في هذه الاتفاقية ، أن تعين وتحدد مختلف الممتلكات الواقعة في اقليمها والمشار اليها في المادتين ١ و ٢ المتقدمتين .

ثانيا : الحماية الوطنية والحماية الدولية للتراث الثقافي والطبيعي

المادة ٤

تعترف كل دولة من الدول الاطراف في هذه الاتفاقية بأن واجب القيام بتعيين التراث الثقافي والطبيعي المشار اليه في المادتين ١ و ٢ الذي يقوم في اقليمها ، وحمايته ، والمحافظة عليه ، واصلاحه ، ونقله الى الأجيال المقبلة ، يقع بالدرجة الأولى على عاتقها . وسوف تبذل كل دولة أقصى طاقتها لتحقيق هذا الغرض وتستعين عند الحاجة بالعون والتعاون الدوليين اللذين يمكن أن تحظى بهما ، خاصة على المستويات المالية ، والفنية ، والعلمية ، والتقنية .

اتفاقية لحماية التراث العالمي
الثقافي والطبيعي

ان المؤتمر العام لمنظمة الامم المتحدة للتربية والعلم والثقافة ، المنعقد في باريس من ١٧ أكتوبر/تشرين الاول الى ٢١ نوفمبر/تشرين الثاني ١٩٧٢، في دورته السابعة عشرة ،

اذ يلاحظ أن التراث الثقافي والتراث الطبيعي مهددان بتدمير متزايد ، لا بالاسباب التقليدية للاندثار فحسب ، وانما أيضا بالأحوال الاجتماعية والاقتصادية المتغيرة التي تزيد من خطورة الموقف بما تحمله من عوامل الاتلاف والتدمير الأشد خطرا ،

ونظرا لأن اندثار أو زوال أي بند من التراث الثقافي والطبيعي يولفان افقارا ضارا لتراث جميع شعوب العالم ،

ونظرا لأن حماية هذا التراث على المستوى الوطني ناقصة في غالب الأحيان، بسبب حجم الموارد التي تتطلبها هذه الحماية ونقصان الموارد الاقتصادية والعلمية والتقنية في البلد الذي يقوم في أرضه التراث الواجب انقاذه ،

واذ يذكر بأن ميثاق المنظمة التأسيسي ينص على أنها تساعد على بقاء المعرفة وتقدمها وتعميمها عن طريق السهر على صون التراث العالمي، وحمايته ، وتوصية الدول المعنية باعتماد الاتفاقيات الدولية لهذا الغرض ،

ونظرا لأن الاتفاقيات ، والتوصيات ، والقرارات الدولية القائمة والمتعلقة بالممتلكات الثقافية والطبيعية تبين الأهمية التي يمثلها لكافة شعوب العالم ، انقاذ هذه الممتلكات الفريدة والتي لا تعوض، مهما كانت تابعة لأي شعب ،

ونظرا لان بعض ممتلكات التراث الثقافي والطبيعي، تمثل أهمية استثنائية توجب حمايتها باعتبارها عنصرا من التراث العالمي للبشرية جمعاء،

ونظرا لأنه يتعين على المجتمع الدولي، أمام اتساع واشتداد الأخطار الجديدة ، الاسهام في حماية التراث الثقافي والطبيعي ذي القيمة العالمية الاستثنائية ، عن طريق بذل العون الجماعي الذي يتمم بشكل مجد عمل الدولة المعنية دون أن يحل محله ،

ونظرا لأنه لابد لهذا الغرض من اصدار أحكام جديدة في شكل اتفاقية لاقامة نظام فعال يوفر حماية جماعية للتراث الثقافي والطبيعي ذي القيمة العالمية الاستثنائية ، بشكل دائم ، ووفقا للطرق العلمية الحديثة ،

وبعد أن قرر في دورته السادسة عشرة ، ان هذه المسألة يجب أن تنظم بموجب اتفاقية دولية،

يعتمد هذه الاتفاقية في من ١٩٧٢.

The foregoing is the authentic text of the Convention duly adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization during its seventeenth session, which was held in Paris and declared closed the twenty-first day of November 1972.

Lo anterior es el texto auténtico de la Convención aprobada en buena y debida forma por la Conferencia General de la Organización de las Naciones Unidas para la Educación, la Ciencia y la Cultura, en su decimoséptima reunión, celebrada en París y terminada el día veintiuno de noviembre de 1972.

Le texte qui précède est le texte authentique de la Convention dûment adoptée par la Conférence générale de l'Organieation des Nations Unies pour l'éducation, la science et la culture à sa dix-septième session, qui s'est tenue à Paris et qui a été déclarée close le vingt et unième jour de novembre 1972.

Приведенный выше текст является подлинным текстом Конвенции, надлежащим образом принятой Генеральной конференцией Организации объединенных наций по вопросам образования, науки и культуры на ее семнадцатой сессии, состоявшейся в Париже и закончившейся сего двадцать первого ноября 1972 года.

ان النص الوارد أعلاه هو النص الرسمي للاتفاقية التي أقرها المؤتمر العام لمنظمة الأمم المتحدة للتربية والعلم والثقافة في دورته السابعة عشرة التي انعقدت في باريس وأعلن اختتامها في الحادي والعشرين من نوفمبر/تشرين الثاني ١٩٧٢.

IN FAITH WHEREOF we have appended our signatures this twenty-third day of November 1972.

EN FE DE LO CUAL estampan sus firmas, en este día veintitrés de noviembre de 1972.

EN FOI DE QUOI ont apposé leurs signatures, ce vingt-troisième jour de novembre 1972.

В УДОСТОВЕРЕНИЕ ЧЕГО настоящую Конвенцию подписали сего двадцать третьего ноября 1972 года.

وإثباتا لما تقدم وقعنا بامضاءاتنا في الثالث والعشرين من نوفمبر/تشرين الثاني ١٩٧٢

The President of the General Conference/El Presidente de la Conferencia General
Le Président de la Conférence générale / Председатель Генеральной конференции
رئيس المؤتمر العام

TORU HAGUIWARA

The Director-General/El Director General
Le Directeur général / Генеральный директор
المدير العام

RENE MAHEU

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Paris, 18 XII. 1972

Claude Fuenes

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Standards and Legal Affairs,
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Directeur de l'Office des normes
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l'éducation, la science et la culture

Директор Бюро по международной
регламентации и правовым вопросам,
Организация объединенных наций по
вопросам образования, науки и культуры

مدير مكتب المعايير الدولية
والشؤون القانونية
لمنظمة الامم المتحدة للتربية
والعلم والثقافة

MULTILATERAL

International Wheat Agreement, 1971: Modification and Extension of Wheat Trade Convention and Food Aid Convention

Protocols open for signature at Washington March 25 through April 14, 1975.
Declarations of provisional application of the United States of America deposited June 18, 1975;
Ratification advised by the Senate of the United States of America December 1, 1975;
Ratified by the President of the United States of America December 22, 1975;
Ratifications of the United States of America deposited January 5, 1976;
Proclaimed by the President of the United States of America January 24, 1976;
Entered into force provisionally for the United States of America with respect to certain parts June 19, 1975; and with respect to the remaining parts July 1, 1975;
Entered into force definitively for the United States of America January 5, 1976.

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[Added by the Department of State]

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BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

CONSIDERING THAT:

The Protocols for the Further Extension of the Wheat Trade Convention and the Food Aid Convention constituting the International Wheat Agreement, 1971, were open for signature in Washington from March 25 through April 14, 1975, and each of the two Protocols was signed during that period by the respective plenipotentiaries of the Government of the United States of America and certain other Governments;

The texts of the Protocols, in the English, French, Russian, and Spanish languages, are hereto annexed;

The Senate of the United States of America by its resolution of December 1, 1975, two-thirds of the Senators present concurring therein, gave its advice and consent to the ratification of the Protocols;

The President of the United States of America ratified the Protocols on December 22, 1975, in pursuance of the advice and consent of the Senate;

The Government of the United States of America deposited declarations of provisional application of the Protocols on June 18, 1975, and deposited its instruments of ratification on January 5, 1976;

Pursuant to Article 8 and paragraph (1) of Article 9, the Protocol for the Further Extension of the Wheat Trade Convention, 1971, became provisionally applicable for the Government of the United States of America as follows: on June 19, 1975, with respect to all provisions of the Convention other than Articles 3 to 9 inclusive and Article 21; and on July 1, 1975, with respect to Articles 3 to 9 inclusive, and Article 21 of the Convention;

Pursuant to Article VIII and paragraph (1) of Article IX, the Protocol for the Further Extension of the Food Aid Convention, 1971, became provisionally applicable for the Government of the United States of America as follows: on June 19, 1975, with respect to all provisions other than Article II of the Convention and Article III of the Protocol; and on July 1, 1975, with respect to Article II of the Convention and Article III of the Protocol;

Pursuant to paragraph (2) of Article 9 of the Protocol for the Further Extension of the Wheat Trade Convention, 1971, and paragraph (1) of Article IX of the Protocol for the Further Extension of the Food Aid Convention, 1971, the two Protocols entered into force definitively for the United States of America on January 5, 1976;

NOW, THEREFORE, I, Gerald R. Ford, President of the United States of America, proclaim and make public the Protocols for the Further Extension of the Wheat Trade Convention and the Food Aid Convention constituting the International Wheat Agreement, 1971, to the end that they shall be observed and fulfilled with good faith

by the United States of America and by the citizens of the United States of America and all other persons subject to the jurisdiction thereof.

IN TESTIMONY WHEREOF, I have signed this proclamation and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this twenty-fourth day of January in the year of our Lord one thousand nine hundred seventy-six and of the Independence of the United States of America the two hundredth.

[SEAL]

GERALD R. FORD

By the President:
ROBERT S. INGERSOLL
Acting Secretary of State

PROTOCOLS FOR THE FURTHER EXTENSION OF THE WHEAT TRADE CONVENTION AND FOOD AID CONVENTION CONSTITUTING THE INTERNATIONAL WHEAT AGREEMENT, 1971

PREAMBLE

The Conference to establish the texts of the Protocols for the further extension of the Conventions constituting the International Wheat Agreement, 1971 [1]

Considering that the International Wheat Agreement of 1949 was revised, renewed or extended in 1953, 1956, 1959, 1962, 1965, 1966, 1967, 1968, 1971 and 1974, [2]

Considering that the International Wheat Agreement, 1971, consisting of two separate legal instruments, the Wheat Trade Convention, 1971 and the Food Aid Convention, 1971, both of which were extended by Protocol in 1974, will expire on 30 June 1975,

Has established the texts of Protocols for the further extension of the Wheat Trade Convention, 1971 and for the further extension of the Food Aid Convention, 1971.

[1] TIAS 7144; 22 UST 820, 971.

[2] TIAS 1957, 2799, 3709, 4302, 5115, 5844, 6057, 6315, 6537, 7988; 63 Stat. 2173; 4 UST 944; 7 UST 3275; 10 UST 1477; 13 UST 1571; 16 UST 1010; 17 UST 948; 18 UST 1699; 19 UST 5499, 5772; 25 UST 3261, 3272.

PROTOCOL FOR THE FURTHER EXTENSION OF
THE WHEAT TRADE CONVENTION, 1971

The Governments party to this Protocol,

Considering that the Wheat Trade Convention, 1971 (hereinafter referred to as "the Convention") of the International Wheat Agreement, 1971, which was extended by Protocol in 1974, expires on 30 June 1975,

Have agreed as follows.

ARTICLE 1

Extension, expiry and termination of the Convention

Subject to the provisions of Article 2 of this Protocol, the Convention shall continue in force between the parties to this Protocol until 30 June 1976, provided that, if a new international agreement covering wheat enters into force before 30 June 1976, this Protocol shall remain in force only until the date of entry into force of the new agreement.

ARTICLE 2

Inoperative provisions of the Convention

The following provisions of the Convention shall be deemed to be inoperative with effect from 1 July 1975:

(a) paragraph (4) of Article 19;

(b) Articles 22 to 26 inclusive;

(c) paragraph (1) of Article 27;

(d) Articles 29 to 31 inclusive.

ARTICLE 3

Definition

Any reference in this Protocol to a "Government" or "Governments" shall be construed as including a reference to the European Economic Community (hereinafter referred to as "the Community"). Accordingly, any reference in this Protocol to "signature" or to the "deposit of instruments of ratification, acceptance, approval or conclusion" or "an instrument of accession" or a "declaration of provisional application" by a Government shall, in the case of the Community, be construed as including signature or declaration of provisional application on behalf of the Community by its competent authority and the deposit of the instrument required by the institutional procedures of the Community to be deposited for the conclusion of an international agreement.

ARTICLE 4

Finance

The initial contribution of any exporting or importing member acceding to this Protocol under paragraph (1)(b) of Article 7 thereof, shall be assessed by the Council on the basis of the votes to be distributed to it and the period remaining in the current crop year, but the assessments made upon other exporting and importing members for the current crop year shall not be altered.

ARTICLE 5

Signature

This Protocol shall be open for signature in Washington from 25 March 1975 until and including 14 April 1975 by Governments of countries party to the Convention as extended by Protocol, or which are provisionally regarded as party to the Convention as extended by Protocol, on 25 March 1975, or which are members of the United Nations, of its specialized agencies or of the International Atomic Energy Agency, and are listed in Annex A or Annex B to the Convention.

ARTICLE 6

Ratification, acceptance, approval or conclusion

This Protocol shall be subject to ratification, acceptance, approval or conclusion by each signatory Government in accordance with its respective constitutional or institutional procedures. Instruments of ratification, acceptance, approval or conclusion shall be deposited with the Government of the United States of America not later than 18 June 1975, except that the Council may grant one or more extensions of time to any signatory Government that has not deposited its instrument of ratification, acceptance, approval or conclusion by that date.

ARTICLE 7

Accession

(1) This Protocol shall be open for accession

(a) until 18 June 1975 by the Government of any member listed in Annex A or B to the Convention as of that date, except that the Council may grant one or more extensions of time to any Government that has not deposited its instrument by that date, and

(b) after 18 June 1975 by the Government of any member of the United Nations, of its specialized agencies or of the International Atomic Energy Agency upon such conditions as the Council considers appropriate by not less than two-thirds of the votes cast by exporting members and two-thirds of the votes cast by importing members.

(2) Accession shall be effected by the deposit of an instrument of accession with the Government of the United States of America.

(3) Where, for the purposes of the operation of the Convention and this Protocol, reference is made to members listed in Annex A or B to the Convention, any member the Government of which has acceded to the Convention on conditions prescribed by the Council, or to this Protocol in accordance with paragraph (1)(b) of this Article, shall be deemed to be listed in the appropriate Annex.

ARTICLE 8

Provisional application

Any signatory Government may deposit with the Government of the United States of America a declaration of provisional application of this Protocol. Any other Government eligible to sign this Protocol or whose application for accession is approved by the Council may also deposit with the Government of the United States of America a declaration of provisional application. Any Government depositing such a declaration shall provisionally apply this Protocol and be provisionally regarded as a party thereto.

ARTICLE 9

Entry into force

(1) This Protocol shall enter into force among those Governments which have deposited instruments of ratification, acceptance, approval, conclusion or accession, or declarations of provisional application, in accordance with Articles 6, 7 and 8 of this Protocol by 18 June 1975, as follows:

(a) on 19 June 1975, with respect to all provisions of the Convention other than Articles 3 to 9 inclusive and Article 21, and

(b) on 1 July 1975, with respect to Articles 3 to 9 inclusive, and Article 21 of the Convention,

if such instruments of ratification, acceptance, approval, conclusion or accession, or declarations of provisional application have been deposited not later than 18 June 1975 on behalf of Governments representing exporting members which held at least 60 per cent of the votes set out in Annex A and representing importing members which held at least 50 per cent of the votes set out in Annex B, or would have held such votes respectively if they had been parties to the Convention on that date.

(2) This Protocol shall enter into force for any Government that deposits an instrument of ratification, acceptance, approval, conclusion or accession after 19 June 1975 in accordance with the relevant provisions of this Protocol, on the date of such deposit, except that no part of it shall enter into force for such a Government until that part enters into force for other Governments under paragraph (1) or (3) of this Article.

(3) If this Protocol does not enter into force in accordance with paragraph (1) of this Article, the Governments which have deposited instruments of ratification, acceptance, approval, conclusion or accession, or declarations of provisional application, may decide by mutual consent that it shall enter into force among those Governments that have deposited instruments of ratification, acceptance, approval, conclusion or accession, or declarations of provisional application.

ARTICLE 10

Notification by depositary Government

The Government of the United States of America as the depositary Government shall notify all signatory and acceding Governments of each signature, ratification, acceptance, approval, conclusion, provisional application of, and accession to, this Protocol, as well as of each notification and notice received under Article 27 of the Convention and each declaration and notification received under Article 28 of the Convention.

ARTICLE 11

Certified copy of the Protocol

As soon as possible after the definitive entry into force of this Protocol, the depositary Government shall send a certified copy of this Protocol in the English, French, Russian and Spanish languages to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations. [1] Any amendments to this Protocol shall likewise be communicated.

[1] TS 993; 59 Stat. 1052.

ARTICLE 12

Relationship of Preamble to Protocol

This Protocol includes the Preamble to the Protocols for the further extension of the International Wheat Agreement, 1971.

IN WITNESS WHEREOF the undersigned, having been duly authorized to this effect by their respective Governments or authorities, have signed this Protocol on the dates appearing opposite their signatures.

The texts of this Protocol in the English, French, Russian and Spanish languages shall be equally authentic. The originals shall be deposited with the Government of the United States of America, which shall transmit certified copies thereof to each signatory and acceding party and to the Executive Secretary of the Council.

PROTOCOL FOR THE FURTHER EXTENSION
OF THE FOOD AID CONVENTION, 1971

The parties to this Protocol,

Considering that the Food Aid Convention, 1971 (hereinafter referred to as "the Convention") of the International Wheat Agreement, 1971, which was extended by Protocol in 1974, expires on 30 June 1975,

Have agreed as follows

ARTICLE I

Extension, expiry and termination of the Convention

Subject to the provisions of Article II of this Protocol, the Convention shall continue in force between the parties to this Protocol until 30 June 1976, provided that, if a new agreement covering food aid enters into force before 30 June 1976 this Protocol shall remain in force only until the date of entry into force of the new agreement.

ARTICLE II

Inoperative provisions of the Convention

The provisions of paragraphs (1), (2) and (3) of Article II, of paragraph (1) of Article III, and of Articles VI to XIV, inclusive, of the Convention shall be deemed to be inoperative with effect from 1 July 1975.

ARTICLE III

International food aid

(1) The parties to this Protocol agree to contribute as food aid to the developing countries, wheat, coarse grains or products derived therefrom, suitable for human consumption and of an acceptable type and quality, or the cash equivalent thereof, in the minimum annual amounts specified in paragraph (2) below.

(2) The minimum annual contribution of each party to this Protocol is fixed as follows:

	Metric tons
Argentina	23,000
Australia	225,000
Canada	495,000
Finland	14,000
Japan	225,000
Sweden	35,000
Switzerland	32,000
United States of America	1,890,000

(3) For the purpose of the operation of this Protocol, any party which has signed this Protocol pursuant to paragraph (2) of Article V thereof, or which has acceded to this Protocol pursuant to the appropriate provisions of Article VII thereof, shall be deemed to be listed in paragraph (2) of Article III of this Protocol together with the minimum contribution of such party as determined in accordance with the relevant provisions of Article V or Article VII of this Protocol.

ARTICLE IV

Food Aid Committee

There shall be established a Food Aid Committee whose membership shall consist of the parties listed in paragraph (2) of Article III of this Protocol and of those others that become parties to this Protocol. The Committee shall appoint a Chairman and a Vice-Chairman.

ARTICLE V

Signature

(1) This Protocol shall be open for signature in Washington from 25 March 1975 until and including 14 April 1975 by the Governments of Argentina, Australia, Canada, Finland, Japan, Sweden, Switzerland and the United States of America, provided that they sign both this Protocol and the Protocol for the further extension of the Wheat Trade Convention, 1971.

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(2) This Protocol shall also be open for signature, on the same conditions, to parties to the Food Aid Convention, 1967 or to the Food Aid Convention, 1971 as extended by Protocol, and to those provisionally regarded as parties to the Food Aid Convention, 1971 as extended by Protocol, which are not enumerated in paragraph (1) of this Article, provided that their contribution is at least equal to that which they agreed to make in the Food Aid Convention, 1967 or, subsequently, in the Food Aid Convention, 1971 as extended by Protocol.

ARTICLE VI

Ratification, acceptance, approval or conclusion

This Protocol shall be subject to ratification, acceptance, approval or conclusion by each signatory in accordance with its constitutional or institutional procedures, provided that it also ratifies, accepts, approves or concludes the Protocol for the further extension of the Wheat Trade Convention, 1971. Instruments of ratification, acceptance, approval or conclusion shall be deposited with the Government of the United States of America not later than 18 June 1975, except that the Food Aid Committee may grant one or more extensions of time to any signatory that has not deposited its instrument of ratification, acceptance, approval or conclusion by that date.

ARTICLE VII

Accession

(1) This Protocol shall be open for accession by any party referred to in Article V of this Protocol, provided it also accedes to the Protocol for the further extension of the Wheat Trade Convention, 1971 and provided further that in the case of parties referred to in paragraph (2) of Article V their contribution is at least equal to that which they agreed to make in the Food Aid Convention, 1967 or, subsequently, in the Food Aid Convention, 1971 as extended by Protocol. Instruments of accession under this

paragraph shall be deposited not later than 18 June 1975, except that the Food Aid Committee may grant one or more extensions of time to any party that has not deposited its instrument of accession by that date.

(2) The Food Aid Committee may approve accession to this Protocol, as a donor, by the Government of any member of the United Nations, of its specialized agencies or of the International Atomic Energy Agency, on such conditions as the Food Aid Committee considers appropriate, provided that the Government also accedes at the same time to the Protocol for the further extension of the Wheat Trade Convention, 1971, if not already a party to it.

(3) Accession shall be effected by the deposit of an instrument of accession with the Government of the United States of America.

ARTICLE VIII

Provisional application

Any party referred to in Article V of this Protocol may deposit with the Government of the United States of America a declaration of provisional application of this Protocol, provided it also deposits a declaration of provisional application of the Protocol for the further extension of the Wheat Trade Convention, 1971. Any other party whose application for accession is approved may also deposit with the Government of the United Statec of America a declaration of provisional application, provided that the party also deposits a declaration of provisional application of the Protocol for the further extension of the Wheat Trade Convention, 1971, unless it is already a party to that Protocol or has already deposited a declaration of provisional application of that Protocol. Any such party depositing such a declaration shall provisionally apply this Protocol and be provisionally regarded as a party thereto.

ARTICLE IX

Entry into force

(1) This Protocol shall enter into force for those parties that have deposited instruments of ratification, acceptance, approval, conclusion or accession

(a) on 19 June 1975 with respect to all provisions other than Article II of the Convention and Article III of the Protocol, and

(b) on 1 July 1975 with respect to Article II of the Convention and Article III of the Protocol

provided that all Governments listed in paragraph (1) of Article V of this Protocol have deposited such instruments or a declaration of provisional application by 18 June 1975 and that the Protocol for the further extension of the Wheat Trade Convention, 1971 is in force. For any other party that deposits an instrument of ratification, acceptance, approval, conclusion or accession after the entry into force of the Protocol, this Protocol shall enter into force on the date of such deposit.

(2) If this Protocol does not enter into force in accordance with the provisions of paragraph (1) of this Article, the parties which by 19 June 1975 have deposited instruments of ratification, acceptance, approval, conclusion or accession, or declarations of provisional application may decide by mutual consent that it shall enter into force among those parties that have deposited instruments of ratification, acceptance, approval, conclusion or accession, or declarations of provisional application, provided that the Protocol for the further extension of the Wheat Trade Convention, 1971 is in force, or they may take whatever other action they consider the situation requires.

ARTICLE X

Notification by depositary Government

The Government of the United States of America as the depositary Government shall notify all signatory and acceding parties of each signature, ratification, acceptance, approval, conclusion, provisional application of, and accession to this Protocol.

ARTICLE XI

Certified copy of the Protocol

As soon as possible after the definitive entry into force of this Protocol, the depositary Government shall send a certified copy of this Protocol in the English, French, Russian and Spanish languages to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations. Any amendments to this Protocol shall likewise be communicated.

ARTICLE XII

Relationship of Preamble to Protocol

This Protocol includes the Preamble to the Protocols for the further extension of the International Wheat Agreement, 1971.

IN WITNESS WHEREOF the undersigned, having been duly authorized to this effect by their respective Governments or authorities, have signed this Protocol on the dates appearing opposite their signatures.

The texts of this Protocol in the English, French, Russian and Spanish languages shall all be equally authentic. The originals shall be deposited with the Government of the United States of America, which shall transmit certified copies thereof to each signatory and acceding party.

PROTOCOLES PORTANT NOUVELLE PROROGATION DE LA CONVENTION SUR LE COMMERCE DU BLÉ ET DE LA CONVENTION RELATIVE A L'AIDE ALIMENTAIRE CONSTITUANT L'ACCORD INTERNATIONAL SUR LE BLÉ DE 1971

PRÉAMBULE

La Conférence chargée d'établir les textes des Protocoles portant nouvelle prorogation des Conventions constituant l'Accord international sur le blé de 1971,

Considérant que l'Accord international sur le blé de 1949 a été révisé, renouvelé ou prorogé en 1953, 1956, 1959, 1962, 1965, 1966, 1967, 1968, 1971 et 1974,

Considérant que l'Accord international sur le blé de 1971, composé de deux instruments juridiques distincts, la Convention sur le commerce du blé de 1971, d'une part, et la Convention relative à l'aide alimentaire de 1971, d'autre part, qui ont été toutes deux prorogées par protocole en 1974, prend fin le 30 juin 1975,

A établi les textes des Protocoles portant nouvelle prorogation de la Convention sur le commerce du blé de 1971 et portant nouvelle prorogation de la Convention relative à l'aide alimentaire de 1971.

PROTOCOLE PORTANT NOUVELLE PROROGATION
DE LA CONVENTION SUR LE COMMERCE DU BLÉ DE 1971

Les Gouvernements parties au présent Protocole,

Considérant que la Convention sur le commerce du blé de 1971 (ci-après dénommée "la Convention") de l'Accord international sur le blé de 1971, qui a été prorogé par protocole en 1974, vient à expiration le 30 juin 1975,

Sont convenus de ce qui suit:

ARTICLE PREMIER

Prorogation, venue à expiration et résiliation de la Convention

Sous réserve des dispositions de l'article 2 du présent Protocole, la Convention demeurera en vigueur entre les parties au présent Protocole jusqu'au 30 juin 1976 étant entendu toutefois que, si un nouvel accord international en matière de blé entre en vigueur avant le 30 juin 1976, ledit Protocole demeurera en vigueur jusqu'à la date d'entrée en vigueur du nouvel accord seulement.

ARTICLE 2

Dispositions de la Convention rendues inopérantes

Les dispositions suivantes de la Convention sont considérées comme inopérantes à compter du 1er juillet 1975:

a) le paragraphe 4 de l'article 19;
b) les articles 22 à 26 inclus;
c) le paragraphe 1 de l'article 27;
d) les articles 29 à 31 inclus.

ARTICLE 3

Définition

Toute mention, dans le présent Protocole, du "Gouvernement" ou des "Gouvernements" est réputée valoir aussi pour la Communauté économique européenne (ci-après dénommée "la Communauté"). En conséquence, toute mention, dans le présent Protocole, de "la signature" ou du "dépôt des instruments de ratification, d'acceptation, d'approbation ou de conclusion" ou d'un "instrument d'adhésion" ou d'une "déclaration d'application provisoire" par un Gouvernement est, dans le cas de la Communauté, réputée valoir aussi pour la signature ou pour la déclaration d'application provisoire au nom de la Communauté par son autorité compétente ainsi que pour le dépôt de l'instrument requis par la procédure institutionnelle de la Communauté pour la conclusion d'un accord international.

ARTICLE 4

Dispositions financières

La cotisation initiale de tout membre exportateur ou de tout membre importateur qui adhère au présent Protocole conformément aux dispositions de l'alinéa b du paragraphe 1 de l'article 7 dudit Protocole est fixée par le Conseil en fonction du nombre des voix qui lui seront attribuées et de la période restant à courir dans l'année agricole; toutefois, les cotisations fixées pour les autres membres exportateurs et pour les autres membres importateurs au titre de l'année agricole en cours ne sont pas modifiées.

ARTICLE 5

Signature

Le présent Protocole sera ouvert, à Washington, du 25 mars 1975 au 14 avril 1975 inclus, à la signature des Gouvernements des pays parties à la Convention prorogée par protocole, ou

provisoirement considérés comme étant parties à celle-ci, au 25 mars 1975, ou qui sont membres de l'Organisation des Nations Unies, de ses institutions spécialisées ou de l'Agence internationale de l'énergie atomique et sont énumérés à l'annexe A ou à l'annexe B de la Convention.

ARTICLE 6

Ratification, acceptation, approbation ou conclusion

Le présent Protocole est soumis à la ratification, à l'acceptation, à l'approbation ou à la conclusion de chacun des Gouvernements signataires conformément à ses procédures constitutionnelles ou institutionnelles. Les instruments de ratification, d'acceptation, d'approbation ou de conclusion seront déposés auprès du Gouvernement des Etats-Unis d'Amérique au plus tard le 18 juin 1975, étant entendu toutefois que le Conseil peut accorder une ou plusieurs prolongations de délai à tout Gouvernement signataire qui n'aura pas déposé son instrument de ratification, d'acceptation, d'approbation ou de conclusion à cette date.

ARTICLE 7

Adhésion

1) Le présent Protocole sera ouvert:

a) jusqu'au 18 juin 1975, à l'adhésion du Gouvernement de tout pays membre énuméré à cette date aux annexes A ou B de la Convention, étant entendu toutefois que le Conseil peut accorder une ou plusieurs prolongations de délai à tout Gouvernement n'ayant pas déposé son instrument à la date en question, et

b) après le 18 juin 1975, à l'adhésion du Gouvernement de tout pays membre de l'Organisation des Nations Unies, de ses institutions spécialisées ou de l'Agence internationale de

l'énergie atomique aux conditions que le Conseil jugera appropriées à la majorité des deux tiers au moins des voix exprimées par les membres exportateurs et des deux tiers au moins des voix exprimées par les membres importateurs.

2) L'adhésion a lieu par le dépôt d'un instrument d'adhésion auprès du Gouvernement des Etats-Unis d'Amérique.

3) Lorsqu'il est fait mention, aux fins de l'application de la Convention et du présent Protocole, des membres énumérés aux annexes A ou B de la Convention, tout membre dont le Gouvernement a adhéré à la Convention dans les conditions prescrites par le Conseil ou au présent Protocole conformément à l'alinéa b du paragraphe 1 du présent article sera réputé énuméré dans l'annexe appropriée.

ARTICLE 8

Application provisoire

Tout Gouvernement signataire peut déposer auprès du Gouvernement des Etats-Unis d'Amérique une déclaration d'application provisoire du présent Protocole. Tout autre Gouvernement remplissant les conditions nécessaires pour signer le présent Protocole ou dont la demande d'adhésion est approuvée par le Conseil peut aussi déposer auprès du Gouvernement des Etats-Unis d'Amérique une déclaration d'application provisoire. Tout Gouvernement déposant une telle déclaration applique provisoirement le présent Protocole et il est considéré provisoirement comme y étant partie.

ARTICLE 9

Entrée en vigueur

1) Le présent Protocole entrera en vigueur, entre les Gouvernements qui auront déposé des instruments de ratification, d'acceptation, d'approbation, de conclusion ou d'adhésion, ou des déclarations d'application provisoire, conformément aux articles 6, 7 et 8 du présent Protocole avant le 18 juin 1975, dans les conditions suivantes:

a) le 19 juin 1975, pour toutes les dispositions de la Convention autres que les articles 3 à 9 compris et 21, et

b) le 1er juillet 1975, pour les articles 3 à 9 compris et 21 de la Convention,

pourvu que ces instruments de ratification, d'acceptation, d'approbation, de conclusion ou d'adhésion, ou ces déclarations d'application provisoire, aient été déposés au plus tard le 18 juin 1975 au nom des Gouvernements représentant les membres exportateurs qui détiennent au moins 60 pour cent des voix dénombrées dans l'annexe A et représentant les membres importateurs qui détiennent au moins 50 pour cent des voix dénombrées dans l'annexe B, ou qui détiendraient ces pourcentages de voix respectifs s'ils étaient parties à la Convention à cette date.

2) Le présent Protocole entre en vigueur, pour tout Gouvernement qui dépose un instrument de ratification, d'acceptation, d'approbation, de conclusion ou d'adhésion après le 19 juin 1975 conformément aux dispositions pertinentes du présent Protocole, à la date dudit dépôt, étant entendu qu'aucune des parties dudit Protocole n'entrera en vigueur pour ce Gouvernement avant qu'elle n'entre en vigueur pour d'autres Gouvernements en vertu des paragraphes 1 ou 3 du présent article.

3) Si le présent Protocole n'entre pas en vigueur conformément aux dispositions du paragraphe 1 du présent article, les Gouvernements qui auront déposé des instruments de ratification, d'acceptation, d'approbation, de conclusion ou d'adhésion, ou des déclarations d'application provisoire, pourront décider d'un commun accord qu'il entrera en vigueur entre les Gouvernements qui auront déposé des instruments de ratification, d'acceptation, d'approbation, de conclusion ou d'adhésion, ou des déclarations d'application provisoire.

ARTICLE 10

Notification par le Gouvernement dépositaire

Le Gouvernement des Etats-Unis d'Amérique, en qualité de Gouvernement dépositaire, notifiera à tous les Gouvernements signataires et adhérents toute signature, ratification, acceptation, approbation, conclusion, application provisoire du présent Protocole et toute adhésion, ainsi que toute notification et tout préavis reçus conformément aux dispositions de l'article 27 de la Convention et toute déclaration et notification recues conformément aux dispositions de l'article 28 de la Convention.

ARTICLE 11

Copie certifiée conforme du Protocole

Le plus tôt possible, après l'entrée en vigueur définitive du présent Protocole, le Gouvernement dépositaire adressera une copie certifiée conforme dudit Protocole en langues anglaise, espagnole, francaise et russe au Secrétaire général de l'Organisation des Nations Unies pour enregistrement conformément à l'Article 102 de la Charte des Nations Unies. Tout amendement au présent Protocole sera pareillement communiqué au Secrétaire général de l'Organisation des Nations Unies.

ARTICLE 12

Rapports entre le Préambule et le Protocole

Le présent Protocole comprend le Préambule des Protocoles portant nouvelle prorogation de l'Accord international sur le blé de 1971.

EN FOI DE QUOI, les soussignés, dûment autorisés à cet effet par leurs Gouvernements ou leurs autorités respectifs, ont signé le présent Protocole à la date figurant en regard de leur signature.

Les textes du présent Protocole en langues anglaise, espagnole, française et russe font également foi. Les textes originaux seront déposés auprès du Gouvernement des Etats-Unis d'Amérique qui en adressera copie certifiée conforme à chaque Gouvernement signataire ou adhérent ainsi qu'au Secrétaire exécutif du Conseil.

PROTOCOLE PORTANT NOUVELLE PROROGATION
DE LA CONVENTION RELATIVE À L'AIDE ALIMENTAIRE DE 1971

Les parties au présent Protocole,

Considérant que la Convention relative à l'aide alimentaire de 1971 (ci-après dénommée "la Convention") de l'Accord international sur le blé de 1971, qui a été prorogé par protocole en 1974, vient à expiration le 30 juin 1975,

Sont convenues de ce qui suit:

ARTICLE I

Prorogation, venue à expiration et résiliation de la Convention

Sous réserve des dispositions de l'article II du présent Protocole, la Convention demeurera en vigueur entre les parties audit Protocole jusqu'au 30 juin 1976, étant entendu toutefois que, si un nouvel accord en matière d'aide alimentaire entre en vigueur avant le 30 juin 1976, le présent Protocole demeurera en vigueur jusqu'à la date d'entrée en vigueur du nouvel accord seulement.

ARTICLE II

Dispositions de la Convention rendues inopérantes

Les dispositions des paragraphes 1, 2 et 3 de l'article II, du paragraphe 1 de l'article III et des articles VI à XIV inclus de la Convention sont considérées comme inopérantes à compter du 1er juillet 1975.

ARTICLE III

Aide alimentaire internationale

1) Les parties au présent Protocole sont convenues de fournir, à titre d'aide alimentaire aux pays en voie de développement, du blé, des céréales secondaires ou leurs produits dérivés, propres à la consommation humaine et d'un type et d'une qualité acceptables, ou

l'équivalent en espèces pour les montants annuels minimaux spécifiés au paragraphe 2 ci-après.

2) La contribution annuelle minimale de chaque partie au présent Protocole est fixée comme suit:

	tonnes métriques
Argentine	23.000
Australie	225.000
Canada	495.000
Etats-Unis d'Amérique	1.890.000
Finlande	14.000
Japon	225.000
Suède	35.000
Suisse	32.000

3) Aux fins de l'application du présent Protocole, toute partie qui aura signé ledit Protocole conformément aux dispositions du paragraphe 2 de l'article V ou qui y aura adhéré conformément aux dispositions appropriées de l'article VII sera réputée énumérée au paragraphe 2 de l'article III, avec la contribution minimale qui lui sera assignée conformément aux dispositions pertinentes de l'article V ou de l'article VII de ce Protocole.

ARTICLE IV

Comité de l'aide alimentaire

Il sera institué un Comité de l'aide alimentaire qui sera composé des parties énumérées au paragraphe 2 de l'article III du présent Protocole et des autres qui deviendront parties audit Protocole. Le Comité désignera un président et un vice-président.

ARTICLE V

Signature

1) Le présent Protocole sera ouvert, à Washington, du 25 mars 1975 au 14 avril 1975 inclus, a la signature des Gouvernements de l'Argentine, de l'Australie, du Canada, des Etats-Unis d'Amérique,

de la Finlande, du Japon, de la Suède et de la Suisse, sous réserve qu'ils signent aussi bien le présent Protocole que le Protocole portant nouvelle prorogation de la Convention sur le commerce du blé de 1971.

2) Le présent Protocole sera également ouvert, dans les mêmes conditions, à la signature des parties à la Convention relative à l'aide alimentaire de 1967 ou à la Convention relative à l'aide alimentaire de 1971 prorogée par protocole, et de celles considérées provisoirement comme étant parties a la Convention relative à l'aide alimentaire de 1971 prorogée par protocole qui ne sont pas énumérées au paragraphe 1 du présent article, pourvu que leur contribution soit au moins égale à celle qu'elles avaient souscrite dans la Convention relative a l'aide alimentaire de 1967 ou, par la suite, dans la Convention relative à l'aide alimentaire de 1971 prorogée par protocole.

ARTICLE VI

Ratification, acceptation, approbation ou conclusion

Le présent Protocole est soumis à la ratification, à l'acceptation, à l'approbation ou à la conclusion de chacune des parties signataires conformément à leurs procédures constitutionnelles ou institutionnelles, sous reserve que chacune d'elles ratifie, accepte, approuve ou conclue également le Protocole portant nouvelle prorogation de la Convention sur le commerce du blé de 1971. Les instruments de ratification, d'acceptation, d'approbation ou de conclusion seront déposés auprès du Gouvernement des Etats-Unis d'Amérique au plus tard le 18 juin 1975, etant entendu que le Comité de l'aide alimentaire peut accorder une ou plusieurs prolongations de délai a tout signataire qui n'aura pas déposé son instrument de ratification, d'acceptation, d'approbation ou de conclusion a cette date.

ARTICLE VII

Adhésion

1) Le present Protocole est ouvert a l'adhésion de toute partie visée à l'article V dudit Protocole, sous réserve que chacune d'elle adhere également au Protocole portant nouvelle prorogation de la Convention sur le commerce du blé de 1971 et sous reserve aussi, dans le cas des parties visees au paragraphe 2 de l'article V, que leur contribution soit au moins egale a celle qu'elles avaient souscrite dans la Convention relative a l'aide alimentaire de 1967 ou, par la suite, dans la Convention relative a l'aide alimentaire de 1971 prorogée par protocole. Les instruments d'adhésion prévus au présent paragraphe seront deposés au plus tard le 18 juin 1975, etant entendu que le Comite de l'aide alimentaire peut accorder une qu plusieurs prolongations de délai à toute partie qui n'aura pas dépose son instrument d'adhesion a cette date.

2) Le Comité de l'aide alimentaire peut approuver l'adhesion au présent Protocole, en tant oue donateur, du Gouvernement de tout membre de l'Organisation des Nations Unies, de ses institutions specialisées ou de l'Agence internationale de l'énergie atomique aux conditions que le Comité de l'aide alimentaire jugera appropriees, sous réserve que ce Gouvernement adhere aussi en même temps au Protocole portant nouvelle prorogation de la Convention sur le commerce du blé de 1971, s'il n'est pas déjà partie a ce Protocole.

3) L'adhesion a lieu par le depôt d'un instrument d'adhesion aupres du Gouvernement des Etats-Unis d'Amérique.

ARTICLE VIII

Application provisoire

Toute partie visee a l'article V du present Protocole peut deposer aupres du Gouvernement des Etats-Unis d'Amerique une déclaration d'application provisoire du present Protocole, sous

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réserve qu'elle dépose aussi une déclaration d'application provisoire du Protocole portant nouvelle prorogation de la Convention sur le commerce du blé de 1971. Toute autre partie dont la demande d'adhésion est approuvée peut aussi déposer auprès du Gouvernement des Etats-Unis d'Amérique une déclaration d'application provisoire sous réserve qu'elle dépose aussi une déclaration d'application provisoire du Protocole portant nouvelle prorogation de la Convention sur le commerce du blé de 1971, à moins qu'elle ne soit déjà partie audit Protocole ou qu'elle n'ait déjà déposé une déclaration d'application provisoire dudit Protocole. Toute partie déposant une telle déclaration applique provisoirement le présent Protocole et est considérée provisoirement comme y étant partie.

ARTICLE IX

Entrée en vigueur

1) Le présent Protocole entre en vigueur, pour les parties qui auront déposé des instruments de ratification, d'acceptation, d'approbation, de conclusion ou d'adhésion:

a) le 19 juin 1975 pour toutes les dispositions autres que l'article II de la Convention et l'article III du Protocole, et

b) le 1er juillet 1975 pour l'article II de la Convention et l'article III du Protocole,

sous réserve que tous les autres Gouvernements nommés au paragraphe 1 de l'article V du présent Protocole aient déposé de tels instruments ou une déclaration d'application provisoire au 18 juin 1975 et que le Protocole portant nouvelle prorogation de la Convention sur le commerce du blé de 1971 soit en vigueur. Le présent Protocole entre en vigueur, pour toute autre partie qui dépose un instrument de ratification, d'acceptation, d'approbation, de conclusion ou d'adhésion après l'entrée en vigueur du Protocole, à la date dudit dépôt.

2) Si le présent Protocole n'entre pas en vigueur conformément aux dispositions du paragraphe 1 du présent article, les parties qui, au 19 juin 1975, auront déposé des instruments de ratification, d'acceptation, d'approbation, de conclusion ou d'adhésion, ou des déclarations d'application provisoire, pourront décider d'un commun accord qu'il entrera en vigueur entre les parties qui ont déposé des instruments de ratification, d'acceptation, d'approbation, de conclusion ou d'adhésion, ou des déclarations d'application provisoire, a condition que le Protocole portant nouvelle prorogation de la Convention sur le commerce du blé de 1971 soit en vigueur, ou bien pourront prendre toutes autres mesures que la situation leur paraitra exiger.

ARTICLE X

Notification par le Gouvernement dépositaire

Le Gouvernement des Etats-Unis d'Amérique, en qualité de Gouvernement dépositaire, notifiera à toutes les parties signataires et adhérentes toute signature, toute ratification, toute acceptation, toute approbation, toute conclusion, toute application provisoire du présent Protocole et toute adhésion audit Protocole.

ARTICLE XI

Copie certifiee conforme du Protocole

Le plus tôt possible apres l'entree en vigueur définitive du présent Protocole, le Gouvernement dépositaire adressera une copie certifiée conforme dudit Protocole en langues anglaise, espagnole, française et russe au Secretaire general de l'Organisation des Nations Unies pour enregistrement conformément a l'Article 102 de la Charte des Nations Unies. Tout amendement au présent Protocole sera pareillement communique au Secretaire général de l'Organisation des Nations Unies.

ARTICLE XII

Rapports entre le Préambule et le Protocole

Le présent Protocole comprend le Préambule des Protocoles portant nouvelle prorogation de l'Accord international sur le blé de 1971.

EN FOI DE QUOI les soussignés, dûment autorisés à cet effet par leurs Gouvernements ou leurs autorités respectifs, ont signé le présent Protocole à la date figurant en regard de leur signature.

Les textes du présent Protocole en langues anglaise, espagnole, française et russe font également foi. Les originaux seront déposés dans les archives du Gouvernement des Etats-Unis d'Amérique, qui en transmettra des copies certifiées conformes à toutes les parties signataires et adhérentes.

ПРОТОКОЛЫ
О ДАЛЬНЕЙШЕМ ПРОДЛЕНИИ СРОКА ДЕЙСТВИЯ КОНВЕНЦИИ О ТОРГОВЛЕ ПШЕНИЦЕЙ И КОНВЕНЦИИ ОБ ОКАЗАНИИ ПРОДОВОЛЬСТВЕННОЙ ПОМОЩИ, СОСТАВЛЯЮЩИХ МЕЖДУНАРОДНОЕ СОГЛАШЕНИЕ ПО ПШЕНИЦЕ 1971 ГОДА

ПРЕАМБУЛА

Конференция по составлению текстов Протоколов о дальнейшем продлении срока действия Конвенций, составляющих Международное соглашение по пшенице 1971 года,

Принимая во внимание, что Международное соглашение по пшенице 1949 года пересматривалось, возобновлялось или продлевалось в 1953, 1956, 1959, 1962, 1965, 1966, 1967, 1968, 1971 и 1974 г.г.;

Принимая во внимание, что срок действия Международного соглашения по пшенице 1971 года, состоящего из двух самостоятельных юридических актов, Конвенции о торговле пшеницей 1971 г. и Конвенции об оказании продовольственной помощи 1971 г., срок действия каждой из них был продлен Протоколом в 1974 г., истекает 30 июня 1975 года,

Составила тексты Протоколов о дальнейшем продлении срока действия Конвенции о торговле пшеницей 1971 г. и дальнейшем продлении срока действия Конвенции об оказании продовольственной помощи 1971 года.

ПРОТОКОЛ
О ДАЛЬНЕЙШЕМ ПРОДЛЕНИИ СРОКА ДЕЙСТВИЯ КОНВЕНЦИИ О ТОРГОВЛЕ ПШЕНИЦЕЙ 1971 ГОДА

Правительства - стороны настоящего Протокола,

Принимая во внимание, что срок действия Конвенции о торговле пшеницей 1971 года (именуемой в дальнейшем "Конвенция") Международного соглашения по пшенице 1971 года, срок действия которой был продлен Протоколом в 1974 г., истекает 30 июня 1975 года,

Согласились о следующем:

СТАТЬЯ 1

Продление, истечение и прекращение срока действия Конвенции

Согласно положениям статьи 2 настоящего Протокола, Конвенция останется в силе для сторон данного Протокола до 30 июня 1976 г., предусматривая, что, если новое международное соглашение по пшенице вступит в силу до 30 июня 1976 г., действие настоящего Протокола останется в силе только до момента вступления в силу нового соглашения.

СТАТЬЯ 2

Неоперативные положения Конвенции

С 1 июля 1975 года следующие положения Конвенции будут считаться как не имеющие силу:

(a) параграф (4) статьи 19;
(b) статьи с 22 по 26 включительно;
(c) параграф (1) статьи 27;
(d) статьи с 29 по 31 включительно.

СТАТЬЯ 3

Определение

Любую ссылку в настоящем Протоколе на "Правительство" или "Правительства" следует понимать,как включающую ссылку на Европейское экономическое сообщество (именуемое в дальнейшем "Сообщество"). Следовательно, любую ссылку в настоящем Протоколе на "подписание" или на "депонирование ратификационных грамот, принятие, одобрение или заключение",или на "акт о присоединении",или на "декларацию о временном применении" Правительством следует, применительно к Сообществу, понимать,как включающую подписание или декларацию о временном применении от имени Сообщества ее компетентными органами и депонирование акта, который, согласно уставной процедуре Сообщества, сдается на хранение при заключении международного соглашения.

СТАТЬЯ 4

Финансовые вопросы

Первоначальный взнос любого участника-экспортера или импортера, присоединяющегося к настоящему Протоколу, согласно параграфу (1) (b) статьи 7, устанавливается Советом на основании числа голосов, которыми этот участник будет располагать, и срока, остающегося до истечения текущего сельскохозяйственного года, причем взносы, установленные для других участников-экспортеров и импортеров на текущий сельскохозяйственный год, остаются без изменения.

СТАТЬЯ 5

Подписание

Настоящий Протокол открыт для подписания в Вашингтоне с 25 марта 1975 года до 14 апреля 1975 года, включительно, Правительствами стран, являющихся сторонами Конвенции, продленной Протоколом, или временно счи-

тающимися на 25 марта 1975 г., или которые являются членами Организации Объединенных Наций, ее специализированных учреждений или Международного агентства по атомной энергии и поименованы в приложении А или приложении В Конвенции.

СТАТЬЯ 6

Ратификация, принятие, одобрение или заключение

Настоящий Протокол подлежит ратификации, принятию, одобрению или заключению каждым подписавшим его Правительством в соответствии с надлежащими конституционными и административными процедурами. Акты о ратификации, принятии, одобрении или заключении должны быть сданы на хранение Правительству Соединенных Штатов Америки не позднее 18 июня 1975 г., за исключением случаев, когда Совет может предоставить одну или более отсрочек любому подписавшему Правительству, которое не сдало к указанному сроку акты о ратификации, принятии, одобрении или заключении.

СТАТЬЯ 7

Присоединение

(1) Настоящий Протокол открыт для присоединения:

(a) до 18 июня 1975 г. Правительством любой страны-участницы, поименованной к этой дате в приложении А или В Конвенции, за исключением случаев, когда Совет может предоставить одну или более отсрочек любому Правительству, которое не успело к этому времени сдать на хранение акты о присоединении, и

(b) после 18 июня 1975 г. Правительством любой страны - члена Организации Объединенных Наций, ее специализированных организаций или Международного агентства по атомной энергии на условиях, которые Совет сочтет целесообразными, по крайней

мере большинством не менее, чем в две трети голосов участников-экспортеров и большинством не менее, чем в две трети голосов участников-импортеров.

(2) Присоединение осуществляется путем сдачи на хранение акта о присоединении Правительству Соединенных Штатов Америки.

(3) В тех случаях, когда для целей действия данной Конвенции и настоящего Протокола делается ссылка на участников, перечисленных в приложении А или В, любой участник, Правительство которого присоединилось к Конвенции на условиях, предложенных Советом, или к настоящему Протоколу в соответствии с параграфом (1) (b) настоящей статьи, считается внесенным в соответствующее приложение.

СТАТЬЯ 8

Временное применение

Любое подписавшее Правительство может сдать на хранение Правительству Соединенных Штатов Америки декларацию о временном применении настоящего Протокола. Любое другое Правительство, имеющее право подписать настоящий Протокол, или чья просьба о присоединении одобрена Советом, может также сдать на хранение Правительству Соединенных Штатов Америки декларацию о временном применении. Любое Правительство, сдающее на хранение такую декларацию, временно применяет этот Протокол и временно считается его стороной.

СТАТЬЯ 9

Вступление в силу

(1) Настоящий Протокол вступит в силу для тех Правительств, которые сдали на хранение акты о ратификации, принятии, одобрении, заключении или присоединении или декларации о временном применении в соответствии со статьями 6, 7 и 8 настоящего Протокола к 18 июня 1975 г. в следующем порядке:

(a) 19 июня 1975 г. в отношении всех положений Конвенции, за исключением статей 3-9, включительно, и статьи 21, и

(b) 1 июля 1975 г. в отношении статей 3-9, включительно, и статьи 21 Конвенции,

если данные акты о ратификации, принятии, одобрении, заключении или присоединении или декларации о временном применении были сданы на хранение не позднее, чем 18 июня 1975 г. от имени Правительств, представляющих участников-экспортеров, которые располагают по крайней мере 60% голосов, указанных в приложении А, и представляющих участников-импортеров, располагающими по крайней мере 50% голосов, указанных в приложении В, или, если бы они располагали соответственно таким количеством голосов, являясь к тому времени сторонами Конвенции.

(2) Настоящий Протокол вступает в силу в отношении любого Правительства, которое сдаст на хранение акты о ратификации, принятии, одобрении, заключении или присоединении после 19 июня 1975 г., согласно соответствующим положениям настоящего Протокола с даты такой сдачи, за исключением того, что ни одна из частей его не будет иметь силу для такого Правительства до того, как эта часть не вступит в силу для других Правительств в соответствии с параграфами (1) и (3) настоящей статьи.

(3) Если настоящий Протокол не вступит в силу в соответствии с параграфом (1) настоящей статьи, Правительства, которые сдали на хранение акты о ратификации, принятии, одобрении, заключении или присоединении или декларации о временном применении могут путем общего согласия решить, что Протокол вступает в силу для тех Правительств, которые сдали акты о ратификации, принятии, одобрении, заключении или присоединении или декларации о временном применении.

СТАТЬЯ 10

Нотификация Правительством страны-депозитария

Правительство Соединенных Штатов Америки, как Правительство страны-депозитария, будет информировать все Правительства, подписавшие Протокол или присоединившиеся к нему, о каждом случае подписания, ратификации, принятия, одобрения, заключения, временного применения и присоединения к настоящему Протоколу, также как и о каждой нотификации и уведомлении, полученных в соответствии со статьей 27 Конвенции, и о каждой декларации и нотификации, полученных в соответствии со статьей 28 Конвенции.

СТАТЬЯ 11

Заверенная копия Протокола

В самое ближайшее время после вступления в силу настоящего Протокола, Правительство-депозитарий посылает Генеральному секретарю Организации Объединенных Наций заверенную копию настоящего Протокола на английском, испанском, русском и французском языках для регистрации в соответствии со статьей 102 Устава Организации Объединенных Наций. Любые поправки к настоящему Протоколу сообщаются в таком же порядке.

СТАТЬЯ 12

Взаимосвязь Преамбулы и Протокола

Настоящий Протокол включает Преамбулу к Протоколам о дальнейшем продлении срока действия Международного соглашения по пшенице 1971 года.

В ДОКАЗАТЕЛЬСТВО ЧЕГО, нижеподписавшиеся, будучи надлежащим образом на то уполномочены своими соответствующими Правительствами или органами власти, подписали настоящую Конвенцию в даты, указанные против их подписей.

Тексты настоящего Протокола на английском, испанском, русском и французском языках являются равно аутентичными. Подлинники сдаются на хранение Правительству Соединенных Штатов Америки, которое рассылает заверенные копии каждому подписавшему Правительству, каждому присоединившемуся Правительству и Исполнительному секретарю Совета.

ПРОТОКОЛ
О ДАЛЬНЕЙШЕМ ПРОДЛЕНИИ СРОКА ДЕЙСТВИЯ КОНВЕНЦИИ ОБ ОКАЗАНИИ ПРОДОВОЛЬСТВЕННОЙ ПОМОЩИ 1971 Г.

Стороны настоящего Протокола,

Принимая во внимание, что срок действия Конвенции об оказании продовольственной помощи 1971 г. (в дальнейшем именуемой "Конвенция") Международного соглашения по пшенице 1971 г., срок действия которой был продлен Протоколом в 1974 г., истекает 30 июня 1975 г.

Согласились о следующем:

СТАТЬЯ 1
Продление, истечение и прекращение срока действия Конвенции

Согласно положениям статьи П настоящего Протокола, действие Конвенции останется в силе для сторон этого Протокола до 30 июня 1976 г., предусматривая, что, если новое соглашение об оказании продовольственной помощи вступит в силу до 30 июня 1976 г., Протокол останется в силе только до момента вступления в силу нового соглашения.

СТАТЬЯ П
Неоперативные положения Конвенции

Положения параграфов (1), (2) и (3) статьи П, параграфа (1) статьи Ш и статей У1-Х1У, включительно, данной Конвенции считаются с 1-го июля 1975 года как не имеющие силы.

СТАТЬЯ Ш
Международная продовольственная помощь

(1) Стороны настоящего Протокола согласны предоставлять в качестве продовольственной помощи развивающимся странам пшеницу, кормовое зерно или продукты из него, пригодные для пищевых нужд, и приемлемого класса

и качества, либо их эквивалента наличными в минимальном годовом размере, указанном в параграфе (2) ниже.

(2) Минимальный годовой взнос каждой стороны настоящего Протокола устанавливается в следующем размере:

	Метрические тонны
Австралия	225.000
Аргентина	23.000
Канада	495.000
Соединенные Штаты Америки	1.890.000
Финляндия	14.000
Швеция	35.000
Швейцария	32.000
Япония	225.000

(3) В целях осуществления настоящего Протокола, любая сторона, подписавшая настоящий Протокол в соответствии с пунктом (2) статьи У, или присоединившаяся к настоящему Протоколу, согласно соответствующих положений статьи УП, считается поименованной в пункте (2) статьи Ш настоящего Протокола с указанием минимального взноса этой страны, определенного согласно соответствующим положениям статьи У или статьи УП настоящего Протокола.

СТАТЬЯ 1У

Комитет по продовольственной помощи

Будет учрежден Комитет по продовольственной помощи, членство которого будет состоять из сторон, поименованных в параграфе (2) статьи Ш настоящего Протокола, и других, которые станут сторонами Протокола. Комитет назначит председателя и заместителя.

СТАТЬЯ У

Подписание

(1) Настоящий Протокол открыт для подписания в Вашингтоне с 25 марта 1975 г. по 14 апреля 1975 г., включительно, правительствами Австралии, Аргентины, Канады, Соединенных Штатов Америки, Финляндии, Швеции, Швейцарии,

Японии, при условии подписания ими настоящего Протокола и Протокола о дальнейшем продлении срока действия Конвенции о торговле пшеницей 1971 года.

(2) Настоящий Протокол также открыт для подписания на тех же условиях сторонами Конвенции об оказании продовольственной помощи 1967 г. или Конвенции об оказании продовольственной помощи 1971 г., продленных Протоколом, и временно считающимися сторонами Конвенции об оказании продовольственной помощи 1971 г., продленной Протоколом, которые не перечислены в параграфе (1) настоящей статьи, если их взносы будут по крайней мере равны взносам, которые они обязались внести, согласно Конвенции об оказании продовольственной помощи 1967 г., или впоследствии, согласно Конвенции об оказании продовольственной помощи 1971 г., продленной Протоколом.

СТАТЬЯ У1

Ратификация, принятие, одобрение или заключение

Настоящий Протокол подлежит ратификации, принятию, одобрению или заключению каждой из подписавших его сторон в соответствии с их конституционными или административными процедурами при условии, что она также ратифицирует, примет, одобрит или заключит Протокол о дальнейшем продлении срока действия Конвенции о торговле пшеницей 1971 г. Акты о ратификации, принятии, одобрении или заключении сдаются на хранение Правительству Соединенных Штатов Америки не позднее 18 июня 1975 г., за исключением тех случаев, когда Комитет по продовольственной помощи может предоставить одну или более отсрочек любой подписавшей стороне, которая не сдала на хранение к этому времени акты о ратификации, принятии, одобрении или заключении.

СТАТЬЯ УП

Присоединение

(1) Настоящий Протокол открыт для присоединения к нему любой стороны, упомянутой в статье У настоящего Протокола, при условии, что она также присоединится к Протоколу о дальнейшем продлении срока действия Конвенции о торговле пшеницей 1971 года, а также при условии, что взносы стран, упомянутых в параграфе (2) статьи У, будут по крайней мере равны взносам, которые они согласились внести, согласно Конвенции об оказании продовольственной помощи 1967 г., или впоследствии, согласно Конвенции об оказании продовольственной помощи 1971 г., продленной Протоколом. Согласно этому параграфу, акты о присоединении должны быть сданы на хранение не позднее 18 июня 1975 г., за исключением тех случаев, когда Комитет по продовольственной помощи может предоставить одну или более отсрочек любой стороне, которая к этому сроку не сдала на хранение акты о присоединении.

(2) Комитет по продовольственной помощи может одобрить присоединение к настоящему Протоколу в качестве донора Правительством любой страны-члена Организации Объединенных Наций, ее специализированных учреждений или Международного Агентства по атомной энергии на условиях, которые он сочтет приемлемыми, при условии, что такое Правительство также присоединяется в то же самое время к Протоколу о дальнейшем продлении срока действия Конвенции о торговле пшеницей 1971 года, если оно уже не является его стороной.

(3) Присоединение осуществляется путем сдачи на хранение акта о присоединении Правительству Соединенных Штатов Америки.

СТАТЬЯ УШ

Временное применение

Любая сторона, упомянутая в статье У настоящего Протокола, может сдать на хранение Правительству Соединенных Штатов Америки декларацию о временном применении настоящего Протокола при условии, если она также сдаст на хранение декларацию о временном применении Протокола о дальнейшем продлении срока действия Конвенции о торговле пшеницей 1971 г. Любая другая сторона, чья декларация о присоединении одобрена, может также сдать на хранение Правительству Соединенных Штатов Америки декларацию о временном применении при условии, что сторона также сдаст на хранение декларацию о временном применении Протокола о продлении срока действия Конвенции о торговле пшеницей 1971 г., если она уже не является стороной данного Протокола или уже сдала на хранение декларацию о временном применении настоящего Протокола. Любая такая сторона, депонирующая такую декларацию, временно применяет настоящий Протокол и временно считается его стороной.

СТАТЬЯ 1Х

Вступление в силу

(1) Настоящий Протокол вступает в силу для тех сторон, которые сдали на хранение акты о ратификации, принятии, одобрении, заключении или присоединении в следующем порядке:

(a) 19 июня 1975 г. в отношении всех положений, кроме положения статьи П Конвенции и статьи Ш Протокола, и

(b) 1 июля 1975 г. в отношении статьи П настоящей Конвенции и статьи Ш Протокола

при условии, что все Правительства, перечисленные в параграфе (1) статьи У настоящего Протокола, сдали на хранение такие акты или декларацию о временном применении к

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18 июня 1975 г., при условии нахождения в силе Протокола о дальнейшем продлении срока действия Конвенции о торговле пшеницей 1971 года. Для любой другой стороны, которая сдаст на хранение акты о ратификации, принятии, одобрении, заключении или присоединении после вступления в силу настоящего Протокола, такой Протокол вступит в силу с момента сдачи на хранение указанных актов.

(2) Если настоящий Протокол не вступит в силу в соответствии с положениями параграфа (1) настоящей статьи, то стороны, которые к 19 июня 1975 г. сдали на хранение акты о ратификации, принятии, одобрении, заключении или присоединении или декларации о временном применении, могут решить по взаимной договоренности, что Протокол вступит в силу для тех сторон, которые сдали на хранение акты о ратификации, принятии, одобрении, заключении или присоединении при условии, что Протокол о дальнейшем продлении срока действия Конвенции о торговле пшеницей 1971 года находится в силе,или они могут принять другие меры, которых, по их мнению, требует обстановка.

СТАТЬЯ X

Нотификация Правительством страны - депозитария

Правительство Соединенных Штатов Америки, как Правительство страны-депозитария, уведомляет всех участников и присоединившихся сторон о каждом случае подписания, ратификации, принятия, одобрения, заключения, временного применения или присоединения к настоящему Протоколу.

СТАТЬЯ X1

Заверенная копия Протокола

В самое ближайшее время после окончательного вступления в силу настоящего Протокола, Правительство - депозитарий посылает Генеральному секретарю Организации Объединенных Наций заверенную копию настоящего Протокола на английском, испанском, русском и французском язы-

ках для регистрации в соответствии со статьей 102 Устава Организации Объединенных Наций. Любые поправки к настоящему Протоколу сообщаются в таком же порядке.

СТАТЬЯ XII

Взаимосвязь Преамбулы и Протокола

Настоящий Протокол включает Преамбулу к Протоколам о дальнейшем продлении срока действия Международного соглашения по пшенице 1971 г.

В ДОКАЗАТЕЛЬСТВО ЧЕГО нижеподписавшиеся, будучи на то надлежащим образом уполномочены своими Правительствами или органами власти, подписали настоящий Протокол в даты, указанные против их подписей.

Тексты настоящего Протокола на английском, испанском, русском и французском языках являются равно аутентичными. Подлинники сдаются на хранение Правительству Соединенных Штатов Америки, которое рассылает заверенные копии каждой подписавшей и присоединившейся стороне.

PROTOCOLOS PARA LA NUEVA PRORROGA DEL CONVENIO SOBRE EL COMERCIO DEL TRIGO Y DEL CONVENIO SOBRE LA AYUDA ALIMENTARIA QUE CONSTITUYEN EL CONVENIO INTERNACIONAL DEL TRIGO, 1971

PREAMBULO

La Conferencia para fijar los textos de los Protocolos para la nueva prórroga de los Convenios que constituyen el Convenio Internacional del Trigo, 1971

Considerando que el Convenio Internacional del Trigo de 1949 fue revisado, renovado o prorrogado en 1953, 1956, 1959, 1962, 1965, 1966, 1967, 1968, 1971 y 1974,

Considerando que el Convenio Internacional del Trigo, 1971, que comprende dos instrumentos jurídicos independientes, el Convenio sobre el Comercio del Trigo, 1971 y el Convenio sobre la Ayuda Alimentaria, 1971, ambos prorrogados por virtud de Protocolo en 1974, expira el 30 de junio de 1975,

Ha fijado los textos de los Protocolos para la nueva prórroga del Convenio sobre el Comercio del Trigo, 1971, y para la nueva prórroga del Convenio sobre la Ayuda Alimentaria, 1971.

PROTOCOLO PARA LA NUEVA PRORROGA DEL
CONVENIO SOBRE EL COMERCIO DEL TRIGO, 1971

Los Gobiernos partes en el presente Protocolo,

Considerando que el Convenio sobre el Comercio del Trigo, 1971 (en adelante llamado "el Convenio") del Convenio Internacional del Trigo, 1971, que fue prorrogado por virtud de Protocolo en 1974, expira el 30 de junio de 1975,

Han convenido lo siguiente:

ARTICULO 1

Prórroga, expiración y rescisión del Convenio

A reserva de lo dispuesto en el Artículo 2 del presente Protocolo, el Convenio permanecerá en vigor entre las partes integrantes del presente Protocolo hasta el 30 de junio de 1976, quedando entendido que si, antes del 30 de junio de 1976, entrase en vigor un nuevo convenio internacional sobre el trigo, el presente Protocolo solo permanecería vigente hasta la fecha de entrada en vigor del nuevo convenio.

ARTICULO 2

Disposiciones inoperantes del Convenio

A partir del 1 de julio de 1975, se considerarán derogadas las siguientes disposiciones del Convenio:

a) el párrafo 4) del Artículo 19;
b) los Artículos 22 al 26 inclusive;
c) el párrafo 1) del Artículo 27;
d) los Artículos 29 al 31 inclusive.

ARTICULO 3

Definición

Toda referencia en el presente Protocolo a un "gobierno" o "gobiernos" será de aplicación a la Comunidad Económica Europea (en adelante llamada "la Comunidad"). Por consiguiente, toda referencia en el presente Protocolo a "firma", "depósito de instrumentos de ratificación, aceptación, aprobación o conclusión", "instrumento de adhesión" o "declaración de aplicación provisional" por un gobierno, comprende, en el caso de la Comunidad, la firma o declaración de aplicación provisional en nombre de la Comunidad por su autoridad competente y el depósito del instrumento que, con arreglo a los procedimientos institucionales de la Comunidad, deba depositar para la conclusión de un convenio internacional.

ARTICULO 4

Disposiciones financieras

La contribucion inicial de todo miembro exportador o importador, que efectúe su adhesión al presente Protocolo con arreglo al apartado b) del párrafo 1) del Artículo 7 del mismo, será determinada por el Consejo tomando como base los votos que se le hayan asignado y el período que quede por transcurrir del año agrícola en curso, pero no se modificarán las contribuciones de los demás miembros exportadores e importadores ya determinadas para dicho año agrícola.

ARTICULO 5

Firma

El presente Protocolo estará abierto en Washington, desde el 25 de marzo de 1975 hasta el 14 de abril de 1975 inclusive, a la firma de los Gobiernos de los países partes en el Convenio en su forma prorrogada por virtud de Protocolo, o que, al 25 de marzo de 1975, son provisionalmente considerados como partes en el Convenio en su forma prorrogada por virtud de Protocolo, o que son miembros de las Naciones Unidas, de sus organismos especializados o del Organismo Internacional de Energía Atómica, y están indicados en los Anexos A y B del Convenio.

ARTICULO 6

Ratificación, aceptación, aprobación o conclusión

El presente Protocolo quedará sujeto a la ratificación, aceptación, aprobación o conclusión de cada Gobierno signatario, de acuerdo con sus respectivos procedimientos constitucionales o institucionales. Los instrumentos de ratificación, aceptación, aprobación o conclusión se depositarán ante el Gobierno de los Estados Unidos de América, a más tardar el 18 de junio de 1975, quedando entendido que el Consejo podrá conceder una o varias prórrogas a todo Gobierno signatario que no haya depositado su instrumento de ratificación, aceptación, aprobación o conclusión en la fecha indicada.

ARTICULO 7

Adhesión

1) El presente Protocolo quedará abierto a la adhesión:

a) hasta el 18 de junio de 1975, del Gobierno de todo miembro que figure en el Anexo A o B del Convenio en dicha fecha, quedando entendido que el Consejo podrá conceder una o varias prórrogas del plazo a todo Gobierno que no haya depositado su instrumento en dicha fecha, y

b) después del 18 de junio de 1975, del Gobierno de todo miembro de las Naciones Unidas, o sus organismos especializados o del Organismo Internacional de Energía Atómica, con arreglo a las condiciones que el Consejo estime oportuno establecer por una mayoría no inferior a los dos tercios de los votos emitidos por los miembros exportadores y a los dos tercios de los votos emitidos por los miembros importadores.

2) La adhesión se efectuará mediante el depósito de un instrumento de adhesión ante el Gobierno de los Estados Unidos de América.

3) Cuando, para los fines de aplicación del Convenio y el presente Protocolo, se haga referencia a miembros que figuran en los Anexos A o B del Convenio, se estimará que los miembros cuyos Gobiernos se hayan adherido al Convenio en las condiciones establecidas por el Consejo, o al presente Protocolo según dispone el apartado b) del párrafo 1) del presente Artículo, figuran en el Anexo correspondiente.

ARTICULO 8

Aplicación provisional

Todo Gobierno signatario podrá depositar ante el Gobierno de los Estados Unidos de América una declaración de aplicación provisional del presente Protocolo. Cualquier otro Gobierno en situación de firmar el presente Protocolo o cuya solicitud de adhesión la haya aprobado el Consejo, podrá asimismo depositar ante el Gobierno de los Estados Unidos de América una declaración de aplicación provisional. Todo Gobierno que deposite tal declaración, aplicará provisionalmente el presente Protocolo y será considerado, provisionalmente, como parte en el mismo.

ARTICULO 9

Entrada en vigor

1) El presente Protocolo entrará en vigor entre aquellos Gobiernos que, al 18 de junio de 1975, hayan depositado sus instrumentos de ratificación, aceptación, aprobación, conclusión o adhesión o declaraciones de aplicación provisional, de acuerdo con los Artículos 6, 7 y 8 del presente Protocolo, de la manera siguiente:

a) el 19 de junio de 1975, con respecto a todas las disposiciones del Convenio, que no sean las comprendidas en los Artículos 3 al 9, ambos inclusive, y el Artículo 21; y

b) el 1 de julio de 1975, con respecto a los Artículos 3 al 9, ambos inclusive, y el Artículo 21 del Convenio;

siempre que se hayan depositado tales instrumentos de ratificación, aceptación, aprobación, conclusión o adhesión, o declaraciones de aplicación provisional, no más tarde del 18 de junio de 1975, en nombre de Gobiernos que representen a miembros exportadores que poseen por lo menos el 60% de los votos indicados en el Anexo A y miembros importadores que poseen por lo menos el 50% de los votos indicados en el Anexo B, o que hubiesen tenido, respectivamente, tales votos si hubiesen sido partes en el Convenio en dicha fecha.

2) El presente Protocolo entrará en vigor, para los Gobiernos que depositen el instrumento de ratificación, aceptación, aprobación, conclusión o adhesión después del 19 de junio de 1975, de conformidad con las disposiciones pertinentes del presente Protocolo, en la fecha en que se efectúe tal depósito, quedando entendido que ninguna parte del mismo entrará en vigor para dicho Gobierno hasta que esta parte entre en vigor para los demás Gobiernos de conformidad con lo dispuesto en los párrafos 1) ó 3) del presente Artículo.

3) Si el presente Protocolo no entrase en vigor de acuerdo con lo dispuesto en el párrafo 1) del presente Artículo, los Gobiernos que hayan depositado instrumentos de ratificación, aceptación, aprobación, conclusión o adhesión, o declaraciones de aplicación provisional, podrán decidir de común acuerdo que el Protocolo entrará en vigor entre aquellos Gobiernos que hayan depositado instrumentos de ratificación, aceptación, aprobación, conclusión o adhesión o declaraciones de aplicación provisional.

ARTICULO 10

Notificación del Gobierno depositario

El Gobierno de los Estados Unidos de América, en su calidad de Gobierno depositario, deberá notificar a todos los Gobiernos signatarios y a todos los Gobiernos que se hayan adherido, toda firma, ratificación, aceptación, aprobación, conclusión, aplicación provisional del presente Protocolo, y toda adhesión al mismo, así como toda notificación y comunicado que reciba en virtud del Artículo 27 del Convenio y toda declaración y notificación que reciba con arreglo al Artículo 28 del Convenio.

ARTICULO 11

Copia certificada del Convenio

Tan pronto como sea posible después de la entrada en vigor definitiva del presente Protocolo, el Gobierno depositario enviará copia certificada del presente Protocolo, en los idiomas español, francés, inglés y ruso, al Secretario General de las Naciones Unidas para que lo registre con arreglo a lo dispuesto en el Artículo 102 de la Carta de las Naciones Unidas. Toda enmienda al presente Protocolo se comunicará en la misma forma al Secretario General de las Naciones Unidas.

ARTICULO 12

Relación entre el Preámbulo y el Protocolo

El presente Protocolo comprende el Preámbulo a los Protocolos instituídos para la nueva prórroga del Convenio Internacional del Trigo, 1971.

EN FE DE LO CUAL, los infrascritos, debidamente autorizados al efecto por sus respectivos Gobiernos o autoridades, han firmado el presente Protocolo en las fechas que figuran junto a sus firmas.

Los textos del presente Protocolo en los idiomas español, francés, inglés y ruso serán igualmente auténticos. Los originales serán entregados en depósito al Gobierno de los Estados Unidos de América, el cual remitirá copia certificada de los mismos a cada parte signataria o que se adhiera, y al Secretario Ejecutivo del Consejo.

PROTOCOLO PARA LA NUEVA PRORROGA DEL
CONVENIO SOBRE LA AYUDA ALIMENTARIA, 1971

Las partes en el presente Protocolo,

Considerando que el Convenio sobre la Ayuda Alimentaria, 1971 (en adelante llamado "el Convenio") del Convenio Internacional del Trigo, 1971, que fue prorrogado por virtud de Protocolo en 1974, expira el 30 de junio de 1975,

Han convenido lo siguiente:

ARTICULO I

Prórroga, expiración y rescisión del Convenio

A reserva de lo dispuesto en el Artículo II del presente Protocolo, el Convenio permanecerá en vigor entre las partes integrantes del presente Protocolo hasta el 30 de junio de 1976, quedando entendido que, si antes del 30 de junio de 1976 entrase en vigor un nuevo convenio sobre la ayuda alimentaria, el presente Protocolo solo permanecería vigente hasta la fecha de entrada en vigor del nuevo convenio.

ARTICULO II

Disposiciones inoperantes del Convenio

A partir del 1 de julio de 1975, se considerarán derogadas las disposiciones del Convenio correspondientes a los párrafos 1), 2) y 3) del Artículo II, del párrafo 1) del Artículo III y de los Artículos VI y XIV, inclusive.

ARTICULO III

Ayuda alimentaria internacional

1) Las partes en el presente Protocolo se comprometen a hacer aportaciones, como ayuda alimentaria a los países en desarrollo, de trigo, cereales secundarios o sus productos derivados, adecuados para el consumo humano y de un tipo y calidad aceptables, o su equivalente en efectivo, en las cantidades anuales mínimas especificadas en el párrafo 2) a continuación.

2) La aportación anual mínima de cada una de las partes que integran el presente Protocolo se fija del modo siguiente:

	Toneladas métricas
Argentina	23.000
Australia	225.000
Canadá	495.000
Estados Unidos de América	1.890.000
Finlandia	14.000
Japón	225.000
Suecia	35.000
Suiza	32.000

3) A los efectos de la aplicación del presente Protocolo, toda parte en el mismo que lo firme en virtud del párrafo 2) del Artículo V, o que se adhiera a él en virtud de las disposiciones pertinentes del Artículo VII, se considerará enumerada en el párrafo 2) del Artículo III del presente Protocolo junto con la aportación mínima que se le asigne con arreglo a las disposiciones pertinentes del Artículo V o del Artículo VII del presente Protocolo.

ARTICULO IV

Comité de Ayuda Alimentaria

Se constituirá un Comité de Ayuda Alimentaria que estará integrado por cada una de las partes que figuran en el párrafo 2) del Artículo III del presente Protocolo y por cualesquiera otras que pasen a ser partes del presente Protocolo. El Comité nombrará su presidente y vicepresidente.

ARTICULO V

Firma

1) El presente Protocolo quedará abierto a la firma en Washington, desde el 25 de marzo de 1975 hasta el 14 de abril de 1975 inclusive, de los Gobiernos de Argentina, Australia, Canadá, Estados Unidos de América, Finlandia, Japón, Suecia y Suiza, siempre y cuando firmen tanto el presente Protocolo como el Protocolo en cuya virtud se prorroga el Convenio sobre el Comercio del Trigo, 1971.

2) El presente Protocolo quedará igualmente abierto, en las mismas condiciones, a la firma de las partes en el Convenio sobre la Ayuda Alimentaria, 1967, o en el Convenio sobre la Ayuda Alimentaria, 1971, en su forma prorrogada por virtud de Protocolo, y aquellas que sean consideradas provisionalmente como partes en el Convenio sobre la Ayuda Alimentaria, 1971, en su forma prorrogada por virtud de Protocolo, no enumeradas en el párrafo 1) del presente Artículo, siempre y cuando su aportación sea, por lo menos, igual a la que convinieron efectuar en el Convenio sobre la Ayuda Alimentaria, 1967 ó, subsecuentemente, en el Convenio sobre la Ayuda Alimentaria, 1971, en su forma prorrogada por virtud de Protocolo.

ARTICULO VI

Ratificación, aceptación, aprobación o conclusión

El presente Protocolo estará sujeto a la ratificación, aceptación, aprobación o conclusión de cada uno de los signatarios, de conformidad con sus respectivos procedimientos constitucionales o institucionales siempre y cuando ratifique, acepte, apruebe o concluya asimismo el Protocolo instituído para la nueva prórroga del Convenio sobre el Comercio del Trigo, 1971. Los instrumentos de ratificación, aceptación, aprobación o conclusión se depositarán ante el Gobierno de los Estados Unidos de América, a más tardar, el 18 de junio de 1975, quedando entendido que el Comité de Ayuda Alimentaria podrá conceder una o más prórrogas a todo signatario que no haya depositado su instrumento de ratificación, aceptación, aprobación o conclusión en la fecha indicada.

ARTICULO VII

Adhesión

1) El presente Protocolo quedará abierto a la adhesión de cada una de las partes que se mencionan en el Artículo V del presente Protocolo, siempre y cuando se adhiera también al Protocolo instituído para la nueva prórroga del Convenio sobre el Comercio del Trigo, 1971, y siempre y cuando además, en el caso de las partes mencionadas en el párrafo 2) del Artículo V, su aportación sea por lo menos igual a la

que convinieron efectuar en el Convenio sobre la Ayuda Alimentaria, 1967 ó, subsecuentemente, en el Convenio sobre la Ayuda Alimentaria, 1971, en su forma prorrogada por virtud de Protocolo. Los instrumentos de adhesión relacionados con este párrafo se depositarán, a más tardar, el 18 de junio de 1975, quedando entendido que el Comité de Ayuda Alimentaria podrá conceder una o más prórrogas a cualquiera de las partes que no haya depositado su instrumento de adhesión en la fecha indicada.

2) El Comité de Ayuda Alimentaria podrá aprobar la adhesión al presente Protocolo, como donante, del Gobierno de todo miembro de las Naciones Unidas, así como de sus organismos especializados o del Organismo Internacional de Energía Atómica, en las condiciones que el Comité de Ayuda Alimentaria considere pertinentes, siempre y cuando el Gobierno de que se trate, a su vez, se adhiera también al Protocolo instituído para la nueva prórroga del Convenio sobre el Comercio del Trigo, 1971, si no formara ya parte del mismo.

3) La adhesión se llevará a efecto depositando el instrumento de adhesión pertinente ante el Gobierno de los Estados Unidos de América.

ARTICULO VIII

Aplicación provisional

Toda parte que esté mencionada en el Artículo V del presente Protocolo podrá depositar ante el Gobierno de los Estados Unidos de América una declaración de aplicación provisional del presente Protocolo, siempre y cuando deposite también una declaración de aplicación provisional del Protocolo instituído para la nueva prórroga del Convenio sobre el Comercio del Trigo, 1971. Toda otra parte cuya solicitud de adhesión al presente Protocolo sea aprobada podrá asimismo depositar ante el Gobierno de los Estados Unidos de América una declaración de aplicación provisional, siempre y cuando la parte de que se trate deposite también una declaración de aplicación provisional del Protocolo instituído para la nueva prórroga del Convenio sobre el

Comercio del Trigo, 1971, a menos que sea ya parte en dicho Protocolo o haya depositado ya una declaración de aplicación provisional del mismo. Toda parte que así deposite tal declaración, aplicará provisionalmente el presente Protocolo y será considerada, provisionalmente, como parte en el mismo.

ARTICULO IX

Entrada en vigor

1) El presente Protocolo entrará en vigor para aquellas partes que hayan depositado sus instrumentos de ratificación, aceptación, aprobación, conclusión o adhesión

a) el 19 de junio de 1975, con respecto a todas las disposiciones, salvo las comprendidas en el Artículo II del Convenio y Artículo III del Protocolo, y

b) el 1 de julio de 1975, con respecto al Artículo II del Convenio y Artículo III del Protocolo,

siempre y cuando los Gobiernos mencionados en el párrafo 1) del Artículo V del presente Protocolo hayan depositado dichos instrumentos o una declaración de aplicación provisional, a más tardar, el 18 de junio de 1975, y que el Protocolo instituído para la nueva prórroga del Convenio sobre el Comercio del Trigo, 1971, esté en vigor. Para toda otra parte, que deposite el instrumento de ratificación, aceptación, aprobación, conclusión o adhesión, después de que el Protocolo haya entrado en vigor, el presente Protocolo entrará en vigor en la fecha en que se efectúe tal depósito.

2) Si el presente Protocolo no entrase en vigor de acuerdo con lo dispuesto en el párrafo 1) del presente Artículo, las partes que, para el 19 de junio de 1975, hayan depositado instrumentos de ratificación, aceptación, aprobación, conclusión o adhesión, o declaraciones de aplicación provisional, podrán decidir de común acuerdo que el mismo entrará en vigor entre aquellas partes que hayan depositado instrumentos de ratificación, aceptación, aprobación, conclusión o

adhesión, siempre que el Protocolo instituído para la nueva prórroga del Convenio sobre el Comercio del Trigo, 1971, esté en vigor, o podrán tomar toda otra decisión que, a su parecer, requiera la situación.

ARTICULO X

Notificación del Gobierno depositario

El Gobierno de los Estados Unidos de América, en su calidad de Gobierno depositario, notificará a todas las partes signatarias y a todas las partes que se hayan adherido, toda firma, ratificación, aceptación, aprobación, conclusión o aplicación provisional del presente Protocolo, y toda adhesión al mismo.

ARTICULO XI

Copia certificada del Protocolo

Tan pronto como sea posible, después de la entrada en vigor definitiva del presente Protocolo, el Gobierno depositario enviará copia certificada del mismo, en los idiomas español, francés, inglés y ruso, al Secretario General de las Naciones Unidas para que lo registre con arreglo a lo dispuesto en el Artículo 102 de la Carta de las Naciones Unidas. Toda enmienda al presente Protocolo se comunicará de la misma manera al Secretario General de las Naciones Unidas.

ARTICULO XII

Relación entre el Preámbulo y el Protocolo

El presente Protocolo comprende el Preámbulo de los Protocolos instituídos para la nueva prórroga del Convenio Internacional del Trigo, 1971.

EN FE DE LO CUAL, los infrascritos, debidamente autorizados a este efecto por sus respectivos Gobiernos o autoridades, han firmado el presente Protocolo en las fechas que aparecen junto a sus firmas.

Los textos del presente Protocolo, en los idiomas español, francés, inglés y ruso, serán todos igualmente auténticos. Los originales serán entregados en depósito al Gobierno de los Estados Unidos de América, el cual remitirá copia certificada de los mismos a cada uno de los Gobiernos signatarios o que se adhieran al Protocolo.

87-129 O - 77 - 11

Note by the Department of State

Signatories to the Protocol for the further extension of the Wheat Trade Convention, 1971

Open for signature at Washington from March 25 to April 14, 1975

FOR ALGERIA:

A MAADINI
4/10/75

ABDELKADER MAADINI
le 10/4/1975

FOR ARGENTINA:

ALEJANDRO ORFILA
4/14/75.–

FOR AUSTRALIA:

PATRICK SHAW
11 April 1975

FOR AUSTRIA:

ARNO HALUSA
April 10, 1975

FOR BARBADOS:

FOR BELGIUM:

FOR BOLIVIA:

FOR BRAZIL:

Washington 31 March 1975
JOÃO AUGUSTO DE ARAUJO CASTRO

FOR BULGARIA:

FOR CANADA:

J R MCKINNEY
April 14, 1975

FOR CHINA:

FOR COLOMBIA:

FOR COSTA RICA:

FOR CUBA:

Dr. DUŠAN SPÁČIL
14.IV.1975

FOR DENMARK:

FOR THE DOMINICAN REPUBLIC:

HORACIO VICIOSO-SOTO
April 14th, 1975

FOR ECUADOR:

ORLANDO GABELA Sujeto a ratificación
April 14, 1975

FOR EGYPT:

ASHRAF GHORBAL
10 April 1975

FOR EL SALVADOR:

FOR THE EUROPEAN ECONOMIC COMMUNITY:

FOR FINLAND:

ARTO TANNER
11. April 1975

FOR FRANCE:

FOR THE FEDERAL REPUBLIC OF GERMANY:

FOR GREECE:

FOR GUATEMALA:

J. ASENSIO-WUNDERLICH
Abril 10, 1975.

FOR INDIA:

TRILOKI NATH KAUL
April 14, 1975

FOR INDONESIA:

FOR IRAN:

FOR IRAQ:

M. A. AL-HASSAN
April 14, 1975

FOR IRELAND:

FOR ISRAEL:

EITAN RAFF
4/14/1975.

FOR ITALY:

FOR JAPAN:

TAKESHI YASUKAWA
April 14, 1975

FOR KENYA:

FOR THE REPUBLIC OF KOREA:

PYONG-CHOON HAHM
April 3, 1975

FOR KUWAIT:

FOR LEBANON:

FOR LIBYA:

ALI A. EL-GAYED [Romanization]
April 14, 1975

FOR LUXEMBOURG:

FOR MALTA:

FOR MAURITIUS:

PIERRE GUY GIRALD BALANCY
March 25th 1975

FOR MEXICO:

FOR MOROCCO:

11 April 1975
ABDELHADI BOUTALEB [Romanization]

FOR THE KINGDOM OF THE NETHERLANDS:

FOR NIGERIA:

FOR NORWAY:

SØREN CHRISTIAN SOMMERFELT
14 April 1975

FOR PAKISTAN:

SAHABZADA YAQUB-KHAN
4 April 1975

FOR PANAMA:

FOR PERU:

FOR PORTUGAL:

JOÃO HALL THEMIDO
14 April 1975

FOR SAUDI ARABIA:

FOR SOUTH AFRICA:

JEREMY B. SHEARER
10 April 1975

TIAS 8227

FOR SPAIN:

FOR SRI LANKA:

FOR SWEDEN:

WILHELM WACHTMEISTER
14 April 1975

FOR SWITZERLAND:

14 avril 1975
F. SCHNYDER

FOR THE SYRIAN ARAB REPUBLIC:

FOR TRINIDAD AND TOBAGO:

VICTOR C. MCINTYRE
14th April 1975.

FOR TUNISIA:

FOR TURKEY:

FOR THE UNION OF SOVIET SOCIALIST REPUBLICS:

A. DOBRYNIN
8/IV 75

FOR THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND:

FOR THE UNITED STATES OF AMERICA:

EARL L. BUTZ
April 10, 1975

FOR URUGUAY:

FOR THE VATICAN CITY STATE:

JEAN JADOT
April 14, 1975

FOR VENEZUELA:

MA BURELLI
April 14, 1975

Signatories to the Protocol for the further extension of the Food Aid Convention, 1971

Open for signature at Washington from March 25 to April 14, 1975

FOR ARGENTINA:

ALEJANDRO ORFILA
4/14/75.

FOR AUSTRALIA:

PATRICK SHAW
11 April 1975

FOR BELGIUM:

FOR CANADA:

J R MCKINNEY
April 14, 1975

FOR DENMARK:

FOR THE EUROPEAN ECONOMIC COMMUNITY:

FOR FINLAND:

ARTO TANNER
11. April 1975

FOR FRANCE:

FOR THE FEDERAL REPUBLIC OF GERMANY:

FOR IRELAND:

FOR ITALY:

FOR JAPAN:

With a reservation to Article III

TAKESHI YASUKAWA
April 14, 1975

FOR LUXEMBOURG:

FOR THE KINGDOM OF THE NETHERLANDS:

FOR NORWAY:

FOR SWEDEN:

WILHELM WACHTMEISTER
14 April 1975

TIAS 8227

FOR SWITZERLAND:

14 avril 1975
F. SCHNYDER sous réserve de ratification

La signature du protocole portant prorogation de la convention relative à l'aide alimentaire de 1971 est donnée dans l'attente que toutes les parties à la convention de 1971 y souscriront et cela dans la même mesure que jusqu'à present. [1]

FOR THE UNITED STATES OF AMERICA:

EARL L. BUTZ
April 10, 1975

[1] Subject to ratification. The Protocol for the further extension of the Food Aid Convention is signed in the expectation that all parties to the Convention of 1971 will subscribe to it to the same extent as heretofore. [Translation]

SOCIALIST REPUBLIC OF ROMANIA

Double Taxation: Taxes on Income

Convention signed at Washington December 4, 1973;
Ratification advised by the Senate of the United States of America November 18, 1975;
Ratified by the President of the United States of America December 15, 1975;
Ratified by the Socialist Republic of Romania January 31, 1975;
Ratifications exchanged at Bucharest January 26, 1976;
Proclaimed by the President of the United States of America February 25, 1976;
Entered into force February 26, 1976;
Effective January 1, 1974.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

CONSIDERING THAT:

The Convention between the United States of America and the Socialist Republic of Romania with Respect to Taxes on Income was signed at Washington on December 4, 1973, the text of which Convention, in the English and Romanian languages, is hereto annexed;

The Senate of the United States of America by its resolution of November 18, 1975, two-thirds of the Senators present concurring therein, gave its advice and consent to ratification of the Convention;

The Convention was ratified by the President of the United States of America on December 15, 1975, in pursuance of the advice and consent of the Senate, and was ratified on the part of the Socialist Republic of Romania on December 23, 1974;

It is provided in Article 27 of the Convention that the Convention shall enter into force one month after the date of the exchange of instruments of ratification, with effectiveness with respect to income of calendar years or taxable years beginning on or after January 1, 1974;

The instruments of ratification of the Convention were exchanged at Bucharest on January 26, 1976, and accordingly the Convention enters into force on February 26, 1976, effective January 1, 1974;

NOW, THEREFORE, I, Gerald R. Ford, President of the United States of America, proclaim and make public the Convention, to the end that it shall be observed and fulfilled with good faith on and after February 26, 1976, by the United States of America and by the citizens of the United States of America and all other persons subject to the jurisdiction thereof.

IN TESTIMONY WHEREOF, I have signed this proclamation and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this twenty-fifth day of February in the year of our Lord one thousand nine hundred seventy-six and of the Independence of the United States of America the two hundredth.

[SEAL]

GERALD R. FORD

By the President:
HENRY A. KISSINGER
Secretary of State

CONVENTION BETWEEN
THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND
THE GOVERNMENT OF THE SOCIALIST REPUBLIC OF ROMANIA
WITH RESPECT TO TAXES ON INCOME

The Government of the United States of America and the Government of the Socialist Republic of Romania, desiring to conclude a convention for the avoidance of double taxation of income and property and the prevention of fiscal evasion, have agreed as follows:

Article 1

TAXES COVERED

(1) The taxes which are the subject of this Convention are:

(a) In the case of Romania, the income taxes imposed under Romanian law, in particular the income taxes imposed on:

(i) wages, salaries, fees, copyrights, and income from any other source received by individuals;

(ii) profits of mixed companies;

(iii) enterprises other than mixed companies or state enterprises;

(iv) agricultural activities;

(v) rentals; and

(vi) nonresidents.

(b) In the case of the United States, the Federal income taxes imposed by the Internal Revenue Code [1] (other than social insurance taxes imposed by chapters 2 and 21).

(2) This Convention shall also apply to taxes substantially similar to those covered by paragraph (1) which are imposed in addition to, or in place of, existing taxes after the date of signature of this Convention.

(3) For purposes of paragraph (5) of Article 7 (Business Profits), this Convention shall also apply to taxes other than income taxes imposed at the national level of a Contracting State on insurance and reinsurance premiums paid to a resident of the other Contracting State. For the purpose of Article 22 (Nondiscrimination), this Convention shall also apply to taxes of every kind imposed at the national, state, or local level.

[1] 68A Stat. 3; 26 U.S.C. § 1.

(4) The competent authorities of the Contracting States shall notify each other of any amendments of the tax laws referred to in paragraph (1) and of the adoption of any taxes referred to in paragraph (2) by transmitting the texts of any amendments or new statutes at least once a year.

Article 2

GENERAL DEFINITIONS

(1) In this Convention:

(a) (i) The term "Romania" means the Socialist Republic of Romania; and

(ii) When used in a geographical sense the term "Romania" also includes:

(A) The territorial sea thereof, and

(B) The seabed and subsoil of the submarine areas adjacent to the coast thereof, but beyond the territorial sea, over which Romania exercises sovereign rights, in accordance with international law, for the purpose of exploration for and exploitation of the natural resources of such areas, but only to the extent that the person, property, or activity to which this Convention is being applied is connected with such exploration or exploitation.

(b) (i) The term "United States" means the United States of America; and

(ii) When used in a geographical sense, the term "United States" means the states thereof and the District of Columbia. Such term also includes:

(A) The territorial sea thereof, and

(B) The seabed and subsoil of the submarine areas adjacent to the coast thereof, but beyond the territorial sea, over which the United States exercises sovereign rights, in accordance with international law, for the purpose of exploration for and exploitation of the natural resources of such areas, but only to the extent that the person, property, or activity to which the Convention is being applied is connected with such exploration or exploitation.

(c) The term "Contracting State" means the United States or Romania, as the context requires.

(d) The term "person" includes an individual, a partnership, a corporation, an estate, or a trust.

(e) (i) The term "Romanian corporation" means any juridical person, including a mixed corporation, which is incorporated and organized under Romanian law or any other legal entity created under Romanian law which is treated as a juridical person according to Romanian taxation laws; and

(ii) The term "United States corporation" means a corporation, or any entity treated as a corporation for United States tax purposes, which is created or organized under the laws of the United States or any state thereof or the District of Columbia.

(f) The term "competent authority" means:

(i) In the case of Romania, the Minister of Finance or his delegate, and

(ii) In the case of the United States, the Secretary of the Treasury or his delegate.

(g) The term "tax" means tax imposed by the United States or Romania, whichever is applicable, to which this Convention applies by virtue of Article 1 (Taxes Covered).

(h) The term "international traffic" means any voyage of a ship or aircraft operated by a resident of one of the Contracting States except where such voyage is confined solely to places within a Contracting State.

(2) Any other term used in this Convention and not defined in this Convention shall, unless the context otherwise requires, have the meaning which it has under the laws of the Contracting State whose tax is being determined. Notwithstanding the preceding sentence, if the meaning of such a term under the laws of one of the Contracting States is different from the meaning of the term under the laws of the other Contracting State, or if the meaning of such a term is not readily determinable under the laws of one of the Contracting States, the competent authorities of the Contracting States may, in order to prevent double taxation or to further any other purpose of this Convention, establish a common meaning of the term for purposes of this Convention.

Article 3

FISCAL RESIDENCE

(1) In this Convention:

(a) The term "resident of Romania" means:

(i) A Romanian corporation (as defined in paragraph (1) (e) (i) of Article 2 (General Definitions)), or

(ii) Any other person resident in Romania, but in the case of a partnership, estate, or trust only to the extent that the income derived by such person is subject to Romanian tax.

(b) The term "resident of the United States" means:

(i) A United States corporation (as defined in paragraph (1) (e) (ii) of Article 2 (General Definitions)), or

(ii) Any other person resident in the United States, but in the case of a partnership, estate, or trust only to the extent that the income derived by such person is subject to United States tax.

(2) Where by reason of the provisions of paragraph (1) an individual is a resident of both Contracting States:

(a) He shall be deemed to be a resident of that Contracting State in which he maintains his permanent home. If he has a permanent home in both Contracting States or in neither of the Contracting States, he shall be deemed to be a resident of that Contracting State with which his personal and economic relations are closest (center of vital interests);

(b) If the Contracting State in which he has his center of vital interests cannot be determined, he shall be deemed to be a resident of that Contracting State in which he has a habitual abode;

(c) If he has a habitual abode in both Contracting States or in neither of the Contracting States, he shall be deemed to be a resident of the Contracting State of which he is a citizen; and

(d) If he is a citizen of both Contracting States or of neither Contracting State, the competent authorities of the Contracting States shall settle the question by mutual agreement.

Article 4

GENERAL RULES OF TAXATION

(1) A resident of one of the Contracting States may be taxed by the other Contracting State on any income from sources within that other Contracting State and only on such income, subject to any limitations set forth in this Convention.

(2) The provisions of this Convention shall not be construed to restrict in any manner any exclusion, exemption, deduction, credit, or other allowance now or hereafter accorded --

(a) By the laws of one of the Contracting States in the determination of the tax imposed by that Contracting State, or

(b) By any other agreement between the Contracting States.

(3) Notwithstanding any provisions of this Convention except paragraph (4), a Contracting State may tax its citizens or residents (as determined under Article 3 (Fiscal Residence)) as if this Convention had not come into effect.

(4) The provisions of paragraph (3) shall not affect:

(a) The benefits conferred by a Contracting State under Articles 17 (Social Security Payments), 21 (Relief from Double Taxation), 22 (Nondiscrimination), and 23 (Mutual Agreement Procedure); and

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(b) The benefits conferred by a Contracting State under Articles 18 (Governmental Functions), 19 (Teachers), 20 (Students and Trainees), and 25 (Members of Diplomatic Missions and Consular Offices) upon individuals who are neither citizens of, nor have immigrant status in, that Contracting State.

(5) The competent authorities of the two Contracting States may prescribe regulations necessary to carry out the provisions of this Convention.

Article 5

PERMANENT ESTABLISHMENT

(1) For the purpose of this Convention, the term "permanent establishment" means a fixed place of business through which the business of a resident of one of the Contracting States is wholly or partly carried on.

(2) The term "permanent establishment" includes but is not limited to:

(a) A branch;

(b) An office;

(c) A factory;

(d) A workshop;

(e) A warehouse;

(f) A mine, quarry, or other place of extraction of natural resources; and

(g) A construction or installation project which exists for more than 12 months.

(3) Notwithstanding paragraphs (1) and (2), a permanent establishment shall not include a fixed place of business used only for one or more of the following:

(a) The use of facilities for the purpose of storage, display, or delivery pursuant to a sales contract, of goods or merchandise belonging to the resident;

(b) The maintenance of a stock of goods or merchandise belonging to the resident for the purpose of processing by another person;

(c) The maintenance of a fixed place of business for the purpose of purchasing goods or merchandise, or for collecting information, for the resident;

(d) The maintenance of a fixed place of business for the purpose of advertising, for the supply of information, for scientific research, or for similar activities which have a preparatory or auxiliary character, for the resident; or

(e) The maintenance of a construction or installation project which does not exist for more than 12 months.

(4) A person acting in one of the Contracting States on behalf of a resident of the other Contracting State, other than an agent of an independent status to whom paragraph (5) applies, shall be deemed to give rise to a permanent establishment in the first-mentioned Contracting State if such person has, and habitually exercises in the first-mentioned Contracting State, an authority to conclude contracts in the name of that resident, unless the exercise of such authority is limited to the purchase of goods or merchandise for that resident.

(5) A resident of one of the Contracting States shall not be deemed to have a permanent establishment in the other Contracting State merely because such resident engages in industrial or commercial activity in that other Contracting State through a broker,

general commission agent, or any other agent of an independent status, where such broker or agent is acting in the ordinary course of his business.

(6) A resident of one of the Contracting States shall not be deemed to have a permanent establishment in the other Contracting State merely because such resident sells at the termination of a trade fair or convention in such other Contracting State goods or merchandise which such resident displayed at such trade fair or convention.

(7) In determining whether a resident of one Contracting State has a permanent establishment in the other Contracting State there shall not be taken into account the fact that such resident may be related to either a resident of the other Contracting State or to any other person who engages in business in that other Contracting State.

(8) The principles set forth in paragraphs (1) through (7) shall also be applied in determining whether there is a permanent establishment in a State other than one of the Contracting States or whether a person other than a resident of one of the Contracting States has a permanent establishment in one of the Contracting States.

Article 6

INCOME FROM IMMOVABLE PROPERTY

(1) Income from immovable property, including royalties and other payments in respect of the exploitation of natural resources and gains derived from the sale, exchange, or other disposition of such property or of the right giving rise to such royalties

or other payments, may be taxed by the Contracting State in which such immovable property or natural resources are situated. For purposes of this Convention, interest on indebtedness secured by immovable property or secured by a right giving rise to royalties or other payments in respect of the exploitation of natural resources shall not be regarded as income from immovable property.

(2) Paragraph (1) shall apply to income derived from the usufruct, direct use, letting, or use in any other form of immovable property.

Article 7

BUSINESS PROFITS

(1) Industrial or commercial profits of a resident of one of the Contracting States shall be exempt from tax by the other Contracting State unless the resident has a permanent establishment in that other Contracting State. If the resident has a permanent establishment in that other Contracting State, tax may be imposed by that other Contracting State on the industrial or commercial profits of the resident but only on so much of them as are attributable to the permanent establishment.

(2) Where a resident of one of the Contracting States has a permanent establishment in the other Contracting State, there shall in each Contracting State be attributed to the permanent establishment the industrial or commercial profits which would reasonably be expected to have been derived by it if it were an independent entity engaged in the same or similar activities under the same or similar conditions and dealing at arm's length with the resident of which it is a permanent establishment.

(3) In the determination of the industrial or commercial profits of a permanent establishment, there shall be allowed as deductions expenses which are reasonably connected with such profits, including executive and general administrative expenses, whether incurred in the Contracting State in which the permanent establishment is situated or elsewhere.

(4) No profits shall be attributed to a permanent establishment of a resident of one of the Contracting States in the other Contracting State merely by reason of the purchase of goods or merchandise by that permanent establishment, or by the resident of which it is a permanent establishment, for the account of that resident.

(5) Insurance or reinsurance premiums derived from sources within one Contracting State by a resident of the other Contracting State shall not be subject to income tax or any other tax in the first Contracting State unless such income is effectively connected with a permanent establishment of the resident in that Contracting State.

(6) The term "industrial or commercial profits" includes, but is not limited to, income derived from manufacturing, mercantile, banking, insurance, agricultural, fishing or mining activities, the operation of ships or aircraft, the furnishing of services, and the rental of tangible personal (movable) property. Such term does not include the performance of personal services by an individual either as an employee or in an independent capacity. Such term also includes any other income effectively connected with a permanent establishment which the recipient, being a resident of one of the Contracting States, has in the other Contracting State.

(7) To determine whether property or rights are effectively connected with a permanent establishment, the factors taken into account shall include whether the rights or property are used in or held for use in carrying on an activity giving rise to industrial or commercial profits through such permanent establishment and whether the activities carried on through such permanent establishment were a material factor in the realization of the income derived from such property or rights. For this purpose, due regard shall be given to whether or not such property or rights or such income were accounted for through such permanent establishment.

(8) Where industrial or commercial profits include items of income which are dealt with separately in other articles of this Convention, the provisions of those articles shall, except as otherwise provided therein, supersede the provisions of this article.

Article 8

SHIPPING AND AIR TRANSPORT

(1) Notwithstanding Article 7 (Business Profits) and Article 13 (Capital Gains), income derived by a resident of one of the Contracting States from the operation in international traffic of ships or aircraft registered in that Contracting State and gains derived from the sale, exchange, or other disposition of ships or aircraft used in international traffic and which are registered in that Contracting State shall be exempt from taxation by the other Contracting State.

(2) For purposes of this article, income derived from the operation in international traffic of ships or aircraft includes --

(a) Income derived from the rental of ships or aircraft operated in international traffic if such rental income is incidental to other income described in paragraph (1); and

(b) Income derived from the use, maintenance, and lease of containers and other related equipment in connection with the operation in international traffic of ships or aircraft by the resident described in paragraph (1).

Article 9

RELATED PERSONS

(1) Where a person subject to the taxing jurisdiction of one of the Contracting States and any other person are related and where such related persons make arrangements or impose conditions between themselves which are different from those which would be made between independent persons, any income, deductions, credits, or allowances which would, but for those arrangements or conditions, have been taken into account in computing the income (or loss) of, or the tax payable by, one of such persons, may be taken into account in computing the amount of the income subject to tax and the taxes payable by such person.

(2) Where a redetermination has been made by one Contracting State to the income of one of its residents in accordance with paragraph (1), then the other Contracting State shall, if it agrees with such redetermination, make a corresponding adjustment to the income of a person in such other Contracting State related to such resident. In the event the other Contracting State disagrees with such redetermination, the two Contracting States shall endeavor to reach agreement in accordance with the mutual agreement procedure in paragraph (2) (b) of Article 23 (Mutual Agreement Procedure).

(3) For purposes of this Convention, a person is related to another person if either person owns or controls directly or indirectly the other, or if a third person or persons own or control directly or indirectly both. For this purpose, the term "control" includes any kind of control, whether or not legally enforceable, and however exercised or exercisable.

Article 10

DIVIDENDS

(1) Dividends paid by a corporation of one of the Contracting States to a resident of the other Contracting State may be taxed by both Contracting States.

(2) The rate of tax imposed by the first-mentioned Contracting State on such dividends shall not exceed 10 percent of the gross amount of the dividend.

(3) Paragraph (2) shall not apply if the recipient of the dividends, being a resident of one of the Contracting States, has a permanent establishment in the other Contracting State and the shares with respect to which the dividends are paid are effectively connected with such permanent establishment. In such a case, paragraph (6) of Article 7 (Business Profits) shall apply.

Article 11

INTEREST

(1) Interest derived by a resident of one of the Contracting States from sources within the other Contracting State may be taxed by both Contracting States.

(2) Interest derived by a resident of one of the Contracting States from sources within the other Contracting State shall not be taxed by the other Contracting State at a rate in excess of 10 percent of the gross amount of such interest.

(3) Notwithstanding paragraphs (1) and (2), interest beneficially derived by (a) one of the Contracting States, or by an instrumentality of that Contracting State, not subject to tax by that Contracting State on its income, or (b) a resident of such Contracting State with respect to indebtedness guaranteed, insured, or indirectly financed by that Contracting State or instrumentality thereof, shall be exempt from tax by the other Contracting State.

(4) Paragraph (2) shall not apply if the recipient of the interest, being a resident of one of the Contracting States, has a permanent establishment in the other Contracting State and the indebtedness giving rise to the interest is effectively connected with such permanent establishment. In such a case, paragraph (6) of Article 7 (Business Profits) shall apply.

(5) Where an amount is paid to a related person which would be treated as interest but for the fact that it exceeds an amount which would have been paid to an unrelated person, the provisions of this article shall apply only to so much of the amount as would have been paid to an unrelated person. In such a case, the excess amount may be taxed by each Contracting State according to its own law, including the provisions of this Convention where applicable.

(6) The term "interest" as used in this Convention means income from bonds, Government securities, notes, or other evidences of indebtedness, whether or not secured and whether or not carrying a right to participate in profits, and debt-claims of every kind, as

well as all other income which, under the taxation law of the Contracting State in which the income has its source, is assimilated to income from money lent.

(7) Interest shall be treated as derived from sources within a Contracting State only if paid by such Contracting State, a political subdivision or a local authority thereof, or by a resident of that Contracting State. Notwithstanding the preceding sentence --

(a) If the person paying the interest (whether or not such person is a resident of one of the Contracting States) has a permanent establishment in one of the Contracting States in connection with which the indebtedness on which the interest is paid was incurred and such interest is borne by such permanent establishment, or

(b) If the person paying the interest is a resident of one of the Contracting States and has a permanent establishment in a State other than a Contracting State in connection with which the indebtedness on which the interest is paid was incurred and such interest is paid to a resident of the other Contracting State, and such interest is borne by such permanent establishment,

such interest shall be deemed to be from sources within the State in which the permanent establishment is situated.

Article 12

ROYALTIES

(1) Royalties derived by a resident of one of the Contracting States from sources within the other Contracting State may be taxed by both Contracting States.

(2) Royalties derived by a resident of one of the Contracting States from sources within the other Contracting State shall not be taxed by the other Contracting State at a rate in excess of 10 percent of the gross amount of cultural royalties or at a rate in excess of 15 percent of the gross amount of industrial royalties.

(3) For purposes of this article --

(a) Cultural royalties are payments of any kind made as consideration for the use of, or the right to use, copyrights of literary, artistic, or scientific works, including copyrights of motion picture films or films or tapes used for radio or television broadcasting;

(b) Industrial royalties are payments of any kind made as consideration for the use of, or the right to use, patents, designs, models, plans, secret processes or formulae, trademarks, or other like property or rights, or for knowledge, experience, or skill (know-how);

(c) Cultural royalties and industrial royalties include gains derived from the sale, exchange, or other disposition of any such property or rights to the extent that the amounts realized on such sale, exchange, or other disposition for consideration are contingent on the productivity, use, or disposition of such property or rights.

(4) Paragraph (2) shall not apply if the recipient of the royalty, being a resident of one of the Contracting States, has in the other Contracting State a permanent establishment and the property or rights giving rise to the royalty is effectively connected with such permanent establishment. In such a case, paragraph (6) of Article 7 (Business Profits) shall apply.

(5) Where an amount is paid to a related person which would be treated as royalty but for the fact that it exceeds an amount which would have been paid to an unrelated person, the provisions of this article shall apply only to so much of the amount as would have been paid to an unrelated person. In such a case, the excess amount may be taxed by each Contracting State according to its own law, including the provisions of this Convention where applicable.

(6) Royalties shall be treated as income from sources within a Contracting State only to the extent that such royalties are payments made as consideration for the use of, or the right to use, property or rights described in paragraph (3) (a) and (b) within that Contracting State or gains described in paragraph (3) (c) from the sale, exchange, or other disposition of such property or rights.

Article 13

CAPITAL GAINS

(1) A resident of one of the Contracting States shall be exempt from tax by the other Contracting State on gains from the sale, exchange, or other disposition of capital assets (whether acquired by inheritance, gift, or any other manner) unless --

(a) The recipient of the gain, being a resident of one of the Contracting States, has a permanent establishment in the other Contracting State and the property giving rise to the gain is effectively connected with such permanent establishment, or

(b) The recipient of the gain, being an individual who is a resident of one of the Contracting States is present in the other Contracting State for a period or periods aggregating 183 days or more during the taxable year.

(2) In the case of gains described in paragraph (1) (a), paragraph (6) of Article 7 (Business Profits) shall apply.

Article 14

INDEPENDENT PERSONAL SERVICES

(1) Income derived by an individual who is a resident of one of the Contracting States from the performance of personal services in an independent capacity may be taxed by that Contracting State.

(2) Income derived by an individual who is a resident of one of the Contracting States from the performance of personal services in an independent capacity in the other Contracting State may also be taxed by that other Contracting State, but only if the individual --

(a) Is present in that other Contracting State for a period or periods aggregating 183 days or more in the taxable year,

(b) Maintains a permanent establishment in the other Contracting State with which the income is effectively connected, or

(c) Is an entertainer, such as a theater, motion picture, radio or television artist, a musician, or an athlete, and is present in that other Contracting State for a period or periods aggregating more than 90 days in the taxable year or the gross income derived from his personal services as an entertainer in an independent capacity in that other Contracting State exceeds in the aggregate 3,000 United States dollars or its equivalent in Romanian lei during the taxable year.

(3) Paragraph (2) (c) shall not apply to an entertainer described in paragraph (2) (c) who is a resident of one of the Contracting States and who is present in the other Contracting State pursuant to a specific arrangement agreed to by the two Contracting States.

Article 15

DEPENDENT PERSONAL SERVICES

(1) Except as provided in Articles 18 (Governmental Functions), 19 (Teachers), and 20 (Students and Trainees), wages, salaries, and similar remuneration derived by an individual who is a resident of one of the Contracting States from labor or personal services performed as an employee, including income from services performed by an officer of a corporation or company, may be taxed by that Contracting State. Except as provided by paragraphs (2) and (3), such remuneration derived from labor or personal services performed in the other Contracting State may also be taxed by that other Contracting State.

(2) Remuneration described in paragraph (1) derived by an individual who is a resident of one of the Contracting States shall be exempt from tax by the other Contracting State if --

(a) He is present in that other Contracting State for a period or periods aggregating less that 183 days in the taxable year;

(b) He is an employee of a resident of the first-mentioned Contracting State or of a permanent establishment maintained in the first-mentioned Contracting State by a resident of the other Contracting State;

(c) The remuneration is not borne as such by a permanent establishment which the employer has in that other Contracting State; and

(d) In the case of an entertainer, such as a theater, motion picture, radio or television artist, a musician, or an athlete, he is present in that other Contracting State for a period or periods aggregating less than 90 days in the taxable year and the gross income he derives as an employee in that other Contracting State aggregates less than 3,000 United States dollars or its equivalent in Romanian lei during the taxable year.

(3) Paragraph (2) (d) shall not apply to an entertainer described in paragraph (2) (d) who is a resident of one of the Contracting States and who is present in the other Contracting State pursuant to a specific arrangement agreed to by the two Contracting States.

(4) Notwithstanding paragraph (2), remuneration derived by an individual from the performance of labor or personal services as an employee aboard ships or aircraft operated by a resident of one of the Contracting States in international traffic shall be exempt from tax by the other Contracting State if such individual is a member of the regular complement of the ship or aircraft.

Article 16

PRIVATE PENSIONS AND ANNUITIES

(1) Except as provided in Article 18 (Governmental Functions), pensions and other similar remuneration paid to an individual in consideration of past employment shall be taxable only in the Contracting State of which he is a resident.

(2) Alimony and annuities paid to an individual who is a resident of one of the Contracting States shall be taxable only in that Contracting State.

(3) A resident of one Contracting State who receives child support payments from a resident of the other Contracting State shall be exempt from tax on such payments in both Contracting States.

(4) The term "pensions and other similar remuneration", as used in this article, means periodic payments other than social security payments covered in Article 17 (Social Security Payments) made (a) by reason of retirement or death in consideration for services rendered, or (b) by way of compensation for injuries received in connection with past employment.

(5) The term "annuities", as used in this article, means a stated sum paid periodically at stated times during life, or during a specified number of years, under an obligation to make the payments in return for adequate and full consideration (other than services rendered).

(6) The term "alimony", as used in this article, means periodic payments made pursuant to a decree of divorce or compulsory support, separate maintenance agreement, or support or separation agreement which is taxable to the recipient under the internal laws of the Contracting State of which he is a resident.

(7) The term "child support payments", as used in this article, means periodic payments for the support of a minor child made pursuant to a decree of divorce, separate maintenance agreement, or support or separation agreement.

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Article 17

SOCIAL SECURITY PAYMENTS

Social security payments and other public pensions paid by one of the Contracting States to an individual who is a resident of the other Contracting State shall be exempt from tax in both Contracting States. This article shall not apply to payments described in Article 18 (Governmental Functions).

Article 18

GOVERNMENTAL FUNCTIONS

Wages, salaries, and similar remuneration, including annuities or similar benefits, paid from public funds of one of the Contracting States to a citizen of that Contracting State for labor or personal services performed as an employee of the national government of that Contracting State, or any agency thereof, in the discharge of functions of a governmental nature shall be exempt from tax by the other Contracting State. Labor or personal services performed by a citizen of one of the Contracting States shall be treated by the other Contracting State as performed in the discharge of governmental functions if such labor or personal services would be treated under the internal laws of both Contracting States as so performed.

Article 19

TEACHERS

(1) Where a resident of one of the Contracting States is invited by the Government of the other Contracting State, a political subdivision, or a local authority thereof, or by a university or

other recognized educational institution in that other Contracting State to come to that other Contracting State for a period not expected to exceed 2 years for the purpose of teaching or engaging in research, or both, at a university or other recognized educational institution and such resident comes to that other Contracting State primarily for such purpose, his income from personal services for teaching or research at such university or educational institution shall be exempt from tax by that other Contracting State for a period not exceeding 2 years from the date of his arrival in that other Contracting State.

(2) This article shall not apply to income from research if such research is undertaken not in the public interest but primarily for the private benefit of a specific person or persons.

Article 20

STUDENTS AND TRAINEES

(1) (a) An individual who is a resident of one of the Contracting States at the time he becomes temporarily present in the other Contracting State and who is temporarily present in that other Contracting State for the primary purpose of --

(i) Studying at a university or other recognized educational institution in that other Contracting State, or

(ii) Securing training required to qualify him to practice a profession or professional specialty, or

(iii) Studying or doing research as a recipient of a grant, allowance, or award from a governmental, religious, charitable, scientific, literary, or educational organization,

shall be exempt from tax by that other Contracting State with respect to amounts described in subparagraph (b) for a period not exceeding 5 taxable years from the date of his arrival in that other Contracting State.

(b) The amounts referred to in subparagraph (a) are --

(i) Gifts from abroad for the purpose of his maintenance, education, study, research, or training;

(ii) The grant, allowance, or award; and

(iii) Income from personal services performed in that other Contracting State in an amount not in excess of 2,000 United States dollars or its equivalent in Romanian lei for any taxable year.

(2) An individual who is a resident of one of the Contracting States at the time he becomes temporarily present in the other Contracting State and who is temporarily present in that other Contracting State as an employee of, or under contract with, a resident of the first-mentioned Contracting State, for the primary purpose of --

(a) Acquiring technical, professional, or business experience from a person other than that resident of the first-mentioned Contracting State or other than a person related to such resident, or

(b) Studying at a university or other recognized educational institution in that other Contracting State,

shall be exempt from tax by that other Contracting State on his income from personal services for a period not exceeding 1 year and only in an amount not exceeding in the aggregate 5,000 United States dollars or its equivalent in Romanian lei.

(3) An individual who is a resident of one of the Contracting States at the time he becomes temporarily present in the other Contracting State and who is temporarily present in that other Contracting State for a period not exceeding 1 year, as a participant in a program sponsored by the Government of that other Contracting State, for the primary purpose of training, research, or study, shall be exempt from tax by that other Contracting State with respect to his income from personal services in respect of such training, research, or study performed in that other Contracting State in an aggregate amount not in excess of 10,000 United States dollars or its equivalent in Romanian lei.

(4) The benefits provided under Article 19 (Teachers) and paragraph (1) of this article shall, when taken together, extend only for such period of time, not to exceed 5 taxable years from the date of arrival of the individual claiming such benefits, as may reasonably or customarily be required to effectuate the purpose of the visit. The benefits provided under Article 19 (Teachers) shall not be available to an individual if, during the immediately preceeding period, such individual enjoyed the benefits of paragraph (1) of this article.

Article 21

RELIEF FROM DOUBLE TAXATION

Double taxation of income shall be avoided in the following manner:

(1) In accordance with the provisions and subject to the limitations of the law of Romania (as it may be amended from time to time without changing the general principles hereof), Romania

shall allow to a citizen or resident of Romania as a credit against Romanian tax the appropriate amount of income taxes paid to the United States. Such appropriate amount shall be based upon the amount of tax paid to the United States but shall not exceed the portion of Romanian tax which such citizen's or resident's net income from sources within the United States bears to his entire net income for the same taxable year.

(2) In accordance with the provisions and subject to the limitations of the law of the United States (as it may be amended from time to time without changing the general principles hereof), the United States shall allow to a citizen or resident of the United States as a credit against the United States tax the appropriate amount of taxes paid to Romania. Such appropriate amount shall be based upon the amount of tax paid to Romania, but the credit shall not exceed the portion of United States tax which such citizen's or resident's net income from sources within Romania or on income from sources outside of the United States bears to his entire net income for the same taxable year. For purposes of applying the United States credit in relation to taxes paid to Romania, the taxes referred to in paragraph (1) (a) of Article 1 (Taxes Covered) shall be considered to be income taxes.

Article 22

NONDISCRIMINATION

(1) A citizen of one of the Contracting States who is a resident of the other Contracting State shall not be subjected in that other Contracting State to more burdensome taxes than a citizen of that other Contracting State who is a resident thereof.

(2) A citizen of one of the Contracting States who is a resident of the other Contracting State or a permanent establishment which a resident of one of the Contracting States has in the other Contracting State shall not be subject in that other Contracting State to more burdensome taxes than are generally imposed in that other Contracting State on citizens or permanent establishments of residents of third States carrying on the same activities. However, this paragraph shall not require a Contracting State to grant to citizens or permanent establishments of residents of the other Contracting State tax benefits granted by special agreements to citizens or permanent establishments of a third State.

(3) A corporation of one of the Contracting States, the capital of which is wholly or partly owned or controlled, directly or indirectly, by one or more residents of the other Contracting State, shall not be subjected in the first-mentioned Contracting State to any taxation or any requirement connected with taxation which is other or more burdensome than the taxation and requirements to which a corporation of the first-mentioned Contracting State carrying on the same activities, the capital of which is wholly or partly owned or controlled by one or more residents of a third State, is or may be subjected. However, this paragraph shall not require a Contracting State to grant to corporations which are wholly or partly owned by residents of the other Contracting State tax benefits granted by special agreements to corporations which are wholly or partly owned by residents of a third State.

Article 23

MUTUAL AGREEMENT PROCEDURE

(1) Where a resident of one of the Contracting States considers that the action of one or both of the Contracting States results or will result for him in taxation not in accordance with this Convention, he may, notwithstanding the remedies provided by the national laws of the Contracting States, present his case to the competent authority of the Contracting State of which he is a resident or a citizen. Should the resident's claim be considered to have merit by the competent authority of the Contracting State to which the claim is made, it shall endeavor to come to an agreement with the competent authority of the other Contracting State with a view to the avoidance of taxation not in accordance with the provisions of this Convention.

(2) The competent authorities of the Contracting States shall endeavor to resolve by mutual agreement any difficulties or doubts arising as to the application of this Convention. In particular, the competent authorities of the Contracting States may agree --

(a) To the same attribution of industrial or commercial profits to a resident of one of the Contracting States and its permanent establishment situated in the other Contracting State;

(b) To the same allocation of income, deductions, credits, or allowances between a resident of one of the Contracting States and any related person and to the readjustment of taxes imposed by each Contracting State to reflect such allocation;

(c) To the same determination of the source of particular items of income; or

(d) To the same characterization of particular items of income.

(3) The competent authorities of the Contracting States may communicate with each other directly for the purpose of reaching an agreement in the sense of this article. When it seems advisable for the purpose of reaching agreement, the competent authorities may meet together for an exchange of opinions.

(4) In the event that the competent authorities reach such an agreement, taxes shall be imposed on such income, and refund or credit of taxes shall be allowed, by the Contracting States in accordance with such agreement.

Article 24

EXCHANGE OF INFORMATION

(1) The competent authorities shall exchange such information as is necessary for carrying out the provisions of this Convention or for the prevention of fraud or for the administration of statutory provisions concerning taxes to which this Convention applies provided the information is of a class that can be obtained under the laws and administrative practices of each Contracting State with respect to its own taxes.

(2) Any information so exchanged shall be treated as secret, except that such information may be --

(a) Disclosed to any person charged with the assessment, collection, or enforcement of, or litigation with respect to, the taxes to which this Convention applies, or

(b) Made part of a public record with respect to the assessment, collection, or enforcement of, or litigation with respect to, the taxes to which this Convention applies.

(3) No information shall be exchanged which would be contrary to public policy.

(4) If specifically requested by the competent authority of a Contracting State, the competent authority of the other Contracting State shall provide information under this article in the form of depositions of witnesses and copies of unedited original documents (including books, papers, statements, records, accounts, or writings) to the same extent such depositions and documents can be obtained under the laws and administrative practices of each Contracting State with respect to its own taxes.

(5) Depositions and evidence which may be furnished in accordance with this article shall not be withheld by reason of any doctrine of law under which international judicial assistance is not accorded in tax matters.

(6) The exchange of information shall be either on a routine basis or on request with reference to particular cases. The competent authorities of the Contracting States may agree on the list of information which shall be furnished on a routine basis.

Article 25

MEMBERS OF DIPLOMATIC MISSIONS AND CONSULAR OFFICES

Nothing in this Convention shall affect the fiscal privileges of members of diplomatic missions and consular offices under the general rules and norms of international law or under the provisions of special agreements.

Article 26

ASSISTANCE IN COLLECTION

(1) Each of the Contracting States shall endeavor to collect on behalf of the other Contracting State such taxes imposed by that other Contracting State as will ensure that any exemption or reduced rate of tax granted under this Convention by that other Contracting State shall not be enjoyed by persons not entitled to such benefits.

(2) In no case shall this article be construed so as to impose upon a Contracting State the obligations to carry out measures at variance with the laws or administrative practices of either Contracting State with respect to the collection of its own taxes.

Article 27

ENTRY INTO FORCE

This Convention shall be subject to ratification and instruments of ratification shall be exchanged at Bucharest as soon as possible. It shall enter into force 1 month after the date of exchange of the instruments of ratification.[1] The provisions shall for the first time have effect with respect to income of calendar years or taxable years beginning (or in the case of taxes payable at the source, payments made) on or after January 1, 1974.

Article 28

TERMINATION

(1) This Convention shall remain in force until terminated by one of the Contracting States. Either Contracting State may terminate the Convention at any time after 5 years from the date

[1] Feb. 26, 1976.

on which this Convention enters into force provided that notice of termination has been given through diplomatic channels at least 6 months prior to the end of the calendar year. In such event, the Convention shall cease to have force and effect as respects income of calendar years or taxable years beginning (or, in the case of taxes payable at the source, payments made) on or after January 1, next following the expiration of the 6-month period.

(2) Notwithstanding the provisions of paragraph (1) and upon prior notice to be given through diplomatic channels, the provisions of Article 17 (Social Security Payments) may be terminated by either Contracting State at any time after this Convention enters into force.

DONE at Washington, in duplicate, in the English and Romanian languages, the two texts having equal authenticity, this fourth day of December, 1973.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

George P. Shultz [1]

FOR THE GOVERNMENT OF THE SOCIALIST REPUBLIC OF ROMANIA:

Manea Manescu [2]

[1] George P. Shultz
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C O N V E N T I E

INTRE

GUVERNUL STATELOR UNITE ALE AMERICII SI
GUVERNUL REPUBLICII SOCIALISTE ROMANIA
PRIVIND EVITAREA DUBLEI IMPUNERI SI
PREVENIREA EVAZIUNII FISCALE ASUPRA VENITURILOR

Guvernul Statelor Unite ale Americii şi Guvernul Republicii Socialiste România dorind să încheie o convenţie pentru evitarea dublei impuneri pe venit şi pe avere şi pentru prevenirea evaziunii fiscale, au căzut de acord după cum urmează:

ARTICOLUL 1
IMPOZITELE CUPRINSE

(1) Impozitele supuse acestei Convenţii sînt:

(a) In cazul României, impozitele pe venit stabilite de legea română, în special impozitele pe venituri din:

(i) salarii, onorarii, drepturi de autor şi din orice altă sursă primite de persoane fizice;

(ii) profiturile societăţilor mixte;

(iii) întreprinderi altele decît societăţile mixte sau cele de stat;

(iv) activităţi agricole;

(v) închirieri; şi

(vi) activităţi ale nerezidenţilor.

(b) In cazul Statelor Unite, impozitele federale stabilite de Codul venitului intern (altele decît impozitele şi contribuţiile pentru asigurări sociale prevăzute de capitolele 2 şi 21).

(2) Prezenta Convenţie se va aplica, de asemenea, impozitelor în mod substanţial similare cu cele menţionate la paragraful (1) care se instituie pe lîngă acestea sau în locul celor existente după data semnării prezentei Convenţii.

(3) In înţelesul paragrafului (5) al Articolului 7 (Profituri din afaceri) prezenta Convenţie se va aplica, de asemenea, impozitelor altele decît impozitele asupra venitului stabilite la nivel naţional al unui stat contractant asupra primelor de asigurare si de reasigurare plătite unui rezident al celuilalt stat contractant. In vederea aplicării prevederilor articolului 22 (Nediscriminare) prezenta Convenţie se va aplica, de asemenea, impozitelor de orice fel stabilite la nivel naţional, de stat sau local.

(4) Autorităţile competente ale statelor contractante îşi vor notifica una alteia, orice amendamente aduse legilor de impozite menţionate la paragraful (1) şi despre adoptarea oricăror impozite menţionate la paragraful (2), prin transmiterea cel puţin o dată pe an, a textelor oricăror amendamente sau a noilor legi.

ARTICOLUL 2
DEFINITII GENERALE

(1) In prezenta Convenţie:

(a) (i) Termenul "România" înseamnă Republica Socialistă România; şi

(ii) Cînd este folosit în sens geografic, termenul "România" include, de asemenea:

(A) Marea teritorială;

(B) Fundul mării şi subsolul ariilor submarine adiacente coastei, dar dincolo de marea teritorială, asupra cărora România exercită drepturi suverane, în conformitate cu dreptul internaţional în vederea explorării şi exploatării resurselor naturale ale unor astfel de arii, dar numai în măsura în care persoana, proprietatea sau activitatea căreia i se aplică Convenţia este legată astfel de explorare sau exploatare.

(b) (i) Termenul "Statele Unite" înseamnă Statele Unite ale Americii; şi

(ii) Cînd este folosit în sens geografic, termenul "Statele Unite" înseamnă statele din acesta şi Districtul Columbia. Acest termen include, de asemenea:

(A) Marea teritorială; şi

(B) Fundul mării şi subsolul ariilor submarine adiacente coastei, dar dincolo de marea teritorială, asupra cărora Statele Unite exercită drepturi suverane, în conformitate cu dreptul internaţional în vederea explorării şi exploatării resurselor naturale ale unor astfel de arii, dar numai în măsura în care persoana, proprietatea sau activitatea căreia i se aplică Convenţia este legată astfel de explorare sau exploatare.

(c) Termenul "stat contractant" înseamnă Statele Unite sau România, după cum cere contextul.

(d) Termenul "persoană" include o persoană fizică, o societate de persoane, o societate de capitaluri, o avere sau un trust.

(e) (i) Termenul "societate română" înseamnă orice persoană juridică, inclusiv o societate mixtă care este constituită

şi organizată în conformitate cu legile din România sau oricare altă entitate juridică creată în conformitate cu legile României care potrivit legilor române cu privire la impozitare este tratată ca o persoană juridică.

(ii) Termenul "societate de capitaluri" (corporation) a Statelor Unite" înseamnă o societate de capitaluri (corporation) sau orice entitate tratată ca o societate din punctul de vedere al impozitelor Statelor Unite, care este înfiinţată sau organizată în conformitate cu legile Statelor Unite sau ale oricărui stat din acesta sau ale Districtului Columbia.

(f) Termenul "autoritate competentă" înseamnă:

(i) In cazul României, Ministerul Finanţelor sau delegatul său şi

(ii) In cazul Statelor Unite, Secretarul Trezoreriei sau delegatul său.

(g) Termenul "impozit" înseamnă impozit stabilit de către Statele Unite sau România ori care este aplicabil şi care intră sub incidenţa prezentei Convenţii în virtutea prevederilor articolului 1 (Impozite cuprinse).

(h) Termenul "Trafic internaţional" înseamnă orice călătorie a unui vapor sau avion exploatat de un rezident al uneia din statele contractante cu excepţia cazului în care o astfel de călătorie este limitată numai la locuri în interiorul statului contractant.

(2) Orice alt termen folosit în prezenta Convenţie şi care nu este definit în această Convenţie va avea, dacă contextul nu cere altfel, înţelesul pe care îl are în conformitate cu legile statului contractant al cărui impozit este determinat. Contrar prevederilor frazei precedente, dacă înţelesul unui astfel de termen în conformitate cu legile unuia din statele contractante este diferit de înţelesul termenului în conformitate cu legile celuilalt stat contractant sau dacă înţelesul unui astfel de termen nu este uşor determinabil în conformitate cu legile unuia din statele contractante, autorităţile competente ale statelor contractante pot, pentru a preveni dubla impozitare sau de a promova orice alt scop

al acestei Convenţii, stabili un înţeles comun al termenului în vederea aplicării prezentei Convenţii.

ARTICOLUL 3
REZIDENTA FISCALA

(1) In prezenta Convenţie:

(a) Termenul "rezident al României" înseamnă:

(i) O societate română astfel cum este definită la Articolul 2 (Definiţii generale) paragraful (1) litera (e) (i) sau

(ii) Orice altă persoană rezidentă în România însă, în cazul unei societăţi de persoane, a unei averi sau trust, numai în măsura în care venitul obţinut de o atare persoană este supus impozitului în România.

(b) Termenul "rezident al Statelor Unite" înseamnă:

(i) O societate de capitaluri a Statelor unite astfel cum este definită la articolul 2 (Definiţii generale) paragraful (1) litera (e) (ii) sau

(ii) Orice altă persoană rezidentă în Statele Unite însă, în cazul unei societăţi de persoane, a unei averi sau trust, numai în măsura în care venitul obţinut de o atare persoană este supus impozitului Statelor Unite.

(2) Cînd, potrivit criteriilor prevăzute de paragraful (1) o persoană fizică este rezidentă a ambelor state contractante:

(a) Ea va fi considerată ca rezidentă a statului contractant în care ea îşi întreţine locuinţa sa permanentă. Dacă ea are o locuinţă permanentă în ambele state contractante, sau nu are în nici unul din statele contractante, ea va fi considerată ca fiind rezidentă a acelui stat contractant cu care are relaţii personale şi economice cele mai strînse (centrul vital al intereselor);

(b) Dacă statul contractant în care ea are centrul vital al intereselor sale nu poate fi determinat, ea va fi considerată ca fiind rezidentă a statului contractant în care ea locuieşte în mod obişnuit;

(c) Dacă ea locuieşte în mod obişnuit în ambele state contractante, sau în nici unul din staţele contractante ea va fi

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considerată ca fiind rezidentă a statului contractant al cărui cetăţean este şi

(d) Dacă este cetăţean al ambelor state contractante sau nici unuia din statele contractante, autorităţile competente ale statelor contractante vor clarifica problema prin acord mutual.

ARTICOLUL 4
REGULI GENERALE DE IMPOZITARE

(1) Un rezident al unuia din statele contractante poate fi impus de celălalt stat contractant asupra oricărui venit din surse situat în acel celălalt stat contractant şi numai asupra unui atare venit poate fi supus la orice restricţii menţionate în prezenta Convenţie.

(2) Prevederile prezentei Convenţii nu vor fi interpretate că restrîng în vreun mod orice exceptare, scutire, deducere, credit sau altă înlesnire acordată în prezent sau în viitor:

(a) De către legile uneia din statele contractante la determinarea impozitului stabilit de acel stat contractant sau

(b) De către oricare alt acord intervenit între cele două state contractante.

(3) Contrar oricăror prevederi ale prezentei Convenţii, cu excepţia paragrafului (4), un stat contractant poate impune cetăţenii sau rezidenţii lui (aşa cum stabilesc prevederile articolului 3 (rezidenţă fiscală), ca şi cum prezenta Convenţie nu ar fi în vigoare.

(4) Prevederile paragrafului (3) nu vor afecta:

(a) Inlesnirile acordate de statele contractante conform prevederilor articolelor 17 (Plăţi pentru asigurări sociale), 21 (Evitarea dublei impuneri), 22 (Nediscriminarea) şi 23 (Procedura înţelegerii mutuale) şi

(b) Inlesnirile acordate de către un stat contractant prin prevederile articolului 18 (Funcţii guvernamentale), 19 (Profesori) 2o (Studenţi şi cursanţi) şi 25 (Membrii misiunilor diplomatice şi oficiilor consulare) unor persoane fizice care nu sînt nici cetăţeni şi nici nu au statut de imigrant în acel stat contractant.

(5) Autoritățile competente ale celor două state contractante pot emite instrucțiuni necesare pentru aducerea la îndeplinire a prevederilor prezentei Convenții.

ARTICOLUL 5
SEDIUL PERMANENT

(1) Pentru aplicarea prezentei Convenții termenul "sediul permanent" înseamnă un loc stabil de afaceri prin care afacerile unui rezident al unuia din statele contractante se desfășoară în total sau în parte.

(2) Termenul "sediul permanent" cuprinde, însă nu limitativ:

(a) O sucursală;

(b) Un birou;

(c) O uzină;

(d) Un atelier;

(e) Un depozit;

(f) O mină, o carieră sau alt loc de extracție a resurselor naturale și

(g) Un șantier de construcții sau de montaj a cărei durată este mai mare de 12 luni.

(3) Contrar prevederilor paragrafelor (1) și (2) un sediu permanent nu va cuprinde un loc stabil de afaceri folosit numai pentru una sau mai multe din următoarele destinații:

(a) Folosirea de instalații în scopul depozitării, expunerii sau livrării ca urmare a unui contract de vînzare, de produse sau mărfuri aparținînd rezidentului;

(b) Menținerea unui stoc de produse sau mărfuri aparținînd rezidentului în scopul prelucrării de către o altă persoană;

(c) Menținerii unui loc stabil de afaceri pentru cumpărarea de produse sau mărfuri, sau pentru strîngerea de informații pentru rezident;

(d) Menținerea unui loc stabil de afaceri în scopul de a face reclamă, pentru a furniza informații, pentru cercetări științifice sau pentru activități similare care au caracter pregătitor sau auxiliar, pentru rezident sau

(e) Menținerea unui șantier de construcții sau de montaj care nu durează mai mult de 12 luni.

(4) O persoană activînd în unul din statele contractante în contul unui rezident al celuilalt stat contractant, altul decît un reprezentant cu statut independent, căruia i se aplică paragraful (5), va fi considerat că dă naştere la un sediu permanent în statul contractant menţionat, dacă o asemenea persoană are şi exercită în mod obişnuit, în primul stat contractant menţionat împuternicirea de a încheia contracte în numele acelui rezident, afară de cazul cînd exercitarea unei astfel de împuterniciri se limitează la cumpărarea de produse sau mărfuri pentru acel rezident.

(5) Un rezident al unuia din statele contractante nu va fi considerat că are un sediu permanent în celălalt stat contractant numai pentru faptul că un atare rezident desfăşoară activitate industrială sau comercială în acel celălalt stat contractant printr-un intermediar, comisionar general sau orice alt reprezentant cu regim independent, cu condiţia ca astfel de persoane să activeze în cadrul obişnuit al activităţii lor.

(6) Un rezident al unuia din statele contractante nu va fi considerat că are un sediu permanent în celălalt stat contractant numai pentru faptul că un atare rezident vinde la terminarea unui tîrg sau unei reuniuni comerciale tradiţionale în acest celălalt stat contractant, produse sau mărfuri pe care un atare rezident le-a expus în cadrul unui atare tîrg sau reuniuni comerciale internaţionale.

(7) Pentru a determina dacă un rezident al unuia din statele contractante are un sediu stabil în celălalt stat contractant, nu se va lua în considerare faptul că un atare rezident poate fi înrudit fie cu un rezident al celuilalt stat contractant sau cu oricare altă persoană care desfăşoară afaceri în acel celălalt stat contractant.

(8) Principiile expuse în paragrafele (1) pînă la (7) se vor aplica de asemenea pentru a determina dacă există un sediu permanent într-un stat altul decît unul din statele contractante sau dacă o persoană alta decît un rezident al unuia din statele contractante are un sediu permanent în unul din statele contractante.

ARTICOLUL 6
VENIT DIN PROPRIETATEA IMOBILIARA

(1) Venitul din proprietatea imobiliară, inclusiv redevenţe şi alte plăţi în legătură cu exploatarea resurselor naturale şi cîştigurile obţinute din vînzarea, schimbul sau din alt mod de a dispune de astfel de proprietate sau din dreptul care generează astfel de redevenţe sau alte plăţi, pot fi impuse de statul contractant în care astfel de proprietate imobiliară sau resurse naturale sînt situate. Pentru scopurile prezentei Convenţii, dobînda asupra creanţei garantată cu proprietate imobiliară sau printr-un drept care generează redevenţe ori alte plăţi în legătură cu exploatarea resurselor naturale nu va fi privită ca venit din proprietate imobiliară.

(2) Paragraful (1) se va aplica venitului obţinut din uzufruct, folosirea directă, închiriere sau folosirea în orice altă formă a proprietăţii imobiliare.

ARTICOLUL 7
PROFITURI DIN AFACERI

(1) Profiturile industriale sau comerciale ale unui rezident al unuia din statele contractante vor fi scutite de impozit de celălalt stat contractant în afară de cazul cînd rezidentul are un sediu permanent în acel celălalt stat contractant. Dacă rezidentul are un sediu permanent în acel celălalt stat contractant, impozitul poate fi stabilit de către acel celălalt stat contractant asupra profiturilor industriale sau comerciale ale rezidentului dar numai în măsura în care ele sînt atribuibile unui sediu permanent.

(2) Cînd un rezident al unuia din statele contractante are un sediu permanent în celălalt stat contractant, atunci, în fiecare stat contractant se vor atribui sediului permanent profiturile industriale sau comerciale care în mod rezonabil ar fi de aşteptat să fie obţinute de către acel sediu dacă acesta ar fi fost o entitate independentă desfăşurînd aceleaşi activităţi sau activităţi similare în condiţiuni identice sau similare şi pe baze comerciale cu rezidentul al cărui sediu permanent este.

(3) La determinarea profiturilor industriale sau comerciale ale unui sediu permanent, vor fi acordate ca deduceri cheltuielile care în mod rezonabil sînt în legătură cu astfel de profituri, inclusiv cheltuielile de conducere şi cheltuielile generale de administraţie, fie că sînt făcute în statul contractant în care este situat sediul permanent, fie în altă parte.

(4) Nu se va atribui nici un profit unui sediu permanent al unui rezident al unuia din statele contractante în celălalt stat contractant numai pentru simplul fapt al cumpărării de produse sau mărfuri de către sediu permanent sau de către rezidentul care este sediul permanent, pentru şi în contul acelui rezident.

(5) Primele de asigurare sau de reasigurare obţinute din surse situate într-un stat contractant de către un rezident al celuilalt stat contractant nu vor fi supuse impozitului pe venit sau oricărui alt impozit în primul stat contractant, afară de cazul cînd un atare venit este legat în mod efectiv de un sediu permanent al rezidentului în acel stat contractant.

(6) Termenul "profituri industriale sau comerciale" include, fără ca aceasta să reprezinte o limitare, venitul obţinut din activităţi manufacturiere, comerciale, bancare, de asigurări, agricole, de pescuit sau minerit, de exploatarea vapoarelor sau avioanelor de prestare de servicii, de închiriere a bunurilor tangibile (mobile). Acest termen nu include prestarea de servicii personale de către o persoană fizică nici ca angajat şi nici cu titlu de liber profesionist. Acest termen include, de asemenea, orice alt venit legat în mod efectiv de un sediu permanent pe care beneficiarul, fiind rezident al uneia din statele contractante, îl are în celălalt stat contractant.

(7) Pentru a determina dacă averea sau drepturile sînt legate efectiv de un sediu permanent, factorii luaţi în considerare vor include atît drepturile cît şi averea care sînt folosite sau ţinute pentru a fi folosite la desfăşurarea unei activităţi care dă naştere la profituri industriale sau comerciale printr-un asemenea sediu permanent cît şi dacă activităţile desfăşurate printr-un atare sediu permanent ar fi un factor material în realizarea venitului obţinut din atare avere sau drepturi. In acest scop, cuvenita

atenţie va trebui dată faptului dacă sau nu atare proprietate, drepturi sau atare venit au fost decontate printr-un astfel de sediu permanent.

(8) Cînd profiturile industriale sau comerciale cuprind elemente de venit tratate separat în alte articole ale prezentei Convenţii, prevederile acelor articole, cu excepţia cazului dacă nu se prevede astfel în acestea, vor înlocui prevederile acestui articol.

ARTICOLUL 8
TRANSPORTURI NAVALE SI AERIENE

(1) Contrar prevederilor articolului 7 (Profituri din afaceri) şi articolului 13 (Cîştiguri din capital) venitul obţinut de un rezident al unuia din statele contractante din exploatarea în trafic internaţional a vapoarelor şi avioanelor înregistrate în acel stat contractant şi cîştigurile realizate din vînzarea, schimbul sau alt mod de a dispune de vapoare sau avioane exploatate în trafic internaţional şi care sînt înregistrate în acel stat contractant vor fi scutite de impunere de celălalt stat contractant.

(2) Pentru aplicarea prezentului articol venitul obţinut din exploatarea în trafic internaţional a vapoarelor şi avioanelor cuprinde şi:

(a) Venitul obţinut din închirierea vapoarelor sau avioanelor exploatate în trafic internaţional dacă un atare venit este accesoriu la alt venit descris la paragraful (1) şi

(b) Venitul obţinut din folosirea, întreţinerea şi închirierea de containere şi alte utilaje cu destinaţie similară, în legătură cu exploatarea în trafic internaţional a vapoarelor şi avioanelor de către un rezident menţionat la paragraful (1).

ARTICOLUL 9
PERSOANE INRUDITE

(1) Cond o persoană supusă jurisdicţiei de impozitare a unuia din statele contractante este înrudită cu orice altă persoană şi cînd atare persoane înrudite încheie înţelegeri sau pun între ele condiţii diferite de cele care s-ar pune între persoane independente, orice venit, deduceri, credite ori înlesniri care, dacă nu

ar fi acele înţelegeri sau condiţii, ar fi fost luate în calculul venitului (sau a pierderii) ori a impozitului plătibil, de către una din menţionatele persoane, pot fi luate în considerare la calcularea sumei venitului supus impozitului şi a impozitelor plătibile de o atare persoană.

(2) Cînd un stat contractant a făcut o redeterminare a venitului unuia din rezidenţii săi, în conformitate cu prevederile paragrafului (1), atunci celălalt stat contractant, dacă este de acord cu o atare redeterminare, va face o ajustare corespunzătoare venitului persoanei în acest celălalt stat contractant înrudită cu un atare rezident. In eventualitatea cînd celălalt stat contractant nu este de acord cu o asemenea redeterminare, cele două state contractante se vor strădui să ajungă la o înţelegere în conformitate cu procedura pentru înţelegerea mutuală prevăzută de paragraful (2) (b) al articolului 23 (Procedura înţelegerii mutuale).

(3) Pentru aplicarea prezentei Convenţii o persoană este înrudită cu altă persoană dacă, o persoană din cele două deţine în proprietate sau controlează direct sau indirect pe cealaltă sau dacă o a treia persoană sau persoane, deţin în proprietate ori le controlează direct sau indirect pe ambele. In acest scop termenul "controlează" include orice fel de control, impus fie legal sau nu, exercitat în orice mod sau exercitibil.

ARTICOLUL 10
DIVIDENDE

(1) Dividendele plătite de către o societate a unuia din statele contractante unui rezident al celuilalt stat contractant pot fi impuse în ambele state contractante.

(2) Cota de impozit aplicată de primul stat contractant menţionat asupra unor atare dividende nu va depăşi 10% din venitul brut al dividendului.

(3) Paragraful (2) nu se va aplica dacă beneficiarul de dividende fiind un rezident al unuia din statele contractante are un sediu permanent în celălalt stat contractant şi acţiunile în legătură cu care dividendele se plătesc sînt legate în mod efectiv

de un astfel de sediu permanent. In asemenea caz, se aplică paragraful (6) al articolului 7 (profituri din afaceri).

ARTICOLUL 11
DOBINZI

(1) Dobînda obţinută de către un rezident al unuia din statele contractante din surse din celălalt stat contractant poate fi impusă de către ambele state contractante.

(2) Dobînda obţinută de un rezident al unuia din statele contractante din surse situate în celălalt stat contractant nu va fi impozitată de celălalt stat contractant cu o cotă care să depăşească 10% din suma brută a unei atari dobînzi.

(3) Contrar prevederilor paragrafelor (1), (2), dobînda cuvenită, obţinută de (a) unul din statele contractante sau de un oficiu public al acelui stat contractant şi care oficiu nu este supus impozitului asupra venitului de acel stat contractant sau (b) de un rezident al unui atare stat contractant cu privire la datorii garantate, asigurate sau finanţate indirect de către acel stat contractant sau un oficiu public al acestuia vor fi scutite de impozit de către celălalt stat contractant.

(4) Paragraful (2) nu se va aplica dacă beneficiarul de dobîndă fiind un rezident al unuia din statele contractante are un sediu permanent în celălalt stat contractant şi creanţa generatoare de dobîndă este în mod efectiv legată de un astfel de sediu permanent. In asemenea caz se va aplica paragraful (6) al articolului 7 (Profituri din afaceri).

(5) Cînd o sumă care va fi considerată ca dobîndă este plătită unei persoane înrudite, dar pentru faptul că acea sumă excede suma care s-ar fi plătit în mod normal unei persoane neînrudite, prevederile prezentului articol se vor aplica numai la partea din suma care s-ar fi plătit unei persoane neînrudite. Intr-un astfel de caz suma care depăşeşte poate fi impusă de fiecare stat contractant potrivit legislaţiei sale, inclusiv prevederilor acestei Convenţii, unde acestea sînt aplicabile.

(6) Termenul "dobîndă" astfel cum este folosit în prezenta Convenţie înseamnă venit din obligaţiuni, efecte publice, poliţe sau alte titluri de credit fie că sînt garantate sau nu, fie că dau sau nu un drept de a participa la profituri, creanţe de orice fel, precum şi orice alte venituri care sînt asimilate de legislaţia de impozite a statului contractant în care se află sursa de venit cu venituri din împrumuturi de bani.

(7) Dobînda va fi considerată ca fiind obţinută din surse situate într-un stat contractant numai dacă este plătită de un atare stat contractant, o subdiviziune politică, o autoritate locală din acel stat ori de către un rezident al acelui stat contractant. Contrar prevederilor frazei precedente:

(a) Dacă o persoană plătitoare de dobîndă (fie că această persoană este sau nu un rezident al unuia din statele contractante) are un sediu permanent în unul din statele contractante pentru care a fost contractat împrumutul la care se plăteşte dobînda şi această dobîndă este suportată de acel sediu permanent, sau

(b) Dacă persoana plătitoare de dobîndă este un rezident al unuia din statele contractante şi are un sediu permanent într-un stat, altul decît un stat contractant, pentru care sediul a contractat împrumutul la care se plăteşte dobînda şi această dobîndă este plătită unui rezident al celuilalt stat contractant, iar dobînda este suportată de un sediu permanent,

această dobîndă va fi considerată ca provenind din surse din statul în care este situat sediul permanent.

ARTICOLUL 12
REDEVENTE

(1) Redevenţele obţinute de un rezident al unuia din statele contractante din surse situate în celălalt stat contractant pot fi impuse în ambele state contractante.

(2) Redevenţele obţinute de către un rezident al unuia din statele contractante din surse situate în celălalt stat contractant nu vor fi impozitate de către celălalt stat contractant cu o cotă care depăşeşte 10% din suma brută a redevenţelor culturale

sau cu o cotă care depăşeşte 15% din suma brută a redevenţelor industriale.

(3) In vederea aplicării prezentului articol

(a) Redevenţele culturale sînt plăţile de orice fel făcute pentru considerentul folosirii sau dreptului de a folosi drepturi de autor cu privire la opere literare, artistice sau ştiinţifice inclusiv drepturile de autor pentru filme sau filme ori benzi imprimate folosite la emisiunile de radio sau televiziune.

(b) Redevenţele industriale sînt plăţi de orice fel făcute pentru considerentul folosirii sau dreptului de a folosi brevete, desene, modele, planuri, procedee sau formule secrete, mărci de fabrică sau altă proprietate asemănătoare ori drepturi sau pentru cunoştinţe, experienţă, îndrumări practice (know-how).

(c) Redevenţele culturale şi industriale includ cîştiguri obţinute din vînzarea, schimbul sau din alt mod de a dispune de oricare astfel de proprietăţi sau drepturi în limita în care sumele realizate din astfel de vînzări, schimb sau alt mod de a dispune sînt condiţionate de productivitate, folosire sau dispunere de astfel de proprietate sau drepturi.

(4) Paragraful (2) nu se va aplica dacă beneficiarul de redevenţă fiind rezident al unuia din statele contractante, are în celălalt stat contractant un sediu permanent şi proprietatea sau drepturile care generează redevenţa sînt în directă legătură cu un astfel de sediu permanent. In acest caz se aplică paragraful (6) al articolului 7 (Profituri din afaceri).

(5) Cond o sumă este plătită unei persoane înrudite şi ea ar fi considerată ca redevenţă dar datorită faptului că ea depăşeşte cuantumul care s-ar fi plătit unei persoane neînrudite, prevederile acestui articol se vor aplica numai la partea din sumă care s-ar fi plătit unei persoane neînrudite. In asemenea caz suma în exces poate fi impusă de fiecare stat contractant în conformitate cu legislaţia sa, inclusiv cu prevederile acestei convenţii unde acestea sînt aplicabile.

(6) Redevenţele vor fi considerate ca venit din surse situate într-un stat contractant numai în limita în care astfel de redevenţe reprezintă plăţi făcute pentru folosirea sau dreptul de a

folosi, proprietate sau drepturi descrise la paragraful (3) (a) şi (b) situate în acel stat contractant sau cîştiguri descrise la paragraful (3) (c) din vînzarea, schimbul sau alt mod de a dispune de astfel de proprietăţi sau drepturi.

ARTICOLUL 13
CISTIGURI DIN CAPITAL

(1) Un rezident al unuia din statele contractante va fi scutit de impozit de către celălalt stat contractant asupra cîştigurilor din vînzare, schimb sau alt mod de a dispune de bunuri din capital, indiferent dacă sînt dobîndite prin succesiune, donaţie sau în orice alt mod, afară de cazul cînd:

(a) Beneficiarul unui cîştig fiind un rezident al unuia din statele contractante, are un sediu permanent în celălalt stat contractant şi proprietatea generatoare de cîştig este în mod efectiv legată de un astfel de sediu permanent, sau

(b) Beneficiarul cîştigului fiind o persoană fizică care este un rezident al unuia din statele contractante este prezent în celălalt stat contractant pentru o perioadă sau perioade însumînd 183 de zile sau mai mult în timpul anului de impunere.

(2) In cazul cîştigurilor descrise la paragraful (1) (a) se aplică paragraful (6) al articolului 7 (profituri din afaceri).

ARTICOLUL 14
SERVICII PERSONALE PRIN MUNCA INDEPENDENTA

(1) Venitul obţinut de către o persoană fizică, din prestarea de servicii prin muncă independentă, care este rezidentă a unuia din statele contractante poate fi impus de acel stat contractant.

(2) Totuşi, venitul obţinut de o persoană fizică, care este rezidentă a unuia din statele contractante, din prestarea de servicii prin muncă independentă în celălalt stat contractant poate fi impus de acel celălalt stat contractant dacă persoana fizică:

(a) Este prezentă în acel celălalt stat contractant pentru o perioadă sau perioade însumînd 183 de zile sau mai mult în anul impozabil, sau

(b) Intreţine un sediu permanent în acel celălalt stat contractant de care venituri este legat în mod efectiv.

(c) Este un artist, cum sînt artiştii de teatru, cinematograf, radio şi televiziune, interpreţi muzicali sau sportivii, şi este prezent în acel celălalt stat contractant pentru o perioadă sau perioade însumate mai mari de 90 de zile în cursul unui an de impunere, sau venitul total obţinut din servicii personale ca artist prin muncă independentă în acel celălalt stat contractant depăşeşte în sumă totală 3.000 de dolari ai Statelor Unite sau echivalentul lor în lei româneşti în cursul unui an de impunere.

(3) Paragraful (2) (c) nu se aplică unui artist cum este descris în paragraful (2) (c) care este rezident al unuia din statele contractante şi care este prezent în celălalt stat contractant în cadrul unui aranjament special aprobat de cele două state contractante.

ARTICOLUL 15
SERVICII PERSONALE PRIN MUNCA DEPENDENTA

(1) Cu excepţia prevederilor din articolele 18 (Funcţii guvernamentale), 19 (Profesori) şi 20 (Studenţi şi cursanţi), salariile şi remuneraţiile similare obţinute de o persoană fizică care este rezidentă a unuia din statele contractante din muncă sau servicii personale executate ca angajat, inclusiv venituri din servicii prestate de un funcţionar al unei societăţi, pot fi impuse de acel stat contractant. Cu excepţia prevăzută la paragrafele (2) şi (3), astfel de remuneraţii obţinute din muncă sau din prestarea de servicii personale efectuate în celălalt stat contractant pot fi impuse, de asemenea, de celălalt stat contractant.

(2) Remuneraţia descrisă la paragraful (1), obţinută de o persoană fizică care este un rezident al unuia din statele contractante va fi scutită de impozit în celălalt stat contractant, dacă:

(a) Persoana este prezentă în acel celălalt stat contractant pentru o perioadă sau perioade însumînd mai puţin de 183 de zile în anul impozabil şi;

(b) Persoana este un angajat al unui rezident al primului stat contractant sau al unui sediu permanent menţinut în primul stat contractant menţionat de către un rezident al celuilalt stat contractant;

(c) Remuneraţia nu este suportată ca atare de către un sediu permanent pe care cel care angajează îl are în acel celălalt stat contractant.

(d) Este un artist, aşa cum sînt artiştii de teatru, cinematograf, de radio sau televiziune, interpreţii muzicali sau sportivii şi este prezent în acel celălalt stat contractant pentru o perioadă sau perioade însumate mai mici de 90 de zile în cursul unui an de impunere şi venitul total obţinut de acesta ca angajat în acel celălalt stat contractant însumează mai puţin de 3.000 de dolari ai Statelor Unite sau echivalentul lor în lei româneşti în cursul unui an de impunere.

(3) Paragraful (2) (d) nu se aplică unui artist cum este descris la paragraful (2) (d) care este un rezident al unuia din statele contractante şi care este prezent în celălalt stat contractant în cadrul unui aranjament special aprobat de cele două state contractante.

(4) Contrar prevederilor paragrafului (2), remuneraţia obţinută de o persoană fizică din prestarea unei munci sau de servicii personale ca angajat la bordul vapoarelor sau avioanelor exploatate de către un rezident al unuia din statele contractante în trafic internaţional vor fi scutite de impozit în celălalt stat contractant dacă o astfel de persoană fizică este membru al echipajului obişnuit al vaporului sau avionului.

ARTICOLUL 16
ANUITATI SI PENSII PRIVATE

(1) Cu excepţia prevăzută de articolul 18 (Funcţii guvernamentale), pensiile şi altă remuneraţie similară plătită unei persoane fizice pentru faptul de a fi fost angajată în trecut se impun numai în statul contractant a cărui rezidentă este.

(2) Pensiile alimentare şi anuităţile plătite unei persoane fizice care este rezidentă a uneia din statele contractante se impun numai în acel stat contractant.

(3) Un rezident al unuia din statele contractante care primeşte compensaţii pentru întreţinerea copilului de la un rezident al celuilalt stat contractant, va fi scutit în ambele state contractante de impozitul asupra unor astfel de compensaţii.

(4) Termenul "pensii şi alte remuneraţii similare" aşa cum este folosit în prezentul articol, înseamnă plăţi periodice, altele decît plăţile pentru asigurări sociale cuprinse în articolul 17 (Plăţi pentru asigurări sociale) făcute (a) pentru cauză de retragere din muncă sau deces, pe considerentul serviciilor prestate sau (b) ca despăgubiri pentru vătămări legate de munca prestată ca angajat în trecut.

(5) Termenul "anuităţi", aşa cum este folosit în prezentul articol înseamnă o sumă stabilită, plătită în mod periodic la termene stabilite în timpul vieţii sau în timpul unui număr specificat de ani, ca urmare a unei obligaţii de a face plăţile ca recompensă pentru deplină şi corespunzătoare consideraţie (pentru alte motive decît servicii prestate).

(6) Termenul "pensie alimentară", aşa cum este folosit în prezentul articol, înseamnă plăţi periodice ca urmare a unei hotărîri de divorţ sau de obligare la întreţinere, a unei înţelegeri separate de întreţinere sau a unei înţelegeri de întreţinere ori de separare care este impozabilă la beneficiar potrivit legislaţiei interne a statului contractant al cărui rezident este.

(7) Termenul "plăţi pentru întreţinerea copilului", astfel cum este folosit în prezentul articol, înseamnă plăţi periodice pentru întreţinerea unui copil minor făcute ca urmare a unei hotărîri de divorţ a unei înţelegeri de întreţinere separată sau a unei înţelegeri de întreţinere ori separare.

ARTICOLUL 17
PLATI PENTRU ASIGURARI SOCIALE

Plăţile de asigurări sociale şi alte pensii publice plătite

de unul din statele contractante unei persoane fizice care este un rezident al celuilalt stat contractant vor fi scutite de impozit în ambele state contractante.

Prezentul articol nu se aplică plăţilor descrise în articolul 18 (Funcţii guvernamentale).

ARTICOLUL 18
FUNCTII GUVERNAMENTALE

Salariile şi remuneraţiile similare, incluzînd anuităţi sau beneficii similare, plătite din fonduri publice ale unuia din statele contractante, unui cetăţean al acelui stat contractant pentru muncă sau servicii personale prestate ca angajat al guvernului acelui stat contractant sau a oricărei instituţii a statului menţionat anterior, în îndeplinirea de funcţii de natură guvernamentală, vor fi scutite de impozit de celălalt stat contractant. Munca sau serviciile personale prestate de un cetăţean al unuia din statele contractante vor fi considerate de celălalt stat contractant ca prestate în îndeplinirea de funcţii guvernamentale dacă astfel de muncă sau servicii personale vor fi tratate conform legilor interne ale ambelor state contractante ca fiind prestate ca atare.

ARTICOLUL 19
PROFESORI

(1) Cînd un rezident al unuia din statele contractante este invitat de guvernul celuilalt stat contractant, o subdiviziune politică sau o autoritate locală din acel stat sau de către o universitate sau o altă instituţie de învăţămînt recunoscută în acel celălalt stat contractant să vină în acel celălalt stat contractant pentru o perioadă care se consideră că nu va depăşi doi ani, în scopul de a preda sau de a efectua cercetări sau pentru ambele scopuri, la o universitate sau la o altă instituţie de învăţămînt recunoscută şi un atare rezident vine în acel celălalt stat contractant în primul rînd pentru un atare scop, venitul său din servicii personale pentru predare sau cercetare în cadrul unei astfel de universităţi sau instituţii de învăţămînt va fi scutit de

impozit de acel celălalt stat contractant pe o perioadă care nu depăşeşte doi ani de la data sosirii în acel celălalt stat contractant.

(2) Prezentul articol nu se va aplica venitului din cercetări dacă astfel de cercetări nu sînt întreprinse în interes public, ci particulare.

ARTICOLUL 2o
STUDENTI SI CURSANTI

(1) (a) O persoană fizică care este un rezident al unuia din statele contractante cînd se află temporar în celălalt stat contractant, iar scopul principal pentru care ea se află temporar prezentă în acest din urmă stat contractant este:

(i) De a studia la o universitate sau la altă instituţie de învăţămînt recunoscută în acel stat contractant sau

(ii) De a dobîndi pregătirea cerută pentru a se califica să exercite o profesie sau dobîndi specializare profesională sau

(iii) De a studia sau de a face cercetări ca beneficiar al unei burse, alocaţii sau recompense a unei organizaţii guvernamentale, religioase, de caritate, ştiinţifică, literară sau de învăţămînt,

va fi scutită de impozit de acel celălalt stat contractant pentru sumele descrise la subparagraful (b) pentru o perioadă care nu depăşeşte 5 ani impozabili de la data sosirii sale în acel celălalt stat contractant.

(b) Sumele menţionate la subparagraful (a) sînt:

(i) Donaţii din străinătate în scopul întreţinerii, educării, studiului, cercetării sau calificării;

(ii) Bursă, alocaţie sau recompensă şi

(iii) Venit din servicii personale prestate în acel celălalt stat contractant într-o sumă care să nu depăşească 2.000 de dolari ai Statelor Unite sau echivalentul lor în lei româneşti pentru oricare an impozabil.

(2) O persoană fizică care este un rezident al unuia din statele contractante la data cînd vine în mod temporar în celălalt stat contractant şi care este prezent în mod temporar în celălalt

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stat contractant ca angajat sau în cadrul unui contract cu un rezident al primului stat contractant menţionat, cu scopul principal:

(a) de a dobîndi experienţă tehnică, profesională, sau de afaceri de la o persoană alta decît acel rezident al primului stat contractant menţionat sau o altă persoană decît o persoană înrudită cu un atare rezident sau

(b) de a studia la o universitate sau la altă instituţie de învăţămînt recunoscută în acel celălalt stat contractant,

va fi scutită de impozit de acel celălalt stat contractant pentru o perioadă care nu depăşeşte un an cu privire la venitul său din servicii personale pentru o sumă globală care nu depăşeşte în total 5.000 de dolari ai Statelor Unite sau echivalentul lor în lei româneşti.

(3) O persoană fizică care este rezidentă a unuia din statele contractante la data cînd ea este temporar prezentă în celălalt stat contractant şi care este prezentă temporar în acel celălalt stat contractant pentru o perioadă care nu depăşeşte un an, ca participantă la un program susţinut de guvernul acelui celălalt stat contractant, cu scopul principal de calificare, cercetări sau studii, va fi scutită de impozit de acel celălalt stat contractant cu privire la venitul ei din servicii personale în legătură cu o atare calificare, cercetare sau studiu executate în acel celălalt stat contractant pentru o sumă totală care nu depăşeşte 10.000 de dolari ai Statelor Unite sau echivalentul lor în lei româneşti.

(4) Înlesnirile prevăzute la articolul 19 (Profesori) şi paragraful (1) al prezentului articol, cînd sînt luate împreună se extind numai pe o perioadă de timp care să nu depăşească 5 ani de impunere de la data venirii persoanei fizice care cere acordarea unor astfel de înlesniri, în măsura în care pot fi solicitate în mod rezonabil sau uzual pentru a realiza scopul vizitei. Inlesnirile prevăzute la articolul 19 (Profesori) nu vor fi acordate unei persoane fizice dacă, în timpul perioadei imediat precedente o atare persoană fizică a beneficiat de înlesnirile prevăzute la paragraful (1) al prezentului articol.

ARTICOLUL 21
EVITAREA DUBLEI IMPUNERI

Dubla impunere a venitului va fi evitată în modul următor:

(1) In conformitate cu prevederile şi limitările legilor României (astfel cum poate fi modificată din cînd în cînd, fără a se schimba principiile generale din aceasta) România va acorda unui cetăţean sau rezident al României ca un credit faţă de impozitul roman suma corespunzătoare a impozitelor pe venit plătite Statelor Unite. Suma corespunzătoare ca atare se va întemeia pe suma impozitului plătit Statelor Unite dar nu va depăşi partea impozitului român pe care venitul net al cetăţenilor sau rezidenţilor din surse situate în Statele Unite le suportă asupra întregului venit pentru acelaşi an impozabil.

(2) In conformitate cu prevederile şi limitările legii Statelor Unite (astfel cum poate fi modificată din cînd în cînd fără a se schimba principiile generale din acestea) Statele Unite vor acorda unui cetăţean sau rezident al Statelor Unite, ca un credit faţă de impozitul Statelor Unite, suma corespunzătoare a impozitelor plătite României. O atare sumă corespunzătoare se va întemeia pe suma impozitului plătit României, dar creditul nu va depăşi partea impozitului Statelor Unite pe care un atare venit net al cetăţeanului sau al rezidentului din surse situate în România sau pe venit din surse din afara Statelor Unite le suportă pentru întregul său venit pentru acelaşi an impozabil. In vederea aplicării creditului Statelor Unite în legătură cu impozitele plătite României, impozitele menţionate la paragraful (1) (a) al articolului 1 (Impozite cuprinse) vor fi considerate a fi impozite pe venit.

ARTICOLUL 22
NEDISCRIMINAREA

(1) Un cetăţean al unuia din statele contractante care este un rezident al celuilalt stat contractant nu va fi supus în celălalt stat contractant la impozite mai împovărătoare decît un cetăţean care este un rezident al acelui alt stat contractant.

(2) Un cetăţean al unuia din statele contractante care este un rezident al celuilalt stat contractant sau un sediu permanent pe care un rezident al unuia din statele contractante îl are în celălalt stat contractant nu va fi supus în celălalt stat contractant unor impozite mai împovărătoare decît se impun în general în alt stat contractant asupra cetăţenilor sau sediilor permanente ale rezidenţilor ai unor state terţe care desfăşoară aceleaşi activităţi. Cu toate acestea, prezentul paragraf nu va obliga un stat contractant să acorde cetăţenilor sau sediilor permanente ale rezidenţilor celuilalt stat contractant înlesnirile acordate prin Acorduri speciale cetăţenilor sau sediilor permanente ale unui al treilea stat.

(3) O societate a unuia din statele contractante, al cărei capital în total sau în parte aparţine sau este controlat, direct sau indirect, de către unul sau mai mulţi reţidenţi ai celuilalt stat contractant, nu va fi supusă în primul stat contractant menţionat la nici o impozitare sau solicitare în legătură cu impunerea care să fie diferită sau mai împovărătoare decît impozitarea sau solicitările la care este sau poate fi supus o societate a primului stat contractant menţionat, care desfăşoară aceleaşi activităţi al cărei capital, în total sau în parte aparţine sau este controlat de către unul sau mai mulţi rezidenţi ai unui al treilea stat. Totuşi, prezentul paragraf nu obligă un stat contractant să acorde societăţilor care aparţin, în total sau în parte, unor rezidenţi ai celuilalt stat contractant înlesniri de impozite acordate prin acorduri speciale unor societăţi care aparţin, în total sau în parte, unor rezidenţi ai unui al treilea stat.

ARTICOLUL 23
PROCEDURA INTELEGERII MUTUALE

(1) Cînd un rezident al unuia din statele contractante consideră că acţiunea unuia sau a ambelor state contractante are sau va avea ca rezultat o impozitare care nu este în concordanţă cu prezenta Convenţie, el poate, contrar căilor de atac, prevăzute

de legile naţionale ale statelor contractante, să prezinte cazul său autorităţii competente a statului contractant al cărui rezident sau cetăţean este. Dacă cererea rezidentului va fi considerată ca întemeiată de către autoritatea competentă a statului contractant către care este făcută cererea, se va strădui să se ajungă la o înţelegere cu autoritatea competentă a celuilalt stat contractant în vederea evitării impozitării care nu este în concordanţă cu prezenta Convenţie.

(2) Autorităţile competente ale statelor contractante se vor strădui să rezolve pe cale amiabilă orice dificultăţi sau îndoieli ce se ivesc în aplicarea prezentei Convenţii. In special autorităţile competente ale statelor contractante pot cădea de acord asupra:

(a) Atribuirii aceloraşi profituri industriale sau comerciale unui rezident al unuia din statele contractante şi sediul său permanent situat în celălalt stat contractant;

(b) Aceleaşi repartizări a venitului, deducerilor, creditelor sau reducerilor între un rezident al unuia din statele contractante şi orice persoană înrudită şi reajustarea impozitelor stabilite de fiecare stat contractant ca să reflecte o atare repartizare;

(c) Aceluiaşi mod de determinare a sursei elementelor specifice ale veniturilor;

(d) Aceleiaşi caracterizări a elementelor specifice ale veniturilor.

(3) Autorităţile competente ale statelor contractante pot comunica între ele direct în vederea realizării unei înţelegeri în sensul prezentului articol. Cînd apare recomandabil, pentru a se ajunge la o înţelegere autorităţile competente se pot întîlni pentru un schimb de păreri.

(4) In cazul cînd autorităţile competente ajung astfel la un acord, impozitele se vor stabili asupra unui atare venit şi restituirea sau creditul de impozite vor fi acordate de statele contractante în conformitate cu acest acord.

ARTICOLUL 24
SCHIMB DE INFORMATII

(1) Autorităţile competente fac schimb de informaţii pe măsura în care aceasta este necesar pentru executarea prevederilor prezentei Convenţii sau pentru prevenirea fraudei ori pentru administrarea măsurilor legale privitoare la impozitele la care această Convenţie se aplică cu condiţia ca informaţia să fie din categoria acelora care pot fi obţinute în conformitate cu legile şi practicile administrative ale fiecărui stat contractant privitor la impozitele proprii.

(2) Orice informaţie astfel schimbată va fi considerată ca secret, cu excepţia cazului cînd astfel de informaţii pot fi:

(a) Divulgate oricărei persoane însărcinate cu impunerea, încasarea sau executarea silită ori rezolvarea contestaţiei cu referire la impozitele la care sînt aplicabile prevederile prezentei Convenţii.

(b) Fac parte dintr-o dare de seamă publică cu privire la impunere, încasare sau executare ori litigiu cu referire la impozitele la care sînt aplicabile prevederile prezentei Convenţii.

(3) Nu se face nici un schimb de informaţii care sînt contrare ordinii publice.

(4) Dacă autoritatea competentă a unui stat contractant cere expres, autoritatea competentă a celuilalt stat contractant va da informaţii conform prevederilor prezentului articol sub formă de depoziţii de martori şi copii de pe documente originale inedite (inclusiv cărţi, documente, declaraţii, certificate, conturi sau corespondenţă), în aceeaşi măsură în care astfel de depoziţii şi

documente pot fi obţinute în conformitate cu legile şi practica administrativă a fiecărui stat contractant cu privire la impozitele proprii.

(5) Depoziţiile şi mărturiile care pot fi furnizate în conformitate cu prevederile prezentului articol nu vor fi refuzate pentru considerentul nici unei doctrine de drept potrivit căreia asistenţa juridică internaţională nu se acordă în materie de impozite.

(6) Schimbul de informaţii se va face fie în mod curent, fie la cerere, cu privire la cazuri particulare. Autorităţile competente ale statelor contractante pot cădea de acord asupra listei informaţiilor care vor fi furnizate în mod curent.

ARTICOLUL 25
MEMBRII MISIUNILOR DIPLOMATICE
SI OFICIILOR CONSULARE

Prevederile prezentei Convenţii nu vor afecta cu nimic privilegiile fiscale ale membrilor misiunilor diplomatice şi oficiilor consulare acordate în conformitate cu normele şi regulile generale ale dreptului internaţional sau ca urmare a unor prevederi din acorduri speciale.

ARTICOLUL 26
ASISTENTA LA INCASARI

(1) Fiecare din statele contractante se va strădui să încaseze în contul celuilalt stat contractant impozite stabilite de celălalt stat contractant, de asemenea, va asigura ca de orice scutire sau reducere de cote de impozit acordate în conformitate cu prevederile prezentei Convenţii de către celălalt stat contractant să nu beneficieze persoane care nu sînt îndreptăţite la astfel de avantaje.

(2) In nici un caz prevederile acestui articol nu se vor interpreta că ar impune unui stat contractant obligaţia de a

aduce la îndeplinire măsuri care sînt în contradicţie cu legile sau practica administrativă a fiecărui stat contractant cu privire la încasarea impozitelor proprii.

ARTICOLUL 27
INTRAREA IN VIGOARE

Prezenta Convenţie va fi supusă ratificării şi instrumentele de ratificare vor fi schimbate la Bucureşti, cît mai curînd posibil.

Prezenta Convenţie va intra în vigoare în termen de o lună de zile de la data schimbului instrumentelor de ratificare. Prevederile Convenţiei se vor aplica pentru prima dată cu privire la venitul anului calendaristic sau anilor impozabili începînd de la 1 ianuarie 1974 (sau în cazul impozitelor care se plătesc prin reţinere la sursă plăţilor făcute după 1 ianuarie 1974).

ARTICOLUL 28
DENUNTAREA

(1) Prezenta Convenţie va rămîne în vigoare pînă la denunţarea ei de către unul din statele contractante. Fiecare stat contractant poate denunţa prezenta Convenţie pe cale diplomatică la orice dată după cinci ani de la data intrării sale în vigoare cu condiţia ca nota de denunţare să fie remisă cu cel puţin 6 luni înainte de terminarea anului calendaristic. In atare situaţie, Convenţia va înceta să fie în vigoare şi să producă efect cu privire la anii calendaristici sau anii impozabili (sau, în cazul impozitelor ce se plătesc la sursă plăţilor făcute) de la sau

după 1 ianuarie care urmează după expirarea perioadei de 6 luni.

(2) Contrar prevederilor paragrafului (1) şi înainte de a se fi remis nota de denunţare pe cale diplomatică, prevederile articolului 17 (Plăţi pentru asigurări sociale) pot fi denunţate de fiecare stat contractant la orice dată, după intrarea prezentei Convenţii în vigoare.

Incheiată la Washington, la 4 decembrie 1973 în două exemplare în limba engleză şi în limba română, ambele texte avînd aceeaşi valabilitate.

PENTRU
STATELE UNITE ALE AMERICII

George P. Shultz

PENTRU
REPUBLICA SOCIALISTA ROMANIA

Manea Manescu

MULTILATERAL

Energy: Long Term Cooperation Program

Adopted at Paris January 30, 1976;
Entered into force March 8, 1976.

INTERNATIONAL ENERGY AGENCY

LONG-TERM CO-OPERATION PROGRAMME

AGENCE INTERNATIONALE DE L'ÉNERGIE

PROGRAMME DE COOPÉRATION A LONG TERME

INTERNATIONALE ENERGIE-AGENTUR

PROGRAMM FÜR LANGFRISTIGE ZUSAMMENARBEIT

LONG-TERM CO-OPERATION PROGRAMME

ADOPTED BY THE GOVERNING BOARD ON 30th JANUARY, 1976
WITH EFFECT FROM 8th MARCH, 1976

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LONG-TERM CO-OPERATION PROGRAMME

Chapter I

GENERAL PURPOSES

1. The Participating Countries, in order to contribute to the security of their energy supply, to the reduction of their dependence on imported oil as a group and to more stable conditions in the world oil market, agree to implement a Programme of Long-Term Co-operation on energy. The Programme is designed to achieve an equitable balance of advantage among the Participating Countries, taking into account their economic and social interests and objectives. All the elements of the Programme shall be regarded as interlinked and shall be implemented in such a manner as to ensure a continuing balance between burdens and benefits.

2. This Programme shall be carried out through the co-ordination of national efforts and by co-operative activities designed to:

(*a*) Promote the conservation of energy;

(*b*) Accelerate the development of alternative sources of energy within IEA countries and outside, through:

(*i*) An overall framework for co-operation in providing specific measures of assistance to increase and stimulate investment on a project-by-project basis;

(*ii*) A general measure to encourage and safeguard investments in the bulk of conventional alternative sources of energy;

(*iii*) Co-operation in the production of additional energy from individual energy sectors;

(*c*) Encourage and promote new and beneficial technologies for the efficient production and utilization of energy;

(*d*) Work toward removal of legislative and administrative obstacles and discriminatory practices to the realisation of the Programme and so to contribute to an efficient functioning of the world energy market.

3. (*a*) The Participating Countries shall establish periodically medium- and long-term objectives of the reduction of the dependence of the group as a whole on imported oil. The Participating Countries shall periodically review progress toward these objectives and assess the adequacy of their national and co-operative activities.

(*b*) The Participating Countries shall take into consideration developments in the Conference on International Economic Co-operation in implementing the Programme and revising it as and when necessary.

Chapter II

CONSERVATION

1. The Participating Countries shall establish national programmes and undertake co-operative activities in energy conservation. The objective of this effort shall be to reduce the rate of growth in the group as a whole of energy consumption in general and of petroleum in particular. It is recognised that such programmes and activities should be concentrated in the first instance on the elimination of waste and improvement of the efficiency of energy utilization, taking into account, amongst other factors, the effect of energy price levels on energy demand. The effort shall be designed to take account of the economic and social conditions prevailing in the Participating Countries, with due regard to the need to achieve satisfactory levels of economic development.

2. The Participating Countries shall establish conservation objectives for the group, taking into account the national objectives and forecasts of individual Participating Countries:

(*a*) By 1st July, 1976, the Governing Board, on the proposal of the Standing Group on Long-Term Co-operation (the "SLT"), shall establish conservation objectives for the group for 1980 and 1985. The SLT shall review and revise these medium-term objectives as appropriate and necessary for consideration by the Governing Board;

(*b*) By 1st November, each year, the SLT shall propose to the Governing Board conservation objectives for the group for the succeeding year;

(*c*) The SLT shall report regularly to the Governing Board on progress towards the achievement of these objectives of the group.

3. In support of this overall effort, the Participating Countries agree to conduct within the Agency periodic reviews of their national programmes and policies relating to conservation. These reviews will be designed:

(*a*) To provide a thorough and systematic assessment of evolving national programmes and policies on the basis of common criteria;

(*b*) To identify areas in which programmes might be improved;

(*c*) To promote co-operation in the area of conservation, including a detailed exchange of information, experience, and expertise in the area of conservation.

The reviews shall be conducted by the SLT which shall make a full report on their results and conclusions to the Governing Board.

Chapter III

ACCELERATED DEVELOPMENT OF ALTERNATIVE SOURCES OF ENERGY

1. The Participating Countries agree to carry out national programmes and to undertake co-operative measures and programmes to stimulate and increase production from alternative sources of energy as rapidly as possible, consistent with their economic and social conditions.

2. The Participating Countries will, as appropriate and necessary, create a climate favourable for investment in energy, employ public resources and contribute to, or directly engage in, the production of alternative sources of energy.

3. The Participating Countries shall establish medium-and long-term objectives for the group as a whole for the production of alternative sources of energy, taking into account national programmes and policies of Participating Countries. The SLT shall:

(*a*) Review and revise these medium-term objectives as appropriate and necessary for consideration by the Governing Board;

(*b*) Report regularly to the Governing Board on progress towards the achievement of these objectives by the group.

4. The Participating Countries shall undertake periodic reviews of the activities set forth in the following sections of this Chapter in terms of:

(*a*) Their effectiveness in development of alternative sources of energy production;

(*b*) The maintenance of an equitable balance between general and specific measures of co-operation in the development of energy;

(*c*) The possible need for additional types of co-operative Agency activities within this framework of co-operation.

A. Review of national programmes

1. The Participating Countries agree to conduct periodic reviews within the Agency of their national programmes and policies relating to the accelerated production of alternative sources of energy. These reviews shall be designed:

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(*a*) To provide a thorough and systematic assessment of evolving national programmes and policies on the basis of common criteria;

(*b*) To identify areas in which programmes might be improved;

(*c*) To promote co-operation in the area of accelerated production, including a detailed exchange of information, experience and expertise in the production of alternative sources of energy.

2. These reviews shall be conducted by the SLT, which shall make a full report on their results and conclusions to the Governing Board.

B. CO-OPERATION IN SPECIFIC ENERGY SECTORS

1. The Participating Countries shall co-operate, to the extent feasible and desirable, in increasing the production of energy from specific energy sectors.

2. The Participating Countries shall assess periodically, drawing on the results of the reviews of national programmes, the potential for additional energy production from various sources within the IEA area. On the basis of this assessment, the Participating Countries will explore co-operative activities which may be appropriate and necessary to increase the production of energy from these specific energy sectors.

3. The work programme already under way in the nuclear and coal sectors should be continued actively. The SLT shall identify additional areas for such co-operative activities as soon as possible and make proposals, as appropriate, to the Governing Board for its consideration.

C. FRAMEWORK FOR CO-OPERATION ON ENERGY PROJECTS

1. The Participating Countries shall establish an overall framework for co-operation under which specific measures of assistance will be provided. The framework is intended to increase the supply of energy within the group by stimulating and increasing investment in energy production on a project-by-project basis. Both lower and—where justified—higher cost projects will be embraced by this co-operation, which will have as its particular objective the facilitation of concrete projects bringing together complementary factors of production from two or more Participating Countries.

2. In support of this co-operative effort, the Agency Secretariat shall establish a clearing-house for relevant information on:

(*a*) Energy policies and programmes of the Participating Countries;

(*b*) Opportunities for, and major characteristics of, possible co-operative energy projects in IEA countries.

The above information will be provided by the Participating Countries and other sources as appropriate. The Agency Secretariat shall collect and disseminate this information to the Participating Countries and, as appropriate, to the private sector.

3. In order to promote co-operative energy projects, the Agency will:

(*a*) On request, arrange for joint meetings among parties interested in specific projects;

(*b*) On request, offer its assistance in concluding individual agreements; and

(*c*) Maintain a list of agreements for co-operative projects.

4. The Participating Countries shall endeavour to develop, under this framework for co-operation, by 1st January, 1977, a first set of concrete co-operative projects, including both lower cost and—where justified—higher-cost projects, which have been or may be developed by the public and/or private sectors of two or more Participating Countries.

5. In order to encourage and facilitate the formation of co-operative projects for increased production from alternative sources of energy, the Participating Countries adopt the following Guiding Principles:

(*a*) The Governments of Participating Countries will help to identify, on a case-by-case basis, specific co-operative projects for the production of additional energy supplies in which enterprises and parties, public or private, from two or more Participating Countries are willing to take part. Enterprises and parties taking part in a project would make a financial, scientific, material, manpower and/or technical contribution as agreed among them;

(*b*) (*i*) With respect to specific co-operative energy projects involving public and/or private enterprises or parties of other Participating Countries, which the Host Government determines are in accord with its jurisdiction and its national policies, the Governments of the parties taking part in a particular co-operative project shall facilitate investment (including investment in exploration for and exploitation of energy sources) by endeavouring to:

— Accord national treatment and most-favoured-nation treatment to such enterprises, or parties;

— Avoid the introduction of new limitations upon the extent to which such enterprises are accorded national treatment and most-favoured-nation treatment with respect to such co-operative energy projects;

— Use good offices where requested and where appropriate;

— Avoid the introduction of limitations on the exchange of skilled manpower, and materials and equipment, taking into account the needs and the possibilities of the countries concerned, which may be required for successful completion of such projects as well as on associated transactions in financial assets, including the repatriation of profits of such enterprises;

— Take account in considering alterations of taxation and production policy as they relate to those projects of the effect of such alterations on the economics of such projects including projects already under way;

— Avoid introducing, once such a project is established, new measures which would make mandatory a change in the degree of participation by enterprises from other Participating Countries;

(*ii*) With respect to those specific co-operative energy projects which the Host Governments determine are likely to lead to a substantial increase in energy production which probably would not otherwise be available and involve a substantial contribution from public and/or private enterprises of other Participating Countries, the Host Government shall consider:

— Guaranteeing to enterprises or other parties from other Participating Countries, through legislative and administrative actions if necessary and appropriate, the right to export to their own countries a portion of the product of the project corresponding to their participation in the project or an equitable portion as may be agreed;

— Affording to nationals and companies of other Participating Countries which become parties to such a project incentives similar to those granted to its own nationals of companies with respect to that project.

D. GENERAL MEASURE OF CO-OPERATION

1. In order to encourage and safeguard new investment in the bulk of conventional alternative sources of energy, the Participating Countries shall, as a general measure of co-operation ensure that imported oil is not sold in their domestic markets below a price corresponding to US$ 7/bbl in accordance with the following paragraphs of this Section and with Annex I hereto. The price of US$ 7/bbl is hereafter referred to as the Minimum Safeguard Price (the "MSP").

2. For the purposes of this general measure, the term "oil" shall include:

(*a*) Crude oil, and

(*b*) Oil products as determined in accordance with the provisions of Annex I hereto.

3. The term "imported oil" shall include all oil entering the domestic market of a Participating Country which has been produced outside the Participating Country, except:

(*a*) * Oil traded among members of the same customs union if applying the same external measure to guarantee the MSP;

(*b*) * Oil produced in Participating Countries and traded among members of the same free trade area,

(*c*) Oil produced outside the Participating Country and imported under a special co-operative agreement or arrangement, as may be agreed by the Governing Board in accordance with Annex I hereto.

4. The intended effect of the MSP shall be maintained in the following manner:

(*a*) The MSP level shall be reviewed by the SLT from time to time as appropriate or at the request of one of the Participating Countries. The results of this review shall be communicated to the Governing Board for its consideration;

(*b*) The review shall take account of the overall objectives of the International Energy Program, the objectives and results of the Long-Term Co-operation Programme, including the encouragement and safeguarding of the investment in the bulk of conventional energy sources, the evolution of the world energy situation, and the economic situation of the world in general and of the Participating Countries in particular;

(*c*) The Governing Board shall consider on the basis of this review (*i*) whether the existing MSP level is adequate to meet the objectives set forth in paragraph 1 of this Section and the criteria in sub-paragraph (*b*) above or (*ii*) whether a new MSP level should be fixed in the light of these objectives and criteria. The Governing Board shall decide changes in the level of the MSP by unanimous vote unless the Governing Board hereafter decides unanimously on another voting rule.

5. (*a*) In order to meet the commitment set forth in paragraph 1 of this Section, each Participating Country or group of Participating Countries shall apply a measure or measures of its/their own choice from among the measures listed in Annex I hereto.

* The objective of Participating Countries in applying 3 (*a*) and (*b*) within Europe will be that oil produced within EEC or within free trade areas in Europe will not be treated as imported oil when traded within these areas among Participating Countries.

(*b*) The Participating Countries shall endeavour not to apply such measure or measures in a manner which would discriminate against IEA-produced oil relative to oil produced outside the IEA area.

6. The Participating Countries undertake that, in the event of the activation of the commitment established in paragraph 1 of this Section, they will not encourage the import of oil produced outside the IEA with the effect of displacing within their markets oil produced within the IEA area.

7. The Secretariat shall on a continuing basis, drawing, in particular, on the general information system established by Chapter V of the I.E.P Agreement, monitor and assess the trend of the world oil price paid for imported crude oil by individual Participating Countries.

8. Within 30 days following either a finding by the Secretariat or a report by a Participating Country or group of Participating Countries that the conditions requiring activation of the commitment as set forth in paragraph 1 of this Section will most likely be met, the Governing Board shall meet:

(*a*) To review the general oil price situation and the implications thereof with regard to the general measure of co-operation;

(*b*) To exchange/review information on the effectiveness of measures which will be applied if and when necessary to meet the commitment established in paragraph 1 of this Section;

(*c*) To review the status of the other undertakings provided under this general measure of co-operation.

9. In any case, the Governing Board shall meet for a special consultation before the commitment set forth in paragraph 1 of this Section is activated by any Participating Country or group of Participating Countries. This consultation shall not affect the obligation to activate the commitment according to paragraph 10 (*a*) below.

10. (*a*) The commitment of each Participating Country or group of Participating Countries set forth in paragraph 1 of this Section shall be activated as soon as the average f.o.b. price paid for imported crude oil, as defined in paragraph 3 of this Section, by the Participating Country or the group of Participating Countries, has remained below the MSP for more than a pre-agreed period by more than a pre-agreed amount. Each Participating Country or group of Participating Countries shall report to the Agency whenever the foregoing situation has arisen and confirm that it has taken the action required to meet its commitment.

(*b*) The commitment set forth in paragraph 1 of this Section will be deactivated when the average f.o.b. price paid for imported crude oil, as defined in paragraph 3 of this Section, by the Participating Country or group of Participating Countries returns to the level of the MSP or above.

11. Within 30 days after a report by a Participating Country or group of Participating Countries, as set out in paragraph 10, or a report by the Secretariat that in its opinion the commitment has been activated for one or more Participating Countries, the Participating Countries shall meet to review the situation. Thereafter, unless otherwise agreed, the Participating Countries shall meet to review the situation every 90 days as long as the commitment established in paragraph 1 of this Section is still activated for any Participating Country.

12. (*a*) The SLT shall periodically review and assess each Participating Country's requisite authority to implement the commitment set forth in paragraph 1 of this Section. The SLT shall report to the Governing Board on the results of the review and the assessment.

(*b*) In any case, whenever, upon a finding by the Secretariat based on its continous monitoring and analysis of world oil prices, there is a reasonable expectation that in the near future this commitment will be activated, or when the Governing Board, taking this analysis by the Secretariat into due consideration, acting by majority vote, so decides, each Participating Country or group of Participating Countries which does not have the requisite authority to implement it in a fully effective manner shall seek the necessary authority to permit such application in good time, either by enactment of legislation, or by parliamentary approval of an international agreement among Participating Countries embodying provisions for implementing the commitment, or by other appropriate measures, or by a combination of the foregoing.

Chapter IV

ENERGY RESEARCH AND DEVELOPMENT

1. The Participating Countries agree to carry out national programmes of energy research and development and, as may be agreed between some or all of them, to undertake co-operative activities including jointly financed programmes and projects in energy research and development.

2. In order to promote and facilitate co-operation in this area, the Participating Countries adopt the Guiding Principles on Research and Development and the Guidelines on Intellectual Property as a Recommendation annexed to the Guiding Principles, contained in Annex II hereto.

3. In further support of this co-operation, the Participating Countries agree to develop, as appropriate, and implement a strategy for research and development This strategy will be closely linked to, and co-ordinated with the other parts of the Agency's Long-Term Programme. It will identify major new energy sources and conservation possibilities; their potential energy contribution and probable

time scale of commercial implementation and define options; will provide for a periodical review of national efforts; and will identify possible new areas of fruitful co-operation. The Committee on Research and Development, in conjunction with the SLT, shall propose a basis for the choice for such a strategy for consideration by the Governing Board, not later than the end of 1976.

4. The Participating Countries also agree to continue and intensify their co-operation in the ten priority areas specified in Article 42 of the I.E.P.Agreement; and to examine in depth the possibilities of establishing programmes in new R & D areas, notably

1. High Temperature Reactors for Process Heat.
2. Small Solar Power Systems.
3. Geothermal.
4. Wind Power.
5. Wave Power.
6. Ocean Thermal Gradients.
7. Biomass Conversion.

Chapter V *

LEGISLATIVE AND ADMINISTRATIVE OBSTACLES AND DISCRIMINATORY PRACTICES

1. Without prejudice to the rights of each Participating Country to exercise ownership and control over its natural resources and national economy and to protect its environment and the safety of its citizens, the Participating Countries, recognizing the desirability in light of the objectives of the Programme of not affording less favourable treatment to nationals from other Participating Countries than that afforded to nationals of their own countries in the energy field, shall work towards the identification and removal of legislative and administrative measures which impair the achievement of the overall objectives of the Programme.

2. Participating Countries shall use their best endeavours to apply legislation and administrative regulations, within the limits of their already existing laws and regulations, in such a way as not to afford to nationals of other Participating Countries less favourable treatment than that afforded to nationals of their own countries, in particular with regard to energy investments, the purchase and sale of energy, and the enforcement of rules of competition.

* Chapter V is not binding on Canada.

3. Participating Countries shall use their best endeavours to refrain from introducing legislation or administrative regulations in the energy field which would prevent them from affording the nationals of other Participating Countries treatment no less favourable than that afforded to their own nationals.

4. As part of the periodic review under the Programme, the Agency shall pay particular attention to the efforts of each Participating Country to carry out its commitments under this Chapter, in particular in conformity with the above paragraphs to identify and progressively remove obstacles to their implementation and to assess progress achieved by Participating Countries in approaching the overall objectives of this Chapter and to keep the overall balance of the implementation of the Long-Term Programme.

Annex I

PROVISIONS FOR THE GENERAL MEASURE
SET FORTH IN CHAPTER III, SECTION D OF THE PROGRAMME

1. The SLT shall examine and report to the Governing Board for its decision by 1st July, 1976, whether the MSP level set forth in Chapter III, Section D, paragraph 1 should be interpreted

(*a*) As a price corresponding to US$ 7/bbl f.o.b. average of one or more specific Persian Gulf crudes;

(*b*) Or as a price corresponding to US$ 7/bbl f.o.b., average price of imported crude oil as defined in paragraph 3 of Chapter III, Section D, for each Participating Country or group of Participating Countries;

(*c*) Or as a price corresponding to US$ 7/bbl f.o.b., average price of 16 crudes identified by the Standing Group on the Oil Market weighted by the relative volume pertinent to the IEA countries as a whole in a specific base period;

(*d*) Or as a price corresponding to US$ 7/bbl f.o.b., average price of 16 crudes identified by the Standing Group on the Oil Market weighted by the volume of these crudes imported by the relevant Participating Country or group of Participating Countries in a specific base period.

2. The commitment of each Participating Country or group of Participating Countries set forth in Chapter III, Section D, paragraph 1 of the Programme will be fulfilled

(*a*) As far as crude oil is concerned, when the average price of imported crude oil is increased by an amount equal to the difference between the MSP and the average f.o.b. price paid for imported crude oil by the Participating Country. In determining the average f.o.b. price of the imported crude oil, a marker crude(s) system will be used ,

(*b*) As far as oil products are concerned, when the average prices of imported oil products are increased by the amount set forth in (*a*) above. This can be realized either by lifting the price of each type of imported product by the same amount or by modification of

the increase of the price of imported products by a specific coefficient developed for each type of product.

3. The SLT shall examine and report to the Governing Board for its decision by 1st July, 1976, on

(*a*) The modalities of the marker crude(s) system referred to in paragraph 2 (*a*) above considering the relationship of marker crude(s) to other imported crudes;

(*b*) The period and the amount set forth in Chapter III, Section D, paragraph 10 of the Programme;

(*c*) The modalities of the de-activation of the commitment set forth in Chapter III, Section D, paragraph 1.

4. (*a*) Oil products shall include

— Kerosene and kerosene-type jet fuel; gas/diesel oil;

— Residual fuel oils.

(*b*) The SLT shall examine and report to the Governing Board for its decision by 1st July, 1976, whether or not oil products to be used as feedstocks for the petrochemical industry shall be included. This study should cover, among other matters, the question of distinguishing between oil products used as feedstocks for the petrochemical industry and other oil products, the effect on the competitive position of the industry and the best way to avoid competitive difficulties for petrochemical feed stocks as a result of an MSP charge on imported oil. The SLT shall pursue this subject as a matter of priority On the basis of this report by the SLT, the Governing Board will decide on the question of the inclusion of the following products

— Motor gasoline, aviation gasoline, gasoline-type jet fuel;

— Naphtha.

5. The SLT shall examine and report to the Governing Board for its decision by 1st July, 1976, on the problems of definition, origin and destination of oil.

6. The Governing Board, acting by unanimity, may upon a request by a Participating Country, grant exceptions to the definition of imported oil set forth in Chapter III, Section D, paragraph 3, subparagraph (*c*) of the Programme, taking into consideration, among others, the following factors

(*a*) Whether the oil concerned is directly attributable to and proportionate to an energy-related investment made by the Participating Country after the date of adoption of the Programme;

(*b*) The need to assure that the overall effectiveness of the general measure as a measure to encourage and safeguard new energy investment is not prejudiced; and

(*c*) The need to assure that the balance of advantage among the Participating Countries is not significantly altered.

7. With regard to Chapter III, Section D, paragraph 5 of the Programme, the measures are as follows

(*a*) A specific charge (otherwise known as a specific levy, duty, tariff or fee) adjusted periodically, imposed at the border on oil arriving at an f.o.b. price below the MSP, designed, on average, to bring the price up to the MSP;

(*b*) A variable charge (otherwise known as a variable levy, duty, tariff or fee) adjusted cargo by cargo, imposed at the border on oil arriving at an f.o.b. price below the MSP, designed to bring the price up to the MSP;

(*c*) Import quota;

(*d*) Consumption taxes or other taxes if practicable and consistent with the overall objective of Chapter III, Section D of the Programme;

(*e*) Other measures as may be deemed appropriate by the Governing Board.

Annex II

GUIDING PRINCIPLES FOR CO-OPERATION IN THE FIELD OF ENERGY RESEARCH AND DEVELOPMENT*

Article I

In fulfilment of Chapter VII of the Agreement on an International Energy Program, the Participating Countries shall:

— Encourage and implement exchanges of information among all Participating Countries regarding national programmes, public and private, on energy R & D and energy-related technologies; and

— Identify and promote programmes and projects in which two or more Participating Countries can join for their mutual benefit or for the general benefit; this may include the formation of consortia, involving both public and private interests, to implement certain joint activities.

Article II

Each Participating Country shall contribute as fully as possible to the programmes and projects identified in accordance with Article I of the present Decision and shall endeavour to secure the necessary scientific, technical and financial resources, as appropriate, by attracting both public and private support to such programmes and projects. The Implementing Agreements establishing such programmes and projects shall, as appropriate, take into account the Guiding Principles set forth herein.

Article III

(*a*) The Participating Countries may designate national agencies or other public organisations as the vehicle for their participation, in particular programmes and projects, and shall encourage private corporations or companies or other entities in their Countries to take part in such programmes and projects as appropriate.

* See IEA/GB/DEC/75.8

(*b*) In defining and conducting their national programmes, the Governments of the Participating Countries should avoid unnecessary duplication with programmes and projects undertaken in implementing the present Decision.

Article IV

(*a*) Participation in programmes and projects under the present Decision shall be on the basis of equitable sharing of obligations, contributions, rights and benefits. Participants in programmes and projects shall undertake to make a constructive contribution, whether technical, financial or otherwise, as may be agreed.

(*b*) The "participants" means the Governments of Participating Countries, or the designated national agencies, public organisations, private corporations, companies or other entities which take part in programmes or projects under the present Decision, pursuant to Article III (*a*) above.

(*c*) The European Communities may take part in any programme or project under the present Decision.

(*d*) Other Member countries of the OECD may take part in any programme or project under the terms of the present Decision with the agreement of the Governing Board.

Article V

Programmes and projects under the present Decision may take the form of, *inter alia:*

(*a*) Exchange of information on national programmes and policies, on scientific and technological developments, and on legislation, regulations and practices;

(*b*) Meetings to identify programmes or projects which might be usefully undertaken;

(*c*) Visits and exchanges of scientists, technicians or other experts;

(*d*) Special programmes and projects in the form of coordination and planning of specific R & D studies, works or experiments carried out at national level, with subsequent exchange, joint evaluation and pooling of the scientific and technical results acquired through such studies, works or experiments;

(*e*) Creation of programmes and projects, including participation in the operation of special research or pilot facilities and equipment

provided by a Participating Country, or in the form of joint design, construction and operation of such facilities and equipment;

(*f*) Joint development and harmonisation of technical criteria.

Article VI

(*a*) In order to further certain programmes and projects, participants from two or more Participating Countries may conclude, where appropriate, a specific Implementing Agreement to which the Participating Countries or participants designated by them will be able to subscribe.

(*b*) Other participants from Participating Countries, where designated to that effect by the Governments of their respective Countries, may become subsequently parties to an Implementing Agreement and a participant may withdraw from an Implementing Agreement in accordance with the terms and conditions defined in such Agreement.

(*c*) Other Member countries of the OECD may take part in any programme or project under an Implementing Agreement with the agreement of the Governing Board and in accordance with the terms and conditions defined in such Agreement.

(*d*) Implementing Agreements should establish the terms of the contribution of scientific and technical information, know-how and studies, or manpower, or capital investment and other forms of financing to be provided by each participant.

(*e*) Unless otherwise agreed, Implementing Agreements shall assign the responsibility for the operational management of the programme or project to a single entity, accountable to a specific Participating Country where feasible.

(*f*) Implementing Agreements should, upon signature, be presented to the Governing Board for information.

Article VII

(*a*) Subject to provisions in specific Implementing Agreements relating to the sharing of expenditure, each participant shall bear the cost of its own participation in the programmes and projects under the present Decision.

(*b*) Each Government of a Participating Country shall use its best endeavours to facilitate the accomplishment of formalities involved in the exchange of persons, the importation of materials and equipment and the transfer of currency, which are required for the purpose of the programmes and projects undertaken under the present Decision.

(*c*) A Participating Country or an International Organisation may be invited to assume responsibilities in relation to the initiation of programmes and projects or the practical arrangements necessary for the preparation or execution of them.

(*d*) Programmes and projects shall be subject to the applicable laws and regulations of the Participating Countries and shall be subject to the appropriation of funds of the Governments and their national agencies concerned.

Article VIII

(*a*) Scientific, technical and other information:

— Resulting from programmes and projects, or

— Obtained for the purpose of programmes and projects and which is freely at the disposal of the participants,

shall be made available to Participating Countries, in accordance with any particular terms and conditions that may be prescribed in Implementing Agreements.

(*b*) Reports on the progress of programmes and projects shall be submitted at least annually to the Governing Board.

Article IX

The termination or modification of the present Decision shall not automatically affect either the carrying out of any programme or project undertaken in accordance with this Decision or the provisions of any Implementing Agreement previously concluded.

*Annex to the Guiding Principles**

GENERAL GUIDELINES CONCERNING INFORMATION AND INTELLECTUAL PROPERTY IN IMPLEMENTING AGREEMENTS PURSUANT TO ARTICLE VI (A) OF THE DECISION OF THE GOVERNING BOARD ON GUIDING PRINCIPLES FOR CO-OPERATION IN THE FIELD OF ENERGY RESEARCH AND DEVELOPMENT

I. INTRODUCTION

1. The Participating Countries anticipate that the Decision of the IEA Governing Board of 28th July, 1975 on Guiding Principles for Co-operation in the Field of Research and Development [IEA/GB/DEC/75.8], will result in a wide range of programmes and projects among a variety of participants. Implementing Agreements between participants in particular co-operative activities should, where appro-

* See IEA/GB (75) 94, Item 5.

priate, contain detailed operational provisions including rules governing dissemination of scientific and technical information and rights to intellectual property. It is understood that such Agreements will be developed with regard to the special circumstances of each programme or project, taking into account the following Guidelines.

2. DEFINITIONS

As used in this Annex,

— "Participating Countries" shall mean all states which participate in the International Energy Program as Participating Countries of the International Energy Agency.

— "participants" shall mean the Governments of Participating Countries, or the designated national agencies, public organisations, private corporations, companies or other entities which take part in programmes or projects under the Governing Board Decision of 28th July, 1975.

— "intellectual property" shall mean intellectual property as defined in Article 2 (*viii*) of the Convention Establishing the World Intellectual Property Organisation, signed on 14th July, 1967,[1] as well as proprietary information.

— "proprietary information" shall mean information of a confidential nature (including e.g. "know-how" and "software") and information appropriately marked which is not yet patented or is not patentable but is subject to property rights or to commercial or other restrictions of a contractual, customary or legal nature.

II. GENERAL DISSEMINATION OF INFORMATION

3. Participants involved in a programme or project under an Implementing Agreement should support the widest possible dissemination of information to all Participating Countries, subject only to the need for protecting intellectual property and in particular, retaining in confidence that type of property which can be destroyed by improper or premature disclosure. Implementing Agreements should therefore provide for appropriate arrangements for the dissemination of such information to Participating Countries according to Article VIII (*a*) of the Guiding Principles. This policy should be applied in relation to programmes and projects for industrial and commercial applications, such as consortia, as well as to purely scientific forms of co-operation.

4. The participants in a programme or project may invite other Participating Countries to make available or to identify all published information known to them which concerns the programme or project.

[1] TIAS 6923, 7727, 21 UST 1583, 24 UST 2140. [Footnote added by the Department of State.]

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III. EXCHANGES OF INFORMATION AND JOINT MEETINGS

5. With respect to intellectual property generated as a direct result of participants exchanging information in a specified field ("resulting intellectual property"), it will be difficult in many cases to identify specific, underlying information used to generate such property ("underlying information"), as well as the origin of the information used. However, to the extent such property can be identified:

— The generating participant (or its Government, where appropriate) shall determine the allocation of all rights to resulting intellectual property in all countries, provided however that the participant which supplied the underlying information used (and, where appropriate, its Government and the nationals designated by it) shall be granted a non-exclusive licence to resulting intellectual property in all countries other than the country of the generating participant.

IV EXCHANGES OF SCIENTISTS OR OTHER EXPERTS

6. With respect to intellectual property generated as a direct result of visits and exchanges of scientists or other experts between participants:

— The generating participant (or its Government, where appropriate) receiving the scientists or experts shall determine the allocation of all rights to such intellectual property in its own country and in all third countries, provided however that the participant sending the scientists or experts (and, where appropriate, its Government and nationals designated by it) shall be granted a non-exclusive licence to such property in third countries other than that of the generating participant;

— The participant (or its Government, where appropriate) sending the scientists or the experts shall determine the allocation of all rights to such intellectual property in its own country.

V ADDITIONAL PROVISIONS FOR EXCHANGES OF INFORMATION AND SCIENTISTS (AND FOR OTHER SIMPLIFIED ARRANGEMENTS)

7. Each participant will take all necessary steps to protect and respect the intellectual property referred to in paragraphs 5 and 6 in accordance with the laws of its respective country and international law.

8. Each participant in a programme or project will, without prejudice to any rights of inventors under its national law, take all necessary steps to provide the co-operation from its authors and inventors required to carry out the provisions in the Implementing Agreement regarding intellectual property.

9. Each participant will assume the responsibility to pay awards or compensation required to be paid to its employees according to the laws of its country.

VI. FOR SPECIAL JOINT PROJECTS AND PROGRAMMES

A. *Use of pre-existing intellectual property for the purpose of programmes and projects*

10. Intellectual property which is in the possession of, owned by or otherwise at the disposition of either a participant or its Government at the commencement of the co-operative activity and which is needed for the purposes of the project or programme, should be made available to the other participants (and, where appropriate, to the Governments of other participants) and to their prime or subcontractors for use in the project or programme only. This obligation concerns only intellectual property which is freely at the disposal of the participant or Government and the transmission or use of which is not subject to contractual and/or legal obligations.

11. A participant and its Government contributing pre-existing information and/or intellectual property for the purpose of the project or programme should normally be given recognition of this contribution, on terms and conditions to be defined by or pursuant to the Implementing Agreement.

B. *Rights in intellectual property resulting from the co-operative activities*

12. In most cases, projects and programmes will generate intellectual property, the detailed treatment of which can only be agreed on a case-by-case basis, in view of the complexity of the factors to be taken into account. However, the following principles should be followed:

— Arrangements should be agreed for appropriate dissemination of proprietary information resulting from the co-operative activity;

— Steps should be taken for ensuring appropriate protection of intellectual property generated by programmes or projects;

— Each participant (or its Government, where appropriate) should be granted the exclusive right to licence the manufacturing of a product or use of a process in its own country, and a non-exclusive right to licence the sale of a product in the countries of all participants, on terms and conditions to be agreed to on an equitable basis related to the sharing of obligations, contributions, rights and benefits of the participants and their Governments;

— Use of such property by the participants in the territory of other countries should be agreed upon between the participants (or their Governments, where appropriate) on an equitable basis related to the sharing of obligations, contributions, rights and benefits of the participants and their Governments;

— Other Participating Countries, in order to meet their energy needs, will have the right (in agreement with the participants) to a non-exclusive licence in their own country on terms that are equitable to the participants.

C. *Use of pre-existing intellectual property for related purposes*

13. This paragraph concerns the continued use for related purposes of pre-existing intellectual property *after the termination of a programme or project.* Detailed treatment of such property can only be agreed on a case-by-case basis, in view of the complexity of factors to be taken into account. However, the following principles should be followed:

— Arrangements should be agreed by all recipients for respecting pre-existing intellectual property and maintaining proprietary information in confidence;

— Steps should be taken to restrict further dissemination of proprietary information which is not covered by agreement of the originating participant;

— Each participant (and, where appropriate, its Government and nationals designated by it) should be granted a non-exclusive licence to such property in the countries of all participants, for use as determined by the Implementing Agreement and on terms and conditions agreed to on an equitable basis related to the sharing of obligations, contributions, rights and benefits of the participants and their Governments;

— Use of such property by the participants in the territory of other countries should be agreed upon between the participants (or their Governments, where appropriate) on an equitable basis related to the sharing of obligations, contributions, rights and benefits of the participants and their Governments;

— Other Participating Countries, in order to meet their energy needs, will have the right (in agreement with the participants) to a non-exclusive licence in their own country on terms that are equitable to the participants.

D. *Other Provisions*

14. Implementing Agreements should contain provisions with respect to:

— The protection of intellectual property;

— Co-operation from authors and inventors; and

— Awards and compensation due to authors and inventors.

VII. EXPLANATORY NOTES

15. As used in the text, the term "non-exclusive licence" and the term "exclusive licence" do not indicate whether or not such licences are royalty bearing; this issue is left for decision of the participants.

16. In providing for the protection of intellectual property with regard to a specific project, participants may take account of the effectiveness of the protection afforded under the respective laws of all countries.

17. In regard to the designation of nationals to receive licences provided for in these Guidelines, such designation may be delegated to a private participant by its Government.

18. Nothing herein shall derogate from the rights of the Governments of participants in respect of intellectual property and proprietary information as provided for by their national laws.

PROGRAMME DE COOPÉRATION A LONG TERME

ADOPTÉ PAR LE CONSEIL DE DIRECTION LE 30 JANVIER 1976,
PRENANT EFFET LE 8 MARS 1976

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PROGRAMME DE COOPÉRATION A LONG TERME

Chapitre I

OBJECTIFS GENERAUX

1. Les Pays Participants sont convenus de mettre en œuvre un Programme de cooperation a long terme sur l'énergie en vue de contribuer a la securite de leur approvisionnement en energie, a la reduction de leur dépendance globale a l'égard des importations de petrole, et à une plus grande stabilite du marche international du petrole. Le Programme vise a répartir equitablement les avantages entre les Pavs Participants, compte tenu de leurs interêts et objectifs specifiques dans les domaines sociaux et économiques. Tous les éléments du Programme doivent être considéres comme etroitement lies les uns aux autres et doivent être mis en œuvre de manière telle que soit assure un equilibre permanent entre les coûts et les avantages.

2. Le Programme sera mis en œuvre en coordonnant les efforts nationaux et au moyen d'actions en cooperation propres a

(a) promouvoir la conservation de l'énergie ,

(b) accélérer la mise en valeur des sources d'énergie de substitution tant a l'interieur qu'à l'exterieur des pays de l'AIE

(i) en instituant un cadre general de cooperation dans lequel des mesures specifiques d'aide seraient appliquees en vue d'accroître et de stimuler les investissements, l'aide étant accordée projet par projet ,

(ii) en adoptant une mesure generale de nature à encourager et a proteger les investissements dans l'ensemble des sources classiques d'énergie de substitution ,

(iii) en favorisant la cooperation pour accroître la production d'énergie des différents secteurs energetiques.

(c) encourager et promouvoir des technologies nouvelles et avantageuses pour la production et l'utilisation efficaces de l'énergie ,

(d) s'employer a la suppression des obstacles d'ordre législatif et administratif et des pratiques discriminatoires pour la realisation du Programme et, ainsi, contribuer au fonctionnement efficace du marche mondial de l'énergie.

3. *(a)* Les Pays Participants définissent périodiquement les objectifs à moyen et a long terme propres a reduire la dépendance du groupe dans son ensemble à l'égard des importations de petrole. Les Pays Participants examinent periodiquement les progrès accomplis dans

la realisation de ces objectifs et evaluent si leurs programmes nationaux et leurs actions en cooperation sont conformes à ces objectifs.

(b) Pour la mise en œuvre du Programme, et sa révision éventuelle, les Pays Participants prennent en considération les éléments nouveaux resultant de la Conférence sur la cooperation economique internationale.

Chapitre II

CONSERVATION

1. Les Pays Participants etablissent des programmes nationaux et entreprennent des actions en cooperation dans le domaine de la conservation de l'énergie. Cet effort a pour objectif de reduire, pour le groupe dans son ensemble, le taux de croissance de la consommation d'énergie en general, et du petrole en particulier. Il est reconnu que ces programmes et ces actions viseraient, en premier lieu, a supprimer les gaspillages et a utiliser l'énergie avec un meilleur rendement en tenant compte, entre autres facteurs, de l'effet du prix de l'énergie sur la demande d'énergie. Cet effort doit être conçu de manière à tenir compte des conditions economiques et sociales qui prevalent dans les Pays Participants, en accordant toute l'attention requise a la necessite d'atteindre des niveaux satisfaisants de développement economique.

2. Les Pays Participants définissent les objectifs de conservation du groupe en tenant compte des objectifs nationaux et des previsions de chacun des Pays Participants

(a) le 1er juillet 1976, le Conseil de Direction définira, sur proposition du Groupe Permanent sur la cooperation à long terme (le « GLT »), les objectifs de conservation du groupe pour 1980 et 1985. Le GLT examinera et revisera, le cas echeant, ces objectifs à moyen terme pour les soumettre a nouveau au Conseil de Direction ,

(b) le 1er novembre de chaque annee, le GLT soumettra au Conseil de Direction les objectifs de conservation que le groupe devrait se proposer d'atteindre l'annee suivante ,

(c) le GLT presente regulièrement des rapports au Conseil de Direction sur les progres accomplis dans la realisation des objectifs que s'est fixe le groupe.

3. Afin de soutenir cet effort global, les Pays Participants sont convenus de procéder au sein de l'Agence a des examens periodiques de leurs programmes nationaux et de leurs politiques ayant trait à la conservation. Ces examens viseront à

(a) evaluer de façon détaillée et systematique l'évolution de leurs politiques et de leurs programmes nationaux au regard de criteres communs ,

(b) identifier les domaines dans lesquels les programmes pourraient être améliores ,

(c) favoriser la cooperation dans le domaine de la conservation, notamment par un echange détaillé des informations, des expériences et du savoir-faire en cette matière.

Le GLT procede a ces examens et adresse au Conseil de Direction un rapport détaillé sur leurs resultats et conclusions.

Chapitre III

DÉVELOPPEMENT ACCÉLÉRÉ DE SOURCES D'ÉNERGIE DE SUBSTITUTION

1. Les Pays Participants sont convenus de mettre en œuvre des programmes nationaux et d'entreprendre des actions et des programmes en coopération en vue d'encourager et d'augmenter la production des ressources energetiques de substitution aussi rapidement que possible et autant que le leur permettent leurs conditions economiques et sociales.

2. Chaque fois que cela paraîtra necessaire et opportun, les Pays Participants creeront un climat favorable pour les investissements de capitaux privés dans l'énergie, utiliseront les ressources publiques, aideront directement ou entreprendront directement la production de sources d'énergie de substitution.

3. Les Pays Participants définissent, pour le groupe dans son ensemble, des objectifs à moyen et à long terme, en vue de la production de sources d'énergie de substitution, en tenant compte de leurs politiques et de leurs programmes nationaux. Le GLT

(a) etudie et revise ces objectifs à moyen terme, en tant que de besoin, en vue de leur examen par le Conseil de Direction ,

(b) presente regulièrement au Conseil de Direction des rapports sur les progrès accomplis par le groupe dans la realisation de ces objectifs.

4. Les Pays Participants procedent a des examens periodiques des activites définies dans les sections suivantes du present chapitre portant sur

(a) leur efficacite quant au développement de la production de sources d'énergie de substitution ,

(b) le maintien d'un juste equilibre entre mesures generales et mesures specifiques de cooperation dans le développement de l'énergie ,

(c) la necessite eventuelle pour l'Agence d'ajouter a ces travaux d'autres types d'activites s'incrivant dans ce cadre de coopération.

A. EXAMEN DES PROGRAMMES NATIONAUX

1. Les Pays Participants sont convenus de proceder, au sein de l'Agence, à des examens periodiques de leurs politiques et de leurs programmes nationaux concernant la production accélérée de sources d'énergie de substitution. Ces examens visent

(a) a evaluer de façon détaillee et systematique l'évolution des politiques et des programmes nationaux au regard de critères communs ,

(b) a identifier les domaines dans lesquels les programmes pourraient être améliores ,

(c) à favoriser la cooperation dans le domaine de la production accéléree, notamment par des echanges détaillés d'informations, d'experiences et de savoir-faire en matière de production de sources d'énergie de substitution.

2. Le GLT procède a ces examens et adresse au Conseil de Direction un rapport détaillé sur leurs resultats et leurs conclusions.

B. COOPÉRATION DANS LES SECTEURS SPECIFIQUES DE L'ÉNERGIE

1. Les Pays Participants coopèrent, dans la mesure ou cette coopération est possible et souhaitable, pour accroître la production d'énergie dans des secteurs energetiques specifiques.

2. Les Pays Participants evaluent periodiquement les possibilites d'accroître la production d'énergie provenant de diverses sources dans la zone de l'AIE, a la lumière des resultats auxquels auront abouti les examens des programmes nationaux. A partir de cette evaluation, les Pays Participants etudieront les activites en cooperation qui s avereraient appropriees et necessaires en vue d'accroître la production d'énergie de ces secteurs specifiques.

3. Le programme de travail déjà entrepris dans les secteurs nucléaire et charbonnier devrait être poursuivi activement. En vue de telles activites en cooperation, le GLT identifie aussi vite que possible des domaines supplémentaires et fait des propositions, le cas echeant, au Conseil de Direction pour examen.

C. CADRE DE COOPÉRATION POUR LES PROJETS ÉNERGETIQUES

1. Les Pays Participants définissent un cadre general de cooperation dans lequel seront accordées des mesures specifiques d'assistance. Ce cadre vise à accroître l'offre d'énergie au sein du groupe en stimulant et en accroissant les investissements consacres a la production d'énergie, l'aide etant accordée projet par projet. Cette cooperation portera tant sur les projets peu onereux que sur les projets plus coûteux — lorsqu'ils sont justifies — et elle aura pour objectif particulier de faciliter les projets concrets en regroupant les facteurs de production complémentaires provenant de deux ou plusieurs Pays Participants.

2. Afin de soutenir ces efforts de coopération, le Secrétariat de l'Agence cree un centre d'échanges d'informations sur

(a) les politiques et les programmes energetiques des Pays Participants ,

(b) les possibilites qui s'offrent, dans les pavs de l'AIE, en matière de projets energetiques en cooperation, et les principales caracteristiques de ces projets.

Les informations precitees seront fournies par les Pays Participants, et au besoin par d'autres sources. Le Secretariat de l'Agence procède a la collecte et a la diffusion de ces informations aupres des Pays Participants et, le cas échéant, aupres du secteur prive.

3. Afin de promouvoir les projets energétiques en coopération, l'Agence

(a) organisera, sur demande, des reunions communes entre parties interessees a des projets specifiques ,

(b) offrira, sur demande, son assistance pour la conclusion d'accords individuels , et

(c) tiendra la liste des accords relatifs aux projets en coopération.

4. Les Pays Participants s attachent a mettre au point, dans le cadre de la coopération, et d'ici le 1er janvier 1977, un premier groupe de projets concrets de cooperation, qu'il s agisse de projets peu onereux ou de projets plus coûteux — lorsqu'ils sont justifiés — qui auront ete ou qui pourront être élabores par les secteurs publics et/ou prives de deux ou plusieurs Pays Participants.

5. Pour encourager et faciliter l'élaboration de projets en cooperation ayant pour but d'augmenter la production de sources d'énergie de substitution, les Pays Participants adoptent les Principes Directeurs suivants :

(a) Les Gouvernements des Pays Participants s'emploient à identifier, cas par cas, des projets specifiques en cooperation pour la production d'énergies supplémentaires auxquels souhaiteraient prendre part des entreprises et des parties, publiques ou privees, de deux ou plusieurs Pays Participants. Les entreprises et les parties prenant part a un projet y contribueraient au moyen d'apports financiers, scientifiques, materiels, par un apport de main-d'œuvre et/ou une contribution technique, conformement aux accords conclus entre eux ,

(b) *(i)* En ce qui concerne les projets specifiques en cooperation dans le domaine de l'énergie auxquels participent les entreprises publiques et/ou privees ou des parties d'autres Pays Participants, et dont le Gouvernement du Pays d'accueil décide qu'ils sont en accord avec sa juridiction et ses politiques nationales, les Gouvernements des parties prenant part a un projet particulier en cooperation facilitent les investissements (notamment les investissements pour la prospection et l'exploitation des sources d'énergie) en s'efforçant

— d'accorder le traitement national et le traitement de la nation la plus favorisee a ces entreprises ou à ces parties ,

— d'éviter l'adoption de nouvelles dispositions limitant la mesure dans laquelle ces entreprises bénéficient du traitement national et du traitement de la nation la plus favorisee en ce qui concerne ces projets energétiques en cooperation ,

— d'avoir recours aux bons offices lorsqu'ils sont necessaires et appropriés ,

— d'éviter d'adopter des dispositions limitant les échanges

de main-d'œuvre specialisee, de materiel et d'équipement, compte tenu des besoins et des possibilites des pays interesses, qui peuvent être necessaires pour assurer le succès de ces projets, ainsi que les transactions connexes portant sur les actifs financiers, notamment le rapatriement des benéfices de ces entreprises

— de tenir compte, lorsqu'ils envisagent de modifier leur fiscalite et leur politique de production, pour autant qu'elles sont liees a ces projets, de l'effet de ces modifications sur les economies de ces projets, et notamment des projets en cours de realisation ,

— d'éviter, une fois qu'un tel projet est etabli, de prendre de nouvelles mesures qui modifieraient obligatoirement le degré de participation des entreprises d'autres Pays Participants ,

(ii) En ce qui concerne les projets specifiques en cooperation dans le domaine de l'énergie qui, selon le Gouvernement du Pays d'accueil, sont susceptibles d'accroître substantiellement la production d'énergie alors qu'il serait sans doute impossible de l'accroître autrement, et qui impliquent une contribution importante de la part des entreprises publiques et/ou privees des autres Pays Participants, le Gouvernement du Pays d'accueil envisage

— de garantir aux entreprises ou aux autres parties des autres Pays Participants, par des actes législatifs et administratifs si necessaire et en tant que de besoin, le droit d'exporter vers leurs propres pays une partie de la production resultant du projet qui correspond a leur participation a ce projet, ou une partie equitable de cette production, selon ce qui aura ete convenu ,

— d'offrir aux ressortissants et aux entreprises des autres Pays Participants qui deviennent parties a un tel projet des stimulants analogues a ceux dont benéficient ses propres ressortissants ou entreprises prenant part audit projet.

D. MESURE GENÉRALE DE COOPÉRATION

1. En vue d'encourager et de garantir les nouveaux investissements dans l'ensemble des sources classiques d'énergie de substitution, les Pays Participants s'engagent, a titre de mesure generale de cooperation, a garantir que le petrole importe ne sera pas vendu sur leurs marches interieurs au-dessous d'un prix correspondant a 7 dollars E.U. par baril, conformement aux para-

graphes suivants de la présente section et à l'Annexe I ci-jointe. Le prix de 7 dollars E.U. par baril est ci-apres appelé le Prix de Sauvegarde Minimal (le « PSM »).

2. Aux fins de la presente mesure genérale, il faut entendre par « pétrole »

(a) le pétrole brut, et

(b) les produits pétroliers tels qu'ils sont définis conformément aux dispositions de l'Annexe I ci-jointe.

3. Le terme « pétrole importé » englobe tout le pétrole entrant sur le territoire national d'un Pays Participant, et qui a été produit hors du territoire du Pays Participant, a l'exception :

*(a)** du pétrole vendu entre membres de la même union douanière si est appliquee la même mesure externe pour garantir le PSM,

*(b)** du pétrole produit dans les Pays Participants et vendu entre membres de la même zone de libre échange,

(c) du petrole produit par d'autres pays que le Pays Participant et importé au titre d'un accord ou d'un arrangement spécial de cooperation, comme en aura décidé le Conseil de Direction conformément a l'Annexe I ci-jointe.

4. L'effet escompte du PSM est assuré de la façon suivante

(a) Le GLT révise, a intervalles réguliers, en tant que de besoin, ou à la demande de l'un des Pays Participants, le niveau du PSM. Les résultats de cette étude sont communiqués au Conseil de Direction pour examen.

(b) La procedure de révision prend en considération les objectifs généraux du Programme International de l'Energie, les objectifs et les resultats du Programme de coopération à long terme, notamment l'encouragement et la garantie des investissements dans l'ensemble des sources classiques d'énergie, l'évolution de la situation énergétique mondiale, la situation économique du monde dans son ensemble et des Pays Participants en particulier.

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* En appliquant 3 *(a)* et *(b)* à l'intérieur de l'Europe, les Pays Participants auront pour objectif de ne pas traiter le pétrole produit à l'intérieur des Communautés ou de zones de libre échange en Europe comme pétrole importé lorsqu'il sera vendu à l'intérieur desdites zones entre Pays Participants.

(c) Le Conseil de Direction examine sur la base de cette révision la question de savoir *(i)* si le niveau existant du PSM est suffisant pour repondre aux objectifs définis au paragraphe 1 de cette Section et aux criteres du sous-paragraphe *(b)* ci-dessus, ou *(ii)* si un nouveau niveau du PSM devrait être fixé à la lumière de ces objectifs et criteres. Le Conseil de Direction décide des changements dans le niveau du PSM par un vote unanime, à moins qu'à l'unanimite, il ne décide a l'avenir d'adopter une autre règle de vote.

5. *(a)* En vue de respecter l'engagement défini au paragraphe 1 de la presente Section, chaque Pays Participant ou groupe de Pays Participants applique une mesure ou des mesures de son/leur choix, parmi celles qui sont enumerees dans l'Annexe I ci-jointe.

(b) Les Pays Participants s'efforcent de ne pas appliquer cette mesure ou ces mesures d'une façon qui serait discriminatoire a l'encontre du petrole produit dans la zone de l'AIE par rapport au pétrole produit hors de ladite zone.

6. Les Pays Participants s'engagent, au cas où l'engagement défini au paragraphe 1 de la presente Section serait mis en œuvre, à ne pas encourager les importations de petrole produit hors de la zone de l'AIE, ce qui aurait pour effet d'évincer de leurs marches le petrole produit dans ladite zone.

7. Le Secretariat surveille et évalue de façon permanente l'évolution du prix mondial du petrole paye par chaque Pays Participant pour le pétrole brut importé, en utilisant en particulier le système géneral d'informations institué par le Chapitre V de l'Accord relatif a un Programme International de l'Energie.

8. Dans les 30 jours qui suivent, soit une constatation par le Secrétariat, soit un rapport d'un Pays Participant ou d'un groupe de Pays Participants portant sur le fait que les conditions nécessaires pour mettre en application l'engagement visé au paragraphe 1 de la presente Section vont très probablement être reunies, le Conseil de Direction se réunit

(a) pour examiner la situation générale des prix du pétrole et ses conséquences au regard de la mesure generale de cooperation ,

(b) pour échanger/examiner des informations sur l'efficacité des mesures qui seront appliquees, en tant que de besoin, pour respecter l'engagement défini au paragraphe 1 de la présente Section ,

(c) pour examiner l'état des autres engagements pris au titre de la mesure genérale de coopération.

9. De toute manière, le Conseil de Direction se réunit pour une consultation spéciale avant que l'engagement défini au paragraphe 1 de la présente Section ne soit mis en vigueur par tout Pays Participant ou groupe de Pays Participants. Cette consultation n'affecte pas l'obligation de mise en vigueur de l'engagement conformément au paragraphe 10 *(a)* ci-dessous.

10. *(a)* L'engagement de chaque Pays Participant ou groupe de Pays Participants, tel qu'il est défini au paragraphe 1 de la présente Section, entre en vigueur dès que le prix moyen f.o.b. payé par le Pays Participant ou le groupe de Pays Participants pour le pétrole brut importe, tel qu'il est défini au paragraphe 3 de la présente Section, est demeuré en dessous du PSM pendant une durée plus longue que la période convenue et pour un montant supérieur au montant predéterminé. Chaque Pays Participant ou groupe de Pays Participants signale à l'Agence que les conditions mentionnées plus haut sont réunies et lui confirme qu'il a pris les mesures nécessaires pour respecter son engagement.

(b) L'engagement défini au paragraphe 1 de la présente Section sera levé lorsque le prix moyen f.o.b. payé par le Pays Participant ou le groupe de Pays Participants pour le pétrole brut importé, tel qu'il est défini au paragraphe 3 de la présente Section, revient au niveau du PSM ou au-dessus.

11. Dans les 30 jours qui suivent un rapport adressé par un Pays Participant ou un groupe de Pays Participants, comme il est dit au paragraphe 10, ou un rapport du Secretariat établissant qu'à son avis l'engagement a été mis en vigueur pour un ou plusieurs Pays Participants, les Pays Participants se réunissent pour examiner la situation. Après cela, et sauf s'ils en ont convenu autrement, les Pays Participants se réunissent tous les 90 jours pour examiner la situation aussi longtemps que l'engagement défini au paragraphe 1 de la présente Section demeure en vigueur pour l'un des Pays Participants.

12. *(a)* Le GLT examine et évalue périodiquement le pouvoir requis de chaque Pays Participant pour mettre en œuvre l'engagement défini au paragraphe 1 de la présente Section. Le GLT fait rapport au Conseil de Direction des résultats de son examen et de son évaluation.

(b) De toute manière, chaque fois que, sur la base d'une constatation du Secrétariat fondée sur son contrôle et son analyse continue des prix mondiaux du pétrole, il y a une probabilité raisonnable que, dans un futur proche, cet engagement soit mis en vigueur, ou lorsque le Conseil de Direction, prenant cette analyse du Secrétariat en due considération, en décide ainsi en faisant usage du vote majoritaire, chaque Pays Parti-

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cipant ou groupe de Pays Participants qui n'a pas le pouvoir requis pour mettre en œuvre cet engagement d'une manière tout à fait effective recherche le pouvoir nécessaire pour lui permettre une telle mise en œuvre en temps requis, soit par la promulgation d'une loi, soit par l'approbation parlementaire d'un accord international, conclu entre Pays Participants et contenant des clauses pour la mise en vigueur de l'engagement, soit par d'autres mesures appropriees, soit par une combinaison de ce qui precède.

Chapitre IV

RECHERCHE ET DÉVELOPPEMENT EN MATIÈRE D'ÉNERGIE

1. Les Pays Participants conviennent de mettre en œuvre des programmes nationaux relatifs à la recherche et au développement en matière d'énergie et, conformément aux dispositions qui pourront être prises d'un commun accord par certains ou la totalité d'entre eux, d'entreprendre des activites en coopération, y compris des programmes et des projets de recherche et de développement en matière d'énergie finances conjointement.

2. Afin de promouvoir et de faciliter la coopération dans ce domaine, les Pays Participants adoptent les Principes Directeurs relatifs à la recherche et au développement et des Directives applicables à la propriété intellectuelle sous forme de recommandation jointe aux Principes Directeurs, qui figurent à l'Annexe II ci-jointe.

3. Afin de renforcer cette coopération, les Pays Participants conviennent d'élaborer, le cas échéant, et d'appliquer une stratégie en matière de recherche et de développement. Cette stratégie sera étroitement liée et coordonnee aux autres parties du Programme à long terme de l'Agence. Elle consistera à identifier les principales sources d'énergie nouvelles et les possibilités de conservation , à identifier la contribution qu'elles pourraient apporter au domaine de l'énergie et le calendrier probable de leur application sur le plan commercial , à définir des options , à prévoir un examen périodique des efforts accomplis a l'échelon national et à identifier les nouveaux domaines susceptibles de donner lieu à une coopération féconde. Le Comité pour la Recherche et le Développement, de concert avec le GLT, soumettra à l'examen du Conseil de Direction, avant la fin de l'année 1976, des éléments de base pour le choix de cette stratégie.

4. Les Pays Participants conviennent également de poursuivre et d'intensifier leur coopération dans les dix domaines prioritaires définis à l'article 42

du Programme International de l'Energie et d'examiner de façon approfondie les possibilites d'établir des programmes dans de nouveaux domaines de R & D notamment en ce qui concerne

1. Les réacteurs à haute température pour la production de chaleur.
2. Les systèmes d'énergie solaire à faible puissance.
3. L'énergie géothermique.
4. L'énergie eolienne.
5. L'énergie des vagues.
6. Les gradients de température marine.
7. La conversion de la biomasse.

*Chapitre V**

OBSTACLES D'ORDRE LEGISLATIF ET ADMINISTRATIF ET PRATIQUES DISCRIMINATOIRES

1. Sans préjudice des droits de chaque Pays Participant d'exercer ses droits de propriété et de contrôle sur ses ressources naturelles et son économie nationale ainsi que d'assurer la protection de son environnement et la sécurité de ses citoyens, les Pays Participants, reconnaissant que, à la lumière des objectifs du programme, il est souhaitable de ne pas accorder, dans le domaine de l'énergie, aux ressortissants d'autres Pays Participants un traitement moins favorable que celui dont bénéficient leurs propres ressortissants, s'emploient à identifier et à supprimer les mesures législatives et administratives qui s'opposent à la réalisation des objectifs généraux du Programme.

2. Les Pays Participants s'efforcent autant qu'ils le peuvent, dans les limites de leurs lois et réglementations administratives en vigueur, d'appliquer les lois et réglementations administratives de manière telle que les ressortissants d'autres Pays Participants ne se voient pas accorder un traitement moins favorable que celui dont bénéficient leurs propres ressortissants, particulièrement en ce qui concerne les investissements énergétiques, les achats et les ventes d'énergie, et l'application des règles de concurrence.

3. Les Pays Participants s'efforcent autant qu'ils le peuvent de s'abstenir d'adopter dans le domaine de l'énergie des lois et réglementations adminis-

* Le Chapitre V n'a pas force obligatoire pour le Canada.

tratives qui les empêcheraient d'accorder aux ressortissants d'autres Pays Participants un traitement non moins favorable que celui dont bénéficient leurs propres ressortissants.

4. Dans le cadre de l'examen periodique prévu par le programme, l'Agence attache une attention particulière aux efforts accomplis par chaque Pays Participant pour remplir ses engagements prévus au present chapitre, en particulier, conformement aux paragraphes ci-dessus, pour identifier et progressivement supprimer les obstacles à leur mise en œuvre, à l'évaluation des progrès accomplis par les Pays Participants dans la realisation des objectifs géneraux de ce chapitre et au maintien de l'équilibre général de la mise en œuvre du Programme à long terme.

Annexe I

DISPOSITIONS RELATIVES A LA MESURE GÉNÉRALE DÉFINIE AU CHAPITRE III, SECTION D DU PROGRAMME

1. En vue de faire rapport au Conseil de Direction qui doit se prononcer le 1er juillet 1976, le GLT examine la question de savoir si le niveau du PSM défini au Chapitre III, Section D, paragraphe 1 doit être interprété :

(a) comme un prix correspondant à 7 dollars E.U. par baril f.o.b., moyenne d'un ou plusieurs bruts spécifiques du Golfe Persique;

(b) ou comme un prix correspondant à 7 dollars E.U. par baril f.o.b., prix moyen du petrole brut importé tel qu'il est défini au paragraphe 3 du Chapitre III, Section D pour chaque Pays Participant ou groupe de Pays Participants ,

(c) ou comme un prix correspondant à 7 dollars E.U. par baril f.o.b., prix moyen de 16 catégories de brut identifiées par le Groupe Permanent sur le marché pétrolier pondéré en fonction du volume relatif revenant aux pays de l'AIE considéres dans leur ensemble pendant une periode de référence déterminée ,

(d) ou comme un prix correspondant à 7 dollars E.U. par baril f.o.b., prix moyen de 16 catégories de brut identifiées par le Groupe Permanent sur le marché pétrolier pondéré en fonction du volume de ces pétroles bruts importés par le Pays Participant ou le groupe de Pays Participants pendant une période de référence déterminée.

2. L'engagement de chaque Pays Participant ou groupe de Pays Participants, défini au Chapitre III, Section D, paragraphe 1 du Programme, sera rempli

(a) s'agissant du pétrole brut, lorsque le prix moyen du pétrole brut importé sera majoré d'une somme égale a la différence entre PSM et le prix f.o.b. moyen paye pour du pétrole brut importé par le Pays Participant. Pour déterminer le prix f.o.b. moyen du pétrole brut importé, on utilisera un système de brut (s) de référence ,

(b) s'agissant de produits petroliers, lorsque les prix moyens des produits petroliers importés seront majorés du montant défini en *(a)* ci-dessus. Ce résultat peut être obtenu, soit en majorant de la même somme le prix de chaque type de produit importé, soit en corrigeant l'accroissement du prix des produits importés par un coefficient spécifique pour chaque type de produit.

3. En vue de faire rapport au Conseil de Direction qui doit se prononcer le 1er juillet 1976, le GLT examine

(a) les modalites du système de brut (s) de référence mentionné au paragraphe 2 *(a)* ci-dessus en considérant le rapport existant entre le (s) brut (s) de référence et les autres bruts importés ,

(b) la période et le montant définis au Chapitre III, Section D, paragraphe 10 du Programme ,

(c) les modalites de la suspension de l'engagement définies dans le chapitre III, Section D, paragraphe 1.

4. *(a)* Les produits petroliers comprennent

— le kérosene et les carbureacteurs type kérozène, le gaz/diesel oil ,
— les fuel oils residuels.

(b) En vue de faire rapport au Conseil de Direction qui doit se prononcer le 1er juillet 1976, le G.L.T. examine la question de savoir s'il faut inclure dans cette liste les produits pétroliers utilisés comme produits d'alimentation pour l'industrie pétrochimique. Cette etude devrait couvrir, entre autres matières, la question de la distinction entre les produits pétroliers utilisés comme produits d'alimentation pour l'industrie pétrochimique et les autres produits petroliers, l'effet de cette distinction sur la situation de l'industrie du point de vue de la concurrence et la meilleure façon d'éviter des difficultés en matière de concurrence qui pourraient résulter pour les produits d'alimentation pétrochimiques de la fixation d'un PSM pour le pétrole importé. Le GLT attribuera à cette question un caractère prioritaire. Sur la base de ce rapport, le Conseil de Direction tranchera la question de l'inclusion des produits suivants

— l'essence-auto, l'essence-avion, les carburéacteurs type essence ,

— le naphta.

5. En vue de faire rapport au Conseil de Direction, qui doit se prononcer le 1er juillet 1976, le GLT examine les problèmes de définition, d'origine et de destination du pétrole.

6. Le Conseil de Direction, agissant à l'unanimité, peut, à la demande d'un Pays Participant, accorder des dérogations à la définition du pétrole importé figurant au Chapitre III, Section D, paragraphe 3, sous-paragraphe *(c)* du Programme en tenant compte notamment des facteurs suivants

(a) de la question de savoir si le pétrole en cause est directement imputable et proportionnel à un investissement réalisé dans le secteur de l'énergie par le Pays Participant après la date d'adoption du présent Programme ,

(b) de la nécessité de veiller à ce que l'efficacité globale de la mesure générale, en tant qu'elle doit encourager et garantir les investissements dans une nouvelle source d'énergie, ne soit pas compromise ,

(c) de la necessité de veiller à ce que la répartition équitable des avantages entre les Pays Participants ne soit pas sensiblement modifiée.

7. En ce qui concerne le Chapitre III, Section D, paragraphe 5 du Programme, les mesures sont les suivantes

(a) une charge spécifique (autrement dit une taxe, un droit, un tarif ou une redevance spécifiques) ajustée périodiquement, frappant à la frontière le pétrole importé à un prix f.o.b. inférieur au PSM, et destinée, en moyenne, à aligner le prix sur le PSM ,

(b) une charge variable (autrement dit une taxe, un droit, un tarif ou une redevance variables) ajustée cargaison par cargaison, frappant à la frontière le pétrole importé à un prix f.o.b. inférieur au PSM, est destinée à aligner le prix sur le PSM ,

(c) des contingents d'importation ,

(d) des taxes à la consommation ou d'autres taxes dans la mesure où elles seraient possibles et conformes à l'objectif global du Chapitre III, Section D du Programme ,

(e) d'autres mesures jugées appropriées par le Conseil de Direction.

Annexe II

PRINCIPES DIRECTEURS POUR LA COOPÉRATION DANS LE DOMAINE DE LA RECHERCHE ET DU DÉVELOPPEMENT EN MATIÈRE D'ÉNERGIE *

Article I

En application du Chapitre VII de l'Accord relatif à un Programme International de l'Energie, les Pays Participants doivent

— encourager et mettre en œuvre entre tous les Pays Participants des échanges d'informations concernant leurs programmes nationaux, publics et privés de R & D en matière d'énergie et de technologie liées à l'énergie , et

définir et promouvoir des programmes et des projets auxquels peuvent coopérer deux ou plusieurs Pays Participants, dans leur intérêt commun ou dans l'intérêt général , ceci peut comporter la création de consortiums réunissant des intérêts publics et privés, chargés de mettre en œuvre certaines activités en coopération.

Article II

Chaque Pays Participant doit contribuer dans toute la mesure du possible aux programmes et aux projets définis conformement à l'Article I de la présente Décision et s'efforcer de fournir les ressources financières, techniques et scientifiques nécessaires, en incitant, le cas échéant, les organismes publics et privés à appuyer ces programmes et projets. Les Accords de mise en œuvre définissant ces programmes et projets doivent, en tant que de besoin, tenir compte des Principes Directeurs définis.

Article III

(a) Les Pays Participants peuvent désigner des agences nationales ou d'autres organisations publiques pour les représenter, notamment dans les programmes et projets, et doivent encourager les entreprises ou sociétés privées ou les autres entités opérant sur leur territoire à y participer en tant que de besoin.

* Voir IEA/GB/DEC/75.8.

(b) Lors de l'élaboration et de la réalisation de leurs programmes nationaux, les Pays Participants devraient éviter tout double emploi inutile avec des programmes et projets entrepris lors de la mise en œuvre de la présente Décision.

Article IV

(a) Toute participation aux programmes et projets entrepris conformément à la présente Décision se fait sur la base d'une répartition équitable des obligations et des contributions, des droits et des avantages. Les Participants aux programmes et aux projets s'engagent à apporter une aide constructive, qu'elle soit technique, financière ou autre, selon ce qui aura été décidé.

(b) Par « participants », on entend les Gouvernements des Pays Participants ou les agences nationales, organisations publiques, sociétés privées, compagnies ou autres entités désignés prenant part aux programmes ou aux projets entrepris aux termes de la présente Décision, conformément à l'Article III *(a)* ci-dessus.

(c) Les Communautés européennes peuvent participer à tout programme ou projet entrepris aux termes de la presente Décision.

(d) D'autres Pays Membres de l'OCDE peuvent participer à tout programme ou projets entrepris aux termes de la présente Décision avec l'accord du Conseil de Direction.

Article V

Les programmes et projets entrepris au titre de la présente Décision peuvent notamment revêtir les formes suivantes

(a) échanges d'informations sur les politiques et les programmes nationaux, sur l'évolution scientifique et technologique, ainsi que sur la législation, les réglementations et les pratiques ,

(b) réunions en vue d'identifier les programmes et les projets qui pourraient être utilement entrepris ,

(c) visites et échanges de savants, techniciens ou autres experts ,

(d) programmes et projets spéciaux sous la forme d'une coordination et d'une planification d'études de R & D spécifiques, travaux ou expériences réalisés au niveau national, accompagnés d'un échange, d'une évaluation commune et d'une mise en

commun des résultats scientifiques et techniques obtenus à l'issue de ces études, travaux ou expériences ,

(e) élaboration de programmes et de projets comprenant une participation à l'exploitation d'installations et d'équipements pilotes ou destinés à une recherche spécifique, fournis par un Pays Participant, ou encore la conception, la construction et l'exploitation en commun de ces installations et équipements ,

(f) élaboration et harmonisation en cooperation de critères techniques.

Article VI

(a) Pour développer certains programmes ou projets, les participants de deux ou plusieurs Pays Participants peuvent conclure, si besoin est, un Accord spécifique de mise en œuvre auquel les Pays Participants ou les participants qu'ils auront désignés pourront souscrire.

(b) D'autres participants des Pays Participants, désignés à cet effet par les Gouvernements de leurs pays respectifs, peuvent ultérieurement devenir parties à un Accord de mise en œuvre et tout participant peut se retirer d'un Accord de mise en œuvre conformément aux modalités prevues par ledit Accord.

(c) D'autres pays Membres de l'OCDE peuvent participer à tout programme ou projet entrepris au titre d'un Accord de mise en œuvre avec l'agrément du Conseil de Direction et conformement aux modalités prévues par ledit Accord.

(d) Les Accords de mise en œuvre devraient définir les conditions dans lesquelles chaque participant fournit des informations scientifiques et techniques, du savoir-faire et des études, ou de la main-d'œuvre ou encore des investissements en capital et autres formes de financement.

(e) Sauf s'il en est décidé autrement, les Accords de mise en œuvre chargent de la réalisation du programme ou du projet une seule entité, qui, lorsque cela est possible, sera responsable devant un Pays Participant donné.

(f) Lors de leur signature, les Accords de mise en œuvre devraient être soumis au Conseil de Direction pour information.

Article VII

(a) Sous réserve des dispositions relatives au partage des dépenses figurant dans les Accords de mise en œuvre spécifiques, chaque participant assume les coûts de sa participation aux programmes et aux projets entrepris au titre de la presente Décision.

(b) Chaque Gouvernement d'un Pays Participant déploie tous ses efforts pour faciliter les formalités nécessaires lors des mouvements de personnes, de l'importation de matériel et d'équipement et du transfert des sommes d'argent nécessaires pour mettre en œuvre les programmes et les projets entrepris au titre de la présente Décision.

(c) Un Pays Participant ou une Organisation internationale peut être invité à assumer des responsabilités au niveau du lancement des programmes et des projets ou des arrangements concrets nécessaires à leur préparation ou leur exécution.

(d) Les programmes et les projets relèvent des lois et des réglementations en vigueur dans les Pays participants et dépendent des crédits dont disposent les Gouvernements et leurs agences nationales intéressées.

Article VIII

(a) Les informations scientifiques, techniques et de toute autre nature

— résultant des programmes et des projets ou

— obtenues aux fins des programmes et des projets et mises librement à la disposition des participants,

doivent être fournies aux Pays Participants, selon les modalités particulières prévues par les Accords de mise en œuvre.

(b) Des rapports sur l'avancement des programmes et des projets sont soumis au moins une fois par an au Conseil de Direction.

Article IX

L'abrogation ou la modification de la presente Décision n'affecte pas automatiquement la réalisation d'un programme ou d'un projet entrepris conformément à la présente Décision ni les dispositions d'un Accord de mise en œuvre conclu antérieurement.

Annexe aux Principes Directeurs *

DIRECTIVES GÉNÉRALES CONCERNANT LES INFORMATIONS ET LA PROPRIÉTÉ INTELLECTUELLE DANS LES ACCORDS DE MISE EN ŒUVRE CONCLUS CONFORMÉMENT A L'ARTICLE VI (A) DE LA DÉCISION DU CONSEIL DE DIRECTION SUR LES PRINCIPES DIRECTEURS POUR LA COOPÉRATION DANS LE DOMAINE DE LA RECHERCHE ET DU DÉVELOPPEMENT EN MATIÈRE D'ÉNERGIE

I. INTRODUCTION

1. Les Pays Participants s'attendent à ce que la Décision du Conseil de Direction de l'AIE, en date du 28 juillet 1975, sur les Principes Directeurs pour la cooperation dans le domaine de la recherche et du développement [IEA/GB/DEC.75.8], donne naissance à une grande diversite de programmes et de projets comportant de nombreux participants. Dans les Accords de mise en œuvre conclus entre les participants visant des activités en coopération particulières, devraient figurer, le cas echeant, des modalités d'application détaillées, notamment des regles relatives à la diffusion des informations scientifiques et techniques et aux droits de propriete intellectuelle. Il doit être entendu que ces Accords seront élaborés eu egard aux circonstances propres à chaque programme ou projet, et compte tenu des Directives suivantes.

2. DÉFINITIONS

Dans la présente Annexe, il faut entendre par,

— « Pays Participants », tous les Etats qui participent au Programme International de l'Energie au titre de Pays Participants de l'Agence Internationale de l'Energie.

— « participants », les Gouvernements des Pays Participants ou les agences nationales, organisations publiques, sociétes privees, compagnies ou autres entites désignes prenant part aux programmes ou aux projets conformement a la Décision du Conseil de Direction du 28 juillet 1975.

* Voir IEA/GB/(75) 94, point 5.

— « propriété intellectuelle », la propriété intellectuelle telle qu'elle est définie à l'Article 2 *(viii)* de la Convention instituant l'Organisation Mondiale de la Propriété Intellectuelle, signée le 14 juillet 1967, ainsi que les informations faisant l'objet d'un droit de propriété.

— « information faisant l'objet d'un droit de propriété », toute information de caractère confidentiel (relative notamment au « savoir-faire » et au « logiciel »), ainsi que toute information revêtue d'une marque appropriee, qui n'est pas encore brevetée ou qui n'est pas brevetable, mais qui fait l'objet de droits de propriété ou de restrictions, commerciales ou autres, d'origine contractuelle, coutumière ou légale.

II. DIFFUSION GÉNÉRALE DES INFORMATIONS

3. Les participants à un programme ou un projet au titre d'un Accord de mise en œuvre devraient contribuer à assurer aux informations la plus large diffusion possible dans tous les Pays Participants, sous réserve cependant que soit protégée la propriété intellectuelle et qu'en particulier soient gardées confidentielles les informations faisant l'objet d'un droit de propriété qui perdraient toute valeur si elles étaient divulguées de façon inopportune ou prématurée. Les Accords de mise en œuvre devraient donc prévoir les modalités permettant de diffuser ces informations aux Pays Participants conformément a l'article VIII *(a)* des Principes Directeurs. Ce principe devrait être observé lorsque les programmes et les projets comportent des applications industrielles et commerciales — comme c'est le cas des consortiums — ou que la coopération vise des domaines purement scientifiques.

4. Les participants à un programme ou à un projet peuvent inviter d'autres Pays Participants à fournir ou à identifier toutes les informations publiées qui leur sont connues et qui se rapportent au programme ou au projet.

III. ÉCHANGES D'INFORMATIONS ET RÉUNIONS COMMUNES

5. En ce qui concerne la propriété intellectuelle résultant directement d'un échange d'informations entre les participants dans un domaine donné (« propriété intellectuelle résultante »), il sera difficile, dans de nombreux cas, de déterminer précisément l'information initiale dont l'utilisation a donné naissance à cette propriéte (« information initiale »), ainsi que l'origine de l'information utilisee. Toutefois, dans la mesure où l'origine de cette propriété peut être constatée

— le participant à l'origine d'une propriété intellectuelle (ou, le cas échéant, son Gouvernement) devra décider de l'attribution de l'ensemble des droits afférents à la propriété intellectuelle résul-

tante, dans tous les pays, sous réserve cependant que le participant qui a fourni l'information initiale utilisée (et le cas échéant son Gouvernement et les ressortissants que celui-ci a désignés) se voie conceder une licence non exclusive donnant un droit sur la propriété intellectuelle résultante dans tous les pays autres que celui du participant à l'origine de celle-ci.

IV ÉCHANGES DE CHERCHEURS OU D'AUTRES EXPERTS

6. En ce qui concerne la propriété intellectuelle résultant directement de visites et d'échanges de chercheurs ou d'autres experts entre les participants

— le participant a l'origine de la propriété résultante (ou, le cas échéant, son Gouvernement), et qui accueille les chercheurs ou les experts, devra décider de l'attribution de l'ensemble des droits afférents a la propriété intellectuelle dans son propre pays et dans tous les pays tiers, sous réserve toutefois que le participant qui détache les chercheurs ou les experts (et, le cas échéant, son Gouvernement et les ressortissants que celui-ci a désignés) se voie concéder une licence non exclusive donnant un droit sur cette propriété dans les pays tiers autres que celui du participant à l'origine de la propriéte intellectuelle résultante ,

— le participant (ou, le cas échéant, son Gouvernement) qui détache des chercheurs ou des experts devra déterminer la façon dont seront attribués tous les droits afférents à cette propriété intellectuelle dans son propre pays.

V DISPOSITIONS COMPLÉMENTAIRES CONCERNANT LES ÉCHANGES D'INFORMATIONS ET DE CHERCHEURS (AINSI QUE D'AUTRES ACCORDS SIMPLIFIÉS)

7. Chaque participant prendra toutes les mesures nécessaires pour proteger et respecter la propriété intellectuelle visee aux paragraphes 5 et 6, conformément aux lois de son propre pays et au droit international.

8. Sans préjudice des droits garantis aux inventeurs par sa loi nationale, chaque participant à un programme ou à un projet prendra toutes les mesures nécessaires pour obtenir des auteurs et des inventeurs la coopération requise pour appliquer les dispositions de l'Accord de mise en œuvre concernant la propriété intellectuelle.

9. Il incombera à chaque participant de verser, conformement aux lois de son pays, les compensations spéciales ou les remunérations pouvant revenir aux personnes qu'il emploie.

VI. CAS DE PROJETS ET PROGRAMMES SPÉCIAUX CONJOINTS

A. *Usage de propriété intellectuelle préexistante en vue de réaliser des programmes et des projets.*

10. La propriete intellectuelle que détient en possession, en propriété ou dont dispose, de quelque autre manière, soit un participant soit son Gouvernement au moment ou est engagee l'activite en coopération, et qui est nécessaire pour realiser les objectifs du projet ou du programme, devrait être mise à la disposition des autres participants (et, le cas echéant, de leurs Gouvernements) ainsi qu'à celle de leurs principaux contractants ou des sous-traitants qui ne pourront l'utiliser qu'aux fins du projet ou du programme en cause. Cette obligation ne vise que la propriéte intellectuelle dont dispose librement le participant ou son Gouvernement, et dont le transfert ou l'usage n'est pas soumis à des obligations contractuelles et/ou légales.

11. Il sera normalement donne acte de sa contribution à un participant et à son Gouvernement qui fournissent une information pré-existante et/ou une proprieté intellectuelle pour realiser les objectifs du projet ou du programme, selon des modalités qui devront être définies par ou conformément à l'Accord de mise en œuvre.

B. *Droits de propriété intellectuelle résultant d'activités en coopération*

12. Dans la plupart des cas, les projets et les programmes feront naître une propriéte intellectuelle dont il ne pourra être convenu du régime qui lui sera applicable que cas par cas, en raison de la complexité des facteurs qui doivent être pris en considération. Cependant, il conviendra de se conformer aux principes suivants

— des accords devraient être conclus pour permettre une diffusion appropriée des informations qui font l'objet d'un droit de propriété découlant de l'activité en cooperation ,

— des mesures devraient être prises pour protéger comme il convient la propriété intellectuelle issue des programmes ou des projets ,

— il devrait être accordé à chaque participant (ou le cas échéant à son Gouvernement) le droit exclusif de concéder une licence pour la fabrication d'un produit ou l'utilisation d'un procédé dans son propre pays, ainsi qu'un droit non exclusif de concéder une licence pour la vente d'un produit dans les pays de tous les participants, selon des modalités qui devront être convenues sur la base d'une répartition équitable des obligations, des contributions, des droits et des avantages des participants et de leurs Gouvernements ,

— les participants (ou, le cas échéant, leurs Gouvernements) devraient se mettre d'accord sur l'usage qu'ils pourront faire de cette propriété sur le territoire d'autres pays, sur la base d'une répartition équitable de leurs obligations, de leurs contributions, de leurs droits et de leurs avantages ,

— les autres Pays Participants auront, pour satisfaire leurs besoins en énergie (en accord avec les participants), droit à une licence non exclusive sur leur propre territoire dans des conditions équitables pour les participants.

C. *Usage d'une propriété intellectuelle pré-existante en vue de réaliser des objectifs connexes*

13. Le present paragraphe vise l'usage permanent d'une propriété intellectuelle preexistante en vue de réaliser des objectifs connexes, *après l'expiration d'un programme ou d'un projet.* En raison de la complexite des facteurs qui doivent être pris en considération, il ne pourra être convenu que cas par cas du regime détaillé qui lui sera applicable. Toutefois, il conviendrait d'observer les principes suivants

— tous les benéficiaires devraient conclure des accords par lesquels ils s'engageraient à respecter la propriete intellectuelle préexistante et à garder secrètes les informations faisant l'objet d'un droit de propriété ,

— des mesures devraient être prises pour empêcher qu'une nouvelle diffusion des informations faisant l'objet d'un droit de propriété n'intervienne sans l'accord du participant dont emane l'information ,

— il devrait être concedé à chaque participant (et le cas échéant, à son Gouvernement et aux ressortissants désignés par celui-ci) une licence non exclusive pour user de cette propriete dans les pays de tous les participants conformément aux dispositions de l'Accord de mise en œuvre et selon des modalites qui devront être convenues sur la base d'une repartition equitable des obligations, des contributions, des droits et des avantages des participants et de leurs Gouvernements ,

— les participants (ou, le cas écheant, leurs Gouvernements), devraient se mettre d'accord sur l'usage qu'ils pourront faire de cette propriété sur le territoire d'autres pays, sur la base d'un partage équitable des obligations, des contributions, des droits et des avantages des participants et de leurs Gouvernements ,

— les autres Pays Participants auront, pour satisfaire leurs besoins en énergie (en accord avec les participants), droit à une licence non-exclusive sur leur propre territoire, dans des conditions équitables pour les participants.

D. *Autres dispositions*

14. Les Accords de mise en œuvre devraient contenir des dispositions visant

— la protection de la propriété intellectuelle ,

— une cooperation des auteurs et inventeurs , et

— des compensations spéciales ainsi que des rémunérations dues aux auteurs et inventeurs.

VII. NOTES EXPLICATIVES

15. Dans le texte, les expressions « licence non exclusive » et « licence exclusive » ne precisent pas si ces licences donnent lieu ou non à des redevances , les participants demeurent libres d'en décider.

16. Pour assurer la protection de la propriété intellectuelle au regard d'un projet specifique, les participants peuvent tenir compte de l'efficacité de la protection offerte par les lois respectives de tous les pays.

17. En ce qui concerne la désignation des ressortissants pouvant bénéficier des licences visees dans les presentes directives, elle peut être déléguée à un participant privé, par son Gouvernement.

18. Aucune des présentes dispositions ne devra porter atteinte aux droits des Gouvernements des participants en matière de propriété intellectuelle et d'informations faisant l'objet d'un droit de propriété, tels qu'ils sont stipulés dans leurs lois nationales.

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PROGRAMM FÜR LANGFRISTIGE ZUSAMMENARBEIT

BESCHLOSSEN VOM VERWALTUNGSRAT AM 30. JANUAR 1976
MIT WIRKUNG VOM 8. MÄRZ 1976

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PROGRAMM FÜR LANGFRISTIGE ZUSAMMENARBEIT

Kapitel I

ALLGEMEINE ZIELE

1. Als Beitrag zur Sicherung ihrer Energieversorgung, zur Verringerung ihrer Öleinfuhrabhängigkeit als Gruppe und zur Herbeiführung stabilerer Verhältnisse am Weltölmarkt vereinbaren die Teilnehmerstaaten die Durchführung eines Programms für langfristige Zusammenarbeit im Energiebereich. Das Programm soll der Verwirklichung eines ausgewogenen Gleichgewichtes der den Teilnehmerstaaten erwachsenden Vorteile dienen und dabei ihre wirtschaftlichen und sozialen Interessen und Ziele berücksichtigen. Die einzelnen Teile des Programms sind als miteinander verbunden anzusehen und in der Weise zu verwirklichen, dass ein dauerhaftes Gleichgewicht zwischen Lasten und Vorteilen gewahrt wird.

2. Das Programm soll durch die Koordinierung der nationalen Programme und im Wege gemeinsamer Massnahmen verwirklicht werden, die darauf gerichtet sind :

(*a*) die rationelle Energieverwendung zu fördern ;

(*b*) die Entwicklung alternativer Energiequellen in den Teilnehmerstaaten der IEA und in anderen Ländern zu beschleunigen durch :

(*i*) einen Gesamtrahmen für die Zusammenarbeit, durch Schaffung spezifischer Unterstützungsmassnahmen zur Steigerung und Förderung von Investitionen auf der Basis von Einzelprojekten ;

(*ii*) eine allgemeine Massnahme zur Förderung und Sicherung der Investitionen in den Grossteil der konventionellen alternativen Energiequellen ;

(*iii*) die Zusammenarbeit bei der Erzeugung zusätzlicher Energie in einzelnen Energiebereichen ;

(*c*) neue, nutzbringende Technologien für die rationelle Energieerzeugung und -verwendung anzuregen und zu fördern ;

(*d*) auf die Beseitigung der rechtlichen und administrativen Hindernisse und der diskriminierenden Praktiken hinzuarbeiten, die der Verwirklichung des Programms im Wege stehen, und damit einen Beitrag zum wirksamen Funktionieren des Weltenergiemarkts zu leisten.

3. (*a*) Die Teilnehmerstaaten werden in bestimmten Zeitabständen mittel- und langsfristige Ziele für die Verringerung der Öleinfuhrabhängigkeit der Gruppe als Ganzes aufstellen. In bestimmten Zeitabstän-

den werden die Teilnehmerstaaten die Fortschritte bei der Verwirklichung dieser Ziele prüfen und die Angemessenheit ihrer nationalen und ihrer gemeinsamen Aktivitäten beurteilen.

(*b*) Die Teilnehmerstaaten werden bei der Durchführung des Programms und seiner Überprüfung, falls und soweit eine solche erforderlich wird, die Entwicklungen im Verlauf der Konferenz über internationale wirtschaftliche Zusammenarbeit in Betracht ziehen.

Kapitel II

RATIONELLE ENERGIEVERWENDUNG

1. Die Teilnehmerstaaten werden nationale Programme aufstellen und gemeinsame Aktivitäten zur rationellen Energieverwendung durchführen. Diese Bemühungen werden darauf gerichtet sein, die Zuwachsrate des Verbrauchs der Gruppe an Energie überhaupt und speziell an Erdöl zu senken. Es besteht Übereinstimmung darüber, dass diese Programme und Aktivitäten sich in erster Linie auf die Ausschaltung der Verschwendung von Energie und auf die Verbesserung des Wirkungsgrades der Energieverwendung konzentrieren müssen, wobei neben anderen Faktoren auch die Auswirkungen des Niveaus der Energiepreise auf die Energienachfrage zu berücksichtigen sind. Die Bemühungen sollen so beschaffen sein, dass sie den wirtschaftlichen und sozialen Gegebenheiten in den Teilnehmerstaaten Rechnung tragen; dabei soll die Notwendigkeit, ein zufriedenstellendes Wirtschaftswachstum zu erreichen, gebührend berücksichtig werden.

2. Die Teilnehmerstaaten werden Einsparungsziele für die Gruppe aufstellen und dabei die nationalen Ziele und Prognosen der einzelnen Teilnehmerstaaten berücksichtigen:

(*a*) Auf Vorschlag der Ständigen Gruppe für langfristige Zusammenarbeit stellt der Verwaltungsrat bis zum 1. Juli 1976 Energieeinsparungsziele für die Gruppe für die Jahre 1980 und 1985 auf. Zur Erörterung im Verwaltungsrat prüft und, soweit zweckmässig und erforderlich, überarbeitet die Ständige Gruppe für langfristige Zusammenarbeit diese mittelfristigen Ziele.

(*b*) Bis zum 1. November jeden Jahres wird die Ständige Gruppe für langfristige Zusammenarbeit dem Verwaltungsrat Energieeinsparungsziele für die Gruppe für das jeweils folgende Jahr vorschlagen;

(*c*) Die Ständige Gruppe für langfristige Zusammenarbeit wird dem Verwaltungsrat regelmässig über die Fortschritte bei der Verwirklichung dieser Ziele für die Gruppe berichten.

3. Zur Unterstützung dieser Gesamtanstrengung vereinbaren die Teilnehmerstaaten, im Rahmen der IEA in bestimmten Zeitabständen Prüfungen ihrer nationalen Programme und Politik durchzuführen, soweit sie sich auf Energieeinsparung beziehen. Diese Prüfungen sind darauf gerichtet:

(*a*) eine gründliche und systematische Beurteilung der in der Entstehung begriffenen nationalen Programme und Politik anhand gemeinsamer Kriterien zu ermöglichen;

(*b*) die Bereiche zu ermitteln, in denen die Programme verbessert werden könnten;

(*c*) die Zusammenarbeit auf dem Gebiet der rationellen Energieverwendung unter anderem durch einen eingehenden Informations-, Erfahrungs-und Wissensaustausch über die rationelle Energieverwendung zu förden.

Die Prüfungen werden von der Ständigen Gruppe für langfristige Zusammenarbeit vorgenommen, die ihre Ergebnisse und Schlussfolgerungen in einem ausführlichen Bericht an den Verwaltungsrat niederlegt.

Kapitel III

BESCHLEUNIGTE ENTWICKLUNG ALTERNATIVER ENERGIEQUELLEN

1. Die Teilnehmerstaaten kommen überein, nationale Programme durchzuführen und gemeinsame Massnahmen und Programme in Angriff zu nehmen, um die Energieerzeugung aus alternativen Quellen so rasch wie möglich und soweit ihre wirtschaftlichen und sozialen Gegebenheiten es ihnen gestatten zu fördern und zu steigern.

2. Die Teilnehmerstaaten werden, soweit dies zweckmässig und notwendig erscheint, ein für Investitionen im Energiebereich günstiges Klima schaffen, öffentliche Mittel einsetzen und die Energieerzeugung aus alternativen Quellen unterstützen oder sich unmittelbar daran beteiligen.

3. Die Teilnehmerstaaten legen für die Gruppe als Ganzes mittel- und langfristige Ziele für die Energieerzeugung aus alternativen Quellen unter Berücksichtigung der nationalen Programme und Politik fest. Die Ständige Gruppe für langfristige Zusammenarbeit wird:

(*a*) diese mittelfristigen Ziele prüfen und für die Erörterung im Verwaltungsrat überarbeiten, soweit dies zweckmässig und notwendig ist;

(*b*) dem Verwaltungsrat regelmässig über die Fortschritte bei der Verwirklichung dieser Ziele durch die Gruppe berichten.

4. Die Teilnehmerstaaten führen in bestimmten Zeitabständen Prüfungen der in den nachfolgenden Abschnitten dieses Kapitels aufgeführten Aktivitäten durch. Diese Prüfungen erstrecken sich auf

(*a*) die Wirksamkeit dieser Aktivitäten im Hinblick auf die Entwicklung der Energieerzeugung aus alternativen Quellen,

(*b*) die Aufrechterhaltung eines ausgewogenen Gleichgewichtes zwischen allgemeinen und spezifischen Kooperationsmassnahmen bei der Entwicklung von Energie,

(*c*) die sich möglicherweise ergebende Notwendigkeit für zusätzliche Arten gemeinsamer Aktivitäten in der Agentur innerhalb dieses Rahmens der Zusammenarbeit.

A. PRÜFUNG DER NATIONALEN PROGRAMME

1. Die Teilnehmerstaaten vereinbaren, im Rahmen der IEA in bestimmten Zeitabständen Prüfungen ihrer nationalen Programme und Politik zu veranstalten, soweit sie sich aus beschleunigte Energieerzeugung aus alternativen Quellen beziehen. Diese Prüfungen sollen darauf gerichtet sein

(*a*) eine gründliche und systematische Beurteilung ihrer im Entstehen begriffenen nationalen Programme und Politik anhand gemeinsamer Kriterien vorzunehmen,

(*b*) Bereiche zu ermitteln, in denen die Programme verbessert werden könnten,

(*c*) Zusammenarbeit auf dem Gebiet der beschleunigten Energieerzeugung aus alternativen Quellen unter anderem durch einen eingehenden Informations-, Erfahrungs- und Wissensaustausch zu fördern.

2. Diese Prüfungen werden von der Ständigen Gruppe für langfristige Zusammenarbeit vorgenommen, die ihre Ergebnisse und Schlussfolgerungen in einem ausführlichen Bericht an den Verwaltungsrat niederlegt.

B. ZUSAMMENARBEIT IN SPEZIFISCHEN ENERGIEBEREICHEN

1. Die Teilnehmerstaaten arbeiten zusammen, soweit dies möglich und wünschenswert ist, um die Energieerzeugung in spezifischen Energiebereichen zu steigern.

2. Die Teilnehmerstaaten beurteilen anhand der Ergebnisse der Prüfungen der nationalen Programme in bestimmten Zeitabständen die Möglichkeiten, im IEA-Raum die Energieerzeugung aus den verschiedenartigen Quellen zu steigern. Auf Grund dieser Beurteilung werden die Teilnehmerstaaten prüfen, welche gemeinsamen Aktivitäten sich als zweckmässig und notwendig erweisen könnten, um die Energieerzeugung in diesen spezifischen Energiebereichen zu steigern.

3. Das bereits in Angriff genommene Arbeitsprogramm auf dem Gebiet der Kernenergie und der Kohle sollte aktiv weitergeführt werden. Die Ständige Gruppe für langfristige Zusammenarbeit wird sobald wie möglich weitere für derartige gemeinsame Tätigkeiten in Frage kommende Bereiche ermitteln und dem Verwaltungsrat hierüber gegebenenfalls Vorschläge zur Erörterung unterbreiten.

C. RAHMEN FÜR DIE ZUSAMMENARBEIT BEI ENERGIEPROJEKTEN

1. Die Teilnehmerstaaten werden einen Gesamtrahmen für die Zusammenarbeit festlegen, der den Raum für spezifische Förderungsmassnahmen absteckt. Durch diesen Rahmen soll das Energieangebot in der Gruppe im Wege der auf Einzelprojekte bezogenen Förderung und Steigerung der Investitionen zur Energieerzeugung vergrössert werden. Die Zusammenarbeit in diesem Bereich wird sich sowohl auf Projekte mit niedrigeren als auch — soweit dies gerechtfertigt ist — auf Projekte mit höheren Kosten erstrecken, und sie wird dem besonderen Zweck dienen, die Durchführung konkreter Projekte dadurch zu erleichtern, dass einander ergänzende Produktionsfaktoren aus zwei oder mehr Teilnehmerstaaten zusammengefasst werden.

2. Zur Unterstützung dieser kooperativen Anstrengungen wird das Sekretariat der IEA eine Informationsaustauschstelle einrichten für

(*a*) die Energiepolitik und -programme der Teilnehmerstaaten,

(*b*) die in den IEA-Ländern vorhandenen Möglichkeiten für Kooperationsprojekte im Energiebereich sowie die Hauptmerkmale dieser Projekte.

Die genannten Informationen werden von den Teilnehmerstaaten und, soweit geeignet, von anderen Quellen zur Verfügung gestellt. Das Sekretariat der IEA sammelt diese Informationen und gibt sie an die Teilnehmerstaaten sowie gegebenenfalls an den privaten Sektor weiter.

3. Zur Förderung von Kooperationsprojekten im Energiebereich wird die IEA

(*a*) auf Verlangen gemeinsame Tagungen der an bestimmten Einzelprojekten interessierten Parteien veranstalten,

(*b*) auf Verlangen beim Abschluss von Einzelabkommen Hilfe leisten,

(*c*) ein Verzeichnis der Abkommen über gemeinsame Projekte führen.

4. Die Teilnehmerstaaten werden sich bemühen, innerhalb dieses Rahmens für die Zusammenarbeit bis zum 1. Januar 1977 eine erste Serie von konkreten Kooperationsprojekten zu entwickeln und zwar sowohl von Vorhaben mit niedrigeren als auch, soweit gerechtfertigt, mit höheren Kosten, die vom öffentlichen und/oder privaten Sektor zweier oder mehrerer Teilnehmerstaaten entwickelt worden sind oder entwickelt werden könnten.

5. Um die Ausarbeitung von Kooperationsprojekten zur Steigerung der Energieerzeugung aus alternativen Quellen zu ermutigen und zu erleichtern, beschliessen die Teilnehmerstaaten folgende Leitsätze

(*a*) Die Regierungen der Teilnehmerstaaten werden dazu beitragen, fallweise spezifische Kooperationsprojekte für die Erzeugung zusätzlicher Energie zu ermitteln, an denen sich Unternehmen und andere Vertragsparteien — öffentliche oder private — aus zwei oder mehr Teilnehmerstaaten beteiligen wollen. Die an einem Projekt beteiligten Unternehmen und andere Vertragsparteien vereinbaren untereinander, welchen finanziellen, wissenschaftlichen, materiellen, personalmässigen und/oder technischen Beitrag sie leisten

(*b*) (*i*) Bei spezifischen gemeinsamen Energieprojekten, an denen Unternehmen oder andere Vertragsparteien — öffentliche oder private — aus anderen Teilnehmerstaaten beteiligt sind und die nach Auffassung der Regierung des Gastlandes mit dessen Gesetzgebung und Politik im Einklang stehen, werden die Regierungen der an einem bestimmten Kooperationsprojekt beteiligten Vertragsparteien die Investitionen (einschliesslich der Investitionen zur Aufsuchung und Ausbeutung von Energiequellen) dadurch erleichtern, dass sie sich bemühen

— diesen Unternehmen oder Vertragsparteien Inländerbehandlung und Meistbegünstigung zu gewähren ,

— in Bezug auf solche Kooperationsprojekte im Energiebereich davon abzusehen, neue Beschränkungen einzuführen, sofern und soweit diesen Unternehmen Inländerbehandlung und Meistbegünstigung gewährt wird ,

— ihre guten Dienste zu leisten, soweit erbeten und zweckmässig ,

— die Einführung von Beschränkungen für den Austausch von Fachkräften, Material und Ausrüstungen, die für die erfolgreiche Durchführung dieser Projekte erforderlich sind — Bedürfnisse und Möglichkeiten der beteiligten Länder werden dabei berücksichtigt werden —, sowie für hiermit verbundene finanzielle Transaktionen, einschliesslich der Rückführung der Gewinne dieser Unternehmen, zu vermeiden ,

— bei der Erwägung von Änderungen der Besteuerung und der Produktionspolitik, soweit sie solche Projekte berühren, die Auswirkungen dieser Änderungen auf die Wirtschaftlichkeit dieser Projekte, einschliesslich der bereits in der Durchführung begriffenen Projekte zu berücksichtigen ,

— nach Zustandekommen eines solchen Projektes von neuen Massnahmen abzusehen, die im Umfang die Beteiligung von Unternehmen anderer Teilnehmerstaaten zwangsläufig verändern würden

(*ii*) Bezüglich derjenigen spezifischen Kooperationsprojekte im Energiebereich, die nach Auffassung der Regierung des Gastlandes voraussichtlich eine erhebliche Steigerung der Erzeugung von Energie, die andernfalls wahrscheinlich nicht verfügbar wäre, bewirken und die eine umfangreiche Beteiligung öffentlicher und/oder privater Unternehmen anderer Teilnehmerstaaten vorsehen, erwägt die Regierung des Gastlandes

— den Unternehmen oder Parteien aus anderen Teilnehmerstaaten durch gesetzgeberische und administrative Massnahmen, soweit diese notwendig und zweckmässig sind, das Recht zu sichern, je nach Vereinbarung einen ihrer Beteiligung an dem Projekt entsprechenden oder einen sonstigen einvernehmlich vereinbarten angemessenen Anteil an der durch das Projekt erzielten Produktion in ihr eigenes Land auszuführen ,

— den Staatsangehörigen und Unternehmen anderer Teilnehmerstaaten, die sich an einem solchen Projekt beteiligen, gleiche Anreize zu gewähren, wie sie bei dem betreffenden Projekt ihren eigenen Staatsangehörigen und Unternehmen gewährt werden.

D. ALLGEMEINE KOOPERATIONSMASSNAHME

1. Zur Förderung und Absicherung neuer Investitionen in den Grossteil der konventionellen alternativen Energiequellen stellen die Teilnehmerstaaten im Rahmen einer allgemeinen Kooperationsmassnahme sicher, dass importiertes Öl auf ihren Binnenmärkten nach Massgabe der nachstehenden Absätze dieses Abschnitts sowie der Bestimmungen von Anhang I nicht unter einem Preis verkauft wird, der 7 US-$ je Barrel entspricht. Der Preis von 7 US-$ je Barrel wird im folgenden als Mindestschutzpreis ("MSP") bezeichnet.

2. Im Sinne dieser allgemeinen Massnahme umfasst der Begriff "Öl"

(*a*) Rohöl sowie

(*b*) Mineralölerzeugnisse gemäss den Definitionen in Anhang I zu diesem Programm.

3. Der Begriff "importiertes Öl" umfasst das gesamte auf den Binnenmarkt eines Teilnehmerstaats gelangende, ausserhalb des Teilnehmerstaats geförderte Öl mit Ausnahme von

(*a*)* Öl, das zwischen den Mitgliedsländern derselben Zollunion gehandelt wird, sofern nach aussen die gleiche Massnahme zur Gewährleistung des MSP angewendet wird ,

(*b*)* Öl, das in den Teilnehmerstaaten produziert und zwischen Mitgliedern derselben Freihandelszone gehandelt wird ,

(*c*) Öl, das ausserhalb des betreffenden Teilnehmerstaats produziert und auf Grund besonderer Kooperationsabkommen oder -vereinbarungen eingeführt wird, soweit der Verwaltungsrat gemäss Anhang I zu diesem Programm diese Ausnahme billigt.

4. Die mit dem MSP angestrebte Wirkung wird auf folgende Weise aufrechterhalten

(*a*) Das MSP-Niveau wird, soweit angebracht von Zeit zu Zeit oder auf Antrag eines Teilnehmerstaats von der Ständigen Gruppe für langfristige Zusammenarbeit überprüft. Die Ergebnisse dieser Prüfung werden dem Verwaltungsrat zur Erörterung übermittelt.

(*b*) Bei der Prüfung werden berücksichtigt die globalen Zielsetzungen des Internationalen Energieprogramms, die Ziele und Ergebnisse des Programms für langfristige Zusammenarbeit einschliesslich der Förderung und Absicherung der Investitionen in den Grossteil der konventionellen Energiequellen, die Entwicklung der internationalen Situation im Energiebereich sowie die Wirtschaftslage in der Welt im allgemeinen und in den Teilnehmerstaaten im besonderen.

(*c*) Anhand der Ergebnisse dieser Prüfung erörtert der Verwaltungsrat die Frage, (*i*) ob das bestehende MSP-Niveau zur Verwirklichung der in Ziffer 1 dieses Abschnitts aufgeführten Ziele ausreicht und den im vorstehenden Unterabsatz (*b*) dargelegten Kriterien gerecht wird, oder (*ii*) ob im Lichte dieser Ziele und Kriterien ein neues MSP-Niveau festgelegt werden sollte. Der Verwaltungsrat beschliesst Änderungen des MSP-Niveaus einstimmig, sofern er nicht später einstimmig einen anderen Abstimmungsmodus festlegt.

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* Die Teilnehmerstaaten wollen bei einer Anwendung der Bestimmungen unter 3 (*a*) und (*b*) in Europa sicherstellen, dass innerhalb der EWG oder innerhalb der in Europa bestehenden Freihandelszonen produziertes Öl nicht als Importöl behandelt wird, wenn es innerhalb dieser Gebiete zwischen Teilnehmerstaaten gehandelt wird.

5. (*a*) Um der Verpflichtung aus Ziffer 1 dieses Abschnitts nachkommen zu können, wendet jeder Teilnehmerstaat bzw. jede Gruppe von Teilnehmerstaaten nach eigener Wahl eine oder mehrere der in Anhang I zu diesem Programm aufgeführten Massnahmen an.

(*b*) Die Teilnehmerstaaten werden sich bemühen, diese Massnahme oder Massnahmen nicht in einer Weise anzuwenden, dass das innerhalb des IEA-Raums geförderte Öl gegenüber dem ausserhalb dieser Zone geförderten Öl diskriminiert würde.

6. Für den Fall, dass die Verpflichtung gemäss Ziffer 1 dieses Abschnitts in Kraft gesetzt wird, verpflichten sich die Teilnehmerstaaten, dass sie nicht die Einfuhr von ausserhalb der IEA produziertem Öl in der Weise ermutigen, dass das innerhalb der IEA produzierte Öl von ihren Märkten verdrängt wird.

7 Das Sekretariat überwacht und beurteilt laufend die Entwicklung des von den einzelnen Teilnehmerstaaten für ihre Rohölimporte bezahlten Weltmarktpreises, hierbei stützt es sich vor allem auf das gemäss Kapitel V des Übereinkommens über ein Internationales Energieprogramm eingerichtete allgemeine Informationssystem.

8. Gelangt das Sekretariat zu der Feststellung oder legt ein Teilnehmerstaat oder eine Gruppe von Teilnehmerstaaten einen Bericht dahingehend vor, dass die Voraussetzungen für das Wirksamwerden der Verpflichtung gemäss Ziffer 1 dieses Abschnitts sehr wahrscheinlich eintreten werden, so tritt der Verwaltungsrat binnen 30 Tagen zusammen, um

(*a*) die allgemeine Ölpreissituation und die sich aus ihr ergebenden Konsequenzen für die allgemeine Kooperationsmassnahme zu prüfen,

(*b*) Informationen über die Wirksamkeit der Massnahmen auszutauschen/ zu prüfen, die erforderlichenfalls getroffen werden, um der Verpflichtung gemäss Ziffer 1 dieses Abschnitts nachzukommen,

(*c*) den Stand der Einhaltung der sonstigen im Rahmen dieser allgemeinen Kooperationsmassnahme eingegangenen Verpflichtungen zu prüfen.

9. Auf jeden Fall tritt der Verwaltungsrat zu einer besonderen Konsultation zusammen, ehe die Verpflichtung gemäss Ziffer 1 dieses Abschnitts von einem Teilnehmerstaat oder einer Gruppe von Teilnehmerstaaten in Kraft gesetzt wird. Diese Beratung berührt nicht die Bestimmung über das Wirksamwerden der Verpflichtung nach Massgabe des nachstehenden Absatzes 10 (*a*).

10. (*a*) Die Verpflichtung eines Teilnehmerstaats oder einer Gruppe von Teilnehmerstaaten gemäss Ziffer 1 dieses Abschnitts wird wirksam, sobald der in Ziffer 3 dieses Abschnitts definierte, von dem betreffenden Teilnehmerstaat oder der betreffenden Gruppe von Teilnehmerstaaten für Rohölimporte bezahlte Durchschnittspreis (fob) den MSP während eines längeren als vorher vereinbarten Zeitraums um mehr als den vorher festgelegten Betrag unterschritten hat. Jeder Teilnehmerstaat oder jede Gruppe von Teilnehmerstaaten hat die IEA vom Eintreten der vorstehend beschriebenen Situation in Kenntnis zu setzen und ihr zu bestätigen, dass er bzw. sie alle für die Einhaltung seiner bzw. ihrer Verpflichtung erforderlichen Massnahmen getroffen hat.

(*b*) Die Verpflichtung gemäss Ziffer 1 dieses Abschnitts wird ausser Kraft gesetzt, wenn der in Ziffer 3 dieses Abschnitts definierte, von dem betreffenden Teilnehmerstaat oder der betreffenden Gruppe von Teilnehmerstaaten für Rohölimporte bezahlte Durchschnittspreis (fob) wieder das MSP-Niveau erreicht oder überschritten hat.

11. Legt ein Teilnehmerstaat oder eine Gruppe von Teilnehmerstaaten einen Bericht gemäss Ziffer 10 vor oder vertritt das Sekretariat in einem Bericht die Auffassung, dass die Verpflichtung für einen oder mehrere Teilnehmerstaaten wirksam geworden ist, so treten die Teilnehmerstaaten binnen 30 Tagen zur Erörterung der Lage zusammen. Danach treten die Teilnehmerstaaten, sofern nichts anderes vereinbart worden ist, alle 90 Tage zur Prüfung der Lage zusammen, solange die Verpflichtung gemäss Ziffer 1 dieses Abschnitts noch für einen der Teilnehmerstaaten wirksam ist.

12. (*a*) Die Ständige Gruppe für langfristige Zusammenarbeit prüft und beurteilt in bestimmten Zeitabständen die zur Erfüllung der Verpflichtung gemäss Ziffer 1 dieses Abschnitts erforderlichen Vollmachten jedes Teilnehmerstaats. Die Ständige Gruppe für langfristige Zusammenarbeit berichtet dem Verwaltungsrat über die Ergebnisse der Prüfung und der Beurteilung.

(*b*) Wenn laut Feststellung des Sekretariats aufgrund seiner laufenden Beobachtung und Analyse der Weltmarktpreise für Erdöl begründeterweise zu erwarten steht, dass die Verpflichtung binnen kurzem in Kraft gesetzt wird, oder wenn der Verwaltungsrat unter gebührender Berücksichtigung der Analyse des Sekretariats mit Stimmenmehrheit einen entsprechenden Beschluss fasst, bemüht sich ein Teilnehmerstaat oder eine Gruppe von Teilnehmerstaaten, der (die) nicht über die notwendigen Vollmachten zur vollständigen Erfüllung der Verpflichtung verfügt, entweder durch Erlass eines Gesetzes oder durch Erwirken der Zustimmung des Parlaments zu einem zwischen den Teilnehmerstaaten geschlossenen internationalen

Abkommen, das Bestimmungen über das Wirksamwerden der Verpflichtung enthält, oder durch andere geeignete Massnahmen oder durch eine Kombination der vorgenannten Massnahmen sich die zur rechtzeitigen Erfüllung dieser Verpflichtung notwendigen Vollmachten zu verschaffen.

Kapitel IV

FORSCHUNG UND ENTWICKLUNG IM ENERGIEBEREICH

1. Die Teilnehmerstaaten kommen überein, nationale Forschungs- und Entwicklungsprogramme im Energiebereich durchzuführen und im Falle entsprechender zwischen mehreren oder allen Teilnehmerstaaten getroffener Vereinbarungen gemeinsame Massnahmen in die Wege zu leiten, einschlisslich gemeinsam finanzierter Forschungs- und Entwicklungsprogramme und -projekte auf dem Energiesektor.

2. Zur Förderung und Erleichterung der Zusammenarbeit auf diesem Gebiet beschliessen die Teilnehmerstaaten die Leitsätze zur Forschung und Entwicklung sowie die den Leitsätzen in Form einer Empfehlung beigefügten Leitlinien für das geistige Eigentum gemäss Anhang II zu diesem Programm.

3. Die Teilnehmerstaaten kommen überein, zur Verstärkung der Zusammenarbeit in diesem Bereich gegebenenfalls eine Strategie für die Forschung und Entwicklung zu entwerfen und zu verwirklichen. Diese Strategie ist eng mit den übrigen Teilen des langfristigen Programms der IEA verknüpft und mit diesem zu koordinieren. Sie dient dem Zweck, die wichtigsten neuen Energiequellen und die Möglichkeiten einer rationellen Energieverwendung sowie deren möglichen Beitrag zur Energieversorgung und den voraussichtlichen Zeitplan für ihre kommerzielle Nutzung zu bestimmen und Alternativlösungen aufzuzeigen, die periodische Prüfung der nationalen Anstrengungen zu ermöglichen und neue Gebiete, die Aussicht für eine fruchtbare Zusammenarbeit bieten, zu ermitteln. Der Ausschuss für Forschung und Entwicklung wird in Verbindung mit der Ständigen Gruppe für langfristige Zusammenarbeit dem Verwaltungsrat bis spätestens Ende 1976 eine Grundlage für die Wahl einer solchen Strategie zur Erörterung vorschlagen.

4. Die Teilnehmerstaaten kommen ferner überein, ihre Zusammenarbeit auf den zehn in Artikel 42 des Übereinkommens über ein Internationales Energieprogramm aufgeführten prioritären Gebieten fortzusetzen und zu vertiefen und die Möglichkeiten für die Aufstellung von Programmen namentlich in den folgenden neuen Bereichen der Forschung und Entwicklung eingehend zu prüfen

1. Hochtemperaturreaktoren für Prozesswärme.
2. Kleine Systeme zur Nutzung der Sonnenenergie.
3. Nutzung der geothermischen Energie.

4. Nutzung der Windkraft.
5. Nutzung der Wellenenergie.
6. Temperaturgradienten in den Weltmeeren.
7 Konversion von biologischen Materialien.

Kapitel V *

RECHTLICHE UND ADMINISTRATIVE HINDERNISSE UND DISKRIMINIERENDE PRAKTIKEN

1. Unbeschadet der Eigentumsrechte der einzelnen Teilnehmerstaaten und ihres Kontrollrechts über ihre natürlichen Hilfsquellen und Volkswirtschaften, ihrer Rechte, die Umwelt zu schützen und die Sicherheit ihrer Bürger zu gewährleisten, werden die Teilnehmerstaaten in der Erkenntnis, dass es angesichts der Zielsetzungen des Programms wünschenswert ist, den Staatsangehörigen anderer Teilnehmerstaaten auf dem Energiesektor keine weniger günstige Behandlung als ihren eigenen Staatsangehörigen zuteil werden zu lassen, auf die Ermittlung und Beseitigung der rechtlichen und administrativen Hindernisse hinarbeiten, die der Verwirklichung der Gesamtziele des Programms in Wege stehen.

2. Die Teilnehmerstaaten werden sich nach besten Kräften bemühen, die Rechts- und Verwaltungsvorschriften innerhalb der Grenzen ihrer bereits bestehenden Gesetze und Verwaltungsvorschriften so anzuwenden, dass Staatsangehörige anderer Teilnehmerstaaten nicht weniger günstig behandelt werden als ihre eigenen Staatsangehörigen, insbesondere in bezug auf Investitionen im Energiebereich, den Kauf und Verkauf von Energie sowie die Anwendung der Wettebewerbsbestimmungen.

3. Die Teilnehmerstaaten werden sich nach besten Kräften bemühen, auf dem Energiesektor vom Erlass von Rechts- und Verwaltungs- vorschriften abzusehen, die sie daran hindern würden, den Staatsangehörigen anderer Teilnehmerstaaten eine ebenso günstige Behandlung zuteil werden zu lassen wie ihren eigenen Staatsangehörigen.

4. Im Rahmen der in dem Programm vorgesehenen regelmässigen Prüfung wird die IEA ihr besonderes Augenmerk auf die Anstrengungen jedes Teilnehmerstaates richten, seinen in diesem Kapitel niedergelegten Verpflichtungen nachzukommen, vor allem — gemäss den Bestimmungen der vorstehenden Absätze

* Kapitel V ist für Kanada nicht bindend.

— bezüglich der Ermittlung und schrittweisen Beseitigung der der Erfüllung dieser Verpflichtungen entgegenstehenden Hindernisse, sowie der Bewertung der von den Mitgliedstaaten erzielten Fortschritte bei der Verwirklichung der in diesem Kapitel niedergelegten allgemeinen Ziele und der insgesamt ausgewogenen Durchführung des Programms für langfristige Zusammenarbeit.

Anhang I

EINZELBESTIMMUNGEN ZU DER IN KAPITEL III ABSCHNITT D DES PROGRAMMS DEFINIERTEN ALLGEMEINEN MASSNAHME

1. Die Ständige Gruppe für langfristige Zusammenarbeit prüft und berichtet an den Verwaltungsrat, der darüber bis zum 1. Juli 1976 entscheidet, ob das in Kapitel III, Abschnitt D, Ziffer 1 festgesetzte MSP-Niveau zu verstehen ist

(*a*) als ein Preis, der einem Durchschnittspreis von einer oder mehreren spezifizierter Rohölsorten aus den Fördergebieten am Persischen Golf von 7 US-$ fob je Barrel entspricht,

(*b*) oder als ein Preis, der einem von dem betreffenden Teilnehmerstaat oder der betreffenden Gruppe von Teilnehmerstaaten bezahlten Durchschnittspreis für Importrohöl entsprechend Kapitel III, Abschnitt D, Ziffer 3 von 7 US-$ fob je Barrel entspricht,

(*c*) oder als ein Preis, der einem Durchschnittspreis von 16, von der Ständigen Gruppe für den Ölmarkt gewählten Rohölsorten, der wiederum mit dem hiervon auf die IEA-Teilnehmerstaaten insgesamt in einem bestimmten Grundzeitraum entfallenden anteiligen Volumen gewichtet wurde, von 7 US-$ fob je Barrel entspricht,

(*d*) oder als ein Preis, der einem Durchschnittspreis von 16, von der Ständigen Gruppe für den Ölmarkt gewählten Rohölsorten, der wiederum mit dem Volumen dieser Rohölsorten gewichtet wurde, das der betreffende Teilnehmerstaat oder die betreffende Gruppe von Teilnehmerstaaten in einem bestimmten Grundzeitraum eingeführt hat, von 7 US-$ fob je Barrel entspricht.

2. Die Verpflichtung jedes Teilnehmerstaates oder jeder Gruppe von Teilnehmerstaaten gemäss Kapitel III, Abschnitt D, Ziffer 1 des Programms ist erfüllt

(*a*) soweit es sich um Rohöl handelt, wenn der Durchschnittspreis für Importrohöl um einem Betrag in Höhe der Differenz zwischen dem MSP und dem von dem betreffenden Teilnehmerstaat für sein Importrohöl bezahlten fob-Durchschnittspreis erhöht wird. Zur Ermittlung des fob-Durchschnittspreises für Importrohöl wird ein System verwendet, bei dem eine oder mehrere spezifizierte Rohölsorten als Bezugsgrösse dienen,

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(*b*) soweit es sich um Mineralölerzeugnisse handelt, wenn die Durchschnittspreise für importierte Mineralölerzeugnisse um den unter (*a*) angegebenen Betrag erhöht werden. Dies kann entweder dadurch geschehen, dass die Preise sämtlicher Kategorien von importierten Mineralölerzeugnissen einheitlich um den gleicher Satz angehoben werden, oder dadurch, dass die Preise sämtlicher Arten importierter Mineralölerzeugnisse durch Anwendung eines bestimmten Koeffizienten für jede Erzeugnisart jeweils unterschiedlich erhöht werden.

3. Im Hinblick auf die Berichterstattung an den Verwaltungsrat, der bis spätestens 1. Juli 1976 einen Beschluss zu fassen hat, prüft die Ständige Gruppe für langfristige Zusammenarbeit

(*a*) die Modalitäten des unter der vorstehenden Ziffer 2 (*a*) erwähnten Rohöl-Referenzsystems unter Berücksichtigung des Verhältnisses zwischen dem (den) Referenz-Rohöl (en) und den anderen importierten Rohölsorten ,

(*b*) den Zeitraum und den Betrag gemäss Kapitel III, Abschnitt D, Ziffer 10 des Programms ,

(*c*) die Modalitäten für das Ausserkrafttreten der Verpflichtung gemäss Kapitel III, Abschnitt D, Ziffer 1.

4. (*a*) Der Begriff Mineralölerzeugnisse umfasst

— Dieselkraftstoff,

— leichtes Heizöl,

— Petroleum und Flugturbinentreibstoff auf Petroleumbasis,

— mittelschweres und schweres Heizöl.

(*b*) Im Hinblick auf die Berichterstattung an der Verwaltungsrat, der bis spätestens 1. Juli 1976 einen Beschluss zu fassen hat, prüft die Ständige Gruppe für langfristige Zusammenarbeit die Frage, ob hierunter auch solche Mineralölerzeugnisse fallen, die als Ausgangsprodukte für die petrochemische Industrie verwendet werden. Diese Studie sollte sich u.a. auf die Unterscheidbarkeit von den als Ausgangsprodukten für die petrochemische Industrie verwendeten und den übrigen Mineralölerzeugnissen, auf die Auswirkungen auf die Wettbewerbsposition der Industrie sowie auf die Frage erstrecken, wie aus der Festsetzung eines MSP für importiertes Öl resultierende Wettbewerbsschwierigkeiten für petrochemische Ausgangsprodukte am besten vermieden werden könnten. Die Ständige Gruppe für langfristig. Zusammenarbeit wird diese Angelegenheit vorrangig behandeln. Auf der Grundlage des Berichts der Ständigen Gruppe für langfristige Zusammenarbeit wird der Verwaltungsrat über die Frage der Einbeziehung folgender Erzeugnisse entscheiden

— Motorenbenzin, Flugbenzin, leichter Flugturbinenkraftstoff auf Benzinbasis ,

— Naphta.

5. Die Ständige Gruppe für langfristige Zusammenarbeit prüft und berichtet dem Verwaltungsrat, der bis 1. Juli 1976 hierüber Beschluss fasst, über die mit der Definition, dem Ursprung und der Bestimmung von Öl zusammenhängenden Fragen.

6. Der Verwaltungsrat kann auf Antrag eines Teilnehmerstaates einstimmig Abweichungen von der in Kapitel III, Abschnitt D, Ziffer 3 c) des Programms wiedergegebenen Definition des Importöls zulassen, wobei er u.a. folgende Faktoren berücksichtigt

(*a*) die Frage, ob das betreffende Öl unmittelbar einer von dem betreffenden Teilnehmerstaat nach dem Zeitpunkt der Annahme des Programms getätigten energiebezogenen und dieser angemessenen Investition zuzuordnen ist ,

(*b*) die Frage, ob gewährleistet ist, dass die generelle Wirksamkeit der allgemeinen Massnahme im Hinblick auf die Förderung und Sicherung von neuen Investitionen im Energiebereich nicht beeinträchtigt wird ,

(*c*) die Frage, ob gewährleistet ist, dass das Gleichgewicht der den Teilnehmerstaaten erwachsenden Vorteile hierdurch nicht wesentlich gestört wird.

7. Als Massnahme im Sinne von Kapitel III, Abschnitt D, Ziffer 5 des Programms gelten

(*a*) eine spezifische Abgabe (auch bezeichnet als spezifische Abschöpfung, Zoll order Gebühr), die in bestimmten Zeitabständen angepasst und beim Grenzübergang auf Importöl, dessen fob-Preis unter dem MSP liegt, erhoben wird, um im Durchschnitt eine Angleichung des Preises an den MSP zu bewirken ,

(*b*) eine veränderliche Abgabe (auch bezeichnet als veränderliche Abschöpfung, Zoll oder Gebühr), die für jede Ladung individuell festgesetzt und beim Grenzübergang auf Importöl, dessen fob-Preis unter dem MSP liegt, erhoben wird, um eine Angleichung dieses Preises an den MSP zu bewirken ,

(*c*) Importkontingente ,

(*d*) Verbrauch- oder andere Steuern, soweit praktikabel und mit dem Gesamtziel gemäss Kapitel III, Abschnitt D des Programms vereinbar ,

(*e*) sonstige vom Verwaltungsrat für zweckmässig gehaltene Massnahme.

Anhang II

RICHTLINIEN FÜR DIE ZUSAMMENARBEIT AUF DEM GEBIET DER FORSCHUNG UND ENTWICKLUNG IM ENERGIEBEREICH *

Artikel I

In Ausführung von Kapitel VII des Übereinkommens über ein Internationales Energieprogramm werden die Teilnehmerländer

— den Informationsaustausch zwischen allen Teilnehmerländern über staatliche und private nationale Programme auf dem Gebiet von Forschung und Entwicklung sowie der energiebezogenen Technologien fördern und durchführen ; ferner werden sie

— Programme und Projekte aufstellen und fördern, an denen zwei oder mehr Teilnehmerländer zum beiderseitigen oder allgemeinnen Nutzen teilnehmen können, das kann auch die Gründung von Konsortien aus staatlichen und privaten Unternehmen zur Durchführung bestimmter gemeinsamer Aktivitäten einschliessen.

Artikel II

Jedes Teilnehmerland trägt zu den in Artikel I dieses Beschlusses genannten Programmen und Projekten so viel wie möglich bei und ist bestrebt, die notwendigen wissenschaftlichen, technischen und finanziellen Mittel in zweckmässiger Weise durch Sicherung staatlicher und privater Unterstützung für solche Programme und Projekte bereitzustellen. In den Durchführungsvereinbarungen zur Aufstellung dieser Programme und Projekte werden ggfs. die hier niedergelegten Richtlinien berücksichtigt.

Artikel III

(*a*) Die Teilnehmerländer können nationale Stellen oder andere staatliche Stellen beauftragen, sich im Namen des Teilnehmerlandes an bestimmten Programmen und Projekten zu beteiligen, die Teilnehmerländer unterstützen in ihren Ländern private Unternehmen oder andere Körperschaften in dem Wunsch, sich an solchen Programmen und Projekten ggfs. zu beteiligen.

(*b*) Bei der Aufstellung und Durchführung ihrer nationalen Programme sollten die Regierungen der Teilnehmerländer darauf achten, dass unnötige Doppel-

* Vgl. IEA/GB/DEC/75.8.

arbeit vermieden wird, wenn Programme und Projekte im Rahmen dieses Beschlusses verwirklicht werden.

Artikel IV

(*a*) Die Beteiligung an Programmen und Projekten aufgrund dieses Beschlusses erfolgt auf der Grundlage der gleichmässigen Verteilung von Pflichten, Beiträgen, Rechten und des Nutzens. Die Teilnehmer an den Programmen und Projekten verpflichten sich, einen konstruktiven Beitrag zu leisten, sei er nun technischer, finanzieller oder anderer Art.

(*b*) Der Begriff « Teilnehmer » bezeichnet die Regierungen der Teilnehmerländer oder die von ihnen bezeichneten nationalen Stellen, staatlichen Organisationen, privaten Unternehmen, oder andere Körperschaften, die sich an Programmen oder Projekten im Rahmen dieses Beschlusses laut Artikel III (*a*) beteiligen.

(*c*) Die Europäischen Gemeinschaften können sich an allen Programmen oder Projekten im Rahmen dieses Beschlusses beteiligen.

(*d*) Andere Mitgliedsländer der OECD können sich mit Zustimmung des Verwaltungsrats entsprechend dem vorliegenden Beschluss an allen Programmen oder Projekten beteiligen.

Artikel V

Die Programme und Projekte im Rahmen dieses Beschlusses können *unter anderem* folgende Form haben

(*a*) Informationsaustrausch über nationale Programme und Massnahmen, über wissenschaftliche und technologische Entwicklungen sowie über Gesetze, Verordnungen und Verfahren,

(*b*) Tagungen, auf denen Programme oder Projekte ermittelt werden, die zweckmässigerweise in Angriff genommen werden sollten,

(*c*) Besuche und Austausch von Wissenschaftlern, Technikern oder anderen Experten,

(*d*) besondere Programme und Projekte in Form einer Koordinierung und Planung bestimmter F&E-Studien,-arbeiten oder -versuche auf nationaler Ebene mit späterem Austausch, gemeinsamer Auswertung und Sammlung der aufgrund dieser Studien, Arbeiten oder Versuche gewonnenen wissenschaftlichen und technischen Ergebnisse,

(*e*) Aufstellung von Programmen und Projekten einschliesslich der Beteiligung am Betrieb bestimmter Forschungs- oder Versuchsanlagen und -ausrüstungen eines Teilnehmerlandes oder in Form des gemeinsamen Entwurfs, Baus und Betriebs derartiger Anlagen und Ausrüstungen ,

(*f*) gemeinsame Ausarbeitung und Abstimmung technischer Spezifikationen.

Artikel VI

(*a*) Um bestimmte Programme und Projekte voranzubringen, können zwei oder mehr Teilnehmerländer ggfs. eine besondere Durchführungsvereinbarung abschliessen, der sich die Teilnehmerländer oder die von ihnen bezeichneten Teilnehmer anschliessen können.

(*b*) Weitere Teilnehmer aus den Teilnehmerländern können, sofern sie von der Regierung ihres Landes zu diesem Zweck bezeichnet worden sind, später der Durchführungsvereinbarung beitreten; desgleichen kann ein Teilnehmer von einer Durchführungsvereinbarung zurücktreten entsprechend den in dieser Vereinbarung festgelegten Bedingungen.

(*c*) Andere Mitgliedsländer der OECD können sich mit Zustimmung des Verwaltungsrats entsprechend den in der Vereinbarung festgelegten Bedingungen an allen Programmen oder Projekten im Rahmen einer Durchführungsvereinbarung beteiligen.

(*d*) In den Durchführungsvereinbarungen sollten die näheren Einzelheiten des Beitrags festgelegt werden, den jeder Teilnehmer in Form von wissenschaftlichen und technischen Informationen, Knowhow und Studien oder Personal oder Kapital und anderen Finanzierungsarten zu leisten hat.

(*e*) Sofern nichts anderes vereinbart ist, wird in den Durchführungsvereinbarungen die Federführung für das Programm oder Projekt einer einzigen Stelle übertragen, die möglichst einem bestimmten Teilnehmerland verantwortlich sein soll.

(*f*) Durchführungsvereinbarungen sollten nach ihrer Unterzeichnung dem Verwaltungsrat zur Kenntnisnahme vorgelegt werden.

Artikel VII

(*a*) Vorbehaltlich der Bestimmungen in bestimmten Durchführungsvereinbarungen hinsichtlich der Kostenaufteilung trägt jeder Teilnehmer die Kosten seiner Beteiligung an den aufgrund dieses Beschlusses begonnenen Programmen und Projekten.

(*b*) Jede Regierung eines Teilnehmerlandes bemüht sich nach besten Kräften, die Abwicklung der Formalitäten im Zusammenhang mit dem Personalaustausch, der Einfuhr von Material und Ausrüstungen sowie der Ein- und Ausfuhr von Devisen, die für die im Rahmen dieses Beschlusses begonnenen Programme und Projekte erforderlich sind, zu erleichtern.

(*c*) Ein Teilnehmerland oder eine internationale Organisation kann gebeten werden, im Zusammenhang mit der Einleitung von Programmen und Projekten oder mit den für ihre Vorbereitung oder Ausführung erforderlichen praktischen Massnahmen die Verantwortung zu übernehmen.

(*d*) Die Programme und Projekte unterliegen den in den Teilnehmerländern geltenden Rechtsvorschriften und werden nur durchgeführt, wenn die Regierungen und die entsprechenden nationalen Stellen Mittel bereitstellen.

Artikel VIII

(*a*) Wissenschaftliche, technische und sonstige Informationen,

— die sich aus Programmen und Projekten ergeben oder

— zum Zwecke der Durchführung von Programmen und Projekten beschafft werden und den Teilnehmern kostenlos zur Verfügung stehen,

werden den Teilnehmerländern entsprechend den in den Durchführungsvereinbarungen festgelegten Bedingungen zugänglich gemacht.

(*b*) Berichte über den Fortgang der Programme und Projekte werden dem Verwaltungsrat mindestens einmal jährlich vorgelegt.

Artikel IX

Durch die Aufhebung oder Abänderung dieses Beschlusses werden weder die Durchführung eines aufgrund dieses Beschlusses begonnenen Programms oder Projektes noch die Bestimmungen einer bereits geschlossenen Durchführungsvereinbarung berührt.

Anhang zu den Leitsätzen *

ALLGEMEINE RICHTLINIEN BETR. AUSKUNFTSERTEILUNG UND GEISTIGES EIGENTUM BEI DER DURCHFÜHRUNG VON VEREINBARUNGEN GEMÄSS ARTIKEL VI (A) DES BESCHLUSSES DES VERWALTUNGSRATS ÜBER LEITSÄTZE FÜR DIE ZUSAMMENARBEIT AUF DEM GEBIET VON FORSCHUNG UND ENTWICKLUNG IM ENERGIEBEREICH

I. EINLEITUNG.

1. Die Teilnehmerstaaten gehen davon aus, dass der Beschluss des Verwaltungsrats der IEA vom 28. Juli 1975 über Leitsätze für die Zusammenarbeit auf dem Gebiet von Forschung und Entwicklung (IEA/GB/DEC.75.8) zu einer ganzen Reihe von Programmen und Projekten mit einer Vielzahl von Teilnehmern führen wird. Die Vereinbarungen zwischen Teilnehmern an besonderen Gemeinschaftstätigkeiten sollten gegebenenfalls genaue Durchführungsbestimmungen enthalten, darunter auch Vorschriften über die Weitergabe von wissenschaftlichen und technischen Informationen und über die Rechte an geistigem Eigentum. Es wird davon ausgegangen, dass derartige Vereinbarungen entsprechend den besonderen Merkmalen des jeweiligen Programms oder Projekts und unter Berücksichtigung der folgenden Richtlinien ausgearbeitet werden.

2. *Definitionen.*

Die in diesem Anhang verwendeten Begriffe haben folgende Bedeutung:

— Mit dem Begriff "Teilnehmerstaaten" werden alle Länder bezeichnet, die sich als Teilnehmerstaaten der Internationalen Energie-Agentur am Internationalen Energieprogramm beteiligen.

— Der Begriff "Teilnehmer" bezeichnet die Regierungen der Teilnehmerstaaten oder die beauftragten nationalen Stellen, staatlichen Organisationen, privaten Gesellschaften, Unternehmen oder anderen Körperschaften, die sich an Programmen oder Projekten gemäss dem Beschluss des Verwaltungsrats vom 28. Juli 1975 beteiligen.

— Der Begriff "geistiges Eigentum" ist so zu verstehen, wie er in Artikel 2 (*viii*) des am 14. Juli 1967 unterzeichneten Übereinkommens zur Errichtung der Weltorganisation für geistiges Eigentum definiert ist, ferner werden damit geschützte Informationen bezeichnet.

* Vgl. IEA/GB(75)94, Abschnitt 5.

— Unter dem Begriff "geschützte Informationen" sind Informationen vertraulicher Natur zu verstehen (z.B. "Know-how" und "Software"), ferner entsprechend gekennzeichnete Informationen über Erfindungen, die noch nicht patentiert oder nicht patentfähig sind, für die aber Eigentumsansprüche geltend gemacht werden können oder deren Weitergabe aus vertragsrechtlichen, gewohnheitsrechtlichen oder allgemeinrechtlichen Gründen kommerziellen oder anderen Beschränkungen unterliegt.

II. ALLGEMEINE VERBREITUNG VON INFORMATIONEN.

3. Die Teilnehmer, die sich im Rahmen einer Durchführungsvereinbarung an einem Programm oder Projekt beteiligen, sollten die weitestmögliche Verbreitung von Informationen an alle Teilnehmerstaaten fördern und diese nur insoweit einer Einschränkung unterwerfen, als der Schutz geistigen Eigentums und insbesondere die vertrauliche Behandlung solcher Informationen über geistiges Eigentum, das durch unsachgemässe oder verfrühte Bekanntgabe wertlos gemacht werden könnte, sichergestellt werden muss. Daher sollten die Durchführungsvereinbarungen entsprechende Bestimmungen über die Weitergabe derartiger Informationen an die Teilnehmerstaaten gemäss Artikel VIII(*a*) der Leitsätze enthalten. Dieses Verfahren sollte nicht nur bei Programmen und Projekten angewendet werden, die eine Zusammenarbeit auf industrieller und kommerzieller Ebene beinhalten — wie z.B. in Konsortien —, sondern auch bei allen gemeinsamen Tätigkeiten rein wissenschaftlicher Natur.

4. Die Teilnehmer an einem Programm oder Projekt können andere Teilnehmerstaaten auffordern, alle ihnen bekannten veröffentlichten Informationen über das Programm oder Projekt verfügbar zu machen oder näheres über sie mitzuteilen.

III. AUSTAUSCH VON INFORMATIONEN UND GEMEINSAME TAGUNGEN.

5. In den Fällen, in denen als direkte Folge eines Informationsaustauschs zwischen den Teilnehmern auf einem bestimmten Gebiet neues geistiges Eigentum ("resultierendes geistiges Eigentum") entsteht, wird es sich oft nur schwer feststellen lassen, auf welche Information ("Ausgangsinformation") dieses Eigentum im einzelnen zurückgeht und woher die verwendete Information stammt. Soweit eine derartige Feststellung jedoch möglich ist, wird

— der als Urheber anzusehende Teilnehmer (oder gegebenenfalls seine Regierung) darüber befinden, welchen Stellen die Rechte an dem "geistigen Eigentum" in den einzelnen Ländern übertragen werden sollen, wobei allerdings sichergestellt sein muss, dass der Teilnehmer, der die verwendete Ausgangsinformation geliefert hat (und gegebenenfalls seine Regierung oder die von ihr Bezeichneten nationalen Stellen), für alle Länder ausser dem Land des als Urherber feststehenden Teilnehmers eine nicht ausschliessliche Lizenz für die Verwertung des "geistigen Eigentums" erhält.

IV AUSTAUSCH VON WISSENSCHAFTLERN ODER ANDEREN EXPERTEN.

6. In den Fällen, in denen als direkte Folge eines zwischen den Teilnehmern stattfindenden Besuchs und Austauschs von Wissenschaftlern oder anderen Experten neues geistiges Eigentum entsteht,

— wird der als Urheber feststehende Teilnehmer (oder gegebenenfalls seine Regierung), der die Wissenschaftler oder Experten aufnahm, über die Übertragung aller Rechte an diesem geistigen Eigentum in seinem eigenen Land und in allen Drittländern befinden, wobei allerdings sichergestellt sein muss, dass der Teilnehmer, der die Wissenschaftler oder Experten entsendet (und gegebenenfalls seine Regierung und die von ihr bezeichneten nationalen Stellen), für alle Länder ausser dem Land des als Urheber feststehenden Teilnehmers eine nicht-ausschliessliche Lizenz für die Verwertung dieses Eigentums erhält,

— wird der Teilnehmer (oder gegebenenfalls seine Regierung), der die Wissenschaftler oder Experten entsendet, über die Übertragung aller Rechte an diesem geistigen Eigentum innerhalb seines eigenen Landes befinden.

V ZUSÄTZLICHE BESTIMMUNGEN ÜBER DEN AUSTAUSCH VON INFORMATIONEN UND WISSENSCHAFTLERN (UND ÜBER SONSTIGE VEREINFACHTE REGELUNGEN).

7 Jeder Teilnehmer wird alle erforderlichen Schritte ergreifen, um das geistige Eigentum gemäss den Absäatzen 5 und 6 in Übereinstimmung mit den Gesetzen seines Landes und den Vorschriften des internationalen Rechts zu schützen und zu achten.

8. Jeder Teilnehmer an einem Programm oder Projekt wird unter Wahrung der Erfinderrechte gemäss dem Patentrecht seines Landes alle notwendigen Schritte ergreifen, um Urheber und Erfinder für eine Zusammenarbeit zu gewinnen, wie sie zur Einhaltung der in der Durchführungsvereinbarung über die Behandlung geistigen Eigentums enthaltenen Bestimmungen erforderlich ist.

9. Jeder Teilnehmer übernimmt es, seinen Angestellten die Gebühren oder Entschädigungen zu zahlen, die diesen nach den Gesetzen seines Landes zustehen.

VI. BESTIMMUNGEN FÜR BESONDERE GEMEINSCHAFTSPROJEKTE UND -PROGRAMME.

A. *Verwendung bereits vorhandenen geistigen Eigentums für die Zwecke von Programmen und Projekten.*

10. Wenn für die Verwirklichung eines Projekts oder Programms die Verwertung von geistigem Eigentum erforderlich ist, das sich zum Zeitpunkt der Inangriffnahme des gemeinsamen Vorhabens im Besitz eines Teilnehmers oder

seiner Regierung befindet, dessen (bzw. deren) Eigentum ist oder aus anderen Gründen von ihm (bzw. ihr) genutzt werden kann, so ist dieses den anderen Teilnehmern (und gegebenenfalls den Regierungen der anderen Teilnehmer) sowie deren Haupt- oder Unterbeauftragten zur ausschliesslichen Verwertung im Rahmen des Projekts oder Programms zugänglich zu machen. Diese Verpflichtung gilt nur dann, wenn der Teilnehmer oder die Regierung uneingeschränkt über das geistige Eigentum verfügen kann und dessen Übertragung oder Verwertung nicht durch vertragliche und/oder gesetzliche Bestimmungen eingeschränkt ist.

11. Gegenüber einem Teilnehmer und seiner Regierung, die bereits vorhandene Informationen und/oder geistiges Eigentum zur Verwertung im Rahmen eines Projekts oder Programms zur Verfügung stellen, sollte dies in der Regel unter Bedingungen, die in oder gemäss der Durchführungsvereinbarung festgelegt sind, anerkannt werden.

B. *Rechte an geistigem Eigentum, das bei gemeinsamen Tätigkeiten entsteht.*

12. Bei den meisten Projekten und Programmen wird neues geistiges Eigentum entstehen, über dessen genaue Behandlung nur fallweise entschieden werden kann, da hierbei die vielfältigsten Faktoren zu berücksichtigen sind. In jedem Fall sollten aber folgende Grundsätze beachtet werden

— Die Verbreitung von schutzbedürftigen Informationen, die sich aus den gemeinsamen Tätigkeiten ergeben, sollte in geeigneter Weise geregelt werden.

— Durch entsprechende Massnahmen sollte ein angemessener Schutz des geistigen Eigenstums, das bei der Durchführung von Programmen oder Projekten entsteht, sichergestellt werden.

— Jeder Teilnehmer (oder gegebenenfalls seine Regierung) sollte das ausschliessliche Recht erhalten, eine Lizenz für die Fertigung eines Produkts oder die Nutzung eines Verfahrens in seinem (bzw. ihrem) eigenen Land vergeben zu können, und das nicht ausschliessliche Recht der Lizenzvergabe für den Vertrieb eines Produkts in den Ländern aller anderen Teilnehmer, wobei die Bedingungen auf einer gerechten Grundlage, d.h. nach dem Prinzip einer Teilung der Pflichten, der Leistungen, der Rechte und des Nutzens zwischen den einzelnen Teilnehmern und ihren Regierungen auszuhandeln sind.

— Im Hinblick auf die Verwertung dieses Eigentums durch die Teilnehmer in Drittländern sollten die Teilnehmer (oder gegebenenfalls ihre Regierungen) eine Vereinbarung abschliessen, die dem Prinzip der Teilung der Pflichten, der Leistungen, der Rechte und des Nutzens zwischen den Teilnehmern und ihren Regierungen gerecht wird.

— Anderen Teilnehmerstaaten wird (im Einvernehmen mit den Teilnehmern) zur Deckung ihres Energiebedarfs das Recht auf eine nicht ausschliessliche Lizenz für ihr eigenes Land eingeräumt werden, und zwar zu Bedingungen, die allen Teilnehmern gerecht werden.

C. *Verwendung bereits vorhandenen geistigen Eigentums für verwandte Zwecke.*

13. Dieser Abschnitt behandelt die Weiterverwendung bereits vorhandenen geistigen Eigentums für verwandte Zwecke *nach Beendigung eines Programms oder Projekts.* Uber die genaue Behandlung solchen Eigentums kann nur fallweise entschieden werden, da hierbei die vielfältigsten Faktoren zu berücksichtigen sind. In jedem Falle sollten aber folgende Grundsätze beachtet werden

— Alle Teilnehmer, die Informationen über bereits vorhandenes geistiges Eigentum erhalten, sollten sich verpflichten, dieses zu schützen und schutzbedürftige Informationen vertraulich zu behandeln.

— Durch entsprechende Massnahmen sollte sichergestellt werden, dass nicht durch eine Vereinbarung erfasste schutzbedürftige Informationen nicht ohne Zustimmung des Teilnehmers, der diese Informationen erteilt hat, weiterverbreitet werden.

— Jeder Teilnehmer (und gegebenenfalls seine Regierung und die von ihr benannten nationalen Stellen) sollten für die Länder aller Teilnehmer eine nicht ausschliessliche Lizenz für dieses Eigentum erhalten und es in der in der Durchführungsvereinbarung festgelegten Weise und unter Bedingungen verwerten können, die dem Prinzip der Teilung der Pflichten, der Leistungen, der Rechte und des Nutzens zwischen den Teilnehmern und ihren Regierungen gerecht werden.

— Im Hinblick auf die Verwertung dieses Eigentums durch die Teilnehmer in Drittländern sollten die Teilnehmer (oder gegebenenfalls ihre Regierungen) eine Vereinbarung treffen, die dem Prinzip der Teilung der Pflichten, der Leistungen, der Rechte und des Nutzens zwischen den Teilnehmern und ihren Regierungen gerecht wird.

— Anderen Teilnehmerstaaten wird (im Einvernehmen mit den Teilnehmern) zur Deckung ihres Energiebedarfs das Recht auf eine nicht ausschliessliche Lizenz für ihr eigenes Land eingeräumt, und zwar zu Bedingungen, die allen Teilnehmern gerecht werden.

D. *Sonstige Bestimmungen.*

14. Die Durchführungsvereinbarungen sollten Bestimmungen enthalten über

— den Schutz geistigen Eigentums ,

— die Zusammenarbeit mit Urhebern und Erfindern ,

— Gebühren und Vergütungen, die Urhebern und Erfindern zustehen.

VII. ERLÄUTERUNGEN.

15. Die Begriffe "nicht ausschliessliche Lizenz" und "ausschliessliche Lizenz", wie sie im Text verwendet wurden, sagen nichts darüber aus, ob für diese Lizenzen Gebühren zu entrichten sind, eine Entscheidung hierüber bleibt den Teilnehmern überlassen.

16. Bei der Beurteilung der Frage, inwieweit geistiges Eigentum im Zusammenhang mit einem bestimmten Projekt zu schützen ist, können sich die Teilnehmer nach der Wirksamkeit der Schutzmassnahmen richten, die entsprechend der einschlägigen Gesetzgebung aller beteiligten Länder Anwendung finden.

17 Die in diesen Richtlinien vorgesehene Lizenzvergabe an nationale Stellen kann von den zuständigen Regierungen privaten Teilnehmern überlassen werden.

18. Durch diese Richtlinien werden die Rechte der Regierungen der Teilnehmer an geistigem Eigentum und an schutzbedürftigen Informationen, die in ihrer nationalen Gesetzgebung verankert sind, in keiner Weise beeinträchtigt.

CERTIFICATION

The Legal Adviser of the International Energy Agency hereby certifies that the attached copy of the Long-Term Co-operation Programme conforms to the original adopted by the Governing Board of the International Energy Agency on 30th January, 1976 and that pages 3 to 28 inclusive of the attached copy conform to the English version of the Long-Term Co-operation Programme so adopted.

Paris, 23rd March, 1976

The Legal Adviser

Richard F. Scott

International Energy Agency
Office of Legal Affairs
RICHARD F. SCOTT
23 MARS 1976
OLA / /

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

Naval Support Facility on Diego Garcia

Agreement effected by exchange of notes
Signed at London February 25, 1976;
Entered into force February 25, 1976.
With supplementary arrangements and related notes.

(315)

TIAS 8230

The British Minister of State for Foreign and Commonwealth Affairs to the American Chargé d'Affaires ad interim

Note No. DPP 063/530/2

Foreign and Commonwealth Office,
London

25 February 1976

Sir,

I have the honour to refer to the Agreement constituted by the Exchange of Notes dated 30 December [1] 1966 between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the United States of America concerning the availability of the British Indian Ocean Territory for defence purposes and to the Agreement constituted by the Exchange of Notes dated 24 October 1972 [2] between the two Governments concerning a limited United States naval communications facility on Diego Garcia, British Indian Ocean Territory Pursuant to paragraph 2(b) of the former Agreement, I now convey the approval in principle of the Government of the United Kingdom to the development of the present limited naval communications facility on Diego Garcia into a support facility of the United States Navy and propose an Agreement in the following terms:

(1) Scope of the facility

(a) Subject to the following provisions of this Agreement, the Government of the United States shall have the right to develop the present limited naval communications facility on Diego Garcia as a support facility of the United States Navy and to maintain and operate it. The facility shall consist of an anchorage, airfield, support and supply elements and ancillary services, personnel accommodation, and trans-

[1] TIAS 6196, 18 UST 28.
[2] TIAS 7481, 23 UST 3087.

mitting and receiving services. Immovable structures, installations and buildings for the facility may, after consultation with the appropriate administrative authorities of the United Kingdom, be constructed within the specific area shown in the plan attached to this Note. The specific area may be altered from time to time as may be agreed by the appropriate administrative authorities of the two Governments.

(b) During the term of the Agreement the Government of the United States may conduct on Diego Garcia such functions as are necessary for the development, use, maintenance, operation and security of the facility In the exercise of these functions the Government of the United States, members of the United States Forces and contractor personnel shall have freedom of access to that part of Diego Garcia outside the specific area referred to in sub-paragraph (a), but the Government of the United States may erect or construct immovable structures, installations and buildings outside the specific area only with the prior agreement of the appropriate administrative authorities of the Government of the United Kingdom.

(c) Delimitation of the specific area shall, subject to the provisions of the BIOT Agreement and after consultation with the appropriate United States authorities with a view to avoiding interference with the existing use of the facility, in no way restrict the Government of the United Kingdom from constructing and operating at their own expense their own defence facilities within that area, or from using that part of Diego Garcia outside the specific area.

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(2) Purpose

The facility shall provide an improved link in United States defence communications, and furnish support for ships and aircraft owned or operated by or on behalf of either Government.

(3) Consultation

Both Governments shall consult periodically on joint objectives, policies and activities in the area. As regards the use of the facility in normal circumstances, the Commanding Officer and the Officer in Charge of the United Kingdom Service element shall inform each other of intended movements of ships and aircraft. In other circumstances the use of the facility shall be a matter for the joint decision of the two Governments.

(4) Access to Diego Garcia

(a) Access to Diego Garcia shall in general be restricted to members of the Forces of the United Kingdom and of the United States, the Commissioner and public officers in the service of the British Indian Ocean Territory, representatives of the Governments of the United Kingdom and of the United States and, subject to normal immigration requirements, contractor personnel. The Government of the United Kingdom reserves the right, after consultation with the appropriate United States administrative authorities, to grant access to members of scientific parties wishing to carry out research on Diego Garcia and its environs, provided that such research does not unreasonably interfere with the activities of the facility The Commanding Officer shall afford appropriate

assistance to members of these parties to the extent feasible and on a reimbursable basis. Access shall not be granted to any other person without prior consultation between the appropriate administrative authorities of the two Governments.

(b) Ships and aircraft owned or operated by or on behalf of either Government may freely use the anchorage and airfield.

(c) Pursuant to the provisions of the second sentence of paragraph (3) of the BIOT Agreement, ships and aircraft owned or operated by or on behalf of a third government, and the personnel of such ships and aircraft, may use only such of the services provided by the facility, and on such terms, as may be agreed in any particular case by the two Governments.

(5) Protection and security

Responsibility for protection and security of the facility shall be vested in the Commanding Officer, who shall maintain a close liaison with the Commissioner The two Governments shall consult if there is any threat to the facility.

(6) Shipping, navigation and aviation facilities

The Government of the United States shall have the right to install, operate and maintain on Diego Garcia such navigational and communications aids as may be necessary for the safe transit of ships and aircraft into and out of Diego Garcia.

(7) Radio frequencies and telecommunications

(a) Subject to the prior concurrence of the Government of the United Kingdom, the Government of the United States may use any

radio frequencies, powers and band widths for radio services (including radar) on Diego Garcia which are necessary for the operation of the facility. All radio communications shall comply at all times with the provisions of the International Telecommunications Convention. [1]

(b) The Government of the United States may establish such land lines on Diego Garcia as may be necessary for the facility

(8) Conservation

As far as possible the activities of the facility and its personnel shall not interfere with the flora and fauna of Diego Garcia. When their use is no longer required for the purposes of the facility, the two Governments shall consult about the condition of the three islets at the mouth of the lagoon with a view to restoring them to their original condition. However, neither Government shall be under any obligation to provide funds for such restoration.

(9) Anchorage dues and aviation charges

Collection of dues and charges for use of the anchorage and airfield at Diego Garcia which may be levied by the Commissioner shall be his responsibility Aircraft and ships owned or operated by or on behalf of the Government of the United States shall be permitted to use the anchorage and airfield without the payment of any dues or charges.

(10) Meteorology

The Government of the United States shall operate a meteorological facility on Diego Garcia and supply such available meteorological information as may be required by the Government of the United Kingdom and the Government of Mauritius to meet their national and international obligations.

---

[1] TIAS 6267, 18 UST 575.

(11) United Kingdom Service element

The United Kingdom Service element on Diego Garcia shall be under the Command of a Royal Navy Officer who shall be known as the Officer-in-Charge of the United Kingdom Service element.

(12) Finance

(a) The Government of the United States shall bear the cost of developing, operating and maintaining the facility However, in relation to United Kingdom personnel attached to the facility, the Government of the United Kingdom shall be responsible for their pay, allowances and any other monetary gratuities, for the cost of their messing, and for supplies or services which are peculiar to or provided for the exclusive use of the United Kingdom Services or their personnel and which would not normally be provided by the Government of the United States for the use of its own personnel.

(b) Except in relation to the United Kingdom Service personnel attached to the facility, logistic support furnished at Diego Garcia by either Government, upon request, to the other Government, shall be on a reimbursable basis in accordance with the laws, regulations and instructions of the Government furnishing the support.

(13) Fisheries, oil and mineral resources

The Government of the United Kingdom will not permit commercial fishing in the lagoon or oil or mineral exploration or exploitation on Diego Garcia for the duration of this Agreement. Furthermore, the Government of the United Kingdom will not permit commercial fishing or oil or mineral exploration or exploitation

in or under those areas of the waters, continental shelf and sea-bed around Diego Garcia over which the United Kingdom has sovereignty or exercises sovereign rights, unless it is agreed that such activities would not harm or be inimical to the defence use of the island.

(14) Health, quarantine and sanitation

The Commanding Officer and the Commissioner shall collaborate in the enforcement on Diego Garcia of necessary health, quarantine and sanitation provisions.

(15) News broadcast station

The Government of the United States may establish and operate a closed circuit TV and a low power radio broadcast station to broadcast news, entertainment and educational programmes for personnel on Diego Garcia.

(16) Property

(a) Title to any removable property brought into Diego Garcia by or on behalf of the Government of the United States, or by a United States contractor, shall remain in the Government of the United States or the contractor, as the case may be. Such property of the Government of the United States, including official papers, shall be exempt from inspection, search and seizure. Such property of either the Government of the United Statesor of a United States contractor may be freely removed from Diego Garcia, but shall not be disposed of within the British Indian Ocean Territory or Seychelles unless an offer, consistent with the laws of the United States then in effect, has been made to sell the property to the Commissioner and he has not accepted-

such offer within a period of 120 days after it was made or such longer period as may be reasonable in the circumstances. Any such property not removed or disposed of within a reasonable time after termination of this Agreement shall become the property of the Commissioner

(b) The Government of the United States shall not be responsible for restoring land or other immovable property to its original condition, nor for making any payment in lieu of restoration.

(17) Availability of funds

To the extent that the carrying out of any activity or the implementation of any part of this Agreement depends upon funds to be appropriated by the Congress of the United States, it shall be subject to the availability of such funds.

(18) Representative of the Commissioner

The Commissioner shall designate a person as his Representative on Diego Garcia.

(19) Supplementary arrangements

Supplementary arrangements between the appropriate administrative authorities of the two Governments may be made from time to time as required for the carrying out of the purposes of this Agreement.

(20) Definitions and interpretation

(a) For the purposes of this Agreement "BIOT Agreement" means the Exchange of Notes dated 30 December 1966, between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the United States of America concerning the availability of the British Indian Ocean

Territory for defence purposes;

"Commanding Officer" means the United States Navy Officer in command of the facility;

"Commissioner" means the officer administering the Government of the British Indian Ocean Territory;

"Diego Garcia" means the atoll of Diego Garcia, the lagoon and the three islets at the mouth of the lagoon.

(b) Questions of interpretation arising from the application of this Agreement shall be the subject of consultation between the two Governments.

(c) The provisions of this Agreement shall supplement the BIOT Agreement and shall be construed in accordance with that Agreement. In the event of any conflict between the provisions of the BIOT Agreement and this Agreement the provisions of the BIOT Agreement shall prevail.

(21) The Diego Garcia Agreement 1972

This Agreement shall replace the Agreement constituted by the Exchange of Notes dated 24 October 1972 between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the United States of America concerning a limited United States naval communications facility on Diego Garcia, British Indian Ocean Territory

(22) Duration and termination

This Agreement shall continue in force for as long as the BIOT Agreement continues in force or until such time as no part of Diego Garcia is any longer required for the purposes of the facility, whichever occurs first.

2. If the Government of the United States of America also approves in principle the development of the facility subject to the above terms, I have the honour to propose that this Note and the plan annexed to it, together with your reply to that effect, shall constitute an Agreement between the two Governments which shall enter into force on the date of your reply and shall be known as the Diego Garcia Agreement 1976.

I have the honour to be
with high consideration
Sir
Your obedient Servant
[1]

The Honourable Ronald I Spiers
Embassy of the United States of
America
Grosvenor Square
London
W1A 1AH

[1] Roy Hattersley

ANNEX

N
7°24'30"S.
DIEGO GARCIA AGREEMENT
1976
0 1 2 3 Miles
Specific Area
Cartographic Section, Research Dept., FCO, January 1976

The American Chargé d'Affaires ad interim to the British Minister of State for Foreign and Commonwealth Affairs

No. 6

SIR,

I have the honor to acknowledge receipt of your Note No. DPP063/530/2 of 25 February 1976, which reads as follows.

"Sir,

I have the honour to refer to the Agreement constituted by the Exchange of Notes dated 30 December 1966 between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the United States of America concerning the availability of the British Indian Ocean Territory for defence purposes and to the Agreement constituted by the Exchange of Notes dated 24 October 1972 between the two Governments concerning a limited United States naval communications facility on Diego Garcia, British Indian Ocean Territory Pursuant to paragraph 2(b) of the former Agreement, I now convey the approval in principle of the Government of the United Kingdom to the development of the present limited naval communications facility on Diego Garcia into a support facility of the United States Navy and propose an Agreement in the following terms.

(1) Scope of the facility

(a) Subject to the following provisions of this Agreement, the Government of the United States shall have the right to develop the present limited naval communications facility on Diego Garcia as a support facility of the United States Navy and to maintain and operate it. The facility shall consist of an anchorage, airfield, support and supply elements and ancillary services, personnel accommodation, and transmitting and receiving services. Immovable structures, installations and buildings for the facility may, after consultation with the appropriate administrative authorities of the United Kingdom, be constructed within the specific area shown in the plan attached to this Note. The specific area may be altered from time to time as may be agreed by the appropriate administrative authorities of the two Governments.

(b) During the term of the Agreement the Government of the United States may conduct on Diego Garcia such functions as are necessary for the development, use, maintenance, operation and security of the facility In the exercise of these functions the Government of the United States, members of the United States Forces and contractor personnel shall have freedom of access to that part of Diego Garcia outside the specific area referred to in sub-paragraph (a), but the Government of the United States may erect or construct immovable structures, installations and buildings outside the specific area only with

the prior agreement of the appropriate administrative authorities of the Government of the United Kingdom.

(c) Delimitation of the specific area shall, subject to the provisions of the BIOT Agreement and after consultation with the appropriate United States authorities with a view to avoiding interference with the existing use of the facility, in no way restrict the Government of the United Kingdom' from constructing and operating at their own expense their own defence facilities within that area, or from using that part of Diego Garcia outside the specific area.

(2) Purpose

The facility shall provide an improved link in United States defence communications and furnish support for ships and aircraft owned or operated by or on behalf of either Government.

(3) Consultation

Both Governments shall consult periodically on joint objectives, policies and activities in the area. As regards the use of the facility in normal circumstances, the Commanding Officer and the Officer in Charge of the United Kindgom Service element shall inform each other of intended movements of ships and aircraft. In other circumstances the use of the facility shall be a matter for the joint decision of the two Governments.

(4) Access to Diego Garcia

(a) Access to Diego Garcia shall in general be restricted to members of the Forces of the United Kingdom and of the United States, the Commissioner and public officers in the service of the British Indian Ocean Territory, representatives of the Governments of the United Kingdom and of the United States and, subject to normal immigration requirements, contractor personnel. The Government of the United Kingdom reserves the right, after consultation with the appropriate United States administrative authorities, to grant access to members of scientific parties wishing to carry out research on Diego Garcia and its environs, provided that such research does not unreasonably interfere with the activities of the facility The Commanding Office shall afford appropriate assistance to members of these parties to the extent feasible and on a reimbursable basis. Access shall not be granted to any other person without prior consultation between the appropriate administrative authorities of the two Governments.

(b) Ships and aircraft owned or operated by or on behalf of either Government may freely use the anchorage and airfield.

(c) Pursuant to the provisions of the second sentence of paragraph (3) of the BIOT Agreement, ships and aircraft owned or operated by or on behalf of a third government, and the personnel of such ships and aircraft, may use only such of the services provided by the facility, and on such terms, as may be agreed in any particular case by the two Governments.

(5) Protection and security

Responsibility for protection and security of the facility shall be vested in the Commanding Officer, who shall maintain a close liaison with the Commissioner. The two Governments shall consult if there is any threat to the facility

(6) Shipping, navigation and aviation facilities

The Government of the United States shall have the right to install, operate and maintain on Diego Garcia such navigational and communications aids as may be necessary for the safe transit of ships and aircraft into and out of Diego Garcia.

(7) Radio frequencies and telecommunications

(a) Subject to the prior concurrence of the Government of the United Kingdom, the Government of the United States may use any radio frequencies, powers and band widths for radio services (including radar) on Diego Garcia which are necessary for the operation of the facility All radio communications shall comply at all times with the provisions of the International Telecommunications Convention.

(b) The Government of the United States may establish such land lines on Diego Garcia as may be necessary for the facility

(8) Conservation

As far as possible the activities of the facility and its personnel shall not interfere with the flora and fauna of Diego Garcia. When their use is no longer required for the purposes of the facility, the two Governments shall consult about the condition of the three islets at the mouth of the lagoon with a view to restoring them to their original condition. However, neither Government shall be under any obligation to provide funds for such restoration.

(9) Anchorage dues and aviation charges

Collection of dues and charges for use of the anchorage and airfield at Diego Garcia which may be levied by the Commissioner shall be his responsibility Aircraft and ships owned or operated by or on behalf of the Government of the United States shall be permitted to use the anchorage and airfield without the payment of any dues or charges.

(10) Meteorology

The Government of the United States shall operate a meteorological facility on Diego Garcia and supply such available meteorological information as may be required by the Government of the United Kingdom and the Government of Mauritius to meet their national and international obligations.

(11) United Kingdom Service element

The United Kingdom Service element on Diego Garcia shall be under the Command of a Royal Navy Officer who shall be known as the Officer-in-Charge of the United Kingdom Service element.

(12) Finance

(a) The Government of the United States shall bear the cost of developing, operating and maintaining the facility However, in relation to United Kingdom personnel attached to the facility, the Government of the United Kingdom shall be responsible for their pay, allowances and any other monetary gratuities, for the cost of their messing, and for supplies or services which are peculiar to or provided for the exclusive use of the United Kingdom Services or their personnel and which would not normally be provided by the Government of the United States for the use of its own personnel.

(b) Except in relation to the United Kingdom Service personnel attached to the facility, logistic support furnished at Diego Garcia by either Government, upon request, to the other Government, shall be on a reimbursable basis in accordance with the laws, regulations and instructions of the Government furnishing the support.

(13) Fisheries, oil and mineral resources

The Government of the United Kingdom will not permit commercial fishing in the lagoon or oil or mineral exploration or exploitation on Diego Garcia for the duration of this Agreement. Furthermore, the Government of the United Kingdom will not permit commercial fishing or oil or mineral exploration or exploitation in or under those areas of the waters, continental shelf and sea bed around Diego Garcia over which the United Kingdom has sovereignty or exercises sovereign rights, unless it is agreed that such activities would not harm or be inimical to the defence use of the island.

(14) Health, quarantine and sanitation

The Commanding Officer and the Commissioner shall collaborate in the enforcement on Diego Garcia of necessary health, quarantine and sanitation provisions.

(15) News broadcast station

The Government of the United States may establish and operate a closed circuit TV and a low power radio broadcast station to broadcast news, entertainment and educational programmes for personnel on Diego Garcia.

(16) Property

(a) Title to any removable property brought into Diego Garcia by or on behalf of the Government of the United States, or by a United States contractor, shall remain in the Government of the United States or the contractor, as the case may be. Such property of the Government of the United States, including official papers, shall be exempt from inspection, search and seizure. Such property of either the Government of the United States or of a United States contractor may be freely removed from Diego Garcia, but shall not be disposed of within the British Indian Ocean Territory or Seychelles unless an offer, consistent with the laws of the United States then in effect, has been made to sell the property to the Commissioner and he has not accepted such offer within a period of 120 days after it was made or such longer period as may be reasonable in the circumstances. Any such property not removed or disposed of within a reasonable time after termination of this Agreement shall become the property of the Commissioner.

(b) The Government of the United States shall not be responsible for restoring land or other immovable property to its original condition, nor for making any payment in lieu of restoration.

(17) Availability of funds

To the extent that the carrying out of any activity or the implementation of any part of this Agreement depends upon funds to be appropriated by the Congress of the United States, it shall be subject to the availability of such funds.

(18) Representative of the Commissioner

The Commissioner shall designate a person as his Representative on Diego Garcia.

(19) Supplementary arrangements

Supplementary arrangements between the appropriate administrative authorities of the two Governments may be made from time to time as required for the carrying out of the purposes of this Agreement.

(20) Definitions and interpretation

(a) For the purposes of this Agreement "BIOT Agreement" means the Exchange of Notes dated 30 December 1966, between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the United States of America concerning the availability of the British Indian Ocean Territory for defence purposes,
"Commanding Officer" means the United States Navy Officer in command of the facility;
"Commissioner" means the officer administering the Government of the British Indian Ocean Territory;
"Diego Garcia" means the atoll of Diego Garcia, the lagoon and the three islets at the mouth of the lagoon.
(b) Questions of interpretation arising from the application of this Agreement shall be the subject of consultation between the two Governments.
(c) The provisions of this Agreement shall supplement the BIOT Agreement and shall be construed in accordance with that Agreement. In the event of any conflict between the provisions of the BIOT Agreement and this Agreement the provisions of the BIOT Agreement shall prevail.

(21) The Diego Garcia Agreement 1972

This Agreement shall replace the Agreement constituted by the Exchange of Notes dated 24 October 1972 between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the United States of America concerning a limited United States naval communications facility on Diego Garcia, British Indian Ocean Territory

(22) Duration and termination

This Agreement shall continue in force for as long as the BIOT Agreement continues in force or until such time as no part of Diego Garcia is any longer required for the purposes of the facility, whichever occurs first.

2. If the Government of the United States of America also approves in principle the development of the facility subject to the above terms, I have the honour to propose that this Note and the plan annexed to it, together with your reply to that effect, shall constitute an Agreement between the two Governments which shall enter into force on the date of your reply and shall be known as the Diego Garcia Agreement 1976."

I have the honor to inform you that the Government of the United States of America approves in principle the development of the facility subject to the terms set out in your Note, and therefore agrees that your Note, and the plan annexed to it, together with this reply, shall constitute an Agreement between the two Governments which shall enter into force on today's date and shall be known as the Diego Garcia Agreement 1976.

Accept, Sir, the renewed assurances of my highest consideration.

RONALD I. SPIERS

The RT. HON. ROY HATTERSLEY, M.P
Minister of State for
Foreign and Commonwealth Affairs
Downing Street,
London, S.W.1

February 25, 1976

TIAS 8230

87-129 O - 77 - 22

TITLE SUPPLEMENTARY ARRANGEMENTS 1976 FOR DIEGO GARCIA FACILITY

PREAMBLE Pursuant to paragraph 19 of the Diego Garcia Agreement 1976 between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the United States of America concerning the United States Navy support facility on Diego Garcia, the Ministry of Defence (Navy) and the United States Navy (USN) have made the following supplementary arrangements:

PARAGRAPH 1 Personnel - The USN will establish a manning level for the facility Representatives of both administrative authorities will jointly decide which positions shall be filled by UK Service personnel. All personnel assigned to Diego Garcia will serve an unaccompanied tour of duty

PARAGRAPH 2 Military Command - The Officer-in-Charge of the UK Service element will, in matters relating to the operation of the facility, report to the Commanding Officer The Commanding Officer and the Officer-in-Charge of the UK Service element will establish the manner in which orders and instructions will be complied with, which manner will be consistent with the concept of mutual

respect for relative ranks. However, nothing in this paragraph is intended to require obedience to any commend inconsistent with the obligation of their respective service laws nor to establish disciplinary power in either officer over members of the Armed Services of the other country

PARAGRAPH 3 Logistic Support - Subject to Paragraph 4 below, military personnel of both Governments will be entitled to use, upon the same terms and conditions, such recreational, accommodation and messing facilities as are available or as are established for military personnel by either Government. UK Service personnel serving with this facility will be entitled to send and receive mail through the United States Fleet postal system. The USN will, upon request, transport UK Service personnel to and from the facility from such places as may be agreed from time to time by the USN and the Ministry of Defence of the United Kingdom (MOD) For the purpose of such transport UK Service personnel may be accompanied by personal baggage which does not exceed a gross weight of 120 pounds per man. The USN will give sympathetic consideration to requests for transportation of official UK Service visitors. The USN will, upon request,

provide such supplies and services on an equivalent basis with USN personnel as may be required by UK Service personnel serving with the facility on Diego Garcia. When these supplies and services are peculiar to the UK Services the MOD will make them available to the USN at a place of places agreed to by the MOD and the USN at the time.

PARAGRAPH 4 Finance - The financial arrangements have been laid down in paragraph 12 of the Diego Garcia Agreement 1976, which reads as follows:

"(a) The Government of the United States shall bear the cost of developing, operating and maintaining the facility However, in relation to United Kingdom Service personnel attached to the facility, the Government of the United Kingdom shall be responsible for their pay, allowances and any other monetary gratuities, for the cost of their messing, and for supplies or services which are peculiar to or provided for the exclusive use of the United Kingdom Services or their personnel and which would not normally be provided by the Government of the United States for the use of its own personnel.

(b) Except in relation to UK Service Personnel attached to the facility logistic support furnished at Diego Garcia by either Government, upon request, to the other Government, shall be on a reimbursable basis in accordance with the laws, regulations and instructions of the Government furnishing the support"

PARAGRAPH 5 Radio Frequencies and Telecommunications - The following procedures for obtaining the prior concurrence of the Government of the United Kingdom to the use of any radio frequencies, powers and band widths for radio services (including radar) on Diego Garcia which are necessary for the operation of the facility, and for international notification, will be followed:

a. Prior to the assignment, or modification of an assignment, of any radio frequency on Diego Garcia, concurrence for the same will be obtained from the United Kingdom through the established military co-ordination channel. This channel is between the Joint Frequency Panel (J/FP), USMCEB and the Defence Signal Staff, Signals 2 (DSS 2) Ministry of Defence, United Kingdom.

b. Upon obtaining such concurrence the United States will transmit to the International Frequency Registration Board (IFRB) notification of the assignment in accordance with existing US/UK frequency co-ordination procedures.

PARAGRAPH 6 Aids to Navigation and Approach Control - The United States may use and maintain existing electronic navigation and landing aids, such as airport surveillance radar, ground controlled approach (GCA), Tacan and instrument landing systems (ILS) If in the future it should be necessary to make significant changes to the present electronic navigation and landing aids or to expand them significantly, this may be done subject to agreement between the MOD and the USN.

PARAGRAPH 7 Scientific Research - If the Government of the United Kingdom wishes to grant access to Diego Garcia to members of scientific parties wanting to carry out research on Diego Garcia and its environs written notice will be given to the United States Department of State or the US Embassy in London at least four weeks prior to the intended visit. This notice will contain the following information:

a. identification of visiting party, including nationality and names of all members of the party;

b. scientific purpose,

c. date of arrival and expected duration,

d areas to be utilised,

e. activities to be conducted,

f equipment to be utilised,

g. services requested from the facility

Such notice and the response thereto will constitute the consultation referred to in sub-paragraph 3a of the Diego Garcia Agreement 1976. Scientific parties will, where necessary, be responsible for reimbursing the Government of the United States for any goods and services supplied to them by the USN.

PARAGRAPH 8 Local Administration - The following matters have been authorised by the Commissioner BIOT:

a. Drivers Licences - United States or United Kingdom motor vehicle drivers licences will be accepted as valid for the operation of all motor vehicles on Diego Garcia.

b. Medical Services - US medical personnel may perform medical services in Diego Garcia of the same type which such persons are

authorised to perform at United States military medical facilities without prior examination or revalidation of their professional certificate by the United Kingdom authorities, and such facilities will be made available to United Kingdom Service personnel For the purposes of this paragraph, the term "US medical personnel" means the physicians, surgeons, specialists, dentists, nurses and other United States personnel in Diego Garcia who perform medical services, and other doctors of United States nationality or ordinarily resident in the United States employed or contracted in exceptional cases by the United States Forces.

c. Recreational Fishing - United States personnel and United Kingdom personnel are permitted reasonable recreational fishing on Diego Garcia and its environs without obtaining any licence or paying any fees. Such recreational fishing includes fishing from boats as well as from the shore.

PARAGRAPH 9 Alteration - These Supplementary Arrangements may be altered at any time by the mutual consent of the parties hereto.

PARAGRAPH 10 Interpretation - Unless the context otherwise requires, terms and expressions used herein will have the meanings assigned to them in the Diego Garcia Agreement 1976. In the event of any conflict between the provisions of these Supplementary Arrangements and of the Diego Garcia Agreement 1976 the latter will prevail.

FOR THE ROYAL NAVY	FOR THE UNITED STATES NAVY
R D LYGO	D H BAGLEY
VICE ADMIRAL	ADMIRAL

SIGNED IN DUPLICATE AT LONDON
THE TWENTYFIFTH DAY OF FEBRUARY 1976

[RELATED NOTES]

No. 5

SIR.

I have the honor to refer to the Diego Garcia Agreement 1976, constituted by the Exchange of Notes of today's date between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the United States of America, supplementing the British Indian Ocean Territory Agreement (BIOT Agreement), effected by an Exchange of Notes between the two Governments dated December 30, 1966.

In accordance with the recent discussions between representatives of our two Governments, I have the honor to inform you that the Government of the United States of America, subject to the availability of funds, plans to undertake the following additional construction on Diego Garcia for the United States Navy support facility to be developed there.

Item	Approximate Capacity or Size
Expanded dredging for fleet anchorage	4,000 acres
Fuel and general purpose pier	550 feet of berthing
Runway extension	4,000 linear feet
Aircraft parking apron	90,000 square yards
Hangar	18,000 square feet
Air operating building addition	2,900 square feet
Transit storage building	4,000 square feet
Aircraft arresting gear	----
Storage petroleum, oil and lubricants	640,000 barrels
Power plant expansion	2,400 kilowatts
Vehicle repair hardstand	1,200 square yards
Subsistence building addition	3,600 square feet
Cold storage addition	4,200 square feet
Armed forces radio and television station	1,200 square feet
General warehouse addition	13,200 square feet
Utilities	----
Ready issue ammunition magazine	2,000 square feet
Protective open storage area for munitions	6,000 square yards
Bachelor enlisted quarters	277 men
Bachelor officers quarters	32 men
Receiver building addition	1,300 square feet
Recreational facilities	(Scope to be determined)
Shed storage	7,100 square feet
Flammable storage	2,700 square feet
Navy exchange warehouse	5,400 square feet
Crash fire station	7,300 square feet
Structural fire station	3,000 square feet
Aircraft washrack	(Scope to be determined)
Aircraft ready issue refueler	(Scope to be determined)
Public works shops	16,600 square feet

The foregoing would be in addition to construction for the limited naval communications facility presently on Diego Garcia, regarding which information has previously been provided to United Kingdom authorities.

In the event that further construction should be planned for the facility, it would, of course, be understood that such construction would be subject to the provisions of paragraph 2(b) of the BIOT Agreement as well as paragraph 1(a) or 1(b), as appropriate, of the Diego Garcia Agreement 1976.

Accept, sir, the renewed assurances of my highest regard.

RONALD I. SPIERS

The RT. HON. ROY HATTERSLEY, M.P
Minister of State for
Foreign and Commonwealth Affairs
Foreign and Commonwealth Office
Downing Street,
London, S.W.1

February 25, 1976

Foreign and Commonwealth Office
London SW1

25 February 1976

Sir,

I have the honour to acknowledge receipt of your letter of today's date concerning your Government's plans for construction in connection with the development of the present limited naval communications facility on Diego Garcia as a support facility of the United States Navy.

I note the additional construction planned by your Government and your statement concerning further construction. I confirm that your statement is in accordance with the understanding of my Government.

I have the honour to be
with high consideration
Sir
Your obedient Servant

The Honourable Ronald I Spiers
Embassy of the United States of America
Grosvenor Square
London
W1A 1AH

TIAS 8230

MULTILATERAL

Universal Postal Union: Second Additional Protocol to the Constitution, General Regulations, Final Protocol and Annex, Convention, Final Protocol and Detailed Regulations

Done at Lausanne July 5, 1974;
Ratified by the Postmaster General of the United States of America February 10, 1976;
Approved by the President of the United States of America March 4, 1976;
Entered into force January 1, 1976.
With the English text of the constitution
Signed at Vienna July 10, 1964, as amended, and final protocol.

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[Added by the Department of State]

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TRANSLATION [1]

SECOND ADDITIONAL PROTOCOL TO THE CONSTITUTION OF THE UNIVERSAL POSTAL UNION [2]

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III.	Accession to the Additional Protocol and to the other Acts of the Union
IV.	Entry into force and duration of the Additional Protocol to the Constitution of the Universal Postal Union

[1] Prepared by the English Language Group of the Universal Postal Union.
[2] For the English text of the constitution, see p. 783.
[Footnotes added by the Department of State.]

SECOND ADDITIONAL PROTOCOL TO THE CONSTITUTION OF THE UNIVERSAL POSTAL UNION[1]

The plenipotentiaries of the Governments of the member countries of the Universal Postal Union, met in Congress at Lausanne, 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 21 amended)

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 § 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 § 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 Government of the Swiss Confederation shall fix, by agreement with the Government of the country concerned, the contribution class into which the latter country is to be placed for the purpose of apportioning the expenses of the Union.

Article II

Choice of contribution class

Article I, § 3, shall be applicable before the entry into force of this Additional Protocol.

Article III

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 relative to the cases set forth in §§ 1 and 2 shall be sent through diplomatic channels to the Government of the country in which the seat of the Union is situated; which shall notify the member countries of these deposits.

[1] The Constitution of the Universal Postal Union was concluded by the 1964 Vienna Congress and appears in volume III of the Documents of that Congress. The first Additional Protocol was adopted at the 1969 Tokyo Congress.

*TIAS 5881, 7150; 16 UST 1294, 22 UST 1056. [Footnote added by the Department of State.]

Article IV

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 1976 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 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 Government of the country in which Congress is held.

Done at Lausanne, 5 July 1974.

[For signatures, see French text, pp. 535–555.]

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GENERAL REGULATIONS OF THE UNIVERSAL POSTAL UNION

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, § 3, 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

The organization and convening of Congresses, Extraordinary Congresses, Administrative Conferences and Special Committees

1. The representatives of member countries shall meet in Congress not later than five years after the date on which the Acts of the preceding Congress come into operation.

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 country shall be entitled to one vote.

4. In principle, each Congress shall designate the country in which the next Congress is to be held. If that designation proves inapplicable or inoperative it shall fall to the Executive Council 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. The host Government shall also be responsible for notifying the decisions taken by Congress to all the Governments of member countries.

6. When a Congress has to be convened without a host Government, the International Bureau, with the agreement of the Executive Council 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.

9. The meeting place of an Administrative Conference shall be fixed after consultation with the International Bureau, by the postal administrations which have initiated the Conference. The notices of convocation shall be sent out by the postal administration of the country in which the conference is to be held.

10. Special Committees shall be convened by the International Bureau after consultation, where appropriate, with the postal administration of the member country in which these Special Committees are to meet.

Article 102

Composition, functioning and meetings of the Executive Council

1. The Executive Council shall consist of a Chairman and thirty-nine members who shall exercise their functions during the period between two successive Congresses.

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

3. The thirty-nine members of the Executive Council 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. The representative of each of the members of the Executive Council shall be appointed by the postal administration of his country. This representative shall be a qualified official of the postal administration.

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

6. The Executive Council shall coordinate and supervise all the activities of the Union with the following functions:

(a) to maintain the closest contact with the postal administrations of member countries with a view to improving the international postal service;

(b) to promote, coordinate and supervise all forms of postal technical assistance within the framework of international technical cooperation;

(c) to study administrative, legislative and legal problems concerning the international postal service and communicate the results of such studies to postal administrations;

(d) to designate the country where the next Congress is to be held in the case provided for in article 101, § 4;

(e) to submit subjects for study to the Consultative Council for Postal Studies for examination in accordance with article 104, § 9(f);

(f) to examine the annual report prepared by the Consultative Council for Postal Studies and, if necessary, the proposals submitted by the Council;

(g) to make any useful contacts with the United Nations, its Councils and its Committees, and with the specialized agencies and other international bodies, for the purpose of making studies and preparing reports to be submitted for approval to the postal administrations of member countries; to send, as occasion arises, representatives of the Union to take part on its behalf in the meetings of these international bodies; to designate in due course the intergovernmental international organizations which should be invited to be represented at a Congress and to instruct the Director-General of the International Bureau to send the necessary invitations;

h) to formulate, as necessary, proposals to be submitted for the approval either of postal administrations of member countries under article 31, § 1, of the Constitution and article 119 of these Regulations, or of Congress when these proposals concern studies entrusted by Congress to the Executive Council or when they arise out of the Executive Council's own activities as defined in this article;

(i) to examine, at the request of the postal administration of a member country, any proposal which that administration forwards to the International Bureau under article 118, 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 postal administrations of member countries;

(j) in accordance with the provisions in force:

(i) to ensure control of the activities of the International Bureau;

(ii) to consider and approve the annual budget of the Union;

(iii) to approve, on the proposal of the Director-General of the International Bureau, the appointments of officials of grades D 2, D 1 and P 5, after examining the professional qualifications of the candidates recommended by postal administrations of member countries of which they are nationals, taking into account an equitable geographical distribution in respect of continents and languages together with all other relevant considerations, due weight being given to the Bureau's internal promotion arrangements;

(iv) to approve the annual Report on the work of the Union prepared by the International Bureau and where appropriate to furnish observations on it;

(v) to authorize, if circumstances so require, the ceiling of expenditure to be exceeded in accordance with article 122, §§ 3 and 4.

7. In approving the appointments of officials of grades D 2, D 1 and P 5, the Executive Council shall take into account that in principle the persons occupying these posts shall be nationals of different member countries of the Union.

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

9. On convocation by its Chairman, the Executive Council shall meet in principle once a year, at Union headquarters.

10. The representative of each of the members of the Executive Council participating in its meetings, except for meetings which take place during Congress, shall 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.

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

12. To ensure effective liaison between the work of the two bodies, the Chairman and Vice-Chairmen of the Consultative Council for Postal Studies may, if they express the desire so to do, attend Executive Council meetings as observers.

13. The postal administration of the country in which the Executive Council meets shall be invited to take part in the meetings in the capacity of observer, if that country is not a member of the Executive Council.

14. The Executive Council may invite any international body 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 postal administrations of member countries concerned with questions on its agenda.

Article 103

Documentation on the activities of the Executive Council

1. The Executive Council shall send postal administrations of member countries of the Union and Restricted Unions, for information, after each session:

(a) a summary record;

(b) the "Documents of the Executive Council" containing the reports, discussions, summary record and resolutions and decisions.

2. The Executive Council shall make to Congress a comprehensive report on its work and send it to postal administrations at least two months before the opening of Congress.

Article 104

Composition, functioning and meetings of the Consultative Council for Postal Studies

1. The Consultative Council for Postal Studies shall consist of thirty-five members who shall exercise their functions during the period between two successive Congresses.

2. The members of the Consultative Council shall be elected by Congress, in principle on the basis of as wide a geographical distribution as possible.

3. The representative of each of the members of the Consultative Council shall be appointed by the postal administration of his country. This representative shall be a qualified official of the postal administration.

4. The operational expenses of the Consultative Council shall be borne by the Union. Its members shall not receive any payment. Travelling and living expenses incurred by representatives of administrations participating in the Consultative Council shall be borne by those administrations. However, the representative of each of the relatively least economically developed countries recorded by the United Nations shall be entitled, except for meetings held during Congress, 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 Consultative Council shall choose from among its members a Chairman and Vice-Chairmen.

6. The Consultative Council shall draw up its Rules of procedure.

7. In principle, the Consultative 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 Executive Council and the Director-General of the International Bureau.

8. The Chairman and the Vice-Chairmen of the Consultative Council shall form the Steering Committee. This Committee shall prepare and direct the work of each meeting of the Consultative Council and take on all the tasks which the latter decides to assign to it.

9. The functions of the Consultative Council shall be the following:

(a) to organize the study of the most important technical, operational, economic and technical cooperation problems which are of interest to postal administrations of all member countries of the Union and to prepare information and opinions on them;

(b) to study teaching and vocational training problems of interest to the new and developing countries;

(c) to take the necessary steps to study and publicize the experiments and progress made by certain countries in the technical, operational, economic and vocational training fields of interest to the postal services;

(d) 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;

(e) to take, in consultation with the Executive Council, appropriate steps in the sphere of technical cooperation with all member countries of the Union and in particular with the new and developing countries;

(f) to examine any other question submitted to it by a member of the Consultative Council, by the Executive Council or by any other administration of a member country.

10. The members of the Consultative Council shall take an active part in its work. Member countries not belonging to the Consultative Council may, at their request, cooperate in the studies undertaken.

11. If need be, the Consultative Council shall draw up proposals for Congress arising directly from its activities as defined in this article. These proposals shall be submitted by the Consultative Council itself, after consultation with the Executive Council when questions within the latter's competence are concerned.

12. The Consultative Council shall, at its last session before Congress, prepare for submission to Congress the draft work programme of the next Council, taking into account the requests of member countries of the Union and of the Executive Council.

13. In order to ensure effective liaison between the work of the two bodies, the Chairman and Vice-Chairmen of the Executive Council may, if they express the desire so to do, attend Consultative Council for Postal Studies meetings as observers.

14. The Consultative Council may invite the following to take part in its meetings without the right to vote:

(a) any international body or any qualified person whom it wishes to associate with its work;

(b) postal administrations of member countries not belonging to the Consultative Council.

Article 105

Documentation on the activities of the Consultative Council for Postal Studies

1. The Consultative Council for Postal Studies shall send postal administrations of member countries and Restricted Unions, for information, after each session:

(a) a summary record;

(b) the "Documents of the Consultative Council for Postal Studies" containing the reports, discussions and summary record.

2. The Consultative Council shall prepare for the Executive Council an annual report on its work.

3. The Consultative Council shall prepare for Congress a comprehensive report on its work and send it to postal administrations of member countries at least two months before the opening of Congress.

Article 106

Rules of procedure of Congresses, Administrative Conferences and Special Committees

1. For the organization of its work and the conduct of its debates, Congress shall apply the Rules of procedure of Congresses which are annexed to the General Regulations.

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

3. Each Administrative Conference and each Special Committee shall draw up its Rules of procedure. Until such Rules are adopted, the provisions of the Rules of procedure of Congress annexed to these General Regulations shall be applicable in so far as they are relevant to the debates.

Article 107

Languages used for the publication of documents, for debates and for official correspondence

1. For the documents of the Union the French, English, Arabic and Spanish languages shall be used. Other languages may also be used on condition that the costs to be borne by the Union under § 6 are not thereby increased.

2. The member country or countries which have requested a language other than the official language constitute a language group. The member countries which have not made any express request shall be regarded as having asked for the official language.

3. Documents 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. Documents published directly by the International Bureau shall be distributed simultaneously in the different languages requested.

5. Correspondence between the postal administrations 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 cost of translation into any language other than the official language, including those resulting from the application of § 5, shall be borne by the language group which has asked for that language. The Union shall bear the cost of translation into the official language of documents and correspondence received in Arabic, English and Spanish, as well as all other costs involved in the supply of documents.

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 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 § 9.

11. Delegations using other languages shall arrange for simultaneous interpretation into one of the languages mentioned in § 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. Postal administrations 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 108

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 five 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. 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. Applications must be submitted by the governments of member countries, through the intermediary of the Government of the Swiss Confederation. The candidates must be nationals of the member countries which put them forward.

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.

4. If the posts of Director-General and Deputy Director-General fall vacant at the same time, the Executive Council 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 end of the term of office originally assigned to the Director-General. With regard to the submission of applications, § 2 shall apply by analogy.

5. The functions and powers of the Director-General shall be those expressly vested in him by the Acts, those deriving from the tasks assigned by the said Acts to the International Bureau, and those conferred upon him by the decisions of the competent bodies of the Union. He may delegate his power.

6. The Director-General shall organize, administer and direct the International Bureau, of which he is the legal representative.

7. The Director-General shall prepare the draft annual budget of the Union at the lowest possible level consistent with the requirements of the Union and submit it in due course and simultaneously to the Executive Council and the Supervisory Authority for consideration. He shall communicate the budget to the member countries of the Union after approval by the Executive Council.

8. The Director-General shall 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.

9. The Director-General shall assume the duties of Secretary-General of the bodies of the Union. In this capacity, and taking into account the special provisions of these General Regulations, he shall supervise 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.

10. The Director-General shall attend the meetings of bodies of the Union and take part in the discussions without the right to vote. He may also be represented.

11. The Director-General shall be responsible to the Executive Council for his management. The Deputy Director-General shall assist the Director-General and shall be responsible to him; he shall exercise the functions of the Director-General if the latter is absent or prevented from discharging his duties.

Article 109

Secretariat of the Union's bodies

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 postal administrations of the members of the body, to the postal administrations of countries which, while not members of the body, cooperate in the studies undertaken, to the Restricted Unions and to postal administrations of other member countries which ask for them.

Article 110

List of member countries

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 zone and their position with respect to the Acts of the Universal Postal Union.

Article 111

Information. Opinions. Requests for interpretation and amendment of the Acts. Inquiries. Role in the settlement of accounts.

1. The International Bureau shall be at all times at the disposal of the Executive Council, the Consultative Council for Postal Studies and postal administrations 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 postal administrations to obtain the views of other administrations 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 shall bring to the notice of the Chairman of the Consultative Council for Postal Studies, for any necessary action, questions which are within the competence of that organ.

5. It shall act as a clearing house in the settlement of accounts of all kinds relating to the international postal service between postal administrations requesting this facility.

Article 112

Technical cooperation

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

Article 113

Forms supplied by the International Bureau

The International Bureau shall be responsible for arranging the manufacture of postal identity cards, international reply coupons, postal travellers' cheques and cheque book covers and for supplying them, at cost, to postal administrations ordering them.

Article 114

Acts of Restricted Unions and Special Agreements

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 postal administrations of the existence of such Unions and Agreements. The International Bureau shall notify the Executive Council of any irregularity discovered through applying this provision.

Article 115

Union journal

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

Article 116

Annual Report on the work of the Union

The International Bureau shall make an annual Report on the work of the Union, which shall be sent, after approval by the Executive Council, to postal administrations, the Restricted Unions and the United Nations.

Chapter III

Procedure for the submission and consideration of proposals

Article 117

Procedure for submitting proposals to Congress

1. Subject to the exceptions provided for in § 3, the following procedure shall govern the submission of proposals of all kinds to Congress by postal administrations of member countries:

(a) proposals which reach the International Bureau at least 6 months before the date fixed for Congress shall be accepted;

(b) no drafting proposal shall be accepted during the period of 6 months preceding the date fixed for Congress;

(c) proposals of substance which reach the International Bureau in the interval between 6 and 4 months before the date fixed for Congress shall not be accepted unless they are supported by at least two administrations;

(d) proposals of substance which reach the International Bureau during the period of 4 months preceding the date fixed for Congress shall not be accepted unless they are supported by at least eight administrations;

(e) declarations of support shall reach the International Bureau within the same period as the proposals to which they refer.

2. Drafting proposals shall be headed "Drafting proposal" by the administrations 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.

3. The procedure prescribed in §§ 1 and 2 shall not apply either to proposals concerning the Rules of procedure of Congresses or to amendments to proposals already made.

Article 118

Procedure for submitting proposals between Congresses

1. To be eligible for consideration each proposal concerning the Convention or the Agreements submitted by a postal administration between Congresses shall be supported by at least two other administrations. 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 postal administrations through the intermediary of the International Bureau.

Article 119

Consideration of proposals between Congresses

1. Every proposal shall be subject to the following procedure: a period of two months shall be allowed to postal administrations of member countries for consideration of the proposal notified by an International Bureau circular and for forwarding their observations, if any, to the Bureau. Amendments shall not be admissible. The replies shall be collected by the International Bureau and communicated to postal administrations with an invitation to vote for or against the proposal. Those which have not sent in their vote within a period of two months shall be considered as abstaining. The aforementioned periods shall be reckoned from the dates of the International Bureau circulars.

2. If the proposal relates to an Agreement, its Detailed Regulations or their Final Protocols, only the postal administrations of member countries which are parties to that Agreement may take part in the procedure described in § 1.

Article 120

Notification of decisions adopted between Congresses

1. Amendments made to the Convention, the Agreements and the Final Protocols to those Acts shall be sanctioned by a diplomatic declaration which the Government of the Swiss Confederation shall be charged to draw up and transmit at the request of the International Bureau to the Governments of member countries.

2. Amendments made to the Detailed Regulations and their Final Protocols shall be recorded and communicated to postal administrations by the International Bureau. The same shall apply to the interpretations referred to in article 77, § 2 (c) (ii), of the Convention and in the corresponding provisions of the Agreements.

Article 121

Implementation of decisions adopted between Congresses

Any decision which has been adopted shall not take effect until at least three months after its notification.

Chapter IV

Finance

Article 122

Fixing and regulation of the expenditure of the Union

1. Subject to the provisions of §§ 2 to 5, the annual expenditure relating to the activities of bodies of the Union may not exceed the following sums for 1976 and subsequent years:
11 720 900 Swiss francs for 1976;
13 574 800 Swiss francs for 1977;
14 058 900 Swiss francs for 1978;
14 467 500 Swiss francs for 1979;
14 883 900 Swiss francs for 1980.
For the years after 1980, in case the Congress scheduled for 1979 is postponed, the annual budgets shall not exceed the sum fixed for the previous year by more than 5 per cent per annum.

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 producing documents during the Congress, etc) shall not exceed the limit of 2 135 200 Swiss francs.

3. The Executive Council shall be authorized to exceed the limits laid down in §§ 1 and 2 to be exceeded 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 Executive Council shall be authorized to exceed the limits laid down in § 1 to take account of the new edition of the International List of Post Offices and the installation of a canteen at the International Bureau. The total amounts of the overstepping authorized for this purpose shall not exceed:
– 870 000 Swiss francs for the new edition of the International List of Post Offices;
– 100 000 Swiss francs for the installation of a canteen at the International Bureau.

5. If the credits authorized in §§ 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.

6. 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.

7. The Government of the Swiss Confederation shall make the necessary advances and supervise bookkeeping and accounting of the International Bureau within the limit of credit fixed by Congress.

8. The sums advanced by the Government of the Swiss Confederation in accordance with § 7 shall be repaid by the debtor postal administrations in the shortest possible time and at the latest before 31 December of the year in which the account is sent. After that period the sums due shall be chargeable with interest in favour of the said Government at the rate of 5 per cent per annum, reckoned from the date of expiry of that period.

Article 123

Contribution classes

1. Member countries shall contribute to defraying Union expenses according to the contribution class to which they belong. These classes are the following:
class of 50 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.

2. 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.

3. Member countries may subsequently change contribution class on condition that this change is communicated to the International Bureau before the opening of Congress. This notification, which shall be brought to the attention of Congress, shall take effect on the date of the entry into force of the financial provisions drawn up by Congress.

4. Member countries may not insist on being lowered more than one class at a time. Member countries which have not made known their wish to change contribution class by the opening of Congress shall remain in the class to which they belonged up to that time.

5. Notwithstanding §§ 3 and 4, changes to a higher class shall not be subject to any restriction.

Article 124

Payment for supplies from the International Bureau

Supplies provided by the International Bureau to postal administrations 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 Government of the Swiss Confederation which advanced them, at the rate of 5 per cent per annum reckoned from the date of expiry of that period.

Chapter V

Arbitration

Article 125

Arbitration procedure

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

2. If one of the administrations party to the case does not act on a proposal for arbitration within a period of six months, the International Bureau, if so requested, shall itself call upon the defaulting administration 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 postal administration, not involved in the dispute either, to settle the matter. Should they fail to agree on the choice, this administration shall be appointed by the International Bureau from among administrations not proposed by the arbitrators.

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

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Article 126

Conditions of approval of proposals concerning the General Regulations shall be approved by a majority of the member countries represented at Congress. At least two-thirds of the member countries of the Union shall be present at the time of voting.

Article 127

Proposals concerning the Agreements with the United Nations

The conditions of approval referred to in article 126 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 128

Entry into force and duration of the General Regulations

These General Regulations shall come into force on 1 January 1976 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 these General Regulations 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 Government of the country in which Congress is held.

Done at Lausanne, 5 July 1974.

[For signatures, see French text, pp. 570–590.]

FINAL PROTOCOL
TO THE GENERAL REGULATIONS OF THE UNIVERSAL POSTAL UNION

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

Article I

Executive Council and Consultative Council for Postal Studies

The provisions of the General Regulations relating to the organization and functioning of the Executive Council and of the Consultative Council for Postal Studies shall be applicable in advance of the coming into operation of those Regulations.

Article II

Expenditure of the Union

1. Notwithstanding article 128 a sum of 100 000 Swiss francs shall be added to the ceiling of annual expenditure relating to the work of the Union's bodies for 1975 because of the expenditure involved in the entry into force, from 1 January 1975, of the new accounting system for international reply coupons.

2. Notwithstanding article 122, § 1, the Executive Council, 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 shall not exceed 65 000 Swiss francs per annum.

Article III

Contribution classes

Article 123, § 1, shall be applicable before the entry into force of these Regulations.

In witness whereof, the undermentioned plenipotentiaries 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 General Regulations themselves, and they have signed it 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 Government of the country in which Congress is held.

Done at Lausanne, 5 July 1974.

[For signatures, see French text, pp. 570–590.]

GENERAL REGULATIONS OF THE UNIVERSAL POSTAL UNION – ANNEX

Rules of procedure of Congresses

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Rules of procedure of Congresses

Article 1

General provisions

The present Rules of procedure (hereinafter referred to as "the Rules") have been drawn up pursuant to the Acts of the Union and are subordinate to them. In the event of a discrepancy between one of their provisions and a provision of the Acts, the latter shall prevail.

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Article 2

Delegations

1. The term "delegation" shall denote the person or body of persons designated by a member country to take part in a Congress. The delegation shall consist of a Head of Delegation and, if appropriate, his deputy, one or more delegates and, possibly, one or more attached officials (including experts, secretaries, etc).

2. Heads of delegation, their deputies and also delegates, shall be representatives of member countries within the meaning of article 14, § 2, of the Constitution if in possession of credentials which comply with the conditions laid down in article 3 of these Rules.

3. Attached officials shall be admitted to meetings, but they shall not normally have the right to vote. However, they may be authorized by the Head of their delegation to vote on behalf of their country at Committee meetings. Such authorizations shall be handed, in writing, to the Chairman of the committee concerned, before the beginning of the meeting.

Article 3

Delegates' credentials

1. Delegates' credentials shall be signed by the Head of State, the Head of Government or the Minister for Foreign Affairs of the country concerned. They shall be drawn up in due and proper form. The credentials of delegates entitled to sign the Acts (plenipotentiaries) shall specify the scope of such signature (signature subject to ratification or approval, signature ad referendum, definitive signature). In the absence of such specific information, the signature shall be regarded as being subject to ratification or approval. Credentials authorizing the holder to sign the Acts shall implicitly include the right to vote. Delegates in possession of credentials which do not expressly authorize them to sign the Acts shall only be entitled to take part in the debates and to vote.

2. Credentials shall be deposited at the opening of Congress with the authority designated for that purpose.

3. Delegates who are not in possession of credentials or who have not deposited their credentials may, provided their names have been communicated by their Government to the Government of the host country, take part in the debates and vote from the moment they participate in the work of Congress. The same shall apply to those whose credentials are found to be not in order. Such delegates shall cease to be empowered to vote from the time Congress approves the report of the Credentials Committee establishing that their credentials have not been received or are not in order until such time as the position is regularized.

4. The credentials of a member country which arranges for the delegation of another member country to represent it at Congress (proxy) shall be in the same form as those mentioned in § 1.

5. Credentials and proxies sent by telegram shall not be admissible. However, telegrams sent in reply to requests for information relating to credentials shall be accepted.

6. A delegation which, after it has deposited its credentials, is prevented from attending one or more meetings, may arrange to be represented by the delegation of another country, provided that notice in writing is given to the Chairman of the meeting concerned. However, a delegation may represent only a single country other than its own.

7. The delegates of member countries which are not parties to an Agreement may take part in the debates of Congress concerning that Agreement, without the right to vote.

Article 4

Order of seating

1. At Congress and Committee meetings, delegations shall be seated in the French alphabetical order of the member countries represented.

2. The Chairman of the Executive Council shall draw lots, in due course, for the name of the country to be placed foremost before the rostrum at Congress and Committee meetings.

Article 5

Observers

1. Representatives of the United Nations may take part in the debates of Congress.

2. Observers from international intergovernmental organizations designated by the Executive Council shall be admitted to meetings of Congress when questions of interest to these organizations are being discussed.

3. Qualified representatives of the Restricted Unions established in accordance with article 8, § 1, of the Constitution shall also be admitted as observers when the Unions concerned express a wish to that effect.

4. The observers referred to in §§ 1 to 3 shall take part in the debates without the right to vote.

5. Requests from non-governmental organizations to take part in Congress shall be subject to an express decision of Congress in each case.

Article 6

Doyen of Congress

1. The postal administration of the host country of Congress shall suggest the person to be appointed as Doyen of Congress in agreement with the International Bureau. The Executive Council shall approve this appointment in due course.

2. At the opening of the first plenary meeting of each Congress, the Doyen shall act as Chairman until Congress has elected one. He shall also exercise the functions assigned to him under the present Rules.

Article 7

Chairmanships and Vice-Chairmanships of Congress and Committees

1. At its first plenary meeting, on the proposal of the Doyen, Congress shall appoint the member country and the four member countries which are to act as Chairman and Vice-Chairmen, respectively, of Congress. These posts shall be assigned taking as much account as possible of the geographical distribution of the member countries.

2. On the Doyen's proposal, Congress shall also designate the member countries which are to act as Chairmen and Vice-Chairmen of the Committees.

3. The Chairmen shall open and close the meetings over which they preside, direct the debates, give speakers the floor, put proposals to the vote and announce what majority is required for their adoption, announce decisions and, subject to the approval of Congress, interpret such decisions if necessary.

4. The Chairmen shall see that the present Rules are observed and that order is maintained at meetings.

5. Any delegation may appeal to Congress or the Committee against a decision taken by the Chairman on the basis of a provision or interpretation of the Rules. The Chairman's decision shall nevertheless hold good unless rescinded by a majority of the members present and voting.

6. Should the member country appointed to the Chairmanship be no longer able to exercise this function, one of the Vice-Chairmen shall be appointed by Congress or the Committee to replace it.

Article 8

Bureau of Congress

1. The Bureau shall be the central body responsible for directing the work of Congress. It shall consist of the Chairman and Vice-Chairmen of Congress and also of the Chairmen of Committees. It shall meet periodically to review the progress of the work of Congress and its Committees and to make recommendations designed to facilitate such progress. It shall assist the Chairman in drawing up the agenda of each plenary meeting and in coordinating the work of the Committees. It shall make recommendations relating to the closing of Congress.

2. The Secretary-General of Congress and the Assistant Secretary-General, mentioned in article 12, § 1, shall attend the meetings of the Bureau.

Article 9

Committees

Congress shall determine the number of Committees required to carry out its work and shall specify their functions.

Article 10

Working parties

Each Committee may set up working parties to study special questions.

Article 11

Membership of Committees

1. The member countries represented in Congress shall, as of right, be members of the Committees responsible for studying proposals relating to the Constitution, the General Regulations, the Convention and its Detailed Regulations.

2. Member countries represented in Congress which are parties to one or more of the optional Agreements shall, as of right, be members of the Committee and/or Committees responsible for the revision of these Agreements. The right to vote of members of the Committee or Committees shall be confined to the Agreement or Agreements to which they are parties.

3. Delegations which are not members of Committees dealing with the Agreements and their Detailed Regulations may attend meetings of those Committees and take part in the debates without the right to vote.

Article 12

Secretariat of Congress and of Committees

1. The Director-General and the Deputy Director-General of the International Bureau shall act as Secretary-General and Assistant Secretary-General of Congress, respectively.

2. The Secretary-General and the Assistant Secretary-General shall attend the meetings of Congress and of the Bureau of Congress and take part in the debates without the right to vote. They may also attend, under the same conditions, Committee meetings or be represented thereat by a senior official of the International Bureau.

3. The work of the Secretariat of Congress, the Bureau of Congress and the Committees shall be performed by the staff of the International Bureau in conjunction with the administration of the host country.

4. Senior officials of the International Bureau shall act as Secretaries of Congress, of the Bureau of Congress and of Committees. They shall assist the Chairman during meetings and shall be responsible for writing the minutes or reports.

5. Secretaries of Congress and of Committees shall be assisted by Assistant Secretaries.

6. Rapporteurs proficient in French shall take the minutes of Congress and Committees.

Article 13

Languages of debates

1. Subject to § 2, French, English, Spanish and Russian may be used for debates, by means of a system of simultaneous or consecutive interpretation.

2. The debates of the Drafting Committee shall be held in French.

3. Other languages may also be used for the debates mentioned in § 1. The language of the host country shall have priority in this connection. Delegations using other languages shall arrange for simultaneous interpretation into one of the languages mentioned in § 1, either by means of the simultaneous interpretation system, when the necessary technical alterations can be made, or by special interpreters.

4. The cost of installing and maintaining the technical equipment shall be borne by the Union.

5. The cost of the interpretation services shall be divided among the member countries using the same language in proportion to their contributions to the expenses of the Union.

Article 14

Languages used for drafting Congress documents

1. Documents prepared during Congress including draft decisions submitted to Congress for approval shall be published in French by the Secretariat of Congress.

2. To this end, documents produced by delegations of member countries shall be submitted in French, either direct or through the intermediary of the translation services attached to the Congress Secretariat.

3. The above services, organized at their own expense by the language groups set up in accordance with the relevant provisions of the General Regulations, may also translate Congress documents into their respective languages.

Article 15

Proposals

1. All questions brought before Congress shall be the subject of proposals.

2. All proposals published by the International Bureau before Congress shall be regarded as being submitted to Congress.

3. From the time Congress opens, no proposal shall be considered except those amending earlier proposals.

4. The following shall be regarded as amendments: any proposal involving a deletion from, or an addition to, part of the original proposal or the revision of a part of that proposal. No proposed change shall be regarded as an amendment if Congress or the Committee considers that it is incompatible with the original proposal.

5. Amendments submitted at Congress to proposals already made shall be handed in to the Secretariat in writing, in French, before noon on the day but one before the day on which they will be discussed, so that they can be distributed to delegates the same day. This time-limit shall not apply to amendments arising directly from the debates in Congress or in a Committee. In the latter case, if so requested, the author of the amendment shall submit a written version in French, or in case of difficulty, in any other language used for debates. The Chairman concerned shall read it out or have it read out.

6. The procedure laid down in § 5 shall also apply to the submission of proposals that are not designed to amend the text of the Acts (draft resolutions, draft recommendations, draft formal opinions, etc).

7. Any proposal or amendment shall give the final form of the text which is to be inserted in the Acts of the Union, subject, of course to revision by the Drafting Committee.

Article 16

Consideration of proposals in Congress and in Committees

1. Drafting proposals (the number of which shall be followed by the letter R) shall be assigned to the Drafting Committee either direct, if the International Bureau has no doubt as to their nature (a list of such proposals shall be drawn up for the Drafting Committee by the International Bureau), or, if the International Bureau is in doubt as to their nature, after the other Committees have confirmed that they are purely of a drafting nature (a list of such proposals shall likewise be drawn up for the Committees concerned). If, however, such proposals are linked with other proposals of substance to be considered by Congress or by other Committees, the Drafting Committee shall postpone consideration of them until after Congress or the other Committees have taken a decision on the corresponding proposals of substance. Proposals whose numbers are not followed by the letter R but which, in the opinion of the International Bureau, are of a drafting nature, shall be referred direct to the Committees concerned with the corresponding proposals of substance. When these Committees begin work, they shall decide which of the proposals shall be assigned direct to the Drafting Committee. A list of these proposals shall be drawn up by the International Bureau for the Committees concerned.

2. If the same question is the subject of several proposals, the Chairman shall decide the order in which they are to be discussed, starting as a rule, with the proposal which departs most from the basic text and entails the most significant change in relation to the status quo.

3. If a proposal can be subdivided into several parts, each part may, if the originator of the proposal or the Assembly so agrees, be considered and voted upon separately.

4. Any proposal withdrawn in Congress or in Committee by its originator may be re-submitted by the delegation of another member country.

5. If there is an amendment to a proposal, the amendment shall be voted upon first. However, any amendment to a proposal which is accepted by the delegation submitting the proposal shall be immediately included in the text thereof.

6. If there are several amendments to a proposal, that which departs most from the original text shall be put to the vote first; the remaining amendments shall then be voted on beginning with that which contains the next greatest departure from the original text, and so on until all the amendments have been considered. If one or more amendments are adopted, the proposal so amended shall then itself be put to the vote. If no amendment is adopted, a vote shall be taken on the initial proposal.

7. The Chairman of Congress and the Chairmen of Committees shall arrange for the text of the proposals, amendments or decisions adopted to be passed to the Drafting Committee, in writing, after each meeting.

Article 17

Debates

1. Delegates may not take the floor until they have been given permission to do so by the Chairman of the meeting. They shall be urged to speak slowly and distinctly. The Chairman shall afford delegates the possibility of freely and fully expressing their views on the subject discussed, so long as that is compatible with the normal course of the debate.

2. Unless a majority of the members present and voting decides otherwise, speeches shall not exceed five minutes. The Chairman shall be authorized to interrupt any speaker who exceeds the said authorized time. He may also ask the delegate not to depart from the subject.

3. During a debate, the Chairman may with the agreement of the majority of the members present and voting, declare the list of speakers closed after reading it out. When the list is exhausted, he shall declare the debate closed although even after the closing of the list he may grant the right to reply to any of the speeches delivered.

4. The Chairman may also with the agreement of the majority of the members present and voting, limit the number of speeches by any one delegation on a proposal or a certain group of proposals; but the originator of the proposal shall be given the opportunity of introducing it and speaking subsequently if he asks to do so in order to make new points in reply to the speeches of other delegations, so that he may, if he wishes, be the last speaker.

5. With the agreement of the majority of the members present and voting, the Chairman may limit the number of speeches on a proposal or a certain group of proposals; but this limit may not be less than five for and five against the proposal under discussion.

Article 18

Motions on points of order

1. It shall be permissible at any time to ask to speak on a point of order or for a personal reason. Such a request shall be discussed forthwith so that a decision may be taken without delay.

2. A delegation which submits a motion on a point of order may not touch on the substance of the problem under discussion.

3. The order of priority of motions on points of order is as follows:
(a) a call to order;
(b) suspension of the meeting;
(c) closure of the meeting;
(d) adjournment of the debate on the question under discussion;
(e) closure of the debate on the question under discussion;
(f) any other motion (eg a motion to change the order fixed by the Chairman for examining the proposals, questions of competence), the order of priority of which shall have been decided by the Chairman.

4. During the discussion of a question, a delegation may propose that the meeting be suspended or closed giving its reasons for so proposing. If this proposal is supported, two speakers shall be allowed to speak against the suspension or closure of the meeting and only on that subject, after which the motion shall be put to the vote.

5. A delegation may propose adjournment of the debate on any question for a specified period. In this case, only two speakers against the adjournment may speak, after which the motion shall be put to the vote.

6. A delegation may, at any time, propose that the debate on the question under discussion be closed. In that case, only two speakers against the motion may speak after which the motion shall be put to the vote.

7. The proposer may withdraw a motion on points of order before it has been put to the vote. Any motion, whether amended or not, which is so withdrawn may be re-introduced by another delegation.

Article 19

Quorum. General provisions concerning voting

1. Half the member countries represented at Congress or on the Committee and having the right to vote shall constitute a quorum. Regarding the Agreements, the quorum shall be formed by the presence or representation at the meeting of at least half of the member countries represented which are parties to the Agreement concerned.

2. Questions which cannot be settled by common consent shall be decided by vote.

3. Delegations which are present but do not take part in a given vote, or which state that they do not wish to take part therein, shall not be regarded as being absent for the purpose of determining whether a quorum is formed as required in § 1.

4. When the number of abstentions, and blank or null and void ballot papers exceeds half the number of votes cast (for, against and abstentions), consideration of the matter shall be deferred until a subsequent meeting, at which abstentions and blank or null and void ballot papers shall be disregarded.

Article 20

Voting procedures

1. Votes shall be taken by the traditional system or by the electronic voting system. They shall normally be taken by the electronic system when that system is available to the assembly. However, in the case of a secret ballot, the traditional system may be used if one delegation, supported by a majority of the delegations present and voting, so requests.

2. For the traditional system, the methods of voting shall be as follows:
(a) by show of hands. If there is doubt about the result of such a vote, the Chairman, if he so wishes or if a delegation so requests, may arrange for a roll-call vote on the same question;
(b) by roll-call, at the request of a delegation or if so decided by the Chairman. The roll shall be called according to the French alphabetical order of the countries represented, beginning with the country whose name is drawn by lot by the Chairman. The result of the vote together with a list of the countries grouped according to the way they voted, shall be included in the minutes of the meeting;
(c) by secret ballot, using ballot papers, if requested by two delegations. In this case, the Chairman of the meeting shall appoint three tellers and make the necessary arrangements for the holding of a secret ballot.

3. For the electronic system, the methods of voting shall be as follows:
(a) non-recorded vote: it replaces a vote by show of hands:
(b) recorded vote: it replaces a roll-call vote; however, the names of the countries shall not be called unless one delegation, supported by a majority of the delegations present and voting, so requests;
(c) secret ballot: it replaces the secret ballot by ballot papers.

4. Once the voting has begun, no delegation may interrupt it, except to raise a point of order relating to the way in which the vote is being taken.

5. After the vote, the Chairman may permit delegates to explain why they voted as they did.

Article 21

Conditions of approval of proposals

1. To be adopted, proposals involving amendments to the Acts must:
(a) in the case of the Constitution, be approved by at least two-thirds of the member countries of the Union;
(b) in the case of the General Regulations, be approved by a majority of the member countries represented in Congress; two-thirds of the member countries of the Union shall be present when the vote is taken;
(c) in the case of the Convention and its Detailed Regulations, be approved by a majority of the member countries present and voting;
(d) in the case of the Agreements and their Detailed Regulations, be approved by a majority of the member countries present and voting which are parties to the Agreements.

2. Procedural matters which cannot be settled by common consent shall be decided by a majority of the member countries present and voting. The same shall apply to decisions not concerning changes in the Acts, unless Congress decides otherwise by a majority of the member countries present and voting.

3. Subject to the provisions of article 19, § 4, "member countries present and voting" means member countries voting "for" or "against", abstentions being ignored in counting the votes required to constitute a majority as well as blank or null and void ballot papers in the case of a secret ballot.

4. In the event of a tie, a proposal shall be regarded as rejected.

Article 22

Election of the members of the Executive Council or the Consultative Council for Postal Studies

In order to decide between countries which have obtained the same number of votes in elections of members of the Executive Council or the Consultative Council for Postal Studies, the Chairman shall draw lots.

Article 23

Minutes

1. The minutes of the meetings of Congress and Committees shall record the course of the meetings, briefly summarize speeches, and mention proposals and the outcome of the debates. Minutes shall be prepared of the plenary meetings and summarized minutes of the Committee meetings.

2. The minutes of Committee meetings may be entirely or partially replaced by reports to Congress if the Committee concerned so decides. As a general rule, working parties shall prepare a report for the body that set them up.

3. Each delegate, however, shall be entitled to ask for any statement made by him to be included in the minutes or in the report either verbatim or in summary form, provided the French text is handed to the Secretariat not later than two hours after the end of the meeting.

4. Delegates shall be allowed a period of twenty-four hours, from the moment when the draft minutes or the draft report are distributed, in which to make their comments to the Secretariat, which, if necessary, shall act as an intermediary between the party concerned and the Chairman of the meeting in question.

5. As a general rule and subject to the provisions of § 4, at the beginning of each meeting of Congress, the Chairman shall submit the minutes of a previous meeting for approval. The same shall apply in regard to those Committees whose proceedings are recorded in the form of minutes or a report. The minutes or reports of the last meetings which it has not been possible to approve in Congress or in a Committee shall be approved by the respective Chairmen of the meetings. The International Bureau shall also take account of any comments received from delegates of member countries within forty days of the dispatch of the minutes to them.

6. The International Bureau shall be authorized to correct in the minutes or reports of meetings of Congress and Committees any material errors which were not brought to light when the minutes were approved in accordance with § 5.

Article 24

Approval by Congress of draft decisions (Acts, resolutions, etc)

1. As a general rule, each draft Act submitted by the Drafting Committee shall be studied article by article. It can only be regarded as adopted after an overall favourable vote. The provisions of article 21, § 1, shall apply to such a vote.

2. During this study, any delegation may reopen a proposal which has been carried or rejected in Committee. An appeal relating to a rejected proposal shall be subject to the delegation's having notified the Chairman of Congress accordingly, in writing, at least one day before the meeting at which the relevant provision of the draft Act is to be submitted to Congress for approval.

3. Nonetheless, it shall always be possible, if the Chairman considers it desirable for the progress of Congress work, to consider appeals before considering the draft Acts submitted by the Drafting Committee.

4. When a proposal has been adopted or rejected by Congress, it can only be reconsidered by the same Congress if the appeal has been supported by at least ten delegations and approved by a two-thirds majority of the members present and voting. This possibility is limited to proposals submitted direct to plenary meetings, it being understood that a single question cannot give rise to more than one appeal.

5. The International Bureau shall be authorized to correct in the final Acts any material errors which have not come to light during the study of the draft Acts, the numbering of articles and paragraphs and references.

6. Paragraphs 2 to 5 shall also apply to draft decisions other than draft Acts (resolutions, formal opinions, etc).

Article 25

Reservations to Acts

Reservations must be submitted in writing in French (proposals concerning the Final Protocol), in order that they may be considered by Congress before the signing of Acts.

Article 26

Signature of Acts

Acts finally approved by Congress shall be submitted to the plenipotentiaries for signature.

Article 27

Amendment of the Rules

1. Each Congress may amend the Rules of procedure. In order to be accepted for discussion, proposals to amend the present Rules, unless submitted by a UPU body empowered to put forward proposals, shall be supported in Congress by at least ten delegations.

2. To be adopted, proposals for amendments to the present Rules must be approved by at least two-thirds of the member countries represented in Congress.

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XV. Special storage charges at Aden
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XVII. Compulsory routeing indicated by the country of origin
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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, § 3, of the Constitution drawn up in this Convention the rules applicable in common throughout the international postal service and the provisions concerning the letter-post services.

Part I

Rules applicable in common throughout the international postal service

Chapter I

General provisions

Article 1

Freedom of transit

1. Freedom of transit, the principle of which is set forth in article 1 of the Constitution, shall carry with it the obligation for each postal administration to forward always by the quickest routes which it uses for its own items, closed mails and *à découvert* letter-post items which are passed to it by another administration. This obligation shall also apply to air-mail correspondence, whether or not the intermediate postal administrations take part in reforwarding it.

2. Member countries which do not participate in the exchange of letters containing perishable biological 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 the items referred to in article 33, § 6.

3. Member countries not providing the insured letters service or not accepting liability for insured letters carried by their sea or air services may not, however, refuse transit of such items in closed mails through their territory or conveyance of them by their sea or air services; but those countries' liability shall be limited to that laid down for registered items.

4. 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.

5. Freedom of transit for air parcels shall be guaranteed throughout the territory of the Union. Nevertheless, member countries which are not parties to the Postal Parcels Agreement shall not be required to forward air parcels by surface.

6. Member countries which are parties to the Postal Parcels Agreement but which do not provide an insured parcels service or which do not accept liability for insured items carried by their sea or air services, may not, however, refuse transit of such parcels in closed mails through their territory or conveyance of them by their sea or air services; but those countries' liability shall be limited to that laid down for uninsured parcels of the same weight.

Article 2

Failure to give freedom of transit

When a member country fails to observe the provisions of article 1 of the Constitution and of article 1 of the Convention regarding freedom of transit, postal administrations of other member countries may discontinue their postal service with that country. They shall give prior notice of this step to the administrations concerned by telegram, and inform the International Bureau of the fact.

Article 3

Land transit without the participation of the services of the country crossed

The conveyance of mail in transit through a country without the participation of the services of that country shall be subject to the prior authorization of the country crossed. This form of transit shall not involve the liability of the latter country.

Article 4

Temporary suspension and resumption of services

When, owing to exceptional circumstances, a postal administration is obliged to suspend temporarily its services wholly or in part, it shall announce the fact immediately, if need be by telegram, to the administration or administrations concerned. It shall do likewise when the suspended services are resumed. In addition, the International Bureau must be notified of the suspension or resumption of services if a general announcement is considered necessary.

Article 5

Ownership of postal items

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 destination.

Article 6

Creation of new service

Administrations may by mutual consent create a new service not expressly provided for in this Convention. Charges for a new service shall be laid down by the administration concerned, having regard to the expenses of operating the service.

Article 7

Charges

1. The charges for the various international postal services shall be laid down in the Convention and the Agreements.

2. No postal charge of any kind may be collected other than those provided for in the Convention and Agreements.

Article 8

Equivalents

In each member country, the charges shall be fixed on the basis of the closest possible equivalent of the value of the gold franc in the currency of that country.

Article 9

Postage stamps

Postage stamps for denoting payment of postage shall be issued by postal administrations only.

Article 10

Forms

1. The texts, colours and dimensions of forms shall be prescribed in the Detailed Regulations of the Convention and of the Agreements.

2. Forms for the use of administrations in their relations with one another shall be drawn up in French with or without interlinear translation, unless the administrations concerned arrange otherwise by direct agreement.

3. Forms for the use of the public shall bear an interlinear translation in French when they are not printed in that language.

Article 11

Postal identity cards

1. Each postal administration may issue to persons who apply for them postal identity cards valid as proof of identity for postal transactions effected in member countries which have not announced their refusal to recognize them.

2. The administration which issues a card shall be authorized to collect, on this account, a charge which may not exceed 2 francs.

3. Administrations shall be relieved of all liability when it is established that the delivery of a postal item or the payment of a monetary article was effected on presentation of a genuine card. Moreover, they shall not be liable for consequences arising from the loss, theft or fraudulent use of a genuine card.

4. A card shall be valid for a period of five years from the date of issue. Nevertheless, it shall cease to be valid:

(a) when the appearance of the holder is altered to such an extent that it no longer corresponds to the photograph or to the description;

(b) when it is damaged in such a way that it is no longer possible to check a particular entry concerning the holder;

(c) when it shows signs of forgery.

Article 12

Settlement of accounts

Settlements between postal administrations of international accounts arising from postal traffic may be regarded as current transactions and effected in accordance with the current international obligations of the member countries concerned, when there are agreements to this effect. In the absence of such agreements, accounts shall be settled in accordance with the provisions of the Detailed Regulations.

Article 13

Undertakings regarding penal measures

The Governments of member countries shall undertake to adopt, or to propose to the legislatures of their countries, the necessary measures:

(a) for punishing the counterfeiting of postage stamps, even if withdrawn from circulation, of international reply coupons and of postal identity cards;

(b) for punishing the use or uttering:
   (i) of counterfeit postage stamps (even if withdrawn from circulation) or used postage stamps, as well as of counterfeit or used impressions of franking machines or printing presses;
   (ii) of counterfeit international reply coupons;
   (iii) of counterfeit postal identity cards;

(c) for punishing the fraudulent use of genuine postal identity cards;

(d) for prohibiting and suppressing all fraudulent operations of manufacturing and uttering adhesive stamps and stamped impressions in use in the postal service, counterfeited or imitated in such a manner that they could be mistaken for the adhesive stamps and stamped impressions issued by the postal administration of a member country;

(e) for preventing and, if necessary, for punishing the insertion in postal items of opium, morphine, cocaine or other narcotics as well as explosive or easily inflammable substances, where their insertion has not been expressly authorized by the Convention and the Agreements.

Chapter II

Exemption from postal charges

Article 14

Exemption from postal charges

Cases of exemption from postal charges are expressly laid down by the Convention and the Agreements.

Article 15

Exemption from postal charges on letter-post items relating to the postal service

Subject to article 60, § 4, letter-post items relating to the postal service shall be exempted from all postal charges if they are:

(a) sent by postal administrations or their offices;

(b) exchanged between bodies of the Universal Postal Union and bodies of the Restricted Unions, between the bodies of those Unions or sent by such bodies to postal administrations at their offices.

Article 16

Exemption from postal charges of items which concern prisoners of war and civilian internees

1. Subject to article 60, § 2, letter-post items, insured letters, postal parcels and monetary articles addressed to or sent by prisoners of war, either direct or through the Information Bureaux and the Central Prisoner-of-War Information Agency provided for in articles 122 and 123 respectively of the Geneva Convention of 12 August 1949[1] relative to the treatment of prisoners of war, shall be exempted from all charges. 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.

[1] TIAS 3364; 6 UST 3316. [Footnote added by the Department of State.]

2. Paragraph 1 shall apply to letter-post items, insured letters, postal parcels and monetary articles 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 Information Bureaux and the Central Information Agency prescribed in articles 136 and 140 respectively of that Convention.

3. The national Information Bureaux and the Central Information Agencies mentioned above shall also enjoy exemption from postal charges in respect of letter-post items, insured letters, postal parcels and monetary articles which concern the persons referred to in §§ 1 and 2, which they send or receive, either direct or as intermediaries, under the conditions laid down in those paragraphs.

4. Parcels shall be admitted free of postage up to a weight of 5 kg. The weight limit shall be increased to 10 kg 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.

Article 17

Exemption of literature for the blind from postal charges

Subject to article 60, § 2, literature for the blind shall be exempted from postage, the special charges listed in article 21 and from the cash-on-delivery charge.

Part II

Provisions concerning the letter post

Chapter I

General provisions

Article 18

Letter-post items

Letter-post items shall include letters, postcards, printed papers, literature for the blind and small packets.

Article 19

Charges and general conditions

1. The postage rates for the conveyance of letter-post items throughout the entire extent of the Union shall be fixed in accordance with columns 1 to 3 of the table below. They may be increased by 70% (col 4) or reduced by 50% (col 5) at most. Except in the case provided for in article 22, § 4, these charges shall cover delivery of the items to the place of address provided that there is a delivery service in the country of destination for the items in question.

Category	Weight step	Basic charges	Charges Upper limit (increase of 70%)	Charges Lower limit (reduction of 50%)
1	2	3	4	5
		c	c	c
Letters	Up to 20 g	50	85	25
	Above [20 g up to 50 g / 50 g 100 g] (optional weight steps)	[90 / 120	153 / 204	45 / 60
	or			
	Above 20 g up to 100 g	120	204	60
	100 g 250 g	240	408	120
	250 g 500 g	460	782	230
	500 g 1000 g	800	1360	400
	1000 g 2000 g	1300	2210	650
Postcards		35	59.5	17.5
Printed papers	up to 20 g	25	42.5	12.5
	Above [20 g up to 50 g / 50 g 100 g] (optional weight steps)	[40 / 55	68 / 93.5	20 / 27.5
	or			
	Above 20 g up to 100 g	55	93.5	27.5
	100 g 250 g	100	170	50
	250 g 500 g	180	306	90
	500 g 1000 g	300	510	150
	1000 g 2000 g	420	714	210
	Per additional step of 1000 g	210	357	105
Literature for the blind	See article 17			
Small packets	up to 100 g	55	93.5	27.5
	Above 100 g up to 250 g	100	170	50
	250 g 500 g	180	306	90
	500 g 1000 g	300	510	150

2. Exceptionally, member countries which have abolished postcards as a separate category of letter-post item in their internal service may apply to international service postcards the charge for letters.

3. Notwithstanding § 1, postal administrations may apply a first weight step of 50 g to printed papers.

4. The charges adopted within the limits laid down in § 1 shall, as far as possible, bear the same proportions to one another as the basic charges, each postal administration being free to round its charges up or down, whichever is best adapted to its monetary system; this latter rule shall also apply to all charges other than postage rates. Exceptionally, and within the limits prescribed in § 1, each postal administration shall be free to apply to the charges for printed papers or small packets a rate of increase higher than that applied to the charges for letters.

5. In the event of one or more revaluations or devaluations of their national currency, postal administrations shall not be bound to amend accordingly the equivalents of the charges prescribed in the Convention and in the Agreements or the sales price of international reply coupons until such revaluations or devaluations exceed 15% in total.

6. The limits of weight and size of letter-post items shall be fixed in accordance with the table below:

Category	Limits	
	of weight	of size
1	2	3
Letters	2 kg	Maxima: length, width and depth combined: 900 mm but the greatest dimension may not exceed 600 mm. In roll form: length plus twice the diameter, 1040 mm but the greatest dimension may not exceed 900 mm. Minima: to have a surface measuring not less than 90×140 mm, with a tolerance of 2 mm. In roll form: length plus twice the diameter: 170 mm, but the greatest dimension may not be less than 100 mm.
Printed papers	2 kg (For books and pamphlets: 5 kg; this limit of weight may be raised to 10 kg after agreement between the administrations concerned)	
Literature for the blind	7 kg	
Small packets	1 kg	
Postcards		Maxima: 105×148 mm, with a tolerance of 2 mm. Minima: 90×140 mm with a tolerance of 2 mm.

7. Administrations may apply to letter-post items posted in their countries the maximum limit of weight laid down for articles of the same kind in their internal service provided that such items do not exceed the limit of weight mentioned in § 6.

8. In connection with the provisions of § 6 rectangular items shall be considered standardized if their length is not less than their width multiplied by $\sqrt{2}$ (approximate value 1.4) and if they satisfy, according to their presentation, the following conditions:

(a) for items in envelopes:

(i) items in ordinary envelopes:
minimum dimensions: 90×140 mm, with a tolerance of 2 mm;
maximum dimensions: 120×235 mm with a tolerance of 2 mm;
maximum weight: 20 g;
maximum thickness: 5 mm;
in addition, the address shall be written on the envelope on the plain side which is not provided with the closing flap and in a rectangular area situated at least:
40 mm from the top edge of the envelope (tolerance 2 mm);
15 mm from the right-hand edge;
15 mm from the bottom edge;
and not more than 140 mm from the right-hand edge;

(ii) items in envelopes with transparent panels:
dimensions, weight and thickness of items in ordinary envelopes;
in addition to the general conditions of admission set out in article 122 of the Detailed Regulations, such items shall satisfy the following conditions:
the transparent panel shall be at least:
40 mm from the top edge of the envelope (tolerance 2 mm);
15 mm from the right-hand edge;
15 mm from the left-hand edge;
15 mm from the bottom edge;
the panel may not be bordered by a coloured band or frame;

(iii) all items in envelopes:
the sender's address, when it appears on the front, shall be placed in the top left-hand corner; this position shall also be assigned to service indications or labels, if any, which may be located beneath the sender's address;

(b) for items in card form:
dimensions and consistency of postcards;
(c) for items mentioned in(a) and(b):
on the address side on which the address shall be written in the direction of the length a rectangular area 40 mm (–2 mm) in depth from the upper edge and 74 mm in width from the right-hand edge shall be reserved for affixing the postage stamp or stamps and the cancellation impression. Inside this area the postage stamps or franking impression shall be applied in the top right-hand corner.

The following items shall not be considered standardized:
items which do not comply with the above conditions;
folded cards;
items closed by means of staples, metal eyelets or hook fastenings;
punched cards sent unenclosed (without an envelope).

9. The administration of origin may apply to non-standardized letters and printed papers in envelopes of the first weight step and to letters in the form of cards which do not meet the conditions laid down in § 8 first paragraph and(b),a charge which may not be higher than the charge relating to items of the second weight step.

10. The letter-post items sent on postal service as mentioned in article 15 shall not be subject to the limits of weight and size laid down in § 6. However, they shall not exceed the maximum weight of 30 kg per item.

11. Printed papers for the same addressee at the same address inserted in one or more special bags shall not be subject to the limits of weight fixed in § 6. However, they shall not exceed the maximum weight of 30 kg per bag. The charge applicable to these items shall be calculated by weight steps of 1 kg up to the total weight of the bag. Each administration may allow a reduction in the charge of up to 10% for printed papers sent by special bags.

12. Perishable biological substances made up and packed in accordance with the provisions of the Detailed Regulations shall be subject to the tariff for letters and to registration; they shall be forwarded as registered items by the quickest route, normally by air, subject to payment of the corresponding air surcharges. They may be exchanged only between officially recognized qualified laboratories. This exchange shall, moreover, be restricted to those member countries whose postal administrations have declared their willingness to admit such items, whether reciprocally or in one direction only.

13. Radioactive materials made up and packed in accordance with the provisions of the Detailed Regulations shall be subject to the tariff for letters and to registration; they shall be forwarded by the quickest route, normally by air, subject to payment of the corresponding air surcharges. They may be posted only by duly authorized senders. This exchange shall, moreover, be restricted to those member countries whose postal administrations have declared their willingness to admit such items, whether reciprocally or in one direction only.

14. Each postal administration may allow a reduction of not more than 50% of the tariff for printed papers, for newspapers and periodicals published in its country, while reserving the right to restrict this reduction to newspapers and periodicals which fulfil the conditions required by internal regulations for transmission at the tariff for newspapers. This reduction shall not extend to commercial printed papers such as catalogues, prospectuses, price-lists, etc, no matter how regularly they are issued; the same shall apply to advertisements printed on sheets annexed to newspapers and periodicals.

15. Administrations may likewise concede the same reduction for books and pamphlets, for musical scores and for maps, provided they contain no publicity matter or advertisement other than that appearing on the cover or the fly leaves.

16. Items other than registered letters in a closed envelope may not contain coin, bank notes, currency notes or securities of any kind payable to bearer, travellers' cheques, platinum, gold or silver, manufactured or not, precious stones, jewels and other valuable articles.

17. Administrations of countries of origin and of destination may deal, according to their legislation, with letters containing documents having the character of current and personal correspondence exchanged between persons other than the sender and the addressee or persons living with them.

18. Apart from the exceptions provided for in the Detailed Regulations, printed papers, literature for the blind and small packets:
(a) shall not bear any inscription or contain any document having the character of current and personal correspondence;

(b) shall not contain any postage stamp or form of prepayment, whether cancelled or not, or any paper representing a monetary value.

19. The combining in one item of articles on which different charges are payable shall be authorized on condition that the total weight does not exceed the maximum weight of the category whose rate is the highest. The charge applicable to the total weight of the item shall be that of the category with the highest rate.

20. Apart from the exceptions provided for in the Convention and its Detailed Regulations, items not fulfilling the conditions laid down in this article and the Detailed Regulations shall not be forwarded. Items which have been wrongly admitted shall be returned to the administration of origin. Nevertheless, the administration of destination shall be authorized to deliver them to the addressees. In that event it shall collect on them, as necessary, the charges prescribed for the category of the letter post to which they belong by reason of their method of closure, contents, weight or size. Items of which the weight exceeds the maximum limits laid down in § 6 may be charged according to their actual weight.

Article 20

Posting abroad of letter-post items

A member country shall not be bound to forward or deliver to the addressee letter-post items which senders resident in its territory post or cause to be posted in a foreign country with the object of profiting by the lower charges in force there; the same shall apply to such items posted in large quantities whether or not such postings are made with a view to benefiting from lower charges. The rule shall be applied without distinction both to correspondence made up in the country where the sender resides and then carried across the frontier, and to correspondence made up in a foreign country. The administration concerned may either return the items to origin or charge postage on the items at its internal rates. In the latter case, the items may be disposed of in accordance with the internal legislation of the administration concerned if the sender refuses to pay the postage.

Article 21

Special charges

The charges prescribed in the Convention which are collected in addition to the postage charges mentioned in article 19 shall be known as "special charges". Their amount shall be fixed in accordance with the indication in the table below.

Description of charge	Amount	Observations
1	2	3
(a) Additional charge for items handed over after the latest time of posting (article 22, § 1)	Same charge as in internal service	
(b) Charge for items posted outside normal counter opening hours (article 22, § 2)	Same charge as in internal service	
(c) *Poste restante* charge (article 22, § 3)	Same charge as in internal service	
(d) Charge for delivery to the addressee of a small packet exceeding 500 g (article 22, § 4)	60 centimes at most	This charge may be increased by 30 centimes at most when the item is delivered to the place of address
(e) Storage charge (article 23)	Charge collected at the rate laid down by internal legislation for any letter-post item weighing more than 500 g except literature for the blind	

Description of charge	Amount	Observations
1	2	3
(f) Charge on unpaid or underpaid unregistered items (article 27, § 1)	Charge fixed at the charge adopted for letters at the first weight step by the country of delivery multiplied by the ratio between the amount of deficient postage and the same charge adopted by the country of origin; to this charge shall be added a handling charge of 60 centimes at most or the charge prescribed by internal legislation	The handling charge shall not be collected in the cases provided for in article 137, §§ 3, 4 and 5, of the Detailed Regulations.
(g) Express charge (article 29, §§ 2, 3 and 6)	Charge which may not be less than the amount of postage prepayable on an unregistered single rate letter and not more than 1.60 francs	For each bag containing the items mentioned in article 19, § 11, administrations shall collect, instead of the charge per item, a bulk charge not exceeding five times the charge per item. When express delivery involves special demands an additional charge may be levied in accordance with the provisions governing items of the same kind in the internal service. If the addressee asks for express delivery, the charge of the internal service may be collected
(h) Charge for a request for withdrawal from the post or alteration of address (article 30, § 2)	3 francs at most	
(i) Charge for redirection (article 31, § 3)	Same charge as in internal service	
(j) Charge for redirection or return (article 31, § 4, and article 32, § 7)	Same charge as in internal service	
(k) Presentation to customs charge (article 35)	5 francs at most	For each bag containing the items mentioned in article 19, § 11, administrations shall collect, instead of the charge per item, a bulk charge not exceeding 8 francs
(l) Charge collected for delivery of an item free of charges and fees (article 37, §§ 1, 3 and 4)	1. Commission charge not exceeding 2 francs collected for the benefit of the administration of destination 2. Charge not exceeding 3 francs per request made after posting, collected by the administration of origin 3. Optionally, an additional charge not exceeding 2 francs collected by the administration of origin	
(m) Charge for inquiry (article 39, § 4)	90 centimes at most	
(n) Registration charge (article 41, §§ 1 (b) and 2)	2 francs at most	1. For each bag containing the items mentioned in article 19, § 11, administrations shall collect, instead of the charge per item, a bulk charge not exceeding five times the amount of the charge per item 2. In addition to the fixed charge or bulk charge, administrations may collect, from the sender or from the addressee, special charges in accordance with their internal legislation, to take account of any exceptional security measures taken with regard to registered items.

Description of charge	Amount	Observations
1	2	3
(o) Charge for cover against risks due to *force majeure* (article 41, § 3)	40 centimes at most for each registered item	
(p) Advice of delivery charge (article 42, § 1)	80 centimes at most	
(q) Charge for delivery of a registered item to the addressee in person (article 43, § 1)	50 centimes at most	

Article 22

Charge on items posted after the latest time of posting. Charge on items posted outside normal counter opening hours. *Poste restante* charge. Charge for delivery of small packets

1. Administrations shall be authorized to collect from the sender an additional charge, according to the provisions of their legislation, for items handed over for dispatch after the latest time of posting.

2. Administrations shall be authorized to collect from the sender an additional charge, according to their legislation, for items posted at the counter outside normal opening hours.

3. Administrations of countries of destination may collect on items addressed *poste restante* the special charge, if any, prescribed by their legislation for items of the same kind in their internal service.

4. Administrations of countries of destination shall be authorized to collect on each small packet exceeding the weight of 500 grammes delivered to the addressee, the special charge laid down in article 21 (d).

Article 23

Storage charge

The administration of destination shall be authorized to collect, according to its legislation, a storage charge for any letter-post item weighing more than 500 grammes of which the addressee has not taken delivery within the period during which the item is held at his disposal free of charge. This charge shall not apply to literature for the blind.

Article 24

Payment of postage

1. As a general rule, items mentioned in article 18, with the exception of those which are dealt with in articles 15 to 17 shall be fully prepaid by the sender.

2. Unpaid or underpaid items other than letters and postcards shall not be forwarded.

3. When unpaid or underpaid letters or postcards are posted in bulk, the administration of the country of origin may return them to the sender.

Article 25

Methods of denoting prepayment

1. Prepayment shall be denoted either by means of postage stamps, valid in the country of origin, printed on or affixed to the items, or by means of impressions of officially approved franking machines operating under the direct supervision of the postal administration, or by means of impressions made by a printing press or other printing or stamping process when such a system is authorized by the regulations of the administration of origin.

2. Prepayment of printed papers for the same addressee at the same address which are inserted in a special bag shall be denoted by one of the methods referred to in § 1 and the total amount shown on the label outside the bag.

3. The following shall be considered as duly prepaid: items properly paid for their first transmission and on which the supplementary charge has been paid before their redirection, and also newspapers or packets of newspapers and periodicals which bear on the address side the indication *"Abonnement-poste"* and which are sent under the Subscription to Newspapers and Periodicals Agreement. The inscription *"Abonnement-poste"* shall be followed by the endorsement *"Taxe perçue"* (TP) or *"Port payé"* (PP) in so far as such items have not been prepaid in one of the ways laid down in § 1.

Article 26

Prepayment of letter-post items on board ship

1. Items posted on board ship at the two terminal points of the voyage or at any intermediate port of call shall be prepaid by means of postage stamps and according to the rates of the country in whose waters the ship is lying.

2. If the items are posted on board on the high seas, they may be prepaid, in the absence of special agreement between the administrations concerned, by means of the postage stamps and according to the rates of the country to which the ship appertains or is under contract. Items prepaid in this way must be handed over to the post office at the port of call as soon as possible after the arrival of the ship.

Article 27

Charge on unpaid or underpaid correspondence

1. Unpaid or underpaid letters and postcards shall be liable to the special charge, payable by the addressee or, in the case of undeliverable items, by the sender, laid down in article 21 (f).

2. The same treatment may be applied in similar circumstances to other letter-post items which have been incorrectly forwarded to the country of destination.

3. Registered items shall be regarded on arrival as duly prepaid.

Article 28

International reply coupons.

1. International reply coupons issued by the International Bureau shall be placed on sale in member countries.

2. The value of the reply coupon shall be 1 franc and the selling price fixed by the administrations concerned may not be less than this value.

3. Reply coupons shall be exchangeable in any member country for one or more postage stamps representing the minimum postage prepayable on an unregistered letter sent abroad by surface mail. If the regulations of the administration of the country of exchange permit, reply coupons shall also be exchangeable for postal stationery. When a sufficient number of reply coupons are presented, administrations shall be required to supply the postage stamps necessary for the minimum postage prepayable on an unregistered letter for dispatch by air as a surcharged item.

4. The administration of a member country may, in addition, reserve the right to require the reply coupons and the items to be prepaid in exchange for those reply coupons to be presented at the same time.

5. Notwithstanding § 1, postal administrations shall be permitted not to undertake the sale of international reply coupons, or to limit their sale.

Article 29

Express items

1. In countries where the administration performs the service, letter-post items shall, at the senders' request, be delivered by special messenger as soon as possible after their arrival at the delivery office.

2. These items, styled "express", shall be subject, in addition to the ordinary postage, to the special charge laid down in article 21 (g). This charge shall be fully paid in advance.

3. When express delivery involves special demands on the administration of destination as regards either the situation of the addressee's address or the day or time of arrival at the office of destination, the delivery of the item and the possible collection of an additional charge shall be governed by the provisions relating to items of the same kind in the internal service.

4. Express items on which the total amount of the charges payable in advance has not been completely paid shall be delivered as ordinary mail unless they have been treated as express by the office of origin. In the latter event a charge shall be collected on them in accordance with article 27.

5. Administrations may confine themselves to making only one attempt at express delivery. If that attempt fails, the item may be treated as an ordinary item.

6. If the regulations of the administrations of destination permit, addressees may ask the delivery office to deliver to them by express immediately on arrival items which are intended for them. In that case the administration of destination shall be authorized to collect, on delivery, the charge that applies in its internal service.

Article 30

Withdrawal from the post. Alteration or correction of address at the sender's request

1. The sender of a letter-post item may have it withdrawn from the post, or have its address altered, so long as the item:

(a) has not been delivered to the addressee;

(b) has not been confiscated or destroyed by the competent authorities because of infringement of article 33;

(c) has not been seized by virtue of the legislation of the country of destination.

2. The request to be made to this effect shall be forwarded by post or by telegraph at the expense of the sender who shall pay, for each request, the special charge laid down in article 21 (h). If the request is to be forwarded by air or by telegraph the sender shall pay in addition the appropriate air surcharge or telegraph charge. If the item is still in the country of origin, the request for withdrawal from the post, or alteration or correction of address, shall be dealt with according to the legislation of that country.

3. If its legislation permits, each administration shall be bound to accept requests for withdrawal from the post or alteration of the address in respect of any letter-post item posted in the service of other administrations.

4. If the sender wishes to be informed by air or by telegraph of the action taken by the office of destination on his request for withdrawal from the post or alteration of the address, he shall pay for this purpose the relative air surcharge or telegraph charge.

5. The charges or surcharges prescribed in § 2 shall be levied only once for each request for withdrawal from the post or alteration of address involving several items posted at the same time, at the same office, by the same sender to the same addressee.

6. A request for simple correction of address (without alteration of the name or status of the addressee) may be made direct to the office of destination by the sender, that is to say, without compliance with the formalities and without payment of the special charge prescribed in § 2.

7. An item shall be returned to origin by air following a request for withdrawal from the post when the sender undertakes to pay the corresponding air surcharge. When an item is redirected by air following a request for alteration of address, the corresponding air surcharge shall be collected from the addressee and shall remain the property of the delivering administration.

Article 31

Redirection

1. If an addressee changes his address, letter-post items shall be reforwarded to him forthwith, under the conditions prescribed in the internal service, unless the sender has forbidden redirection by means of a note on the address side in a language known in the country of destination. Nevertheless, reforwarding from one country to another shall be effected only if the items satisfy the conditions for the further conveyance. In the case of redirection by air, articles 68, §§ 2 to 5, of the Convention and 183 of the Detailed Regulations shall be applied.

2. Each administration may lay down a redirection period in accordance with that in force in its internal service.

3. Administrations which collect a charge for requests for redirection in their internal services shall be authorized to collect this same charge in the international service.

4. Apart from the exceptions provided for in the Detailed Regulations, no additional charge may be collected for the redirection of letter-post items from country to country. However, administrations which collect a charge for redirection of items in their internal service shall be authorized to collect this same charge on the international mail redirected within their own countries.

5. Letter-post items which are redirected shall be delivered to the addressees on payment of the charges incurred on departure, on arrival, or in course of transmission due to redirection after the first transmission, without prejudice to the payment of customs duty or other special charges which the country of destination does not cancel.

6. In the event of redirection to another country the *poste restante* charge, the presentation to customs charge, the storage charge, the commission charge, the additional express charge and the charge for delivery of small packets to the addressees shall be cancelled.

Article 32

Undeliverable items. Return to country of origin

1. Items which it has not proved possible to deliver to the addressee for whatever reason, shall be considered as undeliverable items.

2. Undeliverable items shall be returned forthwith to the country of origin.

3. The period of retention for items held at the disposal of the addressees or addressed *poste restante* shall be fixed by the regulations of the administration of destination. As a general rule, however, this period may not exceed one month, except in particular cases where the administration of destination considers it necessary to extend it to a maximum of two months. Return to the country of origin shall be effected within a shorter period if the sender has requested it by a note on the address side in a language known in the country of destination.

4. Postcards which do not bear the address of the sender shall not be returned. However, registered postcards shall always be returned.

5. The return to origin of undeliverable printed papers shall not be compulsory, unless the sender has asked for their return by means of a note on the item in a language known in the country of destination. Registered postcards, books and registered printed papers shall always be returned.

6. In the event of return to the country of origin by air, articles 69 of the Convention and 183 of the Detailed Regulations shall be applied.

7. Undeliverable letter-post items returned to the country of origin shall be delivered to senders according to the conditions laid down in article 31, § 5. Such items shall not give rise to the collection of any additional charge, except for the exceptions provided for in the Detailed Regulations. However, administrations which collect a charge for return of items in their internal service shall be authorized to collect this same charge on the international mail returned to them.

Article 33

Prohibitions

1. Letter-post items which, by their packing, may expose officials to danger or soil or damage other items or postal equipment shall not be admitted. Metal fasteners used for closing items shall not have sharp edges, nor shall they hamper the execution of the postal service.

2. The insertion in letter-post items of the following articles shall be prohibited:
(a) articles which, by their nature may cause the dangers or damage mentioned in § 1;
(b) opium, morphine, cocaine and other narcotics;
(c) live animals, except:
  (i) bees, leeches and silk-worms;
  (ii) parasites and destroyers of noxious insects intended for the control of those insects and exchanged between officially recognized institutions;
(d) explosive, flammable or other dangerous substances; nevertheless, the perishable biological substances and radioactive substances mentioned in article 19, §§ 12 and 13, shall not come within this prohibition;
(e) obscene or immoral articles;
(f) articles of which the importation and circulation is prohibited in the country of destination.

3. Items containing articles mentioned in § 2 which have been wrongly admitted to the post shall be dealt with according to the legislation of the country of the administration establishing their presence.

4. Nevertheless, items containing articles mentioned in § 2 (b), (d) and (e) shall in no circumstances be forwarded to their destination, delivered to the addressees or returned to origin. The administration of destination may deliver to the addressee the part of the contents which is not subject to a prohibition.

5. When items wrongly admitted to the post are neither returned to origin nor delivered to the addressee, the administration of origin shall be told exactly how they have been dealt with.

6. Moreover, the right of every member country shall be reserved to deny conveyance in transit *à découvert* over its territory to letter-post items, other than letters and postcards, which do not satisfy the legal requirements governing the conditions of their publication or circulation in that country. Such items shall be returned to the administration of origin.

Article 34

Customs control

The postal administrations of the countries of origin and destination shall be authorized to submit to customs control, according to the legislation of those countries, letter-post items and, if necessary, to open them officially.

Article 35

Presentation to customs charge

Items submitted to customs control in the country of origin or of destination, as the case may be, may be subjected either for submission to Customs and customs clearance or for submission to Customs only, as a postal charge, to the special charge laid down in article 21 (k).

Article 36

Customs duty and other fees

Postal administrations 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 37

Items for delivery free of charges and fees

1. In the service between those member countries whose postal administrations have notified their agreement to that effect senders may, by means of a previous declaration at the office of origin, undertake to pay the whole of the charges and fees to which the items are subject on delivery. So long as an item has not been delivered to the addressee, the sender may ask after posting, on payment of the special charge laid down in article 21 (l) (ii), that the item be delivered free of charges and fees. If the request is to be forwarded by air or by telegraph, the sender shall pay in addition the appropriate air surcharge or telegraph charge.

2. In the cases provided for in § 1, senders shall undertake to pay the amounts which may be claimed by the office of destination and, if necessary, pay a sufficient deposit.

3. The administration of destination shall be authorized to collect on each item the commission charge laid down in article 21 (l)(i). This charge shall be independent of that prescribed in article 35.

4. The administration of origin may collect from the sender the additional charge provided for in article 21 (l) (iii), which it retains as payment for services rendered in the country of origin.

5. Every administration may restrict to registered items the service of delivery free of charges and fees.

Article 38

Cancellation of customs duty and other fees

Postal administrations shall undertake to seek from the appropriate services in their country cancellation of customs duty and other fees on items returned to origin, destroyed because of total damage to the contents or redirected to a third country.

Article 39

Inquiries

1. Inquiries from users shall be entertained within a period of a year from the day after that on which the item was posted.

2. Each administration shall be bound to deal with inquiries within the shortest possible time.

3. Each administration shall be bound to accept inquiries relating to any item posted in the service of another administration.

4. Unless the sender has already paid the charge for an advice of delivery, the special charge laid down in article 21 (m) may be collected on each inquiry. If a request is made for transmission by telegraph, the cost of the telegram and, where applicable, of the reply shall be collected in addition to the inquiry charge.

5. If the inquiry relates to several items posted at the same time at the same office by the same sender and addressed to the same addressee, only one charge shall be collected. However, in the case of registered items which had, at the sender's request, to be forwarded by different routes, a separate charge shall be collected for each of the routes used.

6. If the inquiry has been occasioned by a service error, the corresponding charge shall be refunded.

Chapter II

Registered items

Article 40

Admission

1. The letter-post items specified in article 18 may be sent as registered items.

2. A receipt shall be handed over free of charge to the sender of a registered item at the time of posting.

3. Registered letters in closed envelopes may contain the articles mentioned in article 19, § 16.

Article 41

Charges

1. The charge on registered items shall be paid in advance. It shall be made up of:
(a) the ordinary postage, according to the category of item;
(b) the fixed registration charge laid down in article 21 (n).

2. In cases where exceptional security measures are required, administrations may collect the special charge provided for in article 21 (n), column 3(ii).

3. Postal administrations prepared to cover risks of *force majeure* shall be authorized to collect the special charge laid down in article 21 (o).

Article 42

Advice of delivery

1. The sender of a registered item may apply for an advice of delivery on payment at the time of posting of the charge laid down in article 21 (p).

2. When the sender inquires about an advice of delivery which he has not received within a normal period, neither a second advice of delivery nor the charge prescribed in article 39 for inquiries shall be collected.

Article 43

Delivery to the addressee in person

1. In the service between those administrations which have given their consent, registered items shall, at the sender s request, be delivered to the addressee in person. Administrations may agree to allow this option only for registered items accompanied by an advice of delivery. In both cases, the sender shall pay the special charge laid down in article 21 (q).

2. Administrations shall make a second attempt to deliver such items only if there is a presumption that it will be successful.

Chapter III

Liability

Article 44

Principle and extent of liability of postal administrations

1. Postal administrations shall be liable only for the loss of registered items. Their liability shall be as binding for items conveyed *à découvert* as for those forwarded in closed mails.

2. Administrations may agree to total theft of or total damage to the contents of registered items being equated with the loss thereof, provided that the packing was recognized as sufficient to effectively guarantee the contents against accidental risks of theft or damage and that the irregularities in question were established before delivery of the item was taken by the addressee, or by the sender in the case of return to origin.

3. In case of loss of a registered letter, the sender shall be entitled to an indemnity the amount of which shall be fixed at 40 francs per item; this amount may be raised to 200 francs for each special bag of printed papers such as is mentioned in article 19, § 11.

4. The sender may waive this right in favour of the addressee. The sender or the addressee may authorize a third person to receive the indemnity if internal legislation allows this.

5. Notwithstanding § 3, the addressee shall be entitled to the indemnity after taking delivery of a totally rifled or totally damaged item where administrations make use of the option provided in § 2. He may waive his rights in favour of the sender.

Article 45

Non-liability of postal administrations

1. Postal administrations shall cease to be liable for registered items which they have delivered according either to the conditions laid down in their regulations for items of the same kind or to those set out in article 11, § 3.

2. They shall not be liable:

(i) for the loss of registered items:

(a) in cases of *force majeure*. The administration in whose service the loss occurred shall decide, according to the laws of its country, whether the loss is due to circumstances amounting to a case of *force majeure*: these circumstances shall be communicated to the administration of the country of origin if the latter administration so requests. Nevertheless, the administration of the dispatching country shall still be liable if it has undertaken to cover risks of *force majeure* (article 41, § 3);

(b) when they cannot account for items owing to be destruction of official records by *force majeure*, provided that proof of their liability has not been otherwise produced;

(c) in the case of items whose contents fall within the prohibitions specified in articles 19, §§ 16 and 18 (b), and 33, § 2, in so far as these items have been confiscated or destroyed by the competent authority because of their contents;

(d) when the sender has made no inquiry within the period of one year prescribed in article 39, § 1;

(ii) for registered items seized under the legislation of the country of destination;

(iii) for registered items which have suffered damage arising from the nature of the contents of the item, where article 44, § 2, is applied.

3. Postal administrations shall not be liable on account of customs declarations in whatever form these are made nor for decisions taken by the Customs on examination of letter-post items submitted to customs control.

Article 46

Sender's liability

1. The sender of a letter-post item shall be liable, within the same limits as administrations themselves, for any damage caused to other postal items as a result of the dispatch of articles not acceptable for conveyance or by the non-observance of the conditions of acceptance, provided there has been no fault or negligence on the part of administrations or carriers.

2. The acceptance by the office of posting of such an item shall not relieve the sender of his liability.

3. An administration which finds damage that is due to the fault of the sender shall inform the administration of origin, whose responsibility it is to take action against the sender where appropriate.

Article 47

Determination of liability between postal administrations

1. Until the contrary is proved, liability for the loss of a registered item shall rest with the postal administration which, having received it without comment and being furnished with all the prescribed means of inquiry, cannot prove either delivery to the addressee or, where appropriate, correct transfer to another administration.

2. Until the contrary is proved, and subject to § 3, an intermediate administration or administration of destination shall be relieved of all liability:

(a) when it has observed article 4 and the provisions for inspection of mails and establishment of irregularities;

(b) when it can prove that it was not informed of the inquiry until after the destruction of the official records relating to the item in question, the period of retention prescribed in article 108 of the Detailed Regulations having expired: this reservation shall not prejudice the rights of the applicant;

(c) when, in the case of individual entry of registered items, correct delivery of the lost item cannot be proved because the administration of origin did not observe article 151, § 1, of the Detailed Regulations concerning the detailed entry of registered items on the C 12 letter bill or on the C 13 special lists.

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3. If, however, the loss occurs in course of conveyance without it being possible to establish in which country's territory or service it happened, the administrations concerned shall bear the loss equally.

4. When a registered item has been lost due to *force majeure*, the administration in whose territory or service the loss occurred shall not be liable to the dispatching administration unless the two countries undertake to cover risks of *force majeure*.

5. Customs duty and other fees of which it has not been possible to secure cancellation shall be borne by the administrations liable for the loss.

6. An administration which has paid the indemnity shall take over the rights, up to the amount of the indemnity, of the person who has received it in any action which may be taken against the addressee, the sender or third parties.

Article 48

Payment of indemnity

1. Subject to the right of recourse against the administration which is liable, the obligation to pay the indemnity shall rest either with the administration of origin or, in the case mentioned in article 44, § 4, of the administration of destination.

2. This payment shall be made as soon as possible and, at the latest, within a period of six months from the day following the day of inquiry.

3. When the administration responsible for the payment does not undertake to cover risks of *force majeure* and when, at the end of the period prescribed in § 2, the question of whether the loss is due to such causes has not been decided, it may, exceptionally, postpone payment of the indemnity beyond that period.

4. The administration of origin or destination, as the case may be, shall be authorized to indemnify the rightful claimant on behalf of any of the other administrations sharing in the conveyance, which, although duly informed, has allowed five months to pass without finally settling the matter or without informing the administration of origin or destination, as the case may be, that the loss appeared to be due to *force majeure*.

Article 49

Reimbursing the administration which paid the indemnity

1. The administration which is liable or on behalf of which payment is made in accordance with article 48 shall be bound to reimburse the administration which paid the indemnity, and which is called the paying administration, the amount of indemnity actually paid to the rightful claimant: this payment shall be made within four months of dispatch of the notice of payment.

2. If the indemnity is due to be borne by several administrations in accordance with article 47, the whole of the indemnity shall be paid to the paying administration, within the period mentioned in § 1, by the first administration which, having duly received the item claimed for, is unable to prove its correct transfer to the next service. It shall rest with this administration to recover from the other administrations which are liable, each one's share of the indemnity paid to the rightful claimant.

3. In the case of bulk advice as provided for in article 151, § 2, of the Detailed Regulations, the administrations of origin and destination may agree that the whole of the loss shall be borne by the administration which has to make the payment to the rightful claimant.

4. Reimbursement of the creditor administration shall be made in accordance with the rules for payment laid down in article 12.

5. When liability has been admitted, as well as in the case provided for in article 48, § 4, the amount of the indemnity may also be automatically recovered from the administration which is liable through any liquidation account, either direct or through the intermediary of an administration which regularly draws up liquidation accounts with the administration which is liable.

6. Immediately after paying the indemnity, the paying administration shall communicate to the administration which is liable the date and the amount of payment made. It may only claim this reimbursement within a period of one year from the date of dispatch of notice that payment has been made to the rightful claimant.

7. The administration whose liability is duly established and which has at first declined to pay the indemnity shall assume all additional costs resulting from the unwarranted delay in payment.

8. Administrations may agree to settle periodically for the indemnities which they have paid to the rightful claimants and which they have accepted as justified.

9. Administrations may agree for the responsible administration not to reimburse the indemnity to the paying administration up to the amount decided by mutual agreement.

Article 50

Possible recovery of the indemnity from the sender or the addressee

1. If, after payment of the indemnity, a registered item or part of such an item previously considered as lost is found, the addressee and the sender shall be informed of the fact; the latter or, where article 44, § 4, applies, the addressee shall be further advised that he may take delivery of it within a period of three months on repayment of the amount of the indemnity received. If the sender or the addressee, as the case may be, does not claim the item within this period, the same approach shall be made to the addressee or the sender as the case may be.

2. If the sender or the addressee takes delivery of the item against repayment of the amount of the indemnity, that sum shall be refunded to the administration or, where appropriate, administrations which bore the loss, within one year of the date of such repayment.

3. If the sender and the addressee refuse to take delivery of the item, it shall become the property of the administration or, where appropriate, administrations which bore the loss.

4. When proof of delivery is supplied after the period of five months laid down in article 48, § 4, the indemnity paid shall continue to be borne by the intermediate administration or administration of destination if the sum paid cannot, for any reason, be recovered from the sender.

Chapter IV

Allocation of charges. Transit charges and terminal dues

Article 51

Allocation of charges

Except where otherwise provided by the Convention and the Agreements each postal administration shall retain the charges which it has collected.

Article 52

Transit charges

1. Subject to article 54, closed mails exchanged between two administrations or between two offices of the same country by means of the services of one or more other administrations (third party services) shall be subject to the transit charges indicated in the table below, payable to each of the countries which are crossed or whose services take part in the conveyance. These charges shall be payable by the administration of the country of origin of the mail.

Distances traversed	Charge per kg gross
1	2
	fr
(i) Distances traversed by land expressed in kilometres	
Up to 300 km	0.16
Above 300 up to 600	0.28
600 1 000	0.41
1 000 1 500	0.57
1 500 2 000	0.74
2 000 2 500	0.91
2 500 3 000	1.08
3 000 3 800	1.29
3 800 4 600	1.55
4 600 5 500	1.82
5 500 6 500	2.11
6 500 7 500	2.42
7 500 for each additional 1000	0.30
(ii) Distances traversed by sea	
(a) expressed in nautical miles	
Up to 300 nautical miles	
Above 300 up to 600	
600 1 000	
1 000 1 500	
1 500 2 000	
2 000 2 500	
2 500 3 000	
3 000 3 500	
3 500 4 000	
4 000 5 000	
5 000 6 000	
6 000 7 000	
7 000 8 000	
8 000 for each additional 1 000 nautical miles	
(b) expressed in kilometres after conversion on the basis of 1 nautical mile = 1.852 km	
Up to 556 km	0.28
Above 556 up to 1 111	0.35
1 111 1 852	0.39
1 852 2 778	0.43
2 778 3 704	0.46
3 704 4 630	0.49
4 630 5 556	0.51
5 556 6 482	0.53
6 482 7 408	0.55
7 408 9 260	0.57
9 260 11 112	0.60
11 112 12 964	0.62
12 964 14 816	0.64
14 816 for each additional 1 852 km	0.02

2. When a country gives permission for its territory to be crossed by a foreign transport service without the participation of its services in accordance with article 3, mail thus forwarded shall not be subject to transit charges.

3. In the absence of special agreement direct sea conveyance between two countries by the ships of one of them shall be regarded as a third party service.

4. The distances used to determine the transit charges according to the table in § 1 shall be taken from the "List of kilometric distances relating to land sectors of mails in transit" provided for in article 111, § 2(c) of the Detailed Regulations, as regards distances traversed by land, and from the "List of shipping lines" provided for in article 111, § 2 (d) of the Detailed Regulations, as regards distances traversed by sea.

5. Sea transit shall begin when the mails are deposited on the quay serving the ship in the port of departure and shall end when they are delivered on the quay of the port of destination.

6. For the payment of transit charges, mis-sent mails shall be considered to have followed their normal route, consequently, administrations concerned in the conveyance of such mails shall not be entitled on that account to demand a payment from the dispatching administrations, but the latter shall remain liable for the appropriate transit charges to the countries whose services they normally use.

Article 53

Terminal dues

1. Subject to article 54, each administration, which, in its exchanges by air and surface means, with another administration, receives a larger quantity of letter-mail items than it sends shall have the right to collect from the dispatching administration, as compensation, a payment for the costs it incurs for the excess international mail received.

2. The payment provided for in § 1 shall be 1.50 francs per kilogramme of mail received in excess.

3. Any administration may waive wholly or in part the payment provided for in § 1.

Article 54

Exemption from transit charges and terminal dues

Items exempted from postal charges under articles 15 to 17, as well as dispatches of empty mailbags, shall be exempted from all land and sea transit charges and from all terminal dues.

Article 55

Extraordinary services

The transit charges specified in article 52 shall not be applicable to conveyance by extraordinary services specially established or maintained by a postal administration at the request of one or more other administrations. The conditions of this class of conveyance shall be regulated by mutual consent between the administrations concerned.

Article 56

Accounting for transit charges and terminal dues

1. General accounting for transit charges and surface mail terminal dues shall take place annually on the basis of statistical returns taken once every 3 years, over a period of 14 days. This period shall be extended to 28 days for mails made up less than 5 times a week or handled less than 5 times a week by the services of one and the same intermediate country. Detailed Regulations shall fix the incidence of the statistics and the duration of their application.

2. Terminal dues for air-mail correspondence shall be calculated according to the actual weights.

3. Notwithstanding that separate methods for assessing differences of weight apply for terminal dues for air-mail and surface mail conveyed by any means, the total volume of all letter-post items exchanged between the administrations concerned must be taken into consideration when assessing if a claim for payment of terminal dues exists.

4. When the annual balance between two administrations does not exceed 25 francs for transit charges and 2000 francs for terminal dues, the debtor administration shall be exempted from any payment.

5. By agreement between the administrations concerned, special mails may be exempted from the ordinary statistical operations. The accounts may be made up on the basis of the true weight, whether those mails are dispatched or not during the statistical period.

6. Every administration shall be authorized to submit for the consideration of a committee of arbitrators the results of statistics which in its opinion differ too much from reality. The arbitration shall be arranged as laid down in article 125 of the General Regulations.

7. The arbitrators shall be empowered to fix in a fair and reasonable manner the transit charges or terminal dues to be paid.

Article 57

Exchange of closed mails with military units placed at the disposal of the United Nations and with warships or military aircraft

1. Closed mails may be exchanged between the post offices of any member country and the commanding officers of military units placed at the disposal of the United Nations, and between the commanding officer of one of those military units and the commanding officer of another military unit placed at the disposal of the United Nations, through the intermediary of the land, sea or air services of other countries.

2. Closed mails may also be exchanged between the post offices of any member country and the commanding officers of naval or air units or warships or military aircraft of the same country stationed abroad, or between the commanding officer of one of those naval or air units or of any of those warships or military aircraft and the commanding officer of another unit or of another warship or military aircraft of the same country, through the intermediary of the land, sea or air services of other countries.

3. Letter-post items enclosed in the mails referred to in §§ 1 and 2 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 postal administration of the country which has made the military unit available or to which the ships or aircraft belong.

4. In the absence of special agreement, the administration of the country which has made the military unit available or to which the warships or military aircraft belong shall be liable to the intermediate administrations for the transit charges for the mails, calculated in accordance with article 52, and for air conveyance dues, calculated in accordance with article 71.

Part III

Air conveyance of letter-post items

Chapter I

General provisions

Article 58

Air-mail correspondence

Letter-post items conveyed by air shall be called "air-mail correspondence".

Article 59

Aerogrammes

1. Each administration may admit aerogrammes, which are air-mail correspondence.

2. An aerogramme shall consist of a sheet of paper suitably folded and gummed on all sides, the dimensions of which, in that form, shall be the following:

(a) minimum dimensions: identical to those prescribed for letters;

(b) maximum dimensions: 110×220 mm;

and such that the length is equal to or greater than the width multiplied by $\sqrt{2}$ (approximate value: 1.4).

3. The front of the aerogramme shall be reserved for the address, the pre-payment and service notes or labels. It shall bear the printed indication "Aerogramme" and may also bear an equivalent indication in the language of the country of origin. An aerogramme shall not contain any enclosure. It may be registered if the regulations of the country of origin so permit.

4. Each administration shall fix, within the limits defined in § 2, the conditions of issue, manufacture and sale of aerogrammes.

5. Items of air-mail correspondence posted as aerogrammes, but not fulfilling the conditions fixed above shall be treated in accordance with article 64. Administrations may, however, forward them in all cases by surface.

Article 60

Surcharged and unsurcharged air-mail correspondence

1. Air-mail correspondence shall be divided, as regards charges, into surcharged air-mail correspondence and unsurcharged air-mail correspondence.

2. In principle, air-mail correspondence shall be subject, in addition to the charges authorized by the Convention and various Agreements, to surcharges for air conveyance: the postal items mentioned in articles 16 and 17 shall be liable to the same surcharges. All such correspondence shall be described as surcharged air-mail correspondence.

3. Administrations shall be permitted not to collect a surcharge for air conveyance, provided that they inform the administrations of the countries of destination of the fact: items accepted under these conditions shall be described as unsurcharged air-mail correspondence. This description shall not apply to correspondence inserted in ordinary surface mails transported by air, which are covered by special agreements with administrations receiving them at airports, and which are subsequently treated as ordinary surface mail.

4. With the exception of those originating from the bodies of the Universal Postal Union and from the Restricted Unions, items on postal service mentioned in article 15 shall be exempt from air surcharge.

5. Aerogrammes, as described in article 59, shall be subject to a charge at least equal to that applicable in the country of origin to an unsurcharged letter of the first weight step.

Article 61

Air surcharges

1. Administrations shall fix the air surcharges to be collected for forwarding. They may adopt, for fixing of surcharges, smaller weight steps than those laid down in article 19.

2. The surcharges shall be closely related to the air conveyance dues. As a general rule, the total sum of the surcharges relating to the two categories of mail LC and AO shall not exceed the costs payable for such conveyance.

3. Surcharges shall be uniform for the whole of the territory of a country of destination whatever the route used.

4. Administrations may fix average air surcharges each relating to a group of countries of destination.

5. Air surcharges shall be paid before dispatch.

6. In calculating the air surcharge for an air-mail item, each administration shall be authorized to take into account the weight of any forms used by the public which may be attached to the item. The weight of the advice of delivery shall always be taken into account.

Article 62

Combined charges

1. Notwithstanding article 61, administrations may fix combined charges for the prepayment of air-mail correspondence, taking into account:
(a) the postal cost of the services rendered by them;
(b) the cost of the air conveyance.
Administrations have the option of taking as the cost mentioned in (a) the basic charges set in accordance with article 19. When the weight steps adopted for fixing the combined charges are smaller than those laid down in article 19, the basic charges may be reduced in the same proportion.

2. With the exception of articles 64 and 68, the provisions relating to air surcharges shall apply by analogy to combined charges.

Article 63

Methods of denoting prepayment

Apart from the methods laid down in article 25, the prepayment of surcharged air-mail correspondence may be represented by a manuscript indication, in figures, of the sum collected, expressed in the currency of the country of origin, for example in the form: *"Taxe perçue: . . . dollars . . . cents"* (Amount collected: . . . dollars . . . cents). This indication may appear either in a special stamp impression or on a special stamp or label, or simply be marked by any method on the address side of the item. In every case the indication shall be authenticated by a date-stamp impression of the office of origin.

Article 64

Unpaid or underpaid surcharged air-mail correspondence

1. Unpaid or underpaid surcharged air-mail correspondence which it is not possible to have regularized by the senders shall be treated as follows:
(a) in the event of complete absence of prepayment, surcharged air-mail correspondence shall be treated in accordance with articles 24 and 27; items on which the payment of postage is not obligatory before dispatch shall be forwarded by the means of transport normally used for unsurcharged correspondence;
(b) in the event of underpayment, surcharged air-mail correspondence shall be forwarded by air if the charges paid represent at least the amount of the air surcharge; nevertheless, the administration of origin shall be permitted to send these items by air when the charges paid represent at least 75% of the surcharge or 50% of the combined charge. Below these limits, items shall be treated as laid down in article 24. In the other cases, article 27 shall be applicable.

2. If the details required for calculating the amount of the charge to be collected have not been indicated by the administration of origin, the administration of destination shall be permitted to deliver, without collecting a charge, underpaid surcharged air-mail correspondence on which the charges paid by the sender represent at least the postage for an unsurcharged item of the same weight and category.

Article 65

Routeing

1. Administrations shall be bound to forward by the air communications they use for the conveyance of their own air-mail correspondence the items of this type which reach them from other administrations.

2. Administrations of countries without an air service shall forward air-mail correspondence by the most rapid means used for mails: the same shall apply if for any reason routeing by surface means is more advantageous than the use of airlines.

3. Closed air mails shall be forwarded by the route requested by the administration of the country of origin, provided that it is used by the administration of the country of transit for the transmission of its own mails. If that is not possible or if there is insufficient time for the transhipment the administration of the country of origin shall be so informed.

Article 66

Operations at airports

Administrations shall take the necessary steps to ensure the best conditions for the receipt and onward transmission of air mails at airports in their country.

Article 67

Customs control of air-mail correspondence

Administrations shall take all necessary steps to speed up the operations relating to the customs control of air-mail correspondence addressed to their countries.

Article 68

Redirection of air-mail correspondence

1. In principle, all air-mail correspondence addressed to an addressee who has changed his address shall be redirected to its new destination by the means of transport normally used for unsurcharged correspondence. For this purpose, article 31, §§ 1 to 3, shall be applicable by analogy.

2. At the express request of the addressee and if that person concerned undertakes to pay the air surcharges or combined charges on the new air route, or indeed if these surcharges or combined charges are paid at the redirecting office by a third person, the items in question may be reforwarded by air; in the first case the air surcharge or the combined charge shall be collected, in principle, at the time of delivery of the item and retained by the delivering administration.

3. Administrations which apply combined charges may fix special fees, which must not exceed the combined charges, for the redirection by air under the conditions laid down in § 2.

4. Correspondence sent by surface on its first transmission may be reforwarded abroad by air, under the conditions laid down in § 2. Redirection by air of such articles within the country of destination shall be governed by the internal regulations of that country.

5. The special C6 envelopes and bags, used for collective redirection, shall be forwarded to the new destination by the means of transport normally used for unsurcharged correspondence, unless the surcharges, the combined charges or the special fees provided for in § 3 are paid in advance to the redirecting office, or the addressee undertakes to pay the charges on the new air route in accordance with § 2.

Article 69

Return to origin of air-mail correspondence

1. Undeliverable air-mail correspondence shall be returned to origin by the means of transport normally used for unsurcharged correspondence.

2. For the return to origin by air of correspondence at the request of the sender, article 68, §§ 2 to 5, shall be applicable by analogy.

Chapter II

Air conveyance dues

Article 70

General principles

1. The air conveyance dues for the whole distance flown shall be borne:
(a) in the case of closed mails, by the administration of the country of origin of the mails;
(b) in the case of air-mail correspondence in transit *à découvert*, including mis-sent items, by the administration which forwards this correspondence to another administration.

2. These same regulations shall be applicable to air mails and air-mail correspondence in transit *à découvert* exempt from transit charges.

3. Conveyance dues shall, for a particular sector, be uniform for all administrations which use the sector without sharing in the running costs of the air service or services operating over it.

4. Unless agreement has been reached that no charge should be made, air conveyance dues within the country of destination shall be uniform for all air mails originating abroad whether or not this mail is reforwarded by air.

5. In the absence of special agreement between the administrations concerned, article 52 shall apply to air-mail correspondence for any transit by land or by sea: nevertheless, no transit charges shall be payable for:
(a) the transhipment of air mails between two airports serving the same town;
(b) the conveyance of such mails from an airport serving a town to a depot situated in the same town and the return of the same mails for reforwarding.

Article 71

Basic rates and calculation of air conveyance dues relating to closed mails

1. The basic rates applicable to the settlement of accounts between administrations in respect of air conveyance shall be fixed per kilogramme of gross weight and per kilometre. These rates, detailed below, shall apply proportionally to fractions of a kilogramme:
(a) for LC items (letters, aerogrammes, postcards, postal money orders, COD money orders, inpayment money orders, bills for collection, insured letters, advices of payment, entry and delivery): 3 thousandths of a franc at most;
(b) for AO items (items other than LC): 1 thousandth of a franc at most.

2. Air conveyance dues shall be calculated according to, on the one hand, the actual basic rates (fixed within the limits of the basic rates specified in § 1) and the kilometric distances given in the "List of air-mail distances", and, on the other, the gross weight of the mails; no account shall be taken of the weight of *sacs collecteurs*.

3. Where dues are payable for air conveyance in the interior of the country of destination, they shall be fixed in the form of a single rate for each of the two categories, LC and AO. These dues shall be calculated on the basis of the rates prescribed in § 1, and according to the weighted average distances of the sectors flown by international mail on the internal network. The weighted average distance shall be determined in terms of the gross weight of all the air mails arriving at the country of destination, including the mail which is not reforwarded by air in the interior of that country.

4. Dues payable for air conveyance, between two airports in the same country, of air mails in transit may also be fixed in the form of single rates for each of the categories LC and AO. These dues shall be calculated on the basis of the rates prescribed in § 1, and according to the weighted average distances of the sectors flown by international mail on the internal air network of the country of transit. The weighted average distance shall be determined in terms of the gross weight of all the air mails transiting through the intermediate country.

5. The sum of the dues referred to in §§ 3 and 4 may not exceed in total the amounts which actually have to be paid for conveyance.

6. The rates for international and internal air conveyance, obtained by multiplying the effective basic rate by the distance, which are used in calculating the dues mentioned in §§ 2, 3 and 4, shall be rounded up or down to the nearest 10 gold centimes according to whether or not the number made up by the figure of hundredths and that of thousandths exceeds 50.

Article 72

Calculation of and accounting for air conveyance dues for air-mail correspondence in transit *à découvert*

1. Air conveyance dues for air-mail correspondence in transit *à découvert* shall be calculated, in principle, as indicated in article 71, § 2, but according to the net weight of such correspondence. They shall be fixed on the basis of not more than 10 average rates, each relating to a group of countries of destination and fixed according to the weight of mail offloaded at different destinations within the group. The sum of these dues, which may not exceed the amounts which have to be paid for conveyance, shall be increased by 5%.

2. Accounting for air conveyance dues for air-mail correspondence in transit *à découvert* shall take place, in principle, on the basis of the data of statistical returns compiled once a year over a period of fourteen days.

3. Accounting shall take place on the basis of actual weight in the case of misrouted correspondence or correspondence posted on board ship or sent at irregular intervals or in too varying amounts. However, this accounting shall be done only if the intermediate administration asks to be paid for the conveyance of this correspondence.

Article 73

Amendments to dues for air conveyance in the interior of the country of destination and for air-mail correspondence in transit *à découvert*

The amendments made to the air conveyance dues mentioned in article 71, § 3 and article 72 shall:

(a) come into effect exclusively on 1 January or 1 July, at the discretion of each administration;
(b) be notified to the International Bureau at least three months beforehand;
(c) be communicated to administrations at least two months before the dates laid down in subpara(a).

Article 74

Payment of air conveyance dues

1. Air conveyance dues shall be payable, apart from the exceptions provided for in § 2, to the administration of the country which controls the air service used.

2. Notwithstanding § 1:

(a) the conveyance dues may be paid to the administration of the country in which the airport is situated at which the air-mails were taken over by the air carrier, subject to an agreement between this administration and that of the country which controls the air service concerned;
(b) the administration which hands over air mails to an air carrier may settle direct with that carrier, for the conveyance dues for all or part of the distance flown, subject to the agreement of the administration of the countries which control the air service used.

3. Conveyance dues for air-mail correspondence in transit *à découvert* shall be paid to the administration which reforwards it.

Article 75

Air conveyance dues for diverted or missent mails or bags

1. The administration of origin of a mail which has gone off its route in course of conveyance shall pay the conveyance dues for the mail as far as the airport of offloading initially provided for on the AV 7 delivery bill.

2. It shall also settle the reforwarding dues relating to the sectors actually covered subsequently by the mail in order to reach its place of destination.

3. The supplementary dues relating to the sectors subsequently covered by the diverted mail shall be reimbursed as follows:

(a) by the administration whose services have committed the error in the case of misrouteing;

(b) by the administration which has collected the conveyance dues paid to the airline when the latter has offloaded in a place other than that shown on the AV 7 delivery bill.

4. Paragraphs 1 to 3 shall be applicable by analogy when part only of a mail is off-loaded at an airport other than that indicated on the AV 7 delivery bill.

5. The administration of origin of a mail or bag missent owing to a labelling error shall pay the conveyance dues relating to the whole distance flow, in accordance with article 70, § 1(a).

Article 76

Air conveyance dues for mail lost or destroyed

In case of loss or destruction of mail as the result of an accident occurring to the aircraft or through any other cause involving the liability of the air carrier, the administration of origin shall be exempt from any payment in respect of the air conveyance of the mail lost or destroyed, for any part of the flight of the route used.

Part IV

Final provisions

Article 77

Conditions of approval of proposals concerning the Convention and its Detailed Regulations

1. To become effective, proposals submitted to Congress relating to this Convention and its Detailed Regulations must be approved by a majority of the member countries present and voting. At least half of the member countries represented at Congress shall be present at the time of voting.

2. To become effective, proposals introduced between Congresses relating to this Convention and its Detailed Regulations must obtain:

(a) unanimity of votes if they involve amendments to articles 1 to 17 (part I), 18, 19, 20, 21(f) (n) (o) and(p), 24, 27, 40, 41, 42, 44 to 57 (part II), 77 and 78 (part IV) of the Convention, to any of the articles of its Final Protocol or to articles 102 to 104, 105, § 1, 125, 145, 146, §§ 1 and 3, 163, 174, 175 and 207 of its Detailed Regulations;

(b) two-thirds of the votes if they involve amendments of substance to provisions other than those mentioned under(a);

(c) a majority of the votes if they involve:

  (i) drafting amendments to the provisions of the Convention and its Detailed Regulations other than those mentioned under(a);

  (ii) interpretation of the provisions of the Convention, its Final Protocol and its Detailed Regulations, except in case of a dispute to be submitted to arbitration as provided for in article 32 of the Constitution.

Article 78

Entry into force and duration of the Convention

This Convention shall come into force on 1 January 1976 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 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 Government of the country in which Congress is held.

Done at Lausanne, 5 July 1974.

[For signatures, see French text, pp. 637-657.]

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

1. Article 5 shall not apply to Australia, the State of Bahrain, Barbados, the Kingdom of Bhutan, the Republic of Botswana, Canada, the Republic of Cyprus, the Arab Republic of Egypt, Fiji, Ghana, the United Kingdom of Great Britain and Northern Ireland, the Overseas Territories for whose international relations the Government of the United Kingdom of Great Britain and Northern Ireland is responsible, Guyana, Ireland, Jamaica, the Republic of Kenya, Kuwait, the Kingdom of Lesotho, Malawi, Malaysia, Malta, Mauritius, the Republic of Nauru, the Federal Republic of Nigeria, New Zealand, the State of Qatar, the Republic of Sierra Leone, Singapore, the Republic of South Africa, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago, Uganda, the Yemen Arab Republic, the People's Democratic Republic of the Yemen and the Republic of Zambia.

2. Nor shall that article apply to the Kingdom of Denmark, 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.

Article II

Exceptions to the exemption of literature for the blind from postal charges

1. Notwithstanding article 17, the postal administrations of Barbados, the Overseas Territory of St Vincent for whose international relations the Government of the United Kingdom of Great Britain and Northern Ireland is responsible, Mexico, the Philippines, Portugal and Turkey, which do not concede exemption from postal charges to literature for the blind in their internal service, may collect the postage and special charges mentioned in article 17 which may not, however, exceed those in their internal service.

2. Notwithstanding article 17, the administrations of Canada, the Federal Republic of Germany, the United Kingdom of Great Britain and Northern Ireland, Japan and the United States of America may collect the special charges listed in article 21 and the charge for cash-on-delivery which are applied to literature for the blind in their internal service.

Article III

Equivalents. Maximum limits

Exceptionally and notwithstanding the provisions of article 19, § 1, member countries shall be authorized to raise the margin of increase from 70% to 100% at most for letters up to 100 g, for postcards, for printed papers up to 100 g, and for small packets up to 100 g, and, in consequence, to apply the following upper limits in those cases:

Category	Weight step		Upper limit
1	2		3
			c
Letters	Up to 20 g		100
	[Above 20 g up to 50 g 50 g 100 g]	(optional weight steps)	[180 240]
	Above 20 g up to 100 g		240
Postcards			70
Printed papers	Up to 20 g		50
	[Above 20 g up to 50 g 50 g 100 g]	(optional weight steps)	[80 110]
	Above 20 g up to 100 g		110
Small packets	Up to 100 g		110

Article IV

Exception to the application of the tariff for printed papers

Exceptionally, member countries shall be authorized to raise the charge for printed papers up to those prescribed by their legislation for items of the same nature in their internal service.

Article V

Ounce and pound avoirdupois

Notwithstanding the table in article 19, § 1, member countries which by reason of their internal system are unable to adopt the metric-decimal system of weight may substitute for the weight steps specified in article 19, § 1, the following equivalents:

Up to	20 g	1 oz
Up to	50 g	2 oz
Up to	100 g	4 oz
Up to	250 g	8 oz
Up to	500 g	1 lb
Up to	1000 g	2 lb
Per additional	1000 g	2 lb.

Article VI

Exception concerning the dimensions of items in envelopes

The administrations of Canada, Kenya, Tanzania, Uganda, and the United States of America shall not be obliged to discourage the use of envelopes whose format exceeds the recommended dimensions when those envelopes are widely used in their countries.

Article VII

Small packets

The obligation to participate in the exchange of small packets exceeding 500 g in weight shall not apply to the administrations of Australia, Bolivia, Burma, Canada, Chile, Colombia and Cuba which find it impossible to operate such an exchange.

Article VIII

Exception to the inclusion of articles of value in registered letters

1. Notwithstanding article 19, § 16, the postal administrations of the following countries shall be authorized not to admit in registered letters the articles of value mentioned in the said § 16: the Argentine Republic, the People's Republic of Bangladesh, the Kingdom of Bhutan, the Republic of Bolivia, the Federative Republic of Brazil, the Byelorussian Soviet Socialist Republic, Chile, the Republic of Colombia, the Republic of Costa Rica, the Republic of Cuba, the Arab Republic of Egypt, the Republic of Ecuador, the Republic of El Salvador, the Republic of Honduras, Iran, Italy, the United States of Mexico, Nepal, Pakistan, the Republic of Panama, the Republic of Paraguay, the Republic of Peru, the Kingdom of Saudi Arabia, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics and the Republic of Venezuela.

2. Notwithstanding article 19, § 16, the postal administrations of the People's Republic of China, India and the Khmer Republic shall be authorized not to admit the articles of value mentioned in the said § 16 in ordinary or registered letters.

3. Notwithstanding article 19, § 16, the postal administrations of Afghanistan and of the Yemen Arab Republic shall be authorized not to admit in registered letters platinum, gold, silver, manufactured or not, precious stones and jewellery.

Article IX

International reply coupons

1. Irrespective of the date of entry into force of the 1974 Lausanne Acts, the international reply coupon issued in accordance with article 28, § 1, shall be put into circulation from 1 January 1975.

2. For a period of four years, international reply coupons of the earlier type issued before 1 January 1975 shall be settled direct between the administrations concerned in accordance with the provisions of the 1969 Tokyo Convention. They may no longer be the subject of the General liquidation account of international reply coupons prepared by the International Bureau.

3. In the absence of a special agreement, after this transitional period international reply coupons of the earlier type shall no longer give rise to a settlement between administrations.

Article X

Withdrawal from the post. Alteration or correction of address

Article 30 shall not apply to Australia, the Commonwealth of the Bahamas, the State of Bahrain, Barbados, the Kingdom of Bhutan, the Republic of Botswana, the Socialist Republic of the Union of Burma, Canada, the Republic of Cyprus, the Republic of Ecuador, Fiji, the United Kingdom of Great Britain and Northern Ireland, to those of the Overseas Territories for whose international relations the Government of the United Kingdom of Great Britain and Northern Ireland is responsible, Guyana, Ireland, Jamaica, the Republic of Kenya, Kuwait, the Kingdom of Lesotho, Malawi, Malaysia, Malta, Mauritius, the Republic of Nauru, the Federal Republic of Nigeria, New Zealand, the State of Qatar, the Republic of Sierra Leone, Singapore, the Republic of South Africa, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago, Uganda, the People's Democratic Republic of the Yemen, and the Republic of Zambia, whose legislation does not permit withdrawal from the post or alteration of address of letter-post items at the sender's request.

Article XI

Special charges other than postage

1. Member countries whose internal service special charges, other than the postage rates laid down in article 19, are higher than those which are fixed in article 21 shall be authorized to apply them also in the international service.

Article XII

Articles subject to customs duty

1. With reference to article 33, the postal administrations of the Republic of Afghanistan, the People's Republic of Albania, the Federative Republic of Brazil, the People's Republic of Bulgaria, the Byelorussian Soviet Socialist Republic, the Central African Republic, Chile, the People's Republic of China, the Republic of Colombia, the Republic of Cuba, the Republic of Ecuador, the Republic of El Salvador, Ethiopia, the German Democratic Republic, Italy, the Khmer Republic, Nepal, the Republic of Panama, the Republic of Peru, the Romanian Socialist Republic, the Republic of San Marino, the Kingdom of Saudi Arabia, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics, the Republic of Venezuela, and the Socialist Federal Republic of Yugoslavia do not accept ordinary and registered letters containing articles subject to customs duty.

2. With reference to article 33, the postal administrations of the Republic of Dahomey, the Republic of Indonesia, the Republic of the Ivory Coast, the Republic of Mali, the Islamic Republic of Mauritania, the Republic of the Niger, the Sultanate of Oman, the Republic of Senegal, the Republic of Upper Volta and the Yemen Arab Republic do not accept ordinary letters containing articles subject to customs duty.

3. Notwithstanding §§ 1 and 2, the sending of serums, vaccines and urgently required medicaments which are difficult to procure shall be permitted in all cases.

Article XIII

Special transit charges for conveyance in transit by the Trans-Siberian and via Lake Nasser

1. The postal administration of the Union of Soviet Socialist Republics shall be authorized to collect a supplement of 1 franc 50 centimes in addition to the transit charges indicated in article 52, § 1 (i) (distances traversed by land) for each kilogramme of letter-post items conveyed in transit over the Trans-Siberian route.

2. The postal administrations of the Arab Republic of Egypt and the Democratic Republic of the Sudan shall be authorized to collect a supplement of 50 centimes in addition to the transit charges indicated in article 52, § 1, for each bag of letter-post in transit via Lake Nasser between Shallal (Egypt) and Wadi Halfa (Sudan).

Article XIV

Special transit conditions for Afghanistan

Notwithstanding article 52, § 1, the postal administration of Afghanistan shall be authorized provisionally, because of its special difficulties as regards means of conveyance and communication, to effect the transit of closed mails and *à découvert* correspondence across its territory on terms specially agreed with the postal administrations concerned.

Article XV

Special storage charges at Aden

Exceptionally, the postal administration of the People's Democratic Republic of the Yemen shall be authorized to collect a charge of 40 centimes per bag for all mails stored at Aden, provided that that administration does not receive any payment in respect of land or sea transit for those mails.

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Article XVI

Exceptional air surcharge

By reason of the special geographical situation of the Union of Soviet Socialist Republics, the postal administration of that country shall reserve the right to apply a uniform air surcharge throughout the whole of its territory for all the countries of the world. This surcharge shall not exceed the actual costs occasioned by the conveyance of letter-post items by air.

Article XVII

Compulsory routeing indicated by the country of origin

1. The Federal Socialist Republic of Yugoslavia will recognise only the costs of the conveyance effected in accordance with the provision concerning the line shown on the bag labels (AV 8) of air-mail dispatches.

2. The postal administrations of the Byelorussian Soviet Socialist Republic, the Romanian Socialist Republic, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics will recognise only the costs of the conveyance effected in accordance with the provision concerning the line shown on the bag labels (AV 8) of air-mail dispatches and on the AV 7 delivery bills.

Article XVIII

Routeing of closed air mails

Having regard to article XVII, the postal administrations of Greece, Italy and Senegal will forward closed air mails only on the conditions laid down in article 65, § 3.

Article XIX

Conditions of approval of proposals by the Executive Council concerning rules for payment

Notwithstanding article 77, § 2(a), proposals by the Executive Council to adapt article 103 of the Detailed Regulations of the Convention to a fundamental change in the general practice regarding international payments must, to become effective, obtain two-thirds of the votes.

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 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 Government of the country in which Congress is held.

Done at Lausanne, 5 July 1974.

[For signatures, see French text, pp. 637–657.]

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DETAILED REGULATIONS OF THE UNIVERSAL POSTAL CONVENTION

Having regard to article 22, § 5, of the Constitution of the Universal Postal Union concluded at Vienna on 10 July 1964, the undersigned, on behalf of their respective postal administrations, have by common consent drawn up the following measures for ensuring the implementation of the Universal Postal Convention.

Part I

General provisions

Chapter I

Rules applicable in common throughout the international postal service

Article 101

Preparation and settlement of accounts

1. Each administration shall draw up its accounts and refer them in duplicate to the others concerned. One accepted copy, if necessary amended or accompanied by a statement of discrepancies, shall be returned to the creditor administration. This account shall serve as a basis for the preparation, as necessary, of the final liquidation account between the two administrations.

2. In the total of each account made out in gold francs on C 21, C 21bis C 23, C 24, CP 16, CP 18, and AV 5 forms, centimes shall be ignored in the total or the balance.

3. In accordance with article 111, § 5, of the General Regulations the International Bureau shall arrange the settlement of accounts of all kinds relating to the international postal service. To this end the administrations concerned shall consult with each other and with the Bureau and decide upon the method of settlement. Accounts of telecommunications services may also be included in these special liquidation accounts.

Article 102

Payment of gold franc debts. General provisions

1. Subject to article 12 of the Convention, the rules for payment set out below shall apply to all debts expressed in gold francs and arising out of a postal transaction, whether they result from general accounts or statements drawn up by the International Bureau or from liquidation accounts or statements not drawn up by the Bureau; they shall also relate to the settlement of discrepancies, of interest or, where applicable, of payments on account.

2. Any administration may discharge its liabilities by payments on account, from which its debts shall be deducted when these have been established.

3. Provided the periods for payment are observed, any administration may settle postal debts of the same or different kinds, expressed in gold, by offsetting credits and debits in its relations with another administration. The offsetting may be extended by mutual agreement to debts arising from telecommunications services when both administrations operate postal and telecommunications services. Offsetting may not be effected with debts in respect of transactions contracted out to an organization or company under the control of a postal administration if that administration objects.

Article 103

Rules for payment

1. Debts shall be paid in the currency selected by the creditor administration after consultation with the debtor administration. If there is disagreement, the choice of the creditor administration shall prevail in all cases, subject to § 7. If the creditor administration does not specify a currency, the choice shall rest with the debtor administration.

2. The amount of the payment, as determined hereafter in the selected currency, shall be equivalent in value to the balance of the account expressed in gold francs.

3. Subject to § 4, the amount to be paid in the selected currency (which is equivalent in value to the balance of the account expressed in gold francs) shall be determined by the relationship in effect on the day before payment between the value of the gold franc and:

(a) the gold par value of the selected currency approved by the International Monetary Fund (hereinafter designated as IMF);

(b) or the gold par value of the selected currency fixed unilaterally by the appropriate Government or official issuing authority (hereafter designated as "fixed unilaterally").

4. If, subsequent to the approval given by the IMF to the gold par value or subsequent to the unilateral fixing of a gold par value, a central rate of the selected currency has been established either under IMF Executive Board decision or unilaterally, the gold value of that central rate shall be used in determining the equivalent value. Where the central rate is in terms of another IMF member s currency (hereinafter described as "such other currency"), the amount of the selected currency shall be determined by first relating the gold franc amount to the IMF-approved par value of such other currency and then by converting the result thus obtained to the selected currency by applying the central rate. Where such other currency has no IMF-approved par value in effect, § 5 shall apply.

5. If the selected currency does not satisfy the conditions laid down in §§ 3 and 4 above or if the margins of fluctuation of the central rate recognized by the articles or Executive Board decisions of the IMF or established beforehand by the appropriate Government or issuing authority are not being observed, the equivalent value of the selected currency shall be determined by its relationship on the official or generally accepted foreign exchange market, as provided in § 6, to another currency which itself satisfies the conditions laid down in §§ 3 or 4.

6. For the purpose of determining the official or generally accepted foreign exchange market equivalent of a currency, the rate used shall be the closing rate for currency which can be used in the majority of merchandise trade transactions for spot delivery cable transfers in the official or generally accepted foreign exchange market of the main financial centre of the debtor country on the day prior to payment or the most recent rate quoted.

7. If a creditor administration selects a currency with a gold par or central rate fixed unilaterally or a currency the equivalent value of which is to be determined by its relationship to a currency with a gold par or central rate fixed unilaterally, the use of the selected currency must be acceptable to the debtor administration.

8. The debtor administration shall transmit, on the date of payment, the amount of the selected currency as computed above by a bank cheque, transfer or any other means, acceptable to both administrations. If the creditor administration expresses no preference, the choice shall fall to the debtor administration.

9. The payment charges (fees, clearing charges, deposits, commission, etc) collected in the debtor country shall be borne by the debtor administration. The charges collected in the creditor country, including payment charges collected by banks in intermediate countries, shall be borne by the creditor administration. When the postal giro transfer system, with exemption from charges, is used, exemption shall also be granted by the office of exchange in the third country or countries acting as intermediary between the debtor administration and the creditor administration when there are no direct exchanges between these.

10. If, between the dispatch of remittance (cheque, for example) and its receipt by the creditor administration, a variation occurs in the equivalent value of the selected currency calculated as described in §§ 3, 4, 5 or 6, and if the difference resulting from such variation exceeds 5% of the amount due (as calculated following such variation), the total difference shall be shared equally between the two administrations.

11. Payment shall be made as quickly as possible and at the latest within six weeks from the date of receipt of the general or special liquidation accounts, accounts or statements drawn up by common consent, notifications, requests for payments on account, etc, indicating the amounts or balances to be settled; after that period the amounts due shall be chargeable with interest at the rate of 6% per annum reckoned from the day following the day of expiry of the said period. By payment is meant the dispatch of funds or of the instrument of payment (cheque, draft, etc) or the signing of the order for transfer or deposit by the organization responsible for the transfer in the debtor country.

12. If there should be a radical change in the international monetary system (eg a substantial general change in the official price of gold, or if gold ceased to be used generally as a basic reference for currencies) which invalidates or makes inappropriate the provisions laid down in one or more of the foregoing paragraphs, administrations shall be free to adopt, by mutual agreement, different procedures for the payment of debts.

Article 104

Fixing of equivalents

1. Administrations shall fix the equivalents of the postal charges prescribed in the Convention, the Agreements and their Final Protocols and the selling price of international reply coupons after consultation with the International Bureau which is responsible for announcing them. To this end each administration shall be required to notify the International Bureau of the conversion factor for the gold franc in the currency of its country. The same procedure shall be followed when equivalents are changed.

2. Postal administrations shall communicate equivalents or changes of equivalents of postal charges to the International Bureau as soon as possible, giving the date of their entry into force.

3. The International Bureau shall publish a compendium showing, for each country, the equivalents of the charges, the conversion factor and the selling price of the international reply coupons mentioned in § 1 and indicating, where applicable, the percentage increase or reduction in postage applied under articles 19, § 1, of the Convention and III of its Final Protocol.

4. Monetary fractions resulting from the supplementary charge applied to underpaid letter-post items may be rounded off by the administration which collects the charge. The sum to be added on this account shall not exceed 5 centimes in value.

5. Each administration shall notify the International Bureau direct of the equivalent it has adopted for the indemnities prescribed in article 44, § 3, of the Convention.

Article 105

Postage stamps. Notification of issues and exchange between administrations

1. Each new issue of postage stamps shall be notified by the administration concerned to all other administrations, with the necessary information, through the intermediary of the International Bureau.

2. Administrations shall exchange through the intermediary of the International Bureau three sets of their postage stamps.

Article 106

Postal identity cards

1. Each administration shall appoint the offices or departments which issue postal identity cards.

2. These cards shall be made out on forms conforming to the annexed specimen C 25 which are supplied by the International Bureau.

3. Upon application the applicant shall hand in his photograph and prove his identity. Administrations shall issue the necessary instructions to ensure that cards are issued only after careful inquiry into the identity of the applicant.

4. The official shall enter the application in a register, he shall fill up in ink and in roman characters by hand or by typewriter, without erasure or alteration, all the particulars required by the form and affix the photograph to it in the space indicated; then he shall affix a postage stamp representing the charge collected, partly on the photograph and partly on the card. He shall then make, in the space reserved for the purpose, a clear impression of the date stamp or of an official seal, in such a way that it appears partly on the postage stamp, the photograph and the card. Finally, he shall sign the card and issue it to the applicant after having obtained his signature.

5. Administrations may issue identity cards without affixing a postage stamp thereto and record in some other way the amount of the charge collected.

6. Each administration shall retain the right to issue the cards for the international service in accordance with the rules applied to the cards in use in its internal service.

7. Postal identity cards may after they have been made out be laminated in plastic material as desired by each administration.

Article 107

Distant countries and those considered as such

1. Countries shall be considered as distant when the time taken in conveyance between them by the most rapid surface route exceeds ten days, or when the average frequency of the mail service between them is less than twice a month.

2. As regards the periods prescribed in the Convention and Agreements, countries covering a very large area or those with limited internal communications shall be treated as distant countries in matters in which these factors play a major part.

Article 108

Period of retention of documents

1. Documents of the international service shall be kept for a minimum period of eighteen months from the day following the date to which they refer.

2. Documents concerning a dispute or inquiry shall be kept until the matter has been settled. If the initiating administration, being duly informed of the result of the inquiry, allows six months to pass from the date of the communication without raising any objections, the matter shall be regarded as closed.

Article 109

Telegraphic addresses

1. For telegraphic communications exchanged between one another, administrations shall use the following telegraphic addresses:
(a) "Postgen" for telegrams intended for central administrations;
(b) "Postbur" for telegrams intended for post offices;
(c) "Postex" for telegrams intended for offices of exchange.

2. These telegraphic addresses shall be followed by the indication of the place of destination and, where appropriate, any other details considered necessary.

3. The telegraphic address of the International Bureau shall be "UPU Berne"

4. The telegraphic addresses indicated in §§ 1 and 3, completed as necessary by the indication of the dispatching office, shall also serve as the signature to telegraphic communications.

Chapter II

International Bureau. Information to be supplied. Publications

Article 110

Communications and information to be forwarded to the International Bureau

1. Administrations shall communicate or forward to the International Bureau:
(a) their decision on the optional application of certain general provisions of the Convention and of its Detailed Regulations;
(b) the expression they have adopted, under article 178, §§ 2 and 3, as the equivalent of the phrase "*Taxe perçue*" or "*Port payé*"
(c) the reduced charges they have adopted under article 8 of the Constitution and details of the services to which the charges apply;
(d) the extraordinary conveyance dues collected under article 55 of the Convention together with the names of the countries to which the dues apply and, where appropriate, particulars of the services for which the dues are payable;
(e) the necessary information concerning customs or other regulations, as well as the prohibitions or restrictions governing the entry and transit of postal items in their services;
(f) the number of customs declarations required for items subject to customs control addressed to their country and the languages in which declarations or customs labels may be completed;
(g) a list of kilometric distances for land sectors followed in their countries by mails in transit;
(h) a list of the shipping lines operating from their ports and used for the conveyance of mails, with details of the voyages, the distance and duration of the voyage between the port of embarkation and each of the successive ports of call, the frequency of the service and the countries to which the sea transit charges shall be paid if the ships are used;
(i) their list of distant countries and countries treated as such;
(j) any useful information about their organization and internal services;
(k) their internal postal charges.

2. Any amendment to the information mentioned in § 1 shall be notified without delay.

3. Administrations shall supply the International Bureau with two copies of the documents which they publish, whether relating to the internal or international service. They shall also furnish, as far as possible, other works published in their country concerning the postal service.

Article 111

Publications

1. The International Bureau shall publish, on the basis of information supplied in accordance with article 110, an official compendium of information of general interest relating to the implementation of the Convention and of its Detailed Regulations in each member country. It shall also publish similar compendia relating to the implementation of the Agreements and their Detailed Regulations, on the basis of the information supplied by the administrations concerned in accordance with the relative provisions in the Detailed Regulations of each of the Agreements.

2. It shall also publish, from information supplied by administrations and, if appropriate by the Restricted Unions as regards letter (a), or the United Nations as regards letter (g):
(a) a list of addresses, of heads and senior officials of postal administrations and the Restricted Unions;
(b) an international list of post offices;
(c) a list of kilometric distances relating to land sectors of mails in transit;
(d) a list of shipping lines;
(e) a list of distant countries and countries treated as such;
(f) a list of equivalents;
(g) a list of prohibited articles; this list shall also include narcotics prohibited under the multilateral treaties on narcotics;
(h) a compendium of information about the organization and internal services of postal administrations;
(i) a compendium of postal administrations' internal charges;
(j) statistical data relating to the postal services (internal and international);
(k) studies, opinions, reports and other statements relating to the postal service;
(l) a general catalogue of information of every kind concerning the postal service and of the documents in the lending service (UPU Catalogue).

3. Finally, it shall publish a multilingual vocabulary of the international postal service.

4. Amendments to the various documents listed in §§ 1 to 3 shall be notified by circular, bulletin, supplement or other appropriate means.

Article 112

Distribution of publications

1. The documents published by the International Bureau shall be distributed to administrations in accordance with the following rules:
(a) all documents excepting those specified in subparagraph (b): three copies of which one copy shall be in the official language and the two others either in the official language or in the other language requested in accordance with article 107 of the General Regulations;
(b) the journal "Union Postale" and the International List of Post Offices: according to the number of contribution units assigned to each administration under article 123 of the General Regulations. However, where administrations so request, the International List of Post Offices may be distributed at the maximum rate of ten copies per contribution unit.

2. Over and above the number of copies distributed free of charge by virtue of § 1, administrations may purchase International Bureau documents at cost price.

3. Documents published by the International Bureau shall also be sent to Restricted Unions.

Part II

Provisions concerning the letter post

Section I

Conditions of acceptance of letter-post items

Chapter I

Provisions applicable to all categories of items

Article 113

Address. Make-up

1. Administrations shall recommend users:
(a) to use envelopes which are adapted to their contents;
(b) to write the address on the envelope, on the plain side which is not provided with the closing flap;
(c) to reserve the whole of the right-hand half at least of the address side for the address of the addressee, prepayment of postage and relevant service instructions or labels. In the case of standardized items in envelopes, the service instructions and labels shall be positioned in accordance with article 19, § 8 (a) (iii), of the Convention;
(d) to write the address legibly in roman letters and in arabic figures setting it out on the right-hand side lengthwise. If other letters and figures are used in the country of destination, it shall be recommended that the address be given also in these letters and figures;
(e) to write the name of the place with the correct post code number or delivery zone number, if any, and country of destination in capital letters;
(f) to show the address precisely and completely, giving the correct post code number or delivery zone number, if any, so that the forwarding of the item and its delivery to the addressee may be effected without inquiry or misunderstanding;
(g) to show the name and address of the sender with the post code number or delivery zone number, if any, of the sender either on the front, at the left-hand side so as to interfere neither with the clarity of the address nor with the addition of service instructions or labels, or on the back. In the case of stadardized items in envelopes, however, the sender s address shall be positioned in accordance with article 19, § 8 (a) (iii), of the Convention;
(h) to add the word "Letter" to the address side of letters which, because of their volume or make-up, might be confused with items prepaid at a reduced rate;
(i) to show the addresses of the sender and the addressee inside the item and as far as possible on the contents, or, where applicable, on a tie-on label, preferably of parchment, securely attached to the item, particularly in the case of unsealed items;
(j) to show also the addressee's address on each packet of printed papers included in a special bag and sent to the same addressee at the same address.

2. No manner of item shall be admitted of which the whole or part of the address side has been marked off into several divisions intended to provide for successive addresses.

3. In all cases in which the item is under wrapper, the addressee's address shall be written on it except for articles sent in accordance with article 121, § 3.

4. Postage stamps or postal franking impressions shall be applied to the address side, and as far as possible, at the upper right-hand corner. However, it shall be up to the administration of origin to treat items whose payment does not conform to this condition, according to its internal legislation.

5. Non-postal stamps and charity or other labels as well as designs, likely to be mistaken for postage stamps or service labels may not be affixed to or printed on the address side. This shall also apply to stamp impressions which could be mistaken for franking impressions.

6. Envelopes, the edges of which are provided with coloured bars shall be reserved for air-mail correspondence.

Article 114

Poste restante items

The address of items sent *poste restante* shall show the name of the addressee. The use of initials, figures, forenames only, fictitious names or code marks of any kind shall not be permitted for these items.

Article 115

Items sent free of postal charges

Items exempt from postal charges shall bear, at the front top right-hand corner, the following indications, which may be followed by a translation:

(a) *"Service des postes"* (Postal Service) or a similar indication for the items mentioned in article 15 of the Convention;

(b) *"Service des prisonniers de guerre"* (Prisoners-of-war service) or *"Service des internés"* (Civilian Internees Service) for the items mentioned in article 16, of the Convention and the forms relating to them;

(c) *"Cécogrammes"* (Literature for the blind) for the items mentioned in article 17 of the Convention.

Article 116

Items subject to customs control

1. Items to be submitted to customs control shall bear on the front an adhesive green label in the form of the annexed specimen C 1, or be provided with a tie-on label in the same form. If the value of the contents declared by the sender exceeds 300 francs, or if the sender prefers, the items shall also be accompanied by the prescribed number of separate customs declarations in the form of the annexed specimen C 2/CP 3; in this case, only the upper part of the C 1 label shall be affixed to the item.

2. C 2/CP 3 customs declarations shall be securely attached to the outside of the item by a string tied crosswise or, if the administration of the country of destination so requests, inserted in the item itself. Exceptionally, these declarations may, if the sender prefers, also be inserted in the items referred to in article 19, § 16, of the Convention, sent as registered letters.

3. For small packets, the formalities prescribed in § 1 shall be compulsory in every case.

4. The absence of a C 1 label shall not, in any circumstances, involve the return to the office of origin of consignments of printed papers, serums, vaccines, perishable biological substances, radioactive materials and urgently required medicines which are difficult to obtain.

5. The contents of the item shall be shown in detail on the customs declaration. Descriptions of a general character shall not be admitted.

6. Administrations shall do their utmost to inform senders of the correct way to complete the C 1 labels or customs declarations, although they shall accept no liability for the customs declarations.

Article 117

Items for delivery free of charges and fees

1. Items for delivery to addresses free of charges and fees shall bear in bold letters on the front the heading *"Franc de taxes et de droits"* (Free of charges and fees) or a similar indication in the language of the country of origin. These items shall be provided on the address side with a yellow label also bearing in bold letters the indication *"Franc de taxes et de droits"*

2. Every item sent free of charges and fees shall be accompanied by a franking note on yellow paper in the form of the annexed specimen C 3/CP 4. The sender of the item and, as regards the postal service indications, the dispatching office, shall complete the text of the right-hand side of the front of parts A and B of the franking note. The sender s entries may be made with the use of carbon paper. The text shall include the undertaking prescribed in article 37 § 2, of the Convention. The franking note, duly completed, shall be securely attached to the item.

3. When the sender asks after posting for the item to be delivered free of charges and fees, the procedure shall be as follows:

(a) if the request is to be forwarded by post, the office of origin shall inform the office of destination in an explanatory note. This latter, bearing the prepayment of the charge due, shall be forwarded as a registered item to the office of destination accompanied by a franking note duly completed. If air

transmission is involved, the prepayment of the air surcharge shall also be represented on the explanatory note. The office of destination shall affix the label prescribed in § 1 to the item;

(b) if the request is to be forwarded by telegraph, the office of origin shall inform the office of destination by telegraph and at the same time advise the relative particulars of the posting of the item. The office of destination shall automatically make out a franking note.

Chapter II

Rules relating to the packing of items

Article 118

Make-up. Packing

1. Letter-post items shall be made up securely and in such a way that there is no risk of other items getting trapped in them. The packing shall be adapted to the shape and nature of the item and the conditions of transport. Every item shall be made up in such a way as not to affect the health of officials and so as not to present any danger if it contains articles of a kind likely to injure officials called upon to handle it or soil or damage other parcels or postal equipment.

2. Items containing articles of glass or other fragile materials, liquids, fatty substances, dry powders, colouring or not, live bees, leeches, silk-worm eggs or the parasites referred to in article 33, § 2 (c) (ii), of the Convention shall be packed in the following manner:

(a) articles of glass or other fragile objects shall be packed in a box of metal, wood, strong plastic material or strong cardboard, filled with paper, wood shavings or any other appropriate protective material, to prevent any friction or knocks during transport either between the objects themselves or between the objects and the sides of the box;

(b) liquids and substances which easily liquefy shall be enclosed in perfectly leak-proof containers. Each container shall be placed in a special box of metal, wood, strong plastic material or strong corrugated cardboard, containing enough sawdust, cotton wool or any other appropriate protective material to absorb the liquid should the container break. The lid of the box shall be fixed so that it cannot easily work loose;

(c) fatty substances which do not easily liquefy, such as ointments, soft-soap, resins, etc, and silk-worm eggs, the conveyance of which presents few difficulties, shall be enclosed in a first packing (box, bag of cloth, plastic, etc) which is itself placed in a box of wood, metal or any other material stout enough to prevent the contents from leaking;

(d) dry colouring powders, such as aniline blue, etc, shall be admitted only in perfectly leak-proof metal boxes, placed in turn in boxes of wood, strong plastic material or good quality corrugated cardboard with sawdust or any other appropriate absorbent and protective material between the two containers;

(e) dry non-colouring powders shall be placed in containers (box, bag) of metal, wood, strong plastic material or cardboard; these containers shall themselves be enclosed in a box made of one of those materials;

(f) live bees, leeches and parasites shall be enclosed in boxes so constructed as to avoid any danger.

3. Packing shall not be required for articles in one piece, such as pieces of wood, metal, etc, which it is not the custom of the trade to pack. In this case, the address of the addressee should be given on the article itself.

Article 119

Make-up. Perishable biological substances

Letters containing perishable biological substances shall be subject to the following special packing conditions:

(a) perishable biological substances consisting of living pathogenic micro-organisms or of living pathogenic viruses shall be enclosed in a bottle or tube of glass or plastic material with thick sides, well

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stoppered, or in a sealed phial. This container shall be non-porous, and hermetically sealed. It shall be surrounded with a thick and absorbent material (medicated cotton wool, swan s down cloth or flannelette) wrapped round the container several times and bound both above and below it so as to form a sort of cocoon. The container so wrapped shall be placed in a solid, well-fastened, metal box. The absorbent material placed between the inner container and the metal box shall be of sufficient quantity to absorb, in case of a breakage, all the liquid contained, or capable of being formed, in the inner container. The metal box shall be made and fastened in such a way as to make any contamination of the outside of the box impossible. The metal box itself shall be wrapped in cotton or spongy material and enclosed in its turn in a protective box in such a way as to prevent any movement. This outer protective box shall be hollowed out from a block of solid wood, or shall be of metal, or may be of material and construction of equivalent strength, and furnished with a well-fitting lid fastened so that it cannot open in course of transmission. Special provision such as drying by freezing or packing in ice, shall be made to ensure the preservation of substances sensitive to high temperatures. Air transmission, which entails changes in atmospheric pressure, makes it necessary that the packing be strong enough to withstand these variations in pressure. Moreover, the outer box (as well as the outer wrapping if there is any) shall be furnished on the side which bears the addresses of the officially recognised laboratories sending and receiving the item, with a violet coloured label with the following text and symbol:

For illustration see French text. The translation "Perishable biological substances" will also appear in accordance with article 10, § 2, of the Convention.

(b) perishable biological substances which contain neither living pathogenic micro-organisms nor living pathogenic viruses shall be packed in an inner non-porous container with an outer protective container and with absorbent material placed either in the inner container or between the outer and inner container· this material shall be of sufficient quantity to absorb, in case of breakage, all the liquid contained, or capable of being formed, in the inner container. Moreover, the contents of the inner as well as of the outer container shall be packed in such a way as to prevent any movement. Special provision, such as drying by freezing and packing in ice, shall be made to ensure the preservation of substances sensitive to high temperatures. Air transmission, which entails changes of atmospheric pressure, makes it necessary, if the substances are packed in sealed phials or well-stoppered bottles, that these containers be strong enough to withstand variations in pressure. The outer container, as well as the outer wrapping of the item, shall be furnished, on the side which bears the addresses of the laboratories sending and receiving it, with a violet coloured label with the following text and symbol:

For illustration see French text. The translation "Perishable biological substances" will also appear in accordance with article 10, § 2, of the Convention.

Article 120

Make-up. Radioactive materials

1. Items containing radioactive materials, whose contents and make-up comply with the regulations of the International Atomic Energy Agency providing special exemptions for certain categories of items, shall be admitted for conveyance by post subject to prior consent from the competent authorities of the country of origin.

2. Items containing radioactive materials shall be provided by the sender with a special white label bearing the words *"Matières radioactives"* (Radioactive materials), which label shall be officially crossed out should the packing be returned to the place of origin. These items shall also bear in addition to the name and address of the sender, a request in bold letters for the return of the items in the event of non-delivery.

3. The sender shall give his name and address and the contents of the item on the inner wrapping.

4. Administrations may designate special post offices for the posting of items containing radioactive materials.

Article 121

Make-up. Verification of contents

1. Printed papers and literature for the blind shall be made up in such a way that their contents are sufficiently protected while permitting quick and easy verification. They shall be placed in a wrapper, on a roller or between cardboard, in open envelopes or containers, in closed unsealed envelopes or containers, but which can be easily and safely opened and reclosed or tied with a string which is easy to unknot. The administration of origin shall determine whether the closing of these items allows for quick and easy verification of the contents.

2. Administrations may authorize the closing of bulk-posted printed papers, issuing for that purpose a permit to users who make a request for one. To be admitted at the printed papers rate, items closed on these conditions shall bear the indication "*Imprimé*" (Printed papers) and the number of the relevant permit. These indications shall constitute proper authority for verification of the contents.

3. Printed papers posted in bulk as specified in § 2 may, notwithstanding § 1, be inserted in closed, transparent plastic wrapping. The address of the addressee shall be written on an address label placed under or on the plastic film in the direction of the greatest dimension. A white, opaque band, which shall be an integral part of the wrapping and placed on the same side and in the same direction as the address label, shall bear the name and address of the sender, the postage paid imprint prescribed in article 178, § 3, as well as preprinted instructions enabling possible reasons for non-delivery or, if applicable, the new address of the addressee to be specified.

4. No special conditions of closing shall be required for small packets; items designated as such may be opened for verification of their contents. However, by analogy with the conditions laid down in § 2 for printed papers, administrations of origin may restrict the closing of small packets to items posted in bulk. Articles which would be spoilt if packed according to the general rules and items of merchandise packed in a transparent packing permitting verification of their contents, shall be admitted in a hermetically sealed packing. The same shall apply to industrial and vegetable products posted in a packing sealed by the manufacturer or by an examining authority in the country of origin. In those cases, the administrations concerned may require the sender or the addressee to assist in checking the contents, either by opening certain of the items indicated by them or in some other satisfactory manner.

Article 122

Items in panel envelopes

1. Items in envelopes with a transparent address panel shall be admissible on the following conditions:
(a) the panel shall be situated on the plain side of the envelope which is not provided with the closing flap;
(b) the panel shall be made of such a material and in such a way that the address can be easily read through it;
(c) the panel shall be rectangular, its greatest dimension parallel to the length of the envelope, so that the address of the addressee appears in the same direction and the application of the date-stamp is not interfered with;
(d) all the edges of the panel shall be precisely stuck down on the inside edges of the opening in the envelope. For this purpose there shall be an adequate space between the side and bottom edges of the envelope and those of the panel;
(e) the addressee s address shall be the only thing visible through the panel or, at the very least, shall stand out clearly from any other indications visible through the panel;
(f) the contents of the item shall be folded in such a way that the address remains fully visible through the panel even if the contents shift inside the envelope.

2. Items in envelopes which are wholly transparent, even if an address label is affixed to them, items in envelopes which have an open panel and items in envelopes with more than one panel shall not be admitted.

3. Items in envelopes with a transparent address panel shall be considered as standardized items if they conform to the conditions laid down in article 19, § 8 (a) (ii), of the Convention.

Chapter III

Special provisions applicable to each category of items

Article 123

Letters

Subject to the provisions relating to standardized items and the packing of items, no conditions shall be laid down for the form or closing of letters which do not fulfil the conditions specified for standardized items in envelopes. However, letters in envelopes must be rectangular to ensure that they do not cause difficulties during their handling. The space on the front necessary for the address, the postings and the service instructions or labels shall be left completely clear.

Article 124

Postcards

1. Postcards shall be rectangular and be made of cardboard or of paper stiff enough not to make mail handling difficult. They shall not have projecting or raised relief parts.

2. Postcards shall bear on the front the heading *"Carte postale"* (Postcard) in French or its equivalent in another language. This heading shall not be compulsory for picture postcards.

3. Postcards shall be sent unenclosed that is to say, without wrapper or envelope.

4. The right-hand half at least of the front shall be reserved for the address of the addressee, for prepayment and for service instructions or labels. The sender may make use of the back and of the left-hand half of the front, subject to § 5.

5. It shall be forbidden to affix or attach samples of merchandise or similar articles to postcards or to embellish them with cloth, embroidery, spangles or similar materials. Such cards may be sent only in closed envelopes. Nevertheless, illustrations, photographs, stamps of every kind, labels and cuttings of every kind, of paper or other very thin substance, as well as address slips or fold-back sheets may be affixed to them, provided that these articles are not such as to alter the nature of postcards and that they adhere completely to the card. These articles may be affixed only to the back or to the left-hand half of the front of postcards, with the exception of address slips, tabs or labels, which may occupy the whole of the front. Stamps of any kind liable to be mistaken for postage stamps shall be permitted on the back only.

6. Postcards not complying with the regulations for that category shall be treated as letters, except when the irregularity derives only from showing the prepayment on the back. Notwithstanding article 113, § 4, such cards shall be regarded in all cases as unpaid and treated accordingly.

Article 125

Printed papers

1. Reproductions on paper, cardboard or other materials commonly used in printing produced in several identical copies by means of a mechanical or photographic process, involving the use of a block, stencil or negative, may be sent as printed papers. The administration of origin shall decide whether the object in question has been reproduced on an admissible material and by an admissible process; it shall not be bound to admit as printed paper any items which are not admitted as such in the domestic service.

2. Administrations of origin may admit at the printed paper rate:
(a) letters and postcards exchanged between pupils of schools, provided that these items are sent through the principals of the schools concerned;
(b) pupils exercises in the original or with corrections but without any note which does not relate directly to the performance of the work;
(c) manuscripts of works or for newspapers;
(d) musical scores in manuscript;
(e) photocopies.

3. The items mentioned in §§ 1 and 2 shall be subject to the regulations of article 121 as regards form and make-up.

4. Printed papers shall bear in bold letters on the front the expression *"Imprimé"* or *"Imprimé à taxe réduite"* as appropriate or their equivalents in a language known in the country of destination.

5. The following may not be sent as printed papers:
(a) documents produced on a typewriter of any type;
(b) copies obtained by means of tracing and any kind of handwritten or typewritten copies;
(c) copies obtained by means of stamps with or without moveable type;
(d) articles of stationery proper, bearing reproductions, when it is clearly shown that the printed part is not the essential part of the article;
(e) films and sound recordings;
(f) punched paper tapes and ADP cards bearing perforations, marks or signs which could constitute annotations.

6. Several copies obtained by admissible processes may be sent together in a single printed papers item; they shall not bear the names and addresses of different senders or addressees.

7. Cards bearing the title *"Carte postale"* (Postcard) or the equivalent of this title in any language shall be admitted at the printed paper rate, provided that they satisfy the general conditions applicable to printed papers. Those which do not fulfil these conditions shall be treated as postcards or even as letters, in application of article 124, § 6.

Article 126

Printed papers. Authorized annotations and enclosures

1. The following may be shown on printed papers, by any process:
(a) the name and address of the sender and the addressee with or without showing the title, profession and style;
(b) the place and date of dispatch of the item;
(c) the serial or registration number referring solely to the item.

2. In addition to these particulars it shall be permitted:
(a) to delete, mark or underline certain words or certain parts of the printed text;
(b) to correct printing errors.

3. The additions and corrections specified in §§ 1 and 2 should have a direct bearing on the content of the reproduction; they should not be of such a nature as to constitute a code.

4. It shall also be permissible to show or to add:
(a) on order forms, subscription forms or offers in respect of published works, books, pamphlets, newspapers, engravings, musical scores: the works and the number of copies asked for or offered, the price of the works and notes giving essential elements of the price, the method of payment, the edition, the names of the authors and of the publishers, the catalogue number and the words "paper-backed" "stiff-backed" or "bound"
(b) on the forms used by the lending services of libraries: the titles of the works, the number of copies asked for or sent, the names of the authors and of the publishers, the catalogue numbers, the number of days allowed for reading, the name of the person wishing to consult the work in question;
(c) on illustrated cards, on printed visiting cards and on printed cards expressing felicitations or condolences: conventional formulas of courtesy expressed in five words or five initials at the most;
(d) on printed literary and artistic productions: a dedication consisting of a simple conventional tribute;

(e) on cuttings from newspapers and periodicals: the title, date, number and address of the publication from which the article is taken;

(f) in printing proofs: alterations and additions concerned with the correction, layout and printing, as well as notes such as "Passed for press", "Read – Passed for press" or any similar note concerned with the production of the work. In case of lack of space the additions may be made on special sheets;

(g) on advices of change of address: the old and the new address and the date of the change.

5. Finally, it shall be permitted to enclose:

(a) with all printed papers: a card, envelope or wrapper bearing the printed address of the sender of the item or his agent in the country in which the original item was posted. The enclosure may be prepaid for return by means of postage stamps of the country of destination of the original item;

(b) with literary or artistic printed works: the relative open invoice, reduced to its essential elements together with copies of the invoice deposit notes or international or internal money order forms of the country of destination of the item on which it shall be permissible, after agreement between the administrations concerned, to show by any means whatever the amount to be deposited or paid and the particulars of the postal giro account or the address of the beneficiary of the order;

(c) with fashion papers: cut-out patterns forming, according to the indications appearing on them, an integral part of the copy of the paper with which they are sent.

Article 127

Printed papers in the form of cards

1. Printed paper of the form, consistency and size of a postcard may be sent unenclosed without wrapper or envelope.

2. The right-hand half at least of the front of printed papers sent as cards, including illustrated cards benefiting from the reduced charge, shall be reserved for the address of the addressee, for prepayment and for service instructions or labels.

3. Printed papers sent as cards not complying with the regulations in §§ 1 and 2 shall be treated as letters, except when the irregularity derives only from showing the prepayment on the back. Notwithstanding article 113, § 4, such items shall be regarded in all cases as unpaid and treated accordingly.

Article 128

Literature for the blind

Letters bearing writing used by the blind posted unsealed and plates bearing the characters of writing used by the blind may be sent as literature for the blind. The same shall apply to sound records and to the special paper intended solely for the use of the blind, provided that they are sent by or addressed to an officially recognized institute for the blind.

Article 129

Small packets

1. Small packets shall bear in bold letters on the front the expression *"petit paquet"* (small packet) or its equivalent in a language known in the country of destination.

2. It shall be permitted to enclose therein an open invoice reduced to its essential elements and to show on the outside or on the inside of items and, in the latter case, on the article itself or on a special sheet, the address of the sender and the addressee with the indications in use in commercial traffic, a manufacturer's or trade mark, a reference to correspondence exchanged between the sender and the addressee, a short note referring to the manufacturer and to the person supplying the goods or concerning the person for whom they are intended, as well as serial or registration numbers, prices and any other notes giving essential elements of the prices, particulars relating to the weight, volume and size, the quantity available and such particulars as are necessary to determine the source and the character of the goods.

3. It shall also be permitted to enclose therein any other document not having the character of current and personal correspondence, provided that the addressee or sender of the document are not other than those of the small packet. The administration of origin shall decide whether the document or documents enclosed fulfil these conditions. The same shall apply to the enclosure in small packets of gramophone records, tapes and wires whether or not bearing a sound or video recording, ADP (automatic data processing) cards, magnetic tapes or similar means as well as QSL cards.

4. The name and address of the sender shall appear on the outside of the items.

Section II

Registered items

Chapter I

Article 130

Registered items

1. Registered items shall bear in bold letters on the front the heading *"Recommandé"* (Registered), accompanied, if necessary, by a similar indication in the language of the country of origin.

2. Apart from the exceptions below, no special condition as to form, closing or method of address shall be prescribed for those items.

3. Items bearing an address written in pencil or composed of initials shall not be admitted for registration. However, the address of items other than those which are sent in an envelope with a transparent panel may be written in copying-ink pencil.

4. Registered items shall bear at the left-hand side of the address side a label in the form of the annexed specimen C 4. This label shall be placed on the special labels supplied by the senders of the special registered bags mentioned in article 21 (n), column 3 (i), of the Convention. Administrations whose internal regulations at present forbid the use of C 4 labels shall be permitted to postpone the introduction of this measure and to distinguish registered items by the use of either a framed label with the dimension of the C 4 specimen in which only the letter R has been printed and on which the other indications in accordance with the C 4 specimen have been added in a sharp, clear and indelible form by any process whatsoever, or a stamp clearly reproducing the impression of the particulars on the C 4 label. In the case of standardized items in envelopes, however, this label or stamp shall be positioned in accordance with article 19, § 8 (a) (iii), of the Convention.

5. Administrations which have adopted in their internal service the system of mechanical acceptance of registered items may, instead of using the C 4 label, specified in § 4, print directly on the items in question, on the address side, the service indications, or affix in the same place a strip reproducing the same indications.

6. With the authorization of the administration of origin, users may use for their registered items preprinted envelopes bearing, in the place provided for affixing the C 4 label, a facsimile of that label, the dimensions of which may not be less than those of the C 4 label. If need be, the serial number may be indicated therein by any process whatsoever.

7. No serial number shall be placed on the front of registered items by the intermediate administrations.

Article 131

Advice of delivery

1. Items for which the sender requests an advice of delivery shall bear in bold letters on the front the indication *"Avis de réception"* (Advice of delivery) or the stamp impression *"A.R."*. The sender shall give his name and address in roman letters on the outside of the item. In the case of standardized items in envelopes, however, the indication *"Avis de réception"* or the stamp impression *"A.R."* shall be positioned in accordance with article 19, § 8 (a) (iii), of the Convention.

2. The items mentioned in § 1 shall be accompanied by a light red form, of the consistency of a postcard, conforming to the annexed specimen C 5. After the sender has written his name and address in roman letters on the front of the form, using means other than ordinary pencil, the form shall be completed by the office of origin or by any other office appointed by the dispatching administration and be securely attached to the item; if the form does not reach the office of destination that office shall automatically make out a new advice of delivery.

3. In calculating the postage on an advice of delivery item, including where applicable calculation of the air surcharge, the weight of the form C 5 shall be taken into account. The advice of delivery charge shall be represented on the item with the other charges.

4. The office of destination shall return the C 5 form, duly completed, to the address shown by the sender; this form shall be sent *à découvert* and post free by the quickest route (air or surface). A blue air-mail label or impression shall be affixed to advices of delivery returned by air.

5. At the sender's request, an advice of delivery which has not been returned within a normal time shall be the subject of an inquiry made free of charge on form C 9 provided for in article 143. A duplicate of the advice of delivery, bearing on the front in bold letters the word *"Duplicata"* (Duplicate), shall be attached to the C 9 inquiry form. The latter shall be dealt with in accordance with article 143. The C 5 form shall remain attached to the inquiry form C 9, unless the item has been duly delivered, in which case the office of destination shall detach this form in order to return it as prescribed in § 4 above.

Article 132

Delivery to the addressee in person

Registered items for delivery to the addressee in person shall bear in bold letters on the front the words *"A remettre en main propre"* (For delivery to the addressee in person) or the equivalent in a language known in the country of destination.

Section III

Operations on departure and arrival

Chapter I

Article 133

Application of the date-stamp

1. The imprint of a date-stamp showing, in roman letters, the name of the office responsible for cancelling and the date of that operation shall be applied to the front of letter-post items. Equivalent particulars in the characters of the country of origin may be added.

2. The application of the date-stamp prescribed in § 1 shall not be compulsory:

(a) for items franked by means of impressions of postal franking machines if the name of the place of origin and the date of posting appear on these impressions;
(b) for items franked by means of impressions obtained by a printing press or by any other process;
(c) for unregistered reduced rate items, provided that the place of origin is shown on these items;
(d) for letter-post items relating to the postal service as listed in article 15 of the Convention.

3. All postage stamps valid for prepayment shall be cancelled.

4. Unless administrations have prescribed cancellation by means of a special stamp impression, postage stamps left uncancelled through error or omission in the service of origin shall be struck through with a thick line in ink or in indelible pencil by the office which detects the irregularity. In no cases shall these postage stamps be impressed with the date-stamp.

5. Missent items, except for unregistered reduced rate items, shall be impressed with the date-stamp of the office which they have reached in error. This shall apply to both stationary offices, and, as far as possible, travelling post offices. The impression shall be made on the back of the items in the case of letters and on the front in the case of postcards.

6. The stamping of items posted on ships shall be the responsibility of the postal official or the officer on board charged with the duty, or, failing those, with the post office at the port of call at which these items are handed over. In that case, the office shall impress the correspondence with its date-stamp and add the word *"Navire"*, *"Paquebot"* or any other similar note.

Article 134

Express items

Items for express delivery shall be provided, besides the name of the place of destination, with either a special bright red printed label or a stamp impression in the same colour bearing the word *"Exprès"* (Express) in bold letters. In the absence of a label or a stamp impression, the word *"Exprès"* (Express) shall be written in very bold capital letters, in red ink or red pencil. In the case of standardized items in envelopes, however, this label, or the indication *"Exprès"*, shall be positioned in accordance with article 19, § 8 (a) (iii), of the Convention.

Article 135

Unpaid or underpaid items

1. Items on which a charge is to be collected after posting, either from the addressee or, in the case of undeliverable items, from the sender, shall be marked with the T stamp (postage due) in the middle of the upper part of the front: beside the impression of this stamp the administration of origin shall write very legibly in the currency of its country the amount of the underpayment, and under a fraction line, that of its charge valid for the first weight step for letters dispatched by surface mail.

2. In the case of reforwarding or return, applying the T stamp and giving in accordance with § 1, the amounts in the form of a fraction shall be the responsibility of the reforwarding administration. The same shall apply in the case of items originating in countries which apply reduced charges in the service with the reforwarding administration. In such a case, the fraction shall be established according to the charges laid down in the Convention and valid in the country of origin of the item.

3. When the administration of origin undertakes to prepay automatically unpaid items or make up automatically the postage on underpaid items in order to collect the missing amount from the sender afterwards, the postage or the remainder of the postage may be denoted:

either by one of the methods of prepayment laid down in article 25, § 1, of the Convention,

or by a manuscript indication, in figures, of the sum collected, expressed in the currency of the country of origin, for example in the form: *"Taxe perçue: . . . dollars . . . cents"* ("Amount collected: . . . dollars . . . cents").

This indication may appear in a special stamp impression or on a special stamp or label; it may also simply be marked by any method, on the address side of the item. In every case the indication shall be authenticated by a date-stamp impression of the office of posting or the office of exchange of the country of origin.

4. The delivering administration shall mark the item with the charge to be collected. It shall determine this charge by multiplying the fraction resulting from the data mentioned in § 1 by the amount, in its national currency, of the charge applied in the international service to the first weight step for letters dispatched by surface mail. To this charge, it shall add the handling charge prescribed in article 21 (f), of the Convention.

5. Every item not bearing the T stamp impression shall be considered as duly prepaid and treated accordingly unless there is an obvious error.

6. If the fraction laid down in § 1 has not been shown beside the T stamp by the administration of origin or the reforwarding administration in the case of non-delivery, the administration of destination may deliver the underpaid item without collecting a charge.

7. Postage stamps and postal franking impressions not valid for prepayment of postage shall not be taken into account. In that case, the figure nought (0) shall be placed beside such postage stamps or impressions, which shall be marked around in pencil.

Article 136

Return of part A of franking notes. Recovery of charges and fees

1. After delivery to the addressee of an item for delivery free of charges and fees, the office which has advanced the customs or other charges on behalf of the sender shall complete, so far as it is concerned, with the use of carbon paper, the details appearing on the back of parts A and B of the franking note. It shall send part A, accompanied by the supporting vouchers, to the office of origin of the item; these shall be sent in a closed envelope, without indication of the contents. Part B shall be retained by the administration of destination of the item for settlement with the debtor administration.

2. However, any administration may arrange for part A of franking notes on which charges have been levied to be returned by specially appointed offices and request that this part be forwarded to a specified office.

3. The name of the office to which part A of the franking notes are to be returned shall be entered in every case on the front of this part by the office dispatching the item.

4. When an item bearing the words "*Franc de taxes et de droits*" (Free of charges and fees) reaches the service of destination without a franking note, the office responsible for customs clearance shall prepare a duplicate note, on parts A and B of this note it shall show the name of the country of origin and, as near as possible, the date of posting of the item.

5. When the franking note is lost after delivery of an item, a duplicate shall be prepared under the same conditions.

6. Parts A and B of the franking notes relating to items which for any reason are returned to origin shall be cancelled by the administration of destination.

7. On receipt of part A of a franking note showing the charges paid out by the service of destination, the administration of origin shall convert the amount of those charges into its own currency at a rate which shall not be higher than the rate fixed for the issue of postal money orders intended for the country concerned. The result of the conversion shall be shown in the body of the form and on the coupon at the side. After recovering the amount of the charges, the office appointed for that purpose shall hand to the sender the coupon from the note and any supporting vouchers.

Article 137

Redirected items

1. Items addressed to addressees who have changed their address shall be considered as addressed direct from the place of origin to the place of the new destination.

2. Items unpaid or underpaid for their first transmission shall be subject to the charge which would have been applied to them if they had been addressed direct from the point of origin to the place of the new destination.

3. Items properly prepaid for their first transmission, but on which the additional charge for the further transmission has not been paid before their redirection, shall be subject, in accordance with articles 21 (f) and 27, § 1, of the Convention, to a charge representing the difference between the postage already paid and that which would have been charged if the items had been dispatched originally to their new destination. If reforwarded by air, the items shall be, in addition, subject to the air surcharge for the further transmission.

4. Items originally for an address within a country and duly prepaid according to the internal regulations shall be considered as items properly prepaid for their first transmission.

5. Items having originally circulated free of postal charges within a country shall be subject, in accordance with articles 21 (f) and 27, § 1, of the Convention, to the postage charge which would have been payable if these items had been addressed directly from the place of origin to the place of the new destination.

6. On redirection, the reforwarding office shall apply its date-stamp to the front of items in the form of cards and on the back of all other categories of items.

7. Items, unregistered or registered, which are returned to senders for completion or correction of the address shall not be considered as redirected items on reposting; they shall be treated as new correspondence and consequently become liable to a new charge.

8. The customs duty and other fees of which it has not been possible to secure cancellation on redirection or on return to origin (article 139), shall be collected COD from the administration of the new destination. In that case, the administration of the original destination shall attach to the item an explanatory note and a COD money order (R 3, R 6 or R 8 forms of the Cash-on-Delivery Agreement). If there is no cash-on-delivery service between the administrations concerned, the charges in question shall be recovered by correspondence.

9. If the attempt to deliver an express item at the place of address by a special messenger has failed, the reforwarding office shall strike through the label or the indication *"Exprès"* (Express) with two thick horizontal lines.

Article 138

Collective redirection of letter-post items

1. Unregistered items to be redirected to the same person at a new address may be enclosed in special envelopes in the form of the annexed specimen C 6 supplied by administrations and on which only the name and the new address of the addressee shall be written. Moreover, when the number of items to be collectively reforwarded justifies it, a bag may be used. In this case the details required shall be entered on a special label provided by the administration and printed, generally, on the pattern of the C 6 envelope.

2. Neither items to be submitted to customs control nor items of which the shape, volume and weight may cause tears shall be enclosed in these envelopes or bags.

3. The envelope or bag shall be presented open at the redirecting office to enable that office to collect, if necessary, the additional charges to which the items it contains may be subject or to mark on the items the charge to be collected on arrival when the additional charge has not been paid. After checking it, the forwarding office shall close the envelope or bag and apply to the envelope or label, where necessary, the T stamp indicating that charges shall be collected for all or some of the items included in the envelope or bag.

4. On arrival at its destination, the envelope or bag may be opened and its contents checked by the delivering office which shall collect, where necessary, the unpaid additional charges.

5. Unregistered items addressed either to sailors and passengers aboard the same ship, or to persons travelling as a party, may also be treated as provided for in §§ 1 to 4. In that case, the envelopes or bag labels shall bear the address of the ship or of the shipping or travel agency, etc, to which the envelopes or bags shall be delivered.

Article 139

Undeliverable items

1. Before returning to the administration of origin items which for any reason have not been delivered, the office of destination shall show clearly and concisely, in French, as far as possible on the front of these items, the reason for non-delivery, in the following form: *"inconnu"* (not known), *"refusé"* (refused), *"en voyage"* (travelling), *"parti"* (gone away), *"non réclamé"* (not claimed), *"décédé"* (deceased), etc. As regards postcards and printed papers in the form of cards the reason for non-delivery shall be shown on the right-hand half of the front.

2. This information shall be shown by the application of a stamp or by affixing a label. Each administration may add the translation, it its own language, of the reason for non-delivery and other appropriate particulars. In the service with administrations which have so agreed the indications may be made in a single agreed language. Manuscript notes regarding the non-delivery made by officials or by post offices may also be regarded as sufficient in that case.

3. The office of destination shall strike out the address particulars with which it is concerned while leaving them legible and write *"Retour"* (Return) on the front of the item beside the name of the office of origin. It shall also apply its date-stamp on the back of letters and on the front of postcards.

4. Undeliverable items shall be returned to the office of exchange of the country of origin, either individually or in a special bundle labelled *"Envois non distribuables"* (Undeliverable items), as if they were items addressed to that country. Undeliverable and unregistered items which bear adequate return details shall be returned direct to the sender.

5. Undeliverable internal items which have to be sent abroad to be returned to the senders shall be dealt with in accordance with article 137. The same shall apply to international correspondence when the sender has moved to another country.

6. Items for third persons, addressed care of a consul and returned by him to the post office as unclaimed, as well as items for individuals, addressed to hotels, lodgings or agencies of air or maritime companies and returned to the post office because they cannot be delivered to the addressees, shall be treated as undeliverable items. In no case shall they be considered as new items subject to payment of postage.

Article 140

Withdrawal from the post. Alteration of address

1. Every request for withdrawal of items from the post or for alteration of address shall entail completion by the sender of a form conforming to the annexed specimen C 7; one form may be used for several items posted at the same time at the same office by the same sender to the address of the same addressee. In handing in this request at the post office the sender shall prove his identity and produce the certificate of posting, if any. After the proof of identity, for which the administration of the country of origin shall assume responsibility, the procedure shall be as follows:

(a) if the request is to be sent by post, the form, accompanied by a perfect facsimile of the envelope or of the address of the item, shall be sent under registered cover direct to the office of destination;

(b) if the request is to be made by telegraph, the form shall be handed over to the telegraph service which shall be instructed to transmit its terms to the post office of destination.

2. On receipt of the C 7 form or of the telegram sent instead, the office of destination shall search for the item in question and take the necessary action.

3. The action taken by the office of destination on every request for withdrawal from the post or alteration of the address shall be communicated immediately to the office of origin by means of the reply portion of the C 7 form, which shall be automatically prepared if the request has been made by telegraph. The office of origin shall inform the applicant. The same shall apply in the following circumstances:

fruitless searches;
items already delivered to the addressee;
request by telegraphic means not sufficiently explicit to permit the item to be identified with certainty;
item confiscated, destroyed or seized.

If the sender of a request sent by telegraphic means, has asked to be notified by telegram, the reply shall be sent by this means to the office of origin, which shall inform the applicant as quickly as possible.

4. Any administration may ask through notification of the International Bureau, for requests concerning it to be exchanged through its central administration or through a specially appointed office; this notification shall include the name of this office.

5. If requests are exchanged through the central administrations, a copy of the request may, in an emergency, be sent direct to the office of origin by the office of destination. Requests sent direct shall be acted on in that the items concerned shall be withheld from delivery until the arrival of the request from the central administration.

6. Administrations which exercise the option allowed by § 4 shall bear the charges which may result from the transmission in their internal service by post or telegraph of the communications to be exchanged with the office of destination. Recourse to telegraphic means shall be compulsory when the sender has himself used this means and the office of destination cannot be advised in time by post.

Article 141

Withdrawal from the post. Alteration of address.
Items posted in the country other than that which receives the request

1. Any office which receives a request for withdrawal from the post or alteration of address, made in accordance with article 30, § 3, of the Convention, shall verify the identity of the sender of the item. It shall send the C 7 form, accompanied if necessary by the certificate of posting, to the office of origin or destination of the item, according to whether a registered or an ordinary item is involved. It shall ascertain, in particular, that the address of the sender appears clearly in the place provided for this purpose on the C 7 form, so as to be able at the right time, to inform the sender how his request was dealt with, or return to him the item which is the subject of withdrawal, as the case may be.

2. If, for some reason, the certificate produced cannot be attached to the C 7 form, the latter shall bear the notation: "*Vu récépissé de dépôt N° délivré le par le bureau de* " (Seen, certificate of posting N° issued on by the office of). The certificate of posting shall bear the following notation: "*Demande de retrait (ou de modification d'adresse) déposée le au bureau de* " (Request for withdrawal from the post [or for alteration of address] made on at the office of). This note shall be accompanied by an impression of the date-stamp of the office receiving the request.

3. Any telegraph request made under the conditions laid down in § 1 shall be sent direct to the office of destination of the item. If, however, it refers to a registered item, a C 7 form accompanied if possible by the receipt of posting and clearly marked "*Demande télégraphique déposée le au bureau de* " (Telegraph request made on at the office of) shall, in addition, be sent to the office of origin of the item. After verifying the details, the office of origin shall write at the top of the C 7 form, in coloured pencil, the note "*Confirmation de la demande télégraphique du* " (Confirmation of the telegraphic request of) and shall send it to the office of destination. The office of destination shall hold the registered item until receipt of this confirmation.

4. So that it can inform the sender, the office of destination of the item shall inform the office which receives the request how it has been dealt with. However, when a registered item is concerned, this information shall pass through the office of origin of the item. In the case of withdrawal, the withdrawn item shall be attached to this information.

5. Article 140 shall apply, by analogy, to the office which receives the request and to its administration.

Article 142

Inquiries. Unregistered items

1. Every inquiry about an unregistered item shall involve the preparation of a form conforming to the annexed specimen C 8 which shall be accompanied, as far as possible, by a facsimile of the address of the item on a small sheet of thin paper. The inquiry form shall be competed with all the details called for and very legibly, preferably in roman capital letters and arabic figures. Whenever possible this form shall be completed by typewriter.

2. The office which receives the inquiry shall automatically forward the form direct by the most rapid route (air or surface) without a covering letter and in a closed envelope, to the corresponding office. The latter, after obtaining the necessary information from the addressee or the sender, as the case may be, shall automatically return the form by the most rapid route (air or surface) in a closed envelope to the office which prepared it.

3. If the inquiry is acknowledged to be justified the latter office shall forward the form to its central administration for further investigation.

4. A single form may be used for several items posted at the same time by the same sender to the address of the same addressee.

5. Any administration may ask through notification of the International Bureau for inquiries concerning its service to be forwarded to its central administration or to a specially appointed office.

6. The C 8 form shall be returned to the administration of origin of the item under inquiry in accordance with the conditions prescribed in article 143, § 12.

7. If a request is made for transmission of an inquiry by telegraph, a telegram shall be sent, instead of a C 8 form, direct to the office of destination or, where applicable, either to the central administration of the country of destination or to a specially appointed office. If the sender has asked to be advised by telegraph, the reply shall be thus tansmitted to the service which initiated the telegraph inquiry; if not, the reply can be given by post.

Article 143

Inquiries. Registered items

1. Every inquiry about a registered item shall be made on a form conforming to the annexed specimen C 9 which shall be accompanied, as far as possible, by a facsimile of the address of the item on a small sheet of thin paper. The inquiry form shall be completed with all the details called for and very legibly, preferably in roman capital letters and arabic figures. Whenever possible this form shall be completed by typewriter. In the case of an inquiry about registered items exchanged under the system of bulk advice, the number and the date of dispatch of the mail must be entered on the C 9 inquiry form.

2. If the inquiry concerns a cash-on-delivery item, it shall also be accompanied by a duplicate R 3, R 6 or R 8 money order form of the Cash-on-Delivery Agreement or by deposit note, as the case may be.

3. One form may be used for several items posted at the same time at the same office by the same sender and sent by the same route to the address of the same addressee.

4. The inquiry, furnished with the forwarding data, shall be sent from office to office following the same route as the item; it shall be sent automatically without a covering letter and in a closed envelope, and always by the most rapid route (air or surface).

5. Any administration may ask through notification of the International Bureau for inquiries concerning its service to be forwarded duly furnished with the forwarding data, to its central administration or to a specially appointed office.

6. If the administration of origin or the administration of destination so requests, the inquiry shall be forwarded direct from the office of origin to the office of destination.

7. If, upon receipt of the inquiry, the office of destination or the central administration of the country of destination or the specially appointed office, as the case may be, is able to say what finally happened to the item, it shall complete table 3 of the form. In cases of delayed delivery, retention or return to origin the reason shall be shown briefly on the C 9 form.

8. The administration which is unable to establish either delivery to the addressee or correct transmission to another administration shall immediately order the necessary inquiry. It shall record in table 4 of the C 9 form its decision on liability.

9. The form, duly completed as prescribed in §§ 7 and 8, shall be returned by the most rapid route (air or surface) to the address given at the end of the form or, if no address is given, to the office which prepared it.

10. Any intermediate administration which forwards a C 9 form to the next administration shall be responsible for informing the administration of origin of the fact by means of a form conforming to the annexed specimen C 9bis.

11. If an inquiry has not been returned within a suitable period a duplicate of the C 9 form, furnished with the forwarding data, may be sent to the central administration of the country of destination, but not sooner than a month after the dispatch of the original inquiry. The word *"Duplicata"* (Duplicate) and the date of dispatch of the original inquiry shall be written very conspicuously on the duplicate.

12. The C 9 form and the annexed documents including the addressee's declaration certifying the non-receipt of the item under inquiry shall invariably be returned to the administration of origin of the item under inquiry as soon as possible and at the latest within five months from the date of the inquiry.

13. The foregoing provisions shall not apply to cases of theft from a mail, loss of a mail or to other similar cases, which necessitates a more detailed exchange of correspondence between administrations.

14. If a request is made for transmission of an inquiry by telegraph, a telegram shall be sent, instead of a C 9 form, direct to the office of destination or, where applicable, either to the central administration of the country of destination or to a specially appointed office. If the sender has asked to be advised by telegraph, the reply shall be thus transmitted to the service which initiated the telegraph inquiry; if not, the reply can be given by post. If the telegraphic inquiry is unable to establish what happened to the item concerned, the inquiry can be made again by post using form C 9.

Article 144

Inquiries concerning items posted in another country

1. In the cases provided for in article 39, § 3, of the Convention, C 8 and C 9 forms concerning inquiries shall be forwarded to the office of origin of the item, unless the administration concerned has requested that these forms be sent to its central administration or a specially appointed office. The C 9 form shall be accompanied by the certificate of posting. If, for some reason, the certificate produced cannot be attached to the C 9 form, the latter shall be endorsed: "*Vu récépissé de dépôt N° . . . délivré le . . . par le bureau de . . .*" (Seen, certificate of posting N° . . . issued on . . . by the office of . . .).

2. The form must reach the administration of origin within the period prescribed in article 108, § 1.

Section IV

Exchange of items. Mails

Chapter I

Article 145

Exchange of items

Administrations may exchange, via one or more of their number, both closed mails and *à découvert* items according to needs and service requirements.

Article 146

Transit *à découvert*

1. The transmission of *à découvert* items to an intermediate administration shall be strictly limited to cases where the making up of closed mails is not justified, either for the country of destination itself or for a country nearer to it.

2. In the absence of a special agreement, all items posted on board a ship and not included in a closed bag mentioned in article 57 of the Convention shall be handed over *à découvert* by the ship's agent direct to the post office at the port of call, whether these items have been stamped on board or not.

3. When their number and make-up permit, items sent *à découvert* to an administration shall be made up in separate labelled bundles for each country of destination.

Article 147

Land transit without the participation of the country crossed

When an administration wishes to use a transport service conveying mails in transit across another country without the participation of the services of that country in accordance with article 3 of the Convention, it shall make a request to that effect to the postal administration of the country crossed; in addition it must provide the administration, if the latter so requests, with any desired information about the mail thus forwarded.

Article 148

Exchange in closed mails

1. It shall be obligatory to make up closed mails whenever one of the intermediate administrations so asks on grounds that the amount or the weight of *à découvert* items is such as to hinder its work. Dispatches of *à découvert* items with an average weight exceeding 5 kilogrammes can be considered as being likely to hinder work as regards weight.

2. The exchange of items in closed mails shall be regulated by common consent between the administrations concerned.

3. Administrations via which closed mails are to be forwarded shall be given suitable notice.

4. In cases where an exceptionally large number of unregistered items have to be sent to a country to which mail is normally sent in transit *à découvert*, administrations may agree to the country of origin making up closed mails without a letter bill for the country of destination.

5. The administration of the country of origin shall advise administrations concerned of the dispatch of the extraordinary closed mails mentioned in § 6 and shall, to that effect, use the C 16 verification note referred to in article 166, § 3, which it shall send direct to them by the fastest route (air or surface).

Article 149

Make-up of mails

1. Ordinary items which can be bundled shall be classified by size (standardized items and other items) and bundled according to categories, letters and postcards being included in the same bundle and newspapers and periodicals mentioned in article 155, § 1 (b) (iii), being made up in bundles separate from other AO items. The bundles shall be distinguished by labels in the form of the annexed C 30 specimens and showing the indication of the office of destination or of the reforwarding office of the items enclosed in the bundles. Items which can be bundled shall be arranged with the addresses facing the same way. Prepaid items shall be separated from those which are unpaid or underpaid and the labels of bundles of unpaid or underpaid items shall be impressed with the T stamp. The bundles of unpaid or underpaid items shall be placed in the bag containing the letter bill. The thickness of the bundles of standardized items shall be limited to 150 mm after bundling. The weight of bundles of non-standardized items may not exceed 5 kilogrammes.

2. If letters show signs of opening, deterioration or damage, a note of the fact shall be made on them and they shall be marked with the date-stamp of the office which discovered it. In addition, when the security of the contents so requires the items shall be placed if possible in a transparent envelope or in a fresh packing on which the details appearing on the envelope shall be reproduced.

3. Mails, including those made up solely of empty bags, shall be contained in bags the number of which shall be kept to the strict minimum. The bags shall be in good condition to protect their contents; they shall also be suitably closed, sealed with or without lead and labelled. The seals may also be made of light metal or plastic. However, when administrations are in agreement on this subject, bags containing only unregistered AO items, as well as empty bags, need not be sealed either with or without lead. When string is used it shall be passed twice round the neck of the bag in such a way that one of the two ends is drawn under the loops and then tied. The impressions of the seals, lead or otherwise, shall reproduce, in very legible roman letters, the name of the office of origin or an indication sufficient to identify that office.

4. The bags shall show legibly in roman letters the office or country of origin and bear the word *"Postes"* (Posts) or any other similar expression distinguishing them as postal dispatches.

5. In the absence of special agreement small mails shall simply be wrapped in strong paper so as to prevent any damage to the contents, then tied with string and sealed with lead, light metal or plastic seals. If lead, light metal or plastic seals are used, these mails shall be made up so that the string cannot be detached. When they contain only unregistered items they may be closed my means of gummed seals bearing the printed indication of the dispatching office of administration. Administrations may agree to use the same means of closing for mails containing registered items which, because of their small number are transported in packets or envelopes. The addresses of the packets and envelopes shall conform, as regards the printed details and the colours, to the provisions prescribed in article 155 for the labels of bags of mails.

6. When the number or volume of the items necessitates the use of more than one bag, separate bags shall, as far as possible, be used:

(a) for letters and postcards and, where applicable, for the newspapers and periodicals mentioned in article 155, § 1 (b) (iii);

(b) for the periodicals mentioned in article 155, § 1 (c); and for other items; in addition, as applicable, separate bags shall be used for small packets; the labels on those bags shall bear the words *"Petits paquets"*.

7. The packet or bag of registered items shall be placed in one of the bags of letters or in a special bag; the outer bag shall invariably bear the red label prescribed in article 155, § 1 (a). When there are several bags of registered items, all the bags must bear a red label.

8. The special envelope containing the letter bill shall be dealt with in accordance with article 150, § 1.

9. The weight of each bag shall in no circumstances exceed 30 kilogrammes.

10. As far as possible, offices of exchange shall include in their own mails for a particular office all the small mails (packets or bags) which reach them for that office.

11. For conveyance purposes, mails may be placed in containers, subject to special agreement between the administrations concerned on the methods of using the containers.

Article 150

Letter bills

1. A letter bill in the form of the annexed specimen C 12 shall accompany each mail. It shall be placed in a blue envelope marked in bold letters *"Feuille d'avis"* (Letter bill). This envelope shall be fastened to the outside of the packet or bag of registered items; if there are no registered items, the envelope shall whenever possible be attached to a bundle of ordinary items. In relations between countries whose administrations have reached agreement, the dispatching office of exchange shall send one copy of the C 12 by air to the office of exchange of destination. Administrations may, by means of special agreements, decide that mails containing exclusively ordinary letter-post items or empty bags shall not be accompanied by a letter bill.

2. The dispatching office shall complete the letter bill with all the details called for, taking into account this article and articles 151, 153 and 161:

(a) Heading: in the absence of special agreement, dispatching offices shall not number the letter bills when mails are made up only once every day. In every other case they shall number them according to an annual series for each office of destination. Each mail shall in that event bear a separate number. In the case of the first dispatch of each year the bill shall bear, in addition to the serial number of the mail, that of the last mail of the preceding year. If a mail is suppressed, the dispatching office shall enter beside the number of the mail, the indication "Last mail". The name of the ship transporting the mail or the official abbreviation of the flight used shall be shown when the dispatching office knows it;

(b) Table I: the presence of unregistered express or air-mail items shall be shown by a cross (×) in the corresponding box;

(c) Table II: the number of bags, broken down by category, shall be entered in this table. Administrations may agree that only red label bags shall be entered on the letter bills;

(d) Table III: the number of bags and packets of registered or insured items shall be entered in this table, as shall be the number of special lists of registered items (article 151), VD 3 dispatch lists (Insured Letters Agreement, Detailed Regulations, article 107) and AV 2 bills (article 196);

(e) Table IV: this table is intended for the entry of small transit mails which are placed in the bag of the office of exchange reforwarding the mail;

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(f) Table V: the number of bags used by the dispatching administration and the number of empty bags returned to the administration of destination shall be entered in this table; where applicable, the number of empty bags belonging to an administration other than that to which the mail is addressed shall be shown separately with a reference to that administration. When two administrations have agreed to enter red label bags only (subpara (c)), the number of bags used for the make-up of the mail or the number of empty bags belonging to the administration of destination shall not be given in table V. Unclosed official letters and the various communications or recommendations from the dispatching office relating to the service shall also be mentioned in this table;

(g) Table VI: this table is intended for the entry of registered items when special lists are not used exclusively. If the administrations concerned have agreed to the bulk advice of registered items, the number of these items inserted in the bag containing the letter bills shall be shown in words and in figures (art 151, § 2). When the mail does not contain registered items the indication *"Néant"* (Nil) shall be entered in table VI.

3. Administrations may arrange with each other to include additional tables or headings in the letter bill or modify the tables to suit their needs when they consider it necessary.

4. When an office of exchange has no item to pass forward to a corresponding office and when, in the service between the administrations concerned, the letter bills are not numbered in accordance with § 2(a), that office shall merely send a "Nil" letter bill in the next mail.

Article 151

Transmission of registered items

1. Except where § 2 applies, registered items shall be transmitted entered individually in table VI of the letter bill. One or more special lists in the form of the annexed specimen C 13 may be used, either in place of table VI or as a supplement to the letter bill. The use of special lists shall be compulsory if the administration of destination so requests. The lists in question shall show the same serial number as that shown on the letter bill of the corresponding mail. When several special lists are used they shall also be numbered in their own series for each mail. The number of registered items which can be entered on a single special list or in table VI of the letter bill shall be restricted to the number for which the layout of the respective form provides.

2. Administrations may agree to the bulk advice of registered items. The total number of items shall be entered in table III of the letter bill. When the mail comprises several bags of registered items, every bag except the one in which the letter bill is inserted shall contain a special list showing, in words and figures in the space provided, the total number of registered items it contains. The number of items inserted in the bag containing the letter bill shall be mentioned thereon in the box in table VI reserved for that purpose.

3. Administrations may agree among themselves that § 2 shall not apply to MP 1 money orders subject to automatic registration.

4. Registered items and, where applicable, the special lists provided for in § 1 shall be made up in one or more separate packets or bags which shall be suitably wrapped or closed and sealed with or without lead so as to protect the contents. The seals may also be made of light metal or plastic. The impressions of the seals, whether of lead or other material, shall reproduce, in very legible roman letters, the name of the office of origin or an indication sufficient to identify that office. The registered items shall be arranged in each packet according to their order of entry. When one or more special lists are used each of them shall be tied up with the registered items to which it refers and placed after the first item in the bundle. When several bags are used each of them shall contain a special list detailing the items which it contains.

5. Subject to agreement between the administrations concerned and when their volume permits, registered items may be enclosed in the special envelope containing the letter bill. This envelope shall be sealed.

6. In no case may registered items be included in the same bundle as unregistered items.

7. Subject to agreement between administrations, registered items sent in separate bags may be accompanied by special lists on which they are advised in bulk.

8. As far as possible a single bag shall not contain more than 600 registered items.

9. If there is more than one packet or bag of registered items each of the additional packets or bags shall bear a red label showing the nature of its contents.

Article 152

Transmission of money orders

Postal money orders sent unenclosed shall be made up in a separate bundle and placed in a packet or bag containing registered items or, if there is one, in the packet or bag with insured items. The same shall apply to unregistered COD items exchanged in accordance with article 2, § 1, of the Cash-on-Delivery Agreement. If the mail contains neither registered nor insured items, the money orders and, if any, the unregistered COD items shall be placed in the envelope containing the letter bill or bundled with the latter.

Article 153

Transmission of express items and air-mail correspondence sent in surface mails

1. The presence of unregistered express or air-mail items shall be shown by a cross (×) in the corresponding box of table I on the letter bill (article 150, § 2(b)).

2. Unregistered express items and unregistered air-mail correspondence shall be made up in separate bundles bearing labels marked in bold letters either *"Exprès"* (Express) or *"Par avion"* (By air mail). These bundles shall be enclosed by the offices of exchange in the envelope containing the letter bill which accompanies the mail.

3. If, however, this envelope has to be fixed to the packet or the bag of registered items (article 150, § 1), the bundles of express items and air-mail correspondence shall be placed in the outer bag.

4. Registered express items and registered air-mail correspondence shall be arranged in their order among the other registered items and the word *"Exprès"* (Express) or *"Par avion"* (By air mail) written opposite the appropriate entries in the *"Observations"* column of table VI of the letter bill or the C 13 special lists. In the case of bulk advice, the presence of these registered items shall be shown simply by the words *"Exprès"* (Express) or *"Par avion"* (By air mail) in table VI of the letter bill.

5. In the case of mails not accompanied by a letter bill, the label of the outer bag containing express items shall bear either the red *"Exprès"* (Express) label or the word *"Exprès"* (Express) written in red.

Article 154

Transmission of printed papers for a single addressee

All printed papers for the same addressee at the same address may be inserted in one or more special bags. In addition to the regulation labels which, in this case, bear the letter "M", these bags shall be furnished with special labels provided by the sender of the items and giving all the information concerning the addressee of the items. The special rectangular labels provided by the sender of the items shall be made of canvas, strong cardboard with an eyelet, strong, thick plastic material or paper glued to wood; they shall not be smaller than 125×60 mm. In the absence of any advice to the contrary, these special bags may be sent registered. In the latter case they shall be entered in table VI of the C 12 letter bill or on a C 13 special list as a single registered item and the letter "M" shall be added in the *"Observations"* column. The label of special bags containing items to be submitted to customs examination shall compulsorily bear the green C 1 label specified in article 116, § 1.

Article 155

Labelling of mails

1. The labels of the bags shall be made of canvas, plastic, strong cardboard with an eyelet, parchment or of paper glued to wood. Their layout and text shall conform to the annexed specimen C 28. In the service between neighbouring offices, strong paper labels may be used; these shall, however, be strong enough to withstand the various handling processes the mails undergo during transmission. Labels are made in the following colours:

(a) in vermilion red, for bags containing registered items and the letter bill;
(b) in white, for bags containing only ordinary items of the following categories:
  (i) letters and postcards dispatched by surface and air,
  (ii) mixed items (letters, postcards, newspapers and periodicals and other items,
  (iii) newspapers posted in bulk by publishers or their agents and dispatched by surface only, except those returned to sender; the reference "Newspapers" or the reference "*Jx*" shall be written on the white label, when the bags contain only items of this category. Administrations of origin may also insert in the bags with white labels news periodicals published at least once a week and posted in bulk to which they give in their domestic service the priority treatment given to newspapers;
(c) in light blue, for bags containing only printed papers, literature for the blind, ordinary small packets and periodicals other than those mentioned in subpara (b) (iii). The reference "Periodicals" may be written on the blue label when the bags contain only items of this category;
(d) in green for bags containing only empty bags returned to origin.

2. The label of the bag or packet containing the letter bill (article 150) shall always bear a bold letter "F" and the number of bags comprised in the mail may be written on it.

3. A white label may also be used in conjunction with a tab 5×3 cm in one of the colours mentioned in § 1 : a blue label may also be used in conjunction with a similar tab in red.

4. Each bag which has in it one or more letters containing dangerous perishable biological substances as defined in article 119 (a) shall be provided with an identification label, similar in colour and form to the labels provided for in article 119 but made bigger to make room for affixing an eyelet. Besides the special symbol for items containing perishable biological substances, this label shall bear the phrase "*matières biologiques périssables*" (Perishable biological substances) and "*Dangereux en cas d'endommagement*" (Dangerous if damaged).

5. Each bag which has in it one or more letters containing radioactive materials as defined in article 120, § 1, shall be provided with an identification slip, similar to the label provided for in article 120 and not smaller than 125×60 mm but made bigger to make room for affixing an eyelet.

6. The labels shall bear the name of the dispatching office printed in small roman letters and the name of the office of destination in large roman letters, preceded respectively by the words "*de*" (from) and "*pour*" (for), as well as, as far as possible, indication of the transmission route, and, if the mails are going by sea, the name of the vessel. The name of the office of destination shall also be printed in small letters, vertically, on either side of the eyelet of the label. In exchanges between distant countries not made by direct sea services, and in exchanges with other countries which expressly request it, the date of dispatch, the number of the mail and the port of disembarkation shall also be given.

7. Intermediate offices shall not enter any serial number on the labels of bags or packets of closed mails in transit.

8. When closed mails are to be forwarded by ships, appertaining to the intermediate administration, but which the latter does not use regularly for its own traffic, the weight of the letters and other items shall be shown on the label of the mails if the administration responsible for arranging the embarkation so requests.

Article 156

Routeing of mails and preparation of trial notes

1. When a mail consists of several bags, these shall as far as possible remain together and be forwarded by the same post.

2. The administration of the country of origin may prescribe the route to be followed by the closed mails which it dispatches, provided that the use of that route does not entail special costs for an intermediate administration.

3. To determine the most favourable route and the time of transmission of a mail, the office of exchange of origin may send to the office of destination of the mail a trial note in the form of the annexed specimen C 27. This note shall be included in the mail and attached to the letter bill, the indication "C 27" being entered in

table V. If the C 27 form is missing when the mail arrives, the office of destination shall make out a duplicate. The trial note, duly completed by the office of destination, shall be returned by the most rapid route (air or surface).

4. In the event of a change in a service for the exchange of closed mails established between two administrations via one or more third party countries, the administration of origin of the mail shall inform the administrations of those countries of the fact.

5. If it is a question of an alteration in the routeing of mails, the new route to be followed shall be reported to the administrations which previously provided the transit, while the old route shall be reported, for information, to the administrations which will provide the transit in the future.

Article 157

Transfer of mails

1. In the absence of special agreement between the administrations concerned, the transfer of mails between two corresponding offices shall be carried out by means of a delivery bill in the form of the annexed specimen C 18. Two copies of the bill shall be prepared. The first shall be for the receiving office and the second for the dispatching office. The receiving office shall acknowledge receipt on the second copy of the delivery bill.

2. The delivery bill may be prepared in triplicate in the following cases:

(a) when the transfer of mails between two corresponding offices is made through a transport service. In that case, the first copy shall be for the receiving office and shall accompany the mail; the second shall receive the acknowledgement of receipt by the transport service and shall be given to the dispatching office; the third shall be retained by the transport service after being signed by the receiving office;

(b) when the transmission of mails is effected by a means of transport without accompanying staff, the first two copies shall be sent with the mail and the third retained by the dispatching office. The first copy shall be for the receiving office and the second shall be returned by the fastest route, duly signed by the latter, to the dispatching office.

3. Because of their internal organization, certain administrations may request that separate C 18 bills be made out for letter-post mails on the one hand, and for parcels on the other.

4. When the transfer of mails between two corresponding offices involves a sea service, the dispatching office of exchange may prepare a fourth copy which the receiving office of exchange shall return after certifying it. In this case the third and fourth copies shall accompany the mail. In relations between countries whose administrations have reached agreement in this respect, one copy of the C 18 bill shall be sent by air either to the receiving office of exchange or to its central administration.

5. Only the bags and packets distinguished by red labels shall be detailed on the C 18 delivery bill. Other bags and packets shall be entered in bulk by category on the C 18 delivery bill and each category shall be transferred *en bloc*. The administrations concerned may, however, agree that only bags and packets distinguished by red labels shall be entered on the delivery bill.

6. For the delivery of air-letter surface mails the C 18 bill shall be replaced by the annexed C 18bis bill.

7. The mails shall be handed over in good condition. However, a mail may not be refused because of damage or theft.

Article 158

Checking of mails and use of verification notes

1. Every office receiving a mail shall check not only the origin and destination of the bags making up the mail and entered on the delivery bill, but also the sealing and make-up of the bags bearing red labels.

2. When an intermediate office receives a mail in bad condition, it shall put it in new packing just as it is, checking the contents if it thinks that these have not remained intact. The office which repacks the mail shall copy the particulars from the original label onto the new one and apply to the latter an impression of its date-stamp, preceded by the endorsement "*Remballé à . . .*" (Repacked at . . .). It shall make out a verification note in the form of the annexed specimen C 14, in accordance with §§ 6, 7 and 9 and shall insert one copy thereof in the repacked mail.

3. Upon receipt of a mail, the office of exchange of destination shall check whether it is complete and whether the entries on the letter bill and, where applicable, on the special lists of registered items are correct. It shall check whether the mail has arrived in the sequence in which it was dispatched. If a mail or one or more bags thereof, registered items, a letter bill or a special list of registered items are missing or when there is any other irregularity, the facts shall be immediately established by two officials. These shall make the necessary corrections on the bills or lists, taking care to cross out, where necessary, the incorrect entries in such a way as to leave the original entries legible. Unless there is an obvious error the corrections shall be accepted in preference to the original statement. If the letter bill or a special list is missing the inward office shall, in addition, prepare a fresh letter bill or special list or make a precise note of the registered items received.

4. When the receptacles are opened, the constituent parts of the fastening (string, lead seal, label) shall be kept together as far as possible; to achieve this the string shall be cut in one place only.

5. When an office receives letter bills or special lists which are not intended for it, it shall send them or, if its internal regulations so require, certified true copies to the office of destination.

6. The irregularities established shall be reported, by means of a verification note in duplicate, to the office of origin of the mail and, where necessary, to the last intermediate office which transmitted the mail in bad condition, by the first available mail after the complete check of the mail. The details on the note shall specify as precisely as possible the bag, cover, packet or item concerned.

7. In the case of serious irregularities which give grounds for presuming loss or theft, the condition in which the packing of the mail was found shall be indicated in as much detail as possible on the verification note. Unless impossible for a stated reason, the envelope or the bag used for registered items, the outer envelope or bag, with the string, labels and lead or seals, as well as the packing of any damaged items which can be recovered from the addressee, shall be kept intact for a period of six weeks from the date of verification and shall be sent to the administration of origin if the latter so requests.

8. When the mails are transmitted through the intermediary of a carrier, the C 18 or AV 7 delivery bill mentioning the irregularities established by the intermediate administration or administration of destination on taking over the mails shall where possible be countersigned by the carrier or his representative. The copies of the C 18 or AV 7 delivery bill – the third and fourth copies of the C 18 bill provided for in article 157 and the first and second copies of the AV 7 bill provided for in article 188 – must indicate the reservations made with respect to the carrier service. Where the mails are transported in containers, these reservations shall relate solely to the condition of the container and of its fastening and seals.

9. In the cases provided for in §§ 2, 3 and 5, the office of origin and, where appropriate, the last intermediate office of exchange may, in addition, be advised by telegram at the expense of the administration which sends it. A telegraphic advice shall be sent whenever the mail shows obvious traces of having been tampered with, so that the dispatching or intermediate office may investigate the matter without delay and, where necessary, advise the preceding administration also by telegram for the continuation of the inquiry.

10. When the absence of a mail is the result of a missed mail connection or when it is duly explained on the waybill, the preparation of a verification note shall be necessary only if the mail does not reach the office of destination by the next post.

11. As soon as a mail which had been reported as missing to the office of origin and, where appropriate, to the last intermediate office comes to hand, a second verification note announcing the receipt of the mail shall be sent to these offices by the first post.

12. The offices to which the verification notes are sent shall return them as promptly as possible, after having examined them and indicated thereon their observations, if any. If the notes are not returned to the administration of origin within a period of two months from the date of their dispatch, they shall be considered, until the contrary is proved, as duly accepted by the offices to which they were sent.

13. When a receiving office responsible for checking a mail has not sent a note reporting irregularities of any kind to the office of origin and, where appropriate, to the last intermediate office of exchange by the fastest route, it shall be considered, until the contrary is proved, as having received the mail and its contents.

The same assumption shall be made in respect of irregularities to which no reference has been made or which have been incompletely reported in the verification note; the same shall apply when the provisions of the present article regarding the formalities to be fulfilled have not been observed.

14. Verification notes and any associated evidence shall be sent under registered cover by the most rapid route (air or surface). Articles mentioned in § 7, together with a copy of the verification note, may be sent by separate registered surface mail.

15. Verification notes shall be forwarded in envelopes marked in bold letters *"Bulletin de vérification"* (Verification note). These envelopes may either be pre-printed or distinguished by a stamp impression clearly reproducing the indication.

Article 159

Missent items

Missent items of all kinds shall be redirected to their destination without delay by the quickest route.

Article 160

Steps to be taken in the event of an accident occurring to surface conveyance facilities

1. When, as a result of an accident in course of surface conveyance, a ship, train or any other transport facility is unable to continue its journey and deliver the mail at the scheduled ports of call or stations, the crew shall hand over the mails to the post office nearest to the place of the accident or to the office best able to reforward the mail. If the crew are unable to do this, that office, having been informed of the accident, shall take immediate action, taking over the mail and reforwarding it to its destination by the most rapid route after its condition has been checked and any damaged correspondence put in order.

2. The administration of the country in which the accident occurred shall inform all administrations of previous ports of call or stations, by telegraph, of the fate of the mail, and these administrations in turn shall advise by telegraph all other administrations concerned.

3. Administrations of origin which had mail on the transport facility involved in the accident shall send a copy of the C 18 mail delivery bills to the administration of the country where the accident occurred.

4. The qualified office shall then notify the offices of destination of the mails involved in the accident by C 14 verification note giving details of the circumstances of the accident and the results of the check of the mails. One copy of each verification note shall be sent to the offices of origin of the relative mails and another to the administration of the country to which the transport company belongs. These documents shall be sent by the most rapid route (air or surface).

Article 161

Return of empty bags

1. In the absence of special agreement between corresponding administrations, bags shall be returned empty by the next post in a direct mail for the country to which they belong and if possible by the normal route followed on the outward journey. The number of bags returned by each mail shall be noted in table V of the letter bill (article 150, § 2 (f) except when article 150, § 2 (c), is applied.

2. The return shall be carried out between offices of exchange appointed for the purpose. The administrations concerned may agree among themselves as to the procedure for the return. In long distance services, they shall, as a general rule, appoint only one office responsible for receiving the empty bags returned to them.

3. The empty bags shall be rolled into suitable bundles; where appropriate the label blocks, labels of canvas, parchment or other stout material shall be placed inside the bags. The bundles shall bear a label showing the name of the office of exchange from which the bags were received whenever they are returned via another office of exchange.

4. If there are not too many of them, the empty bags to be returned may be placed in the bags containing letter-post items; otherwise, they shall be placed in separate bags, sealed, or unsealed (if the administrations concerned agree on this), and labelled with the name of the offices of exchange. The labels shall be endorsed *"Sacs vides"* (Empty bags).

5. If the check made by an administration establishes that bags belonging to it have not been returned to its service within a period longer than that required for their transmission (round trip), it shall be entitled to claim reimbursement of the value of the bags as provided for in § 6. The administration in question may refuse this reimbursement only if it can prove the missing bags were returned.

6. Each administration shall fix, periodically and uniformly for each kind of bag used by its offices of exchange, an average value in francs and communicate it to the administrations concerned through the International Bureau. In case of reimbursement, the cost of replacing the bags shall be considered.

Article 162

Mails exchanged with military units placed at the disposal of the United Nations and with warships or military aircraft

1. Intermediate administrations shall be informed, as far as possible in advance, of the establishment of an exchange of closed mails between a postal administration and naval units or warships of the same nationality, or between one naval unit or warship and another naval unit or another warship of the same nationality.

2. The address of these mails shall be worded as follows:

From the office of .....

For { the (nationality) naval unit of (designation of the unit) at ..... / the (nationality) ship (name of ship) at ..... } (Country)

or

From the (nationality) naval unit of (designation of the unit) at ..... / From the (nationality) ship (name of ship) at ..... / For the office of ..... } (Country)

or

From the (nationality) naval unit of (designation of the unit) at ..... / From the (nationality) ship (name of ship) at ..... } (Country)

For { the (nationality) naval unit of (designation of the unit) at ..... / the (nationality) ship (name of ship) at ..... } (Country)

3. The mails concerned shall be forwarded by the fastest route (air or surface), according to the indication written on the address, and under the same conditions as mails exchanged between post offices.

4. The captain of a mail-boat conveying mails for a naval unit or a warship shall hold them at the disposal of the commanding officer of the naval unit or ship of destination, should the latter ask him for delivery en route.

5. If the ships are not at the place of destination when the mails addressed to them arrive there, the mails shall be kept at the post office until they are collected by the addressee or redirected to another point. Redirection may be requested either by the administration of origin, by the commanding officer of the naval unit or ship of destination, or by a Consul of the same nationality.

6. Those mails which are marked *"Aux soins du Consul d'. . ."* (Care of the Consul of . . .) shall be delivered to the Consulate indicated. At the request of the Consul they may afterwards be received back into the postal service and redirected to the place of origin or to another address.

7. Mails addressed to a warship shall be regarded as being in transit up to the time of their delivery to the commanding officer of that ship, even when they have been originally addressed to the care of a post office or to a Consul charged to act as forwarding agent; they shall not, therefore, be regarded as having reached their address until they have been delivered to the warship concerned.

8. By agreement between the administrations concerned, the above procedure shall also be applicable, if necessary, to mails exchanged with military units placed at the disposal of the United Nations and with military aircraft.

Section V

Provisions concerning transit charges and terminal dues

Chapter I

Statistical operations

Article 163

Incidence and duration of the statistics

1. The transit charges provided for under article 52, and in the absence of special agreement between the administrations concerned, the surface mail terminal dues mentioned in article 53 of the Convention shall be established on the basis of statistics prepared once every three years and alternately during the first fourteen or twenty-eight days starting on 2 May or during the first fourteen or twenty-eight days starting on 15 October.

2. The statistics shall be drawn up in the second year of each triennial period.

3. Mails made up on board ship shall be included in the statistics if they are landed during the statistical period.

4. The statistics of May 1973 shall apply, on the basis of the provisions of the Convention of Tokyo 1969, to the years 1972, 1973 and 1974; those of October/November 1976 shall apply to the years 1975, 1976 and 1977.

5. The annual payments of transit charges and surface mail terminal dues to be made on the basis of a set of statistics shall be continued provisionally until the accounts prepared in accordance with the next statistics are approved or regarded as fully accepted (article 172). The provisional payments shall then be adjusted.

Article 164

Air mails

In the absence of special agreement between the administrations concerned air mails conveyed by surface for part of their journey in a third country shall also be included in the transit charges statistics.

Article 165

Make-up and designation of closed mails during the statistical period

1. During the statistical period every surface mail subject to transit charges or terminal dues except for mails containing only empty bags shall be provided, in addition to the ordinary labels, with a special label bearing in bold letters:
(a) the number and the date of make-up of the mail;
(b) the word *"Statistique"* followed by the note *"5 kilogrammes"*, *"15 kilogrammes"* or *"30 kilogrammes"* according to the weight category (article 166, § 1).
Except for these details of make-up, mails shall be made up in the normal way, as laid down in article 149, § 3.

2. As regards bags containing only items exempted from transit charges and terminal dues (article 54 of the Convention), the indication *"Statistique"* shall be followed by the word *"Exempt"*.

3. The letter bill of the last mail dispatched during the statistical period shall be endorsed *"Dernier envoi de la période de statistique"* (Last dispatch of the statistical period). When the dispatching office, as a result primarily of the uncertainty of connections, has been unable to make this endorsement, it shall advise the office of destination as soon as possible, by the most rapid route (air or surface), of the date and serial number of the last mail included in statistics.

Article 166

Establishing the number of bags and weight of closed mails

1. For surface mails subject to transit charges or terminal dues, the dispatching office of exchange shall use a special letter bill in the form of the annexed specimen C 15 which shall replace the specimen C 12 during the statistical period. It shall enter on this letter bill the number of bags, dividing them as appropriate into the categories mentioned thereon.

2. The number of bags exempted from transit charges and terminal dues shall be the total of those containing only empty sacks and of those bearing the indication *"Statistique – Exempt"* in accordance with article 165, § 2.

3. The entries on the letter bills shall be checked by the office of exchange of destination. If that office finds an error in the numbers entered, it shall correct the bill and immediately notify the dispatching office of exchange of the mistake by means of a verification note in the form of the annexed specimen C 16. However, as regards the weight of a bag, the entry of the dispatching office of exchange shall hold good unless the actual weight exceeds by more than 250 grammes the maximum weight of the category in which the bag has been entered.

Article 167

Preparation of statements of closed mails

1. As soon as possible after receipt of the last mail made up during the statistical period the offices of destination shall prepare:
(a) for mails subject to transit charges, statements in the form of the annexed specimen C 17, with a copy for each administration of transit plus one (for the country of origin); these statements shall give the fullest possible details of the route followed and the services used;
(b) for surface mails subject to terminal dues, statements in the form of the annexed specimen C 17bis.

2. The offices of destination shall send the C 17 and C 17bis statements to the offices of exchange of the dispatching administration for acceptance. They shall be sent by air when this presents an advantage. After accepting the statements, the offices of exchange shall forward them to their central administration which shall distribute the C 17 statements among the intermediary administrations and return the C 17bis statements to the administrations of destination.

3. If within 3 months (4 months in the service with distant countries) from the date of dispatch of the last mail to be included in the statistics the offices of exchange of the dispatching administration have not received the number of C 17 statements indicated in § 1 (a), these offices themselves shall prepare the said statements on the basis of their own information, endorsing each: *"Les relevés C 17 du bureau de destination ne sont pas parvenus dans le délai réglementaire"* (C 17 statements not received from the office of destination within the prescribed period). They shall then forward the statements to their central administration which shall distribute them among the administrations concerned.

4. If within six months from the expiry of the statistical period the dispatching administration has not distributed the C 17 statements among the administrations of the intermediate countries, the latter themselves shall prepare them on the basis of their own information. These documents, endorsed *"Etabli d'office"* (Routinely prepared), shall be attached to the C 20 account sent to dispatching administrations in accordance with article 172, § 7 (a).

Article 168

Closed mails exchanged with military units placed at the disposal of the United Nations and with warships or military aircraft

1. It shall be the responsibility of the postal administrations of countries to which military units, warships or military aircraft belong to prepare the C 17 statements in respect of the mails sent or received by those military units, ships or aircraft. Mails dispatched to military units, warships or military aircraft during the statistical period shall bear the date of dispatch on the labels.

2. If these mails are redirected, the redirecting administrations shall report the fact to the administration of the country to which the military unit, ship or aircraft belongs.

Article 169

Transit bulletin

1. To obtain all the information necessary to prepare C 17 statements, the administration of destination may ask the administration of origin to attach to each mail a green transit bulletin in the form of the annexed specimen C 19. This request shall reach the administration of origin three months before the beginning of the statistical operations.

2. The transit bulletin shall be used only if, during the statistical period, the route followed by mails is uncertain or if the transport services used are unknown to the administration of destination. Before requesting its preparation, the administration of destination shall satisfy itself that it has no other way of finding out the routeing of the mails it receives.

3. Exceptionally, the administration of origin may, without a formal request from the administration of destination, send a transit bulletin with its mails when it cannot ascertain in advance the route they will follow.

4. The presence of a transit bulletin accompanying a mail shall be shown by the endorsement "C 19" written in bold lettering:
(a) at the head of the letter bill of the mail;
(b) on the special *"Statistique"* ("Statistics") label of the bag containing the letter bill;
(c) in the *"Observations"* column of the C 18 delivery bill.

5. The transit bulletin annexed to the C 18 delivery bill shall be forwarded unenclosed, with the mails to which it refers, to the different services participating in the conveyance of these mails. In each transit country, the inward and outward offices of exchange, and no other (intermediate) office, shall enter on the bulletin particulars of the transit performed by them. The last intermediate office of exchange shall forward the C 19 bulletin to the office of destination which shall record on it the exact date of arrival of the mail. The C 19 bulletin shall be returned to the office of origin in support of the C 17 statement.

6. When a transit bulletin, dispatch of which is advised on the delivery bill or on the special *"Statistique"* labels, is missing, the intermediate office of exchange or the office of exchange of destination which notices its absence shall make immediate inquiries about it to the preceding office of exchange; nevertheless the intermediate office of exchange shall without delay prepare a new bulletin bearing the words *"Etabli d'office par le bureau de . . ."* (Routinely prepared by the office of . . .), and forward it with the mail. When the C 19 bulletin prepared by the office of origin reaches the office which has been inquiring about it, the latter shall send it direct to the office of destination, under sealed cover, having endorsed it accordingly.

Article 170

Transmission of C 16, C 17, C 17bis and C 19 forms. Exceptions

1. Each administration may notify other administrations, through the International Bureau, that C 16 verification notes, C 17 and C 17bis statements as well as C 19 transit bulletins shall be sent to its central administration.

2. In that case, the latter shall take the place of the offices of exchange for the preparation of the C 17 statements in accordance with article 167, § 3.

Article 171

Extraordinary services

The only services considered as extraordinary services giving rise to the collection of special transit charges shall be the Syria-Iraq motor services.

Chapter II

Preparation, settlement and revision of accounts

Article 172

Preparation, transmission and approval of transit charges accounts and terminal dues accounts

1. For the preparation of transit charges accounts and surface mail terminal dues accounts, the light, medium or heavy bags, as defined in article 166, shall be reckoned as having average weights of 3, 12 or 26 kilogrammes respectively.

2. The total amounts of the credits for closed mails shall be multiplied by 26 or 13, as the case may be, and the product shall serve as the basis for the detailed accounts specifying in francs the annual sums due to each administration.

3. If the use of the multiplier 26 or 13 gives a result which does not correspond to normal traffic, each administration concerned may request that another multiplier be adopted. This new multiplier shall be valid during the years to which the statistics apply.

4. In the absence of agreement on the new multiplier, the administration which considers itself unfairly treated may – provided it furnishes all the necessary supporting evidence – submit the question to the International Bureau or to a committee of arbitrators for the purposes laid down in article 56, § 6, of the Convention.

5. However, in the absence of any special arrangement between the administrations concerned, a new multiplier may be adopted only if the established difference between the traffic as revealed by the statistics and the actual traffic involves a modification of more than 5000 francs per annum in the transit charges account, or surface mail terminal dues account and on no other condition.

6. The creditor administration shall be responsible for preparing the accounts and forwarding them to the debtor administration.

7. The detailed accounts shall be prepared in duplicate:
(a) on forms conforming to the annexed specimen C 20 and on the basis of the C 17 statements for transit charges,
(b) on forms conforming to the annexed specimen C 20bis on the basis of the C 17bis statements relating to surface mails and on the basis of AV 7 delivery bills for air mails for terminal dues.

They shall be forwarded to the dispatching administration as soon as possible and at the latest within 10 months following the expiry of the statistical period. The C 17 statements shall be forwarded in support of the C 20 accounts only if they have been routinely prepared by the intermediate administration (article 167, § 4) or if the dispatching administration so requests.

8. If the administration sending the detailed account receives no notice of amendment within three months from the date of dispatch the account shall be regarded as fully accepted.

Article 173

Annual general liquidation account. Role of the International Bureau

1. The annual general liquidation account prepared by the International Bureau shall serve as the basis for settling transit charges and terminal dues between administrations.

2. As soon as the detailed accounts between two administrations are accepted or regarded as fully accepted (article 172, § 8) each of those administrations shall forward without delay to the International Bureau a separate statement for transit charges and terminal dues in the form of the annexed specimens C 21 and C 21bis respectively, indicating the total amounts of the accounts. At the same time a copy of each of the statements shall be sent to the administration concerned.

3. A C 21 statement and a C 21bis statement shall be prepared for each of the three years to which the statistics apply.

4. In the event of discrepancy between corresponding particulars furnished by two administrations, the International Bureau shall invite them to reach agreement and to supply it with the finally agreed sums.

5. When only one administration has furnished C 21 or 21bis statements, the International Bureau shall so inform the other administration concerned and tell it the amounts on the C 21 statements received. If, one month from the date of the dispatch of the statements, the International Bureau has received no comment, the amounts on these statements shall be accepted as final.

6. In the case provided for in article 172, § 8, the statements shall be endorsed, *"Aucune observation de l'Administration débitrice n'est parvenue dans le délai réglementaire"* (No comment received from debtor administration within the prescribed period).

7. At the end of each year the International Bureau shall prepare, on the basis of the statements which it has received up to that time and which are regarded as fully accepted, an annual general liquidation account of transit charges and terminal dues. If necessary it shall conform to article 163, § 5, for annual payments.

8. The account shall show separately for transit charges and terminal dues:
(a) the debit and credit of each administration;
(b) the debit balance or the credit balance of each administration;
(c) the amounts payable by the debtor administrations;
(d) the amounts receivable by the creditor administrations.

9. The International Bureau shall offset balances so as to restrict to a minimum the number of payments to be made.

10. The annual general liquidation accounts shall be forwarded by the International Bureau to administrations as soon as possible and at the latest before the expiry of the first quarter of the year following that of their preparation.

11. Two administrations may, exceptionally, arrange to settle their accounts direct between themselves, if they consider it essential. In this case, no C 21 or C 21bis statement shall be sent to the International Bureau.

Article 174

Payment of transit charges and terminal dues

1. If the amounts payable in respect of transit charges or terminal dues as a result of the annual general liquidation account of the International Bureau have not been paid one year after the expiry of the prescribed period (article 103, § 11), the creditor administration may notify the International Bureau, which shall invite the debtor administration to pay within a period of not more than four months.

2. If the amounts due have not been paid on the expiry of this new period the International Bureau shall include these amounts in the next annual general liquidation account to the credit of the creditor administration. In this case compound interest shall be chargeable, that is to say, the interest shall be added to the principal at the end of each year until full settlement.

3. When § 2 is applied, the general liquidation account in question and those of the following four years shall not, as far as possible, include in the balances due as a result of the offsetting table amounts payable by the defaulting administration to the creditor administration concerned.

Article 175

Revision of transit charges accounts

1. When a postal administration establishes that traffic varies very considerably from that resulting from the transit charges statistics, it may request that the results of these statistics should be revised.

2. Administrations may agree to make this revision.

3. In the absence of agreement, each administration may request, in the following cases, the preparation of special statistics with a view to the revision of transit charges accounts:

(a) use of air instead of surface means for the conveyance of mails;
(b) a major change in the surface routeing of mails from one country for one or more other countries;
(c) when an intermediate administration establishes within a year following the statistical period that there exists between the dispatches made by an administration during the statistical period and the normal traffic a difference of 20% at least in the total weight of mails dispatched in transit, these weights being calculated by multiplying the number of bags in each category by the corresponding average weights;
(d) when an intermediate administration establishes at any time during the period of application of the statistics that the total weight of mails in transit has increased by at least 50% or decreased by at least 50% compared with the results of the last statistics, this weight being calculated by multiplying the number of bags in each category by the corresponding average weights.

4. The special statistics shall cover either all or only part of the traffic depending on circumstances.

5. Also in the absence of agreement, the results of the special transit statistics taken on the basis of § 3 shall be taken into consideration only if they affect by more than 5000 francs per annum the accounts between the administration of origin and the administration concerned.

6. Modifications resulting from the application of §§ 3 and 5 shall be taken into account in the general accounts of the administration of origin with the administrations which performed the transit before, and the administrations which provided it after the modifications which have occurred, even when for certain administrations the modification in the accounts does not reach the minimum fixed.

7 Notwithstanding §§ 3, 5 and 6 and in the event of complete and permanent diversion of mails from an intermediate country by another country, the transit charges payable by the administration of origin, on the basis of the last statistics, to the country which previously effected the transit shall, in the absence of any special agreement, be paid by the administration concerned to the new transit country from the date the diversion was established.

Article 176

Revision of surface mail terminal dues accounts

1. When a postal administration establishes that traffic varies very considerably from that resulting from the surface mail terminal dues statistics, it may request that the results of these statistics should be revised.

2. Administrations may agree to make this revision.

3. In the absence of agreement, each administration may request, in the following cases, the preparation of special statistics with a view to the revision of surface mail terminal dues accounts:

(a) use of air instead of surface means for the conveyance of mails;

(b) when it establishes within a year following the statistical period that there exists between the traffic counted during the statistical period and the normal traffic a difference of 20% at least in the total weight of mail received or sent, these weights being calculated by multiplying the number of bags in each category by the corresponding average weights;

(c) when it establishes at any time during the period of application of the statistics that the total weight of surface mails received or sent has increased by at least 50% or decreased by at least 50% compared with the results of the last statistics, this weight being calculated by multiplying the number of bags in each category by the corresponding average weights.

4. Also in the absence of agreement, the results of the special surface mail terminal dues statistics taken on the basis of § 3 shall be taken into consideration only if they affect by more than 5000 francs per annum the accounts between the administration of origin and the administration concerned.

Section VI

Miscellaneous provisions

Chapter I

Article 177

Routine correspondence between administrations

For the exchange of routine correspondence administrations may use a form conforming to the annexed specimen C 29.

Article 178

Characteristics of postage stamps and postal franking impressions

1. Impressions produced by postal franking machines shall be bright red, whatever the value they represent.

2. Postage stamps and impressions of postal franking machines used by private individuals with a permit from the postal administration of the country of origin shall bear, in roman letters, the name of the country of origin and show their postage value according to the List of equivalents. The number of units or fractions of a monetary unit used to express this value shall be written in arabic figures. The postal franking impressions used by administrations themselves shall bear the same particulars as those of private individuals with a permit from the administration or, alternatively, the name of the country of origin and the phrase *"Taxe perçue"* (Charge collected), *"Port payé"* (Postage paid) or a similar expression. This phrase may be given in French or in the language of the country of origin; it may also be in an abridged form, eg *"TP"* or *"PP"*.

3. As regards items prepaid by means of impressions obtained from a printing press or by another printing or stamping process (article 25 of the Convention) the name of the country of origin and the postage value may be replaced by the name of the office of origin and the phrase *"Taxe perçue"* (Charge collected), *"Port payé"* (Postage paid) or a similar expression. This phrase may be given in French or in the language of the country of origin; it may also be in an abridged form, eg *"TP"* or *"PP"*. In every case the form adopted shall be shown in bold letters in a separate clearly drawn frame the area of which shall be not less than 300 mm^2.

4. Commemorative or charity postage stamps, on which a supplementary charge is payable in addition to their postage value, shall be so designed as to leave no doubt about that value.

5. Postage stamps may be distinctively marked with punched perforations or embossed impressions produced by means of an embossing-stamp, subject to the conditions laid down by the administration which has issued them, provided that those processes do not interfere with the clarity of the particulars prescribed in § 2.

Article 179

Use of postage stamps or of impressions presumed to be fraudulent

1. Subject expressly to the provisions of the legislation of each country, the following procedure shall be observed in reporting the fraudulent use, for pre-payment of postage stamps and impressions of postal franking machines or printing presses:

(a) when, in outgoing mail, a postage stamp or a postal franking machine or printing machine impression on any item causes fraudulent use (presumption of being counterfeit or re-used) to be suspected and the sender is not known, the stamp or impression shall not be tampered with in any way and the item, accompanied by an advice in the form of the annexed specimen C 10, shall be sent to the delivery office in an officially registered envelope. A copy of the advice shall be forwarded, for information, to the administrations of the countries of origin and of destination. Any administration may ask through notification of the International Bureau for C 10 advices concerning its service to be sent to its central administration or to a specially appointed office;

(b) the item shall be delivered to the addressee, who shall be invited to see the evidence, only if he pays the charge due, discloses the name and address of the sender and places at the disposal of the postal service, after acquainting himself with the contents, either the entire item, if it is inseparable from the presumed corpus delecti, or the part of the item (envelope, wrapper, portion of letter, etc) which contains the address and the impression or stamp reported as suspect. The result of the interview shall be set down in an official report in the form of the annexed specimen C 11 signed by the postal official and by the addressee. If the addressee refuses, this shall be recorded on the document.

2. The official report shall be sent with the supporting papers, officially registered, to the administration of the country of origin, which shall take action according to its legislation.

3. Administrations whose legislation does not permit the procedure provided for in § 1 (a) and (b) shall inform the International Bureau to that effect so that the other administrations may be notified.

Article 180

International reply coupons

1. International reply coupons shall conform to the annexed specimen C 22. They shall be printed, on paper bearing as a watermark the initials UPU in large letters, under arrangements made by the International Bureau, which shall supply them to administrations together with a delivery bill in the form of the annexed specimen C 24, prepared in duplicate. After verification, the administration of destination shall return one copy duly signed to the International Bureau.

2. Each administration shall have the option:

(a) of giving the reply coupons a distinctive perforation provided it does not detract from the legibility of the text or hamper the checking of their authenticity;

(b) of indicating by means of a printing process the selling price on the reply coupons or of asking the International Bureau for this price to be indicated at the time of printing.

3. There shall be no limit to the period of exchange for reply coupons. Post offices shall satisfy themselves as to the genuineness of the documents when they exchange them and check particularly the presence of the watermark. Reply coupons may bear the impression of the relative office of the administration of origin. Reply coupons on which the printed text does not agree with the official text shall be refused as invalid. Exchanged reply coupons shall be marked with an impression of the date stamp of the office exchanging them.

4. Exchanged reply coupons shall be returned to the International Bureau in packets of a thousand or a hundred, together with a statement in the form of the annexed specimen C 23 prepared in duplicate and showing their total number and value, which should be calculated according to the rate provided for at article 28, § 2, of the Convention. In case of change in this rate, all reply coupons exchanged before the date of the change shall be sent in a single consignment including, by way of exception, broken lots; they shall be accompanied by a special G 23 statement made out in the old value.

5. The International Bureau shall also take back damaged reply coupons sent together with a separate C 23 statement prepared in duplicate.

6. By way of exception, the International Bureau may take account of international reply coupons destroyed before sale or after exchange. In such cases, the C 23 statement, prepared in duplicate by the administration concerned, shall be accompanied by an official certificate of destruction.

7. The International Bureau shall keep the appropriate accounts, in which shall be entered:

(a) to the debit of each administration, the value of the reply coupons supplied as well as the amount of the allowance made to the administration under the preceding biennial period;

(b) to the credit, the value of the exchanged reply coupons returned to the International Bureau. A statement of account shall be sent for approval to each administration concerned. If, one month from the date of the dispatch of the statement, the International Bureau has received no comment, the amounts on this statement shall be accepted as final.

8. The International Bureau shall prepare a biennial general liquidation account comprising:

(a) the debits and credits mentioned in § 7;

(b) the allowances made to administrations by apportionment of the overall excess of the value of the reply coupons supplied over the value of the reply coupons exchanged during the biennial period, at the rate of 80% of the reply coupons supplied by the International Bureau and 20% of the reply coupons exchanged by administrations;

(c) the amounts payable and receivable by administrations.

9. The general liquidation account shall be sent to administrations together with an offset table which shall serve as the basis for settlements.

10. Articles 173, §§ 9 and 10, and 174 shall apply.

Article 181

Accounting for customs, etc charges with the administration of origin of items sent free of charges and fees

1. Accounting in respect of customs, etc charges paid out by each administration on behalf of another shall be carried out by means of detailed monthly accounts in the form of the annexed specimen C 26, which shall be drawn up by the creditor administration in the currency of its own country. Parts B of the franking notes which have been retained shall be entered in the alphabetical order of the offices which have advanced the charges and in the numerical order given to them.

2. If the two administrations concerned also operate the postal parcel service in their relations with each other, they may, in the absence of notice to the contrary, include in the accounts for the customs, etc charges of that service those of the letter post.

3. The detailed account, accompanied by parts B of the franking notes, shall be forwarded to the debtor administration at the latest by the end of the month following that to which it relates. "Nil" accounts shall not be prepared.

4. The accounts shall be checked under the conditions laid down by the Detailed Regulations of the Postal Money Orders and Postal Travellers' Cheques Agreement.

5. The accounts shall be settled separately. Each administration may, however, request that these accounts be settled with those for postal money orders, for CP 16 postal parcels or, lastly, with R 5 COD accounts, without being incorporated in them.

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Article 182

Forms for the use of the public

For the purpose of applying article 10, § 3, of the Convention, the following shall be considered as forms for the use of the public:

C 1	(Customs label),
C 2/CP 3	(Customs declaration),
C 3/CP 4	(Franking note),
C 5	(Advice of delivery),
C 6	(Redirection envelope),
C 7	(Request for withdrawal from the post, alteration of address, cancellation or alteration of the COD amount),
C 8	(Inquiry concerning an unregistered item),
C 9	(Inquiry concerning a registered item, etc),
C 22	(International reply coupon),
C 25	(Postal identity card).

Part III

Provisions concerning air conveyance

Chapter I

Rules for dispatch and routeing

Article 183

Marking of surcharged air-mail correspondence

At the time of dispatch surcharged air-mail correspondence shall bear, on the left-hand side of the front, either a special blue label or a stamp impression in the same colour bearing the works *"Par avion"* (By air mail), or if need be these two words in handwritten or typewritten capital letters, with an optional translation in the language of the country of origin. However, in the case of items in standardized envelopes, this special label, stamp impression or indication must be applied in conformity with article 19, § 8 (a) (iii), of the Convention.

Article 184

Deletion of the indications *"Par avion"* (By air mail) and *"Aérogramme"*

1. The words *"Par avion"* (By air mail) and any note relating to air conveyance shall be struck through with two thick horizontal lines when unpaid or underpaid surcharged air-mail correspondence is forwarded or surcharged air-mail correspondence is redirected or returned to origin by means of transport normally used for unsurcharged correspondence; in the first case, the reasons shall be briefly given.

2. The word *"Aérogramme"* shall be struck through with two thick horizontal lines if the item is sent by surface in implementation of article 59 of the Convention.

Article 185

Make up of air mails

1. Air mails shall consist of air-mail correspondence arranged and bundled according to categories (LC, newspapers and periodicals, other AO) and distinguished by the corresponding labels in the form of the annexed AV 10 specimens. These mails shall be made up with bags either entirely blue or with wide blue bands and bear the indications referred to in article 149, § 4. For registered or unregistered air-mail correspondence in small numbers, envelopes in the form of the annexed specimen AV 9, made either of strong blue paper, plastic, or other material and bearing a blue label, may be used.

2. VD 3 letter bills and dispatch lists which accompany air mails shall bear at the head a *"Par avion"* (By air mail) label or the stamp impression referred to in article 183.

3. The layout and text of air-mail bag labels shall be in the form of the annexed AV 8 specimens. The labels themselves, or the optional tabs provided for in article 155, § 3, shall be in the colours prescribed in article 155, § 1 (a) to (d).

4. Unless the administrations concerned object, mails may be included in another dispatch of the same kind, ie containing items of the same category (LC or AO).

5. Late postings at airport post offices of unregistered air-mail correspondence shall be sent, by aircraft about to leave, in AV 9 envelopes to the exchange offices of destination.

Article 186

Establishing and verifying the weight of air mails

1. The serial number of the mail and the gross weight of each bag, envelope or packet forming part of the mail, as well as the category of the items (LC or AO) included in it, shall be shown on the AV 8 label or with the external address.

2. If the two categories (LC and AO) are included in the same packing, the weight of each, as well as the total weight, shall be shown on the AV 8 label or with the external address; the weight of the outer packing shall be added to the weight of those items included therein that are chargeable at the lowest conveyance rate. If a *sac collecteur* is used, its weight shall not be taken into account.

3. The weight of each bag of air-mail, or, where applicable, the weight of each of the categories (LC and AO) shall be rounded up or down to the nearest hectogramme according to whether or not the fraction of the hectogramme exceeds 50 g; weights of 50 g or less shall be shown as "0". If the weight of each category is less than 50 g but the total weight exceeds 50 g, the weight of the heavier category shall be rounded up to one hectogramme.

4. If an intermediate office establishes that the actual weight of a bag in a mail differs by more than 100 g from the weight recorded, it shall amend the AV 8 label and immediately notify the dispatching office of exchange of the mistake by C 14 verification note; when a bag containing more than one category of item is concerned the correction shall be made to the category having the greatest weight. If the discrepancies noted are within the above-mentioned limits, the entries made by the dispatching office shall hold good.

Article 187

Sacs collecteurs

1. Where warranted by the number of light-weight bags, envelopes or packets to be conveyed on the same sector, post offices responsible for handing over air mails to the airline undertaking the conveyance shall make up, as far as possible, *sacs collecteurs*.

2. The labels of *sacs collecteurs* shall bear in bold letters the indication *"Sac collecteur"*; the administrations concerned shall agree as to the address to be put on the labels.

Article 188

AV 7 delivery bill

1. Mails to be handed over at the airport, except those subject to the special agreement with the receiving administration provided for in article 60, § 3, of the Convention, shall be accompanied by not more than five copies of a white delivery bill in the form of annexed specimen AV 7 for each stop.

2. A copy of the AV 7 delivery bill signed by the representative of the authority (airline or special airport service) responsible for the ground services shall be retained by the dispatching office; the other four copies shall accompany the mails for use in the following way:

(a) the first, duly signed at the airport of off-loading as a receipt for the mails, shall be kept by the air crew on behalf of their company;

(b) the second shall accompany the mails to the post office to which the delivery bill is addressed;

(c) the third shall be kept, at the airport of loading, by the authority responsible for the ground services; the fourth shall be handed over at the airport of off-loading, to the authority responsible for the ground services at the airport;

(d) the fourth shall be handed over at the airport of off-loading, to the authority responsible for the ground services at that airport.

3. When air mails are sent by surface to an intermediate administration for reforwarding by air, they shall be accompanied by an AV 7 delivery bill for the intermediate office.

Article 189

Preparation and checking of AV 7 delivery bills

1. The serial number of the mail, the weight, by category of items for each bag, envelope or packet and all other necessary particulars appearing on the AV 8 label or with the external address shall be copied on the AV 7 delivery bill. Nevertheless, in exchanges between administrations which have so agreed, the total weight of each category may be given instead of the weight, by category of item, of each bag, envelope or packet.

2. The following shall also be entered on the AV 7 delivery bill:

(a) mails included in a *sac collecteur*, entered individually with an indication that they are so included;

(b) AV 9 envelopes containing late postings of unregistered correspondence.

3. Any intermediate office or office of destination which notices errors in the entries on the AV 7 delivery bill shall immediately report them by C 14 verification note, to the last dispatching office of exchange and to the office of exchange which made up the mail.

Article 190

Missing AV 7 delivery bill

1. When a mail reaches the airport of destination – or an intermediary airport responsible for forwarding it with another carrier – without an AV 7 delivery bill, the administration, under whose jurisdiction this airport is, shall report this fact by C 14 verification note to the office responsible for loading this mail and request a duplicate of the missing document.

2. If, however, the airport of loading cannot be determined, the verification note shall be sent straight to the office of dispatch of the mail for it to forward the note to the office through which the mail transited.

Article 191

Transhipment of air mails

1. In the absence of special agreement between the administrations concerned, the transhipment at the same airport of mails in course of transmission shall be performed by the administration of the country in which the transhipment takes place.

2. The rule in § 1 shall not apply when the transhipment takes place between aircraft of the same carrier performing successive stages of the journey. The administration of the transit country may also authorize a transhipment direct from one aircraft to another between two different carriers; where required, the carrier making the transhipment shall send to the office of exchange of the country where this transhipment takes place a copy of the AV 7 delivery bill or any other document giving details of the operation.

Article 192

Steps to be taken in the event of an interrupted flight or diversion or missending of mails

1. When an aircraft interrupts its flight for a length of time likely to delay the mails or when, for any reason whatsoever, the mails are unloaded at an airport other than that given on the AV 7 delivery bills, or if mails which have been documented for direct transhipment fail to connect with the scheduled flight at the transhipment airport, officials of the administration of the country where the stop has been made shall take charge of such mails, and reforward them by the most rapid route (air or surface).

2. Paragraph 1 shall not apply when:

(a) the transhipment takes place between aircraft of the same company performing successive stages of the journey;

(b) the administration dispatching mail on such aircraft has provided for dispatch on a subsequent flight of the same carrier;

(c) the time span up to departure of the subsequent flight will not adversely affect expeditious delivery of the mail.

3. The administration which receives missent air-mail dispatches or bags owing to a labelling error shall attach a new label to the dispatch or bag, with an indication of the office of origin, and reforward it to its correct destination.

4. In the cases referred to §§ 1 and 3, the office which did the reforwarding shall, in this case, inform the office of origin of each dispatch or bag by C 14 verification note, indicating in particular on the verification note the air service from which the mail was taken and the services used (air or surface) for onward transmission to its destination.

Article 193

Steps to be taken in the event of an accident

1. When as a result of an accident in course of conveyance an aircraft is unable to continue its flight and deliver the mail at the scheduled stops, the crew of the aircraft shall hand over the mails to the post office nearest to the place of the accident or to the office best able to re-forward the mail. If the crew are unable to do this, that office, having been informed of the accident, shall take immediate action, taking over the mail and re-forwarding it to its destination by the most rapid route after their condition has been checked and any damaged correspondence put in order.

2. The administration of the country in which the accident occurred shall inform all administrations of previous airports of call, by telegraph, of the fate of the mail, and these administrations in turn shall advise by telegraph all other administrations concerned.

3. Administrations which have loaded mail on the aircraft involved in the accident shall send a copy of the AV 7 delivery bills to the administration of the country where the accident occurred.

4. The qualified office shall then notify the offices of destination of the mails involved in the accident by verification note giving details of the circumstances of the accident and the results of the check of the mails. One copy of each verification note shall be sent to the offices of origin of the relative mails and another to the administration of the country to which the airline belongs. These documents shall be sent by the most rapid route (air or surface).

Article 194

Air-mail correspondence sent in surface mail

Article 153 shall apply to air-mail correspondence sent in surface mails.

Article 195

Transmission of transit air-mail correspondence *à découvert*

Air-mail correspondence in transit *à découvert* arriving in an air mail or a surface mail for reforwarding by air mail shall be gathered, according to groups of countries of destination, sorted into categories, in bundles identified by the appropriate AV 10 labels.

Article 196

Preparation and checking of AV 2 bills

1. When, in the conditions laid down in articles 197 and 198, air-mail correspondence *à découvert* is accompanied by bills in the form of the annexed specimen AV 2, their weight shall be shown separately for each group of countries of destination. The AV 2 bills shall be specially numbered in two consecutive series, one for unregistered items and the other for registered items. The number of AV 2 bills shall be entered in the corresponding item of table III of the C 12 letter bill. Transit administrations may request the use of special AV 2 bills listing in a set order the most important groups of countries.

2. The weights of each category of *à découvert* correspondence for each group of countries shall be rounded up or down to the nearest decagramme according to whether or not the fraction of the decagramme exceeds 5 g.

3. If the intermediate office establishes that the actual weight of *à découvert* correspondence differs by more than 20 g from the weight recorded, it shall amend the AV 2 bill and immediately notify the dispatching office of exchange of the mistake by C 14 verification note. If the discrepancy noted is within the above-mentioned limits the entries made by the dispatching office shall hold good.

4. In the absence of an AV 2 bill, air-mail correspondence *à découvert* shall be forwarded by air, unless the surface route would be quicker; in appropriate cases, the AV 2 bill shall be prepared automatically and the irregularity pointed out to the office of origin by C 14 note.

Article 197

Air-mail correspondence in transit *à découvert*. Statistical operations

1. The air conveyance dues of air-mail correspondence in transit *à découvert* provided for by article 72 of the Convention shall be calculated on the basis of statistics taken annually and alternately during the periods from 2 to 15 May inclusive and from 15 to 28 October inclusive, in such a way that these periods coincide with those relating to the triennial statistics on surface mail in transit provided for in article 163.

2. During the statistical period, *à découvert* transit air-mail correspondence shall be accompanied by AV 2 bills, prepared and verified as laid down in article 196; the AV 10 bundle label and the AV 2 bill shall be overprinted with the letter "S". When there is no *à découvert* air-mail correspondence in a mail which normally includes such correspondence, an AV 2 bill endorsed "*Néant*" (Nil) shall accompany the letter bill of the mail.

3. Each administration dispatching transit air-mail correspondence *à découvert* shall inform intermediate administrations of any change occurring during an accounting period in the provisions laid down for the exchange of this mail.

Article 198

Air-mail correspondence in transit *à découvert* which is excluded from statistical operations

1. Air-mail correspondence in transit *à découvert* which is excluded from statistical operations in accordance with article 72, § 3, of the Convention and for which accounts are prepared on the basis of the actual weight shall be accompanied by AV 2 bills prepared and checked as laid down in article 196. If the weight of missent air-mail correspondence originating at one and the same office of exchange and contained in a dispatch from that office does not exceed 50 grammes, routine preparation of an AV 2 bill in accordance with article 196, § 4, shall not take place.

2. Air-mail correspondence posted on board ship on the high seas, prepaid by means of postage stamps of the country whose flag the ship flies or in which it is registered, shall be accompanied by an AV 2 bill when handed over *à découvert* to the administration at an intermediate port of call, or, if the ship does not have a post office, by a statement of weights which shall serve as a basis for the intermediate administration to claim the air conveyance dues. The AV 2 bill or statement of weights shall include the weight of the correspondence for each country of destination, the date, and the name and flag of the ship, and be numbered in a consecutive annual series for each ship: these particulars shall be checked by the office to which the correspondence is handed over from the ship.

Article 199

Return of empty air-mail bags

1. Empty air-mail bags shall be returned to the administration of origin in accordance with the rules of article 161. Nevertheless, a special mail shall be made up as soon as the number of empty bags reaches ten.

2. Empty air-mail bags returned by air shall be made up as special dispatches, described on statements in the form of the annexed specimen AV 7 S.

3. By prior agreement, an administration may use the bags belonging to the administration of destination for making up its own mails.

Chapter II

Accounting. Settlement of accounts

Article 200

Accounting for air conveyance dues

1. Accounting for air conveyance dues shall be effected in accordance with articles 71 and 72 of the Convention.

2. Notwithstanding § 1, administrations may, by common consent, decide that accounts for air-mail dispatches shall be settled on the basis of statistical returns. In that case, they shall arrange between themselves the method of compiling the statistics and preparing the accounts.

Article 201

Accounting for surface transit charges relating to air mails

If air mails transported by surface are not included in the statistics provided for in article 163, the relative sea or land transit charges shall be calculated in accordance with the actual gross weight of the air mails shown on the AV 7 statements.

Article 202

Preparation of AV 3 and AV 4 statements of weight

1. Each creditor administration shall prepare a statement in the form of the annexed specimen AV 3, monthly or quarterly as preferred, using the air-mail particulars entered on AV 7 delivery bills. Mails carried over the same air sector shall be entered on the AV 3 statement by office of origin, then by country and office of destination, and in chronological order for each office of destination. When separate AV 3 statements are prepared for air conveyance inside the country of destination in accordance with article 70, § 4, of the Convention, these shall be marked *"Service intérieur"* (Internal service).

2. For *à découvert* correspondence reforwarded by air, the creditor administration shall prepare a yearly statement in the form of the annexed specimen AV 4. This shall be done at the end of each statistical period as laid down in article 197, § 1, and based on the particulars appearing on the AV 2 "S" bills. The total weights shall be multiplied by 26 on the AV 4 statement. If the accounts have to be prepared on the basis of the actual weight of *à découvert* air-mail correspondence, AV 4 statements shall be drawn up as often as is provided for in § 1 for AV 3 statements and on the basis of the corresponding AV 2 bills.

3. If, during an accounting period, a change occurring in the arrangements made for the exchange of air-mail correspondence in transit *à découvert* results in a variation of at least 20% and exceeding 500 francs in the total amounts to be paid by the dispatching administration to the intermediate administration, these administrations, at the request of one or the other, shall agree to replace the multiplier 26 referred to in § 2 by another valid only for the year in question.

4. When the debtor administration so requests, separate AV 3 and AV 4 statements shall be drawn up for each office of exchange which dispatches air mails or air correspondence in transit *à découvert*.

Article 203

Preparation of AV 5 detailed accounts

1. The creditor administration shall prepare a form, conforming to the annexed specimen AV 5, detailed accounts showing the amounts due to it according to the AV 3 and AV 4 statements of weight. Separate detailed accounts shall be prepared for closed air mails and for air-mail correspondence *à découvert*, as often as indicated in article 202, §§ 1 and 2 respectively.

2. The amounts to be included in the AV 5 detailed accounts shall be calculated:

(a) for closed mails, on the basis of the gross weights appearing on the AV 3 statements;

(b) for air-mail correspondence *à découvert* according to the net weights shown on the AV 4 statements, increased by 5%.

3. Monthly or quarterly AV 5 accounts may be summarized by the creditor administration in a quarterly, half-yearly or annual recapitulative air-mail account, as agreed between the administrations concerned.

4. AV 5 detailed accounts may be summarized in a quarterly general account in the form of the annexed specimen AV 11, prepared by the creditor administrations which have adopted the offset system of settling accounts; this account may, however, be prepared half-yearly after agreement between the administrations concerned.

Article 204

Submission and acceptance of AV 3 and AV 4 statements of weight and AV 5 detailed accounts

1. As soon as possible and at the latest within six months from the end of the period to which they refer, the creditor administration shall send the debtor administration AV 3 statements, AV 4 statements, when payment for *à découvert* air-mail correspondence is made on the basis of the actual weight, and the relevant AV 5 detailed accounts, all in duplicate. The debtor administration may refuse to accept accounts not forwarded to it within that period.

2. After verifying the AV 3 and AV 4 statements and accepting the relative AV 5 detailed accounts, the debtor administration shall return one copy of the AV 5 accounts to the creditor administration. If the verification reveals any discrepancies, the corrected AV 3 and AV 4 statements shall be attached in support of the AV 5 accounts duly amended and accepted. If the creditor administration disputes the amendments made to its AV 3 or AV 4 statements, the debtor administration shall confirm the actual data by sending photocopies of AV 7 or AV 2 forms drawn up by the office of origin upon dispatch of the disputed mails. A creditor administration which has received no notice of amendment within four months from the date of dispatch of the accounts shall consider the accounts as fully accepted.

3. Paragraphs 1 and 2 shall also apply to air-mail correspondence for which payment is made on the basis of statistics. However, in this case the time-limits of six and four months shall be reduced to four and two months respectively.

4. Whenever the statistics provided for in article 197, § 1, fall in October, annual payments for air-mail correspondence in transit *à découvert* may be made provisionally on the basis of statistics compiled during May of the previous year. The provisional payments shall then be adjusted in the following year when the accounts based on the October statistics are approved or regarded as fully accepted.

5. Discrepancies in the accounts shall not be taken into consideration if they do not exceed 10 francs per account.

6. In the absence of special agreement between the administrations concerned, AV 3 and AV 4 statements and the corresponding AV 5 detailed accounts shall always be sent by the most rapid postal route (air or surface).

7. If the total of AV 5 detailed accounts does not exceed 25 francs per annum the debtor administration shall be excused all payment.

Chapter III

Information to be supplied by administrations and by the International Bureau

Article 205

Information to be supplied by administrations

1. Each administration shall send to the International Bureau, on the forms sent to it by the latter, the necessary information concerning the operation of the air-mail service. This information shall include, in particular, the following:

(a) as regards the internal service:
  (i) the districts and principal towns to which mails or air-mail correspondence originating abroad are forwarded by internal air services;
  (ii) the rates per kilogramme of the air conveyance dues calculated in accordance with article 71, § 3, of the Convention and their date of application;

(b) as regards the international service:
  (i) the decisions taken as regards the application of certain optional air-mail provisions;
  (ii) the rates per kilogramme of the air conveyance dues, which it collects direct in accordance with article 74 of the Convention and their date of application;
  (iii) the rates per kilogramme of the air conveyance dues for air mails in transit between two airports in the same country, fixed in accordance with article 71, § 4, of the Convention, and their date of application;
  (iv) the countries for which it makes up air mails;
  (v) the offices transferring transit air mails from one line to another and the minimum time necessary for such transhipment;
  (vi) the conveyance rates fixed for the onward transmission of air-mail correspondence received *à découvert* in accordance with the system of average rates laid down in article 72, § 1, of the Convention and their date of application;

(vii) the air surcharges or combined charges for the various categories of air-mail correspondence and for the various countries, with an indication of the names of the countries for which unsurcharged mail is admitted;

(viii) where applicable, the special charges for redirection or return to origin fixed in accordance with articles 68, § 3, and 69, § 2, of the Convention.

2. Any amendment to the information mentioned in § 1 shall be communicated to the International Bureau without delay, by the most rapid means. Amendments concerning the information mentioned under subparas (a) (ii) and (b) (vi) must reach the International Bureau within the time-limits prescribed in article 73, of the Convention.

3. Administrations may agree to exchange direct any information about air services in which they are interested, particularly timetables and the latest times of arrival for air-mail correspondence from abroad to catch various deliveries.

Article 206

Documents to be supplied by the International Bureau

1. The International Bureau shall be responsible for preparing the following documents and distributing them to administrations:

(a) *"Liste générale des services aéropostaux"* (Known as *"Liste AV 1")* (General list of air-mail services) published from the information supplied under article 205, § 1;

(b) *"Liste des distances aéropostales"* (List of air-mail distances) drawn up in collaboration with the air carriers and published on condition that its contents have been agreed by administrations;

(c) *"Liste des surtaxes aériennes"* (List of air surcharges) article 205, § 1 (b) (vii) and (viii).

2. The International Bureau shall also be responsible for supplying to administrations at their request and expense, maps of the airlines and air timetables regularly published by a specialist private organization and recognized as being best suited to the needs of air-mail services.

3. Any amendments to the documents listed in § 1 and the date on which the amendments take effect shall be notified to administrations by the most rapid means (air or surface), with the minimum of delay and in the most appropriate form.

Part IV

Final provisions

Article 207

Entry into force and duration of the Regulations

1. These Regulations shall come into force on the day on which the Universal Postal Convention comes into operation.

2. They shall have the same duration as that Convention unless renewed by common consent between the parties concerned.

Done at Lausanne, 5 July 1974.

[For signatures, see French text, pp. 637–657.]

LIST OF FORMS

No.	Title or nature of form	References
1	2	3
C 1	Customs label	Art 116, § 1
C 2/CP 3	Customs declaration	Art 116, § 1
C 3/CP 4	Franking note	Art 117, § 2
C 4	"R" label combined with the name of the office of origin and the serial number of the item	Art 130, § 4
C 5	Advice of – delivery; payment	Art 131, § 2
C 6	Collective envelope for redirection of letter-post items	Art 138, § 1
C 7	Request – for withdrawal from the post; for alteration of address; for cancellation or alteration of the COD amount	Art 140, § 1
C 8	Inquiry concerning an unregistered item	Art 142, § 1
C 9	Inquiry concerning a registered item, insured letter or a postal parcel	Art 143, § 1
C 9bis	Advice of direction of a C 9 form	Art 143, § 10
C 10	Advice concerning the presumed fraudulent use of postage stamps or franking impressions	Art 179, § 1 (a)
C 11	Report concerning the presumed fraudulent use of postage stamps or franking impressions	Art 179, § 1 (b)
C 12	Letter bill concerning the exchange of mails	Art 150, § 1
C 13	Special list of registered items	Art 151, § 1
C 14	Verification-note concerning the exchange of mails	Art 158, § 2
C 15	Special letter bill showing statistical information	Art 166, § 1
C 16	Verification note concerning statistical information	Art 166, § 3
C 17	Statistical statement of mails in transit	Art 167, § 1 (a)
C 17bis	Statistical statement of mails received	Art 167, § 1 (b)
C 18	Bill for delivery of mails	Art 157, § 1
C 18bis	Bill for delivery of air-lifted surface mails	Art 157, § 6
C 19	Transit bulletin concerning mail statistics	Art 169, § 1
C 20	Detailed account of transit charges	Art 172, § 7 (a)
C 20bis	Detailed account of terminal dues	Art 172, § 7 (b)
C 21	Statement of transit charges	Art 173, § 2
C 21bis	Statement of terminal dues	Art 173, § 2
C 22	International reply coupons	Art 180, § 1
C 23	Detailed statement of reply coupons exchanged	Art 180, § 4
C 24	Detailed statement of reply coupons supplied	Art 180, § 1
C 25	Postal identity card	Art 106, § 2
C 26	Detailed monthly account of customs, etc., charges	Art 181, § 1
C 27	Trial note for determination of the most favourable route for a letter or parcel mail	Art 156, § 3
C 28	Bag label	Art 155, § 1
C 29	Routine correspondence	Art 177
C 30	Bundle labels	Art 149, § 1
AV 1	General list of air-mail services, List AV 1	Art 206, § 1 (a)
AV 2	Weight bill of *à découvert* air-mail correspondence	Art 198, § 1
AV 3	Statement of weights of air mails	Art 202, § 1
AV 4	Statement of weights of *à découvert* air-mail correspondence	Art 202, § 2
AV 5	Detailed account concerning air mail	Art 203, § 1
AV 7	Delivery bill of air mails	Art 188, § 1
AV 7 S	Delivery bill of air mails of empty bags	Art 199, § 2
AV B	Air-mail bag label	Art 185, § 3
AV 9	Envelope for the make-up of air mails	Art 185, § 1
AV 10	Bundle labels	Art 185, § 1
AV 11	General account – air mail	Art 203, § 4

ANNEXES Forms C 1 to C 30, AV 1 to AV 5, AV 7 to AV 11

(Front)

CUSTOMS C 1

May be opened officially

(Part to be detached if the item is accompanied by a customs declaration, otherwise to be filled up)

See instructions on the back!

Detailed description of contents

.....

.....

.....

.....

.....

Insert a cross if the item contains
a gift ☐
a sample of merchandise ☐

Value (specify the currency):	Net weight

Convention, Lausanne 1974, Art. 116, § 1
—Size: 52 x 74 mm, colour: green

(Back)

Instructions

If the value of the contents exceeds 300 gold francs or the equivalent in the currency of the country of dispatch, only the upper part of this label should be affixed to the item and customs declaration C 2/CP 3 should be completed.

The contents of your item (even if a gift or a sample) must be described fully and accurately. Non-observance of this condition may lead to delay of the item and inconvenience to the addressee, or even lead to the seizure of the item by the customs authorities abroad.

Note. Postal administrations are recommended to indicate the equivalent of 300 gold francs in their national currency.

C 4

R LAUSANNE 1
N° 460

Convention, Lausanne 1974, Art. 130, § 4—Size: 37 x 13 mm

(Front)

Postal administration

CUSTOMS DECLARATION C 2/CP 3

(1) Name and address of sender	(2) Sender's reference, if any
(3) Full name and address of addressee, including country of destination	(4) Insert a cross (x), if the item contains ☐ a gift ☐ samples of merchandise
	(5) The undersigned certifies that the particulars given in this declaration are correct.
	(6) Place and date
(7) Observations	(8) Signature
	(9) Country of origin of the goods / (10) Country of destination
	(11) Total gross weight kg g
(12) Number of items / (13) Detailed description of contents	(14) Tariff No. / (15) Net weight kg g / (16) Value

BEFORE COMPLETING THIS FORM YOU SHOULD READ CAREFULLY THE INSTRUCTIONS OVERLEAF

Convention, Lausanne 1974, Art. 116, § 1; Parcels, Lausanne 1974, Art. 106, § 1, (b)—Size: 210 x 148 mm

C 2/CP 3 (Back)

Instructions

The customs declaration should be completed in French or in a language which is accepted in the country of destination.

To clear your item the Customs in the country of destination need to know what the contents are. You must therefore complete your declaration fully, accurately and legibly, otherwise delay and inconvenience may be caused for the addressee. Moreover, a false, misleading or incomplete declaration may lead, for instance, to the seizure of the package.

It is also your responsibility to find out what documents, if any (certificate of origin, health certificates, invoices, etc.), are required in the country of destination and to attach them to this form.

Item (4): The insertion of a cross in this space does not relieve you of the obligation of completing the declaration in detail; nor does it necessarily imply that the goods will be admitted free of duty in the country of destination.

Item (7): See note 1 below.

Item (13): Indicate separately different kinds of goods. General terms, such as "foodstuffs", "samples", "spare parts", etc. are not permitted.

Item (14): If known, state customs tariff number in the country of destination.

Item (15): State net weight of each kind of goods.

Item (16): State the value of each kind of goods separately, indicating the monetary unit used.

[1] Insert in space (7) any other relevant information (e.g., "returned goods", "temporary admission").

(Front)

COUPON TO BE HANDED TO THE SENDER

C 3/CP 4
Part A

DETAILS OF CHARGES DUE

in the currency of the country of destination of the item

Charge for delivery free of charges[2]	
Customs duty	
Presentation to Customs charge	
Other charges	
Total	
Total after conversion	
Signature of the office which has recovered the charges	

Part to be filled in by the administration of destination

TOTAL OF CHARGES ADVANCED

Stamp of the office which has advanced the charges

Amount in figures, in the currency of the country of destination of the item

Office which has made the advance | Date

No. of register | Signature of the official

Amount in figures after conversion

No. in-register | Stamp of the office which has received the charges

Signature of the official who has converted the amount

Part A (back)

Administration of origin

[2] Also called "Commission charge"

Postal administration

C 3/CP 4

FRANKING NOTE

Part B

Nature of the item	No.	Weight[1]
Insured value	Office of posting	
Name and address of sender		
Name and full address of addressee		
The item is to be delivered free of charges and fees, which I undertake to pay Signature of sender	Stamp of the office of origin	

Part B (front)

[1] For parcels only

(Back)

C 3/CP 4
Part B

DETAILS OF CHARGES DUE

in the currency of the country of destination of the item

Part to be filled in by the administration of destination

Stamp of the office which has advanced the charges

Charge for delivery free of charges[1]		
Customs duty		
Presentation to Customs charge		
Other charges		
Total		

TOTAL OF CHARGES ADVANCED

Amount in figures, in the currency of the country of destination of the item

Office which has made the advance | Date

No. of register | Signature of the official

[1] Also called Commission charge

Part B (back)

Upper edge of the form when parts A and B are folded one upon the other

COUPON

Nature of the item | Weight

No | Insured value

Office of posting

Name and full address of addressee

The sender has paid the charges and fees indicated on the back

Stamp of the office of origin

For parcels only

Postal administration

C 3/CP 4

FRANKING NOTE

Part A

Nature of the item | No | Weight

Insured value | Office of posting

Name and full address of sender

Name and full address of addressee

The item is to be delivered free of charges and fees, which I undertake to pay

Signature of sender

To be returned to the office of

Stamp of the office of origin

Part A (front)

Convention, Lausanne 1974, Art. 117, § 2; Parcels, Lausanne 1974, Art. 110, § 3 (b)—Size: 148 x 105 mm, colour: yellow

(Front)

ADVICE C 5

Postal administration of origin

On postal service

☐ of delivery

☐ of payment

Stamp of the office returning the advice

To be returned by the quickest route (air or surface mail), à découvert and post free.
A blue AIR MAIL label or imprint is to be affixed to advices returned by air.

To be filled in by the sender who will give his address for return of the present advice

Name

Street and No.

Locality

Country

Convention, Lausanne 1974, Art. 131, § 2–Size: 148 x 105 mm, colour: light red

(Back)

To be filled in by the office of origin

Registered item

☐ Letter ☐ Printed paper ☐

Insured item — Insured value

☐ Letter ☐ Parcel

Amount

☐ Postal money order ☐ Inpayment money order

Office of posting — Date of posting — No.

Name of addressee or title of giro account

Street and No. — Locality and country

To be completed at the place of destination

This advice must be signed by the addressee or by a person authorized to do so under the regulations of the country of destination, or, if these regulations permit, by the official of the office of destination, and returned by the first mail direct to the sender.

Stamp of the office of destination

The item mentioned above has been duly

☐ delivered ☐ paid

☐ credited Giro account

Date — Signature of the addressee — Signature of the official

TIAS 8231

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(Front)

C 6

Postal administration of o igin

ON POSTAL SERVICE

COLLECTIVE ENVELOPE

Redirection of letter-post items

Date stamp

Notes

This envelope may be opened by the office of delive y
It must not contain any item to be submitted to customs cont ol o which is likely to cause tea s
If the e are cha ges to be collected, ma k with a T' stamp in the middle of the upper p t of the collective nvelope.
If the items are fo sailo s or passengers aboa d the same ship or pe sons travelling as a party, the collective envelope shall bea the name of the ship o the agen y to which the items a e to be deli e ed

Full address of addressee

Name of addressee

Care of (where appropriate)

Street and No

Locality or office of destination

Country of destination

Convention Lausanne 1974 Art 138 § 1–Size: 176 x 250 mm

C 6 (Back)
To be presented open at the reforwarding post office

REQUEST C 7 (Page 1)

Postal administration of origin

Office or Service of origin

☐ for withdrawal from the post (I)

☐ for alteration of address (II)

☐ for cancellation or alteration of the COD amount (III)

Office of destination or service designated as intermediary

☐ Request by surface mail (page 1)

☐ Request by airmail (page 1)

☐ Request by telegraph (page 2)

To be sent as a registered item. One form is sufficient for several items posted at the same time at the same office by the same sender for the same addressee.

Request by post

Description of item

Nature of item | No. of item | Date of dispatch

Office of origin | No. of mail

Original COD amount in figures (where applicable)

Full name and address of the sender

Full address of the addressee as given on the item

The attached facsimile represents

☐ the envelope of the item ☐ the address of the item

I. Request for withdrawal from the post

Please return the item

☐ by surface ☐ by air

II. Request for alteration of the address

Please redirect the item

☐ by surface ☐ by air

New address

III. Request for cancellation or alteration of the COD amount

☐ Please cancel the COD amount

☐ Please alter the COD amount

New COD amount, to be written in words

☐ The corrected COD money order is attached

Place and date

Signature of sender

Stamp of the office or service where the request is handed in
Signature of the official in charge

Convention, Lausanne 1974, Art. 140, § 1—Size 210 x 297 mm

C 7 (Page 2)

Request by telegraph

I. Request for withdrawal from the post

☐ Postbur ☐ Postex ☐ Postgen

Office or service of destination of the request

Return by ☐ surface ☐ air

Nature of item | Posting No.

| Office of posting | Date of posting

from

| Full address of addressee

to

| Particulars of the sender (if any), form and colour of the item, etc.

Description

☐ Postbur ☐ Postex ☐ Postgen

II. Request for alteration of address

☐ Postbur ☐ Postex ☐ Postgen

Office or service of destination of the request

| Old particulars

Replace

| New particulars

by

| Nature of item | Posting No.

on

| Office of posting | Date of posting

from

| Full address of addressee

to

| Particulars of the sender (if any), form and colour of the item, etc.

Description

redirection requested by ☐ surface ☐ air

☐ Postbur ☐ Postex ☐ Postgen

III. Request for cancellation or alteration of the COO amount

☐ Postbur ☐ Postex ☐ Postgen

Office or service of destination of the request

| New amount in words (if applicable)

☐ Cancel ☐ Alter to

| Nature of item | Posting No.

the COO charge on

| Office of posting | Date of posting

from

| Full address of addressee

to

☐ Postbur ☐ Postex ☐ Postgen

Place and date

Signature of sender

Stamp of the office where the request is handed in
Signature of official in charge

C 7 (Page 3)

Part to be filled in by the office or service where the request originates	
Office or service where request is handed in	This page should be returned to the address opposite

Description of item	Nature of item	No. of item	Date of dispatch
	Office of origin		No. of mail
	Original COD amount in figures (where applicable)		
	Name and full address of the sender		
	Full address of the addressee as given on the item		

REPLY OF THE OFFICE OF DESTINATION, which shall detach and return this whole page to the office where the request was handed in or to the specially designated service

I. Request for withdrawal from the post	The item in question was duly returned to origin by	☐ surface	☐ air
	No. of mail	Date of mail	
II. Request for alteration of address	The item in question was duly returned to the under-mentioned address by	☐ surface	☐ air
	No. of mail	Date of mail	
	New address of the redirected item		
III. Request for cancellation or alteration of the COD amount	The COD amount in question was duly		
	☐ cancelled	☐ altered to the amount stated below	
	New COD amount		
IV. Miscellaneous	☐ The item in question has already been delivered to the addressee		
	☐ The item in question has been seized by virtue of the internal legislation of this country		
	☐ The request by telegraph not being explicit enough to enable the necessary action to be taken, please send additional details		
	☐ The search was fruitless		

Stamp of the office or service of destination
Signature of the official in charge

Postal administration of origin

C 8 (Front)

INQUIRY
Unregistered item

Notes. One form is sufficient for several items posted at the same time by the same sender to the same addressee.			Stamp of the office of origin
Office or service of origin	Date	Reference	

1. Particulars to be supplied by the applicant (sender or addressee)

Item under inquiry	☐ Letter ☐ Postcard ☐ Newspaper ☐ Printed paper ☐ Small packet ☐
Special indications	☐ Express ☐ Airmail
Posted	Exact or approximate date
Sender	Name and full address ....
Addressee	Name and full address .... Name and address on the item ....
Contents (precise description)	....
Description of external wrapping	The address was ☐ written on the item ☐ gummed ☐ tied on Size of the item Special marks Facsimile ☐ attached ☐ not attached
The item, if found, should be sent	☐ to the sender ☐ to the addressee

Convention, Lausanne 1974, Art. 142, § 1—Size: 210 x 297 mm

C 8 (Back)

2. Particulars to be supplied by the sender

Posted	Date and time Name of post office or location of letter-box ☐ By the sender himself ☐ By a third party Name of third party
Postage prepaid	☐ For air transmission ☐ For surface transmission Amount of postage prepaid
Special indications	☐ Express ☐ Airmail Any other indications

3. Detailed information from the office of origin

4. Particulars to be supplied by the addressee

Has the item reached the addressee?	☐ Yes	Date
	☐ No	
How correspondence is normally delivered	☐ Called for at the post office	Name of post office Name of person to whom items are handed over
	☐ Delivered to the place of address	☐ Handed directly to the addressee ☐ Handed to a person in the addressee's service ☐ Put in a special box ☐ The box is locked and regularly cleared
Origin of any correspondence previously lost		

5. Detailed information from the office of destination

This form must be returned to

C 9 (Page 1)

Postal administration of origin

INQUIRY
Registered item, insured letter or postal parcel

Stamp of the office of origin

Notes. One form is sufficient for several items of the same category—registered item, insured letter, unregistered parcel, insured parcel—posted at the same time at the same office by the same sender and sent by the same route to the same address.

Office or service of origin

Date of inquiry

Date of duplicate | Reference

1. Particulars to be supplied by the service of origin

Reason for inquiry

Item ☐ not received ☐ stolen ☐ damaged ☐ delayed

Registered item

☐ Letter ☐ Printed paper ☐

Insured item | Insured value

☐ Letter ☐ Parcel

☐ Unregistered parcel

Special particulars

☐ Airmail ☐ Express ☐ Urgent ☐ Advice of delivery

| COD amount and currency

☐ COD

Weight (does not concern letter-post items)

Date of posting | Office of posting | No. of item

Routeing (does not concern letter-post items)

Name and full address of sender

Name and full address of addressee

Contents (precise description)

Description of external wrapping (does not concern letter-post items)

Facsimile of the address on the item

☐ Attached ☐ Not attached

Particulars to be supplied by the office of origin and forwarding offices

Mail in which the item was sent		Date	From	For
☐ Air	☐ Surface			
☐ Air	☐ Surface			
☐ Air	☐ Surface			

Convention, Lausanne 1974, Art. 143, § 1–Size: 210×297 mm

C 9 (Page 2)

Particulars to be supplied by the office of exchange of the country of origin

Mail in which the item was sent

☐ Air ☐ Surface No. Date

Dispatching office of exchange

Office of exchange of destination

Particulars of entry	No.	No. of entry	Office stamp
☐ Bulk advice			
☐ Table VI of the letter bill (C 12)			
☐ Special list (C 13)			
☐ Dispatch list (VD 3)			
☐ Parcel bill (CP 11 or CP 20)			

2. Particulars to be supplied by the intermediate services or by the service of destination in the case of return or redirection (See page 3, table 3 B)

Mail in which the item was sent

☐ Air ☐ Surface No. Date

Dispatching office of exchange

Office of exchange of destination

Particulars of entry	No.	No. of entry	Office stamp
☐ Bulk advice			
☐ Table VI of the letter bill (C 12)			
☐ Special list (C 13)			
☐ Dispatch list (VD 3)			
☐ Parcel bill (CP 11 or CP20)			

Signature

Mail in which the item was sent

☐ Air ☐ Surface No. Date

Dispatching office of exchange

Office of exchange of destination

Particulars of entry	No.	No. of entry	Office stamp
☐ Bulk advice			
☐ Table VI of the letter bill (C 12)			
☐ Special list (C 13)			
☐ Dispatch list (VD 3)			
☐ Parcel bill (CP 11 or CP 20)			

Signature

C 9 (Page 3)

3. Particulars to be supplied by the service of destination

A. In case of delivery

The item in question was duly delivered to the entitled person | Date of delivery

In case of delayed delivery, indicate briefly the reason for delay in table 4 under "Any other comments".

The COD amount has been

☐ forwarded to the sender of the item | Date | No. of money order

☐ forwarded to the giro centre | Date | No. of money order

Name of giro centre .....

☐ credited giro account

Stamp and signature of official in charge of the delivery office

B. In case of non-delivery, give the reason if it is a question of retention or return to origin

Treatment of the item

☐ It is at | Name of office .....

☐ It has been returned to the office of origin[1] | Date .....

Reasons .....

☐ It has been redirected[1] | New address in full ..... | Date .....

☐ It has not been received at the office of destination. The addressee's declaration is attached.

Stamp and signature of official in charge of the delivery office

4. Final reply

(to be given by the administration of destination, or, if appropriate, by the intermediate administration which cannot establish the regular transmission of the item under inquiry to the next administration)

The investigations made in our service have been unsuccessful. If the item under inquiry has not been received back by the sender, we authorize you to compensate the applicant within the prescribed limits.

☐ The full amount paid may be debited against our service in a CP 16 summarized account | Reference

☐ Because of the use of bulk advice, it is impossible to establish where the loss occurred. One half of the amount paid may be debited against our service in a CP 16 summarized account | Reference

Any other comments .....

Stamp, date and signature

This form must be returned to

[1]See table 2 for routeing.

Postal administration of origin

C 9 bis

Office or service sending the advice

ADVICE
Redirection of a C 9 form

Administration of origin of the inquiry	Date of advice
	Our reference
	Your date / Your reference

Item concerned

Nature of item	☐ Registered item ☐ Insured letter ☐ Unregistered parcel ☐ Insured parcel
Posting	Date / Office / Number
Special particulars	Insured value COD amount
Sender	.....
Addressee	.....

C 9 form redirected today to	Name of office

Information on the redirection of the item concerned

Mail	From	To	
	No. of the mail	Date	
Entry	☐ Bulk advice		
		No.	No. of entry
	☐ Letter bill		
		No.	No. of entry
	☐ Special list		
		No.	No. of entry
	☐ Dispatch list		
		No.	No. of entry
	☐ Parcel bill		

Other information

The office of exchange of destination received the item without comment.

If the inquiry is not answered in a reasonable time, a duplicate should be sent to the service to which we redirected the inquiry, giving the above information. The matter may be regarded as closed as far as our service is concerned.

Signature

Convention, Lausanne 1974, Art. 143, § 10–Size: 210 x 297 mm

Postal administration of origin

C 10

ADVICE
Presumed fraudulent use of postage stamps or franking impressions

Office dispatching the advice	Date of advice

Notes. Advice of dispatch, by registered post, of the letter-post item described hereafter which apparently bears a postage stamp or impression of the nature indicated below.
A copy of the C 10 form is being sent to the administrations of origin and destination, as well as the office of destination.

Nature of presumed fraud

- [ ] Counterfeit postage stamp
- [ ] Already used postage stamp
- [ ] Counterfeit franking machine impression
- [ ] Already used franking machine impression
- [ ] Counterfeit printing press impression
- [ ] Already used printing press impression

Nature of item

Office of origin	Date of posting

Copy of the address

Presumed irregularity

Observations, if any

Stamp, date and signature

Convention, Lausanne 1974, Art. 179, § 1, (a)—Size: 210 x 297 mm

Postal administration of origin

C 11

Office preparing the report

REPORT
Presumed fraudulent use of postage stamps or franking impressions

To the administration of	Notes. To be sent by registered post to the administration of origin of the item
	Date of report

Nature of item	Office of origin	
Date of dispatch	Weight of item	Postage prepaid
Name and address of addressee		

Nature of presumed fraud

- [ ] Counterfeit postage stamp
- [ ] Already used postage stamp
- [ ] Counterfeit franking machine impression
- [ ] Already used franking machine impression
- [ ] Counterfeit printing press impression
- [ ] Already used printing press impression

The addressee declares

- [ ] that the sender is unknown to him
- [ ] that he refuses to divulge the name of the sender
- [ ] that the item was sent by the following person

Name and address of sender

Consequently,

- [ ] We have delivered the item to the addressee
- [ ] We have seized in order to send it to the administation of origin
  - [ ] the item
  - [ ] that part of the item containing the address and the suspect imprint or stamp

Observations, if any

In witness whereof, we have, in single copy, drawn up this report in order that effect may be given to Article 13 of the Convention and to Article 179 of its Detailed Regulations.

Signature of addressee or his attorney	Stamp of the office preparing the report and date Position and signature of the official

Convention, Lausanne 1974, Art. 179, § 1 (b)—Size: 210 x 297 mm

Dispatching administration

LETTER BILL
Exchange of mails

C 12 (Front)

Dispatching office of exchange	Date of dispatch	Time	Mail No.

Office of exchange of destination	Name of ship
	Flight No.
	Via

I. The mail contains

unregistered items ☐ express ☐ air

II. Number of bags

	Number
Bags with red labels	
Bags with white and blue labels	
Sacks of empty bags (SV)	
Total number of bags	

III. Summary of registered and insured items

	Registered	Insured
Number of bags containing items		
Number of packets containing items		
Number of special lists (registered) or dispatch lists (insured)		
Total number of items		

Number of AV 2 bills

IV. Closed mails included in this mail

No. of the mail	Office of origin	Office of destination	No. of bags or packets

Stamp of the dispatching office of exchange.
Signature of the official

V. Official notes

	Number
Dispatching administration bags	
Bags returned empty belonging to the administration of destination	

Other information

VI. List of registered items

Bulk advice

Number of items inserted in this bag

In letters

In figures

Individual advice

Number serial	Number of the item	Office of origin	Observations
1			
2			
3			
4			
5			
6			
7			
8			
9			

Continue overleaf if necessary

Stamp of the office of exchange of destination.
Signature of the official

Convention, Lausanne 1974, Art. 150, § 1—Size: 210 x 297 mm

C 12 (Back)

VI. List of registered items (conclusion)

Number		Office of origin	Observations	Number		Office of origin	Observations
serial	of the item			serial	of the item		
10				40			
11				41			
12				42			
13				43			
14				44			
15				45			
16				46			
17				47			
18				48			
19				49			
20				50			
21				51			
22				52			
23				53			
24				54			
25				55			
26				56			
27				57			
28				58			
29				59			
30				60			
31				61			
32				62			
33				63			
34				64			
35				65			
36				66			
37				67			
38				68			
39				69			

C 13

Dispatching administration

SPECIAL LIST
Registered items

Dispatching office of exchange	Date of dispatch / Time	Mail No.
	Special list No.	
Office of exchange of destination	Name of ship	
	Flight No.	
	Via	

Bulk advice

Number (in letters)

Number (in figures)

Individual advice

Number: serial	Number: of the item	Office of origin	Observations
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			
27			
28			
29			
30			
31			
32			
33			
34			
35			
36			
37			
38			
39			
40			

Stamp of the dispatching office of exchange
Signature of the official

Stamp of the office of exchange of destination
Signature of the official

Convention, Lausanne 1974, Art. 151, § 1—Size: 210 x 297 mm

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Postal administration of origin

VERIFICATION NOTE
Exchange of mails

C 14 (Front)

Office of origin of note	Date of note	No.	Mail No.
	Date of dispatch	time	
Office of destination of note	Name of ship		
	Train No., Flight No., etc.		
	Dispatching office of exchange		
	Office of exchange of destination		

1. Irregularities concerning bags or covers

Mail No.	Office of origin	Office of destination	Number of receptacles concerned: Bags		Covers			
			Red	White	Blue	LC	AO	CP

The bags and covers described above

- ☐ did not arrive here
- ☐ arrived in excess
- ☐ were they received by your office?
- ☐ arrived in bad condition
- ☐ have been repaired here
- ☐ arrived here unlabelled

2. Irregularities concerning documents

Missing documents (please send a copy)

- ☐ AV 7 delivery bill
- ☐ AV 2 weight bill
- ☐ Letter bill
- ☐ Special list

No.

Number of registered items received

	LC	AO	CP	The total weight was checked here
☐ The AV 7 delivery bill has been corrected as follows according to the weights given on the labels				
☐ In view of an error in calculation the totals on the AV 7 delivery bill have been corrected as follows				

Irregularities concerning the tables of the letter bill	Entered	Received	Observations
☐ II Number of bags			
☐ III Total registered items			
☐ Special lists			
☐ Dispatch lists			
☐ Total insured items			
☐ V Bags returned, etc. Number			

To be sent by registered post

Convention, Lausanne 1974, Art. 158, § 2–Size: 210 x 297 mm

C 14 (Back)

3. Other irregularities

Stamp of the office preparing the note and date Signatures of officials	Seen and accepted Stamp of the office of destination of the note and date Signature of the official in charge

Dispatching administration

SPECIAL LETTER BILL
Statistical information

C 15 (Front)

Dispatching office of exchange	Date of dispatch	Time	Mail No.

Office of exchange of destination	Name of ship
	Via

Number of bags subject to transit charges and/or terminal dues			Number of bags exempted from transit charges and terminal dues
not exceeding 5 kg (light bags)	over 5 kg and up to 15 kg (medium bags)	over 15 kg and up to 30 kg (heavy bags)	

I. The mail contains

unregistered items ☐ express ☐ air

II. Number of bags

	Number
Bags with red labels	
Bags with white and blue labels	
Sacks of empty bags (SV)	
Total number of bags	

III. Summary of registered and insured items

	Registered	Insured
Number of bags containing items		
Number of packets containing items		
Number of special lists (registered) or dispatch lists (insured)		
Total number of items included in the mail		

Number of AV 2 bills

IV. Closed mails included in this mail

No. of the mail	Office of origin	Office of destination	No. of bags or packets

V. Official notes

	Number
Dispatching administration's bags	
Bags returned empty belonging to the administration of destination	

Other information

VI. List of registered items

Bulk advice

Number of items inserted in this bag

Number (in letters)

Number (in figures)

Individual advice

Number			
serial	of the item	Office of origin	Observations
1			
2			
3			
4			
5			
6			
7			

Continue overleaf if necessary

Stamp of the dispatching office of exchange
Signature of the official

Stamp of the office of exchange of destination
Signature of the official

Convention, Lausanne 1974, Art. 166, § 1—Size: 210 x 297 mm

C 15 (Back)

VI. List of registered items (conclusion)

Number		Office of origin	Observations	Number		Office of origin	Observations
serial	of the item			serial	of the item		
8				38			
9				39			
10				40			
11				41			
12				42			
13				43			
14				44			
15				45			
16				46			
17				47			
18				48			
19				49			
20				50			
21				51			
22				52			
23				53			
24				54			
25				55			
26				56			
27				57			
28				58			
29				59			
30				60			
31				61			
32				62			
33				63			
34				64			
35				65			
36				66			
37				67			

Postal administration of origin

VERIFICATION NOTE
Statistical information

C 16

Office of origin of note	Date of note	No.	Mail No.
Office of destination of note	Date of dispatch		time
	Dispatching office of exchange		
	Office of exchange of destination		

Closed mails subject to transit charges and/or terminal dues

	Number of bags	
	according to the declaration of the dispatching office	according to the verification of the office of destination
Light bags (up to 5 kg)		
Medium bags (over 5 and up to 15 kg)		
Heavy bags (over 15 and up to 30 kg)		
Bags exempted from transit charges and terminal dues		

Observations

This form must be returned by registered post to

Stamp of the office preparing the note and date Signatures of the officials	Seen and accepted Stamp of the office of destination of the note and date Signature of the official in charge

Convention, Lausanne 1974, Art. 166, § 3—Size: 210 x 297 mm

Administration of destination of the mails

STATISTICAL STATEMENT
Mails in transit

C 17

Office of exchange of destination of the mails	Date of statement Number of days of statistical period
Dispatching office of exchange of the mails	Dispatching administration of the mails

Notes. Give, as fully as possible, details of the route followed and the services used for the dispatch of the mails

Intermediate administrations

Dispatched by ships

Number of the mail	Date	First mail			Second mail			Third mail		
		Time of dispatch			Time of dispatch			Time of dispatch		
		Number of bags			Number of bags			Number of bags		
		Light (up to 5 kg)	Medium (over 5 and up to 15 kg)	Heavy (over 15 and up to 30 kg)	Light (up to 5 kg)	Medium (over 5 and up to 15 kg)	Heavy (over 15 and up to 30 kg)	Light (up to 5 kg)	Medium (over 5 and up to 15 kg)	Heavy (over 15 and up to 30 kg)
1	2	3	4	5	6	7	8	9	10	11
Totals										

Signature of the official in charge of the office of exchange of destination	Seen and accepted Place and date. Signature of the official in charge of the dispatching office of exchange

Convention, Lausanne 1974, Art. 167, § 1 (a)—Size: 210 x 297 mm

Administration of destination of the mails

STATISTICAL STATEMENT
Mails received

C 17bis

Office of exchange of destination of the mails	Date of statement Number of days of statistical period
Dispatching office of exchange of the mails	Dispatching administration of the mails

Number of the mail	Date	First mail			Second mail			Third mail		
		Time of dispatch			Time of dispatch			Time of dispatch		
		Number of bags			Number of bags			Number of bags		
		Light (up to 5 kg)	Medium (over 5 and up to 15 kg)	Heavy (over 15 and up to 30 kg)	Light (up to 5 kg)	Medium (over 5 and up to 15 kg)	Heavy (over 15 and up to 30 kg)	Light (up to 5 kg)	Medium (over 5 and up to 15 kg)	Heavy (over 15 and up to 30 kg)
1	2	3	4	5	6	7	8	9	10	11
Totals										

Signature of the official in charge of the office of exchange of destination Colour: yellow	Seen and accepted Place and date. Signature of the official in charge of the dispatching office of exchange

Convention, Lausanne 1974, Art. 167, § 1 (b)—Size: 210 x 297 mm, colour: yellow

Postal administration of origin

BILL
Delivery of mails

C 18

Office of origin	Date of transfer
To be filled in if the mail is transferred to an office or a train	To be filled in if the mail is transferred to a sea service
Name of office or train No.	Shipping company
	Name of ship / Port of disembarkation / Date of sailing

Number or date of the mail	Origin of mails	Destination of mails	Number of: Red label bags	Bags of unregistered correspondence	bags of insured parcels	bags of unregistered parcels	parcels not in bags	Sacks of empty bags	Observations of, if containers are used indication of No. of container / No. of seal
1	2	3	4	5	6	7	8	9	10
Totals									

Stamp of the dispatching office of the mail, date and signature	The undersigned acknowledges receipt in good condition of the mails mentioned above Date and signature

Convention, Lausanne 1974, Art. 157, § 1—Size: 210 x 297 mm

Postal administration of origin

BILL
Delivery of air-lifted surface mails

C 18bis

Office of origin	Date of departure	Time
	Flight No.	
	Airport of offloading	

Date or No. of mail	Origin of mails	Destination of mails	Number of: Red label bags	Bags of unregistered correspondence	bags of insured parcels	bags of unregistered parcels	parcels not in bags	Sacks of empty bags	Gross weight of bags, etc.		Observations or, if containers are used indication of No. of container	No. of seal
1	2	3	4	5	6	7	8	9	10		11	
									kg	g		
Totals												

Stamp of dispatching office Signature of official	The official of the airport or airline	Stamp of office of destination Signature of official

Convention, Lausanne 1974, Art. 157, § 6—Size: 210 x 297 mm

Dispatching administration

C 19 (Front)

Dispatching office

TRANSIT BULLETIN
Mail statistics

Date of dispatch

Office of destination	Mail No.	Stamp of dispatching office
Administration of destination	Number of bags[1]	

This form is to be forwarded, annexed to the C 18 bill of the mail to which this bulletin refers, and is to be filled up before being sent on. Enter the note "C 19" in the "Observations" column of the C 18 bulletin.

N.B. Each administration may use only one horizontal line of the form for particulars concerning land transit and only one line for sea transit, if any.

The information concerning the transit must be entered successively by the inward and outward offices of exchange of each intermediate administration, to the exclusion of every other office, beginning with the first inward office of exchange. The last intermediate office of exchange must send the form direct to the office of destination; there the exact date of arrival of the dispatch is shown, the bulletin attached to the relevant C 17 statement and the whole returned to the dispatching office.

Transit	Date stamp of the inward office of exchange	Date stamp of the outward office of exchange	Services used (In the case of land transit, indicate T.t., and the route followed, and in the case of sea transit, indicate T.m., the route followed, the name of the ship and that of the shipping line)	Countries to which the transit charges must be paid
1	2	3	4	5
1st transit				
2nd transit				
3rd transit				

Continue overleaf if necessary

[1] Not counting bags of empty receptacles and other "Exempt" bags

Convention, Lausanne 1974, Art. 169, § 1—Size: 210 x 297 mm, colour: green

C 19 (Back)

Transit	Date stamp of the inward office of exchange	Date stamp of the outward office of exchange	Services used (In the case of land transit, indicate T.t., and the route followed, and in the case of sea transit, indicate T.m., the route followed, the name of the ship and that of the shipping line)	Country to which the transit charges must be paid
1	2	3	4	5
4th transit				
5th transit				
6th transit				
7th transit				
8th transit				

Stamp of the office of destination

Creditor administration

C 20

DETAILED ACCOUNT
Transit charges

Debtor administration	Date of account
	Transit services
	Year

Office of origin	Office of destination	Mails dispatched during the statistical period								Observations
		Number of bags of the average weight of			Total weights	Transit charge per gross kg		Credit		
		3 kg	12 kg	26 kg						
1	2	3	4	5	6	7		8		9
					kg	fr	c	fr	c	
Total										
Multiplied by 26 (or 13)										
Total to be carried forward to the C 21 statement										

Creditor administration Place, date and signature of official	Seen and accepted by the debtor administration. Place, date and signature

Convention, Lausanne 1974, Art. 172, § 7 (a)—Size: 210 x 297 mm

Creditor administration

DETAILED
Terminal dues

C20 bis (Front)

Debtor administration	Date of account
	Year

I SURFACE MAILS

Dispatching office	Office of destination	Mails received during the statistical period				Observations
		Number of bags of the average weight of			Total weights kg	
		3 kg	12 kg	26 kg		
1	2	3	4	5	6	7
				Total		

Dispatching office	Office of destination	Mails dispatched during the statistical period			
		Number of bags of the average weight of			Total weights kg
		3 kg	12 kg	26 kg	
1	2	3	4	5	6
				Total	

Difference of weight between surface mails received and dispatched	
	kg
Total weights of surface mails received	kg
Total weights of surface mails dispatched	kg
Difference	kg
Multiplied by 26 (or 13)	

Convention, Lausanne 1974, Art. 172, § 7 (b)—Size: 210 x 297 mm, colour: yellow

C20bis (Back)

II AIR MAILS

Dispatching office	Office of destination	Actual total weights of air mails received during the year		Observations
1	2	3		4
		kg	g	
	Total		—	

Dispatching office	Office of destination	Actual total weights of air mails dispatched during the year	
1	2	3	
		kg	g
	Total		—

Difference of weight between air mails received and dispatched	
Total weights of air mails received	kg
Total weights of air mails dispatched	kg
Difference	kg

III TOTAL TO BE CARRIED FORWARD TO THE C21bis STATEMENT

Total difference of weights of surface mails	kg	Terminal dues per gross kg		Credit		
Total difference of weights of air mails	kg					
Total difference of air mails and surface mails	kg	fr	c	fr	c	
		1	50			

Creditor administration Place, date and signature of official	Seen and accepted by the debtor administration Place, date and signature of official

Postal administration

C 21

STATEMENT
Transit charges

Date of statement

Notes. Statement showing the total amounts of the reciprocal detailed accounts between administrations

Sums due for the year	Carried forward from the C 20 detailed accounts			
	Administration preparing the statement		Corresponding administration	
Year of basic statistics				
	fr	c	fr	c
Name of administration				
Amount of provisional payment made by				
Totals				
Deduction				
Name of administration				
Balance to the credit of		—		—

Observations, if any

The administration preparing the statement
Signature of official

Convention, Lausanne 1974, Art. 173, § 2—Size: 210 x 297 mm

Postal administration

C 21bis

STATEMENT
Terminal dues
Date of statement

Notes. Statement showing the balance of the C 20 bis is detailed account

Sums due for the year Year of surface mail basic statistics	Carried forward from the C 20 bis detailed account			
	Administration preparing the statement		Corresponding administration	
	fr	c	fr	c
Name of administration Amount of provisional payment made by		—		—
Name of administration Balance to the credit of		—		—

Observations, if any

The administration preparing the statement
Signature of official

Convention, Lausanne 1974, Art. 173, § 2–Size: 210 x 297 mm, colour: yellow

TIAS 8231

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C 22

UNIVERSAL POSTAL UNION **INTERNATIONAL REPLY COUPON**

This coupon is exchangeable in any country of the Universal Postal Union for one or more postage stamps representing the minimum postage for an unregistered letter sent by surface to a foreign country.[1]

Control stamp of the country of origin (date optional)	Selling price (optional)	Stamp of the office making the exchange

Convention, Lausanne 1974, Art. 180, § 1—Size: 105 x 74 mm

[1]This explanation is repeated on the back of this coupon in German, English, Arabic, Chinese, Spanish and Russian.

Postal administration

DETAILED STATEMENT
Reply coupons exchanged

C 23

Administration which exchanged the reply coupons	Date of statement
	Notes. Consignments of reply coupons must not contain fractions of a hundred.

Reply coupons at 1 franc exchanged for postage stamps and sent to the International Bureau	Number	Amount
		fr

The administration preparing the statement Place, date and signature	Seen and accepted by the International Bureau of the UPU Place, date and signature Berne,

Convention, Lausanne 1974, Art. 180, § 4—Size: 210 x 148 mm, colour: white

UNIVERSAL POSTAL UNION
International Bureau

DETAILED STATEMENT
Reply coupons supplied

C 24

Administration which exchanged the reply coupons	Date of statement
	Notes. Consignments of reply coupons must not contain fractions of a hundred.

Reply coupons at 1 gold franc supplied by the International Bureau	Number	Amount
		fr

The International Bureau of the UPU Place, date and signature	Seen and accepted by the debtor administration Place, date and signature
Berne,	

Convention, Lausanne 1974, Art. 180, § 1—Size: 210 x 148 mm, colour: pink

Front

Postal administration of

C 25

POSTAL IDENTITY CARD

Photograph

Postage stamp
(Partly on the photo)

UNIVERSAL POSTAL UNION

No.	Valid until
Surname	
Forename(s)	
Occupation	
Nationality	
Address	
Holder's signature	

Convention, Lausanne 1974, Art. 106, § 2—Size: 105 x 74 mm

(Back)

Description

Date and place of birth		
Height	Hair	Eyes
Complexion	Special marks	

Issuing office	Official's signature

1. This card, issued exclusively by the postal service, is recognized as proof of identity for post office business.
2. Postal administrations are not liable for the consequences of the loss, theft, or fraudulent use of this card.

Creditor administration

C 26

DETAILED MONTHLY ACCOUNT
Customs, etc., charges

Debtor administration	Date of account Month / Year

Serial No.	Date of the advance	Number of the franking note	Office which made the advance	Amount of each franking note		Observations
1	2	3	4	5		6
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19						
20						
Total						

The creditor administration
Place, date and signature

Convention, Lausanne 1974, Art. 181, § 1—Size: 210 x 297 mm

Dispatching administration

C 27

TRIAL NOTE

Determination of the most favourable route for a letter or parcel mail

Administration of destination	Date of note

Notes. To be returned duly completed by the fastest route.

To be filled in by the dispatching office

Mail	☐ Surface letter mail	☐ Air letter mail
	☐ Surface parcel mail	☐ Air parcel mail
	Number	Dispatching office
	Date of dispatch	Office of destination
Method of conveyance	☐ By flight	Number
	☐ By ship	Name of ship
	☐ By	
Signature		

To be filled in by the office of destination

Arrival	Office which received the mail	
	Date of arrival	time
Method of arrival	☐ By flight	Number
	☐ By ship	Name of ship
	☐ By	
Delivery (concerns only letter mails)	Correspondence addressed to persons living in the delivery area of the office has been delivered	
	Date	
	Time delivery began	
Signature		

To be returned to	Name of office

Convention, Lausanne 1974, Art. 156, § 3—Size: 210 x 297 mm

Convention, Lausanne 1974, Art. 155, § 1 — Size: 125 x 60 mm, colour vermilion red, white, light blue or green respectively.

NOTE.—Bearing in mind the needs of their service, administrations may make slight changes in the text and dimensions of the form, so long as they do not depart unduly from the directives which the specimen contains.

Dispatching administration	ROUTINE CORRESPONDENCE C 29	
	Date	Number
	Reply to No.	Date
Administration of destination	A letter written on this form does not require any preamble or salutations. The address of the addressee is necessary only if an envelope with a transparent panel is used.	
Subject		

Convention, Lausanne 1974, Art. 177–Size: 210 x 297 mm

C 30

LC

Dispatching administration
Portugal

Dispatching office
Lisboa

Dispatching official

Office of destination

ANKARA

In case of error, this label must be attached to the verification note

Convention, Lausanne 1974, Art. 149, § 1—Size: 105 x 74 mm, colour: white

C 30

AO

Dispatching administration
Portugal

Dispatching office
Lisboa

Dispatching official

Office of destination

ANKARA

In case of error, this label must be attached to the verification note

Convention, Lausanne 1974, Art. 149, § 1—Size: 105 x 74 mm, colour: light blue

R ☐ LC ☐ AO

Number of registered items

C 30

Dispatching administration
Portugal

Dispatching office
Lisboa

Dispatching official

Office of destination

ANKARA

In case of error, this label must be attached to the verification note

Convention, Lausanne 1974, Art. 149, § 1—Size: 105 x 74 mm, colour: pink

Note: Bearing in mind the needs of their service, administrations may make slight changes in the text, dimensions and colour of this form, so long as they do not depart unduly from the directives which the specimen contains.

AV 1

GENERAL LIST OF AIR-MAIL SERVICES

AV 1 LIST

Note.—AV 1 List is drawn up and distributed to administrations by the International Bureau (Convention, Lausanne 1974, Art. 206, § 1 (a))

Convention, Lausanne 1974, Art. 206, § 1 (a)—Size: 210 x 297 mm

AV 2

Dispatching administration

BILL

Weight of à découvert airmail correspondence

Dispatching office of exchange	Date of bill / No.
	Airmail correspondence ☐ Unregistered
Office of exchange of destination	☐ Registered
Administration of destination of the mail	Mail / No. ☐ Surface ☐ Air Date of dispatch / time

Notes. The weight of each category of correspondence à découvert and, where applicable, for a specific zone, is rounded off to the nearest ten grammes, upward for fractions above 5 grammes, downward for those below
During the statistical period put a large capital letter "S" at the top of this form

Groups of countries for which the conveyance dues are the same	Net weight		Observations
	LC	AO	
1	2	3	4
	g	g	

Stamp of dispatching office of exchange	Stamp of office of exchange of destination

Convention, Lausanne 1974, Art. 196, § 1—Size: 210 x 297 mm

Administration reforwarding the mail

AV 3

Office of exchange reforwarding the mail

STATEMENT OF WEIGHTS

Air mails

Date of statement

Administration dispatching the mail	Mails forwarded from to Month or quarter / Year

Notes. To be sent in duplicate

Date of convey-ance	Serial number of the mail	Dispatching office	Office of destination	No. of the flight used	Weight of each category of item						Observations
					LC		AO		CP		
1	2	3	4	5	6		7		8		9
					kg	g	kg	g	kg	g	
Totals											

Convention, Lausanne 1974, Art. 202, § 1—Size: 210 x 297 mm

AV 4

Administration of destination

STATEMENT OF WEIGHTS

A découvert airmail correspondence

Office of exchange of destination of mails	Notes. To be sent in duplicate. Date of statement
Administration dispatching the mails	☐ Surface mails ☐ Air mails Office of exchange dispatching the mails

Month	Quarter	Statistical period	Year

Date of dispatch of the mail	No. of AV 2 Bill	Groups of countries of destination								Observations
		LC	AO	LC	AO	LC	AO	LC	AO	
1	2	3	4	5	6	7	8	9	10	11
		g	g	g	g	g	g	g	g	
Totals										
To be multiplied by 26[1]										
To be carried forward to AV 5 form.										

[1] In the case of AV 4 statements for correspondence sent during statistical periods.

Convention, Lausanne 1974, Art. 202, § 2—Size: 210 x 297 mm

Creditor administration

AV 5

DETAILED ACCOUNT

Air mail

Debtor administration	Date of account
	☐ Closed air mails
	☐ Airmail correspondence à découvert

Month	Quarter	Year

Route Country of destination or groups of countries	Categories of items	Weight carried during the month or months of						Total weight		Cost of conveyance per kg		Total conveyance dues payable	
1	2	3		4		5		6		7		8	
		kg	g	kg	g	kg	g	kg	g	fr	c	fr	c
	LC												
	AO												
	CP												
	LC												
	AO												
	CP												
	LC												
	AO												
	CP												
	LC												
	AO												
	CP												
	LC												
	AO												
	CP												
	LC												
	AO												
	CP												
Increase of 5% on the total amount due for transit à découvert													
Final total													—

Creditor administration Place, date and signature	Seen and accepted by the debtor administration Place, date and signature

Convention, Lausanne 1974, Art. 203, § 1—Size: 210 x 297 mm

Postal administration

AV 7

Dispatching office of exchange

DELIVERY BILL

Air mails

Office of exchange of destination	Date of departure	Time
	Flight No.	

Airport of direct transhipment (Art. 191, § 2)	Airport of offloading

Number of the mail	Office of origin	Office of destination	Number of				Gross weight of bags, etc.						Observations
			Bags LC	Covers LC	Bags AO	Bags of parcels	LC		AO		CP		
1	2	3	4	5	6	7	8		9		10		11
							kg	g	kg	g	kg	g	
Totals													

Stamp of dispatching office Signature of official	The official of the airport or airline	Stamp of office of destination Signature of official

Convention, Lausanne 1974, Art. 188, § 1—Size: 210 x 297 mm

Postal administration

AV 7 S

Dispatching office of exchange

DELIVERY BILL
Air mails of empty bags

Office of exchange of destination	Date of departure	Time
	Flight No.	

Airport of direct transhipment (Art. 191, § 2)	Airport of offloading

Number of the mail	Office of origin	Office of destination	Number of sacks of empty bags	Gross weight		Observations
1	2	3	4	5		6
				kg	g	
Totals						

EMPTY AIRMAIL BAGS

Stamp of dispatching office Signature of official	The official of the airport or airline	Stamp of office of destination Signature of official

Convention, Lausanne 1974, Art. 199, § 2—Size: 210 x 297 mm

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Convention, Lausanne 1974, Art. 185, § 3–Size: 125 × 60 mm, colour: vermilion red or white

Convention, Lausanne 1974, Art. 185, § 3–Size: 125 x 60 mm, colour: light blue

Convention, Lausanne 1974, Art. 185, § 3–Size: 125 x 60 mm, colour: green

Note: Bearing in mind the needs of their service, administrations may make slight changes in the text and dimensions of this form, so long as they do not depart unduly from the directives which the specimen contains.

AV 9
Administration dispatching the mail
Dispatching office
AIRMAIL DISPATCH
No.
Without documents
WEIGHT
g
LC
AO
Total
AIRMAIL DISPATCH
for
MONROVIA
(Liberia)
Flight No.
Airport of transhipment
Convention, Lausanne 1974, Art. 185, § 1–Size: 176 x 250 or 250 x 353 mm, colour: blue

AV 10

LC

By air mail

Dispatching administration

Sweden

Dispatching office

Stockholm Flyg

Dispatching official

Office of destination

MADRID AP

In case of error, this label must be attached to the verification note

Convention, Lausanne 1974, Art. 185, § 1—Size: 105 x 74 mm, colour: white

AV 10

AO

By air mail

Dispatching administration

Sweden

Dispatching office

Stockholm Flyg

Dispatching official

Office of destination

MADRID AP

In case of error, this label must be attached to the verification note

Convention, Lausanne 1974, Art. 185, § 1—Size: 105 x 74 mm, colour: light blue

Note: Bearing in mind the needs of their service, administrations may make slight changes in the text, dimensions and colour of AV 10 forms so long as they do not depart unduly from the directives which the specimen contains.

R ☐ LC ☐ AO

Number of registered items

AV 10

By air mail

Dispatching administration

Sweden

Dispatching office

Stockholm Flyg

Dispatching official

Office of destination

MADRID AP

In case of error, this label must be attached to the verification note

Convention, Lausanne 1974, Art. 185, § 1—Size: 105 x 74 mm, colour: pink

AV 10

LC Correspondence à découvert

By air mail

Dispatching administration

Sweden

Dispatching office

Stockholm Flyg

Dispatching official

Office of destination

MADRID AP

Number of group of countries of destination

In case of error, this label must be attached to the verification note

Convention, Lausanne 1974, Art. 195—Size: 105 x 74 mm, colour: white

Note: Bearing in mind the needs of their service, administrations may make slight changes in the text, dimensions and colour of AV 10 forms so long as they do not depart unduly from the directives which the specimen contains.

AV 10

AO Correspondence à découvert

By air mail

Dispatching administration

Sweden

Dispatching office

Stockholm Flyg

Dispatching official

Office of destination

MADRID AP

Number of group of countries of destination

In case of error, this label must be attached to the verification note

Convention, Lausanne 1974, Art. 195—Size: 105 x 74 mm, colour: light blue

R LC Number / AO Number

Registered items à découvert AV 10

By air mail

Dispatching administration

Sweden

Dispatching office

Stockholm Flyg

Dispatching official

Office of destination of the mail

MADRID AP

Number of group of countries of destination

In case of error, this label must be attached to the verification note

Convention, Lausanne 1974, Art. 195—Size: 105 × 74 mm, colour: pink

Note: Bearing in mind the needs of their service, administrations may make slight changes in the text, dimensions and colour of AV 10 forms so long as they do not depart unduly from the directives which the specimen contains.

Administration preparing the account

GENERAL ACCOUNT—AIR MAIL AV 11

Corresponding administration	Date of account	
	Quarter	Year
	Half-year	Year

Exchange	Period	Balance of AV 5 accounts in favour of the administration		Observations
		preparing the account	corresponding administration	
1	2	3	4	5
Received by the administration preparing the account		fr	fr	
Sent by the administration preparing the account				
Totals				
Less				
Credit balance				

Name of creditor administration

The administration preparing the AV 11 account Place, date and signature	Seen and accepted by the administration receiving the AV 11 account Place, date and signature

Convention, Lausanne 1974, Art. 203, § 4—Size: 210 x 297 mm

DEUXIÈME PROTOCOLE ADDITIONNEL
À LA CONSTITUTION DE L'UNION POSTALE UNIVERSELLE

TABLE DES MATIÈRES

Art.	
I. (art. 21 modifié)	Dépenses de l'Union. Contribution des Pays-membres
II.	Choix de la classe de contribution
III.	Adhésion au Protocole additionnel et aux autres Actes de l'Union
IV.	Mise à exécution et durée du Protocole additionnel à la Constitution de l'Union postale universelle

DEUXIÈME PROTOCOLE ADDITIONNEL A LA CONSTITUTION DE L'UNION POSTALE UNIVERSELLE[1]

Les Plénipotentiaires des Gouvernements des Pays-membres de l'Union postale universelle, réunis en Congrès à Lausanne, vu l'article 30, paragraphe 2, de la Constitution de l'Union postale universelle conclue à Vienne le 10 juillet 1964, ont adopté, sous réserve de ratification, les modifications suivantes à ladite Constitution.

Article I
(Article 21 modifié)

Dépenses de l'Union. Contributions des Pays-membres

1. Chaque Congrès arrête le montant maximal que peuvent atteindre:
a) annuellement les dépenses de l'Union;
b) les dépenses afférentes à la réunion du prochain Congrès.

2. Le montant maximal des dépenses prévu au paragraphe 1 peut être dépassé si les circonstances l'exigent, sous réserve que soient observées les dispositions y relatives du Règlement général.

3. Les dépenses de l'Union, y compris éventuellement les dépenses visées au paragraphe 2, sont supportées en commun par les Pays-membres de l'Union. A cet effet, chaque Pays-membre choisit la classe de contribution dans laquelle il entend être rangé. Les classes de contribution sont fixées dans le Règlement général.

4. En cas d'adhésion ou d'admission à l'Union en vertu de l'article 11, le Gouvernement de la Confédération suisse détermine, d'un commun accord avec le Gouvernement du pays intéressé, la classe de contribution dans laquelle celui-ci doit être rangé au point de vue de la répartition des dépenses de l'Union.

Article II

Choix de la classe de contribution

L'article I, paragraphe 3, est applicable avant la mise à exécution du présent Protocole additionnel.

Article III

Adhésion au Protocole additionnel et aux autres Actes de l'Union

1. Les Pays-membres qui n'ont pas signé le présent Protocole peuvent y adhérer en tout temps.

2. Les Pays-membres qui sont parties aux Actes renouvelés par le Congrès mais qui ne les ont pas signés sont tenus d'y adhérer dans le plus bref délai possible.

3. Les instruments d'adhésion relatifs aux cas visés aux paragraphes 1 et 2 sont adressés par la voie diplomatique au Gouvernement du pays-siège qui notifie ce dépôt aux Pays-membres.

[1] La Constitution de l'Union postale universelle a été conclue par le Congrès de Vienne 1964 et figure dans le tome III des Documents de ce Congrès. Le premier Protocole additionnel a été adopté au Congrès de Tokyo 1969.

Article IV

Mise à exécution et durée du Protocole additionnel à la Constitution de l'Union postale universelle

Le présent Protocole additionnel sera mis à exécution le 1er janvier 1976 et demeurera en vigueur pendant un temps indéterminé.

En foi de quoi, les Plénipotentiaires des Gouvernements des Pays-membres ont dressé le présent Protocole additionnel qui aura la même force et la même valeur que si ses dispositions étaient insérées dans le texte même de la Constitution et ils l'ont signé en un exemplaire qui restera déposé aux Archives du Gouvernement du pays-siège de l'Union. Une copie en sera remise a chaque Partie par le Gouvernement du pays-siège du Congrès.

Fait à Lausanne, le 5 juillet 1974.

Pour
LA RÉPUBLIQUE DE L'AFGHANISTAN:

Pour
LA RÉPUBLIQUE
DE L'AFRIQUE DU SUD:

Pour
LA RÉPUBLIQUE POPULAIRE
D'ALBANIE:

Pour
LA RÉPUBLIQUE ALGÉRIENNE
DÉMOCRATIQUE ET POPULAIRE.

Hacène
ABDESSELAM

Pour
LA RÉPUBLIQUE FÉDÉRALE
D'ALLEMAGNE.

Pour
LES ÉTATS-UNIS D'AMÉRIQUE.

Michael J. Regan

Pour
L'ENSEMBLE DES TERRITOIRES
DES ÉTATS-UNIS D'AMÉRIQUE,
Y COMPRIS LE TERRITOIRE
SOUS TUTELLE DES ÎLES DU
PACIFIQUE.

Joseph F. Jones

Michael J. Regan

Donna Harrison

Pour
LE ROYAUME DE L'ARABIE SAOUDITE.

DR. ALAWI D KAYAL

A Lisheikh

A.A.SMMAN

Pour
LA RÉPUBLIQUE ARGENTINE.

Pour
L'AUSTRALIE.

Pour
LA RÉPUBLIQUE D'AUTRICHE.

Pour
LE COMMONWEALTH DES BAHAMAS:

Pour
L'ÉTAT DE BAHRAIN:

AL. E MATTAR

Pour
LA RÉPUBLIQUE POPULAIRE
DU BANGLADESH:

K R Quadrus

Pour
BARBADE.

Frederick G Smith

Pour
LA BELGIQUE.

Pour
LE ROYAUME DE BHOUTAN:

Pour
LA RÉPUBLIQUE SOCIALISTE
SOVIÉTIQUE DE BIÉLORUSSIE.

Pour
LA RÉPUBLIQUE SOCIALISTE
DE L'UNION DE BIRMANIE.

Pour
LA RÉPUBLIQUE DE BOLIVIE.

Pour
LA RÉPUBLIQUE DU BOTSWANA.

Pour
LA RÉPUBLIQUE FÉDÉRATIVE
DU BRÉSIL.

Pour
LA RÉPUBLIQUE POPULAIRE
DE BULGARIE.

Pour
LA RÉPUBLIQUE DU BURUNDI:

Pour
LA RÉPUBLIQUE UNIE DU CAMEROUN:

Pour
LE CANADA:

Pour
LA RÉPUBLIQUE CENTRAFRICAINE.

Pour
LE CHILI:

Pour
LA RÉPUBLIQUE POPULAIRE
DE CHINE.

Pour
LA RÉPUBLIQUE DE CHYPRE.

Pour
LA RÉPUBLIQUE DE COLOMBIE.

Pour
LA RÉPUBLIQUE POPULAIRE
DU CONGO:

BBALOUNDA

Pour
LA RÉPUBLIQUE DE CORÉE.

Pour
LA RÉPUBLIQUE DE COSTA-RICA.

Pour
LA RÉPUBLIQUE DE CÔTE D'IVOIRE:

Pour
LA RÉPUBLIQUE DE CUBA.

Pour
LA RÉPUBLIQUE DU DAHOMEY

GOUNONGBE

A DOUN L

Pour
LE ROYAUME DE DANEMARK.

Pour
LA RÉPUBLIQUE DOMINICAINE.

Pour
LA RÉPUBLIQUE ARABE D'ÉGYPTE.

M. I Sabbi

A Baker

Awadalla Tawfik

Pour
LA RÉPUBLIQUE DE EL SALVADOR.

Pour
LES ÉMIRATS ARABES UNIS:

M A HASSAN

Sh. M al

Pour
LA RÉPUBLIQUE DE L'ÉQUATEUR.

Pour
L'ESPAGNE.

Pour
LE TERRITOIRE ESPAGNOL
DE L'AFRIQUE.

Pour
L'ÉTHIOPIE.

Pour
FIDJI:

Pour
LA RÉPUBLIQUE DE FINLANDE.

Pour
LA RÉPUBLIQUE FRANÇAISE.

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Pour
L'ENSEMBLE DES TERRITOIRES
REPRÉSENTÉS PAR L'OFFICE FRANÇAIS
DES POSTES ET TÉLÉCOMMUNICATIONS
D'OUTRE-MER.

Pour
LA RÉPUBLIQUE GABONAISE.

Pour
LE GHANA.

Pour
LE ROYAUME-UNI
DE GRANDE-BRETAGNE
ET D'IRLANDE DU NORD,
ÎLES DE LA MANCHE
ET ÎLE DE MAN:

Pour
LES TERRITOIRES D'OUTRE-MER
DONT LES RELATIONS
INTERNATIONALES
SONT ASSURÉES
PAR LE GOUVERNEMENT
DU ROYAUME-UNI
DE GRANDE-BRETAGNE
ET D'IRLANDE DU NORD:

Pour
LA GRÈCE.

Pour
LA RÉPUBLIQUE DU GUATÉMALA.

Pour
LA RÉPUBLIQUE DE GUINÉE.

Pour
LA RÉPUBLIQUE DE GUINÉE-BISSAU:

Pour
LA RÉPUBLIQUE
DE GUINÉE ÉQUATORIALE.

Pour
LA GUYANE.

Pour
LA RÉPUBLIQUE D'HAÏTI:

Pour
LA RÉPUBLIQUE DE HAUTE-VOLTA.

Pour
LA RÉPUBLIQUE DU HONDURAS:

Pour
LA RÉPUBLIQUE POPULAIRE
HONGROISE.

Pour
L'INDE.

Pour
LA RÉPUBLIQUE D'INDONÉSIE.

Pour
L'IRAN:

Pour
LA RÉPUBLIQUE D'IRAQ:

Pour
L'IRLANDE.

Pour
LA RÉPUBLIQUE D'ISLANDE.

Pour
ISRAËL.

Pour
LE JAPON:

Pour
L'ITALIE.

Pour
LE ROYAUME HACHÉMITE
DE JORDANIE.

H Khammash

ALI ALJABER

Pour
LA JAMAÏQUE:

Pour
LA RÉPUBLIQUE DE KENYA.

Pour
LA RÉPUBLIQUE KHMÈRE.

Pour
KUWAIT

Pour
LE ROYAUME DU LAOS:

Pour
LE ROYAUME DU LESOTHO:

Pour
LA RÉPUBLIQUE LIBANAISE.

Pour
LA RÉPUBLIQUE DE LIBÉRIA.

Pour
LA RÉPUBLIQUE ARABE LIBYENNE.

Pour
LA PRINCIPAUTÉ DE LIECHTENSTEIN:

Pour
LE LUXEMBOURG:

Pour
LA MALAISIE.

Pour
MALAWI:

Pour
LA RÉPUBLIQUE DES MALDIVES:

Pour
LA RÉPUBLIQUE MALGACHE.

Pour
LA RÉPUBLIQUE DU MALI:

Pour
MALTE.

Pour
LE ROYAUME DU MAROC.

Pour
MAURICE.

Pour
LA RÉPUBLIQUE ISLAMIQUE
DE MAURITANIE.

Pour
LES ÉTATS-UNIS DU MEXIQUE.

Pour
LA PRINCIPAUTÉ DE MONACO:

Pour
LA RÉPUBLIQUE POPULAIRE
DE MONGOLIE.

Pour
LA RÉPUBLIQUE DE NAURU:

Pour
LE NÉPAL.

Pour
LA RÉPUBLIQUE DU NICARAGUA:

Pour
LA RÉPUBLIQUE DU NIGER.

Pour
LA RÉPUBLIQUE FÉDÉRALE DE NIGÉRIA.

Pour
LA NORVÈGE.

Pour
LA NOUVELLE-ZÉLANDE.

Pour
LE SULTANAT D'OMAN:

H. A. ASSAWED

Pour
L'OUGANDA.

Emmy J Owagage

Pour
LE PAKISTAN:

Pour
LA RÉPUBLIQUE DE PANAMA.

Pour
LA RÉPUBLIQUE DE PARAGUAY

Pour
LES PAYS-BAS:

Pour
LES ANTILLES NÉERLANDAISES
ET SURINAM:

Pour
LA RÉPUBLIQUE DU PÉROU:

Pour
LA RÉPUBLIQUE DES PHILIPPINES:

Pour
LA RÉPUBLIQUE POPULAIRE
DE POLOGNE.

Pour
LE PORTUGAL:

Pour
LES PROVINCES PORTUGAISES
DE L'AFRIQUE OCCIDENTALE.

Pour
LES PROVINCES PORTUGAISES
DE L'AFRIQUE ORIENTALE,
DE L'ASIE ET DE L'OCÉANIE.

Pour
L'ÉTAT DE QATAR.

Pour
LA RÉPUBLIQUE DÉMOCRATIQUE
ALLEMANDE.

Pour
LA RÉPUBLIQUE POPULAIRE
DÉMOCRATIQUE DE CORÉE.

Pour
LA RÉPUBLIQUE SOCIALISTE
DE ROUMANIE.

Pour
LA RÉPUBLIQUE RWANDAISE.

Pour
LA RÉPUBLIQUE DE SAINT-MARIN:

Pour
LA RÉPUBLIQUE DU SÉNÉGAL.

Pour
LA RÉPUBLIQUE DE SIERRA LEONE.

Pour
SINGAPOUR.

Pour
LA RÉPUBLIQUE DÉMOCRATIQUE
DE SOMALIE.

Pour
LA RÉPUBLIQUE DÉMOCRATIQUE
DU SOUDAN:

Pour
LA RÉPUBLIQUE DE SRI LANKA
(CEYLAN):

Pour
LA SUÈDE.

Pour
LA CONFÉDÉRATION SUISSE.

Pour
LE ROYAUME DU SWAZILAND:

Pour
LA RÉPUBLIQUE ARABE SYRIENNE.

Pour
LA RÉPUBLIQUE SOCIALISTE TCHÉCOSLOVAQUE.

Pour
LA THAÏLANDE.

Pour
LA RÉPUBLIQUE UNIE DE TANZANIE.

Pour
LA RÉPUBLIQUE TOGOLAISE.

Pour
LA RÉPUBLIQUE DU TCHAD:

Pour
LE ROYAUME DES TONGA:

Pour
TRINITÉ ET TOBAGO:

Pour
LA TUNISIE.

Pour
LA TURQUIE.

Pour
LA RÉPUBLIQUE SOCIALISTE
SOVIÉTIQUE D'UKRAINE.

Pour
L'UNION DES RÉPUBLIQUES
SOCIALISTES SOVIÉTIQUES:

Pour
LA RÉPUBLIQUE ORIENTALE
DE L'URUGUAY

Pour
L'ÉTAT DE LA CITÉ DU VATICAN:

Pour
LA RÉPUBLIQUE DE VÉNÉZUÉLA.

Pour
LA RÉPUBLIQUE DU VIÊT-NAM:

Pour
LA RÉPUBLIQUE ARABE DU YÉMEN:

Pour
LA RÉPUBLIQUE DÉMOCRATIQUE
POPULAIRE DU YÉMEN:

Pour
LA RÉPUBLIQUE SOCIALISTE
FÉDÉRATIVE DE YOUGOSLAVIE.

Pour
LA RÉPUBLIQUE DU ZAÏRE.

Pour
LA RÉPUBLIQUE DE ZAMBIE.

RÈGLEMENT GENERAL DE L'UNION POSTALE UNIVERSELLE

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PROTOCOLE FINAL
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REGLEMENT GENERAL DE L'UNION POSTALE UNIVERSELLE

Les soussignes, Plénipotentiaires des Gouvernements des Pays-membres de l'Union, vu l'article 22, paragraphe 2, de la Constitution de l'Union postale universelle conclue à Vienne le 10 juillet 1964, ont, d'un commun accord et sous réserve de l'article 25, paragraphe 3, de ladite Constitution, arrêté, dans le présent Règlement géneral, les dispositions suivantes assurant l'application de la Constitution et le fonctionnement de l'Union.

Chapitre I

Fonctionnement des organes de l'Union

Article 101

Organisation et réunion des Congrès, Congrès extraordinaires, Conférences administratives et Commissions spéciales

1. Les representants des Pays-membres se réunissent en Congres au plus tard cinq ans après la date de mise a execution des Actes du Congrès precédent.

2. Chaque Pays-membre se fait représenter au Congrès par un ou plusieurs plénipotentiaires munis, par leur Gouvernement, des pouvoirs nécessaires. Il peut, au besoin, se faire représenter par la délégation d'un autre Pays-membre. Toutefois, il est entendu qu'une délégation ne peut représenter qu'un seul Pays-membre autre que le sien.

3. Dans les délibérations, chaque Pays-membre dispose d'une voix.

4. En principe, chaque Congrès désigne le pays dans lequel le Congrès suivant doit avoir lieu. Si cette désignation se révèle inapplicable ou inopérante, il appartient au Conseil exécutif de désigner le pays ou le Congrès tiendra ses assises, apres entente avec ce dernier pays.

5. Après entente avec le Bureau international, le Gouvernement invitant fixe la date définitive et le lieu exact du Congrès. Un an, en principe, avant cette date, le Gouvernement invitant envoie une invitation au Gouvernement de chaque Pays-membre. Cette invitation peut être adressée soit directement, soit par l'intermédiaire d'un autre Gouvernement, soit par l'entremise du Directeur général du Bureau international. Le Gouvernement invitant est également chargé de la notification à tous les Gouvernements des Pays-membres des décisions prises par le Congrès.

6. Lorsqu'un Congrès doit être réuni sans qu'il y ait un Gouvernement invitant, le Bureau international, avec l'accord du Conseil exécutif et après entente avec le Gouvernement de la Confédération suisse, prend les dispositions necessaires pour convoquer et organiser le Congrès dans le pays-siège de l'Union. Dans ce cas, le Bureau international exerce les fonctions du Gouvernement invitant.

7. Le lieu de réunion d'un Congrès extraordinaire est fixé, après entente avec le Bureau international, par les Pays-membres ayant pris l'initiative de ce Congrès.

8. Les paragraphes 2 à 6 sont applicables par analogie aux Congrès extraordinaires.

9. Le lieu de réunion d'une Conférence administrative est fixé, après entente avec le Bureau international, par les Administrations postales ayant pris l'initiative de la Conférence. Les convocations sont adressées par l'Administration postale du pays-siège de la Conférence.

10. Les Commissions spéciales sont convoquées par le Bureau international aprés entente, le cas échéant, avec l'Administration postale du Pays-membre ou ces Commissions spéciales doivent se réunir.

Article 102

Composition, fonctionnement et réunions du Conseil exécutif

1. Le Conseil exécutif se compose d'un Président et de trente-neuf membres qui exercent leurs fonctions durant la periode qui sépare deux Congrès successifs.

2. La présidence est dévolue de droit au pays-hôte du Congrès. Si ce pays se désiste, il devient membre de droit et, de ce fait, la zone géographique a laquelle il appartient dispose d'un siège supplémentaire auquel les restrictions du paragraphe 3 ne sont pas applicables. Dans ce cas, le Conseil exécutif élit à la présidence un des membres appartenant à la zone géographique dont fait partie le pays-hôte.

3. Les trente-neuf membres du Conseil exécutif sont élus par le Congres sur la base d'une répartition géographique équitable. La moitié au moins des membres est renouvelée à l'occasion de chaque Congrès; aucun Pays-membre ne peut être choisi successivement par trois Congrès.

4. Le représentant de chacun des membres du Conseil exécutif est désigné par l'Administration postale de son pays. Ce représentant doit être un fonctionnaire qualifié de l'Administration postale.

5. Les fonctions de membre du Conseil exécutif sont gratuites. Les frais de fonctionnement de ce Conseil sont a la charge de l'Union.

6. Le Conseil exécutif coordonne et supervise toutes les activités de l'Union avec les attributions suivantes:

a) maintenir les contacts les plus étroits avec les Administrations postales des Pays-membres en vue de perfectionner le service postal international;

b) favoriser, coordonner et superviser toutes les formes d'assistance technique postale dans le cadre de la cooperation technique internationale;

c) étudier les problèmes d'ordre administratif, législatif et juridique intéressant le service postal international et communiquer le résultat de ces études aux Administrations postales;

d) désigner le pays-siège du prochain Congres dans le cas prevu a l'article 101, paragraphe 4;

e) soumettre des sujets d'étude à l'examen du Conseil consultatif des études postales, conformement a l'article 104, paragraphe 9, lettre f);

f) examiner le rapport annuel établi par le Conseil consultatif des études postales et, le cas écheant, les propositions soumises par ce dernier;

g) prendre les contacts utiles avec l'Organisation des Nations Unies, les conseils et les commissions de cette organisation ainsi qu'avec les institutions specialisées et autres organismes internationaux pour les études et la preparation des rapports à soumettre à l'approbation des Administrations postales des Pays-membres; envoyer, le cas échéant, des représentants de l'Union pour participer en son nom aux séances de ces organismes internationaux; désigner, en temps utile, les organisations internationales intergouvernementales qui doivent être invitées a se faire représenter a un Congrès et charger le Directeur géneral du Bureau international d'envoyer les invitations nécessaires;

h) formuler, s'il y a lieu, des propositions qui seront soumises a l'approbation soit des Administrations postales des Pays-membres selon les articles 31, paragraphe 1, de la Constitution, et 119 du present Règlement, soit du Congrès lorsque ces propositions concernent des études confiées par le Congrès au Conseil exécutif ou qu'elles résultent des activités du Conseil exécutif lui-meme définies par le présent article;

i) examiner, a la demande de l'Administration postale d'un Pays-membre, toute proposition que cette Administration transmet au Bureau international selon l'article 118, en préparer les commentaires et charger le Bureau d'annexer ces derniers à ladite proposition avant de la soumettre à l'approbation des Administrations postales des Pays-membres;

j) conformément aux dispositions en vigueur:

1° assurer le contrôle de l'activité du Bureau international;

2° examiner et approuver le budget annuel de l'Union;

3° approuver, sur proposition du Directeur général du Bureau international, les nominations des fonctionnaires des grades D 2, D 1 et P 5, après examen des titres de compétence professionnelle des candidats recommandés par les Administrations postales des Pays-membres dont ils ont la nationalité, en tenant compte d'une équitable répartition géographique continentale et des langues ainsi que de toutes autres considérations y relatives, tout en respectant le régime intérieur de promotions du Bureau;

4° approuver le rapport annuel établi par le Bureau international sur les activités de l'Union et présenter, s'il y a lieu, des commentaires à son sujet;

5° autoriser, si les circonstances l'exigent, le dépassement du plafond des dépenses conformement à l'article 122, paragraphes 3 et 4.

7. Pour approuver les nominations des fonctionnaires des grades D 2, D 1 et P 5, le Conseil exécutif tient compte de ce qu'en principe les personnes qui occupent ces postes doivent être des ressortissants de différents Pays-membres de l'Union.

8. A sa première réunion, qui est convoquée par le Président du Congrès, le Conseil exécutif élit, parmi ses membres, quatre Vice-Présidents et arrête son Règlement intérieur.

9. Sur convocation de son Président, le Conseil exécutif se réunit, en principe une fois par an, au siège de l'Union.

10. Le représentant de chacun des membres du Conseil exécutif participant aux sessions de cet organe, à l'exception des réunions qui ont eu lieu pendant le Congrès, a droit au remboursement soit du prix d'un billet-avion aller et retour en classe économique ou d'un billet de chemin de fer en 1re classe, soit du coût du voyage par tout autre moyen à condition que ce montant ne dépasse pas le prix du billet-avion aller et retour en classe économique.

11. Le Président du Conseil consultatif des études postales représente celui-ci aux séances du Conseil exécutif à l'ordre du jour desquelles figurent des questions relatives à l'organe qu'il dirige.

12. Afin d'assurer une liaison efficace entre les travaux des deux organes, le Président et les Vice-Présidents du Conseil consultatif des études postales peuvent, s'ils en expriment le désir, assister aux réunions du Conseil exécutif en qualité d'observateurs.

13. L'Administration postale du pays où le Conseil exécutif se réunit est invitée à participer aux réunions en qualité d'observateur, si ce pays n'est pas membre du Conseil exécutif.

14. Le Conseil exécutif peut inviter à ses réunions, sans droit de vote, tout organisme international ou toute personne qualifiée qu'il désire associer à ses travaux. Il peut également inviter dans les mêmes conditions une ou plusieurs Administrations postales des Pays-membres intéressées à des questions prévues à son ordre du jour.

Article 103

Documentation sur les activités du Conseil exécutif

1. Le Conseil exécutif adresse aux Administrations postales des Pays-membres de l'Union et aux Unions restreintes, pour information, après chaque session:

a) un compte rendu analytique;

b) les "Documents du Conseil exécutif" contenant les rapports, les délibérations, le compte rendu analytique ainsi que les résolutions et décisions.

2. Le Conseil exécutif fait au Congrès un rapport sur l'ensemble de son activité et le transmet aux Administrations postales au moins deux mois avant l'ouverture du Congrès.

Article 104

Composition, fonctionnement et réunions du Conseil consultatif des études postales

1. Le Conseil consultatif des études postales se compose de trente-cinq membres qui exercent leurs fonctions durant la période qui sépare deux Congrès successifs.

2. Les membres du Conseil consultatif sont élus par le Congrès, en principe sur la base d'une répartition géographique aussi large que possible.

3. Le représentant de chacun des membres du Conseil consultatif est désigné par l'Administration postale de son pays. Ce représentant doit être un fonctionnaire qualifié de l'Administration postale.

4. Les frais de fonctionnement du Conseil consultatif sont à la charge de l'Union. Ses membres ne reçoivent aucune rémunération. Les frais de voyage et de séjour des représentants des Administrations participant au Conseil consultatif sont à la charge de celles-ci. Toutefois, le représentant de chacun des pays relativement les moins développés économiquement, signalés par l'Organisation des Nations Unies, a droit, sauf pour les réunions qui ont lieu pendant le Congrès, au remboursement soit du prix d'un billet-avion aller et retour en classe économique ou d'un billet de chemin de fer en 1re classe, soit du coût du voyage par tout autre moyen à condition que ce montant ne dépasse pas le prix du billet-avion aller et retour en classe économique.

5. A sa première réunion, qui est convoquée et ouverte par le Président du Congrès, le Conseil consultatif choisit, parmi ses membres, un Président et des Vice-Présidents.

6. Le Conseil consultatif arrête son Règlement intérieur.

7. En principe, le Conseil consultatif se réunit tous les ans au siège de l'Union. La date et le lieu de la réunion sont fixés par son Président, après accord avec le Président du Conseil exécutif et le Directeur général du Bureau international.

8. Le Président et les Vice-Présidents du Conseil consultatif forment le Comité directeur. Ce Comité prépare et dirige les travaux de chaque session du Conseil consultatif et assume toutes les tâches que ce dernier décide de lui confier.

9. Les attributions du Conseil consultatif sont les suivantes:

a) organiser l'étude des problèmes techniques, d'exploitation, économiques et de coopération technique les plus importants qui présentent de l'intérêt pour les Administrations postales de tous les Pays-membres de l'Union et élaborer des informations et des avis à leur sujet;

b) procéder à l'étude des problèmes d'enseignement et de formation professionnelle intéressant les pays nouveaux et en voie de développement;

c) prendre les mesures nécessaires en vue d'étudier et de diffuser les expériences et les progrès faits par certains pays dans les domaines de la technique, de l'exploitation, de l'économie et de la formation professionnelle intéressant les services postaux;

d) étudier la situation actuelle et les besoins des services postaux dans les pays nouveaux et en voie de développement et élaborer des recommandations convenables sur les voies et les moyens d'améliorer les services postaux dans ces pays;

e) prendre, après entente avec le Conseil exécutif, les mesures appropriées dans le domaine de la coopération technique avec tous les Pays-membres de l'Union, en particulier avec les pays nouveaux et en voie de développement;

f) examiner toutes autres questions qui lui sont soumises par un membre du Conseil consultatif, par le Conseil exécutif ou par toute autre Administration d'un Pays-membre.

10. Les membres du Conseil consultatif participent effectivement à ses activités. Les Pays-membres n'appartenant pas au Conseil consultatif peuvent, sur leur demande, collaborer aux études entreprises.

11. Le Conseil consultatif formule, s'il y a lieu, des propositions à l'intention du Congrès découlant directement de ses activités définies par le présent article. Ces propositions sont soumises par le Conseil consultatif lui-même, après entente avec le Conseil exécutif lorsqu'il s'agit de questions relevant de la compétence de celui-ci.

12. Le Conseil consultatif établit à sa session précédant le Congrès le projet de programme de travail du prochain Conseil à soumettre au Congrès, compte tenu des demandes des Pays-membres de l'Union ainsi que du Conseil exécutif.

13. Afin d'assurer une liaison efficace entre les travaux des deux organes, le Président et les Vice-Présidents du Conseil exécutif peuvent, s'ils en expriment le désir, assister aux réunions du Conseil consultatif des études postales en qualité d'observateurs.

14. Le Conseil consultatif peut inviter à ses réunions sans droit de vote:

a) tout organisme international ou toute personne qualifiée qu'il désire associer à ses travaux;

b) des Administrations postales de Pays-membres n'appartenant pas au Conseil consultatif.

Article 105

Documentation sur les activités du Conseil consultatif des études postales

1. Le Conseil consultatif des études postales adresse aux Administrations postales des Pays-membres et aux Unions restreintes, pour information, après chaque session:

a) un compte rendu analytique;

b) les "Documents du Conseil consultatif des études postales" contenant les rapports, les délibérations et le compte rendu analytique.

2. Le Conseil consultatif établit, à l'intention du Conseil exécutif, un rapport annuel sur ses activités.

3. Le Conseil consultatif établit, à l'intention du Congrès, un rapport sur l'ensemble de son activité et le transmet aux Administrations postales des Pays-membres au moins deux mois avant l'ouverture du Congrès.

Article 106

Règlement intérieur des Congrès, des Conférences administratives et des Commissions spéciales

1. Pour l'organisation de ses travaux et la conduite de ses délibérations, le Congrès applique le Règlement intérieur des Congrès qui est annexé au présent Règlement général.

2. Chaque Congrès peut modifier ce Règlement dans les conditions fixées au Règlement intérieur lui-même.

3. Chaque Conférence administrative et chaque Commission spéciale arrête son Règlement intérieur. Jusqu'à l'adoption de ce Règlement, les dispositions du Règlement intérieur des Congrès annexé au présent Règlement général sont applicables en tant qu'elles ont trait aux délibérations.

Article 107

Langues utilisées pour la publication des documents, les délibérations et la correspondance de service

1. Pour les documents de l'Union les langues française, anglaise, arabe et espagnole sont utilisées. D'autres langues sont également utilisées à condition qu'il n'en résulte pas une augmentation des frais à supporter par l'Union selon le paragraphe 6.

2. Le ou les Pays-membres ayant demandé une langue autre que la langue officielle constituent un groupe linguistique. Les Pays-membres qui ne font pas une demande expresse sont censés avoir demandé la langue officielle.

3. Les documents sont publiés par le Bureau international dans la langue officielle et dans les langues des groupes linguistiques constitués, soit directement, soit par l'intermédiaire des bureaux régionaux de ces groupes, conformément aux modalités convenues aver le Bureau international. La publication dans les différentes langues est faite selon le même modèle.

4. Les documents publiés directement par le Bureau international sont distribués simultanément dans les différentes langues demandées.

5. Les correspondances entre les Administrations postales et le Bureau international et entre ce dernier et des tiers peuvent être échangées en toute langue pour laquelle le Bureau international dispose d'un service de traduction.

6. Les frais de traduction vers une langue autre que la langue officielle, y compris ceux résultant de l'application du paragraphe 5, sont supportés par le groupe linguistique ayant demandé cette langue. Sont supportés par l'Union les frais de traduction vers la langue officielle des documents et des correspondances reçues en langues anglaise, arabe et espagnole, ainsi que tous les autres frais afférents à la fourniture des documents.

7. Les frais à supporter par un groupe linguistique sont répartis entre les membres de ce groupe proportionnellement à leur contribution aux dépenses de l'Union. Ces frais peuvent être répartis entre les membres du groupe linguistique selon une autre clé de répartition, à condition que les intéressés s'entendent à ce sujet et notifient leur décision au Bureau international par l'intermédiaire du porte-parole du groupe.

8. Le Bureau international donne suite à tout changement de choix de langue demandé par un Pays-membre après un délai qui ne doit pas dépasser deux ans.

9. Pour les délibérations des réunions des organes de l'Union, les langues française, anglaise, espagnole et russe sont admises, moyennant un système d'interprétation — avec ou sans équipement électronique — dont le choix est laissé à l'appréciation des organisateurs de la réunion après consultation du Directeur général du Bureau international et des Pays-membres intéressés.

10. D'autres langues sont également autorisées pour les délibérations et les réunions indiquées au paragraphe 9.

11. Les délégations qui emploient d'autres langues assurent l'interprétation simultanée en l'une des langues mentionnées au paragraphe 9, soit par le système indiqué au même paragraphe, lorsque les modifications d'ordre technique nécessaires peuvent y être apportées, soit par des interprètes particuliers.

12. Les frais des services d'interprétation sont repartis entre les Pays-membres utilisant la meme langue dans la proportion de leur contribution aux dépenses de l'Union. Toutefois, les frais d'installation et d'entretien de l'équipement technique sont supportés par l'Union.

13. Les Administrations postales peuvent s'entendre au sujet de la langue a employer pour la correspondance de service dans leurs relations reciproques. A défaut d'une telle entente, la langue à employer est le français.

Chapitre II

Bureau international

Article 108

Directeur genéral et Vice-Directeur géneral du Bureau international

1. Le Directeur géneral et le Vice-Directeur genéral du Bureau international sont élus par le Congres pour la periode separant deux Congres successifs, la duree minimale de leur mandat étant de cinq ans. Leur mandat est renouvelable une seule fois. Sauf décision contraire du Congres, la date de leur entree en fonction est fixee au 1er janvier de l'annee qui suit le Congrès.

2. L'élection du Directeur géneral et celle du Vice-Directeur géneral ont lieu au scrutin secret, la première élection portant sur le poste de Directeur general. Les candidatures doivent être presentées par les Gouvernements des Pays-membres, par l'intermédiaire du Gouvernement de la Confédération suisse. Les candidats doivent être des ressortissants des Pays-membres qui les presentent.

3. En cas de vacance du poste du Directeur géneral, le Vice-Directeur géneral assume les fonctions de Directeur general jusqu'à la fin du mandat prevu pour celui-ci.

4. En cas de vacance simultanee des postes de Directeur géneral et de Vice-Directeur général, le Conseil exécutif élit, sur la base des candidatures reçues à la suite d'une mise au concours, un Vice-Directeur géneral pour la periode allant jusqu'au prochain Congrès. Pour la presentation des candidatures, le paragraphe 2 s'applique par analogie.

5. Les fonctions et les pouvoirs du Directeur général sont ceux qui lui sont expressément reservés par les Actes, ceux qui découlent des taches attribuees par ces Actes au Bureau international, ainsi que ceux qui lui sont confiés par les décisions des organes compétents de l'Union. Il peut déléguer ses compétences.

6. Le Directeur général organise, administre et dirige le Bureau international dont il est le représentant légal.

7. Le Directeur général prépare le projet de budget annuel de l'Union au niveau le plus bas possible compatible avec les besoins de l'Union et le soumet en temps opportun et simultanément à l'examen du Conseil exécutif et de l'Autorité de surveillance. Il communique le budget aux Pays-membres de l'Union après l'approbation du Conseil executif.

8. Le Directeur général sert d'intermédiaire dans les relations entre:
- l'UPU et les Unions restreintes;
- l'UPU et l'Organisation des Nations Unies;
- l'UPU et les organisations internationales dont les activités présentent un intérêt pour l'Union.

9. Le Directeur général assume la fonction de Secrétaire général des organes de l'Union. A ce titre, et compte tenu des dispositions spéciales du présent Règlement, il veille notamment:
- a la préparation et à l'organisation des travaux des organes de l'Union;
- à l'élaboration, à la production et à la distribution des documents, rapports et procès-verbaux;
- au fonctionnement du secrétariat durant les réunions des organes de l'Union.

10. Le Directeur général assiste aux seances des organes de l'Union et prend part aux délibérations sans droit de vote. Il peut se faire representer.

11. Le Directeur géneral est responsable de sa gestion devant le Conseil exécutif. Le Vice-Directeur general assiste le Directeur général et il est responsable devant lui; en cas d'absence ou d'empêchement du Directeur général, il exerce les pouvoirs de celui-ci.

Article 109

Secrétariat des organes de l'Union

Le secrétariat des organes de l'Union est assuré par le Bureau international sous la responsabilité du Directeur général. Il adresse tous les documents publiés a l'occasion de chaque session aux Administrations postales des membres de l'organe, aux Administrations postales des pays qui, sans être membres de l'organe, collaborent aux etudes entreprises, aux Unions restreintes ainsi qu'aux autres Administrations postales des Pays-membres qui en font la demande.

Article 110

Liste des Pays-membres

Le Bureau international établit et tient à jour la liste des Pays-membres de l'Union en y indiquant leur classe de contribution, leur groupe géographique et leur situation par rapport aux Actes de l'Union.

Article 111

Renseignements. Avis. Demandes d'interprétation et de modification des Actes. Enquêtes. Intervention dans la liquidation des comptes

1. Le Bureau international se tient en tout temps à la disposition du Conseil executif, du Conseil consultatif des études postales et des Administrations postales pour leur fournir tous renseignements utiles sur les questions relatives au service.

2. Il est chargé, notamment, de réunir, de coordonner, de publier et de distribuer les renseignements de toute nature qui intéressent le service postal international; d'émettre, à la demande des parties en cause, un avis sur les questions litigieuses; de donner suite aux demandes d'interprétation et de modification des Actes de l'Union et, en général, de procéder aux études et aux travaux de rédaction ou de documentation que lesdits Actes lui attribuent ou dont il serait saisi dans l'intérêt de l'Union.

3. Il procède également aux enquêtes qui sont demandées par les Administrations postales en vue de connaître l'opinion des autres Administrations sur une question déterminée. Le résultat d'une enquête ne revêt pas le caractère d'un vote et ne lie pas formellement.

4. Il saisit, à toutes fins utiles, le Président du Conseil consultatif des études postales des questions qui sont de la compétence de cet organe.

5. Il intervient, à titre d'office de compensation, dans la liquidation des comptes de toute nature relatifs au service postal international, entre les Administrations postales qui réclament cette intervention.

Article 112

Cooperation technique

Le Bureau international est chargé, dans le cadre de la coopération technique internationale, de développer l'assistance technique postale sous toutes ses formes.

Article 113

Formules fournies par le Bureau international

Le Bureau international est chargé de faire confectionner les cartes d'identité postales, les coupons-réponse internationaux, les bons postaux de voyage et les couvertures de carnets de bons et d'en approvisionner, au prix de revient, les Administrations postales qui en font la demande.

Article 114

Actes des Unions restreintes et arrangements spéciaux

1. Deux exemplaires des Actes des Unions restreintes et des arrangements spéciaux conclus en application de l'article 8 de la Constitution doivent être transmis au Bureau international par les bureaux de ces Unions ou, à défaut, par une des parties contractantes.

2. Le Bureau international veille a ce que les Actes des Unions restreintes et les arrangements spéciaux ne prevoient pas des conditions moins favorables pour le public que celles qui sont prevues dans les Actes de l'Union, et informe les Administrations postales de l'existence des Unions et des arrangements susdits. Il signale au Conseil executif toute irrégularité constatee en vertu de la présente disposition.

Article 115

Revue de l'Union

Le Bureau international redige, a l'aide des documents qui sont mis a sa disposition, une revue en langues allemande, anglaise, arabe, chinoise, espagnole, française et russe.

Article 116

Rapport annuel sur les activites de l'Union

Le Bureau international fait, sur les activités de l'Union, un rapport annuel qui est communiqué, après approbation par le Conseil exécutif, aux Administrations postales, aux Unions restreintes et a l'Organisation des Nations Unies.

Chapitre III

Procedure d'introduction et d'examen des propositions

Article 117

Procedure de presentation des propositions au Congres

1. Sous réserve des exceptions prevues au paragraphe 3, la procedure suivante regle l'introduction des propositions de toute nature a soumettre au Congrès par les Administrations postales des Pays-membres:

a) sont admises les propositions qui parviennent au Bureau international au moins six mois avant la date fixee pour le Congres;
b) aucune proposition d'ordre redactionnel n'est admise pendant la période de six mois qui precède la date fixee pour le Congrès;
c) les propositions de fond qui parviennent au Bureau international dans l'intervalle compris entre six et quatre mois avant la date fixee pour le Congrès ne sont admises que si elles sont appuyées par au moins deux Administrations;
d) Les propositions de fond qui parviennent au Bureau international pendant la période de quatre mois qui precede la date fixée pour le Congrès ne sont admises que si elles sont appuyées par au moins huit Administrations;
e) les déclarations d'appui doivent parvenir au Bureau international dans le même délai que les propositions qu'elles concernent.

2. Les propositions d'ordre redactionnel sont munies, en tête, de la mention "Proposition d'ordre rédactionnel" par les Administrations qui les présentent et publiées par le Bureau international sous un numéro suivi de la lettre R. Les propositions non munies de cette mention mais qui, de l'avis du Bureau international, ne touchent que la redaction sont publiées avec une annotation appropriée; le Bureau international établit une liste de ces propositions a l'intention du Congres.

3. La procédure prescrite aux paragraphes 1 et 2 ne s'applique ni aux propositions concernant le Règlement intérieur des Congrès ni aux amendements à des propositions déjà faites.

Article 118

Procédure de présentation des propositions entre deux Congrès

1. Pour être prise en considération, chaque proposition concernant la Convention ou les Arrangements et introduite par une Administration postale entre deux Congrès doit être appuyée par au moins deux autres Administrations. Ces propositions restent sans suite lorsque le Bureau international ne reçoit pas, en même temps, les déclarations d'appui nécessaires.

2. Ces propositions sont adressées aux autres Administrations postales par l'intermédiaire du Bureau international.

Article 119

Examen des propositions entre deux Congrès

1. Toute proposition est soumise à la procédure suivante: un délai de deux mois est laissé aux Administrations postales des Pays-membres pour examiner la proposition notifiée par circulaire du Bureau international et, le cas échéant, pour faire parvenir leurs observations audit Bureau. Les amendements ne sont pas admis. Les réponses sont réunies par les soins du Bureau international et communiquées aux Administrations postales avec invitation de se prononcer pour ou contre la proposition. Celles qui n'ont pas fait parvenir leur vote dans un délai de deux mois sont considérées comme s'abstenant. Les délais précités comptent à partir de la date des circulaires du Bureau international.

2. Si la proposition concerne un Arrangement, son Règlement ou leurs Protocoles finals, seules les Administrations postales des Pays-membres qui sont parties à cet Arrangement peuvent prendre part aux opérations indiquées au paragraphe 1.

Article 120

Notification des décisions adoptées entre deux Congrès

1. Les modifications apportées à la Convention, aux Arrangements et aux Protocoles finals de ces Actes sont consacrées par une déclaration diplomatique que le Gouvernement de la Confédération suisse est chargé d'établir et de transmettre, à la demande du Bureau international, aux Gouvernements des Pays-membres.

2. Les modifications apportées aux Règlements et à leurs Protocoles finals sont constatées et notifiées aux Administrations postales par le Bureau international. Il en est de même des interprétations visées à l'article 77, paragraphe 2, lettre c), chiffre 2° de la Convention et aux dispositions correspondantes des Arrangements.

Article 121

Exécution des décisions adoptées entre deux Congrès

Toute décision adoptée n'est exécutoire que trois mois, au moins, après sa notification.

Chapitre IV

Finances

Article 122

Fixation et règlement des dépenses de l'Union

1. Sous réserve des paragraphes 2 à 5, les dépenses annuelles afférentes aux activités des organes de l'Union ne doivent pas dépasser les sommes ci-après pour les années 1976 et suivantes:
11 720 900 francs suisses pour l'année 1976;
13 574 800 francs suisses pour l'année 1977;
14 058 900 francs suisses pour l'année 1978;
14 467 500 francs suisses pour l'année 1979;
14 883 900 francs suisses pour l'année 1980.
Pour les années postérieures à 1980, en cas de report du Congrès prévu pour 1979, les budgets annuels ne devront pas dépasser de plus de 5 pour cent chaque année la somme fixée pour l'année précédente.

2. Les dépenses afférentes à la réunion du prochain Congrès (déplacement du secrétariat, frais de transport, frais d'installation technique de l'interprétation simultanée et frais de production des documents durant le Congrès, etc.) ne doivent pas dépasser la limite de 2 135 200 francs suisses.

3. Le Conseil exécutif est autorisé à dépasser les limites fixées aux paragraphes 1 et 2 pour tenir compte des augmentations des échelles de traitement, des contributions au titre des pensions ou indemnités, y compris les indemnités de poste, admises par les Nations Unies pour être appliquées à leur personnel en fonction à Genève.

4. Le Conseil exécutif est autorisé à dépasser les limites fixées au paragraphe 1 pour tenir compte de la réédition de la Nomenclature internationale des bureaux de poste et de l'installation d'une cafétéria au Bureau international. Les montants totaux des dépassements autorisés à cet effet ne doivent pas excéder:
- 870 000 francs suisses pour la réédition de la Nomenclature internationale des bureaux de poste;
- 100 000 francs suisses pour l'installation d'une cafétéria au Bureau international.

5. Si les crédits prévus par les paragraphes 1 et 2 se révèlent insuffisants pour assurer le bon fonctionnement de l'Union, ces limites ne peuvent être dépassées qu'avec l'approbation de la majorité des Pays-membres de l'Union. Toute consultation doit comporter un exposé complet des faits justifiant une telle demande.

6. Les pays qui adhèrent à l'Union ou qui sont admis en qualité de membres de l'Union ainsi que ceux qui sortent de l'Union doivent acquitter leur cotisation pour l'année entière au cours de laquelle leur admission ou leur sortie devient effective.

7. Le Gouvernement de la Confédération suisse fait les avances nécessaires et surveille la tenue des comptes financiers ainsi que la comptabilité du Bureau international dans la limite du crédit fixé par le Congrès.

8. Les sommes avancées par le Gouvernement de la Confédération suisse, suivant le paragraphe 7, doivent être remboursées par les Administrations postales débitrices dans le plus bref délai possible et au plus tard avant le 31 décembre de l'année d'envoi du compte. Passé ce délai, les sommes dues sont productives d'intérêt au profit dudit Gouvernement, à raison de 5 pour cent par an, à compter du jour de l'expiration dudit délai.

Article 123

Classes de contribution

1. Les Pays-membres contribuent à la couverture des dépenses de l'Union selon la classe de contribution à laquelle ils appartiennent. Ces classes sont les suivantes:
classe de 50 unités;
classe de 25 unités;
classe de 20 unités;
classe de 15 unités;
classe de 10 unités;
classe de 5 unités;
classe de 3 unités;
classe de 1 unité.

2. Les Pays-membres sont rangés dans l'une des classes de contribution précitées au moment de leur admission ou de leur adhésion à l'Union, selon la procédure visée à l'article 21, paragraphe 4, de la Constitution.

3. Les Pays-membres peuvent changer ultérieurement de classe de contribution à la condition que ce changement soit notifié au Bureau international avant l'ouverture du Congrès. Cette notification, qui est portée à l'attention du Congrès, prend effet à la date de mise en vigueur des dispositions financières arrêtées par le Congrès.

4. Les Pays-membres ne peuvent pas exiger d'être déclassés de plus d'une classe à la fois. Les Pays-membres qui ne font pas connaître leur désir de changer de classe de contribution avant l'ouverture du Congrès sont maintenus dans la classe à laquelle ils appartenaient jusqu'alors.

5. Par dérogation aux paragraphes 3 et 4, les surclassements ne sont soumis à aucune restriction.

Article 124

Paiement des fournitures du Bureau international

Les fournitures que le Bureau international livre à titre onéreux aux Administrations postales doivent être payées dans le plus bref délai possible, et au plus tard dans les six mois à partir du premier jour du mois qui suit celui de l'envoi du compte par ledit Bureau. Passé ce délai, les sommes dues sont productives d'intérêt au profit du Gouvernement de la Confédération suisse qui en a fait l'avance, à raison de 5 pour cent par an, à compter du jour de l'expiration dudit délai.

Chapitre V

Arbitrages

Article 125

Procédure d'arbitrage

1. En cas de différend à régler par jugement arbitral, chacune des Administrations postales en cause choisit une Administration postale d'un Pays-membre qui n'est pas directement intéressée dans le litige. Lorsque plusieurs Administrations font cause commune, elles ne comptent, pour l'application de cette disposition, que pour une seule.

2. Au cas où l'une des Administrations en cause ne donne pas suite à une proposition d'arbitrage dans le délai de six mois, le Bureau international, si la demande lui en est faite, provoque à son tour la désignation d'un arbitre par l'Administration défaillante ou en désigne un lui-même, d'office.

3. Les parties en cause peuvent s'entendre pour désigner un arbitre unique qui peut être le Bureau international.

4. La décision des arbitres est prise à la majorité des voix.

5. En cas de partage des voix, les arbitres choisissent, pour trancher le différend, une autre Administration postale également désintéressée dans le litige. A défaut d'une entente sur le choix, cette Administration est désignée par le Bureau international parmi les Administrations non proposées par les arbitres.

6. S'il s'agit d'un différend concernant l'un des Arrangements, les arbitres ne peuvent être désignés en dehors des Administrations qui participent à cet Arrangement.

Chapitre VI

Dispositions finales

Article 126

Conditions d'approbation des propositions concernant le Règlement général

Pour devenir exécutoires, les propositions soumises au Congrès et relatives au présent Règlement général doivent être approuvées par la majorité des Pays-membres représentés au Congrès. Les deux tiers au moins des Pays-membres de l'Union doivent être présents au moment du vote.

Article 127

Propositions concernant les Accords avec l'Organisation des Nations Unies

Les conditions d'approbation visées à l'article 126 s'appliquent également aux propositions tendant à modifier les Accords conclus entre l'Union postale universelle et l'Organisation des Nations Unies dans la mesure ou ces Accords ne prévoient pas les conditions de modification des dispositions qu'ils contiennent.

Article 128

Mise à exécution et durée du Règlement général

Le présent Règlement général sera mis à exécution le 1er janvier 1976 et demeurera en vigueur jusqu'à la mise a exécution des Actes du prochain Congrès.

En foi de quoi, les Plénipotentiaires des Gouvernements des Pays-membres ont signé le présent Règlement général en un exemplaire qui restera déposé aux Archives du Gouvernement du pays-siège de l'Union. Une copie en sera remise à chaque Partie par le Gouvernement du pays-siège du Congrès.

Fait à Lausanne, le 5 juillet 1974.

Pour
LA RÉPUBLIQUE DE L'AFGHANISTAN:

Pour
LA RÉPUBLIQUE
DE L'AFRIQUE DU SUD:

Pour
LA RÉPUBLIQUE POPULAIRE
D'ALBANIE.

Pour
LA REPUBLIQUE ALGERIENNE
DEMOCRATIQUE ET POPULAIRE.

Pour
LA RÉPUBLIQUE FÉDÉRALE
D'ALLEMAGNE:

Pour
LES ÉTATS-UNIS D'AMÉRIQUE.

Michael J. Regan

TIAS 8231

Pour
L'ENSEMBLE DES TERRITOIRES
DES ÉTATS-UNIS D'AMÉRIQUE,
Y COMPRIS LE TERRITOIRE
SOUS TUTELLE DES ÎLES DU
PACIFIQUE:

Joseph F Jones

Michael J. Regan

Pour
LE ROYAUME DE L'ARABIE SAOUDITE:

DR. ALAWI D. KATAL

ALI sheikh

A.A.SAMMAN

Pour
LA RÉPUBLIQUE ARGENTINE:

Pour
L'AUSTRALIE:

Pour
LA RÉPUBLIQUE D'AUTRICHE:

Pour
LE COMMONWEALTH DES BAHAMAS:

Pour
L'ÉTAT DE BAHRAIN:

ALI E. MATAR

Pour
LA RÉPUBLIQUE POPULAIRE
DU BANGLADESH:

Pour
BARBADE:

Pour
LA BELGIQUE:

Pour
LE ROYAUME DE BHOUTAN:

Pour
LA RÉPUBLIQUE SOCIALISTE
SOVIÉTIQUE DE BIÉLORUSSIE:

Pour
LA RÉPUBLIQUE SOCIALISTE
DE L'UNION DE BIRMANIE:

Pour
LA RÉPUBLIQUE DE BOLIVIE:

Pour
LA RÉPUBLIQUE DU BOTSWANA:

Pour
LA RÉPUBLIQUE FÉDÉRATIVE
DU BRÉSIL:

Pour
LA RÉPUBLIQUE POPULAIRE
DE BULGARIE:

Pour
LA RÉPUBLIQUE DU BURUNDI:

Pour
LA RÉPUBLIQUE UNIE DU CAMEROUN:

Pour
LE CANADA:

Pour
LA RÉPUBLIQUE CENTRAFRICAINE:

Pour
LE CHILI:

TIAS 8231

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Pour
LA RÉPUBLIQUE POPULAIRE
DE CHINE:

Pour
LA RÉPUBLIQUE DE CHYPRE:

Pour
LA RÉPUBLIQUE DE COLOMBIE:

Pour
LA RÉPUBLIQUE POPULAIRE
DU CONGO:

BBALOUNDA

Pour
LA RÉPUBLIQUE DE CORÉE:

Pour
LA RÉPUBLIQUE DE COSTA-RICA:

Pour
LA RÉPUBLIQUE DE CÔTE D'IVOIRE:

Pour
LA RÉPUBLIQUE DE CUBA:

Pour
LA RÉPUBLIQUE DU DAHOMEY:

GOUNONA BÉ

ADOUN L.

Pour
LA RÉPUBLIQUE ARABE D'ÉGYPTE:

M. I. Sobhi

A. Bakr

Awadallah Tawfik

Ahmed Shafey

Pour
LE ROYAUME DE DANEMARK:

Gunna Reckendorff

Bill Jørgensen

Torben Andersen

Børge Nordbo

Pour
LA RÉPUBLIQUE DE EL SALVADOR:

A. Ant. Andrade

Pour
LA RÉPUBLIQUE DOMINICAINE:

Pour
LES ÉMIRATS ARABES UNIS:

M.A. HASSAN

Sh. M. Ali

Pour
LA RÉPUBLIQUE DE L'ÉQUATEUR:

Pour
L'ESPAGNE:

Pour
LE TERRITOIRE ESPAGNOL
DE L'AFRIQUE:

Pour
L'ÉTHIOPIE:

Pour
FIDJI:

Pour
LA RÉPUBLIQUE DE FINLANDE:

Pour
LA RÉPUBLIQUE FRANÇAISE:

Pour
L'ENSEMBLE DES TERRITOIRES
REPRÉSENTÉS PAR L'OFFICE FRANÇAIS
DES POSTES ET TÉLÉCOMMUNICATIONS
D'OUTRE-MER:

Pour
LA RÉPUBLIQUE GABONAISE:

Pour
LE GHANA:

Pour
LE ROYAUME-UNI
DE GRANDE-BRETAGNE
ET D'IRLANDE DU NORD,
ÎLES DE LA MANCHE
ET ÎLE DE MAN:

Pour
LES TERRITOIRES D'OUTRE-MER
DONT LES RELATIONS
INTERNATIONALES
SONT ASSURÉES
PAR LE GOUVERNEMENT
DU ROYAUME-UNI
DE GRANDE-BRETAGNE
ET D'IRLANDE DU NORD:

Pour
LA GRÈCE:

Pour
LA RÉPUBLIQUE DU GUATÉMALA:

Pour
LA RÉPUBLIQUE DE GUINÉE:

Pour
LA RÉPUBLIQUE DE GUINÉE-BISSAU:

Pour
LA RÉPUBLIQUE
DE GUINÉE ÉQUATORIALE:

Pour
LA GUYANE:

Pour
LA RÉPUBLIQUE D'HAÏTI:

Pour
LA RÉPUBLIQUE DE HAUTE-VOLTA:

Pour
LA RÉPUBLIQUE DU HONDURAS:

Pour
LA RÉPUBLIQUE POPULAIRE
HONGROISE:

Pour
L'INDE:

Pour
LA RÉPUBLIQUE D'INDONÉSIE:

Pour
L'IRAN:

Pour
LA RÉPUBLIQUE D'IRAQ:

Pour
L'IRLANDE:

Pour
LA RÉPUBLIQUE D'ISLANDE:

Pour
ISRAËL:

S. Amitzur

Pour
L'ITALIE:

Pour
LA JAMAÏQUE:

Pour
LE JAPON:

Pour
LE ROYAUME HACHÉMITE
DE JORDANIE:

H. Khammash.

Ali AL JABER

Issa Qandah

Pour
LA RÉPUBLIQUE DE KENYA:

Pour
LA RÉPUBLIQUE KHMÈRE:

Pour
KUWAIT:

Pour
LE ROYAUME DU LAOS:

Pour
LE ROYAUME DU LESOTHO:

Pour
LA RÉPUBLIQUE LIBANAISE:

Pour
LA RÉPUBLIQUE DE LIBÉRIA:

Pour
LA RÉPUBLIQUE ARABE LIBYENNE:

Pour
LA PRINCIPAUTÉ DE LIECHTENSTEIN:

Pour
LE LUXEMBOURG:

Pour
LA MALAISIE:

Pour
MALAWI:

Pour
LA RÉPUBLIQUE DES MALDIVES:

Pour
LA RÉPUBLIQUE MALGACHE:

Pour
LA RÉPUBLIQUE DU MALI:

Pour
MALTE:

Pour
LE ROYAUME DU MAROC:

Pour
MAURICE:

Pour
LA RÉPUBLIQUE ISLAMIQUE
DE MAURITANIE:

Pour
LES ÉTATS-UNIS DU MEXIQUE:

Pour
LA PRINCIPAUTÉ DE MONACO:

Pour
LA RÉPUBLIQUE POPULAIRE
DE MONGOLIE:

Pour
LA RÉPUBLIQUE DE NAURU:

Pour
LE NÉPAL:

Pour
LA RÉPUBLIQUE DU NICARAGUA:

Pour
LA RÉPUBLIQUE DU NIGER:

Pour
LA RÉPUBLIQUE FÉDÉRALE DE NIGÉRIA:

Pour
LA NORVÈGE:

Pour
LA NOUVELLE-ZÉLANDE:

Pour
LE SULTANAT D'OMAN:

H.A. ASSAD. H.E.

Pour
L'OUGANDA:

Emmy J. Ovragage

Pour
LE PAKISTAN:

S.A. Mahmud

Pour
LA RÉPUBLIQUE DE PANAMA:

Pedro Brin Martínez

Julio Espino

Pour
LA RÉPUBLIQUE DE PARAGUAY:

Pour
LES PAYS-BAS:

Pour
LES ANTILLES NÉERLANDAISES
ET SURINAM:

Pour
LA RÉPUBLIQUE DU PÉROU:

Pour
LA RÉPUBLIQUE DES PHILIPPINES:

Pour
LA RÉPUBLIQUE POPULAIRE
DE POLOGNE:

Pour
LE PORTUGAL:

Pour
LES PROVINCES PORTUGAISES
DE L'AFRIQUE OCCIDENTALE:

Pour
LES PROVINCES PORTUGAISES
DE L'AFRIQUE ORIENTALE,
DE L'ASIE ET DE L'OCÉANIE:

Pour
L'ÉTAT DE QATAR:

Pour
LA RÉPUBLIQUE DÉMOCRATIQUE
ALLEMANDE:

Pour
LA RÉPUBLIQUE POPULAIRE
DÉMOCRATIQUE DE CORÉE:

Pour
LA RÉPUBLIQUE SOCIALISTE
DE ROUMANIE:

Pour
LA RÉPUBLIQUE RWANDAISE:

Pour
LA RÉPUBLIQUE DE SAINT-MARIN:

Pour
LA RÉPUBLIQUE DU SÉNÉGAL:

Pour
LA RÉPUBLIQUE DE SIERRA LEONE:

Pour
SINGAPOUR:

Pour
LA RÉPUBLIQUE DÉMOCRATIQUE
DE SOMALIE:

Pour
LA RÉPUBLIQUE DÉMOCRATIQUE
DU SOUDAN:

Pour
LA RÉPUBLIQUE DE SRI LANKA
(CEYLAN):

Pour
LA SUÈDE:

Pour
LA CONFÉDÉRATION SUISSE:

Pour
LE ROYAUME DU SWAZILAND:

Pour
LA RÉPUBLIQUE ARABE SYRIENNE:

Pour
LA RÉPUBLIQUE UNIE DE TANZANIE:

Pour
LA RÉPUBLIQUE DU TCHAD:

Pour
LA RÉPUBLIQUE SOCIALISTE
TCHÉCOSLOVAQUE:

Pour
LA THAÏLANDE:

Pour
LA RÉPUBLIQUE TOGOLAISE:

Pour
LE ROYAUME DES TONGA:

Pour
TRINITÉ ET TOBAGO:

Pour
LA TUNISIE:

Pour
LA TURQUIE:

Pour
LA RÉPUBLIQUE SOCIALISTE
SOVIÉTIQUE D'UKRAINE:

Pour
L'UNION DES RÉPUBLIQUES
SOCIALISTES SOVIÉTIQUES:

Pour
LA RÉPUBLIQUE ORIENTALE
DE L'URUGUAY:

Pour
L'ÉTAT DE LA CITÉ DU VATICAN:

Pour
LA RÉPUBLIQUE DE VÉNÉZUÉLA:

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Pour
LA RÉPUBLIQUE DU VIÊT-NAM:

Pour
LA RÉPUBLIQUE ARABE DU YÉMEN:

Pour
LA RÉPUBLIQUE DÉMOCRATIQUE
POPULAIRE DU YÉMEN:

Pour
LA RÉPUBLIQUE SOCIALISTE
FÉDÉRATIVE DE YOUGOSLAVIE:

Pour
LA RÉPUBLIQUE DU ZAÏRE:

Pour
LA RÉPUBLIQUE DE ZAMBIE:

PROTOCOLE FINAL
DU RÈGLEMENT GÉNÉRAL DE L'UNION POSTALE UNIVERSELLE

Au moment de procéder à la signature du Règlement général de l'Union postale universelle conclu à la date de ce jour, les Plénipotentiaires soussignés sont convenus de ce qui suit:

Article I

Conseil exécutif et Conseil consultatif des études postales

Les dispositions du Règlement général relatives à l'organisation et au fonctionnement du Conseil exécutif et du Conseil consultatif des études postales sont applicables avant la mise à exécution de ce Règlement.

Article II

Dépenses de l'Union

1. Par dérogation à l'article 128, un montant de 100 000 francs suisses est ajouté à la limite des dépenses annuelles afférentes aux activités des organes de l'Union pour l'année 1975 en raison des dépenses inhérentes à l'entrée en vigueur, à partir du 1er janvier 1975, du nouveau système de comptabilité des coupons-réponse internationaux.

2. Par dérogation à l'article 122, paragraphe 1, le Conseil exécutif, ou en cas d'extrême urgence le Directeur général, peut autoriser un dépassement des limites fixées pour faire face aux réparations importantes et imprévues du bâtiment du Bureau international, sans toutefois que le montant du dépassement ne puisse excéder 65 000 francs suisses par année.

Article III

Classes de contribution

L'article 123, paragraphe 1, est applicable avant la mise à exécution du présent Règlement.

En foi de quoi, les Plénipotentiaires ci-dessous ont dressé le présent Protocole, qui aura la même force et la même valeur que si ses dispositions étaient insérées dans le texte même du Règlement général, et ils l'ont signé en un exemplaire qui restera déposé aux Archives du Gouvernement du pays-siège de l'Union. Une copie en sera remise à chaque Partie par le Gouvernement du pays-siège du Congrès.

Fait à Lausanne, le 5 juillet 1974.

[The signatures appearing here in the original correspond to those on pages 570–590.]

RÈGLEMENT GÉNÉRAL DE L'UNION POSTALE UNIVERSELLE – ANNEXE

Règlement intérieur des Congrès

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Règlement intérieur des Congrès

Article premier

Dispositions générales

Le présent Règlement intérieur, ci-après dénommé le "Règlement", est établi en application des Actes de l'Union et leur est subordonné. En cas de divergence entre l'une de ses dispositions et une disposition des Actes, cette dernière fait autorité.

Article 2

Délégations

1. Le terme "délégation" s'entend de la personne ou de l'ensemble des personnes désignées par un Pays-membre pour participer au Congrès. La délégation se compose d'un Chef de délégation ainsi que, le cas échéant, d'un suppléant du Chef de délégation, d'un ou de plusieurs délégués et, éventuellement, d'un ou de plusieurs fonctionnaires attachés (y compris experts, secrétaires, etc.).

2. Les Chefs de délégation, leurs suppléants, ainsi que les délégués sont les représentants des Pays-membres au sens de l'article 14, paragraphe 2, de la Constitution s'ils sont munis de pouvoirs répondant aux conditions fixées à l'article 3 du présent Règlement.

3. Les fonctionnaires attachés sont admis aux séances; ils n'ont pas, en principe, le droit de vote. Toutefois, ils peuvent être autorisés par leur Chef de délégation à voter au nom de leur pays dans les séances des Commissions. De telles autorisations doivent être remises par écrit avant le début de la séance au Président de la Commission intéressée.

Article 3

Pouvoirs des délégués

1. Les pouvoirs des délégués doivent être signés par le Chef de l'Etat ou par le Chef du Gouvernement ou par le Ministre des affaires étrangères du pays intéressé. Ils doivent être libellés en bonne et due forme. Les pouvoirs des délégués habilités à signer les Actes (plénipotentiaires) doivent indiquer la portée de cette signature (signature sous réserve de ratification ou d'approbation, signature "ad referendum", signature définitive). En l'absence d'une telle précision, la signature est considérée comme soumise à ratification ou à approbation. Les pouvoirs autorisant à signer les Actes comprennent implicitement le droit de voter; ceux qui ne comportent pas une telle clause donnent simplement le droit de prendre part aux délibérations et de voter.

2. Les pouvoirs doivent être déposés dès l'ouverture du Congrès auprès de l'autorité désignée à cette fin.

3. Les délégués non munis de pouvoirs ou qui n'auront pas déposé leurs pouvoirs peuvent, s'ils ont été annoncés par leur Gouvernement au Gouvernement du pays invitant, prendre part aux délibérations et voter dès l'instant où ils commencent à participer aux travaux du Congrès. Il en est de même pour ceux dont les pouvoirs sont reconnus comme étant entachés d'irrégularités. Ces délégués ne seront plus autorisés à voter à partir du moment où le Congrès aura approuvé le rapport de la Commission de vérification des pouvoirs constatant que leurs pouvoirs font défaut ou sont irréguliers et aussi longtemps que la situation n'est pas régularisée.

4. Les pouvoirs d'un Pays-membre qui se fait représenter au Congrès par la délégation d'un autre Pays-membre (procuration) doivent revêtir la même forme que ceux qui sont mentionnés au paragraphe 1.

5. Les pouvoirs et les procurations adressés par télégramme ne sont pas admis. En revanche, sont acceptés les télégrammes répondant à une demande d'information relative à une question de pouvoirs.

6. Une délégation qui, après avoir déposé ses pouvoirs, est empêchée d'assister à une ou plusieurs séances, a la faculté de se faire représenter par la délégation d'un autre pays à la condition d'en donner avis par écrit au Président de la réunion intéressée. Toutefois, une délégation ne peut représenter qu'un seul pays autre que le sien.

7. Les délégués des Pays-membres qui ne sont pas parties à un Arrangement peuvent prendre part, sans droit de vote, aux délibérations du Congrès concernant cet Arrangement.

Article 4

Ordre des places

1. Aux séances du Congrès et des Commissions, les délégations sont rangées d'après l'ordre alphabétique français des Pays-membres représentés.

2. Le Président du Conseil exécutif tire au sort, en temps opportun, le nom du pays qui prendra place en tête devant la tribune présidentielle, lors des séances du Congrès et des Commissions.

Article 5

Observateurs

1. Des représentants de l'Organisation des Nations Unies peuvent participer aux délibérations du Congrès.

2. Les observateurs des organisations internationales intergouvernementales désignés par le Conseil exécutif sont admis aux séances du Congrès lorsque sont discutées des questions intéressant ces organisations.

3. Sont également admis comme observateurs les représentants qualifiés des Unions restreintes établies conformément à l'article 8, paragraphe 1, de la Constitution lorsqu'elles en expriment le désir.

4. Les observateurs dont il est question aux paragraphes 1 à 3 prennent part aux délibérations sans droit de vote.

5. Les demandes de participer au Congrès émanant d'organisations non gouvernementales font l'objet pour chaque cas d'une décision expresse du Congrès.

Article 6

Doyen du Congrès

1. L'Administration postale du pays-siège du Congrès suggère la désignation du Doyen du Congrès d'entente avec le Bureau international. Le Conseil exécutif procède, en temps opportun, à l'adoption de cette désignation.

2. A l'ouverture de la première séance plénière de chaque Congrès, le Doyen assume la présidence du Congrès jusqu'à ce que celui-ci ait élu son Président. Au surplus, il exerce les fonctions qui lui sont attribuées par le présent Règlement.

Article 7

Présidences et vice-présidences du Congrès et des Commissions

1. Dans sa première séance plénière, le Congrès, sur proposition du Doyen, désigne le Pays-membre et les quatre Pays-membres qui assumeront respectivement la présidence et les vice-présidences du Congrès. Ces fonctions sont attribuées en tenant compte autant que possible de la répartition géographique des Pays-membres.

2. Sur proposition du Doyen, le Congrès désigne également les Pays-membres qui assumeront les présidences et les vice-présidences des Commissions.

3. Les Présidents ouvrent et clôturent les séances qu'ils président, dirigent les discussions, donnent la parole aux orateurs, mettent aux voix les propositions et indiquent la majorité requise pour les votes, proclament les décisions et, sous réserve de l'approbation du Congrès, donnent éventuellement une interprétation de ces décisions.

4. Les Présidents veillent au respect du présent Règlement et au maintien de l'ordre au cours des séances.

5. Toute délégation peut en appeler, devant le Congrès ou la Commission, d'une décision prise par le Président de ceux-ci sur la base d'une disposition du Règlement ou d'une interprétation de celui-ci; la décision du Président reste toutefois valable si elle n'est pas annulée par la majorité des membres présents et votant.

6. Si le Pays-membre chargé de la présidence n'est plus en mesure d'assurer cette fonction, l'un des Vice-Présidents est désigné par le Congrès ou par la Commission pour le remplacer.

Article 8

Bureau du Congrès

1. Le Bureau est l'organe central chargé de diriger les travaux du Congrès. Il est composé du Président et des Vice-Présidents du Congrès ainsi que des Présidents des Commissions. Il se réunit périodiquement pour examiner le déroulement des travaux du Congrès et de ses Commissions et pour formuler des recommandations tendant à favoriser ce déroulement. Il aide le Président à élaborer l'ordre du jour de chaque séance plénière et à coordonner les travaux des Commissions. Il fait des recommandations relatives à la clôture du Congrès.

2. Le Secrétaire général du Congrès et le Secrétaire général adjoint mentionnés à l'article 12, paragraphe 1, assistent aux réunions du Bureau.

Article 9

Commissions

Le Congrès détermine le nombre des Commissions nécessaires pour mener à bien ses travaux et il en fixe les attributions.

Article 10

Groupes de travail

Chaque Commission peut constituer des groupes de travail pour l'étude de questions spéciales.

Article 11

Membres des Commissions

1. Les Pays-membres représentés au Congrès sont, de droit, membres des Commissions chargées de l'examen des propositions relatives à la Constitution, au Règlement général, à la Convention et au Règlement d'exécution de celle-ci.

2. Les Pays-membres représentés au Congrès qui sont parties à un ou plusieurs des Arrangements facultatifs sont de droit membres de la ou des Commissions chargées de la revision de ces Arrangements. Le droit de vote des membres de cette ou de ces Commissions est limité à l'Arrangement ou aux Arrangements auxquels ils sont parties.

3. Les délégations qui ne sont pas membres des Commissions traitant des Arrangements et de leur Règlement d'exécution ont la faculté d'assister aux séances de celles-ci et de prendre part aux délibérations sans droit de vote.

Article 12

Secrétariat du Congrès et des Commissions

1. Le Directeur général et le Vice-Directeur général du Bureau international assument respectivement les fonctions de Secrétaire général et de Secrétaire général adjoint du Congrès.

2. Le Secrétaire général et le Secrétaire général adjoint assistent aux séances du Congrès et du Bureau du Congrès où ils prennent part aux délibérations sans droit de vote. Ils peuvent aussi, dans les mêmes conditions, assister aux séances des Commissions ou s'y faire représenter par un fonctionnaire supérieur du Bureau international.

3. Les travaux du Secrétariat du Congrès, du Bureau du Congrès et des Commissions sont assurés par le personnel du Bureau international en collaboration avec l'Administration du pays invitant.

4. Les fonctionnaires supérieurs du Bureau international assument les fonctions de Secrétaires du Congrès, du Bureau du Congrès et des Commissions. Ils assistent le Président pendant les séances et sont responsables de la rédaction des procès-verbaux ou des rapports.

5. Les Secrétaires du Congrès et des Commissions sont assistés par des Secrétaires adjoints.

6. Des rapporteurs possédant la langue française sont chargés de la rédaction des procès-verbaux du Congrès et des Commissions.

Article 13

Langues de délibération

1. Sous réserve du paragraphe 2, les langues française, anglaise, espagnole et russe sont admises pour les délibérations moyennant un système d'interprétation simultanée ou consécutive.

2. Les délibérations de la Commission de rédaction ont lieu en langue française.

3. D'autres langues sont également autorisées pour les délibérations indiquées au paragraphe 1. La langue du pays-hôte jouit d'un droit de priorité à cet égard. Les délégations qui emploient d'autres langues assurent l'interprétation simultanée en l'une des langues mentionnées au paragraphe 1, soit par le système d'interprétation simultanée, lorsque des modifications d'ordre technique peuvent y être apportées, soit par des interprètes particuliers.

4. Les frais d'installation et d'entretien de l'équipement technique sont à la charge de l'Union.

5. Les frais des services d'interprétation sont répartis entre les Pays-membres utilisant la même langue dans la proportion de leur contribution aux dépenses de l'Union.

Article 14

Langues de rédaction des documents du Congrès

1. Les documents élaborés pendant le Congrès y compris les projets de décisions soumis à l'approbation du Congrès sont publiés en langue française par le Secrétariat du Congrès.

2. A cet effet, les documents provenant des délégations des Pays-membres doivent être présentés dans cette langue, soit directement, soit par l'intermédiaire des services de traduction adjoints au Secrétariat du Congrès.

3. Ces services, organisés à leurs frais par les groupes linguistiques constitués selon les dispositions correspondantes du Règlement général, peuvent aussi traduire des documents du Congrès dans leurs langues respectives.

Article 15

Propositions

1. Toutes les questions portées devant le Congrès font l'objet de propositions.

2. Toutes les propositions publiées par le Bureau international avant l'ouverture du Congrès sont considérées comme soumises au Congrès.

3. Dès l'ouverture du Congrès, aucune proposition ne sera prise en considération, sauf celles qui tendent à l'amendement de propositions antérieures.

4. Est considérée comme amendement toute proposition de modification comportant une suppression, une addition à une partie de la proposition originale ou la revision d'une partie de cette proposition. Aucune proposition de modification ne sera considérée comme un amendement si le Congrès ou la Commission est d'avis qu'elle est incompatible avec la proposition originale.

5. Les amendements présentés en Congrès au sujet de propositions déjà faites doivent être remis par écrit en langue française au Secrétariat avant midi l'avant-veille du jour de leur mise en délibération de façon à pouvoir être distribués le même jour aux délégués. Ce délai ne s'applique pas aux amendements résultant directement des discussions en Congrès ou en Commission. Dans ce dernier cas, si cela est demandé, l'auteur de l'amendement doit présenter son texte par écrit en langue française ou, en cas de difficulté, en toute autre langue de débat. Le Président intéressé en donnera ou en fera donner lecture.

6. La procédure prévue au paragraphe 5 s'applique également à la présentation des propositions ne visant pas à modifier le texte des Actes (projets de résolutions, de recommandations, de voeux, etc.).

7. Toute proposition ou amendement doit revêtir la forme définitive du texte à introduire dans les Actes de l'Union, sous réserve bien entendu de mise au point par la Commission de rédaction.

Article 16

Examen des propositions en Congrès et Commissions

1. Les propositions d'ordre rédactionnel (dont le numéro est suivi de la lettre R) sont attribuées à la Commission de rédaction soit directement si, de la part du Bureau international, il n'y a aucun doute quant à leur nature (une liste en est établie par le Bureau international à l'intention de la Commission de rédaction), soit si, de l'avis du Bureau international, il y a doute sur leur nature, après que les autres Commissions en ont confirmé la nature purement rédactionnelle (une liste en est aussi établie à l'intention des Commissions intéressées). Toutefois, si de telles propositions sont liées à d'autres propositions de fond à traiter par le Congrès ou par d'autres Commissions, la Commission de rédaction n'en aborde l'étude qu'après que le Congrès ou les autres Commissions se sont prononcés à l'égard des propositions de fond correspondantes. Les propositions dont le numéro n'est pas suivi de la lettre R, mais qui, de l'avis du Bureau international, sont des propositions d'ordre rédactionnel, sont déférées directement aux Commissions qui s'occupent des propositions de fond correspondantes. Ces Commissions décident, dès l'ouverture de leurs travaux, lesquelles de ces propositions seront attribuées directement à la Commission de rédaction. Une liste de ces propositions est établie par le Bureau international à l'intention des Commissions en cause.

2. Si une même question fait l'objet de plusieurs propositions, le Président décide de leur ordre de discussion en commençant, en principe, par la proposition qui s'éloigne le plus du texte de base et qui comporte le changement le plus profond par rapport au statu quo.

3. Si une proposition peut être subdivisée en plusieurs parties, chacune d'elles peut, avec l'accord de l'auteur de la proposition ou de l'assemblée, être examinée et mise aux voix séparément.

4. Toute proposition retirée en Congrès ou en Commission par son auteur peut être reprise par la délégation d'un autre Pays-membre.

5. Si une proposition fait l'objet d'un amendement, on vote en premier lieu sur cet amendement. Toutefois, tout amendement à une proposition, accepté par la délégation qui présente cette proposition, est aussitôt incorporé dans le texte de la proposition.

6. Si une proposition fait l'objet de plusieurs amendements, on vote en premier lieu sur celui des amendements qui s'écarte le plus du texte original; ensuite, on vote sur celui — parmi les amendements qui restent — qui s'écarte encore le plus du texte original et ainsi de suite jusqu'à ce que tous les amendements aient été examinés. Si un ou plusieurs amendements sont adoptés, la proposition ainsi modifiée est ensuite elle-même mise aux voix. Si aucun amendement n'est adopté, le vote a lieu sur la proposition initiale.

7. Le Président du Congrès et les Présidents des Commissions font remettre à la Commission de rédaction, après chaque séance, le texte écrit des propositions, amendements ou décisions adoptés.

Article 17

Délibérations

1. Les délégués ne peuvent prendre la parole qu'après avoir été autorisés par le Président de la réunion. Il leur est recommandé de parler sans hâte et distinctement. Le Président doit laisser aux délégués la possibilité d'exprimer librement et pleinement leur avis sur le sujet en discussion pour autant que cela soit compatible avec le déroulement normal des délibérations.

2. Sauf décision contraire prise à la majorité des membres présents et votant, les discours ne peuvent excéder cinq minutes. Le Président est autorisé à interrompre tout orateur qui dépasse ledit temps de parole. Il peut aussi inviter le délégué à ne pas s'écarter du sujet.

3. Au cours d'un débat, le Président peut, avec l'accord de la majorité des membres présents et votant, déclarer close la liste des orateurs après en avoir donné lecture. Lorsque la liste est épuisée, il prononce la clôture du débat, sous réserve d'accorder, même après la clôture de la liste, le droit de répondre à tout discours prononcé.

4. Le Président peut aussi, avec l'accord de la majorité des membres présents et votant, limiter le nombre des interventions d'une même délégation sur une proposition ou un groupe de propositions déterminé, la possibilité devant cependant être accordée à l'auteur de la proposition d'introduire celle-ci et d'intervenir ultérieurement s'il le demande, pour apporter des éléments nouveaux en réponse aux interventions des autres délégations, de telle façon qu'il puisse avoir la parole en dernier lieu s'il la demande.

5. Avec l'accord de la majorité des membres présents et votant, le Président peut limiter le nombre des interventions sur une proposition ou un groupe de propositions déterminé; cette limitation ne peut être inférieure à cinq pour et cinq contre la proposition en discussion.

Article 18

Motions d'ordre

1. Il est permis, en tout temps, de demander la parole, pour une motion d'ordre ou pour un fait personnel. Toute demande de cette nature doit être mise immédiatement en discussion afin d'arriver à une décision sans retard.

2. La délégation qui présente une motion d'ordre ne peut pas, dans son intervention, traiter du fond de la question en discussion.

3. L'ordre de priorité des motions d'ordre est le suivant:

a) rappel au Règlement;
b) suspension de la séance;
c) levée de la séance;
d) ajournement du débat sur la question en discussion;
e) clôture du débat sur la question en discussion;
f) toutes autres motions (p. ex. motion visant à modifier l'ordre fixé par le Président pour l'examen des propositions, questions de compétence) dont l'ordre de priorité a été établi par le Président.

4. Pendant la discussion d'une question, une délégation peut proposer de suspendre ou de lever la séance, en indiquant les motifs de sa proposition. Si cette proposition est appuyée, la parole peut être donnée à deux orateurs s'exprimant contre la suspension ou la levée de la séance et uniquement sur ce sujet, après quoi la motion est mise aux voix.

5. Une délégation peut proposer l'ajournement du débat sur toute question pour une période déterminée. En ce cas, la parole n'est accordée qu'à deux orateurs opposés à l'ajournement, après quoi la motion est mise aux voix.

6. A tout moment, une délégation peut proposer que le débat sur la question en discussion soit clos. En ce cas, la parole n'est accordée qu'à deux orateurs opposés à la clôture, après quoi la motion est mise aux voix.

7. L'auteur d'une motion d'ordre peut la retirer avant qu'elle soit mise aux voix. Toute motion, amendée ou non, qui serait ainsi retirée peut être reprise par une autre délégation.

Article 19

Quorum. Généralités concernant les votations

1. Le quorum est constitué par la moitié des Pays-membres représentés au Congrès ou à la Commission et ayant droit de vote. En ce qui concerne les Arrangements, le quorum n'exige que la présence ou la représentation à la réunion de la moitié des Pays-membres représentés qui sont parties à l'Arrangement dont il s'agit.

2. Les questions qui ne peuvent être réglées d'un commun accord sont tranchées par votation.

3. Les délégations présentes qui ne participent pas à un vote déterminé ou qui déclarent ne pas vouloir y participer ne sont pas considérées comme absentes en vue de la détermination du quorum exigé au paragraphe 1.

4. Lorsque le nombre d'abstentions et de bulletins blancs ou nuls dépasse la moitié du nombre des suffrages exprimés (pour, contre, abstentions), l'examen de la question est renvoyé à une séance ultérieure au cours de laquelle les abstentions ainsi que les bulletins blancs ou nuls n'entreront plus en ligne de compte.

Article 20

Procédure de vote

1. Les votes ont lieu par le système traditionnel ou par le dispositif électronique de votation. Ils sont en principe effectués par le dispositif électronique lorsque celui-ci est à la disposition de l'assemblée. Toutefois, pour un vote secret, le recours au système traditionnel peut avoir lieu si la demande présentée dans ce sens par une délégation est appuyée par la majorité des délégations présentes et votant.

2. Pour le système traditionnel, les procédures de vote sont les suivantes:

a) à main levée: si le résultat d'un tel vote donne lieu à des doutes, le Président peut, à son gré ou à la demande d'une délégation, faire procéder à un vote par appel nominal sur la même question;

b) par appel nominal: sur demande d'une délégation ou au gré du Président. L'appel se fait en suivant l'ordre alphabétique français des pays représentés en commençant par le pays dont le nom est tiré au sort par le Président. Le résultat du vote, avec la liste des pays par nature de vote, est consigné au procès-verbal de la séance;

c) au scrutin secret: par bulletin de vote sur demande de deux délégations. Le Président de la réunion désigne en ce cas trois scrutateurs et prend les mesures nécessaires pour assurer le secret du vote.

3. Par le dispositif électronique, les procédures de vote sont les suivantes:

a) vote non enregistré: il remplace un vote à main levée;

b) vote enregistré: il remplace un vote par appel nominal; toutefois, il n'est pas procédé à l'appel des noms des pays sauf si une délégation le demande et si cette proposition est appuyée par la majorité des délégations présentes et votant;

c) vote secret: il remplace un scrutin secret par bulletins de vote.

4. Quand un vote est commencé, aucune délégation ne peut l'interrompre sauf s'il s'agit d'une motion d'ordre relative à la manière suivant laquelle s'effectue le vote.

5. Après le vote, le Président peut autoriser les délégués à expliquer leur vote.

Article 21

Conditions d'approbation des propositions

1. Pour être adoptées, les propositions visant la modification des Actes doivent être approuvées:

a) pour la Constitution: par les deux tiers au moins des Pays-membres de l'Union;

b) pour le Règlement général: par la majorité des Pays-membres représentés au Congrès; les deux tiers des Pays-membres de l'Union doivent être présents au moment du vote;

c) pour la Convention et son Règlement d'exécution: par la majorité des Pays-membres présents et votant;

d) pour les Arrangements et leurs Règlements d'exécution: par la majorité des Pays-membres présents et votant qui sont parties aux Arrangements.

2. Les questions de procédure qui ne peuvent être résolues d'un commun accord sont décidées par la majorité des Pays-membres présents et votant. Il en est de même pour des décisions ne concernant pas la modification des Actes, à moins que le Congrès n'en décide autrement à la majorité des Pays-membres présents et votant.

3. Sous réserve des dispositions de l'article 19, paragraphe 4, par Pays-membres présents et votant, il faut entendre les Pays-membres votant "pour" ou "contre", les abstentions n'étant pas prises en considération dans le décompte des voix nécessaires pour constituer la majorité, de même d'ailleurs que les bulletins blancs ou nuls en cas de vote au scrutin secret.

4. En cas d'égalité des suffrages, la proposition est considérée comme rejetée.

Article 22

Election des membres du Conseil exécutif et du Conseil consultatif des études postales

En vue de départager les pays ayant obtenu le même nombre de voix aux élections des membres du Conseil exécutif ou du Conseil consultatif des études postales, le Président procède au tirage au sort.

Article 23

Procès-verbaux

1. Les procès-verbaux des séances du Congrès et des Commissions reproduisent la marche des séances, résument brièvement les interventions, mentionnent les propositions et le résultat des délibérations. Des procès-verbaux sont établis pour les séances plénières et des procès-verbaux sommaires pour les séances de Commissions.

2. Les procès-verbaux des séances d'une Commission peuvent être remplacés entièrement ou partiellement par des rapports à l'intention du Congrès si la Commission intéressée en décide ainsi. En règle générale, les Groupes de travail établissent un rapport à l'intention de l'organe qui les a créés.

3. Toutefois, chaque délégué a le droit de demander l'insertion analytique ou in extenso au procès-verbal ou au rapport de toute déclaration faite par lui, à la condition d'en remettre le texte français au Secrétariat deux heures au plus tard après la fin de la séance.

4. A partir du moment où l'épreuve du procès-verbal ou du rapport a été distribuée, les délégués disposent d'un délai de vingt-quatre heures pour présenter leurs observations au Secrétariat qui, le cas échéant, sert d'intermédiaire entre l'intéressé et le Président de la séance en question.

5. En règle générale et sous réserve du paragraphe 4, au début des séances du Congrès, le Président soumet à l'approbation le procès-verbal d'une séance précédente. Il en est de même pour les Commissions dont les délibérations font l'objet d'un procès-verbal ou d'un rapport. Les procès-verbaux ou les rapports des dernières séances qui n'auraient pu être approuvés en Congrès ou en Commission sont approuvés par les Présidents respectifs de ces réunions. Le Bureau international tiendra compte également des observations éventuelles que les délégués des Pays-membres lui communiqueront dans un délai de quarante jours après l'envoi desdits procès-verbaux.

6. Le Bureau international est autorisé à rectifier dans les procès-verbaux ou les rapports des séances du Congrès et des Commissions les erreurs matérielles qui n'auraient pas été relevées lors de leur approbation conformément au paragraphe 5.

Article 24

Approbation par le Congrès des projets de décisions (Actes, résolutions, etc.)

1. En règle générale, chaque projet d'Acte présenté par la Commission de rédaction est examiné article par article. Il ne peut être considéré comme adopté qu'après un vote d'ensemble favorable. Les dispositions de l'article 21, paragraphe 1, sont applicables à ce vote.

2. Au cours de cet examen, chaque délégation peut reprendre une proposition qui a été adoptée ou rejetée en Commission. L'appel concernant de telles propositions est subordonné à la condition que la délégation en ait informé par écrit le Président du Congrès au moins un jour avant la séance où la disposition visée du projet d'Acte sera soumise à l'approbation du Congrès.

3. Toutefois, il est toujours possible, si le Président le juge opportun pour la suite des travaux du Congrès, de procéder à l'examen des appels avant l'examen des projets d'Actes présentés par la Commission de rédaction.

4. Lorsqu'une proposition a été adoptée ou rejetée par le Congrès, elle ne peut être examinée à nouveau par le même Congrès que si l'appel a été appuyé par au moins dix délégations et approuvé à la majorité des deux tiers des membres présents et votant. Cette faculté se limite aux propositions soumises directement aux séances plénières, étant entendu qu'une même question ne peut donner lieu à plus d'un appel.

5. Le Bureau international est autorisé à rectifier dans les Actes définitifs les erreurs matérielles qui n'auraient pas été relevées lors de l'examen des projets d'Actes, le numérotage des articles et des paragraphes ainsi que les références.

6. Les paragraphes 2 à 5 sont également applicables aux projets de décisions autres que les projets d'Actes (résolutions, voeux, etc.).

Article 25

Réserves aux Actes

Les réserves doivent être présentées par écrit en langue française (propositions relatives au Protocole final) de manière à pouvoir être examinées par le Congrès avant la signature des Actes.

Article 26

Signature des Actes

Les Actes définitivement approuvés par le Congrès sont soumis à la signature des Plénipotentiaires.

Article 27

Modifications au Règlement

1. Chaque Congrès peut modifier le Règlement intérieur. Pour être mises en délibération, les propositions de modification au présent Règlement, à moins qu'elles ne soient présentées par un organe de l'UPU habilité à introduire des propositions, doivent être appuyées en Congrès par au moins dix délégations.

2. Pour être adoptées, les propositions de modification au présent Règlement doivent être approuvées par les deux tiers au moins des Pays-membres représentés au Congrès.

CONVENTION POSTALE UNIVERSELLE

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CONVENTION POSTALE UNIVERSELLE

Les soussignés, Plénipotentiaires des Gouvernements des Pays-membres de l'Union, vu l'article 22, paragraphe 3, de la Constitution de l'Union postale universelle conclue à Vienne le 10 juillet 1964, ont, d'un commun accord et sous réserve de l'article 25, paragraphe 3, de ladite Constitution, arrêté, dans la présente Convention, les règles communes applicables au service postal international et les dispositions concernant les services de la poste aux lettres.

Première partie

Règles communes applicables au service postal international

Chapitre I

Dispositions générales

Article premier

Liberté de transit

1. La liberté de transit, dont le principe est énoncé à l'article premier de la Constitution, entraîne l'obligation, pour chaque Administration postale, d'acheminer toujours par les voies les plus rapides qu'elle emploie pour ses propres envois les dépêches closes et les envois de la poste aux lettres à découvert qui lui sont livrés par une autre Administration. Cette obligation s'applique également aux correspondances-avion, que les Administrations postales intermédiaires prennent part ou non à leur réacheminement.

2. Les Pays-membres qui ne participent pas à l'échange des lettres contenant des matières biologiques périssables ou des matières radioactives ont la faculté de ne pas admettre ces envois au transit à découvert à travers leur territoire. Il en est de même pour les envois visés à l'article 33, paragraphe 6.

3. Les Pays-membres qui n'assurent pas le service des lettres avec valeur déclarée ou qui n'acceptent pas la responsabilité des valeurs pour les transports effectués par leurs services maritimes ou aériens ne peuvent toutefois s'opposer au transit en dépêches closes à travers leur territoire ou au transport des envois dont il s'agit par leurs voies maritimes ou aériennes; mais la responsabilité de ces pays est limitée à celle qui est prévue pour les envois recommandés.

4. La liberté de transit des colis postaux à acheminer par les voies terrestres et maritimes est limitée au territoire des pays participant à ce service.

5. La liberté de transit des colis-avion est garantie dans le territoire entier de l'Union. Toutefois, les Pays-membres qui ne sont pas parties à l'Arrangement concernant les colis postaux ne peuvent être obligés de participer à l'acheminement, par la voie de surface, des colis-avion.

6. Les Pays-membres qui sont parties à l'Arrangement concernant les colis postaux, mais qui n'assurent pas le service des colis postaux avec valeur déclarée ou qui n'acceptent pas la responsabilité des valeurs pour les transports effectués par leurs services maritimes ou aériens, ne peuvent toutefois s'opposer au transit en dépêches closes à travers leur territoire ou au transport des colis dont il s'agit par leurs voies maritimes ou aériennes; mais la responsabilité de ces pays est limitée à celle qui est prévue pour les colis de même poids sans valeur déclarée.

Article 2

Inobservation de la liberté de transit

Lorsqu'un Pays-membre n'observe pas les dispositions de l'article premier de la Constitution et de l'article premier de la Convention concernant la liberté de transit, les Administrations postales des autres Pays-membres ont le droit de supprimer le service postal avec ce pays. Elles doivent donner préalablement avis de cette mesure par télégramme aux Administrations intéressées et communiquer le fait au Bureau international.

Article 3

Transit territorial sans participation des services du pays traversé

Le transport en transit de courrier à travers un pays, sans participation des services de ce pays, est subordonné à l'autorisation préalable du pays traversé. Cette forme de transit n'engage pas la responsabilité de ce dernier pays.

Article 4

Suspension temporaire et reprise de services

Lorsque, par suite de circonstances extraordinaires, une Administration postale se voit obligée de suspendre temporairement et d'une manière générale ou partielle l'exécution de services, elle est tenue d'en donner immédiatement avis, au besoin par télégramme, à l'Administration ou aux Administrations intéressées. Elle a la même obligation lors de la reprise des services suspendus. En outre, le Bureau international doit être avisé de la suspension ou de la reprise de services si une notification générale est jugée nécessaire.

Article 5

Appartenance des envois postaux

Tout envoi postal appartient à l'expéditeur aussi longtemps qu'il n'a pas été délivré à l'ayant droit, sauf si ledit envoi a été saisi en application de la législation du pays de destination.

Article 6

Création d'un nouveau service

Les Administrations peuvent, d'un commun accord, créer un nouveau service non expressément prévu par la Convention. Les taxes relatives au nouveau service sont fixées par l'Administration intéressée, compte tenu des frais d'exploitation du service.

Article 7

Taxes

1. Les taxes relatives aux différents services postaux internationaux sont fixées dans la Convention et les Arrangements.

2. Il est interdit de percevoir des taxes postales de n'importe quelle nature autres que celles qui sont prévues dans la Convention et les Arrangements.

Article 8

Equivalents

Dans chaque Pays-membre, les taxes sont établies d'après une équivalence correspondant aussi exactement que possible, dans la monnaie de ce pays, à la valeur du franc-or.

Article 9

Timbres-poste

Seules les Administrations postales émettent les timbres-poste destinés à l'affranchissement.

Article 10

Formules

1. Les textes, couleurs et dimensions des formules doivent être ceux que prescrivent les Règlements de la Convention et des Arrangements.

2. Les formules à l'usage des Administrations pour leurs relations réciproques doivent être rédigées en langue française, avec ou sans traduction interlinéaire, à moins que les Administrations intéressées n'en disposent autrement par une entente directe.

3. Les formules à l'usage du public doivent comporter une traduction interlinéaire en langue française lorsqu'elles ne sont pas imprimées en cette langue.

Article 11

Cartes d'identité postales

1. Chaque Administration postale peut délivrer, aux personnes qui en font la demande, des cartes d'identité postales valables comme pièces justificatives pour les opérations postales effectuées dans les Pays-membres qui n'ont pas notifié leur refus de les admettre.

2. L'Administration qui fait délivrer une carte est autorisée à percevojr de ce chef une taxe qui ne peut être supérieure à 2 francs.

3. Les Administrations sont dégagées de toute responsabilité lorsqu'il est établi que la livraison d'un envoi postal ou le paiement d'un article d'argent a eu lieu sur la présentation d'une carte régulière. Elles ne sont pas non plus responsables des conséquences que peuvent entraîner la perte, la soustraction ou l'emploi frauduleux d'une carte régulière.

4. La carte est valable pour une durée de cinq ans à compter du jour de son émission. Toutefois, elle cesse d'être valable:

a) lorsque la physionomie du titulaire s'est modifiée au point de ne plus correspondre à la photographie ou au signalement;

b) lorsqu'elle est endommagée d'une façon telle que la vérification d'une donnée déterminée concernant le détenteur n'est plus possible;

c) lorsqu'elle présente des traces de falsification.

Article 12

Règlements des comptes

Les règlements, entre les Administrations postales, des comptes internationaux provenant du trafic postal peuvent être considérés comme transactions courantes et effectués conformément aux obligations internationales courantes des Pays-membres intéressés, lorsqu'il existe des accords à ce sujet. En l'absence d'accords de ce genre, ces règlements de comptes sont effectués conformément aux dispositions du Règlement.

Article 13

Engagements relatifs aux mesures pénales

Les Gouvernements des Pays-membres s'engagent à prendre, ou à proposer aux pouvoirs législatifs de leur pays, les mesures nécessaires:

a) pour punir la contrefaçon des timbres-poste, même retirés de la circulation, des coupons-réponse internationaux et des cartes d'identité postales;

b) pour punir l'usage ou la mise en circulation:
   1° de timbres-poste contrefaits (même retirés de la circulation) ou ayant déjà servi, ainsi que d'empreintes contrefaites ou ayant déjà servi de machines à affranchir ou de presses d'imprimerie;
   2° de coupons-réponse internationaux contrefaits;
   3° de cartes d'identité postales contrefaites;

c) pour punir l'emploi frauduleux de cartes d'identité postales régulières;

d) pour interdire et réprimer toutes opérations frauduleuses de fabrication et de mise en circulation de vignettes et timbres en usage dans le service postal, contrefaits ou imités de telle manière qu'ils pourraient être confondus avec les vignettes et timbres émis par l'Administration postale d'un des Pays-membres;

e) pour empêcher et, le cas échéant, punir l'insertion d'opium, de morphine, de cocaïne ou d'autres stupéfiants, de même que de matières explosives ou facilement inflammables, dans des envois postaux en faveur desquels cette insertion ne serait pas expressément autorisée par la Convention et les Arrangements.

Chapitre II

Franchises postales

Article 14

Franchise postale

Les cas de franchise postale sont expressément prévus par la Convention et les Arrangements.

Article 15

Franchise postale concernant les envois de la poste aux lettres relatifs au service postal

Sous réserve de l'article 60, paragraphe 4, sont exonérés de toutes taxes postales les envois de la poste aux lettres relatifs au service postal s'ils sont:

a) expédiés par les Administrations postales ou par leurs bureaux;

b) échangés entre les organes de l'Union postale universelle et les organes des Unions restreintes, entre les organes de ces Unions, ou envoyés par lesdits organes aux Administrations postales ou à leurs bureaux.

Article 16

Franchise postale en faveur des envois concernant les prisonniers de guerre et les internés civils

1. Sous réserve de l'article 60, paragraphe 2, les envois de la poste aux lettres, les lettres avec valeur déclarée, les colis postaux et les articles d'argent adressés aux prisonniers de guerre ou expédiés par eux soit directement, soit par l'entremise des Bureaux de renseignements prévus à l'article 122 de la Convention de Genève relative au traitement des prisonniers de guerre, du 12 août 1949, et de l'Agence centrale de renseignements sur les prisonniers de guerre prévue à l'article 123 de la même Convention, sont exonérés de toutes taxes. Les belligérants recueillis et internés dans un pays neutre sont assimilés aux prisonniers de guerre proprement dits en ce qui concerne l'application des dispositions qui précèdent.

2. Le paragraphe 1 s'applique également aux envois de la poste aux lettres, aux lettres avec valeur déclarée, aux colis postaux et aux articles d'argent, en provenance d'autres pays, adressés aux personnes civiles internées visées par la Convention de Genève relative à la protection des personnes civiles en temps de guerre, du 12 août 1949, ou expédiés par elles soit directement, soit par l'entremise des Bureaux de renseignements prévus à l'article 136 et de l'Agence centrale de renseignements prévue à l'article 140 de la même Convention.

3. Les Bureaux nationaux de renseignements et les Agences centrales de renseignements dont il est question ci-dessus bénéficient également de la franchise postale pour les envois de la poste aux lettres, les lettres avec valeur déclarée, les colis postaux et les articles d'argent concernant les personnes visées aux paragraphes 1 et 2, qu'ils expédient ou qu'ils reçoivent, soit directement, soit à titre d'intermédiaire, dans les conditions prévues auxdits paragraphes.

4. Les colis sont admis en franchise de port jusqu'au poids de 5 kilogrammes. La limite de poids est portée à 10 kilogrammes pour les envois dont le contenu est indivisible et pour ceux qui sont adressés à un camp ou à ses hommes de confiance pour être distribués aux prisonniers.

Article 17

Franchise postale en faveur des cécogrammes

Sous réserve de l'article 60, paragraphe 2, les cécogrammes sont exonérés de la taxe d'affranchissement, des taxes spéciales énumérées à l'article 21 et de la taxe de remboursement.

Deuxième partie

Dispositions concernant la poste aux lettres

Chapitre I

Dispositions générales

Article 18

Envois de la poste aux lettres

Les envois de la poste aux lettres comprennent les lettres, les cartes postales, les imprimés, les cécogrammes et les petits paquets.

Article 19

Taxes et conditions générales

1. Les taxes d'affranchissement pour le transport des envois de la poste aux lettres dans toute l'étendue de l'Union sont fixées conformément aux indications des colonnes 1 à 3 du tableau ci-après. Elles peuvent être majorées de 70 pour cent (col. 4) ou réduites de 50 pour cent (col. 5) au maximum. Sauf l'exception prévue à l'article 22, paragraphe 4, ces taxes comprennent la remise des envois au domicile des destinataires pour autant que le service de distribution soit organisé dans les pays de destination pour les envois dont il s'agit.

Envois	Echelons de poids	Taxes de base	Limites supérieures des taxes (majoration de 70 %)	Limites inférieures des taxes (réduction de 50 %)
1	2	3	4	5
		c	c	c
Lettres	jusqu'à 20 g	50	85	25
	[au-dessus de 20 g jusqu'à 50 g] (échelons de poids facultatifs)	[90	153	45
	[au-dessus de 50 g jusqu'à 100 g]	120]	204	60
	ou			
	au-dessus de 20 g jusqu'à 100 g	120	204	60
	au-dessus de 100 g jusqu'à 250 g	240	408	120
	au-dessus de 250 g jusqu'à 500 g	460	782	230
	au-dessus de 500 g jusqu'à 1000 g	800	1360	400
	au-dessus de 1000 g jusqu'à 2000 g	1300	2210	650
Cartes postales		35	59,5	17,5
Imprimés	jusqu'à 20 g	25	42,5	12,5
	[au-dessus de 20 g jusqu'à 50 g] (échelons de poids facultatifs)	[40	68	20
	[au-dessus de 50 g jusqu'à 100 g]	55]	93,5	27,5
	ou			
	au-dessus de 20 g jusqu'à 100 g	55	93,5	27,5
	au-dessus de 100 g jusqu'à 250 g	100	170	50
	au-dessus de 250 g jusqu'à 500 g	180	306	90
	au-dessus de 500 g jusqu'à 1000 g	300	510	150
	au-dessus de 1000 g jusqu'à 2000 g	420	714	210
	par échelon supplémentaire de 1000 g	210	357	105
Cécogrammes	voir article 17			
Petits paquets	jusqu'à 100 g	55	93,5	27,5
	au-dessus de 100 g jusqu'à 250 g	100	170	50
	au-dessus de 250 g jusqu'à 500 g	180	306	90
	au-dessus de 500 g jusqu'à 1000 g	300	510	150

2. A titre exceptionnel, les Pays-membres qui ont supprimé la carte postale comme catégorie distincte d'envois de la poste aux lettres dans leur service intérieur ont la faculté d'appliquer la taxe des lettres aux cartes postales du service international.

3. Par dérogation au paragraphe 1, les Administrations postales ont la faculté d'appliquer aux imprimés un premier échelon de poids de 50 grammes.

4. Les taxes choisies dans les limites fixées au paragraphe 1 doivent, autant que possible, être entre elles dans les mêmes proportions que les taxes de base, chaque Administration postale ayant la faculté d'arrondir ses taxes en plus ou en moins, selon le cas et suivant les convenances de son système monétaire; cette dernière règle s'applique également à toutes les taxes autres que les taxes d'affranchissement. A titre exceptionnel et dans les limites prescrites au paragraphe 1, chaque Administration postale est libre d'appliquer aux taxes des imprimés ou des petits paquets un taux de majoration supérieur à celui qui est appliqué aux taxes des lettres.

5. Lors d'une ou de plusieurs revalorisations ou dévaluations successives de leur monnaie nationale, les Administrations postales ne sont pas tenues de modifier en conséquence les équivalents des taxes prévues dans la Convention et dans les Arrangements ou le prix de vente des coupons-réponse internationaux aussi longtemps que ces revalorisations ou dévaluations ne dépassent pas 15 pour cent au total.

6. Les limites de poids et de dimensions des envois de la poste aux lettres sont fixées conformément au tableau ci-après.

Envois	Limites	
	de poids	de dimensions
1	2	3
Lettres	2 kg	Maximums: longueur, largeur et épaisseur additionnées: 900 mm, sans que la plus grande dimension puisse dépasser 600 mm. En rouleaux: longueur plus deux fois le diamètre: 1040 mm, sans que la plus grande dimension puisse dépasser 900 mm. Minimums: comporter une face dont les dimensions ne soient pas inférieures à 90 x 140 mm, avec une tolérance de 2 mm. En rouleaux: longueur plus deux fois le diamètre: 170 mm, sans que la plus grande dimension soit inférieure à 100 mm.
Imprimés	2 kg (s'il s'agit de livres ou de brochures: 5 kg; cette limite de poids peut aller jusqu'à 10 kg après entente entre les Administrations intéressées)	
Cécogrammes	7 kg	
Petits paquets	1 kg	
Cartes postales		Maximums: 105 x 148 mm, avec une tolérance de 2 mm. Minimums: 90 x 140 mm, avec une tolérance de 2 mm.

7. Les Administrations peuvent appliquer aux envois de la poste aux lettres déposés dans leur pays la limite de poids maximale prescrite pour les envois de même nature dans leur service intérieur, pourvu que les envois ne dépassent pas la limite de poids mentionnée au paragraphe 6.

8. Dans le cadre des dispositions du paragraphe 6, sont considérés comme normalisés les envois de forme rectangulaire dont la longueur n'est pas inférieure à la largeur multipliée par $\sqrt{2}$ (valeur approchée: 1,4) et qui répondent, selon leur présentation, aux conditions suivantes:

a) envois sous enveloppe:

1° envois sous enveloppe ordinaire:
dimensions minimales: 90 x 140 mm, avec une tolérance de 2 mm;
dimensions maximales: 120 x 235 mm, avec une tolérance de 2 mm;
poids maximal: 20 g;
épaisseur maximale: 5 mm;
en outre, la suscription doit être portée sur l'enveloppe du côté uni qui n'est pas muni de la patte de fermeture et dans la zone rectangulaire située à une distance minimale de:
40 mm du bord supérieur de l'enveloppe (tolérance 2 mm);
15 mm du bord latéral droit;
15 mm du bord inférieur;
et à une distance maximale de 140 mm du bord latéral droit;

2° envois sous enveloppe à panneau transparent:
dimensions, poids et épaisseur des envois sous enveloppe ordinaire; outre les conditions générales d'admission fixées à l'article 122 du Règlement, ces envois doivent satisfaire aux conditions suivantes:
le panneau transparent doit se trouver à une distance minimale de:
40 mm du bord supérieur de l'enveloppe (tolérance 2 mm);
15 mm du bord latéral droit;
15 mm du bord latéral gauche;
15 mm du bord inférieur;
le panneau ne peut pas être délimité par une bande ou un cadre de couleur;

3° tous envois sous enveloppe:
l'adresse de l'expéditeur, lorsqu'elle figure au recto, doit être placée à l'angle supérieur gauche; cet emplacement doit également être affecté aux mentions ou étiquettes de service qui peuvent, le cas échéant, trouver place sous l'adresse de l'expéditeur;

b) envois sous forme de cartes:
dimensions et consistance des cartes postales;

c) envois visés sous lettres a) et b):
du côté de la suscription, qui doit être portée dans le sens de la longueur, une zone rectangulaire de 40 mm (– 2 mm) de hauteur à partir du bord supérieur et de 74 mm de longueur à partir du bord droit doit être réservée à l'affranchissement et aux empreintes d'oblitération. A l'intérieur de cette zone, les timbres-poste ou empreintes d'affranchissement doivent être apposés à l'angle supérieur droit.

Ne sont pas considérés comme des envois normalisés:
– les envois qui ne répondent pas à ces conditions;
– les cartes pliées;
– les envois qui sont fermés au moyen d'agrafes, d'oeillets métalliques ou de crochets pliés;
– les cartes perforées expédiées à découvert (sans enveloppe).

9. L'Administration d'origine a la faculté d'appliquer aux lettres et aux imprimés sous enveloppe non normalisés du premier échelon de poids ainsi qu'aux lettres sous forme de cartes qui ne remplissent pas les conditions indiquées au paragraphe 8, 1er alinéa et lettre b), une taxe qui ne peut être supérieure à la taxe afférente aux envois du deuxième échelon de poids.

10. Les envois de la poste aux lettres relatifs au service postal dont il est question à l'article 15 ne sont pas soumis aux limites de poids et de dimensions fixées au paragraphe 6. Toutefois, ils ne doivent pas dépasser le poids maximal de 30 kilogrammes par envoi.

11. Les imprimés à l'adresse du même destinataire et pour la même destination, insérés dans un ou plusieurs sacs spéciaux, ne sont pas soumis aux limites de poids fixées au paragraphe 6. Toutefois, ils ne doivent pas dépasser le poids maximal de 30 kilogrammes par sac. La taxe applicable à ces envois est calculée par échelons de 1 kilogramme jusqu'à concurrence du poids total du sac. Chaque Administration a la faculté de concéder pour les imprimés expédiés par sacs spéciaux une réduction de taxe pouvant aller jusqu'à 10 pour cent.

12. Les matières biologiques périssables conditionnées et emballées selon les dispositions du Règlement sont soumises au tarif des lettres et à la recommandation; elles sont acheminées par la voie la plus rapide, normalement par la voie aérienne, sous réserve de l'acquittement des surtaxes aériennes correspondantes. Elles ne peuvent être échangées qu'entre laboratoires qualifiés officiellement reconnus. Cet échange est, en outre, limité aux relations entre les Pays-membres dont les Administrations postales se sont déclarées d'accord pour accepter ces envois soit dans leurs relations réciproques, soit dans un seul sens.

13. Les matières radioactives conditionnées et emballées selon les dispositions du Règlement sont soumises au tarif des lettres et à la recommandation; elles sont acheminées par la voie la plus rapide, normalement par la voie aérienne, sous réserve de l'acquittement des surtaxes aériennes correspondantes. Elles ne peuvent être déposées que par des expéditeurs dûment autorisés. Cet échange est en outre limité aux relations entre les Pays-membres dont les Administrations postales se sont déclarées d'accord pour accepter ces envois soit dans leurs relations réciproques, soit dans un seul sens.

14. Chaque Administration postale a la faculté de concéder pour les journaux et écrits périodiques publiés dans son pays une réduction qui ne peut dépasser 50 pour cent du tarif des imprimés, tout en se réservant le droit de limiter cette réduction aux journaux et écrits périodiques qui remplissent les conditions requises par la réglementation intérieure pour circuler au tarif des journaux. Sont exclus de la réduction, quelle que soit la régularité de leur publication, les imprimés commerciaux tels que catalogues, prospectus, prix courants, etc.; il en est de même des réclames imprimées sur des feuilles jointes aux journaux et écrits périodiques.

15. Les Administrations peuvent également concéder la même réduction pour les livres et brochures, pour les partitions de musique et pour les cartes géographiques qui ne contiennent aucune publicité ou réclame autre que celle qui figure sur la couverture ou les pages de garde de ces envois.

16. Les envois autres que les lettres recommandées sous enveloppe close ne peuvent contenir des pièces de monnaie, des billets de banque, des billets de monnaie ou des valeurs quelconques au porteur, des chèques de voyage, du platine, de l'or ou de l'argent, manufacturés ou non, des pierreries, des bijoux et autres objets précieux.

17. Les Administrations des pays d'origine et de destination ont la faculté de traiter, selon leur législation, les lettres qui contiennent des documents ayant le caractère de correspondance actuelle et personnelle échangés entre personnes autres que l'expéditeur et le destinataire ou les personnes habitant avec eux.

18. Sauf les exceptions prévues au Règlement, les imprimés, les cécogrammes et les petits paquets:

a) ne peuvent porter aucune annotation ni contenir aucun document ayant le caractère de correspondance actuelle et personnelle;

b) ne peuvent contenir aucun timbre-poste, aucune formule d'affranchissement, oblitérés ou non, ni aucun papier représentatif d'une valeur.

19. La réunion en un seul envoi d'objets passibles de taxes différentes est autorisée à condition que le poids total ne soit pas supérieur au poids maximal de la catégorie dont le tarif est le plus élevé. La taxe applicable au poids total de l'envoi est celle de la catégorie dont le tarif est le plus élevé.

20. Sauf les exceptions prévues par la Convention et son Règlement, il n'est pas donné cours aux envois qui ne remplissent pas les conditions requises par le présent article et par le Règlement. Les envois qui ont été admis à tort doivent être renvoyés à l'Administration d'origine. Toutefois, l'Administration de destination est autorisée à les remettre aux destinataires. Dans ce cas, elle leur applique, s'il y a lieu, les taxes prévues pour la catégorie d'envois de la poste aux lettres dans laquelle les font placer leur mode de fermeture, leur contenu, leur poids ou leurs dimensions. En ce qui concerne les envois dépassant les limites de poids maximales fixées au paragraphe 6, ils peuvent être taxés d'après leur poids réel.

Article 20

Dépôt à l'étranger d'envois de la poste aux lettres

Aucun Pays-membre n'est tenu d'acheminer, ni de distribuer aux destinataires, les envois de la poste aux lettres que des expéditeurs quelconques domiciliés sur son territoire déposent ou font déposer dans un pays étranger, en vue de bénéficier des taxes plus basses qui y sont établies; il en est de même pour les envois de l'espèce déposés en grande quantité, que de tels dépôts soient ou non effectués en vue de bénéficier de taxes plus basses. La règle s'applique sans distinction soit aux envois préparés dans le pays habité par l'expéditeur et transportés ensuite à travers la frontière, soit aux envois confectionnés dans un pays étranger. L'Administration intéressée a le droit ou de renvoyer les envois à l'origine, ou de les frapper de ses taxes intérieures. Dans le deuxième cas, elle peut disposer des envois conformément à sa législation intérieure si l'expéditeur refuse de payer ces taxes.

Article 21

Taxes spéciales

Les taxes prévues dans la Convention et qui sont perçues en plus des taxes d'affranchissement mentionnées à l'article 19 sont dénommées "taxes spéciales". Leur montant est fixé conformément aux indications du tableau ci-dessous:

Désignation de la taxe	Montant	Observations
1	2	3
a) taxe additionnelle pour les envois remis en dernière limite d'heure (article 22, paragraphe 1)	même taxe que dans le régime intérieur	
b) taxe de dépôt en dehors des heures générales d'ouverture des guichets (article 22, paragraphe 2)	même taxe que dans le régime intérieur	
c) taxe de poste restante (article 22, paragraphe 3)	même taxe que dans le régime intérieur	
d) taxe de remise au destinataire d'un petit paquet dépassant 500 g (article 22, paragraphe 4)	60 centimes au maximum	Cette taxe peut être augmentée de 30 centimes au maximum en cas de remise à domicile.
e) taxe de magasinage (article 23)	taxe perçue au taux fixé par la législation intérieure pour tout envoi de la poste aux lettres dépassant 500 g, à l'exception des décogrammes	

Désignation de la taxe	Montant	Observations
1	2	3
f) taxe en cas d'absence ou d'insuffisance d'affranchissement des envois ordinaires (article 27, paragraphe 1)	taxe obtenue en multipliant la taxe du premier échelon de poids de la lettre adoptée par le pays de distribution par une fraction dont le numérateur est le montant de l'affranchissement manquant et le dénominateur, la même taxe adoptée par le pays d'origine; à cette taxe est ajoutée la taxe de traitement de 60 centimes au maximum ou la taxe fixée par la législation intérieure	La taxe de traitement n'est pas perçue dans les cas prévus à l'article 137, paragraphes 3, 4 et 5, du Règlement.
g) taxe d'exprès (article 29, paragraphes 2, 3 et 6)	taxe s'élevant au minimum au montant de l'affranchissement d'une lettre ordinaire de port simple et au maximum à 1,60 franc	Pour chaque sac contenant les envois visés à l'article 19, paragraphe 11, les Administrations perçoivent, au lieu de la taxe unitaire, une taxe globale ne dépassant pas cinq fois la taxe unitaire. Lorsque la remise par exprès entraîne des sujétions spéciales, une taxe complémentaire peut être perçue selon les dispositions relatives aux envois de même nature du régime intérieur. Si le destinataire demande la remise par exprés, la taxe du régime intérieur peut être perçue.
h) taxe de demande de retrait ou de modification d'adresse (article 30, paragraphe 2)	3 francs au maximum	
i) taxe de demande de réexpédition (article 31, paragraphe 3)	même taxe que dans le régime intérieur	
j) taxe de réexpédition ou de renvoi (article 31, paragraphe 4, et article 32, paragraphe 7)	même taxe que dans le régime intérieur	
k) taxe de présentation à la douane (article 35)	5 francs au maximum	Pour chaque sac contenant les envois visés à l'article 19, paragraphe 11, les Administrations perçoivent, au lieu de la taxe unitaire, une taxe globale de 8 francs, au maximum.
l) taxe perçue pour la remise d'un envoi franc de taxes et de droits (article 37, paragraphes 1, 3 et 4)	1° taxe de commission de 2 francs au maximum perçue au profit de l'Administration de destination 2° taxe de 3 francs au maximum par demande formulée postérieurement au dépôt perçue par l'Administration d'origine 3° à titre facultatif, taxe supplémentaire de 2 francs au maximum perçue par l'Administration d'origine	
m) taxe de réclamation (article 39, paragraphe 4)	90 centimes au maximum	
n) taxe de recommandation (article 41, paragraphes 1, lettre b), et 2)	2 francs au maximum	1° Pour chaque sac contenant les envois visés à l'article 19, paragraphe 11, les Administrations perçoivent, au lieu de la taxe unitaire, une taxe globale ne dépassant pas cinq fois la taxe unitaire. 2° En plus de la taxe fixe ou de la taxe globale, les Administrations peuvent percevoir sur les expéditeurs ou les destinataires les taxes spéciales prévues par leur législation intérieure pour les mesures exceptionnelles de sécurité prises à l'égard des envois recommandés.

Désignation de la taxe	Montant	Observations
1	2	3
o) taxe pour risques de force majeure (article 41, paragraphe 3)	40 centimes au maximum pour chaque envoi recommandé	
p) taxe d'avis de réception (article 42, paragraphe 1)	80 centimes au maximum	
q) taxe de remise en main propre d'un envoi recommandé (article 43, paragraphe 1)	50 centimes au maximum	

Article 22

Taxe de dépôt en dernière limite d'heure. Taxe de dépôt en dehors des heures générales d'ouverture des guichets. Taxe de poste restante. Taxe de remise des petits paquets

1. Les Administrations sont autorisées à percevoir sur l'expéditeur une taxe additionnelle, selon leur législation, pour les envois remis à leurs services d'expédition en dernière limite d'heure.

2. Les Administrations sont autorisées à percevoir sur l'expéditeur une taxe additionnelle, selon leur législation, pour les envois déposés au guichet en dehors des heures générales d'ouverture.

3. Les envois adressés poste restante peuvent être frappés par les Administrations des pays de destination de la taxe spéciale qui est éventuellement prévue par leur législation pour les envois de même nature du régime intérieur.

4. Les Administrations des pays de destination sont autorisées à percevoir, pour chaque petit paquet dépassant le poids de 500 grammes remis au destinataire, la taxe spéciale prévue à l'article 21, lettre d).

Article 23

Taxe de magasinage

L'Administration de destination est autorisée à percevoir, selon sa législation, une taxe de magasinage pour tout envoi de la poste aux lettres dépassant le poids de 500 grammes dont le destinataire n'a pas pris livraison dans le délai pendant lequel l'envoi est tenu sans frais à sa disposition. Cette taxe ne s'applique pas aux cécogrammes.

Article 24

Affranchissement

1. En règle générale, les envois désignés à l'article 18, à l'exception de ceux qui sont indiqués aux articles 15 à 17, doivent être complètement affranchis par l'expéditeur.

2. Il n'est pas donné cours aux envois non ou insuffisamment affranchis autres que les lettres et les cartes postales.

3. Lorsque des lettres ou des cartes postales, non ou insuffisamment affranchies, sont déposées en grand nombre, l'Administration du pays d'origine a la faculté de les rendre à l'expéditeur.

Article 25

Modalités d'affranchissement

1. L'affranchissement est opéré soit au moyen de timbres-poste imprimés ou collés sur les envois et valables dans le pays d'origine, soit au moyen d'empreintes de machines à affranchir, officiellement adoptées et fonctionnant sous le contrôle immédiat de l'Administration postale, soit encore au moyen d'empreintes à la presse d'imprimerie ou par un autre procédé d'impression ou de timbrage lorsqu'un tel système est autorisé par la réglementation de l'Administration d'origine.

2. L'affranchissement des imprimés à l'adresse du même destinataire et pour la même destination insérés dans un sac spécial est opéré par l'un des moyens visés au paragraphe 1 et représenté pour le montant total sur l'étiquette extérieure du sac.

3. Sont considérés comme dûment affranchis: les envois régulièrement affranchis pour leur premier parcours et dont le complément de taxe a été acquitté avant leur réexpédition, ainsi que les journaux ou paquets de journaux et écrits périodiques dont la suscription porte la mention "Abonnement-poste" et qui sont expédiés en vertu de l'Arrangement concernant les abonnements aux journaux et écrits périodiques. La mention "Abonnement-poste" est suivie de l'indication "Taxe perçue" (T.P.) ou "Port payé" (P.P.) dans la mesure où ces envois ne sont pas affranchis selon l'une des modalités prévues au paragraphe 1.

Article 26

Affranchissement des envois de la poste aux lettres à bord des navires

1. Les envois déposés à bord d'un navire pendant le stationnement aux deux points extrêmes du parcours ou dans l'une des escales intermédiaires doivent être affranchis au moyen de timbres-poste et d'après le tarif du pays dans les eaux duquel se trouve le navire.

2. Si le dépôt à bord a lieu en pleine mer, les envois peuvent être affranchis, sauf entente spéciale entre les Administrations intéressées, au moyen de timbres-poste et d'après le tarif du pays auquel appartient ou dont dépend ledit navire. Les envois affranchis dans ces conditions doivent être remis au bureau de poste de l'escale aussitôt que possible après l'arrivée du navire.

Article 27

Taxe en cas d'absence ou d'insuffisance d'affranchissement

1. En cas d'absence ou d'insuffisance d'affranchissement, les lettres et les cartes postales sont passibles, à la charge du destinataire ou de l'expéditeur lorsqu'il s'agit d'envois non distribuables, de la taxe spéciale prévue à l'article 21, lettre f).

2. Le même traitement peut être appliqué, dans les cas précités, aux autres envois de la poste aux lettres qui ont été transmis à tort au pays de destination.

3. Les envois recommandés sont considérés à l'arrivée comme dûment affranchis.

Article 28

Coupons-réponse internationaux

1. Des coupons-réponse internationaux émis par le Bureau international sont mis en vente dans les Pays-membres.

2. La valeur du coupon-réponse est de 1 franc et le prix de vente fixé par les Administrations intéressées ne peut être inférieur à cette valeur.

3. Les coupons-réponse sont échangeables dans tout Pays-membre contre un ou plusieurs timbres-poste représentant l'affranchissement minimal d'une lettre ordinaire expédiée à l'étranger par voie de surface. Si les règlements de l'Administration du pays d'échange le permettent, les coupons-réponse sont également échangeables contre des entiers postaux. Sur présentation d'un nombre suffisant de coupons-réponse, les Administrations doivent fournir les timbres-poste nécessaires à l'affranchissement minimal d'une lettre ordinaire à expédier par voie aérienne comme envoi surtaxé.

4. L'Administration d'un Pays-membre peut, en outre, se réserver la faculté d'exiger le dépôt simultané des coupons-réponse et des envois à affranchir en échange de ces coupons-réponse.

5. Par dérogation au paragraphe 1, les Administrations postales ont la faculté de ne pas se charger du débit des coupons-réponse internationaux ou d'en limiter la vente.

Article 29

Envois exprès

1. Dans les pays dont les Administrations se chargent de ce service, les envois de la poste aux lettres sont, à la demande des expéditeurs, distribués par porteur spécial aussitôt que possible après leur arrivée au bureau de distribution.

2. Ces envois, qualifiés "exprès", sont soumis, en sus du port ordinaire, à la taxe spéciale prévue à l'article 21, lettre g). Cette taxe doit être acquittée complètement à l'avance.

3. Lorsque la remise par exprès entraîne pour l'Administration de destination des sujétions spéciales en ce qui concerne soit la situation du domicile du destinataire, soit le jour ou l'heure d'arrivée au bureau de destination, la remise de l'envoi et la perception éventuelle d'une taxe complémentaire sont réglées par les dispositions relatives aux envois de même nature du régime intérieur.

4. Les envois exprès non complètement affranchis pour le montant total des taxes payables à l'avance sont distribués par les moyens ordinaires, à moins qu'ils n'aient été traités comme exprès par le bureau d'origine. Dans ce dernier cas, les envois sont taxés d'après l'article 27.

5. Il est loisible aux Administrations de s'en tenir à un seul essai de remise par exprès. Si cet essai est infructueux, l'envoi peut être traité comme un envoi ordinaire.

6. Si la réglementation de l'Administration de destination le permet, les destinataires peuvent demander au bureau de distribution que les envois qui leur sont destinés soient distribués par exprès dès leur arrivée. Dans ce cas, l'Administration de destination est autorisée à percevoir, au moment de la distribution, la taxe applicable dans son service intérieur.

Article 30

Retrait. Modification ou correction d'adresse à la demande de l'expéditeur

1. L'expéditeur d'un envoi de la poste aux lettres peut le faire retirer du service ou en faire modifier l'adresse tant que cet envoi:

a) n'a pas été livré au destinataire;

b) n'a pas été confisqué ou détruit par l'autorité compétente pour infraction à l'article 33;

c) n'a pas été saisi en vertu de la législation du pays de destination.

2. La demande à formuler à cet effet est transmise, par voie postale ou télégraphique, aux frais de l'expéditeur qui doit payer, pour chaque demande, la taxe spéciale prévue à l'article 21, lettre h). Si la demande doit être transmise par voie aérienne ou par voie télégraphique, l'expéditeur doit payer en outre la surtaxe aérienne ou la taxe télégraphique correspondante. Si l'envoi se trouve encore dans le pays d'origine, la demande de retrait, de modification ou de correction d'adresse est traitée selon la législation de ce pays.

3. Chaque Administration est tenue d'accepter les demandes de retrait ou de modification d'adresse concernant tout envoi de la poste aux lettres déposé dans les services des autres Administrations, si sa législation le permet.

4. Si l'expéditeur désire être informé, par voie aérienne ou télégraphique, des dispositions prises par le bureau de destination à la suite de sa demande de retrait ou de modification d'adresse, il doit payer, à cet effet, la surtaxe aérienne ou la taxe télégraphique y relative.

5. Pour chaque demande de retrait ou de modification d'adresse concernant plusieurs envois remis simultanément au même bureau par le même expéditeur à l'adresse du même destinataire, il n'est perçu qu'une seule des taxes ou surtaxes prévues au paragraphe 2.

6. Une simple correction d'adresse (sans modification du nom ou de la qualité du destinataire) peut être demandée directement par l'expéditeur au bureau de destination, c'est-à-dire sans l'accomplissement des formalités et sans le paiement de la taxe spéciale prévue au paragraphe 2.

7. Le renvoi à l'origine d'un envoi à la suite d'une demande de retrait a lieu par voie aérienne lorsque l'expéditeur s'engage à payer la surtaxe aérienne correspondante. Lorsqu'un envoi est réexpédié par voie aérienne à la suite d'une demande de modification d'adresse, la surtaxe aérienne correspondant au nouveau parcours est perçue sur le destinataire et reste acquise à l'Administration distributrice.

Article 31

Réexpédition

1. En cas de changement de résidence du destinataire, les envois de la poste aux lettres lui sont réexpédiés immédiatement aux conditions prescrites dans le service intérieur, à moins que l'expéditeur n'en ait interdit la réexpédition par une annotation portée sur la suscription en une langue connue dans le pays de destination. Toutefois, la réexpédition d'un pays sur un autre n'a lieu que si les envois satisfont aux conditions requises pour le nouveau transport. En cas de réexpédition par la voie aérienne, il est fait application des articles 68, paragraphes 2 à 5, de la Convention et 183 du Règlement.

2. Chaque Administration a la faculté de fixer un délai de réexpédition conforme à celui qui est en vigueur dans son service intérieur.

3. Les Administrations qui perçoivent une taxe pour les demandes de réexpédition dans leur service intérieur sont autorisées à percevoir cette même taxe dans le service international.

4. La réexpédition d'envois de la poste aux lettres de pays à pays ne donne lieu à la perception d'aucun supplément de taxe, sauf les exceptions prévues au Règlement. Toutefois, les Administrations qui perçoivent une taxe de réexpédition dans leur service intérieur sont autorisées à percevoir cette même taxe pour les envois de la poste aux lettres du régime international réexpédiés dans leur propre service.

5. Les envois de la poste aux lettres qui sont réexpédiés sont remis aux destinataires contre paiement des taxes dont ils ont été grevés au départ, à l'arrivée ou en cours de route par suite de réexpédition au-delà du premier parcours, sans préjudice du remboursement des droits de douane ou autres frais spéciaux dont le pays de destination n'accorde pas l'annulation.

6. En cas de réexpédition sur un autre pays, la taxe de poste restante, la taxe de présentation à la douane, la taxe de magasinage, la taxe de commission, la taxe complémentaire d'exprès et la taxe de remise aux destinataires des petits paquets sont annulées.

Article 32

Envois non distribuables. Renvoi au pays d'origine

1. Sont considérés comme envois non distribuables ceux qui n'ont pu être remis au destinataire pour une cause quelconque.

2. Les envois non distribuables doivent être renvoyés immédiatement au pays d'origine.

3. Le délai de garde des envois tenus en instance à la disposition des destinataires ou adressés poste restante est fixé par la réglementation de l'Administration de destination. Toutefois, ce délai ne peut, en règle générale, dépasser un mois, sauf dans des cas particuliers où l'Administration de destination juge nécessaire de le prolonger jusqu'à deux mois au maximum. Le renvoi au pays d'origine doit avoir lieu dans un délai plus court si l'expéditeur l'a demandé par une annotation portée sur la suscription en une langue connue dans le pays de destination.

4. Les cartes postales qui ne portent pas l'adresse de l'expéditeur ne sont pas renvoyées. Toutefois, les cartes postales recommandées doivent toujours être renvoyées.

5. Le renvoi à l'origine des imprimés non distribuables n'est pas obligatoire, sauf si l'expéditeur en a demandé le retour par une annotation portée sur l'envoi en une langue connue dans le pays de destination. Les imprimés recommandés et les livres doivent toujours être renvoyés.

6. En cas de renvoi au pays d'origine par voie aérienne, il est fait application des articles 69 de la Convention et 183 du Règlement.

7. Les envois de la poste aux lettres non distribuables renvoyés au pays d'origine sont remis aux expéditeurs aux conditions fixées à l'article 31, paragraphe 5. Ces envois ne donnent lieu à la perception d'aucun supplément de taxe, sauf les exceptions prévues au Règlement. Toutefois, les Administrations qui perçoivent une taxe de renvoi dans leur service intérieur sont autorisées à percevoir cette même taxe pour les envois de la poste aux lettres du régime international qui leur sont renvoyés.

Article 33

Interdictions

1. Ne sont pas admis les envois de la poste aux lettres qui, par leur emballage, peuvent présenter du danger pour les agents, salir ou détériorer les autres envois ou l'équipement postal. Les agrafes métalliques servant à clore les envois ne doivent pas être tranchantes; elles ne doivent pas non plus entraver l'exécution du service postal.

2. L'insertion dans les envois de la poste aux lettres des objets visés ci-dessous est interdite:

a) les objets qui, par leur nature, peuvent présenter les dangers ou provoquer les détériorations visés au paragraphe 1;

b) l'opium, la morphine, la cocaïne et autres stupéfiants;

c) les animaux vivants, à l'exception:

   1° des abeilles, des sangsues et des vers à soie;

   2° des parasites et des destructeurs d'insectes nocifs destinés au contrôle de ces insectes et échangés entre les institutions officiellement reconnues;

d) les matières explosibles, inflammables ou autres matières dangereuses; toutefois, ne tombent pas sous le coup de cette interdiction les matières biologiques périssables et les matières radioactives visées à l'article 19, paragraphes 12 et 13;

e) les objets obscènes ou immoraux;

f) les objets dont l'importation ou la circulation est interdite dans le pays de destination.

3. Les envois qui contiennent les objets mentionnés au paragraphe 2 et qui ont été admis à tort à l'expédition sont traités selon la législation du pays de l'Administration qui en constate la présence.

4. Toutefois, les envois qui contiennent les objets visés au paragraphe 2, lettres b), d) et e), ne sont en aucun cas ni acheminés à destination, ni livrés aux destinataires, ni renvoyés à l'origine. L'Administration de destination peut livrer au destinataire la partie du contenu qui ne tombe pas sous le coup d'une interdiction.

5. Dans les cas où des envois admis à tort à l'expédition ne seraient ni renvoyés à l'origine, ni remis aux destinataires, l'Administration d'origine doit être informée, d'une manière précise, du traitement appliqué à ces envois.

6. Est d'ailleurs réservé le droit de tout Pays-membre de ne pas effectuer, sur son territoire, le transport en transit à découvert des envois de la poste aux lettres, autres que les lettres et les cartes postales, à l'égard desquels il n'a pas été satisfait aux dispositions légales qui règlent les conditions de leur publication ou de leur circulation dans ce pays. Ces envois doivent être renvoyés à l'Administration d'origine.

Article 34

Contrôle douanier

L'Administration postale du pays d'origine et celle du pays de destination sont autorisées à soumettre au contrôle douanier, selon la législation de ces pays, les envois de la poste aux lettres et, le cas échéant, à les ouvrir d'office.

Article 35

Taxe de présentation à la douane

Les envois soumis au contrôle douanier dans le pays d'origine ou de destination, selon le cas, peuvent être frappés au titre postal, soit pour la remise à la douane et le dédouanement, soit pour la remise à la douane seulement, de la taxe spéciale prévue à l'article 21, lettre k).

Article 36

Droits de douane et autres droits

Les Administrations postales sont autorisées à percevoir sur les expéditeurs ou sur les destinataires des envois, selon le cas, les droits de douane et tous autres droits éventuels.

Article 37

Envois francs de taxes et de droits

1. Dans les relations entre les Pays-membres dont les Administrations postales se sont déclarées d'accord à cet égard, les expéditeurs peuvent prendre à leur charge, moyennant déclaration préalable au bureau d'origine, la totalité des taxes et des droits dont les envois sont grevés à la livraison. Tant qu'un envoi n'a pas été remis au destinataire, l'expéditeur peut, postérieurement au dépôt et contre paiement de la taxe spéciale prévue à l'article 21, lettre l), 2°, demander que l'envoi soit remis franc de taxes et de droits. Si la demande doit être transmise par voie aérienne ou par voie télégraphique, l'expéditeur doit payer en outre la surtaxe aérienne correspondante ou la taxe télégraphique.

2. Dans les cas prévus au paragraphe 1, les expéditeurs doivent s'engager à payer les sommes qui pourraient être réclamées par le bureau de destination et, le cas échéant, verser des arrhes suffisantes.

3. L'Administration de destination est autorisée à percevoir, par envoi, la taxe de commission prévue à l'article 21, lettre l), 1°. Cette taxe est indépendante de celle qui est prévue à l'article 35.

4. L'Administration d'origine a la faculté de percevoir sur l'expéditeur la taxe supplémentaire prévue à l'article 21, lettre l), 3°, qu'elle garde comme rémunération pour les services fournis dans le pays d'origine.

5. Toute Administration a le droit de limiter le service des envois francs de taxes et de droits aux envois recommandés.

Article 38

Annulation des droits de douane et autres droits

Les Administrations postales s'engagent à intervenir auprès des services intéressés de leur pays pour que les droits de douane et autres droits soient annulés sur les envois renvoyés à l'origine, détruits pour cause d'avarie complète du contenu ou réexpédiés sur un pays tiers.

Article 39

Réclamations

1. Les réclamations des usagers sont admises dans le délai d'un an à compter du lendemain du jour du dépôt d'un envoi.

2. Chaque Administration est tenue de traiter les réclamations dans le plus bref délai possible.

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3. Chaque Administration est tenue d'accepter les réclamations concernant tout envoi déposé dans les services des autres Administrations.

4. Sauf si l'expéditeur a déjà acquitté la taxe pour un avis de réception, chaque réclamation peut donner lieu à la perception de la taxe spéciale prévue à l'article 21, lettre m). Si l'emploi de la voie télégraphique est demandé, le coût du télégramme et, le cas échéant, celui de la réponse sont perçus en sus de la taxe de réclamation.

5. Si la réclamation concerne plusieurs envois déposés simultanément au même bureau par le même expéditeur à l'adresse du même destinataire, il n'est perçu qu'une seule taxe. Cependant, s'il s'agit d'envois recommandés qui ont dû, à la demande de l'expéditeur, être acheminés par différentes voies, il est perçu une taxe pour chacune des voies utilisées.

6. Si la réclamation a été motivée par une faute de service, la taxe correspondante est restituée.

Chapitre II

Envois recommandés

Article 40

Admission

1. Les envois de la poste aux lettres désignés à l'article 18 peuvent être expédiés sous recommandation.

2. Un récépissé doit être délivré gratuitement, au moment du dépôt, à l'expéditeur d'un envoi recommandé.

3. Les lettres recommandées sous enveloppe close peuvent contenir les objets visés à l'article 19, paragraphe 16.

Article 41

Taxes

1. La taxe des envois recommandés doit être acquittée à l'avance. Elle se compose:

a) du port ordinaire de l'envoi, selon sa catégorie;

b) de la taxe fixe de recommandation prévue à l'article 21, lettre n).

2. Dans les cas où des mesures de sécurité exceptionnelles sont nécessaires, les Administrations peuvent percevoir la taxe spéciale prévue à l'article 21, lettre n), colonne 3, chiffre 2°.

3. Les Administrations postales disposées à se charger des risques pouvant résulter du cas de force majeure sont autorisées à percevoir la taxe spéciale prévue à l'article 21, lettre o).

Article 42

Avis de réception

1. L'expéditeur d'un envoi recommandé peut demander un avis de réception au moment du dépôt en payant la taxe prévue à l'article 21, lettre p).

2. Lorsque l'expéditeur réclame un avis de réception qui ne lui est pas parvenu dans des délais normaux, il n'est perçu ni une deuxième taxe, ni la taxe prévue à l'article 39 pour les réclamations.

Article 43

Remise en main propre

1. Dans les relations entre les Administrations qui ont donné leur consentement, les envois recommandés sont, à la demande de l'expéditeur, remis en main propre du destinataire. Les Administrations peuvent convenir de n'admettre cette faculté que pour les envois recommandés accompagnés d'un avis de réception. Dans les deux cas, l'expéditeur paie la taxe spéciale prévue à l'article 21, lettre q).

2. Les Administrations ne sont tenues de faire un second essai de remise de ces envois que si celui-ci est supposé aboutir.

Chapitre III

Responsabilité

Article 44

Principe et étendue de la responsabilité des Administrations postales

1. Les Administrations postales ne répondent que de la perte des envois recommandés. Leur responsabilité est engagée tant pour les envois transportés à découvert que pour ceux qui sont acheminés en dépêches closes.

2. Les Administrations peuvent admettre que la spoliation totale ou l'avarie totale du contenu des envois recommandés soit assimilée à la perte, sous réserve que l'emballage ait été reconnu suffisant pour garantir efficacement le contenu contre les risques accidentels de spoliation ou d'avarie et que ces irrégularités aient été constatées avant prise de possession de l'envoi par le destinataire, ou par l'expéditeur en cas de retour à l'origine.

3. En cas de perte d'un envoi recommandé, l'expéditeur a droit à une indemnité dont le montant est fixé à 40 francs par envoi; ce montant peut être porté à 200 francs pour chacun des sacs spéciaux contenant les imprimés visés à l'article 19, paragraphe 11.

4. L'expéditeur a la faculté de se désister de ce droit en faveur du destinataire. L'expéditeur ou le destinataire peut autoriser une tierce personne à recevoir l'indemnité, si la législation intérieure le permet.

5. Par dérogation au paragraphe 3, le destinataire a droit à l'indemnité après avoir pris livraison d'un envoi totalement spolié ou avarié, lorsque les Administrations font usage de la faculté prévue au paragraphe 2. Il peut se désister de ses droits en faveur de l'expéditeur.

Article 45

Non-responsabilité des Administrations postales

1. Les Administrations postales cessent d'être responsables des envois recommandés dont elles ont effectué la remise soit dans les conditions prescrites par leur réglementation pour les envois de même nature, soit dans les conditions prévues à l'article 11, paragraphe 3.

2. Elles ne sont pas responsables:

1° de la perte d'envois recommandés:

a) en cas de force majeure. L'Administration dans le service de laquelle la perte a eu lieu doit décider, suivant la législation de son pays, si cette perte est due à des circonstances constituant un cas de force majeure; celles-ci sont portées à la connaissance de l'Administration du pays d'origine, si cette dernière le demande. Toutefois, la responsabilité subsiste à l'égard de l'Administration du pays expéditeur qui a accepté de couvrir les risques de force majeure (article 41, paragraphe 3);

b) lorsque la preuve de leur responsabilité n'ayant pas été administrée autrement elles ne peuvent rendre compte des envois par suite de la destruction des documents de service résultant d'un cas de force majeure;

c) lorsqu'il s'agit d'envois dont le contenu tombe sous le coup des interdictions prévues aux articles 19, paragraphes 16 et 18, lettre b), et 33, paragraphe 2, et pour autant que ces envois aient été confisqués ou détruits par l'autorité compétente en raison de leur contenu;

d) lorsque l'expéditeur n'a formulé aucune réclamation dans le délai d'un an prévu à l'article 39, paragraphe 1;

2° des envois recommandés saisis en vertu de la législation du pays de destination;

3° des envois recommandés ayant subi une avarie provenant de la nature du contenu de l'envoi, lorsqu'il est fait application de l'article 44, paragraphe 2.

3. Les Administrations postales n'assument aucune responsabilité du chef des déclarations en douane, sous quelque forme que celles-ci soient faites, et des décisions prises par les services de la douane lors de la vérification des envois de la poste aux lettres soumis au contrôle douanier.

Article 46

Responsabilité de l'expéditeur

1. L'expéditeur d'un envoi de la poste aux lettres est responsable, dans les mêmes limites que les Administrations elles-mêmes, de tous les dommages causés aux autres envois postaux par suite de l'expédition d'objets non admis au transport ou de la non-observation des conditions d'admission, pourvu qu'il n'y ait eu ni faute, ni négligence des Administrations ou des transporteurs.

2. L'acceptation par le bureau de dépôt d'un tel envoi ne dégage pas l'expéditeur de sa responsabilité.

3. L'Administration qui constate un dommage dû à la faute de l'expéditeur en informe l'Administration d'origine à laquelle il appartient d'intenter, le cas échéant, l'action contre l'expéditeur.

Article 47

Détermination de la responsabilité entre les Administrations postales

1. Jusqu'à preuve du contraire, la responsabilité pour la perte d'un envoi recommandé incombe à l'Administration postale qui, ayant reçu l'envoi sans faire d'observation et étant mise en possession de tous les moyens réglementaires d'investigation, ne peut établir ni la remise au destinataire ni, s'il y a lieu, la transmission régulière à une autre Administration.

2. Une Administration intermédiaire ou de destination est, jusqu'à preuve du contraire et sous réserve du paragraphe 3, dégagée de toute responsabilité:

a) lorsqu'elle a observé l'article 4 ainsi que les dispositions relatives à la vérification des dépêches et à la constatation des irrégularités;

b) lorsqu'elle peut établir qu'elle n'a été saisie de la réclamation qu'après la destruction des documents de service relatifs à l'envoi recherché, le délai de conservation prévu à l'article 108 du Règlement étant expiré; cette réserve ne porte pas atteinte aux droits du réclamant;

c) lorsque, en cas d'inscription individuelle des envois recommandés, la remise régulière de l'envoi recherché ne peut être établie parce que l'Administration d'origine n'a pas observé l'article 151, paragraphe 1, du Règlement concernant l'inscription détaillée des envois recommandés dans la feuille d'avis C 12 ou dans les listes spéciales C 13.

3. Toutefois, si la perte a eu lieu en cours de transport sans qu'il soit possible d'établir sur le territoire ou dans le service de quel pays le fait s'est accompli, les Administrations en cause supportent le dommage par parts égales.

4. Lorsqu'un envoi recommandé a été perdu dans des circonstances de force majeure, l'Administration sur le territoire ou dans le service de laquelle la perte a eu lieu n'en est responsable envers l'Administration expéditrice que si les deux pays se chargent des risques résultant du cas de force majeure.

5. Les droits de douane et autres dont l'annulation n'a pu être obtenue tombent à la charge des Administrations responsables de la perte.

6. L'Administration qui a effectué le paiement de l'indemnité est subrogée, jusqu'à concurrence du montant de cette indemnité, dans les droits de la personne qui l'a reçue pour tout recours éventuel soit contre le destinataire, soit contre l'expéditeur ou contre des tiers.

Article 48

Paiement de l'indemnité

1. Sous réserve du droit de recours contre l'Administration responsable, l'obligation de payer l'indemnité incombe soit à l'Administration d'origine, soit à l'Administration de destination dans le cas visé à l'article 44, paragraphe 4.

2. Ce paiement doit avoir lieu le plus tôt possible, et, au plus tard, dans le délai de six mois à compter du lendemain du jour de la réclamation.

3. Lorsque l'Administration à qui incombe le paiement n'accepte pas de se charger des risques résultant du cas de force majeure et lorsque, à l'expiration du délai prévu au paragraphe 2, la question de savoir si la perte est due à un cas de l'espèce n'est pas encore tranchée, elle peut, exceptionnellement, différer le règlement de l'indemnité au-delà de ce délai.

4. L'Administration d'origine ou de destination, selon le cas, est autorisée à désintéresser l'ayant droit pour le compte de celle des autres Administrations ayant participé au transport qui, régulièrement saisie, a laissé s'écouler cinq mois sans donner de solution définitive à l'affaire ou sans avoir porté à la connaissance de l'Administration d'origine ou de destination, selon le cas, que la perte paraissait due à un cas de force majeure.

Article 49

Remboursement de l'indemnité à l'Administration ayant effectué le paiement

1. L'Administration responsable ou pour le compte de laquelle le paiement est effectué en conformité de l'article 48 est tenue de rembourser à l'Administration ayant effectué le paiement, et qui est dénommée Administration payeuse, le montant de l'indemnité effectivement payée à l'ayant droit; ce versement doit avoir lieu dans un délai de quatre mois à compter de l'envoi de la notification du paiement.

2. Si l'indemnité doit être supportée par plusieurs Administrations en conformité de l'article 47, l'intégralité de l'indemnité due doit être versée à l'Administration payeuse, dans le délai mentionné au paragraphe 1, par la première Administration qui, ayant dûment reçu l'envoi réclamé, ne peut en établir la transmission régulière au service correspondant. Il appartient à cette Administration de récupérer sur les autres Administrations responsables la quote-part éventuelle de chacune d'elles dans le dédommagement de l'ayant droit.

3. En cas d'inscription globale au sens de l'article 151, paragraphe 2, du Règlement, les Administrations d'origine et de destination peuvent s'entendre pour laisser en totalité la charge du dommage à celle qui doit effectuer le paiement à l'ayant droit.

4. Le remboursement à l'Administration créditrice est effectué d'après les règles de paiement prévues à l'article 12.

5. Lorsque la responsabilité a été reconnue, de même que dans le cas prévu à l'article 48, paragraphe 4, le montant de l'indemnité peut également être repris d'office sur l'Administration responsable par la voie d'un décompte quelconque soit directement, soit par l'intermédiaire d'une Administration qui établit régulièrement des décomptes avec l'Administration responsable.

6. Immédiatement après avoir payé l'indemnité, l'Administration payeuse doit communiquer à l'Administration responsable la date et le montant du paiement effectué. Elle ne peut réclamer le remboursement de cette indemnité que dans le délai d'un an à compter de l'envoi de la notification du paiement à l'ayant droit.

7. L'Administration dont la responsabilité est dûment établie et qui a tout d'abord décliné le paiement de l'indemnité doit prendre à sa charge tous les frais accessoires résultant du retard non justifié apporté au paiement.

8. Les Administrations peuvent s'entendre pour liquider périodiquement les indemnités qu'elles ont payées aux ayants droit et dont elles ont reconnu le bien-fondé.

9. Les Administrations peuvent s'entendre pour renoncer au remboursement de l'indemnité par l'Administration responsable à l'Administration payeuse jusqu'à concurrence du montant fixé d'un commun accord.

Article 50

Récupération éventuelle de l'indemnité sur l'expéditeur ou sur le destinataire

1. Si, aprés paiement de l'indemnité, un envoi recommandé ou une partie d'un tel envoi antérieurement considéré comme perdu est retrouvé, le destinataire et l'expéditeur en sont informés; ce dernier, ou par application de l'article 44, paragraphe 4, le destinataire, est en outre avisé qu'il peut en prendre livraison pendant une période de trois mois, contre remboursement du montant de l'indemnité reçue. Si dans ce délai l'expéditeur ou, le cas échéant, le destinataire ne réclame pas l'envoi, la même démarche est effectuée auprès du destinataire ou de l'expéditeur selon le cas.

2. Si l'expéditeur ou le destinataire prend livraison de l'envoi contre remboursement du montant de l'indemnité, ce montant est restitué à l'Administration ou, s'il y a lieu, aux Administrations qui ont supporté le dommage, dans un délai d'un an à compter de la date du remboursement.

3. Si l'expéditeur et le destinataire renoncent à prendre livraison de l'envoi, celui-ci devient la propriété de l'Administration ou, s'il y a lieu, des Administrations qui ont supporté le dommage.

4. Lorsque la preuve de la livraison est apportée après le délai de cinq mois prévu à l'article 48, paragraphe 4, l'indemnité versée reste à la charge de l'Administration intermédiaire ou de destination si la somme payée ne peut, pour une raison quelconque, être récupérée sur l'expéditeur.

Chapitre IV

Attribution des taxes. Frais de transit et frais terminaux

Article 51

Attribution des taxes

Sauf les cas prévus par la Convention et les Arrangements, chaque Administration postale garde les taxes qu'elle a perçues.

Article 52

Frais de transit

1. Sous réserve de l'article 54, les dépêches closes échangées entre deux Administrations ou entre deux bureaux du même pays au moyen des services d'une ou de plusieurs autres Administrations (services tiers) sont soumises, au profit de chacun des pays traversés ou dont les services participent au transport, aux frais de transit indiqués dans le tableau ci-aprés. Ces frais sont à la charge de l'Administration du pays d'origine de la dépêche.

Parcours	Frais par kg brut
1	2
	fr
1° Parcours territoriaux exprimés en kilomètres	
Jusqu'à 300 km	0,16
Au-delà de 300 jusqu'à 600	0,28
600 1000	0,41
1000 1500	0,57
1500 2000	0,74
2000 2500	0,91
2500 3000	1,08
3000 3800	1,29
3800 4600	1,55
4600 5500	1,82
5500 6500	2,11
6500 7500	2,42
7500 par 1000 km en sus	0,30

2° Parcours maritimes		
a) exprimés en milles marins	b) exprimés en kilomètres après conversion sur la base de 1 mille marin = 1,852 km	
Jusqu'à 300 milles marins	Jusqu'à 556 km	0,28
Au-delà de 300 jusqu'à 600	Au-delà de 556 jusqu'à 1 111	0,35
600 1000	1 111 1 852	0,39
1000 1500	1 852 2 778	0,43
1500 2000	2 778 3 704	0,46
2000 2500	3 704 4 630	0,49
2500 3000	4 630 5 556	0,51
3000 3500	5 556 6 482	0,53
3500 4000	6 482 7 408	0,55
4000 5000	7 408 9 260	0,57
5000 6000	9 260 11 112	0,60
6000 7000	11 112 12 964	0,62
7000 8000	12 964 14 816	0,64
8000 par 1000 milles marins en sus	14 816 par 1852 km en sus	0,02

2. Lorsqu'un pays admet que son territoire soit traversé par un service de transport étranger sans participation de ses services selon l'article 3, le courrier ainsi acheminé n'est pas soumis aux frais de transit.

3. Sont considérés comme services tiers, à moins d'entente spéciale, les transports maritimes effectués directement entre deux pays au moyen de navires de l'un d'eux.

4. Les distances servant à déterminer les frais de transit d'après le tableau du paragraphe 1 sont empruntées à la "Liste des distances kilométriques afférentes aux parcours territoriaux des dépêches en transit", prévue à l'article 111, paragraphe 2, lettre c), du Règlement, en ce qui concerne les parcours territoriaux, et à la "Liste des lignes de paquebots", prévue à l'article 111, paragraphe 2, lettre d), du Règlement, en ce qui concerne les parcours maritimes.

5. Le transit maritime commence au moment où les dépêches sont déposées sur le quai maritime desservant le navire dans le port de départ et prend fin lorsqu'elles sont remises sur le quai maritime du port de destination.

6. Les dépêches mal dirigées sont considérées, en ce qui concerne le paiement des frais de transit, comme si elles avaient suivi leur voie normale, les Administrations participant au transport desdites dépêches n'ont dès lors aucun droit de percevoir, de ce chef, des bonifications des Administrations expéditrices, mais ces dernières restent redevables des frais de transit y relatifs aux pays dont elles empruntent régulièrement l'intermédiaire.

Article 53

Frais terminaux

1. Sous réserve de l'article 54, chaque Administration qui reçoit dans ses échanges par les voies aérienne et de surface avec une autre Administration une quantité plus grande d'envois de la poste aux lettres qu'elle n'en expédie a le droit de percevoir de l'Administration expéditrice, à titre de compensation, une rémunération pour les frais que lui occasionne le courrier international reçu en plus.

2. La rémunération prévue au paragraphe 1 est de 1,50 franc par kilogramme de courrier reçu en plus.

3. Toute Administration peut renoncer totalement ou partiellement à la rémunération prévue au paragraphe 1.

Article 54

Exemption de frais de transit et de frais terminaux

Sont exempts de tous frais de transit territorial ou maritime et de tous frais terminaux, les envois en franchise postale mentionnés aux articles 15 à 17, ainsi que les envois de sacs postaux vides.

Article 55

Services extraordinaires

Les frais de transit spécifiés à l'article 52 ne s'appliquent pas au transport au moyen de services extraordinaires spécialement créés ou entretenus par une Administration postale sur la demande d'une ou de plusieurs autres Administrations. Les conditions de cette catégorie de transport sont réglées de gré à gré entre les Administrations intéressées.

Article 56

Décompte des frais de transit et des frais terminaux

1. Le décompte général des frais de transit et des frais terminaux du courrier de surface a lieu annuellement d'après les données de relevés statistiques établis, une fois tous les trois ans, pendant une période de quatorze jours. Cette période est portée à vingt-huit jours pour les dépêches qui sont formées moins de cinq fois par semaine ou qui empruntent moins de cinq fois par semaine les services d'un même pays intermédiaire. Le Règlement détermine la période et la durée d'application des statistiques.

2. Les frais terminaux relatifs aux correspondances-avion sont calculés d'après les poids réels.

3. Nonobstant l'application pour les frais terminaux de méthodes distinctes pour établir les différences de poids du courrier-avion et du courrier de surface transporté par tous les moyens, le volume total de tous les envois de la poste aux lettres échangés entre les Administrations intéressées doit être pris en considération pour déterminer le bien-fondé d'une demande de paiement au titre des frais terminaux.

4. Lorsque le solde annuel entre deux Administrations ne dépasse pas 25 francs pour les frais de transit et 2000 francs pour les frais terminaux, l'Administration débitrice est exonérée de tout paiement.

5. Après entente entre les Administrations intéressées, les dépêches extraordinaires peuvent être exemptées des opérations de statistique ordinaires. Le décompte peut être effectué sur la base du poids réel, que l'expédition de ces dépêches ait lieu ou non pendant la période de statistique.

6. Toute Administration est autorisée à soumettre à l'appréciation d'une Commission d'arbitres les résultats d'une statistique qui, d'après elle, différeraient trop de la réalité. Cet arbitrage est constitué ainsi qu'il est prévu à l'article 125 du Règlement général.

7. Les arbitres ont le droit de fixer en bonne justice le montant des frais de transit ou des frais terminaux à payer.

Article 57

Echange de dépêches closes avec des unités militaires mises à la disposition de l'Organisation des Nations Unies et avec des bâtiments ou des avions de guerre

1. Des dépêches closes peuvent être échangées entre les bureaux de poste de l'un des Pays-membres et les commandants des unités militaires mises à la disposition de l'Organisation des Nations Unies et entre le commandant d'une de ces unités militaires et le commandant d'une autre unité militaire mise à la disposition de l'Organisation des Nations Unies par l'intermédiaire des services territoriaux, maritimes ou aériens d'autres pays.

2. Un échange de dépêches closes peut aussi être effectué entre les bureaux de poste de l'un des Pays-membres et les commandants de divisions navales ou aériennes ou de bâtiments ou avions de guerre de ce même pays en station à l'étranger, ou entre le commandant d'une de ces divisions navales ou aeriennes ou d'un de ces bâtiments ou avions de guerre et le commandant d'une autre division ou d'un autre bâtiment ou avion de guerre du même pays, par l'intermediaire des services territoriaux, maritimes ou aériens d'autres pays.

3. Les envois de la poste aux lettres compris dans les dépêches visées aux paragraphes 1 et 2 doivent être exclusivement à l'adresse ou en provenance des membres des unités militaires ou des états-majors et des équipages des bâtiments ou avions de destination ou expediteurs des dépêches. Les tarifs et les conditions d'envoi qui leur sont applicables sont déterminés, d'après sa réglementation, par l'Administration postale du pays qui a mis à disposition l'unité militaire ou auquel appartiennent les bâtiments ou les avions.

4. Sauf entente spéciale, l'Administration du pays qui a mis a disposition l'unité militaire ou dont relèvent les bâtiments ou avions de guerre est redevable, envers les Administrations intermédiaires, des frais de transit des dépêches calculés conformément a l'article 52 et des frais de transport aérien calculés conformément a l'article 71.

Troisième partie

Transport aérien des envois de la poste aux lettres

Chapitre I

Dispositions générales

Article 58

Correspondances-avion

Les envois de la poste aux lettres transportés par la voie aérienne sont dénommés "correspondances-avion"

Article 59

Aérogrammes

1. Chaque Administration e la faculté d'admettre les aérogrammes, qui sont des correspondances-avion.

2. L'aérogramme est constitué par une feuille de papier, convenablement pliée et collée sur tous ses côtés, dont les dimensions, sous cette forme, doivent être les suivantes:

e) dimensions minimales: identiques à celles prescrites pour les lettres;

b) dimensions maximales: 110 x 220 mm;

et telles que le longueur soit égale ou supérieure à le largeur multipliée par $\sqrt{2}$ (valeur approchée: 1,4).

3. Le recto de l'aérogramme est réservé à l'adresse, à l'affranchissement et aux mentions ou étiquettes de service. Il porte obligatoirement la mention imprimée "Aérogramme" et, facultativement, une mention équivalente dans la langue du pays d'origine. L'aérogramme ne doit contenir aucun objet. Il peut être expédié sous recommandation si la réglementation du pays d'origine le permet.

4. Chaque Administration fixe, dans les limites définies au paragraphe 2, les conditions d'émission, de fabrication et de vente des aérogrammes.

5. Les correspondances-avion déposées comme aérogrammes mais ne remplissant pas les conditions fixées ci-dessus sont traitées conformément à l'article 64. Néanmoins, les Administrations ont la faculté de les transmettre dans tous les cas par la voie de surface.

Article 60

Correspondances-avion surtaxees et non surtaxées

1. Les correspondances-avion se subdivisent, sous le rapport des taxes, en correspondances-avion surtaxées et en correspondances-avion non surtaxées.

2. En principe, les correspondances-avion acquittent, en sus des taxes autorisées par la Convention et les divers Arrangements, des surtaxes de transport aérien; les envois postaux visés aux articles 16 et 17 sont passibles des mêmes surtaxes. Toutes ces correspondances sont dénommées correspondances-avion surtaxées.

3. Les Administrations ont la faculté de ne percevoir aucune surtaxe de transport aérien sous réserve d'en informer les Administrations des pays de destination; les envois admis dans ces conditions sont dénommés correspondances-avion non surtaxées. Cette dénomination ne vise pas les correspondances insérées dans les dépêches de courrier ordinaire de surface transportées par la voie aerienne, lesquelles font l'objet d'accords particuliers avec les Administrations qui les reçoivent aux aéroports et les traitent ultérieurement comme des envois ordinaires de surface.

4. Les envois relatifs au service postal visés à l'article 15, à l'exception de ceux qui émanent des organes de l'Union postale universelle et des Unions restreintes, n'acquittent pas les surtaxes aériennes.

5. Les aérogrammes, tels qu'ils sont décrits à l'article 59, acquittent une taxe au moins égale à celle qui est applicable, dans le pays d'origine, à une lettre non surtaxée du premier échelon de poids.

Article 61

Surtaxes aériennes

1. Les Administrations établissent les surtaxes aériennes à percevoir pour l'acheminement. Elles ont la faculté d'adopter, pour la fixation des surtaxes, des échelons de poids inférieurs à ceux qui sont prévus à l'article 19.

2. Les surtaxes doivent être en étroite relation avec les frais du transport aérien. En règle générale, l'ensemble du produit des surtaxes relatives aux deux catégories de courrier LC et AO ne doit pas dépasser les frais à payer pour ce transport.

3. Les surtaxes doivent être uniformes pour tout le territoire d'un même pays de destination, quel que soit l'acheminement utilisé.

4. Les Administrations ont la faculté de fixer des surtaxes aériennes moyennes, correspondant chacune à un groupe de pays de destination.

5. Les surtaxes doivent être acquittées au départ.

6. Chaque Administration est autorisée à tenir compte, pour le calcul de la surtaxe applicable à une correspondance-avion, du poids des formules à l'usage du public éventuellement jointes. Le poids de l'avis de réception est toujours pris en considération.

Article 62

Taxes combinées

1. Par dérogation à l'article 61, les Administrations peuvent fixer des taxes combinées pour l'affranchissement des correspondances-avion, en tenant compte:

a) du coût de leurs prestations postales;

b) des frais à payer pour le transport aérien.

Les Administrations ont la faculté de retenir comme coût visé sous lettre a) les taxes de base qu'elles ont fixées conformément à l'article 19. Lorsque les échelons de poids adoptés pour fixer les taxes combinées sont inférieurs à ceux qui sont prévus à l'article 19, les taxes de base peuvent être réduites dans la même proportion.

2. A l'exception des articles 64 et 68, les dispositions concernant les surtaxes aériennes s'appliquent par analogie aux taxes combinées.

Article 63

Modalités d'affranchissement

Outre les modalités prévues à l'article 25, l'affranchissement des correspondances-avion surtaxées peut être représenté par une mention manuscrite en chiffres, de la somme perçue, exprimée en monnaie du pays d'origine sous la forme, par exemple: "Taxe perçue: ... dollars ... cents." Cette mention peut soit figurer dans une griffe spéciale ou sur une figurine ou étiquette spéciale, soit encore être simplement portée, par un procédé quelconque, du côté de la suscription de l'envoi. Dans tous les cas, la mention doit être appuyée du timbre à date du bureau d'origine.

Article 64

Correspondances-avion surtaxées non ou insuffisamment affranchies

1. Les correspondances-avion surtaxées non ou insuffisamment affranchies dont la régularisation par les expéditeurs n'est pas possible sont traitées comme il suit:

a) en cas d'absence totale d'affranchissement, les correspondances-avion surtaxées sont traitées conformément aux articles 24 et 27; les envois dont l'affranchissement n'est pas obligatoire au départ sont acheminés par les moyens de transport normalement utilisés pour les correspondances non surtaxées;

b) en cas d'insuffisance d'affranchissement, les correspondances-avion surtaxées sont transmises par la voie aérienne si les taxes acquittées représentent au moins le montant de la surtaxe aérienne; toutefois, l'Administration d'origine a la faculté de transmettre ces envois par la voie aérienne lorsque les taxes acquittées représentent au moins 75 pour cent de la surtaxe ou 50 pour cent de la taxe combinée. Au-dessous de ces limites, les envois sont traités conformément à l'article 24. Dans les autres cas, l'article 27 est applicable.

2. Si les éléments nécessaires au calcul du montant de la taxe à percevoir n'ont pas été indiqués par l'Administration d'origine, l'Administration de destination a la faculté de distribuer sans perception de taxe les correspondances-avion surtaxées insuffisamment affranchies, mais pour lesquelles les taxes acquittées par l'expéditeur représentent au moins l'affranchissement d'un envoi non surtaxé de même poids et de même catégorie.

Article 65

Acheminement

1. Les Administrations sont tenues d'acheminer par les communications aériennes qu'elles utilisent pour le transport de leurs propres correspondances-avion les envois de l'espèce qui leur parviennent des autres Administrations.

2. Les Administrations des pays qui ne disposent pas d'un service aérien acheminent les correspondances-avion par les voies les plus rapides utilisées par la poste; il en est de même si, pour une raison quelconque, l'acheminement par voie de surface offre des avantages sur l'utilisation des lignes aériennes.

3. Les dépeches-avion closes doivent etre acheminees par la voie demandée par l'Administration du pays d'origine, sous reserve que cette voie soit utilisée par l'Administration du pays de transit pour la transmission de ses propres dépeches. Si cela n'est pas possible ou si le temps pour le transbordement n'est pas suffisant, l'Administration du pays d'origine doit en être avertie.

Article 66

Execution des operations dans les aeroports

Les Administrations prennent les mesures utiles afin que soient assures dans les meilleures conditions la réception et le reacheminement des dépêches-avion dans les aeroports de leur pays.

Article 67

Contrôle douanier des correspondances-avion

Les Administrations prennent toutes mesures utiles pour accélérer les operations relatives au contrôle douanier des correspondances-avion a destination de leur pays.

Article 68

Réexpedition des correspondances-avion

1. En principe, toute correspondance-avion adressee a un destinataire ayant change de résidence est réexpédiée sur sa nouvelle destination par les moyens de transport normalement utilisés pour la correspondance non surtaxée. A cet effet, l'article 31, paragraphes 1 à 3, est applicable par analogie.

2. Sur demande expresse du destinataire et si celui-ci s'engage à payer les surtaxes ou les taxes combinées correspondant au nouveau parcours aérien, ou bien si ces surtaxes ou taxes combinées sont payées au bureau reexpediteur par une tierce personne, les correspondances en question peuvent être réacheminées par la voie aerienne; dans le premier cas, la surtaxe ou la taxe combinée est perçue, en principe, au moment de la remise et reste acquise à l'Administration distributrice.

3. Les Administrations faisant application des taxes combinées peuvent fixer, pour la réexpédition par voie aerienne dans les conditions prévues au paragraphe 2, des taxes spéciales qui ne doivent pas dépasser les taxes combinées.

4. Les correspondances transmises sur leur premier parcours par la voie de surface peuvent, dans les conditions prévues au paragraphe 2, être réexpédiées à l'étranger par la voie aérienne. La réexpédition de tels envois par la voie aérienne à l'intérieur du pays de destination est soumise à la réglementation intérieure de ce pays.

5. Les enveloppes spéciales C 6 et les sacs, utilisés pour la réexpédition collective, sont acheminés sur la nouvelle destination par les moyens de transport normalement utilisés pour les correspondances non surtaxées, à moins que les surtaxes, les taxes combinées ou les taxes spéciales prévues au paragraphe 3 ne soient acquittées d'avance au bureau réexpéditeur ou que le destinataire ne prenne à sa charge les taxes correspondant au nouveau parcours aérien selon le paragraphe 2.

Article 69

Renvoi à l'origine des correspondances-avion

1. Les correspondances-avion non distribuables sont renvoyées à l'origine par les moyens de transport normalement utilisés pour les correspondances non surtaxées.

2. Pour le renvoi des correspondances à l'origine par voie aérienne à la demande de l'expéditeur, l'article 68, paragraphes 2 à 5, est applicable par analogie.

Chapitre II

Frais de transport aérien

Article 70

Principes généraux

1. Les frais de transport pour tout le parcours aérien sont:
a) lorsqu'il s'agit de dépêches closes, à la charge de l'Administration du pays d'origine;
b) lorsqu'il s'agit de correspondances-avion en transit à découvert, y compris celles qui sont mal acheminées, à la charge de l'Administration qui remet ces correspondances à une autre Administration.

2. Ces mêmes règles sont applicables aux dépêches-avion et aux correspondances-avion en transit à découvert exemptes de frais de transit.

3. Les frais de transport doivent, pour un meme parcours, être uniformes pour toutes les Administrations qui font usage de ce parcours sans participer aux frais d'exploitation du service ou des services aériens qui le desservent.

4. Sauf accord prevoyant la gratuité, les frais de transport aérien à l'intérieur du pays de destination doivent être uniformes pour toutes les dépêches-avion provenant de l'étranger, que ce courrier soit réacheminé ou non par voie aérienne.

5. Sauf entente spéciale entre les Administrations intéressées, l'article 52 s'applique aux correspondances-avion pour leurs parcours territoriaux ou maritimes eventuels; toutefois, ne donnent lieu à aucun paiement de frais de transit:
a) le transbordement des dépêches-avion entre deux aéroports desservant une même ville;
b) le transport de ces dépêches entre un aéroport desservant une ville et un entrepôt situé dans cette même ville et le retour de ces mêmes dépêches en vue de leur réacheminement.

Article 71

Taux de base et calcul des frais de transport aérien relatifs aux dépêches closes

1. Les taux de base à appliquer au règlement des comptes entre Administrations au titre des transports aériens sont fixés par kilogramme de poids brut et par kilomètre; ces taux, ci-dessous spécifiés, sont appliqués proportionnellement aux fractions de kilogramme:
a) pour les LC (lettres, aérogrammes, cartes postales, mandats de poste, mandats de remboursement, mandats de versement, valeurs à recouvrer, lettres avec valeur déclarée, avis de paiement, avis d'inscription et avis de réception): 3 millièmes de franc au maximum;
b) pour les AO (envois autres que les LC): 1 millième de franc au maximum.

2. Les frais de transport aérien relatifs aux dépêches-avion sont calculés d'aprés les taux de base effectifs (compris dans la limite des taux de base fixés au paragraphe 1) et les distances kilométriques mentionnées dans la "Liste des distances aéropostales" d'une part, et, d'autre part, d'après le poids brut de ces dépêches; il n'est pas tenu compte, le cas échéant, du poids des sacs collecteurs.

3. Les frais dus au titre du transport aérien à l'intérieur du pays de destination sont, s'il y a lieu, fixés sous forme de prix unitaires pour chacune des deux catégories LC et AO. Ces prix sont calculés sur la base des taux prévus au paragraphe 1 et d'après la distance moyenne pondérée des parcours effectués par le courrier international sur le réseau intérieur. La distance moyenne pondérée est déterminée en fonction du poids brut de toutes les dépêches-avion arrivant au pays de destination, y compris le courrier qui n'est pas réacheminé par voie aérienne à l'intérieur de ce pays.

4. Les frais dus au titre du transport aérien, entre deux aéroports d'un même pays, des dépêches-avion en transit peuvent également être fixés sous forme de prix unitaires pour chacune des catégories LC et AO. Ces prix sont calculés sur la base des taux prévus au paragraphe 1 et d'après la distance moyenne pondérée des parcours effectués par le courrier international sur le réseau aérien intérieur du pays de transit. La distance moyenne pondérée est déterminée en fonction du poids brut de toutes les dépêches-avion transitant par le pays intermédiaire.

5. Le montant des frais visés aux paragraphes 3 et 4 ne peut dépasser dans l'ensemble ceux qui doivent être effectivement payés pour le transport.

6. Les taux de transport aérien international et intérieur, obtenus en multipliant le taux de base effectif par la distance et servant à calculer les frais visés aux paragraphes 2, 3 et 4, sont arrondis au décime supérieur ou inférieur selon que le nombre formé par le chiffre des centièmes et celui des millièmes excède ou non 50.

Article 72

Calcul et décompte des frais de transport aérien des correspondances-avion en transit a découvert

1. Les frais de transport aérien relatifs aux correspondances-avion en transit à découvert sont calculés, en principe, comme il est indique à l'article 71, paragraphe 2, mais d'après le poids net de ces correspondances. Ils sont fixés sur la base d'un certain nombre de tarifs moyens ne pouvant dépasser 10 et dont chacun, relatif à un groupe de pays de destination, est détermine en fonction du tonnage du courrier débarque aux diverses destinations de ce groupe. Le montant de ces frais, qui ne peut dépasser ceux qui doivent être payés pour le transport, est majoré de 5 pour cent.

2. Le décompte des frais de transport aérien des correspondances-avion en transit à découvert a lieu, en principe, d'apres les donnees de relevés statistiques établis une fois par an pendant une période de quatorze jours.

3. Le décompte s'effectue sur la base du poids réel lorsqu'il s'agit de correspondances mal acheminées, déposées à bord des navires ou transmises à des frequences irrégulières ou en quantités trop variables. Toutefois, ce décompte n'est établi que si l'Administration intermédiaire demande à être rémunerée pour le transport de ces correspondances.

Article 73

Modifications des taux des frais de transport aérien a l'intérieur du pays de destination et des correspondances-avion en transit à découvert

Les modifications apportées aux taux des frais de transport aérien visés aux articles 71, paragraphe 3, et 72, doivent:

a) entrer en vigueur exclusivement le 1er janvier ou le 1er juillet, au gré de chaque Administration;
b) être notifiées au Bureau international au moins trois mois a l'avance;
c) être communiquees aux Administrations au moins deux mois avant les dates fixées à la lettre a).

Article 74

Paiement des frais de transport aérien

1. Les frais de transport aérien relatifs aux dépêches-avion sont, sauf les exceptions prévues au paragraphe 2, payables à l'Administration du pays dont dépend le service aérien emprunté.

2. Par dérogation au paragraphe 1:

a) les frais de transport peuvent être payés à l'Administration du pays ou se trouve l'aéroport dans lequel les dépêches-avion ont été prises en charge par l'entreprise de transport aérien, sous réserve d'un accord entre cette Administration et celle du pays dont dépend le service aérien intéressé;
b) l'Administration qui remet des dépêches-avion à une entreprise de transport aérien peut régler directement à cette entreprise les frais de transport pour une partie ou la totalité du parcours moyennant l'accord de l'Administration des pays dont dépendent les services aériens empruntés.

3. Les frais relatifs au transport aérien des correspondances-avion en transit à découvert sont payés à l'Administration qui assure le réacheminement de ces correspondances.

Article 75

Frais de transport aérien des dépêches ou des sacs déviés ou mal acheminés

1. L'Administration d'origine d'une dépêche déviée en cours de route doit payer les frais de transport de cette dépêche jusqu'à l'aéroport de déchargement initialement prévu sur le bordereau de livraison AV 7.

2. Elle règle également les frais de réacheminement relatifs aux parcours ultérieurs réellement suivis par la dépêche déviée pour parvenir jusqu'à son lieu de destination.

3. Les frais supplémentaires resultant des parcours ultérieurs suivis par la dépêche déviée sont remboursés dans les conditions suivantes:

a) par l'Administration dont les services ont commis l'erreur d'acheminement;

b) par l'Administration qui a perçu les frais de transport versés à la compagnie aérienne ayant effectué le débarquement en un lieu autre que celui qui est indiqué sur le bordereau de livraison AV 7.

4. Les paragraphes 1 à 3 sont applicables par analogie, lorsqu'une partie seulement d'une dépêche est débarquée à un aéroport autre que celui qui est indiqué sur le bordereau AV 7.

5. L'Administration d'origine d'une dépêche ou d'un sac mal acheminé par suite d'une erreur d'étiquetage doit payer les frais de transport relatifs à tout le parcours aérien, conformément à l'article 70, paragraphe 1, lettre a).

Article 76

Frais de transport aerien du courrier perdu ou détruit

En cas de perte ou de destruction du courrier par suite d'un accident survenu à l'aéronef ou de toute autre cause engageant la responsabilité de l'entreprise de transport aérien, l'Administration d'origine est exonérée de tout paiement, pour quelque partie que ce soit du trajet de la ligne empruntée, au titre du transport aérien du courrier perdu ou détruit.

Quatrième partie

Dispositions finales

Article 77

Conditions d'approbation des propositions concernant la Convention et son Règlement d'exécution

1. Pour devenir exécutoires, les propositions soumises au Congrès et relatives à la présente Convention et à son Règlement doivent être approuvées par la majorité des Pays-membres présents et votant. La moitié au moins des Pays-membres représentés au Congrès doivent être présents au moment du vote.

2. Pour devenir exécutoires, les propositions introduites entre deux Congrès et relatives à la présente Convention et à son Règlement doivent réunir:

a) l'unanimité des suffrages s'il s'agit de modifications aux articles 1 à 17 (première partie), 18, 19, 20, 21, lettres f), n), o) et p), 24, 27, 40, 41, 42, 44 à 57 (deuxième partie), 77 et 78 (quatrième partie) de la Convention, à tous les articles de son Protocole final et aux articles 102 à 104, 105, paragraphe 1, 125, 145, 146, paragraphes 1 et 3, 163, 174, 175 et 207 de son Règlement;

b) les deux tiers des suffrages s'il s'agit de modifications de fond à des dispositions autres que celles qui sont mentionnées sous lettre a);

c) la majorité des suffrages s'il s'agit:

1° de modifications d'ordre rédactionnel aux dispositions de la Convention et de son Règlement autres que celles qui sont mentionnées sous lettre a);

2° de l'interprétation des dispositions de la Convention, de son Protocole final et de son Règlement, hors le cas de différend à soumettre à l'arbitrage prévu à l'article 32 de la Constitution.

Article 78

Mise a execution et duree de la Convention

La presente Convention sera mise a execution le 1er janvier 1976 et demeurera en vigueur jusqu'à la mise a execution des Actes du prochain Congres.

En foi de quoi, les Plénipotentiaires des Gouvernements des Pays-membres ont signé la présente Convention en un exemplaire qui restera dépose aux Archives du Gouvernement du pays-siège de l'Union. Une copie en sera remise a chaque Partie par le Gouvernement du pays-siège du Congres.

Fait a Lausanne, le 5 juillet 1974.

Pour
LA RÉPUBLIQUE DE L'AFGHANISTAN:

Pour
LA RÉPUBLIQUE
DE L'AFRIQUE DU SUD:

Pour
LA RÉPUBLIQUE POPULAIRE
D'ALBANIE.

Pour
LA RÉPUBLIQUE ALGÉRIENNE
DÉMOCRATIQUE ET POPULAIRE.

Pour
LA RÉPUBLIQUE FÉDÉRALE
D'ALLEMAGNE.

Pour
LES ÉTATS-UNIS D'AMÉRIQUE.

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Pour
L'ENSEMBLE DES TERRITOIRES
DES ÉTATS-UNIS D'AMÉRIQUE,
Y COMPRIS LE TERRITOIRE
SOUS TUTELLE DES ÎLES DU
PACIFIQUE.

Pour
LE ROYAUME DE L'ARABIE SAOUDITE.

DR. ALAWI D KAYAL

ALI SHEIKH

A.A.SMMAN

Pour
LA RÉPUBLIQUE ARGENTINE.

Pour
L'AUSTRALIE:

Pour
LA RÉPUBLIQUE D'AUTRICHE.

Pour
LE COMMONWEALTH DES BAHAMAS:

Pour
L'ÉTAT DE BAHRAIN:

ALI E MATTAR

Pour
LA RÉPUBLIQUE POPULAIRE
DU BANGLADESH:

Pour
BARBADE.

Pour
LA BELGIQUE.

Pour
LE ROYAUME DE BHOUTAN:

Pour
LA RÉPUBLIQUE SOCIALISTE
SOVIÉTIQUE DE BIÉLORUSSIE.

Pour
LA RÉPUBLIQUE SOCIALISTE
DE L'UNION DE BIRMANIE.

Pour
LA RÉPUBLIQUE DE BOLIVIE.

Pour
LA RÉPUBLIQUE DU BOTSWANA.

Pour
LA RÉPUBLIQUE FÉDÉRATIVE
DU BRÉSIL.

Pour
LA RÉPUBLIQUE POPULAIRE
DE BULGARIE.

Pour
LA RÉPUBLIQUE DU BURUNDI:

Pour
LA RÉPUBLIQUE UNIE DU CAMEROUN:

Pour
LE CANADA.

Pour
LA RÉPUBLIQUE CENTRAFRICAINE.

Pour
LE CHILI:

Pour
LA RÉPUBLIQUE POPULAIRE
DE CHINE.

Pour
LA RÉPUBLIQUE DE CHYPRE.

Pour
LA RÉPUBLIQUE DE COLOMBIE.

Pour
LA RÉPUBLIQUE POPULAIRE
DU CONGO:

BBALOUNDA

Pour
LA RÉPUBLIQUE DE CORÉE.

Pour
LA RÉPUBLIQUE DE COSTA-RICA.

Pour
LA RÉPUBLIQUE DE CÔTE D'IVOIRE.

Pour
LA RÉPUBLIQUE DE CUBA.

Pour
LA RÉPUBLIQUE DU DAHOMEY

GOUNONGBE

ADOUN

Pour
LA RÉPUBLIQUE ARABE D'ÉGYPTE.

Pour
LE ROYAUME DE DANEMARK.

Pour
LA RÉPUBLIQUE DE EL SALVADOR.

Pour
LA RÉPUBLIQUE DOMINICAINE.

Pour
LES ÉMIRATS ARABES UNIS:

M.A. HASSAN

Pour
LA RÉPUBLIQUE DE L'ÉQUATEUR.

Pour
L'ESPAGNE.

Pour
LE TERRITOIRE ESPAGNOL
DE L'AFRIQUE.

Pour
L'ÉTHIOPIE.

Pour
FIDJI:

Pour
LA RÉPUBLIQUE DE FINLANDE.

Pour
LA RÉPUBLIQUE FRANÇAISE.

Pour
L'ENSEMBLE DES TERRITOIRES
REPRÉSENTÉS PAR L'OFFICE FRANÇAIS
DES POSTES ET TÉLÉCOMMUNICATIONS
D'OUTRE-MER.

Pour
LA RÉPUBLIQUE GABONAISE.

Pour
LE GHANA.

Pour
LE ROYAUME-UNI
DE GRANDE-BRETAGNE
ET D'IRLANDE DU NORD,
ÎLES DE LA MANCHE
ET ÎLE DE MAN:

Pour
LES TERRITOIRES D'OUTRE-MER
DONT LES RELATIONS
INTERNATIONALES
SONT ASSURÉES
PAR LE GOUVERNEMENT
DU ROYAUME-UNI
DE GRANDE-BRETAGNE
ET D'IRLANDE DU NORD:

Pour
LA GRÈCE.

Pour
LA RÉPUBLIQUE DU GUATÉMALA:

Pour
LA RÉPUBLIQUE DE GUINEE.

Pour
LA RÉPUBLIQUE DE GUINEE-BISSAU

Pour
LA RÉPUBLIQUE
DE GUINÉE ÉQUATORIALE.

Pour
LA GUYANE.

Pour
LA RÉPUBLIQUE D'HAÏTI:

Pour
LA RÉPUBLIQUE DE HAUTE-VOLTA.

Pour
LA RÉPUBLIQUE DU HONDURAS:

Pour
LA RÉPUBLIQUE POPULAIRE
HONGROISE.

Pour
L'INDE.

Pour
LA RÉPUBLIQUE D'INDONÉSIE.

Pour
L'IRAN:

Pour
LA RÉPUBLIQUE D'IRAQ:

Pour
L'IRLANDE.

Pour
LA RÉPUBLIQUE D'ISLANDE.

Pour
ISRAËL.

Pour
LE JAPON:

Pour
L'ITALIE.

Pour
LE ROYAUME HACHÉMITE
DE JORDANIE.

H Khammash.

Au Al Jaber

Issa Zandah

Pour
LA JAMAÏQUE.

Pour
LA RÉPUBLIQUE DE KENYA.

Pour
LA RÉPUBLIQUE KHMÈRE.

Pour
KUWAIT

Pour
LE ROYAUME DU LAOS:

Pour
LE ROYAUME DU LESOTHO·

Pour
LA RÉPUBLIQUE LIBANAISE.

Pour
LA RÉPUBLIQUE DE LIBÉRIA.

Pour
LA RÉPUBLIQUE ARABE LIBYENNE.

Pour
LA PRINCIPAUTÉ DE LIECHTENSTEIN:

Pour
LE LUXEMBOURG.

Pour
LA MALAISIE.

Pour
MALAWI:

Pour
LA RÉPUBLIQUE DES MALDIVES:

Pour
LA RÉPUBLIQUE MALGACHE.

Pour
LA RÉPUBLIQUE DU MALI:

Pour
MALTE.

Pour
LE ROYAUME DU MAROC.

Pour
MAURICE.

Pour
LA RÉPUBLIQUE ISLAMIQUE
DE MAURITANIE.

Pour
LES ÉTATS-UNIS DU MEXIQUE.

Pour
LA PRINCIPAUTÉ DE MONACO:

Pour
LA RÉPUBLIQUE POPULAIRE
DE MONGOLIE.

Pour
LA RÉPUBLIQUE DE NAURU:

Pour
LE NÉPAL.

Pour
LA RÉPUBLIQUE DU NICARAGUA:

Pour
LA RÉPUBLIQUE DU NIGER.

Pour
LA RÉPUBLIQUE FÉDÉRALE DE NIGÉRIA.

Pour
LA NORVÈGE.

Pour
LA NOUVELLE-ZÉLANDE.

Pour
LE SULTANAT D'OMAN:

H A ASSAEED

Pour
L'OUGANDA.

Emmy G. Ovagage

Pour
LE PAKISTAN:

Pour
LA RÉPUBLIQUE DE PANAMA:

Pour
LA RÉPUBLIQUE DE PARAGUAY

Pour
LES PAYS-BAS:

Pour
LES ANTILLES NÉERLANDAISES
ET SURINAM:

Pour
LA RÉPUBLIQUE DU PÉROU·

Pour
LA RÉPUBLIQUE DES PHILIPPINES:

Pour
LA RÉPUBLIQUE POPULAIRE
DE POLOGNE.

Pour
LE PORTUGAL.

Pour
LES PROVINCES PORTUGAISES
DE L'AFRIQUE OCCIDENTALE.

Pour
LES PROVINCES PORTUGAISES
DE L'AFRIQUE ORIENTALE,
DE L'ASIE ET DE L'OCÉANIE.

Pour
L'ÉTAT DE QATAR.

Pour
LA RÉPUBLIQUE DÉMOCRATIQUE
ALLEMANDE.

Pour
LA RÉPUBLIQUE POPULAIRE
DÉMOCRATIQUE DE CORÉE.

Pour
LA RÉPUBLIQUE SOCIALISTE
DE ROUMANIE.

Pour
LA RÉPUBLIQUE RWANDAISE.

Pour
LA RÉPUBLIQUE DE SAINT-MARIN:

Pour
LA RÉPUBLIQUE DU SÉNÉGAL.

Pour
LA RÉPUBLIQUE DE SIERRA LEONE.

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Pour
SINGAPOUR.

Pour
LA RÉPUBLIQUE DÉMOCRATIQUE
DE SOMALIE.

Pour
LA RÉPUBLIQUE DÉMOCRATIQUE
DU SOUDAN:

Pour
LA RÉPUBLIQUE DE SRI LANKA
(CEYLAN):

Pour
LA SUÈDE.

Pour
LA CONFÉDÉRATION SUISSE.

Pour
LE ROYAUME DU SWAZILAND:

Pour
LA RÉPUBLIQUE ARABE SYRIENNE.

Pour
LA RÉPUBLIQUE UNIE DE TANZANIE.

Pour
LA RÉPUBLIQUE DU TCHAD:

Pour
LA RÉPUBLIQUE SOCIALISTE
TCHÉCOSLOVAQUE.

Pour
LA THAÏLANDE.

Pour
LA RÉPUBLIQUE TOGOLAISE.

Pour
LE ROYAUME DES TONGA.

Pour
TRINITÉ ET TOBAGO:

Pour
LA TUNISIE.

Pour
LA TURQUIE.

Pour
LA RÉPUBLIQUE SOCIALISTE
SOVIÉTIQUE D'UKRAINE.

Pour
L'UNION DES RÉPUBLIQUES
SOCIALISTES SOVIÉTIQUES:

Pour
LA RÉPUBLIQUE ORIENTALE
DE L'URUGUAY

Pour
L'ÉTAT DE LA CITÉ DU VATICAN:

Pour
LA RÉPUBLIQUE DE VÉNÉZUÉLA:

Pour
LA RÉPUBLIQUE DU VIÊT-NAM:

Pour
LA RÉPUBLIQUE ARABE DU YÉMEN:

Pour
LA RÉPUBLIQUE DÉMOCRATIQUE
POPULAIRE DU YÉMEN:

Pour
LA RÉPUBLIQUE SOCIALISTE
FÉDÉRATIVE DE YOUGOSLAVIE.

Pour
LA RÉPUBLIQUE DU ZAÏRE.

Pour
LA RÉPUBLIQUE DE ZAMBIE.

PROTOCOLE FINAL DE LA CONVENTION POSTALE UNIVERSELLE

Au moment de proceder a la signature de la Convention postale universelle conclue a la date de ce jour, les Plénipotentiaires soussignés sont convenus de ce qui suit:

Article I

Appartenance des envois postaux

1. L'article 5 ne s'applique pas a la République de l'Afrique du Sud, à l'Australie, a l'Etat de Bahrain, à la Barbade, au Royaume de Bhoutan, a la République du Botswana, au Canada, a la République de Chypre, a la République arabe d'Egypte, aux Fidji, au Ghana, au Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, aux Territoires d'outre-mer dont les relations internationales sont assurees par le Gouvernement du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, a la Guyane, a l'Irlande, a la Jamaique, a la République de Kenya, a Kuwait, au Royaume du Lesotho, a la Malaisie, au Malawi, a Malte, a Maurice, a la République de Nauru, à la République fédérale de Nigeria, a la Nouvelle-Zélande, a l'Ouganda, a l'Etat de Qatar, a la République de Sierra Leone, a Singapour, au Royaume du Swaziland, a la République unie de Tanzanie, a Trinité et Tobago, a la République arabe du Yémen, a la République démocratique populaire du Yémen et a la République de Zambie.

2. Cet article ne s applique pas non plus au Royaume de Danemark dont la législation ne permet pas le retrait ou la modification d'adresse des envois de la poste aux lettres a la demande de l'expediteur a partir du moment ou le destinataire a été informe de l'arrivee d'un envoi a son adresse.

Article II

Exception à la franchise postale en faveur des cecogrammes

1. Par dérogation à l'article 17, les Administrations postales de la Barbade, du Territoire d'outre-mer de Saint-Vincent dont les relations internationales sont assurées par le Gouvernement du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, celles du Mexique, des Philippines, du Portugal et de la Turquie, qui n'accordent pas la franchise postale aux cécogrammes dans leur service intérieur, ont la faculté de percevoir les taxes d'affranchissement et les taxes spéciales visées à l'article 17 et qui ne peuvent toutefois être supérieures à celles de leur service intérieur.

2. Par dérogation à l'article 17, les Administrations de la République fédérale d'Allemagne, des Etats-Unis d'Amérique, du Canada, du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord et du Japon ont la faculté de percevoir les taxes spéciales énumérées à l'article 21 et la taxe de remboursement qui sont appliquées aux cécogrammes dans leur service intérieur.

Article III

Equivalents. Limites maximales

A titre exceptionnel et par dérogation à l'article 19, paragraphe 1, les Pays-membres sont autorisés à porter le taux de majoration de 70 pour cent à 100 pour cent au maximum pour les lettres jusqu'à 100 grammes, pour les cartes postales, pour les imprimés jusqu'à 100 grammes et pour les petits paquets jusqu'à 100 grammes et, par conséquent, à appliquer dans ces cas les limites supérieures suivantes:

Envois	Echelons de poids		Limites supérieures
1	2		3
			c
Lettres	jusqu'à 20 g		100
	[au-dessus de 20 g jusqu'à 50 g au-dessus de 50 g jusqu'à 100 g]	(échelons de poids facultatifs)	[180 240
	au-dessus de 20 g jusqu'à 100 g		240
Cartes postales			70
Imprimés	jusqu'à 20 g		50
	[au-dessus de 20 g jusqu'à 50 g au-dessus de 50 g jusqu'à 100 g]	(échelons de poids facultatifs)	[80 110
	au-dessus de 20 g jusqu'à 100 g		110
Petits paquets	jusqu'à 100 g		110

Article IV

Exception à l'application du tarif des imprimés

A titre exceptionnel, les Pays-membres sont autorisés à porter la taxe des imprimés jusqu'aux taux prévus par leur législation pour les envois de même nature du service intérieur.

Article V

Once et livre avoirdupois

Par dérogation à l'article 19, paragraphe 1, tableau, les Pays-membres qui, à cause de leur régime intérieur, ne peuvent adopter le type de poids métrique décimal ont la faculté de substituer aux échelons de poids prévus à l'article 19, paragraphe 1, les equivalents suivants:

jusqu'à	20 g	1 oz;
jusqu'à	50 g	2 oz;
jusqu'à	100 g	4 oz;
jusqu'à	250 g	8 oz;
jusqu'à	500 g	1 lb;
jusqu'à	1000 g	2 lb;
par	1000 g en sus	2 lb.

Article VI

Dérogation aux dimensions des envois sous enveloppe

Les Administrations du Canada, des Etats-Unis d'Amérique, du Kenya, de l'Ouganda et de la Tanzanie ne sont pas tenues de décourager l'emploi d'enveloppes dont le format dépasse les dimensions recommandées, lorsque ces enveloppes sont largement utilisées dans leur pays.

Article VII

Petits paquets

L'obligation de participer à l'échange des petits paquets dépassant le poids de 500 grammes ne s'applique pas aux Administrations de l'Australie, de la Birmanie, de la Bolivie, du Canada, du Chili, de la Colombie et de Cuba qui sont dans l'impossibilité d'assurer cet échange.

Article VIII

Exception à l'inclusion de valeurs dans les lettres recommandées

1. Par dérogation à l'article 19, paragraphe 16, sont autorisées à ne pas admettre dans les lettres recommandées les valeurs mentionnées audit paragraphe 16, les Administrations postales des pays ci-après: Royaume de l'Arabie saoudite, République argentine, République populaire du Bangladesh, Royaume de Bhoutan, République socialiste soviétique de Biélorussie, République de Bolivie, République fédérative du Brésil, Chili, République de Colombie, République de Costa-Rica, République de Cuba, République arabe d'Egypte, République de El Salvador, République de l'Equateur, République du Honduras, Iran, Italie, Etats-Unis du Mexique, Népal, Pakistan, République de Panama, République de Paraguay, République du Pérou, République socialiste soviétique d'Ukraine, Union des républiques socialistes soviétiques, République de Vénézuéla.

2. Par dérogation à l'article 19, paragraphe 16, les Administrations postales de la République populaire de Chine, de l'Inde et de la République khmère sont autorisées à ne pas admettre dans les lettres ordinaires ou recommandées les valeurs mentionnées audit paragraphe 16.

3. Par dérogation à l'article 19, paragraphe 16, les Administrations postales de la République de l'Afghanistan et de la République arabe du Yémen sont autorisées à ne pas admettre dans les lettres recommandées du platine, de l'or, de l'argent, manufacturés ou non, des pierreries et des bijoux.

Article IX

Coupons-réponse internationaux

1. Indépendamment de la date de mise en vigueur des Actes de Lausanne 1974, le coupon-réponse international émis conformément à l'article 28, paragraphe 1, est mis en circulation à partir du 1er janvier 1975.

2. Pendant une période de quatre ans, les coupons-réponse internationaux d'un type antérieur émis avant le 1er janvier 1975 sont à régler directement entre les Administrations intéressées conformément aux dispositions de la Convention de Tokyo 1969. Ils ne peuvent plus faire l'objet du décompte général des coupons-réponse internationaux établi par le Bureau international.

3. Après cette période transitoire, les coupons-réponse internationaux d'un type antérieur ne donnent plus lieu à un règlement entre Administrations, sauf entente spéciale.

Article X

Retrait. Modification ou correction d'adresse

L article 30 ne s'applique pas à la République de l'Afrique du Sud, à l'Australie, au Commonwealth des Bahamas, à l'Etat de Bahrain, à la Barbade, au Royaume de Bhoutan, à la République socialiste de l'Union de Birmanie, à la République du Botswana, au Canada, à la République de Chypre, à la République de l'Equateur, aux Fidji, au Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, à ceux des Territoires d'outre-mer dont les relations internationales sont assurées par le Gouvernement du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, à la Guyane, à l'Irlande, à la Jamaïque, à la République de Kenya, à Kuwait, au Royaume du Lesotho, à la Malaisie, au Malawi, à Malte, à Maurice, à la République de Nauru, à la République fédérale de Nigéria, à la Nouvelle-Zélande, à l'Ouganda, à l'Etat de Qatar, à la République de Sierra Leone, à Singapour, au Royaume du Swaziland, à la République unie de Tanzanie, à Trinité et Tobago, à la République démocratique populaire du Yémen et à la République de Zambie, dont la législation ne permet pas le retrait ou la modification d'adresse d'envois de la poste aux lettres à la demande de l'expéditeur.

Article XI

Taxes spéciales autres que les taxes d'affranchissement

Les Pays-membres qui appliquent dans leur service intérieur, pour les taxes spéciales autres que les taxes d'affranchissement prévues à l'article 19, des taux supérieurs à ceux qui sont fixés à l'article 21 sont autorisés à appliquer ces mêmes taux dans le service international.

Article XII

Objets passibles de droits de douane

1. Par référence à l'article 33, les Administrations postales des pays suivants n'acceptent pas les lettres ordinaires et recommandées contenant des objets passibles de droits de douane: République de l'Afghanistan, République populaire d'Albanie, Royaume de l'Arabie saoudite, République socialiste soviétique de Biélorussie, République fédérative du Brésil, République populaire de Bulgarie, République centrafricaine, Chili, République populaire de Chine, République de Colombie, République de Cuba, République de El Salvador, République de l'Equateur, Ethiopie, Italie, République khmère, Népal, République de Panama, République du Pérou, République démocratique allemande, République socialiste de Roumanie, République de Saint-Marin, République socialiste soviétique d'Ukraine, Union des républiques socialistes soviétiques, République de Vénézuéla, République socialiste fédérative de Yougoslavie.

2. Par référence à l'article 33, les Administrations postales des pays suivants n'acceptent pas les lettres ordinaires contenant des objets passibles de droits de douane: République de Côte d'Ivoire, République du Dahomey, République de Haute-Volta, République d'Indonésie, République du Mali, République islamique de Mauritanie, République du Niger, Sultanat d'Oman, République du Sénégal, République arabe du Yémen.

3. Nonobstant les paragraphes 1 et 2, les envois de sérums, de vaccins ainsi que les envois de médicaments d'urgente nécessité qu'il est difficile de se procurer sont admis dans tous les cas.

Article XIII

Frais spéciaux de transit par le Transsibérien et le lac Nasser

1. L'Administration postale de l'Union des républiques socialistes soviétiques est autorisée à percevoir un supplément de 1,50 franc en plus des frais de transit mentionnés à l'article 52, paragraphe 1, 1° parcours territoriaux, pour chaque kilogramme d'envois de la poste aux lettres transporté en transit par le Transsibérien.

2. Les Administrations postales de la République arabe d'Egypte et de la République démocratique du Soudan sont autorisées à percevoir un supplément de 50 centimes sur les frais de transit mentionnés à l'article 52, paragraphe 1, pour chaque sac de la poste aux lettres en transit par le lac Nasser entre le Shallal (Egypte) et Wadi Halfa (Soudan).

Article XIV

Conditions spéciales de transit pour l'Afghanistan

Par dérogation à l'article 52, paragraphe 1, l'Administration postale de l'Afghanistan est autorisée provisoirement, en raison des difficultés particulières qu'elle rencontre en matière de moyens de transport et de communication, à effectuer le transit des dépêches closes et des correspondances à découvert à travers son pays, à des conditions spécialement convenues entre elle et les Administrations postales intéressées.

Article XV

Frais d'entrepôt spéciaux à Aden

A titre exceptionnel, l'Administration postale de la République démocratique populaire du Yémen est autorisée à percevoir une taxe de 40 centimes par sac pour toutes les dépêches entreposées à Aden, pourvu que cette Administration ne reçoive aucune rémunération au titre du transit territorial ou maritime pour ces dépêches.

Article XVI

Surtaxe aérienne exceptionnelle

En raison de la situation géographique spéciale de l'Union des républiques socialistes soviétiques, l'Administration postale de ce pays se réserve le droit d'appliquer une surtaxe uniforme sur tout son territoire, pour tous les pays du monde. Cette surtaxe ne dépassera pas les frais réels occasionnés par le transport, par voie aérienne, des envois de la poste aux lettres.

Article XVII

Acheminement obligatoire indiqué par le pays d'origine

1. La République socialiste fédérative de Yougoslavie ne reconnaîtra que les frais du transport effectué en conformité de la disposition concernant la ligne indiquée sur les étiquettes des sacs (AV 8) de la dépeche-avion.

2. Les Administrations postales de la République socialiste soviétique de Biélorussie, de la République socialiste de Roumanie, de la République socialiste soviétique d'Ukraine et de l'Union des républiques socialistes soviétiques ne reconnaîtront que les frais du transport effectué en conformité de la disposition concernant la ligne indiquée sur les étiquettes des sacs (AV 8) de la dépêche-avion et sur les bordereaux de livraison AV 7.

Article XVIII

Acheminement des dépêches-avion closes

Eu égard à l'article XVII, les Administrations postales de la Grèce, de l'Italie et du Sénégal n'assureront l'acheminement des dépêches-avion closes que dans les conditions prévues à l'article 65, paragraphe 3.

Article XIX

Conditions d'approbation des propositions du Conseil exécutif concernant les règles de paiement

Par dérogation à l'article 77, paragraphe 2, lettre a), les propositions du Conseil exécutif visant à adapter l'article 103 du Règlement de la Convention à une modification fondamentale de la pratique générale des paiements internationaux doivent, pour devenir exécutoires, réunir les deux tiers des suffrages.

En foi de quoi, les Plénipotentiaires ci-dessous ont dressé le présent Protocole, qui aura la même force et la même valeur que si ses dispositions étaient insérées dans le texte même de la Convention, et ils l'ont signé en un exemplaire qui restera déposé aux Archives du Gouvernement du pays-siège de l'Union. Une copie en sera remise à chaque Partie par le Gouvernement du pays-siège du Congrès.

Fait à Lausanne, le 5 juillet 1974.

[The signatures appearing here in the original correspond to those on pages 293–313.]

RÈGLEMENT D'EXÉCUTION DE LA CONVENTION POSTALE UNIVERSELLE

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REGLEMENT D'EXECUTION DE LA CONVENTION POSTALE UNIVERSELLE

Les soussignes, vu l'article 22, paragraphe 5, de la Constitution de l'Union postale universelle conclue à Vienne le 10 juillet 1964, ont, au nom de leurs Administrations postales respectives, arrêté, d'un commun accord, les mesures suivantes pour assurer l'exécution de la Convention postale universelle.

Première partie

Dispositions générales

Chapitre I

Règles communes applicables au service postal international

Article 101

Etablissement et liquidation des comptes

1. Chaque Administration établit ses comptes et les soumet à ses correspondants, en double expédition. L'un des exemplaires acceptés, éventuellement modifié ou accompagné d'un état des différences, est renvoyé à l'Administration créancière. Ce compte sert de base pour l'établissement, le cas échéant, du décompte final entre les deux Administrations.

2. Dans le montant de chaque compte établi en francs-or sur les formules C 21, C 21bis, C 23, C 24, CP 16, CP 18 et AV 5, il est fait abandon des centimes dans le total ou le solde.

3. Conformément a l'article 111, paragraphe 5, du Règlement général, le Bureau international assure la liquidation des comptes de toute nature relatifs au service postal international. Les Administrations intéressées se concertent, à cet effet, entre elles et avec ce Bureau et déterminent le mode de liquidation. Les comptes des services des télécommunications peuvent aussi être compris dans ces décomptes spéciaux.

Article 102

Paiement des créances en or. Dispositions générales

1. Sous réserve de l'article 12 de la Convention, les règles de paiement prévues ci-après sont applicables à toutes les créances exprimées en francs-or et nées d'un trafic postal, qu'elles résultent de comptes généraux ou bordereaux arrêtés par le Bureau international ou de décomptes ou relevés établis sans son intervention; elles concernent également le règlement des différences, des intérêts ou, le cas échéant, des acomptes.

2. Toute Administration demeure libre de se libérer par acomptes versés d'avance et sur le montant desquels ses dettes sont imputées lorsqu'elles ont été arrêtées.

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3. Toute Administration peut régler par compensation des creances postales de mêmes ou de diverses natures arrêtées en or, a son crédit et à son débit, dans ses relations avec une autre Administration, sous réserve que les délais de paiement soient observès. La compensation peut être étendue d'un commun accord aux créances des services de télécommunications quand les deux Administrations assurent les services postaux et de télécommunications. La compensation avec des créances, résultant de trafics délégués à un organisme ou a une société sous le contrôle d'une Administration postale, ne peut être réalisée si cette Administration s'y oppose.

Article 103

Règles de paiement

1. Les créances sont payées dans la monnaie choisie par l'Administration créancière après consultation de l'Administration débitrice. En cas de désaccord, le choix de l'Administration créancière doit prevaloir dans tous les cas, sous réserve du paragraphe 7. Si l'Administration créancière ne spécifie pas une monnaie particulière, le choix appartient a l'Administration débitrice.

2. Le montant du paiement, tel qu'il est déterminé ci-après dans la monnaie choisie, doit avoir une valeur equivalente a celle du solde du compte exprime en francs-or.

3. Sous réserve du paragraphe 4, le montant à payer dans la monnaie choisie (qui est équivalent en valeur au solde du compte exprimé en francs-or) est déterminé par le rapport en vigueur la veille du paiement entre la parité du franc-or et:

a) la parité-or de la monnaie choisie, approuvée par le Fonds monétaire international (ci-après désigne par le sigle FMI);

b) ou la parité-or de la monnaie choisie, fixée unilatéralement par le Gouvernement ou par une institution officielle d'émission du pays intéressé (ci-après désignée par l'expression "fixée unilatéralement").

4. Si, postérieurement à l'approbation de la parité-or par le FMI ou la fixation unilatérale d'une parité-or, un taux central a été fixé pour la monnaie choisie, soit en vertu d'une décision du Conseil d'administration du FMI, soit unilatéralement, la valeur-or de ce taux central doit être utilisée pour déterminer la valeur équivalente. Lorsque le taux central est exprimé par rapport à la monnaie d'un autre Pays-membre du FMI (cette monnaie étant appelée ci-après "l'autre monnaie"), le montant en monnaie choisie est déterminé dans un premier temps par application au montant exprimé en francs-or de la parité de l'autre monnaie approuvée par le FMI, puis dans un second temps en convertissant dans la monnaie choisie le résultat ainsi obtenu en appliquant le taux central. Dans le cas ou il n'existe pas pour l'autre monnaie de parité en vigueur approuvée par le FMI, le paragraphe 5 est applique.

5. Si la monnaie choisie ne répond pas aux conditions prévues aux paragraphes 3 et 4 ci-dessus ou si les limites des fluctuations autour du taux central reconnues par les Statuts du FMI ou par les décisions de son Conseil d'administration ou fixées antérieurement par le Gouvernement ou par une institution d'émission du pays intéressé ne sont pas observées, la valeur équivalente de cette monnaie est calculée sur la base du cours pratiqué sur le marché officiel des changes ou sur le marché normalement admis dans les conditions prévues au paragraphe 6 par référence à une autre monnaie qui répond elle-même aux conditions prévues aux paragraphes 3 ou 4.

6. Pour déterminer l'équivalent d'une monnaie sur le marché officiel des changes ou sur le marché normalement admis, il convient de se fonder sur le cours de clôture applicable dans la majorité des transactions commerciales, pour remise immédiate par avis télégraphique au marché officiel des changes ou au marché normalement admis dans le principal centre financier du pays débiteur la veille du paiement, ou sur le taux le plus récent.

7. Si l'Administration créancière choisit une monnaie à parité-or ou taux central fixés unilatéralement ou une monnaie dont la valeur équivalente doit être déterminée sur la base d'une monnaie à parité-or ou taux central fixés unilatéralement, l'emploi de la monnaie choisia doit être acceptable par l'Administration débitrice.

8. A la date du paiement, l'Administration débitrice doit transmettre le montant de la monnaie choisie calculé comme il est indiqué ci-dessus, par un chèque bancaire, un virement ou tout autre moyen acceptable par les deux Administrations. Si l'Administration créancière n'émet pas de préférence, le choix appartient à l'Administration débitrice.

9. Les frais de paiement (droits, frais de clearing, provisions, commissions, etc.) perçus dans le pays débiteur sont a la charge de l'Administration débitrice. Les frais perçus dans le pays créancier, y compris les frais de paiement prélevés par les banques intermédiaires dans les pays tiers, sont à la charge de l'Administration créancière. Lorsque le virement postal en franchise de taxe est utilisé, la franchise est aussi accordée par le bureau d'échange du (ou des) pays tiers qui sert d'intermédiaire entre l'Administration débitrice et l'Administration créancière quand il n'existe pas d'échanges directs entre elles.

10. Si, entre l'envoi du moyen de paiement (par exemple, chèque) et la réception de ce dernier par l'Administration créancière, il se produit une variation de la valeur équivalente de la monnaie choisie, calculée comme il est indiqué aux paragraphes 3, 4, 5 ou 6 et si la différence résultant de cette variation dépasse 5 pour cent de la valeur de la somme due (calculée à la suite de ladite variation), la différence totale est partagée par moitié entre les deux Administrations.

11. Le paiement doit être effectué aussi rapidement que possible et, au plus tard, avant l'expiration d'un délai de six semaines à partir de la date de réception des décomptes généraux ou particuliers, comptes ou relevés arrêtés d'un commun accord, notifications, demandes d'acomptes, etc., indiquant les sommes ou soldes à régler; passé ce délai, les sommes dues sont productives d'intérêt à raison de 6 pour cent par an à dater du lendemain du jour d'expiration dudit délai. On entend par paiement l'envoi des fonds ou du titre (chèque, traite, etc.) ou la passation en écritures de l'ordre de virement ou de versement par l'organisme chargé du transfert dans le pays débiteur.

12. S'il se produit un changement fondamental du système monétaire international (par exemple, modification générale substantielle du prix de l'or, abandon de l'or comme base de référence générale pour les monnaies) ayant pour effet de rendre inopérantes ou impropres les dispositions prévues dans un ou plusieurs paragraphes ci-dessus, les Administrations ont toute latitude pour adopter, en vertu d'accords réciproques, des dispositions différentes pour le paiement des créances.

Article 104

Fixation des équivalents

1. Les Administrations fixent les équivalents des taxes postales prévues par la Convention, les Arrangements et leurs Protocoles finals ainsi que le prix de vente des coupons-réponse internationaux après entente avec le Bureau international qui est responsable de leur notification. A cet effet, chaque Administration doit faire connaître au Bureau international le coefficient de conversion du franc-or dans la monnaie de son pays. La même procédure est suivie en cas de changement d'équivalents.

2. Les Administrations postales doivent communiquer le plus tôt possible au Bureau international les équivalents ou les changements d'équivalents des taxes postales, en indiquant la date de leur entrée en vigueur.

3. Le Bureau international publie un recueil indiquant, pour chaque pays, les équivalents des taxes, le coefficient de conversion et le prix de vente des coupons-réponse internationaux mentionnés au paragraphe 1 et renseignant, le cas échéant, sur le pourcentage de la majoration ou de la réduction de taxe appliquée en vertu des articles 19, paragraphe 1, de la Convention et III de son Protocole final.

4. Les fractions monétaires résultant du complément de taxe applicable aux envois de la poste aux lettres insuffisamment affranchis peuvent être arrondies par les Administrations qui en effectuent la perception. La somme à ajouter de ce chef ne peut excéder la valeur de 5 centimes.

5. Chaque Administration notifie directement au Bureau international l'équivalent fixé par elle pour les indemnités prévues à l'article 44, paragraphe 3, de la Convention.

Article 105

Timbres-poste. Notification des émissions et échange entre Administrations

1. Chaque nouvelle émission de timbres-poste est notifiée par l'Administration en cause à toutes les autres Administrations par l'intermédiaire du Bureau international, avec les indications nécessaires.

2. Les Administrations échangent, par l'intermédiaire du Bureau international, la collection en trois exemplaires de leurs timbres-poste.

Article 106

Cartes d'identité postales

1. Chaque Administration désigne les bureaux ou les services qui délivrent les cartes d'identité postales.

2. Ces cartes sont établies sur des formules conformes au modèle C 25 ci-annexe et qui sont fournies par le Bureau international.

3. Au moment de la demande, le requérant remet sa photographie et justifie de son identité. Les Administrations edictent les prescriptions necessaires pour que les cartes ne soient délivrées qu'apres examen minutieux de l'identite du requerant.

4. L'agent inscrit cette demande sur un registre; il remplit a l'encre et en caracteres latins a la main ou à la machine a ecrire, sans ratures ni surcharges, toutes les indications que comporte la formule et fixe sur celle-ci la photographie a l'endroit désigne; puis il applique, en partie sur cette photographie et en partie sur la carte, un timbre-poste representant la taxe perçue. Il appose ensuite, à l'emplacement reserve a cet effet, une empreinte bien nette du timbre a date ou d'un sceau officiel, de manière qu'elle porte a la fois sur le timbre-poste, sur la photographie et sur la carte. Il signe enfin la carte et la remet a l'interesse apres avoir recueilli sa signature.

5. Les Administrations peuvent emettre des cartes d'identite sans y appliquer un timbre-poste et comptabiliser d'une autre manière le montant de la taxe perçue.

6. Chaque Administration conserve la faculté de délivrer les cartes du service international selon les regles appliquees pour les cartes en usage dans son service intérieur.

7. Les cartes d'identité postales peuvent, apres leur établissement, être stratifiées dans une matière plastique, au gre de chaque Administration.

Article 107

Pays éloignes ou considéres comme tels

1. Sont considéres comme pays éloignes les pays entre lesquels la duree des transports par la voie de surface la plus rapide est de plus de dix jours ainsi que ceux entre lesquels la frequence moyenne des courriers est inférieure a deux voyages par mois.

2. Sont assimilés aux pays éloignes, en ce qui concerne les délais prevus par la Convention et les Arrangements, les pays de tres grande étendue ou dont les voies de communication intérieures sont peu développees pour les questions ou ces facteurs jouent un rôle prepondérant.

Article 108

Délai de conservation des documents

1. Les documents du service international doivent être conserves pendant une période minimale de dix-huit mois a partir du lendemain de la date a laquelle ces documents se réfèrent.

2. Les documents concernant un litige ou une réclamation doivent être conservés jusqu'à liquidation de l'affaire. Si l'Administration reclamante, régulièrement informée des conclusions de l'enquête, laisse s'écouler six mois à partir de la date de la communication sans formuler d'objections, l'affaire est considérée comme liquidée.

Article 109

Adresses télégraphiques

1. Pour les communications télégraphiques qu'elles échangent entre elles, les Administrations font usage des adresses télégraphiques suivantes:

a) "Postgen" pour les télégrammes destinés aux Administrations centrales;
b) "Postbur" pour les télégrammes destinés aux bureaux de poste;
c) "Postex" pour les télégrammes destinés aux bureaux d'échange.

2. Ces adresses télégraphiques sont suivies de l'indication de la localité de destination et, s'il y a lieu, de toute autre précision jugée nécessaire.

3. L'adresse télégraphique du Bureau international est "UPU Berne"

4. Les adresses télégraphiques indiquées aux paragraphes 1 et 3 et complétées selon le cas par l'indication du bureau expéditeur servent également de signature des communications télégraphiques.

Chapitre II

Bureau international. Renseignements à fournir. Publications

Article 110

Communications et renseignements à transmettre au Bureau international

1. Les Administrations doivent communiquer ou transmettre au Bureau international:

a) leur décision au sujet de la faculté d'appliquer ou non certaines dispositions générales de la Convention et de son Règlement;

b) la mention qu'elles ont adoptée, par application de l'article 178, paragraphes 2 et 3, comme équivalent de l'expression "Taxe perçue" ou "Port payé";

c) les taxes réduites qu'elles ont adoptées en vertu de l'article 8 de la Constitution et l'indication des relations auxquelles ces taxes sont applicables;

d) les frais de transport extraordinaire perçus en vertu de l'article 55 de la Convention ainsi que la nomenclature des pays auxquels s'appliquent ces frais et, s'il y a lieu, la désignation des services qui en motivent la perception;

e) les renseignements utiles concernant les prescriptions douanières ou autres ainsi que les interdictions ou restrictions réglant l'importation et le transit des envois postaux dans leurs services;

f) le nombre de déclarations en douane éventuellement exigé pour les envois soumis au contrôle douanier à destination de leur pays et les langues dans lesquelles ces déclarations ou les étiquettes "Douane" peuvent être redigées;

g) la liste des distances kilométriques pour les parcours territoriaux suivis dans leur pays par les dépêches en transit;

h) la liste des lignes de paquebots en partance de leurs ports et utilisés pour le transport des dépêches avec indication des parcours, des distances et des durées de parcours entre le port d'embarquement et chacun des ports d'escale successifs, de la périodicité du service et des pays auxquels les frais de transit maritime, en cas d'utilisation des paquebots, doivent être payés;

i) leur liste des pays éloignés et assimilés;

j) les renseignements utiles sur leur organisation et leurs services intérieurs;

k) leurs taxes postales intérieures.

2. Toute modification aux renseignements visés au paragraphe 1 doit être notifiée sans retard.

3. Les Administrations doivent fournir au Bureau international deux exemplaires des documents qu'elles publient tant sur le service intérieur que sur le service international. Elles fournissent également, dans la mesure du possible, les autres ouvrages publiés dans leur pays et concernant le service postal.

Article 111

Publications

1. Le Bureau international publie, d'après les informations fournies en vertu de l'article 110, un recueil officiel des renseignements d'intérêt général relatifs à l'exécution, dans chaque Pays-membre, de le Convention et de son Règlement. Il publie également des recueils analogues se rapportant à l'exécution des Arrangements et de leurs Règlements, d'après les informations fournies par les Administrations intéressées en vertu des dispositions correspondantes du Règlement d'exécution de chacun des Arrangements.

2. Il publie, en outre, au moyen des éléments fournis par les Administrations et, eventuellement, par les Unions restreintes en ce qui concerne la lettre a) ou par l'Organisation des Nations Unies en ce qui concerne la lettre g):

a) une liste des adresses, des chefs et des fonctionnaires superieurs des Administrations postales et des Unions restreintes;
b) une nomenclature internationale des bureaux de poste;
c) une liste des distances kilométriques afférentes aux parcours territoriaux des dépeches en transit;
d) une liste des lignes de paquebots;
e) une liste des pays éloignes et assimilés;
f) un recueil des equivalents;
g) une liste des objets interdits; dans cette liste sont aussi inclus les stupéfiants tombant sous le coup des traités multilateraux sur les stupéfiants;
h) un recueil de renseignements sur l'organisation et les services interieurs des Administrations postales;
i) un recueil des taxes intérieures des Administrations postales;
j) les donnees statistiques des services postaux (interieur et international);
k) des études; des avis, des rapports et autres exposes relatifs au service postal;
l) un catalogue général des informations de toute nature concernant le service postal et les documents du service de prêt (Catalogue de l'UPU).

3. Il publie enfin un vocabulaire polyglotte du service postal international.

4. Les modifications apportées aux divers documents enumeres aux paragraphes 1 a 3 sont notifiées par circulaire, bulletin, supplément ou autre moyen convenable.

Article 112

Distribution des publications

1. Les documents publiés par le Bureau international sont distribues aux Administrations selon les regles suivantes:

a) tous les documents, a l'exception de ceux qui sont vises a la lettre b): trois exemplaires dont l'un dans la langue officielle et les deux autres soit dans la langue officielle, soit dans la langue demandée selon l'article 107 du Règlement général;
b) la revue "Union Postale" et la Nomenclature internationale des bureaux de poste: dans la proportion du nombre d'unités contributives assignees a chaque Administration par application de l'article 123 du Règlement general. Toutefois, aux Administrations qui en font la demande, la Nomenclature internationale des bureaux de poste peut être distribuée a raison de dix exemplaires au maximum par unité contributive.

2. Au-delà du nombre d'exemplaires distribues, a titre gratuit, en vertu du paragraphe 1, les Administrations peuvent acquerir les documents du Bureau international au prix de revient.

3. Les documents publiés par le Bureau international sont egalement transmis aux Unions restreintes.

Deuxième partie

Dispositions concernant la poste aux lettres

Titre I

Conditions d'acceptation des envois de la poste aux lettres

Chapitre I

Dispositions applicables à toutes les catégories d'envois

Article 113

Adresse. Conditionnement

1. Les Administrations doivent recommander aux usagers:

a) d'utiliser des enveloppes adaptées à leur contenu;

b) de porter la suscription sur l'enveloppe du côté uni qui n'est pas muni de la patte de fermeture;

c) de réserver entièrement la moitié droite au moins du côté de la suscription à l'adresse du destinataire ainsi qu'à l'affranchissement et aux mentions ou étiquettes y relatives. Pour ce qui concerne les envois sous enveloppe normalisés, les mentions et étiquettes de service doivent être placées conformément a l'article 19, paragraphe 8, lettre a), chiffre 3° de la Convention;

d) de libeller très lisiblement l'adresse en caractères latins et en chiffres arabes et de la mettre sur la partie droite dans le sens de la longueur. Si d'autres caractères et chiffres sont utilisés dans le pays de destination, il est recommandé de libeller l'adresse egalement en ces caractères et chiffres;

e) d'écrire en capitales le nom de la localité, complété le cas échéant par le numéro d'acheminement postal ou par le numéro de la zone de distribution correspondant, ainsi que le nom du pays de destination;

f) d'indiquer l'adresse d'une manière précise et complète, en ajoutant le cas échéant le numéro d'acheminement postal ou le numéro de la zone de distribution correspondant, afin que l'acheminement de l'envoi et sa remise au destinataire puissent avoir lieu sans recherches ni équivoque;

g) d'indiquer le nom et l'adresse de l'expéditeur, avec le cas échéant le numéro d'acheminement postal ou le numéro de la zone de distribution, soit au recto et du côté gauche de façon à ne nuire ni a la clarté de l'adresse ni à l'application des mentions ou étiquettes de service, soit au verso. Toutefois, pour ce qui concerne les envois sous enveloppe normalisés, l'adresse de l'expediteur doit être placée conformément à l'article 19, paragraphe 8, lettre a), chiffre 3° de la Convention;

h) d'ajouter le mot "Lettre" du côté de l'adresse des lettres qui, en raison de leur volume ou de leur conditionnement, pourraient être confondues avec des envois affranchis à une taxe réduite;

i) d'indiquer les adresses de l'expéditeur et du destinataire à l'intérieur de l'envoi et autant que possible sur l'objet inséré dans l'envoi ou, le cas échéant, sur une étiquette volante, de préférence en parchemin, attachée solidement à l'objet, surtout lorsqu'il s'agit d'envois expédiés ouverts;

j) d'indiquer également l'adresse du destinataire sur chaque paquet d'imprimés inséré dans un sac spécial et expédié à l'adresse du même destinataire et pour la même destination.

2. Les envois de toute nature, dont le côté réservé à l'adresse a été divisé, en tout ou en partie, en plusieurs cases destinées à recevoir des adresses successives, ne sont pas admis.

3. Dans tous les cas ou l'envoi est placé sous bande, l'adresse du destinataire doit figurer sur celle-ci, exception faite des objets expédiés selon l'article 121, paragraphe 3.

4. Les timbres-poste ou les empreintes d'affranchissement doivent être appliqués du côté de la suscription et, autant que possible, à l'angle supérieur droit. Toutefois, il appartient à l'Administration d'origine de traiter selon sa législation les envois dont l'affranchissement n'est pas conforme à cette condition.

5. Les timbres non postaux et les vignettes de bienfaisance ou autres ainsi que les dessins, susceptibles d'être confondus avec les timbres-poste ou les étiquettes de service, ne peuvent être appliqués ou imprimés du côté de la suscription. Il en est de même des empreintes de timbres qui pourraient être confondues avec les empreintes d'affranchissement.

6. Les enveloppes dont les bords sont munis de barrettes en couleurs sont réservées aux correspondances-avion.

Article 114

Envois poste restante

L'adresse des envois expédiés poste restante doit indiquer le nom du destinataire. L'emploi d'initiales, de chiffres, de simples prénoms, de noms supposés ou de marques conventionnelles quelconques n'est pas admis pour ces envois.

Article 115

Envois expédiés en franchise postale

Les envois bénéficiant de la franchise postale doivent porter, à l'angle supérieur droit du recto, les indications ci-après qui peuvent être suivies d'une traduction:

a) "Service des postes" ou une mention analogue, pour les envois visés à l'article 15 de la Convention;

b) "Service des prisonniers de guerre" ou "Service des internés" pour les envois visés à l'article 16 de la Convention ainsi que pour les formules s'y rapportant;

c) "Cécogrammes" pour les envois visés a l'article 17 de la Convention.

Article 116

Envois soumis au contrôle douanier

1. Les envois à soumettre au contrôle douanier doivent être revêtus, au recto, d'une étiquette verte gommee, conforme au modèle C 1 ci-annexé, ou pourvus d'une étiquette volante du même modèle. Si la valeur du contenu déclarée par l'expediteur excede 300 francs ou si l'expéditeur le préfère, les envois sont en outre accompagnes de déclarations en douane separées conformes au modèle C 2/CP 3 ci-annexé et au nombre prescrit; dans ce cas, la partie superieure de l'étiquette C 1 est seule apposée sur l'envoi.

2. Les déclarations en douane C 2/CP 3 sont attachées à l'envoi extérieurement et d'une manière solide par un croisé de ficelle ou, si l'Administration du pays de destination le demande, insérées dans l'envoi même. A titre exceptionnel, ces déclarations peuvent, si l'expéditeur le préfère, être également insérées dans les envois visés a l'article 19, paragraphe 16, de la Convention, expédiés sous forme de lettres recommandées.

3. Pour les petits paquets, les formalités prévues au paragraphe 1 sont obligatoires dans tous les cas.

4. L'absence de l'étiquette C 1 ne peut, en aucun cas, entraîner le renvoi au bureau d'origine des envois d'imprimés, de sérums, de vaccins, de matières biologiques périssables, de matières radioactives ainsi que des envois de médicaments d'urgente nécessité qu'il est difficile de se procurer.

5. Le contenu de l'envoi doit être indiqué en détail dans la déclaration en douane. Des mentions de caractère général ne sont pas admises.

6. Bien que n'assumant aucune responsabilité du chef des déclarations en douane, les Administrations font tout leur possible pour renseigner les expéditeurs sur la manière correcte de remplir les étiquettes C 1 ou les déclarations en douane.

Article 117

Envois francs de taxes et de droits

1. Les envois à remettre aux destinataires francs de taxes et de droits doivent porter, au recto, en caractères très apparents, l'en-tête "Franc de taxes et de droits" ou une mention analogue dans la langue du pays d'origine. Ces envois sont pourvus, du côté de la suscription, d'une étiquette de couleur jaune portant également, en caractères très apparents, l'indication "Franc de taxes et de droits"

2. Tout envoi expédié franc de taxes et de droits est accompagné d'un bulletin d'affranchissement conforme au modèle C 3/CP 4 ci-annexé, confectionné en papier jaune. L'expéditeur de l'envoi et — en tant qu'il s'agit d'indications afférentes au service postal — le bureau expéditeur complètent le texte du bulletin d'affranchissement au recto, côté droit des parties A et B. Les inscriptions de l'expéditeur peuvent être effectuées à l'aide de papier carbone. Le texte doit comporter l'engagement prévu a l'article 37, paragraphe 2, de la Convention. Le bulletin d'affranchissement dûment complété est solidement attaché à l'envoi.

3. Lorsque l'expéditeur demande, postérieurement au dépôt, de remettre l'envoi franc de taxes et de droits, il est procédé de la manière suivante:

a) si la demande est destinée à être transmise par voie postale, le bureau d'origine en avertit le bureau de destination par une note explicative. Celle-ci, revêtue de l'affranchissement représentant la taxe due, est transmise sous recommandation au bureau de destination accompagnée d'un bulletin d'affranchissement dûment rempli. Si la transmission a lieu par voie aérienne, la surtaxe est également représentée sur la note explicative. Le bureau de destination appose sur l'envoi l'étiquette prévue au paragraphe 1;

b) si la demande est destinée à être transmise par voie télégraphique, le bureau d'origine en avertit par voie télégraphique le bureau destinataire et lui communique en même temps les indications relatives au dépôt de l'envoi. Le bureau de destination établit d'office un bulletin d'affranchissement.

Chapitre II

Règles relatives à l'emballage des envois

Article 118

Conditionnement. Emballage

1. Les envois de la poste aux lettres doivent être conditionnés solidement et de façon que d'autres envois ne risquent pas de s'y fourvoyer. L'emballage doit être adapté à la forme et à la nature du contenu et aux conditions du transport. Tout envoi doit être conditionné de façon à ne pas affecter la santé des agents ainsi qu'à éviter tout danger s'il contient des objets de nature à blesser les agents chargés de le manipuler, à salir ou à détériorer les autres envois ou l'équipement postal.

2. Les envois contenant des objets en verre ou autres matières fragiles, des liquides, des corps gras, des poudres sèches, colorantes ou non, des abeilles vivantes, des sangsues, des graines de vers à soie ou des parasites visés à l'article 33, paragraphe 2, lettre c), 2°, de la Convention, doivent être conditionnés de la manière suivante:

a) les objets en verre ou autres objets fragiles doivent être emballés dans une boîte en métal, en bois, en matière plastique résistante ou en carton solide, remplie de papier, paille de bois ou toute autre matière protectrice appropriée de nature à empêcher tout frottement ou heurt en cours de transport soit entre les objets eux-mêmes, soit entre les objets et les parois de la boîte;

b) les liquides et corps facilement liquéfiables doivent être enfermés dans des récipients parfaitement étanches. Chaque récipient doit être placé dans une boîte spéciale en métal, en bois, en matière plastique résistante ou en carton ondulé de qualité solide, garnie de sciure, de coton ou de toute autre matière protectrice appropriée en quantité suffisante pour absorber le liquide en cas de bris du récipient. Le couvercle de la boîte doit être fixé de manière qu'il ne puisse se détacher facilement;

c) les corps gras difficilement liquéfiables, tels que les onguents, le savon mou, les résines, etc., ainsi que les graines de vers à soie, dont le transport offre moins d'inconvénients, doivent être enfermés dans un premier emballage (boîte, sac en toile, matière plastique, etc.) placé lui-même dans une boîte en bois, en métal ou toute autre matière suffisamment résistante pour empêcher des fuites du contenu;

d) les poudres sèches colorantes, telles que le bleu d'aniline, etc., ne sont admises que dans des boîtes en métal parfaitement étanches, placées à leur tour dans des boîtes en bois, en matière plastique résistante ou en carton ondulé de qualité solide avec de la sciure ou toute autre matière absorbante et protectrice appropriée entre les deux emballages;

e) les poudres sèches non colorantes doivent être placées dans des récipients (boîte, sac) en métal, en bois, en matière plastique résistante ou en carton; ces récipients doivent être eux-mêmes enfermés dans une boîte consistant en une des matières précitées;

f) les abeilles vivantes, les sangsues et les parasites doivent être enfermés dans des boîtes disposées de façon à éviter tout danger.

3. Il n'est pas exigé d'emballage pour les objets d'une seule pièce, tels que pièces de bois, pièces métalliques, etc., qu'il n'est pas dans les usages du commerce d'emballer. Dans ce cas, l'adresse du destinataire doit être indiquée sur l'objet lui-même.

Article 119

Conditionnement. Matières biologiques périssables

Les lettres contenant des matières biologiques périssables sont soumises aux règles spéciales de conditionnement ci-après:

a) les matières biologiques périssables consistant en micro-organismes pathogènes vivants ou en virus pathogènes vivants doivent être insérées dans un flacon ou un tube à parois épaisses en verre ou en matières plastiques, bien bouché, ou dans une ampoule scellée. Le récipient doit être imperméable et hermétiquement fermé. Il doit être entouré d'un tissu épais et absorbant (ouate hydrophile, molleton ou flanelle de coton) enroulé plusieurs fois autour du flacon et lié tant au-dessus qu'au-dessous de celui-ci, de façon à former une sorte de fuseau. Le récipient ainsi enveloppé doit être placé dans un étui métallique solide et bien fermé. La substance absorbante placée entre le récipient interne et l'étui métallique doit être en quantité suffisante pour absorber en cas de bris tout le liquide contenu ou susceptible de se former dans le récipient interne. L'étui métallique doit être confectionné et fermé de façon à rendre impossible toute contamination à l'extérieur de l'étui; celui-ci doit être enveloppé de coton ou de matière spongieuse et enfermé à son tour dans une boîte protectrice de façon à éviter tout déplacement. Ce récipient protecteur externe doit consister en un bloc creux en bois solide ou en métal ou bien être d'une matière et d'une construction d'une solidité équivalente et pourvu d'un couvercle bien ajusté et fixé de manière qu'il ne puisse s'ouvrir en cours de transport. Des dispositions particulières, telles que dessiccation sous congélation et emballage de glace, doivent être prises pour assurer la conservation des matières sensibles aux températures élevées. Le transport par la voie aérienne, qui comporte des changements de pression atmosphérique, exige que les emballages soient assez solides pour résister à ces variations de pression. Par ailleurs, la boîte externe ainsi que l'emballage extérieur, s'il y a lieu, doivent être munis, du côté qui porte les adresses du laboratoire expéditeur et du laboratoire de destination officiellement reconnus, d'une étiquette de couleur violette portant les mentions et le symbole suivants:

(Dimensions 62 x 44 mm)

b) les matières biologiques périssables qui ne contiennent ni micro-organismes pathogènes vivants ni virus pathogènes vivants doivent être emballées à l'intérieur d'un récipient imperméable interne, d'un récipient protecteur externe, d'une substance absorbante placée soit dans le récipient interne, soit entre les récipients interne et externe; cette substance doit être en quantité suffisante pour absorber en cas de bris tout le liquide contenu ou susceptible de se former dans le récipient interne. Par ailleurs, le contenu des récipients tant interne qu'externe doit être emballé de façon à éviter tout déplacement. Des dispositions particulières, telles que dessiccation sous congélation et emballage de glace, doivent être prises pour assurer la conservation des matières sensibles aux températures élevées. Le transport par la voie aérienne, qui comporte des changements de pression atmosphérique, exige que, si le matériel est conditionné en ampoules scellées ou en bouteilles bien bouchées, ces récipients soient assez solides pour résister aux variations de pression. Le récipient externe ainsi que l'emballage extérieur de l'envoi doivent être munis, du côté qui porte les adresses du laboratoire expéditeur et du laboratoire de destination, d'une étiquette de couleur violette portant la mention et le symbole suivants:

(Dimensions 62 x 44 mm)

Article 120

Conditionnement. Matières radioactives

1. Les envois de matières radioactives dont le contenu et le conditionnement sont conformes aux recommandations de l'Agence internationale de l'énergie atomique prévoyant des exemptions spéciales pour certaines catégories d'envois sont admis au transport par la poste moyennant autorisation préalable des organismes compétents du pays d'origine.

2. Les envois contenant des matières radioactives doivent être munis par l'expéditeur d'une étiquette spéciale de couleur blanche portant la mention "Matières radioactives", étiquette qui est barrée d'office en cas de renvoi de l'emballage à l'origine. De plus, ils doivent porter, outre le nom et l'adresse de l'expéditeur, une mention bien apparente demandant le retour des envois en cas de non-livraison.

3. L'expéditeur doit indiquer sur l'emballage intérieur son nom et son adresse ainsi que le contenu de l'envoi.

4. Les Administrations peuvent désigner des bureaux de poste spécialement appelés à accepter le dépôt des envois contenant des matières radioactives.

Article 121

Conditionnement. Vérification du contenu

1. Les imprimés et les cécogrammes doivent être conditionnés de manière que leur contenu soit suffisamment protégé sans qu'une vérification prompte et facile en soit entravée. Ils doivent être placés sous bande, sur rouleau, entre des cartons, dans des enveloppes ou des étuis ouverts, dans des enveloppes ou des étuis non cachetés mais fermés de manière à pouvoir être facilement ouverts et refermés et n'offrant aucun danger ou entourés d'une ficelle qu'il est facile de dénouer. L'Administration d'origine détermine si la fermeture de ces envois permet une vérification facile et prompte du contenu.

2. Les Administrations peuvent autoriser la fermeture des imprimés déposés en nombre en délivrant à cet effet un permis aux usagers qui en font la demande. Pour être admis au tarif des imprimés, les envois fermés dans ces conditions doivent porter la mention "Imprimé" ainsi que le numéro du permis correspondant. Ces indications constituent une autorisation en bonne et due forme de vérification du contenu.

3. Les imprimés déposés en nombre dans les conditions prévues au paragraphe 2 peuvent, par dérogation au paragraphe 1, être insérés sous emballage en matière plastique clos et transparent. L'adresse du destinataire est apposée sur une étiquette-adresse placée sous ou sur la pellicule de plastique et disposée dans le sens de la plus grande dimension. Une bande opacifiée blanche faisant partie intégrante de l'emballage et située sur la même face et dans le même sens que l'étiquette-adresse comporte le nom et l'adresse de l'expéditeur, l'empreinte d'affranchissement prévue à l'article 178, paragraphe 3, ainsi que les indications préimprimées permettant de préciser les motifs éventuels de non-distribution ou, le cas échéant, la nouvelle adresse du destinataire.

4. Aucune condition spéciale de fermeture n'est exigée pour les petits paquets; les envois désignés comme tels peuvent être ouverts pour vérification de leur contenu. Toutefois, par analogie aux conditions prévues au paragraphe 2 pour les imprimés, les Administrations d'origine peuvent limiter la fermeture des petits paquets aux envois déposés en nombre. Les objets qui se gâteraient s'ils étaient emballés d'après les règles générales, ainsi que les envois de marchandises placés dans un emballage transparent permettant la vérification de leur contenu, sont admis sous un emballage hermétiquement fermé. Il en est de même pour les produits industriels et végétaux mis à la poste sous un emballage fermé par la fabrique ou scellés par une autorité de vérification du pays d'origine. Dans ces cas, les Administrations intéressées peuvent exiger que l'expéditeur ou le destinataire facilite la vérification du contenu soit en ouvrant quelques-uns des envois désignés par elles, soit d'une autre manière satisfaisante.

Article 122

Envois sous enveloppe à panneau

1. Les envois sous enveloppe à panneau transparent sont admis aux conditions suivantes:

a) le panneau doit se trouver du côté uni de l'enveloppe qui n'est pas muni de la patte de fermeture;

b) le panneau doit être confectionné dans une matière et de façon telles que l'adresse soit facilement lisible à travers celui-ci;

c) le panneau doit être rectangulaire, sa plus grande dimension étant parallèle à la longueur de l'enveloppe, de façon que l'adresse du destinataire apparaisse dans le même sens et que l'application du timbre à date ne soit pas entravée;

d) tous les bords du panneau doivent être impeccablement collés sur les bords intérieurs de la découpure de l'enveloppe. A cette fin, il doit exister un espace suffisant entre les bords latéraux et inférieur de l'enveloppe et du panneau;

e) l'adresse du destinataire doit seule apparaître à travers le panneau, ou, à tout le moins, se détacher clairement des autres indications éventuellement visibles à travers le panneau;

f) le contenu de l'envoi doit être plié de telle sorte que, même en cas de glissement à l'intérieur de l'enveloppe, l'adresse reste totalement visible à travers le panneau.

2. Ne sont pas admis les envois sous enveloppe entièrement transparente même munis d'une étiquette-adresse, les envois sous enveloppe à panneau ouvert et les envois sous enveloppe comportant plus d'un panneau.

3. Sont considérés comme envois normalisés les envois sous enveloppe à panneau transparent répondant aux conditions fixées à l'article 19, paragraphe 8, lettre a), 2°, de la Convention.

Chapitre III

Dispositions spéciales applicables à chaque catégorie d'envois

Article 123

Lettres

Sous réserve des dispositions relatives aux envois normalisés et à l'emballage des envois, aucune condition de forme ou de fermeture n'est exigée pour les lettres. Toutefois, les lettres sous enveloppe doivent être rectangulaires afin de ne pas provoquer de difficultés au cours de leur traitement. La place nécessaire au recto pour l'adresse, l'affranchissement et les mentions ou étiquettes de service doit être laissée entièrement libre.

Article 124

Cartes postales

1. Les cartes postales doivent être rectangulaires et être confectionnées en carton ou en papier assez consistant pour ne pas entraver le traitement du courrier. Elles ne doivent pas comporter de parties saillantes ou en relief.

2. Les cartes postales doivent porter, en tête du recto, le titre "Carte postale" en français ou l'équivalent de ce titre dans une autre langue. Ce titre n'est pas obligatoire pour les cartes illustrées.

3. Les cartes postales doivent être expédiées à découvert, c'est-à-dire sans bande ni enveloppe.

4. La moitié droite au moins du recto est réservée à l'adresse du destinataire, à l'affranchissement et aux mentions ou étiquettes de service. L'expéditeur dispose du verso et de la partie gauche du recto, sous réserve du paragraphe 5.

5. Il est interdit de joindre ou d'attacher aux cartes postales des échantillons de marchandises ou des objets analogues ainsi que de les enjoliver de tissus, broderies, paillettes ou matières similaires. De telles cartes ne peuvent être expédiées que sous enveloppe fermée. Toutefois, des vignettes, des photographies, des timbres de toute espèce, des étiquettes et des coupures de toute sorte, en papier ou autre matière très mince, de même que des bandes d'adresse ou des feuilles à replier peuvent y être collés, à condition que ces objets ne soient pas de nature à altérer le caractère des cartes postales et qu'ils soient complètement adhérents à la carte. Ces objets ne peuvent être collés que sur le verso ou sur la partie gauche du recto des cartes postales, sauf les bandes, pattes ou étiquettes d'adresse qui peuvent occuper tout le recto. Quant aux timbres de toute espèce susceptibles d'être confondus avec les timbres d'affranchissement, ils ne sont admis qu'au verso.

6. Les cartes postales ne remplissant pas les conditions prescrites pour cette catégorie d'envois sont traitées comme lettres, à l'exception, toutefois, de celles dont l'irrégularité résulte seulement de l'application de l'affranchissement au verso. Par dérogation à l'article 113, paragraphe 4, ces dernières sont considérées dans tous les cas comme non affranchies et traitées en conséquence.

Article 125

Imprimés

1. Peuvent être expédiées comme imprimés les reproductions obtenues sur papier, sur carton ou autres matières d'un emploi habituel dans l'imprimerie, en plusieurs exemplaires identiques, au moyen d'un procédé mécanique ou photographique qui comprend l'usage d'un cliché, d'un patron ou d'un négatif. L'Administration d'origine décide si l'objet en question a été reproduit sur une matière et par un procédé admis; elle n'est pas tenue d'admettre au tarif des imprimés des envois qui ne sont pas admis comme imprimés dans son régime intérieur.

2. Les Administrations d'origine ont la faculté d'admettre au tarif des imprimés:

a) les lettres et les cartes postales échangées entre élèves d'écoles, à condition que ces envois soient expédiés par l'intermédiaire des directeurs des écoles intéressées;
b) les devoirs originaux et corrigés d'élèves, à l'exclusion de toute indication ne se rapportant pas directement à l'exécution du travail;
c) les manuscrits d'ouvrages ou de journaux;
d) les partitions de musique manuscrites;
e) les photocopies.

3. Les envois visés aux paragraphes 1 et 2 sont soumis, en ce qui concerne la forme et le conditionnement, aux dispositions de l'article 121.

4. Les imprimés doivent porter au recto, en caractères bien apparents, la mention "Imprimé" ou "Imprimé à taxe réduite" selon le cas, ou son équivalent dans une langue connue dans le pays de destination.

5. Ne peuvent pas être expédiés comme imprimés:

a) les pièces obtenues à la machine à écrire, quel qu'en soit le type;
b) les copies obtenues au moyen du décalque, les copies faites à la main ou à la machine à écrire, quel qu'en soit le type;
c) les reproductions obtenues au moyen de timbres à caractères mobiles ou non;
d) les articles de papeterie proprement dits comportant des reproductions, lorsqu'il apparaît clairement que la partie imprimée n'est pas l'essentiel de l'objet;
e) les films et les enregistrements sonores ou visuels;
f) les bandes de papier perforées ainsi que les cartes du système mécanographique porteuses de perforations, de traits ou de marques pouvant constituer des annotations.

6. Plusieurs reproductions, obtenues par les procédés admis, peuvent être réunies dans un envoi d'imprimés; elles ne doivent pas porter de noms et d'adresses différents d'expéditeurs ou de destinataires.

7. Les cartes portant le titre "Carte postale" ou l'équivalent de ce titre dans une langue quelconque sont admises au tarif des imprimés, pourvu qu'elles répondent aux conditions générales applicables aux imprimés. Celles qui ne remplissent pas ces conditions sont traitées comme cartes postales ou éventuellement comme lettres, par application de l'article 124, paragraphe 6.

Article 126

Imprimés. Annotations et annexes autorisées

1. Peuvent être indiqués sur les imprimés par un procédé quelconque:
a) les noms et adresses de l'expéditeur et du destinataire avec ou sans mention des qualité, profession et raison sociale;
b) le lieu et la date d'expédition de l'envoi;
c) le numéro d'ordre ou d'immatriculation se rapportant exclusivement à l'envoi.

2. En plus de ces indications, il est permis:
a) de biffer, de marquer ou de souligner certains mots ou certaines parties du texte imprimé;
b) de corriger les fautes d'impression.

3. Les additions et corrections prévues aux paragraphes 1 et 2 doivent être dans un rapport direct avec le contenu de la reproduction; elles ne doivent pas être de nature à constituer un langage conventionnel.

4. Il est, en outre, permis d'indiquer ou d'ajouter:
a) sur les bulletins de commande, de souscription ou d'offre, relatifs à des ouvrages de librairie, livres, brochures, journaux, gravures, partitions de musique: les ouvrages et le nombre des exemplaires demandés ou offerts, les prix de ces ouvrages ainsi que des annotations représentant des éléments constitutifs du prix, le mode de paiement, l'édition, les noms des auteurs et des éditeurs, le numéro du catalogue et les mots "broché" "cartonné" ou "relié";
b) sur les formules utilisées par les services de prêt des bibliothèques: les titres des ouvrages, le nombre des exemplaires demandés ou envoyés, les noms des auteurs et des éditeurs, les numéros du catalogue, le nombre de jours accordés pour la lecture, le nom de la personne désirant consulter l'ouvrage en question;
c) sur les cartes illustrées, les cartes de visite imprimées ainsi que sur les cartes de félicitations ou de condoléances imprimées: des formules de politesse conventionnelles exprimées en cinq mots ou au moyen de cinq initiales, au maximum;
d) sur les productions littéraires et artistiques imprimées: une dédicace consistant en un simple hommage conventionnel;
e) sur les passages découpés de journaux et d'écrits périodiques: le titre, la date, le numéro et l'adresse de la publication dont l'article est extrait;
f) sur les épreuves d'imprimerie: les changements et additions qui se rapportent à la correction, à la forme et à l'impression ainsi que des mentions telles que "Bon à tirer" "Vu — Bon à tirer" ou toutes autres analogues se rapportant à la confection de l'ouvrage. En cas de manque de place, les additions peuvent être faites sur des feuilles spéciales;
g) sur les avis de changement d'adresse: l'ancienne et la nouvelle adresse ainsi que la date du changement.

5. Il est enfin permis de joindre:
a) à tous les imprimés: une carte, une enveloppe ou une bande avec l'impression de l'adresse de l'expéditeur de l'envoi ou de son mandataire dans le pays de dépôt du premier envoi; celles-ci peuvent être affranchies pour le retour au moyen de timbres-poste du pays de destination du premier envoi;
b) aux productions littéraires ou artistiques imprimées: la facture ouverte se rapportant à l'objet envoyé et réduite à ses énonciations constitutives ainsi que des copies de cette facture, des formules de versement ou des formules de mandat de poste du service international ou du service intérieur du pays de destination de l'envoi, sur lesquelles il est permis, après entente entre les Administrations intéressées, d'indiquer, par un procédé quelconque, le montant à verser ou à payer ainsi que la désignation du compte courant postal ou l'adresse du bénéficiaire du titre;
c) aux journaux de mode: des patrons découpés formant, selon les indications qui y figurent, un tout avec l'exemplaire dans lequel ils sont expédiés.

Article 127

Imprimés sous forme de cartes

1. Les imprimés présentant la forme, la consistance et les dimensions d'une carte postale peuvent être expédiés à découvert sans bande ou enveloppe.

2. La moitié droite au moins du recto des imprimés expédiés sous forme de cartes, y compris les cartes illustrées bénéficiant de la taxe réduite, est réservée à l'adresse du destinataire, à l'affranchissement et aux mentions ou étiquettes de service.

3. Les imprimés expédiés sous forme de cartes ne remplissant pas les conditions prescrites aux paragraphes 1 et 2 sont traités comme lettres, a l'exception, toutefois, de ceux dont l'irrégularité résulte seulement de l'application de l'affranchissement au verso et qui, par dérogation à l'article 113, paragraphe 4, sont considérés dans tous les cas comme non affranchis et traités en conséquence.

Article 128

Cécogrammes

Peuvent être expédiés comme cécogrammes les lettres cécographiques déposées ouvertes et les clichés portant des signes de la cecographie. Il en est de même des enregistrements sonores et du papier special destinés uniquement à l'usage des aveugles, à condition qu'ils soient expédiés par un institut pour aveugles officiellement reconnu ou adresses à un tel institut.

Article 129

Petits paquets

1. Les petits paquets doivent porter au recto, en caractères très apparents, la mention "Petit paquet" ou son equivalent dans une langue connue dans le pays de destination.

2. Il est permis d'y insérer une facture ouverte, réduite à ses énonciations constitutives et d'indiquer à l'extérieur ou à l'intérieur des envois, dans ce dernier cas sur l'objet même ou sur une feuille spéciale, l'adresse du destinataire et de l'expéditeur avec les indications en usage dans le trafic commercial, une marque de fabrique ou de marchand, une référence à une correspondance échangée entre l'expéditeur et le destinataire, une indication sommaire relative au fabricant et au fournisseur de la marchandise ou concernant la personne à laquelle elle est destinée, ainsi que des numéros d'ordre ou d'immatriculation, des prix et toutes autres annotations représentant des éléments constitutifs des prix, des indications relatives au poids, au métrage et à la dimension ainsi qu'à la quantité disponible et celles qui sont nécessaires pour préciser la provenance et la nature de la marchandise.

3. Il est aussi permis d'y insérer tout autre document n'ayant pas le caractère de correspondance actuelle et personnelle, pourvu qu'il ne soit pas adressé à un destinataire et ne provienne pas d'un expéditeur autres que ceux du petit paquet. L'Administration d'origine décide si le ou les documents insérés répondent à ces conditions. Il en est de même pour l'insertion dans les petits paquets des disques phonographiques, des bandes, des fils soumis ou non à un enregistrement sonore ou visuel, des cartes mécanographiques, des bandes magnétiques ou autres moyens semblables ainsi que des cartes QSL.

4. Le nom et l'adresse de l'expéditeur doivent figurer à l'extérieur des envois.

Titre II

Envois recommandés

Chapitre unique

Article 130

Envois recommandés

1. Les envois recommandés doivent porter au recto, en caractères très apparents, l'en-tête "Recommandé" accompagné, le cas échéant, d'une mention analogue dans la langue du pays d'origine.

2. Sauf les exceptions ci-après, aucune condition spéciale de forme, de fermeture ou de libellé de l'adresse n'est exigée pour ces envois.

3. Les envois qui portent une adresse écrite au crayon ou constituée par des initiales ne sont pas admis à la recommandation. Toutefois, l'adresse des envois autres que ceux qui sont expédiés sous enveloppe à panneau transparent peut être écrite au crayon-encre.

4. Les envois recommandés doivent être revêtus, du côté gauche de la suscription, d'une étiquette conforme au modèle C 4 ci-annexé. Cette étiquette doit être apposée sur les étiquettes spéciales fournies par l'expéditeur des sacs speciaux recommandés vises a l'article 21, lettre n), 3e colonne, 1°, de la Convention. Il est permis aux Administrations dont le régime intérieur s'oppose actuellement à l'emploi des étiquettes C 4 d'ajourner la mise à execution de cette mesure et d'employer pour la désignation des envois recommandés soit une étiquette encadrée aux dimensions du modèle C 4 ou seule la lettre R est imprimée et ou les autres indications conformes au modèle C 4 sont ajoutées d'une façon nette, claire et indélébile par un procédé quelconque, soit un timbre reproduisant clairement l'impression des indications de l'étiquette C 4. Toutefois, pour ce qui concerne les envois sous enveloppe normalisés, cette étiquette ou ce timbre doit être placé conformement à l'article 19, paragraphe 8, lettre a), chiffre 3° de la Convention.

5. Les Administrations qui ont adopté dans leur service intérieur le système d'acceptation mecanique des envois recommandés peuvent, au lieu d'employer l'étiquette C 4 prévue au paragraphe 4, imprimer directement sur les envois en question, du côté de la suscription, les indications de service ou coller, au même endroit, une bande reproduisant les mêmes indications.

6. Avec l'autorisation de l'Administration d'origine, les usagers peuvent utiliser pour leurs envois recommandés des enveloppes portant préimprimé, à l'endroit prévu pour l'emplacement de l'étiquette C 4, un fac-similé de celle-ci dont les dimensions ne peuvent pas être inférieures à celles de l'étiquette C 4. Au besoin, le numéro de serie peut y être indiqué par un procédé quelconque.

7. Aucun numéro d'ordre ne doit être porté au recto des envois recommandés par les Administrations intermédiaires.

Article 131

Avis de réception

1. Les envois pour lesquels l'expéditeur demande un avis de réception doivent porter au recto, en caractères tres apparents, la mention "Avis de réception" ou l'empreinte du timbre "A.R." L'expéditeur doit indiquer à l'extérieur de l'envoi son nom et son adresse en caractères latins. Toutefois, pour ce qui concerne les envois sous enveloppe normalisés, la mention "Avis de réception" ou l'empreinte du timbre "A.R." doit être placée conformement a l'article 19, paragraphe 8, lettre a), chiffre 3° de la Convention.

2. Les envois visés au paragraphe 1 sont accompagnés d'une formule de la consistance d'une carte postale, de couleur rouge clair, conforme au modèle C 5 ci-annexé. Après indication par l'expéditeur de son nom et de son adresse en caractères latins au recto de la formule et autrement qu'au crayon ordinaire, la formule est complétée par le bureau d'origine ou par tout autre bureau à désigner par l'Administration expéditrice puis fixée solidement a l'envoi; si la formule ne parvient pas au bureau de destination, celui-ci établit d'office un nouvel avis de reception.

3. Pour le calcul de l'affranchissement d'un envoi avec avis de réception, y compris le cas échéant le calcul de la surtaxe aérienne, il est tenu compte du poids de la formule C 5. La taxe d'avis de réception est representée sur l'envoi avec les autres taxes.

4. Le bureau de destination renvoie la formule C 5, dûment complétée, à l'adresse indiquée par l'expéditeur; cette formule est transmise à découvert et en franchise de port par la voie la plus rapide (aérienne ou de surface). Une étiquette ou une empreinte de couleur bleue "Par avion" est apposée sur les avis de réception renvoyés par avion.

5. A la demande de l'expéditeur, un avis de réception qui n'a pas été renvoyé dans des délais normaux est réclamé gratuitement au moyen de la formule C 9 prévue à l'article 143. Un duplicata de l'avis de réception, portant au recto en caractères très apparents la mention "Duplicata" est joint à la réclamation C 9. Cette dernière est traitée selon l'article 143. La formule C 5 reste attachée à la réclamation C 9, à moins que l'envoi n'ait été régulièrement distribué, auquel cas le bureau de destination retire cette formule pour la renvoyer comme il est prescrit au paragraphe 4.

Article 132

Remise en main propre

Les envois recommandés à remettre en main propre doivent porter au recto, en caractères très apparents, la mention "A remettre en main propre" ou la mention équivalente dans une langue connue dans le pays de destination.

Titre III

Operations au départ et à l'arrivée

Chapitre unique

Article 133

Application du timbre à date

1. Les envois de la poste aux lettres sont frappes au recto d'une empreinte d'un timbre a date indiquant, en caracteres latins, le nom du bureau chargé de l'oblitération ainsi que la date de cette opération. Une mention equivalente, en caractères de la langue du pays d'origine, peut être ajoutée.

2. L'application du timbre a date prevu au paragraphe 1 n'est pas obligatoire:

a) pour les envois affranchis au moyen d'empreintes de machines à affranchir si l'indication du lieu d'origine et de la date du dépôt à la poste figure sur ces empreintes;

b) pour les envois affranchis au moyen d'impressions obtenues à la presse d'imprimerie ou par un autre procédé d'impression;

c) pour les envois à tarif réduit non recommandés, à condition que le lieu d'origine soit indique sur ces envois;

d) pour les envois de la poste aux lettres relatifs au service postal et énumérés a l'article 15 de la Convention.

3. Tous les timbres-poste valables pour l'affranchissement doivent être oblitérés.

4. A moins que les Administrations n'aient prescrit l'annulation au moyen d'une griffe spéciale, les timbres-poste non oblitéres par suite d'erreur ou d'omission dans le service d'origine doivent être barres d'un fort trait a l'encre ou au crayon indélébile par le bureau qui constate l'irregularité. Ces timbres-poste ne sont en aucun cas frappes du timbre a date.

5. Les envois mal dirigés, sauf ceux à tarif réduit non recommandés, doivent etre frappés de l'empreinte du timbre à date du bureau auquel ils sont parvenus par erreur. Cette obligation incombe non seulement aux bureaux sedentaires, mais aussi aux bureaux ambulants, dans la mesure du possible. L'empreinte doit être apposée au verso des envois quand il s'agit de lettres et au recto lorsqu'il s'agit de cartes postales.

6. Le timbrage des envois déposés sur les navires incombe à l'agent des postes ou a l'officier du bord chargé du service ou, a défaut de ceux-ci, au bureau de poste de l'escale auquel ces envois sont remis. Dans ce cas, le bureau les frappe de son timbre à date et y appose la mention "Navire" "Paquebot" ou toute autre mention analogue.

Article 134

Envois exprès

Les envois à remettre par exprès sont pourvus, à côté de l'indication du lieu de destination, soit d'une étiquette spéciale imprimée de couleur rouge clair, soit d'une empreinte de timbre de la même couleur portant, en caractères très apparents, la mention "Exprès" A défaut d'étiquette ou d'empreinte de timbre, le mot "Expres" doit être inscrit de façon très apparente, en lettres majuscules, à l'encre rouge ou au crayon de couleur rouge. Toutefois, pour ce qui concerne les envois sous enveloppe normalisés, cette étiquette ou la mention "Expres" doit être placée conformément à l'article 19, paragraphe 8, lettre a), chiffre 3°, de la Convention.

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Article 135

Envois non affranchis ou insuffisamment affranchis

1. Les envois pour lesquels une taxe doit être perçue postérieurement au dépôt soit sur le destinataire, soit sur l'expediteur lorsqu'il s'agit d'envois non distribuables, sont frappes du timbre T (taxe a payer) au milieu de la partie superieure du recto; à côte de l'empreinte de ce timbre, l'Administration d'origine inscrit tres lisiblement, dans la monnaie de son pays, le montant de l'affranchissement manquant et, sous une barre de fraction, celui de sa taxe valable pour le premier echelon de poids des lettres expediées par voie de surface.

2. En cas de reexpedition ou de renvoi, l'application du timbre T ainsi que l'indication, conformement au paragraphe 1, des montants sous forme de fraction incombent a l'Administration reexpeditrice. Il en est de meme, s'il s'agit d'envois provenant de pays qui appliquent des taxes reduites dans les relations avec l'Administration reexpeditrice. En pareil cas, la fraction doit être établie d'apres les taxes prevues dans la Convention et valables dans le pays d'origine de l'envoi.

3. Lorsque l'Administration d'origine se charge d'affranchir d'office les envois non affranchis ou de compléter d'office l'affranchissement des envois insuffisamment affranchis pour encaisser ulterieurement le montant manquant aupres de l'expediteur, l'affranchissement ou le complément d'affranchissement peut etre represente:

- soit par l'une des modalités d'affranchissement prevues à l'article 25, paragraphe 1, de la Convention,
- soit par une mention manuscrite en chiffres de la somme encaissée, exprimee en monnaie du pays d'origine sous la forme, par exemple: "Taxe perçue: ... dollars ... cents"

Cette mention peut figurer dans une griffe speciale ou sur une figurine ou étiquette speciale. Elle peut aussi être simplement portée, par un procedé quelconque, du côté de la suscription de l'envoi. Dans tous les cas, la mention doit être appuyee du timbre a date du bureau de dépôt ou du bureau d'échange du pays d'origine.

4. L'Administration de distribution frappe les envois de la taxe à percevoir. Elle détermine cette taxe en multipliant la fraction résultant des données mentionnees au paragraphe 1 par le montant, dans sa monnaie nationale, de la taxe applicable dans son service international pour le premier échelon de poids des lettres expediées par voie de surface. A cette taxe, elle ajoute la taxe de traitement prévue à l'article 21, lettre f), de la Convention.

5. Tout envoi ne portant pas l'empreinte du timbre T est considéré comme dûment affranchi et traité en conséquence, sauf erreur évidente.

6. Si la fraction prévue au paragraphe 1 n'a pas été indiquée à côté du timbre T par l'Administration d'origine ou par l'Administration réexpéditrice en cas de non-remise, l'Administration de destination a le droit de distribuer l'envoi insuffisamment affranchi sans percevoir de taxe.

7. Il n'est pas tenu compte des timbres-poste et des empreintes d'affranchissement non valables pour l'affranchissement. Dans ce cas, le chiffre zéro (0) est placé à côté de ces timbres-poste ou de ces empreintes qui doivent être encadrés au crayon.

Article 136

Renvoi des bulletins d'affranchissement (partie A). Récupération des taxes et des droits

1. Après la livraison au destinataire d'un envoi franc de taxes et de droits, le bureau qui a fait l'avance des frais de douane ou autres pour le compte de l'expéditeur complète en ce qui le concerne, à l'aide de papier carbone, les indications qui figurent au verso des parties A et B du bulletin d'affranchissement. Il transmet au bureau d'origine de l'envoi la partie A accompagnée des pièces justificatives; cette transmission a lieu sous enveloppe fermée, sans indication du contenu. La partie B est conservée par l'Administration de destination de l'envoi en vue du décompte avec l'Administration débitrice.

2. Toutefois, chaque Administration a le droit de faire effectuer, par des bureaux spécialement désignés, le renvoi de la partie A des bulletins d'affranchissement grevés de frais et de demander que cette partie soit transmise à un bureau déterminé.

3. Le nom du bureau auquel la partie A des bulletins d'affranchissement doit être renvoyee est inscrit, dans tous les cas, par le bureau expéditeur de l'anvoi au recto de cette partie.

4. Lorsqu un envoi portant la mention "Franc de taxes et de droits" parvient au service de destination sans bulletin d'affranchissement, le bureau chargé du dédouanement établit un duplicata du bulletin; sur les parties A et B de ce bulletin, il mentionne le nom du pays d'origine et, autant que possible, la date du dépôt de l'envoi.

5. Lorsque le bulletin d'affranchissement est perdu, après livraison de l'envoi, un duplicata est établi dans les memes conditions.

6. Les parties A et B des bulletins d'affranchissement afférents aux envois qui, pour un motif quelconque, sont renvoyés à l'origine doivent être annulées par les soins de l'Administration de destination.

7. A la réception de la partie A d'un bulletin d'affranchissement indiquant les frais déboursés par le service de destination, l'Administration d'origine convertit le montant de ces frais dans sa propre monnaie à un taux qui ne doit pas être supérieur au taux fixé pour l'émission des mandats de poste a destination du pays correspondant. Le resultat de la conversion est indiqué dans le corps de la formule et sur le coupon latéral. Après avoir recouvré le montant des frais, le bureau désigné à cet effet remet à l'expediteur le coupon du bulletin et, le cas échéant, les pièces justificatives.

Article 137

Envois réexpedités

1. Les envois adressés à des destinataires ayant changé de résidence sont considérés comme adressés directement du lieu d'origine au lieu de la nouvelle destination.

2. Les envois non ou insuffisamment affranchis pour leur premier parcours sont frappes de la taxe qui leur aurait été appliquee s'ils avaient été adressés directement du point d'origine au lieu de la destination nouvelle.

3. Les envois régulièrement affranchis pour leur premier parcours et dont le complément de taxe afférent au parcours ultérieur n'a pas éte acquitté avant leur reexpedition sont frappés, conformement aux articles 21, lettre f), et 27, paragraphe 1, de la Convention, d'une taxe representant la différence entre l'affranchissement déjà acquitté et celui qui aurait été perçu si les envois avaient été expédiés primitivement sur leur nouvelle destination. En cas de réexpedition par la voie aérienne, les envois sont en outre frappés de la surtaxe aérienne pour le parcours ultérieur.

4. Les envois primitivement adressés à l'intérieur d'un pays et dûment affranchis selon le régime intérieur sont considérés comme des envois régulièrement affranchis pour leur premier parcours.

5. Les envois ayant circulé primitivement en franchise postale dans l'intérieur d'un pays sont frappés, conformément aux articles 21, lettre f), et 27 paragraphe 1, de la Convention, de la taxe d'affranchissement qui aurait dû être acquittée si ces envois avaient été adressés directement du point d'origine au lieu de la nouvelle destination.

6. Lors de la réexpédition, le bureau réexpéditeur applique son timbre à date au recto des envois sous forme de cartes et au verso de toutes les autres catégories d'envois.

7. Les envois ordinaires ou recommandés qui sont renvoyés aux expéditeurs pour qu'ils en complètent ou en rectifient l'adresse ne sont pas considérés, lors de leur remise dans le service, comme des envois réexpédiés; ils sont traités comme de nouveaux envois et deviennent, par suite, passibles d'une nouvelle taxe.

8. Les droits de douane et les autres droits dont l'annulation n'a pu être obtenue à la réexpédition ou au renvoi à l'origine (article 139) sont recouvrés, par voie de remboursement, sur l'Administration de la nouvelle destination. Dans ce cas, l'Administration de la destination primitive joint à l'envoi une note explicative et un mandat de remboursement (modèles R 3, R 6 ou R 8 de l'Arrangement concernant les envois contre remboursement). Si le service de remboursement n'existe pas dans les relations entre les Administrations intéressées, les droits en cause sont recouvrés par voie de correspondance.

9. Si l'essai de remise d'un envoi exprès à domicile par un porteur spécial est resté infructueux, le bureau réexpéditeur doit barrer l'étiquette ou la mention "Exprès" par deux forts traits transversaux.

Article 138

Réexpedition collective des envois de la poste aux lettres

1. Les envois ordinaires a reexpedier a une même personne ayant changé de residence peuvent être inseres dans des enveloppes speciales conformes au modèle C 6 ci-annexe, fournies par les Administrations et sur lesquelles doivent seuls etre inscrits le nom et la nouvelle adresse du destinataire. En outre, lorsque la quantité d'envois a reexpedier collectivement le justifie, un sac peut être employe. Dans ce cas, les détails requis doivent être inscrits sur une etiquette speciale, fournie par l'Administration et imprimee, en general, d'apres le meme modèle que l'enveloppe C 6.

2. Il ne peut être inseré dans ces enveloppes ou sacs des envois a soumettre au contrôle douanier, ni des envois dont la forme, le volume et le poids risqueraient d'occasionner des déchirures.

3. L'enveloppe ou le sac doit être presente ouvert au bureau reexpediteur pour lui permettre de percevoir, s'il y a lieu, les compléments de taxe dont les envois y inseres pourraient être passibles ou d'indiquer sur ces envois la taxe a percevoir a l'arrivee lorsque le complément d'affranchissement n'est pas acquitté. Apres verification, le bureau reexpediteur ferme l'enveloppe ou le sac et applique sur l'enveloppe ou sur l'étiquette, le cas echeant, le timbre T pour indiquer que des taxes doivent être perçues sur tout ou partie des envois inseres dans l'enveloppe ou le sac.

4. A l'arrivee a destination, l'enveloppe ou le sac peut être ouvert et son contenu verifié par le bureau distributeur qui perçoit, s'il y a lieu, les compléments de taxe non acquittés.

5. Les envois ordinaires adresses soit aux marins et aux passagers embarques sur un meme navire, soit a des personnes prenant part a un voyage collectif peuvent être traites egalement comme il est prevu aux paragraphes 1 a 4. Dans ce cas, les enveloppes ou les étiquettes de sac doivent porter l'adresse du navire (de l'agence de navigation ou de voyage, etc.) auquel les enveloppes ou les sacs doivent être remis.

Article 139

Envois non distribuables

1. Avant de renvoyer à l'Administration d'origine les envois non distribues pour un motif quelconque, le bureau de destination doit indiquer d'une manière claire et concise, en langue française, et autant que possible au recto de ces envois, la cause de la non-remise sous la forme suivante: inconnu, refuse, en voyage, parti, non reclame, décedé, etc. En ce qui concerne les cartes postales et les imprimés sous forme de cartes, la cause de la non-remise est indiquee sur la moitié droite du recto.

2. Cette indication est fournie par l'application d'un timbre ou l'apposition d'une étiquette. Chaque Administration a la faculté d'ajouter la traduction, dans sa propre langue, de la cause de la non-remise et les autres indications qui lui conviennent. Dans les relations avec les Administrations qui se sont déclarees d'accord, ces indications peuvent se faire en une seule langue convenue. De même, les inscriptions manuscrites relatives a la non-remise faites par les agents ou par les bureaux de poste peuvent, dans ce cas, etre considérees comme suffisantes.

3. Le bureau de destination doit barrer les indications de lieu qui le concernent de façon qu'elles restent lisibles et porter au recto de l'envoi la mention "Retour" a côté de l'indication du bureau d'origine. Il doit en outre appliquer son timbre à date au verso des lettres et au recto des cartes postales.

4. Les envois non distribuables sont renvoyés au bureau d'échange du pays d'origine, soit isolément, soit en une liasse speciale étiquetée "Envois non distribuables" comme s'il s'agissait d'envois a diriger sur ce pays. Les envois non distribuables et non recommandés qui portent des indications suffisantes pour leur retour sont renvoyes directement a l'expéditeur.

5. Les envois non distribuables du regime intérieur qui, pour être restitués aux expéditeurs, doivent être envoyés à l'étranger sont traités d'apres l'article 137. Il en est de même des envois du regime international dont l'expediteur a transfére sa résidence dans un autre pays.

6. Les envois pour des tiers, adresses aux soins d'un consul et rendus par celui-ci au bureau de poste comme non reclames, ainsi que les envois pour des personnes, adresses a des hotels, a des logements ou a des agences de compagnies aeriennes ou maritimes et restitués au bureau de poste en raison de l'impossibilité de les remettre aux destinataires, doivent être traités comme non distribuables. En aucun cas, ils ne doivent être considéres comme de nouveaux envois soumis a affranchissement.

Article 140

Retrait. Modification d'adresse

1. Toute demande de retrait d'envois ou de modification d'adresse donne lieu a l'établissement, par l'expediteur, d'une formule conforme au modèle C 7 ci-annexe; une seule formule peut être utilisée pour plusieurs envois remis simultanement au même bureau par le meme expediteur a l'adresse du meme destinataire. En remettant cette demande au bureau de poste, l'expediteur doit justifier de son identité et produire, s'il y a lieu, le recepisse de dépôt. Apres la justification dont l'Administration du pays d'origine assume la responsabilité, il est procedé de la manière suivante:

a) si la demande est destinee a etre transmise par voie postale, la formule accompagnee d'un fac-similé parfait de l'enveloppe ou de la suscription de l'envoi est expediée directement, sous pli recommandé, au bureau de destination;

b) si la demande doit être faite par voie télégraphique, la formule est déposee au service télégraphique charge d'en transmettre les termes au bureau de poste de destination.

2. A la reception de la formule C 7 ou du télégramme en tenant lieu, le bureau destinataire recherche l'envoi signalé et donne a la demande la suite necessaire.

3. La suite donnee par le bureau de destination a toute demande de retrait ou de modification d'adresse est communiquee immediatement au bureau d'origine, au moyen de la partie "Réponse" de la formule C 7 établie d'office si la demande a éte transmise par voie télégraphique. Le bureau d'origine previent le reclamant. Il en est de même dans les cas ci-apres:

- recherches infructueuses;
- envoi déjà remis au destinataire;
- demande par voie télégraphique insuffisamment explicite pour permettre d'identifier surement l'envoi;
- envoi confisque, détruit ou saisi.

Si l'expediteur d'une demande expediée par voie télégraphique a demandé d'être informe par télégramme, la reponse est envoyee par cette voie au bureau d'origine qui previent le reclamant le plus rapidement possible.

4. Toute Administration peut demander, par une notification adressee au Bureau international, que l'échange des demandes, en ce qui la concerne, soit effectue par l'entremise de son Administration centrale ou d'un bureau specialement désigne; ladite notification doit comporter le nom de ce bureau.

5. Si l'échange des demandes s'effectue par l'entremise des Administrations centrales, un double de la demande peut, en cas d'urgence, être expedié directement par le bureau d'origine au bureau de destination. Il doit être tenu compte des demandes expediées directement, c'est-à-dire que les envois concernes sont exclus de la distribution jusqu'à l'arrivee de la demande de l'Administration centrale.

6. Les Administrations qui usent de la faculté prévue au paragraphe 4 prennent a leur charge les frais que peut entrainer la transmission, dans leur service interieur, par voie postale ou télégraphique, des communications a echanger avec le bureau de destination. Le recours a la voie télégraphique est obligatoire lorsque l'expediteur a lui-meme fait usage de cette voie et que le bureau de destination ne peut pas être prevenu en temps utile par la voie postale.

Article 141

Retrait. Modification d'adresse.
Envois déposés dans un pays autre que celui qui reçoit la demande

1. Tout bureau qui reçoit une demande de retrait ou de modification d'adresse introduite conformément a l'article 30, paragraphe 3, de la Convention vérifie l'identité de l'expéditeur de l'envoi. Il transmet la formule C 7, accompagnée s'il y a lieu du récépissé de dépôt, au bureau d'origine ou de destination de l'envoi, suivant que ce dernier est un envoi recommandé ou un envoi ordinaire. Il s'assure notamment que l'adresse de l'expéditeur figure bien à l'endroit prévu à cette fin sur la formule C 7 afin de pouvoir, le moment venu, communiquer à cet expéditeur la suite donnée à sa demande ou, selon le cas, lui restituer l'envoi faisant l'objet du retrait.

2. Si, pour des raisons particulières, le récépissé produit ne peut être joint à la formule C 7, cette dernière doit être revêtue de la mention: "Vu récépissé de dépôt No ... délivré le ... par le bureau de ..." Le récépissé de dépôt est muni de la mention suivante: "Demande de retrait (ou de modification d'adresse) déposée le ... au bureau de ...." Cette indication est appuyée de l'empreinte du timbre à date du bureau qui reçoit la demande.

3. Toute demande télégraphique introduite dans les conditions prevues au paragraphe 1 est adressée directement au bureau de destination de l'envoi. Si, toutefois, elle se rapporte a un envoi recommandé, une formule C 7 accompagnee si possible du recepissé de dépôt et portant de façon apparente la mention "Demande télégraphique déposee le ... au bureau de ..." doit, en outre, être envoyée au bureau d'origine de l'envoi. Apres en avoir verifié les indications, le bureau d'origine inscrit en tête de la formule C 7 au crayon de couleur, la mention "Confirmation de la demande télégraphique du ..." et la transmet au bureau de destination. Le bureau de destination retient l'envoi recommandé jusqu'à la réception de cette confirmation.

4. Pour permettre de prevenir l'expéditeur, le bureau de destination de l'envoi informe le bureau qui reçoit la demande de la suite qui lui a éte donnée. Toutefois, lorsqu'il s'agit d'un envoi recommandé, cette information doit passer par le bureau d'origine de l'envoi. En cas de retrait, l'envoi retire est annexe a cette information.

5. L article 140 est applicable, par analogie, au bureau qui reçoit la demande et a son Administration.

Article 142

Réclamations. Envois ordinaires

1. Toute reclamation relative a un envoi ordinaire donne lieu à l'établissement d'une formule conforme au modèle C 8 ci-annexe qui doit être accompagnee, autant que possible, d'un fac-similé de la suscription de l'envoi redige sur une petite feuille de papier mince. La formule de reclamation doit être remplie avec tous les détails que comporte la contexture et d'une manière tres lisible, de préférence en lettres capitales latines et en chiffres arabes. Autant que possible, cette formule doit être remplie à la machine a ecrire.

2. Le bureau qui reçoit la reclamation transmet directement cette formule, d'office et par la voie la plus rapide (aerienne ou de surface) sans lettre d'envoi et sous enveloppe fermee, au bureau correspondant. Celui-ci, apres avoir recueilli les renseignements necessaires auprès du destinataire ou de l'expediteur, selon le cas, renvoie d'office la formule sous enveloppe fermée et par la voie la plus rapide (aerienne ou de surface) au bureau qui l'a établie.

3. Si la reclamation est reconnue fondée, ce dernier bureau fait parvenir la formule a son Administration centrale en vue des investigations ultérieures.

4. Une seule formule peut être utilisee pour plusieurs envois déposés simultanément par le même expéditeur à l'adresse du même destinataire.

5. Toute Administration peut demander, par une notification adressée au Bureau international, que les réclamations qui concernent son service soient transmises à son Administration centrale ou a un bureau spécialement désigne.

6. La formule C 8 doit être renvoyée à l'Administration d'origine de l'envoi réclamé selon les conditions prévues a l'article 143, paragraphe 12.

7. Si la transmission télégraphique d'une réclamation est demandée, un télégramme est adressé, en lieu et place de la formule C 8, directement au bureau de destination ou, le cas échéant, soit à l'Administration centrale du pays de destination soit à un bureau spécialement désigné. Si l'expéditeur a demandé d'être avisé par voie télégraphique, la reponse est transmise par cette voie au service ayant introduit la réclamation télégraphique; sinon, la réponse peut être donnee par voie postale.

Article 143

Réclamations. Envois recommandés

1. Toute réclamation relative à un envoi recommandé est établie sur une formule conforme au modèle C 9 ci-annexé qui doit être accompagnée, autant que possible, d'un fac-similé de la suscription de l'envoi rédigé sur une petite feuille de papier mince. La formule de réclamation doit être remplie avec tous les détails que comporte la contexture et d'une manière très lisible, de préférence en lettres capitales latines et en chiffres arabes. Autant que possible, cette formule doit être remplie à la machine à écrire. Pour la recherche des envois recommandés échangés selon le système de l'inscription globale, le numéro et la date d'expédition de la dépêche doivent être portés sur la formule de réclamation C 9.

2. Si la reclamation concerne un envoi contre remboursement, elle doit être accompagnee, en outre, d'un duplicata de mandat R 3, R 6 ou R 8 de l'Arrangement concernant les envois contre remboursement ou d'un bulletin de versement selon le cas.

3. Une seule formule peut être utilisee pour plusieurs envois remis simultanement au meme bureau par le meme expediteur et expediés par la meme voie a l'adresse du meme destinataire.

4. La reclamation, pourvue des donnees d'acheminement, est transmise de bureau à bureau, en suivant la même voie que l'envoi; cette transmission a lieu d'office sans lettre d'envoi et sous enveloppe fermee et toujours par la voie la plus rapide (aerienne ou de surface).

5. Toute Administration peut demander, par une notification adressee au Bureau international, que les reclamations qui concernent son service soient transmises, dûment pourvues des donnees d'acheminement, a son Administration centrale ou a un bureau specialement désigné.

6. Si l'Administration d'origine ou l'Administration de destination le demande, la reclamation est transmise directement du bureau d'origine au bureau de destination.

7. Si, lors de la reception de la reclamation, le bureau de destination ou, suivant le cas, l'Administration centrale du pays de destination ou le bureau specialement désigne est en état de fournir les renseignements sur le sort définitif de l'envoi, il complète la formule au tableau 3. En cas de livraison retardée, de mise en instance ou de renvoi a l'origine, le motif est indique succinctement sur la formule C 9.

8. L'Administration qui ne peut établir ni la remise au destinataire ni la transmission regulière a une autre Administration ordonne immediatement l'enquête necessaire. Elle consigne obligatoirement sa décision concernant la responsabilité au tableau 4 de la formule C 9.

9. La formule dûment complétee dans les conditions prévues aux paragraphes 7 et 8 est renvoyee par la voie la plus rapide (aérienne ou de surface) a l'adresse indiquee a la fin de la formule ou, à défaut d'une telle indication, au bureau qui l'a établie.

10. Toute Administration intermédiaire qui transmet une formule C 9 a l'Administration suivante est tenue d'en informer l'Administration d'origine au moyen d'une formule conforme au modèle C 9bis ci-annexe.

11. Si une reclamation n'est pas parvenue en retour dans un délai convenable, un duplicata de la formule C 9, muni des donnees d'acheminement, peut être adresse a l'Administration centrale du pays de destination, mais au plus tôt un mois apres l'expedition de la reclamation originale. Le duplicata doit porter bien visiblement la mention "Duplicata" et mentionner egalement la date d'expédition de la reclamation originale.

12. La formule C 9 et les pièces annexees, y compris la déclaration du destinataire certifiant la non-reception de l'envoi recherche, doivent, dans tous les cas, être renvoyees a l'Administration d'origine de l'envoi réclamé, dans le plus bref délai et au plus tard dans un délai de cinq mois a partir de la date de la reclamation.

13. Les dispositions qui précèdent ne s'appliquent pas aux cas de spoliation de dépêche, manque de dépêche ou autres cas semblables qui comportent un échange de correspondances plus étendu entre les Administrations.

14. Si la transmission télégraphique d'une réclamation est demandée, un télégramme est adresse, en lieu et place de la formule C 9, directement au bureau de destination ou, le cas échéant, soit à l'Administration centrale du pays de destination soit à un bureau spécialement désigné. Si l'expéditeur a demandé d'être avisé par voie télégraphique, la réponse est transmise par cette voie au service ayant introduit la réclamation télégraphique; sinon, la réponse peut être donnée par voie postale. Si la réclamation télégraphique ne permet pas de connaître le sort de l'envoi dont il s'agit, la réclamation peut être reprise par voie postale en utilisant la formule C 9.

Article 144

Réclamations concernant des envois déposés dans un autre pays

1. Dans les cas prévus à l'article 39, paragraphe 3, de la Convention, les formules C 8 et C 9 concernant les réclamations sont transmises au bureau d'origine de l'envoi, à moins que l'Administration intéressée n'ait demandé que ces formules soient adressées à son Administration centrale ou à un bureau spécialement désigné. La formule C 9 doit être accompagnée du récépissé de dépôt. Si, pour des raisons particulières, le récépissé produit ne peut être joint à la formule C 9, celle-ci doit être revêtue de la mention "Vu récépissé de dépôt No ... délivré le ... par le bureau de ..."

2. La formule doit parvenir à l'Administration d'origine dans le délai prévu à l'article 108, paragraphe 1.

Titre IV

Echange des envois. Dépeches

Chapitre unique

Article 145

Echange des envois

Les Administrations peuvent s'expédier réciproquement, par l'intermédiaire d'une ou de plusieurs d'entre elles, tant des dépêches closes que des envois à découvert, suivant les besoins et les convenances du service.

Article 146

Transit à découvert

1. La transmission des envois à découvert à une Administration intermédiaire doit se limiter strictement aux cas ou la confection de dépêches closes ne se justifie ni pour le pays de destination même, ni pour un pays plus proche de celui-ci.

2. Sauf entente spéciale, tous les envois déposés à bord d'un navire et non inclus dans un sac fermé mentionné à l'article 57 de la Convention doivent être remis à découvert, par l'agent du navire, directement au bureau de poste de l'escale, que ces envois aient été timbrés à bord ou non.

3. Lorsque leur nombre et leur conditionnement le permettent, les envois transmis a découvert a une Administration doivent être séparés par pays de destination et réunis en liasses étiquetées au nom de chacun des pays.

Article 147

Transit territorial sans participation des services du pays traversé

Lorsqu'une Administration désire utiliser un service de transport effectuant un acheminement en transit à travers un autre pays sans participation des services de ce pays, selon l'article 3 de la Convention, elle adresse une demande à cet effet à l'Administration postale du pays traversé; elle est en outre tenue de fournir à cette Administration, si celle-ci le demande, tout renseignement utile concernant le courrier ainsi acheminé.

Article 148

Echange en dépêches closes

1. Il est obligatoire de créer des dépêches closes toutes les fois qu'une des Administrations intermédiaires le demande en se fondant sur le fait que le nombre ou le poids des envois à découvert est de nature à entraver les opérations. Les expéditions d'envois à découvert dont le poids moyen excède 5 kilogrammes peuvent être considérées comme étant de nature à entraver les opérations en ce qui concerne le poids.

2. L'échange des envois en dépêches closes est réglé d'un commun accord entre les Administrations intéressées.

3. Les Administrations par l'intermédiaire desquelles des dépêches closes sont à expédier doivent être prévenues en temps opportun.

4. Dans les cas où un nombre exceptionnellement important d'envois non recommandés doit être expédié à destination de pays pour lesquels le courrier est normalement acheminé en transit à découvert, les Administrations peuvent s'entendre pour que le pays d'origine forme des dépêches closes sans feuille d'avis pour le pays de destination.

5. L'Administration du pays d'origine avertit les Administrations interessées de l'expédition des dépeches closes extraordinaires mentionnées au paragraphe 4 au moyen du bulletin de vérification C 16 prévu à l'article 166, paragraphe 3, qu'elle leur transmet directement par la voie la plus rapide (aérienne ou de surface).

Article 149

Confection des dépeches

1. Les envois ordinaires qui peuvent être enliassés sont classés d'apres leurs formats (envois normalises et autres envois) et enliassés par categories, les lettres et les cartes postales étant comprises dans la même liasse, les journaux et écrits périodiques mentionnes à l'article 155, paragraphe 1, lettre b), 3° devant faire l'objet de liasses distinctes de celles des autres envois AO. Les liasses sont désignées par des étiquettes conformes aux modèles C 30 ci-annexes et portant l'indication du bureau de destination ou du bureau réexpéditeur des envois insérés dans les liasses. Les envois qui peuvent être enliasses doivent être disposés dans le sens de l'adresse. Les envois affranchis sont separes de ceux qui ne le sont pas ou le sont insuffisamment et les étiquettes de liasses d'envois non ou insuffisamment affranchis sont frappées du timbre T. Les liasses d'envois non ou insuffisamment affranchis doivent être mises dans le sac contenant la feuille d'avis. L'épaisseur des liasses d'envois normalisés est limitée à 150 mm après enliassement. Le poids des liasses d'envois non normalises ne peut dépasser 5 kilogrammes.

2. Les lettres portant des traces d'ouverture, de détérioration ou d'avarie doivent être munies d'une mention du fait et frappees du timbre à date du bureau qui l'a constaté. En outre, lorsque la sécurité de leur contenu l'exige, les envois sont inseres de préférence dans une enveloppe transparente ou dans un nouvel emballage sur lequel les indications portées sur l'enveloppe doivent être reproduites.

3. Les dépeches y compris celles qui sont composées exclusivement de sacs vides sont renfermées dans des sacs dont le nombre doit être réduit au strict minimum. Ces sacs doivent être en bon état pour protéger leur contenu; ils doivent également être convenablement clos, cachetés ou plombés et étiquetés. Les scellés peuvent aussi être en métal léger ou en matière plastique. Toutefois, dans les relations entre les Administrations qui se sont mises d'accord à ce sujet, les sacs renfermant uniquement des envois AO non recommandés ainsi que des sacs vides peuvent ne pas être cachetés ou plombés. Lorsqu'il est fait usage de ficelle, celle-ci, avant d'être nouée, doit être passee deux fois autour du col, de manière qu'un des deux bouts soit tiré par-dessous les enroulements. Les empreintes des cachets, des plombs ou des scellés doivent reproduire, en caractères latins très lisibles, le nom du bureau d'origine ou une indication suffisante pour permettre de déterminer ce bureau.

4. Les sacs doivent indiquer d'une façon lisible, en caractères latins, le bureau ou le pays d'origine et porter la mention "Postes" ou toute autre analogue les signalant comme dépêches postales.

5. Sauf entente speciale, les dépêches peu volumineuses sont simplement enveloppées de papier fort de manière à eviter toute détérioration du contenu, puis ficelées, cachetées, plombées ou munies de scellés en métal léger ou en matière plastique. En cas de fermeture au moyen de plombs ou de scellés en métal léger ou en matière plastique, ces dépêches doivent être conditionnées de telle façon que la ficelle ne puisse pas être détachée. Lorsqu'elles ne contiennent que des envois ordinaires, elles peuvent être fermées au moyen de cachets gommés portant l'indication imprimée du bureau de l'Administration expéditrice. Les Administrations peuvent s'entendre en vue d'utiliser la même fermeture pour les dépêches contenant des envois recommandés qui, en raison de leur petit nombre, sont transportés en paquets ou sous enveloppes. Les suscriptions des paquets et des enveloppes doivent correspondre, en ce qui concerne les indications imprimées et les couleurs, aux dispositions prévues à l'article 155 pour les étiquettes des sacs de dépêches.

6. Lorsque le nombre ou le volume des envois exige l'emploi de plus d'un sac, des sacs distincts doivent, autant que possible, être utilisés:

a) pour les lettres et les cartes postales ainsi que, le cas échéant, pour les journaux et écrits périodiques mentionnés à l'article 155, paragraphe 1, lettre b), 3°.

b) pour les écrits périodiques mentionnés à l'article 155, paragraphe 1, lettre c), et pour les autres envois; le cas échéant, des sacs distincts doivent encore être utilisés pour les petits paquets; les étiquettes de ces derniers sacs portent la mention "Petits paquets"

7. Le paquet ou le sac des envois recommandés est placé dans un des sacs de lettres ou dans un sac spécial; le sac extérieur doit porter, en tout cas, l'étiquette rouge prescrite à l'article 155, paragraphe 1, lettre a). Lorsqu'il y a plusieurs sacs d'envois recommandés, tous ces sacs doivent être munis d'une étiquette rouge.

8. L'enveloppe speciale contenant la feuille d'avis est traitée conformement a l'article 150, paragraphe 1.

9. Le poids de chaque sac ne doit en aucun cas dépasser 30 kilogrammes.

10. Les bureaux d'échange insèrent autant que possible, dans leurs propres dépêches pour un bureau déterminé, toutes les dépêches de petites dimensions (paquets ou sacs) qui leur parviennent pour ce bureau.

11. En vue de leur transport, les dépêches peuvent être insérees dans des containers, sous réserve d'un accord spécial entre les Administrations intéressées sur les modalités de l'utilisation de ces derniers.

Article 150

Feuilles d'avis

1. Une feuille d'avis, conforme au modèle C 12 ci-annexe, accompagne chaque dépeche. Elle est placee sous enveloppe de couleur bleue portant, en caractères très apparents, la mention "Feuille d'avis" Cette enveloppe est fixée extérieurement au paquet ou au sac d'envois recommandés; s'il n'y a pas d'envois recommandés, l'enveloppe est dans la mesure du possible attachée sur une liasse d'envois ordinaires. Dans les relations entre pays dont les Administrations se sont entendues à ce sujet, le bureau d'échange d'expédition transmet par avion un exemplaire de la formule C 12 au bureau d'échange de destination. Les Administrations peuvent, par des arrangements speciaux, convenir que les dépêches contenant exclusivement des envois ordinaires de la poste aux lettres ou des sacs vides ne soient pas accompagnées d'une feuille d'avis.

2. Le bureau expéditeur remplit la feuille d'avis avec tous les détails qu'en comporte la contexture et en tenant compte de cet article et des articles 151, 153 et 161:

a) En-tête: sauf entente spéciale, les bureaux expéditeurs ne numérotent pas les feuilles d'avis lorsque les dépêches sont formées une seule fois tous les jours. Ils les numérotent dans tous les autres cas d'après une série annuelle pour chaque bureau de destination. Chaque dépêche doit alors porter un numéro distinct. A la première expédition de chaque année, la feuille doit porter, outre le numéro d'ordre de la dépêche, celui de la dernière dépêche de l'année précédente. Si une dépêche est supprimée, le bureau expéditeur porte, a côté du numéro de la dépêche, la mention "Dernière dépêche" Le nom du navire qui transporte la dépêche ou l'abréviation officielle correspondant à la ligne aérienne à emprunter sont indiqués lorsque le bureau expéditeur est à même de les connaître;

b) Tableau I: la présence d'envois ordinaires exprès ou avion est signalée par une croix (x) dans la case correspondante;

c) Tableau II: le nombre de sacs, ventilés par catégories, est porté dans ce tableau. Les Administrations peuvent s'entendre pour que seuls les sacs munis d'étiquettes rouges soient inscrits sur les feuilles d'avis;

d) Tableau III: le nombre de sacs et de paquets d'envois recommandés ou avec valeur déclarée est consigné dans ce tableau qui comporte, en outre, l'indication du nombre de listes spéciales de recommandés (article 151), de feuilles d'envoi VD 3 (article 107 du Règlement d'exécution de l'Arrangement concernant les lettres avec valeur déclarée) et de bordereaux AV 2 (article 196);

e) Tableau IV: ce tableau est destiné à l'inscription des dépêches en transit peu importantes qui sont placees dans le sac du bureau d'échange réexpédiant le courrier;

f) Tableau V: le nombre de sacs utilisés par l'Administration expéditrice, d'une part, et le nombre de sacs vides renvoyés à l'Administration destinataire, d'autre part, sont indiqués dans ce tableau; le cas échéant, le nombre des sacs vides appartenant à une Administration autre que celle a laquelle la dépêche est adressée doit être mentionné séparement avec indication de cette Administration. Lorsque deux Administrations se sont mises d'accord pour la seule inscription des sacs munis d'étiquettes rouges (lettre c), le nombre des sacs employés pour la confection de la dépêche et le nombre des sacs vides appartenant à l'Administration de destination ne doivent pas être indiqués au tableau V. Sont, en outre, mentionnées dans ce tableau les lettres de service ouvertes et les communications ou recommandations diverses du bureau expéditeur ayant trait au service d'échange;

g) Tableau VI: ce tableau est destiné à l'inscription des envois recommandés lorsqu'il n'est pas exclusivement fait usage de listes spéciales. Si les Administrations correspondantes se sont entendues pour l'inscription globale des envois recommandés, le nombre de ces envois insérés dans le sac contenant la feuille d'avis doit être indiqué en toutes lettres et en chiffres (article 151, paragraphe 2). Lorsque la dépêche ne contient pas d'envois recommandés, la mention "Néant" est portée au tableau VI.

3. Les Administrations peuvent s'entendre pour créer des tableaux ou rubriques supplémentaires sur la feuille d'avis ou pour modifier les tableaux conformément à leurs besoins lorsqu'elles le jugent nécessaire.

4. Lorsqu'un bureau d'échange n'a aucun envoi à livrer à un bureau correspondant et que, dans les relations entre les Administrations intéressées, les feuilles d'avis ne sont pas numérotées, par application du paragraphe 2, lettre a), ce bureau se borne a envoyer une feuille d'avis négative dans la prochaine dépêche.

Article 151

Transmission des envois recommandés

1. Sauf lorsqu'il est fait application du paragraphe 2 les envois recommandés sont transmis inscrits individuellement dans le tableau VI de la feuille d'avis. Il peut être fait usage d'une ou de plusieurs listes spéciales conformes au modèle C 13 ci-annexé soit pour remplacer le tableau VI, soit pour servir comme supplément à la feuille d'avis. L'emploi de listes spéciales est obligatoire si l'Administration de destination en fait la demande. Les listes dont il s'agit doivent indiquer le même numéro d'ordre que celui qui est mentionné sur la feuille d'avis de la dépêche correspondante. Lorsque plusieurs listes spéciales sont employées, elles doivent en outre être numérotées d'après une série propre à chaque dépêche. Le nombre des envois recommandés qui peuvent être inscrits sur une seule et même liste spéciale ou dans le tableau VI de la feuille d'avis est limité au nombre que comporte la contexture de la formule respective.

2. Les Administrations peuvent s'entendre pour l'inscription globale des envois recommandés. Le nombre total des envois est inscrit au tableau III de la feuille d'avis. Lorsque la dépêche comprend plusieurs sacs d'envois recommandés, chaque sac, sauf celui dans lequel est inseree la feuille d'avis, doit contenir une liste speciale indiquant, en lettres et en chiffres à l'emplacement prévu, le nombre total des envois recommandés qu'il renferme. Le nombre d'envois inséres dans le sac contenant la feuille d'avis est mentionne sur celle-ci dans le cadre du tableau VI réservé à cet effet.

3. Les Administrations peuvent convenir que le paragraphe 2 n'est pas applicable aux mandats MP 1 soumis a la recommandation d'office.

4. Les envois recommandés et, s'il y a lieu, les listes speciales prévues au paragraphe 1 sont reunis en un ou plusieurs paquets ou sacs distincts qui doivent être convenablement enveloppes ou fermes et cachetés ou plombes de manière à en preserver le contenu. Les scellés peuvent aussi consister en métal léger ou en matière plastique. Les empreintes des cachets, des plombs ou des scellés doivent reproduire, en caractères latins très lisibles, le nom du bureau d'origine ou une indication suffisante pour permettre d'identifier ce bureau. Les envois recommandés sont classés dans chaque paquet d'après leur ordre d'inscription. Quand on emploie une ou plusieurs listes spéciales, chacune d'elles est enliassée avec les envois recommandés auxquels elle se rapporte et placee apres le premier envoi de la liasse. En cas d'utilisation de plusieurs sacs, chacun d'eux doit contenir une liste speciale sur laquelle sont inscrits les envois qu'il renferme.

5. Sous réserve d'entente entre les Administrations intéressées et lorsque le volume des envois recommandés le permet, ces envois peuvent être insérés dans l'enveloppe spéciale contenant la feuille d'avis. Cette enveloppe doit être cachetée.

6. En aucun cas, les envois recommandés ne peuvent être insérés dans la même liasse que les envois ordinaires.

7. Sous réserve d'entente entre les Administrations, les envois recommandés, expédiés dans des sacs distincts, peuvent être accompagnés de listes spéciales sur lesquelles ils sont inscrits globalement.

8. Autant que possible, un même sac ne doit pas comprendre plus de 600 envois recommandés.

9. S'il y a plus d'un paquet ou sac d'envois recommandés, chacun des paquets ou sacs supplémentaires est muni d'une étiquette rouge indiquant la nature du contenu.

Article 152

Transmission des mandats de poste

Les mandats de poste expédiés à découvert sont réunis en une liasse distincte qui doit être insérée dans un paquet ou un sac contenant des envois recommandés ou éventuellement dans le paquet ou le sac avec valeurs déclarées. Il en est de même des envois contre remboursement non recommandés échangés selon l'article 2, paragraphe 1, de

l'Arrangement concernant les envois contre remboursement. Si la dépêche ne comprend ni envois recommandés, ni valeurs déclarees, les mandats et, le cas echeant, les envois contre remboursement non recommandés sont places dans l'enveloppe contenant la feuille d'avis ou enliasses avec celle-ci.

Article 153

Transmission des envois expres et des correspondances-avion comprises dans des dépeches-surface

1. La presence d'envois ordinaires expres ou avion est signalée par une croix (x) dans la case correspondante du tableau I de la feuille d'avis (article 150, paragraphe 2, lettre b).

2. Les envois expres ordinaires, d'une part, les correspondances-avion ordinaires, d'autre part, sont reunis en liasses distinctes munies d'étiquettes portant, en caracteres tres apparents, soit la mention "Expres" soit la mention "Par avion" Ces liasses sont inserees, par les bureaux d'échange, dans l'enveloppe contenant la feuille d'avis qui accompagne la dépeche.

3. Toutefois, si cette enveloppe doit être fixee au paquet ou au sac des envois recommandés (article 150, paragraphe 1), les liasses des envois expres et des correspondances-avion sont placees dans le sac extérieur.

4. Les envois expres recommandés et les correspondances-avion recommandées sont classes, a leur ordre, parmi les autres envois recommandés et la mention "Expres" ou "Par avion" est portée dans la colonne "Observations" du tableau VI de la feuille d'avis ou des listes speciales C 13, en regard de l'inscription de chacun d'eux. En cas d'inscription globale, la presence de ces envois recommandés est signalée simplement par la mention "Expres" ou "Par avion" au tableau VI de la feuille d'avis.

5. Pour les dépeches non accompagnees d'une feuille d'avis, l'étiquette du sac exterieur contenant les envois expres doit porter soit l'étiquette rouge "Expres" soit la mention "Expres" inscrite en rouge.

Article 154

Transmission des imprimés a l'adresse d'un même destinataire

Tous les imprimés a l'adresse du même destinataire et pour la même destination peuvent être inséres dans un ou plusieurs sacs spéciaux. En plus des étiquettes réglementaires qui dans ce cas sont revêtues de la lettre M, ces sacs doivent être munis d'étiquettes spéciales, fournies par l'expéditeur des envois et indiquant tous les renseignements concernant le destinataire des envois. Les étiquettes rectangulaires speciales, fournies par l'expediteur des envois, doivent être en toile, carton fort muni d'un oeillet, matière plastique resistante et épaisse ou en papier collé sur une planchette; leurs dimensions ne doivent pas être inférieures à 125 x 60 mm. Sauf avis contraire, les sacs spéciaux dont il s'agit peuvent être expédiés sous recommandation. Dans ce cas, ils sont inscrits au tableau VI de la feuille d'avis C 12 ou sur une liste spéciale C 13 comme un seul envoi recommandé, la lettre M devant être portee dans la colonne "Observations" L'étiquette des sacs spéciaux renfermant des envois a soumettre au contrôle douanier doit être obligatoirement revêtue de l'étiquette verte C 1 prévue a l'article 116, paragraphe 1.

Article 155

Etiquetage des dépeches

1. Les etiquettes des sacs doivent être en toile, matière plastique, carton fort muni d'un oeillet, parchemin ou en papier collé sur une planchette. Leur conditionnement et leur texte doivent être conformes au modèle C 28 ci-annexe. Dans les relations entre bureaux limitrophes, il peut être fait usage d'étiquettes en papier fort; celles-ci doivent toutefois avoir une consistance suffisante pour résister aux diverses manipulations imposées aux dépêches en cours d'acheminement. Les étiquettes sont confectionnées dans les couleurs suivantes:

a) en rouge vermillon, pour les sacs contenant des envois recommandés et la feuille d'avis;

b) en blanc, pour les sacs ne contenant que des envois ordinaires des catégories ci-après:
   1° lettres et cartes postales expédiées par voie de surface et aérienne,
   2° envois mixtes (lettres, cartes postales, journaux et écrits periodiques et autres envois),
   3° journaux déposes en nombre par les éditeurs ou leurs agents et expédiés par voie de surface seulement, à l'exception de ceux qui sont renvoyés à l'expéditeur; la mention "Journaux" ou l'indication "Jx" doit être portee sur l'étiquette blanche, lorsque les sacs ne contiennent que des envois de cette categorie. Les Administrations d'origine ont la faculte d'inserer egalement dans les sacs a étiquette blanche les ecrits periodiques d'actualité publiés au moins une fois par semaine et déposes en nombre, auxquels elles appliquent dans leur régime intérieur le traitement prioritaire accordé aux journaux;

c) en bleu clair, pour les sacs contenant exclusivement des imprimés, des cecogrammes, des petits paquets ordinaires et des ecrits periodiques autres que ceux qui sont mentionnes sous lettre b), 3° La mention "Ecrits periodiques" peut être portee sur l'étiquette bleue lorsque les sacs ne contiennent que des envois de cette catégorie;

d) en vert, pour les sacs contenant seulement des sacs vides renvoyés à l'origine.

2. L'étiquette du sac ou du paquet contenant la feuille d'avis (article 150) est toujours revêtue de la lettre F tracee d'une manière apparente et peut comporter l'indication du nombre de sacs composant la dépeche.

3. Une étiquette blanche peut être egalement utilisee conjointement avec une fiche de 5 x 3 centimètres de l'une des couleurs visees au paragraphe 1; une étiquette bleue peut être egalement utilisee conjointement avec une fiche analogue rouge.

4. Chaque sac dans lequel sont inserees une ou plusieurs lettres contenant des matières biologiques perissables dangereuses au sens de l'article 119, lettre a), doit être muni d'une fiche de signalisation de couleur et de presentation semblables à celles des étiquettes prevues a l'article 119, mais de format augmenté de la place necessaire a la fixation de l'oeillet. Outre le symbole particulier aux envois de matières biologiques périssables, cette fiche porte les mentions: "Matières biologiques perissables" et "Dangereux en cas d'endommagement"

5. Chaque sac, dans lequel sont inserees une ou plusieurs lettres contenant des matières radioactives au sens de l'article 120, paragraphe 1, doit être muni d'une fiche de signalisation semblable à l'étiquette prevue a l'article 120 mais de format augmenté de la place necessaire a la fixation de l'oeillet.

6. Les étiquettes portent l'indication imprimée en petits caracteres latins du nom du bureau expediteur et, en caracteres latins gras, du nom du bureau de destination, precedés respectivement des mots "de" et "pour", ainsi que, dans la mesure du possible, l'indication de la voie de transmission et, si les dépêches empruntent la voie maritime, le nom du paquebot. Le nom du bureau de destination est egalement imprimé en petits caracteres, dans le sens vertical, de chaque côte de l'oeillet de l'étiquette. Dans les echanges entre les pays éloignes non effectues par des services maritimes directs et dans les relations avec d'autres pays qui le demandent expressement, ces indications sont complétees par la mention de la date d'expedition, du numéro de l'envoi et du port de débarquement.

7. Les bureaux intermediaires ne doivent porter aucun numéro d'ordre sur les étiquettes des sacs ou des paquets de dépêches closes en transit.

8. Quand les dépeches closes doivent être acheminées par des navires dépendant de l'Administration intermediaire mais que celle-ci n'utilise pas régulièrement pour ses propres transports, le poids des lettres et des autres envois doit être indiqué sur l'étiquette de ces dépêches lorsque l'Administration chargée d'assurer l'embarquement le demande.

Article 156

Acheminement des dépêches et établissement des bulletins d'essai

1. Lorsqu'une dépêche se compose de plusieurs sacs, ceux-ci doivent, autant que possible, rester réunis et être acheminés par le même courrier.

2. L'Administration du pays d'origine a la faculté d'indiquer la voie à suivre par les dépêches closes qu'elle expédie, pourvu que l'emploi de cette voie n'entraîne pas, pour une Administration intermédiaire, des frais spéciaux.

3. Afin de déterminer le parcours le plus favorable et la duree de transmission d'une dépeche, le bureau d'échange d'origine peut adresser au bureau de destination de cette dépeche un bulletin d'essai conforme au modèle C 27 ci-annexe. Ce bulletin doit être insere dans la dépeche et joint a la feuille d'avis, la mention "C 27" etant portée dans le tableau V. Si, lors de l'arrivee de la dépeche, la formule C 27 manque, le bureau de destination doit en etablir un duplicata. Le bulletin d'essai dûment compléte par le bureau de destination est renvoye par la voie la plus rapide (aerienne ou de surface).

4. En cas de changement dans un service d'échange en dépeches closes établi entre deux Administrations par l'intermediaire d'un ou de plusieurs pays tiers, l'Administration d'origine de la dépeche en donne connaissance aux Administrations de ces pays.

5. S'il s'agit d'une modification dans la voie d'acheminement des dépeches, la nouvelle voie a suivre doit être indiquee aux Administrations qui effectuaient precédemment le transit, tandis que l'ancienne voie est signalée, pour memoire, aux Administrations qui assureront désormais ce transit.

Article 157

Remise des dépeches

1. Sauf entente speciale entre les Administrations intéressees, la remise des dépeches entre deux bureaux correspondants s'effectue au moyen d'un bordereau de livraison conforme au modèle C 18 ci-annexe. Ce bordereau est établi en deux exemplaires. Le premier est destiné au bureau réceptionnaire, le deuxième au bureau cedant. Le bureau réceptionnaire donne décharge sur le deuxième exemplaire du bordereau de livraison.

2. Le bordereau de livraison peut être établi en trois exemplaires dans les cas suivants:

a) lorsque la remise des dépêches entre deux bureaux correspondants a lieu par l'entremise d'un service transporteur. Dans ce cas, le premier exemplaire est destine au bureau réceptionnaire et accompagne les dépêches; le deuxième reçoit la décharge du service transporteur et est remis au bureau cédant; le troisième est conservé par le service transporteur après signature du bureau réceptionnaire;

b) lorsque la transmission des dépêches s'effectue par l'intermédiaire d'un moyen de transport sans intervention de personnel d'accompagnement, les deux premiers exemplaires sont transmis avec les dépêches et le troisième est conservé par le bureau cédant. Le premier exemplaire est destiné au bureau réceptionnaire et le deuxième, dûment signé par ce dernier, est renvoyé par la voie la plus rapide au bureau cédant.

3. En raison de leur organisation intérieure, certaines Administrations peuvent demander que des bordereaux C 18 distincts soient établis pour les dépêches de la poste aux lettres d'une part et pour les colis postaux d'autre part.

4. Lorsque la remise des dépêches entre deux bureaux correspondants a lieu par l'entremise d'un service maritime, le bureau d'échange cédant peut établir un quatrième exemplaire que lui renvoie le bureau d'échange réceptionnaire après l'avoir approuvé. Dans ce cas, les troisième et quatrième exemplaires accompagnent les dépêches. Dans les relations entre les pays dont les Administrations se sont déclarées d'accord à ce sujet, une copie du bordereau C 18 est transmise par avion soit au bureau d'échange réceptionnaire, soit à son Administration centrale.

5. Seuls les sacs et les paquets signalés par des étiquettes rouges sont inscrits en détail sur le bordereau de livraison C 18. Quant aux autres sacs et paquets, ils sont inscrits globalement par catégorie sur le bordereau précité et chaque catégorie est remise en bloc. Les Administrations intéressées peuvent cependant s'entendre pour que seuls les sacs et les paquets signalés par des étiquettes rouges soient inscrits sur le bordereau de livraison.

6. Pour la remise des dépêches-surface transportées par voie aérienne, le bordereau C 18 est remplacé par le bordereau C 18bis ci-annexé.

7. Les dépêches doivent être livrées en bon état. Cependant, une dépêche ne peut pas être refusée pour cause d'avarie ou de spoliation.

Article 158

Vérification des dépêches et utilisation du bulletin de vérification

1. Tout bureau qui reçoit une dépêche doit vérifier non seulement l'origine et la destination des sacs composant la dépêche et inscrits sur le bordereau de livraison, mais aussi la fermeture et le conditionnement des sacs portant des étiquettes rouges.

2. Lorsqu'un bureau intermédiaire reçoit une dépêche en mauvais état, il doit la mettre telle quelle sous un nouvel emballage, en vérifiant le contenu s'il présume que celui-ci n'est pas resté intact. Le bureau qui effectue le remballage doit porter les indications de l'étiquette originale sur la nouvelle étiquette et apposer sur celle-ci une empreinte de son timbre à date, précedée de la mention "Remballé à ..." Il établit un bulletin de vérification conforme au modèle C 14 ci-annexé en se conformant aux paragraphes 6, 7 et 9 et insère une copie de celui-ci dans la dépêche remballée.

3. Dès reception d'une dépêche, le bureau d'échange de destination vérifie si elle est complète et si les inscriptions de la feuille d'avis et, le cas échéant, des listes spéciales d'envois recommandés sont exactes. Il contrôle si la dépêche est arrivée dans l'ordre de son expédition. En cas de manque d'une dépêche ou d'un ou plusieurs sacs en faisant partie, d'envois recommandés, d'une feuille d'avis, d'une liste spéciale d'envois recommandés, ou lorsqu'il s'agit de toute autre irregularité, le fait est constaté immédiatement par deux agents. Ceux-ci font les rectifications nécessaires sur les feuilles ou listes en ayant soin, le cas échéant, de biffer les indications erronées, mais de manière à laisser lisibles les inscriptions primitives. A moins d'une erreur évidente, les rectifications prevalent sur la déclaration originale. En cas de manque de la feuille d'avis ou d'une liste spéciale, le bureau d'arrivée doit établir, en outre, une feuille d'avis ou une liste spéciale supplémentaire ou prendre exactement note des envois recommandés reçus.

4. A l'ouverture des récipients, les éléments constitutifs de la fermeture (ficelle, plomb, étiquette) doivent rester unis, dans toute la mesure possible; pour atteindre ce but, la ficelle est coupee en un seul endroit.

5. Lorsqu'un bureau reçoit des feuilles d'avis ou des listes spéciales qui ne lui sont pas destinées, il envoie ces documents au bureau de destination ou, si sa réglementation le prescrit, des copies certifiées conformes.

6. Les irrégularités constatées sont signalées, au moyen d'un bulletin de vérification établi en double exemplaire, au bureau d'origine de la dépêche et, le cas échéant, au dernier bureau intermédiaire qui a transmis la dépêche en mauvais état, par le premier courrier utilisable après vérification complète de la dépêche. Les indications de ce bulletin doivent spécifier aussi exactement que possible de quel sac, pli, paquet ou envoi il s'agit.

7. Lorsqu'il s'agit d'irrégularités importantes permettant de présumer une perte ou une spoliation, l'état dans lequel l'emballage de la dépêche a été trouvé doit être indiqué, d'une manière aussi détaillée que possible, sur le bulletin de vérification. A moins d'impossibilité motivée, l'enveloppe ou le sac des envois recommandés, l'enveloppe ou le sac extérieur, avec les ficelles, étiquettes, cachets ou plombs de fermeture, ainsi que l'emballage des envois endommagés dont la remise pourrait être obtenue du destinataire, sont gardés intacts pendant six semaines à compter de la date de la vérification et sont transmis à l'Administration d'origine si celle-ci le demande.

8. Lorsque la transmission des dépêches a lieu par l'entremise d'un transporteur, le bordereau de livraison C 18 ou AV 7 sur lequel sont mentionnées les irrégularités constatées à la prise en charge des dépêches par l'Administration intermédiaire ou de destination doit être autant que possible contresigné par le transporteur ou son représentant. Les exemplaires du bordereau C 18 ou AV 7 — troisième et quatrième exemplaire du bordereau C 18 prévu à l'article 157 et premier et deuxième exemplaire du bordereau AV 7 prévu à l'article 188 — doivent obligatoirement comporter la mention des réserves prises à l'encontre du service transporteur. Dans le cas de transport de dépêches par conteneur, ces réserves portent uniquement sur l'état du conteneur, de ses éléments de fermeture et de ses scellés.

9. Dans les cas prévus aux paragraphes 2, 3 et 5, le bureau d'origine et, le cas échéant, le dernier bureau d'échange intermédiaire peuvent, en outre, être avisés par télégramme aux frais de l'Administration qui expédie celui-ci. Un avis télégraphique doit être émis toutes les fois que la dépêche présente des traces évidentes de spoliation, afin que le bureau expéditeur ou intermédiaire procède sans aucun retard à l'instruction de l'affaire et, le cas échéant, avise également par télégramme l'Administration précédente pour la continuation de l'enquête.

10. Lorsque l'absence d'une dépêche est le résultat d'un défaut de coïncidence des courriers ou lorsqu'elle est dûment expliquée sur le bordereau de remise, l'établissement d'un bulletin de vérification n'est nécessaire que si la dépêche ne parvient pas au bureau de destination par le prochain courrier.

11. Dès la rentree d'une dépêche dont l'absence avait été signalée au bureau d'origine et, le cas echeant, au dernier bureau d'échange intermédiaire, il y a lieu d'adresser à ces bureaux par le premier courrier un second bulletin de verification annonçant la reception de cette dépeche.

12. Les bureaux auxquels sont adressés les bulletins de vérification renvoient ceux-ci le plus promptement possible après les avoir examinés et y avoir mentionné leurs observations, s'il y a lieu. Si ces bulletins ne sont pas renvoyes à l'Administration d'origine dans le délai de deux mois à compter de la date de leur expedition, ils sont considéres, jusqu'à preuve du contraire, comme dûment acceptés par les bureaux auxquels ils ont éte adresses.

13. Lorsqu'un bureau réceptionnaire auquel la verification de la dépeche incombait n'a pas fait parvenir au bureau d'origine et, le cas écheant, au dernier bureau d'échange intermediaire, par la voie la plus rapide, un bulletin constatant des irrégularités quelconques, il est considére, jusqu'à preuve du contraire, comme ayant reçu la dépeche et son contenu. La même présomption existe pour les irregularités dont la mention a éte omise ou signalée d'une manière incomplète dans le bulletin de verification; il en est ainsi lorsque les dispositions du present article concernant les formalités a remplir n'ont pas été observees.

14. Les bulletins de vérification et les pièces annexees sont transmis sous pli recommandé par la voie la plus rapide (aérienne ou de surface). Les objets visés au paragraphe 7, accompagnes d'une copie du bulletin de verification, peuvent être envoyés sous pli recommandé sépare par voie de surface.

15. Les bulletins de verification sont expédiés dans des enveloppes portant, en lettres apparentes, la mention "Bulletin de verification" Ces enveloppes peuvent être soit prealablement imprimees, soit signalées au moyen d'un timbre reproduisant avec nettete ladite mention.

Article 159

Envois mal dirigés

Les envois de toute nature mal diriges sont, sans aucun délai, réachemines sur leur destination par la voie la plus rapide.

Article 160

Mesures à prendre en cas d'accident survenu aux moyens de transport de surface

1. Lorsque, par suite d'un accident survenu en cours de transport de surface, un navire, un train ou tout autre moyen de transport ne peut poursuivre son voyage et livrer le courrier aux escales ou aux stations prévues, le personnel doit remettre les dépêches au bureau de poste le plus proche du lieu de l'accident ou le plus qualifié pour le réacheminement du courrier. En cas d'empêchement du personnel, ce bureau, informé de l'accident, intervient sans délai pour prendre livraison du courrier et le faire réacheminer à destination par la voie la plus rapide après constatation de l'état et, éventuellement, remise en état des correspondances endommagées.

2. L'Administration du pays ou l'accident s'est produit doit renseigner télégraphiquement toutes les Administrations des escales ou stations précédentes sur le sort du courrier, lesquelles avisent à leur tour par télégramme toutes les autres Administrations intéressées.

3. Les Administrations d'origine dont le courrier se trouvait dans le moyen de transport accidenté doivent envoyer une copie des bordereaux de livraison des dépêches C 18 à l'Administration du pays ou l'accident s'est produit.

4. Le bureau qualifié signale ensuite, par bulletin de vérification C 14, aux bureaux de destination des dépêches accidentées, les détails des circonstances de l'accident et des constatations faites; une copie de chaque bulletin est adressée aux bureaux d'origine des dépêches correspondantes et une autre a l'Administration du pays dont dépend la compagnie de transport. Ces documents sont expédiés par la voie la plus rapide (aérienne ou de surface).

Article 161

Renvoi des sacs vides

1. Sauf entente spéciale entre les Administrations correspondantes, les sacs doivent être renvoyés vides, par le prochain courrier, dans une dépêche directe pour le pays auquel ces sacs appartiennent et si possible par la voie normale suivie à l'aller. Le nombre des sacs renvoyés par chaque dépêche doit être inscrit au tableau V de la feuille d'avis (article 150, paragraphe 2, lettre f), sauf lorsqu'il est fait application de l'article 150, paragraphe 2, lettre c).

2. Le renvoi est effectué entre les bureaux d'échange désignés à cet effet. Les Administrations intéressées peuvent s'entendre pour les modalités du renvoi. Dans les relations à longue distance, elles ne doivent, en règle générale, désigner qu'un seul bureau chargé d'assurer la réception des sacs vides qui leur sont renvoyés.

3. Les sacs vides doivent être roulés en paquets convenables; le cas échéant, les planchettes à étiquettes ainsi que les étiquettes en toile, parchemin ou autre matière solide doivent être placées à l'intérieur des sacs. Les paquets doivent être revêtus d'une étiquette indiquant le nom du bureau d'échange d'où les sacs ont été reçus, chaque fois qu'ils sont renvoyés par l'intermédiaire d'un autre bureau d'échange.

4. Si les sacs vides à renvoyer ne sont pas trop nombreux, ils peuvent être placés dans les sacs contenant des envois de la poste aux lettres; dans le cas contraire, ils doivent être placés à part dans des sacs cachetés, ou non cachetés (dans les relations avec les Administrations qui se sont mises d'accord à ce sujet), étiquetés au nom des bureaux d'échange. Les étiquettes doivent porter la mention "Sacs vides".

5. Si le contrôle exercé par une Administration établit que des sacs lui appartenant n'ont pas été renvoyés à ses services dans un délai supérieur à celui qui est nécessité par la durée des acheminements (aller et retour), elle est en droit de réclamer le remboursement de la valeur des sacs prévue au paragraphe 6. Ce remboursement ne peut être refusé par l'Administration en cause que si elle est en mesure de prouver le renvoi des sacs manquants.

6. Chaque Administration fixe, périodiquement et uniformément pour toutes les espèces de sacs qui sont utilisés par ses bureaux d'échange, une valeur moyenne en francs et la communique aux Administrations intéressées par l'intermédiaire du Bureau international. En cas de remboursement, il est tenu compte du coût de remplacement des sacs.

Article 162

Dépêches échangées avec des unités militaires mises à la disposition de l'Organisation des Nations Unies et avec des bâtiments ou des avions de guerre

1. L'établissement d'un échange en dépêches closes entre une Administration postale et des divisions navales ou des bâtiments de guerre de même nationalité, ou entre une division navale ou un bâtiment de guerre et une autre division navale ou un autre bâtiment de guerre de même nationalité, doit être notifié, autant que possible à l'avance, aux Administrations intermédiaires.

2. La suscription de ces dépêches est rédigée comme suit:

Du bureau de .....

Pour { la division navale (nationalité) de (désignation de la division) à ..... } (pays)
{ le bâtiment (nationalité) le (nom du bâtiment) à ..... }

ou

De la division navale (nationalité) de (désignation de la division) à ..... }
Du bâtiment (nationalité) le (nom du bâtiment) à ..... } (pays)
Pour le bureau de .....

ou

De la division navale (nationalité) de (désignation de la division) à ..... }
Du bâtiment (nationalité) le (nom du bâtiment) à ..... } (pays)

Pour { la division navale (nationalité) de (désignation de la division) à ..... } (pays)
{ le bâtiment (nationalité) le (nom du bâtiment) à ..... }

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3. Les dépêches dont il s'agit sont acheminées par la voie la plus rapide (aérienne ou de surface) selon l'indication portée sur l'adresse et dans les mêmes conditions que les dépêches échangées entre bureaux de poste.

4. Le capitaine d'un paquebot postal qui transporte des dépêches à destination d'une division navale ou d'un bâtiment de guerre les tient à la disposition du commandant de la division ou du bâtiment de destination en prévision du cas où celui-ci viendrait lui en demander la livraison en route.

5. Si les bâtiments ne se trouvent pas au lieu de destination quand les dépêches à leur adresse y parviennent, ces dépêches sont conservées au bureau de poste jusqu'à leur retrait par le destinataire ou leur réexpédition sur un autre point. La réexpédition peut être demandée soit par l'Administration d'origine, soit par le commandant de la division navale ou du bâtiment de destination, soit enfin par un consul de même nationalité.

6. Les dépêches dont il s'agit qui portent la mention "Aux soins du Consul d..." sont consignées au consulat indiqué. Elles peuvent ultérieurement, à la demande du consul, être réintégrées dans le service postal et réexpédiées sur le lieu d'origine ou sur une autre destination.

7. Les dépêches à destination d'un bâtiment de guerre sont considérées comme étant en transit jusqu'à leur remise au commandant de ce bâtiment, alors même qu'elles auraient été primitivement adressées aux soins d'un bureau de poste ou à un consul chargé de servir d'agent de transport intermédiaire; elles ne sont donc pas considérées comme étant parvenues à leur adresse tant qu'elles n'ont pas été livrées au bâtiment de guerre de destination.

8. Après accord entre les Administrations intéressées, la procédure ci-dessus est également applicable, le cas échéant, aux dépêches échangées avec des unités militaires mises à la disposition de l'Organisation des Nations Unies et avec des avions de guerre.

Titre V

Dispositions concernant les frais de transit et les frais terminaux

Chapitre I

Opérations de statistique

Article 163

Période et durée de la statistique

1. Les frais de transit prévus à l'article 52 et, sauf entente spéciale entre les Administrations intéressées, les frais terminaux du courrier de surface visés à l'article 53 de la Convention sont établis sur la base de statistiques faites une fois tous les trois ans et alternativement pendant les quatorze ou vingt-huit premiers jours qui commencent le 2 mai ou pendant les quatorze ou vingt-huit premiers jours qui commencent le 15 octobre.

2. La statistique est établie pendant la deuxième année de chaque période triennale.

3. Les dépêches confectionnées à bord des navires sont comprises dans les statistiques lorsqu'elles sont débarquées pendant la période de statistique.

4. La statistique de mai 1973 s'applique, selon les dispositions de la Convention de Tokyo 1969, aux années 1972, 1973 et 1974; celle d'octobre-novembre 1976 s'applique aux années 1975, 1976 et 1977.

5. Les paiements annuels des frais de transit et des frais terminaux du courrier de surface à effectuer sur la base d'une statistique doivent être continués provisoirement jusqu'à ce que les comptes établis d'après la statistique suivante soient approuvés ou considérés comme admis de plein droit (article 172). A ce moment, il est procédé à la régularisation des paiements effectués à titre provisoire.

Article 164

Dépêches-avion

Sauf entente spéciale entre les Administrations intéressées, sont également comprises dans la statistique des frais de transit les dépêches-avion transportées par voie de surface sur une partie de leur parcours dans un pays tiers.

Article 165

Confection et désignation des dépêches closes pendant la période de statistique

1. Pendant la période de statistique, toutes les dépêches de surface soumises aux frais de transit ou aux frais terminaux, à l'exception des dépêches ne contenant que des sacs vides, doivent être munies, en dehors des étiquettes ordinaires, d'une étiquette spéciale portant en caractères très apparents:

a) le numéro et la date de formation de la dépêche;

b) la mention "Statistique" suivie de l'indication "5 kilogrammes" "15 kilogrammes" ou "30 kilogrammes" selon la catégorie de poids (article 166, paragraphe 1).

Sous réserve de ces particularités de présentation, les dépêches doivent être confectionnées dans les conditions habituelles prevues par l'article 149, paragraphe 3.

2. En ce qui concerne les sacs qui ne contiennent que des envois exempts de frais de transit et de frais terminaux (article 54 de la Convention), la mention "Statistique" est suivie du mot "Exempt"

3. La feuille d'avis de la dernière dépêche expédiée pendant la période de statistique doit comporter la mention "Dernier envoi de la période de statistique" Lorsque le bureau expéditeur n'a pas été en mesure de porter cette indication, par suite notamment de l'instabilité des liaisons, il avise dès que possible, par la voie la plus rapide (aérienne ou de surface), le bureau de destination de la date et du numéro de la dernière dépêche comprise dans la statistique.

Article 166

Constatation du nombre de sacs et du poids des dépêches closes

1. En ce qui concerne les dépêches de surface soumises aux frais de transit ou aux frais terminaux, le bureau d'échange expéditeur utilise une feuille d'avis spéciale conforme au modèle C 15 ci-annexé, qui remplace le modèle C 12 pendant la période de statistique. Il inscrit sur cette feuille d'avis le nombre de sacs en les répartissant, le cas échéant, dans les catégories qui y sont mentionnées.

2. Le nombre de sacs exempts de frais de transit et de frais terminaux doit être le total de ceux qui ne contiennent que des sacs vides et de ceux qui portent l'indication "Statistique – Exempt" d'après l'article 165, paragraphe 2.

3. Les indications des feuilles d'avis sont vérifiées par le bureau d'échange de destination. Si ce bureau constate une erreur dans les nombres inscrits, il rectifie la feuille et signale immédiatement l'erreur au bureau d'échange expéditeur au moyen d'un bulletin de vérification conforme au modèle C 16 ci-annexé. Toutefois, en ce qui concerne le poids d'un sac, l'indication du bureau d'échange expéditeur est tenue pour valable, à moins que le poids réel ne dépasse de plus de 250 grammes le poids maximal de la catégorie dans laquelle ce sac a été inscrit.

Article 167

Etablissement des relevés des dépêches closes

1. Aussitôt que possible après la réception de la dernière dépêche formée pendant la période de statistique, les bureaux de destination établissent:

a) pour les dépêches soumises aux frais de transit, des relevés conformes au modèle C 17 ci-annexé, pour chaque voie d'acheminement et en autant d'expéditions qu'il y a d'Administrations de transit plus une (pour le pays d'origine); ces relevés doivent indiquer dans la plus large mesure possible les détails de la route suivie et les services utilisés;

b) pour les dépêches de surface soumises aux frais terminaux, des relevés conformes au modèle C 17bis ci-annexé.

2. Les bureaux de destination transmettent les relevés C 17 et C 17bis aux bureaux d'échange de l'Administration expéditrice pour être revêtus de leur acceptation. La voie aérienne est utilisée lorsqu'elle présente un avantage. Après avoir accepté les relevés, les bureaux d'échange les transmettent à leur Administration centrale qui répartit les relevés C 17 entre les Administrations intermédiaires et renvoie les relevés C 17bis aux Administrations de destination.

3. Si, dans le délai de trois mois (quatre mois dans les échanges avec les pays éloignés) à compter du jour de l'expédition de la dernière dépêche à comprendre dans la statistique, les bureaux d'échange de l'Administration expéditrice n'ont pas reçu le nombre de relevés C 17 indiqué au paragraphe 1, lettre a), ces bureaux établissent eux-mêmes lesdits relevés d'après leurs propres indications et inscrivent sur chacun d'eux la mention: "Les relevés C 17 du bureau de destination ne sont pas parvenus dans le délai réglementaire" Ils les transmettent ensuite à leur Administration centrale qui les répartit entre les Administrations en cause.

4. Si, dans un délai de six mois après l'expiration de la période de statistique, l'Administration expéditrice n'a pas réparti les relevés C 17 entre les Administrations des pays intermédiaires, celles-ci les établissent d'office, d'après leurs propres indications. Ces documents, revêtus de la mention "Etabli d'office", doivent être obligatoirement annexés au compte C 20 adresse aux Administrations expéditrices, en accord avec l'article 172, paragraphe 7, lettre a).

Article 168

Dépêches closes échangées avec des unités militaires mises à la disposition de l'Organisation des Nations Unies et avec des bâtiments ou des avions de guerre

1. Il incombe aux Administrations postales des pays dont relèvent des unités militaires, des bâtiments ou des avions de guerre d'établir les relevés C 17 relatifs aux dépêches expédiées ou reçues par ces unités militaires, ces bâtiments ou ces avions. Les dépêches expédiées pendant la période de statistique à l'adresse des unités militaires, des bâtiments ou des avions de guerre doivent porter sur les étiquettes la date d'expédition.

2. Si ces dépêches sont réexpédiées, l'Administration réexpéditrice en informe l'Administration du pays dont l'unité militaire, le bâtiment ou l'avion relève.

Article 169

Bulletin de transit

1. Dans le but d'obtenir tous les renseignements nécessaires à l'établissement des relevés C 17, l'Administration de destination peut demander à l'Administration d'origine de joindre à chaque dépêche un bulletin de transit de couleur verte conforme au modèle C 19 ci-annexé. Cette demande doit parvenir à l'Administration d'origine trois mois avant le début des opérations de statistique.

2. Le bulletin de transit ne doit être employé que si, pendant la période de statistique, la route suivie par les dépêches est incertaine ou si les services de transport utilisés sont inconnus de l'Administration de destination. Avant d'en demander l'établissement, celle-ci doit s'assurer qu'elle ne possède aucun autre moyen de connaître l'acheminement des dépêches qu'elle reçoit.

3. L'Administration d'origine peut, sans demande formelle de l'Administration de destination, joindre exceptionnellement un bulletin de transit à ses dépêches lorsqu'elle ne peut en connaître à l'avance l'acheminement.

4. La présence du bulletin de transit accompagnant une dépêche doit être signalée par la mention "C 19" portée en caractères très apparents:

a) en tête de la feuille d'avis de cette dépêche;
b) sur l'étiquette spéciale "Statistique" du sac contenant la feuille d'avis;
c) dans la colonne "Observations" du bordereau de livraison C 18.

5. Le bulletin de transit, annexé au bordereau de livraison C 18, doit être transmis à découvert, avec les dépêches auxquelles il se rapporte, aux différents services qui participent au transit de ces dépêches. Dans chaque pays de transit, les bureaux d'échange d'entrée et de sortie, à l'exclusion de tout autre bureau intermédiaire, consignent sur le bulletin les renseignements concernant le transit effectué par eux. Le dernier bureau d'échange intermédiaire transmet le bulletin C 19 au bureau de destination, lequel y indique la date exacte d'arrivée de la dépêche. Le bulletin C 19 est renvoyé au bureau d'origine à l'appui du relevé C 17.

6. Lorsqu'un bulletin de transit dont l'expédition est signalée sur le bordereau de livraison ou sur les étiquettes spéciales "Statistique" fait défaut, le bureau d'échange intermédiaire ou le bureau d'échange de destination qui en constate l'absence est tenu de le réclamer sans retard au bureau d'échange précédent; toutefois, sans plus attendre, le bureau d'échange intermédiaire en établit un nouveau revêtu de la mention "Etabli d'office par le bureau de ..." et le transmet avec la dépeche. Lorsque le bulletin C 19 établi par le bureau d'origine parvient au bureau qui l'a reclamé, celui-ci l'adresse directement, sous pli fermé, au bureau de destination, apres l'avoir annoté en consequence.

Article 170

Transmission des formules C 16, C 17, C 17bis et C 19. Dérogations

1. Chaque Administration a la faculté de notifier aux autres Administrations, par l'intermediaire du Bureau international, que les bulletins de verification C 16, les releves C 17 et C 17bis ainsi que les bulletins de transit C 19 doivent être adressés a son Administration centrale.

2. Cette dernière est, dans ce cas, substituée aux bureaux d'échange pour l'établissement des releves C 17 conformément a l'article 167, paragraphe 3.

Article 171

Services extraordinaires

Sont seuls considéres comme services extraordinaires donnant lieu a la perception de frais de transit speciaux les services automobiles Syrie—Iraq.

Chapitre II

Etablissement, règlement et revision des comptes

Article 172

Etablissement, transmission et approbation des comptes de frais de transit et des comptes de frais terminaux

1. Pour l'établissement des comptes de frais de transit et des comptes de frais terminaux du courrier de surface, les sacs légers, moyens ou lourds, tels qu'ils sont définis a l'article 166, sont portés en compte respectivement pour les poids moyens de 3, 12 ou 26 kilogrammes.

2. Les montants totaux de l'avoir pour les dépêches closes sont multipliés par 26 ou 13 selon le cas et le produit sert de base à des comptes particuliers établissant en francs les sommes annuelles revenant à chaque Administration.

3. Si l'utilisation du multiplicateur 26 ou 13 donne un résultat qui ne correspond pas au trafic normal, chaque Administration intéressée peut demander qu'un autre multiplicateur soit adopté. Ce nouveau multiplicateur vaut pendant les années auxquelles s'applique la statistique.

4. A défaut d'entente sur ce nouveau multiplicateur, l'Administration qui s'estime lésée peut soumettre, à condition de fournir toutes les justifications utiles, la question au Bureau international ou à une commission d'arbitres aux fins prévues à l'article 56, paragraphe 6, de la Convention.

5. Toutefois, sauf entente spéciale entre les Administrations intéressées, un nouveau multiplicateur ne peut être adopté que si la différence constatée entre le trafic forfaitaire révélé par la statistique et le trafic reel se traduit par une modification du compte de transit ou du compte des frais terminaux du courrier de surface supérieure à 5000 francs par an, à l'exclusion de toute autre condition.

6. Le soin d'établir les comptes incombe à l'Administration créancière qui les transmet à l'Administration débitrice.

7. Les comptes particuliers sont etablis en double expédition:

a) sur une formule conforme au modèle C 20 ci-annexe et d'après les releves C 17 en ce qui concerne les frais de transit;

b) sur une formule conforme au modèle C 20bis ci-annexe, d'apres les releves C 17bis relatifs aux dépêches de surface et d'apres les bordereaux de livraison AV 7 des dépeches-avion en ce qui concerne les frais terminaux.

Ils sont transmis a l'Administration expeditrice aussitôt que possible et, au plus tard, dans un délai de dix mois suivant l'expiration de la periode de statistique. Les releves C 17 ne sont fournis a l'appui du compte C 20 que s'ils ont été établis d'office par l'Administration intermediaire (article 167, paragraphe 4), ou sur la demande de l'Administration expeditrice.

8. Si l'Administration qui a envoye le compte particulier n'a reçu aucune observation rectificative dans un intervalle de trois mois a compter de l'envoi, ce compte est considére comme admis de plein droit.

Article 173

Décompte general annuel. Intervention du Bureau international

1. Le décompte géneral annuel, établi par le Bureau international, sert de base au reglement des frais de transit et des frais terminaux entre Administrations.

2. Aussitôt que les comptes particuliers entre deux Administrations sont acceptés ou considéres comme admis de plein droit (article 172, paragraphe 8), chacune de ces Administrations transmet sans retard, au Bureau international, un releve distinct pour les frais de transit et pour les frais terminaux conforme respectivement aux modèles C 21 et C 21bis ci-annexés et indiquant les montants totaux de ces comptes. En meme temps, une copie de chacun des releves est adressee a l'Administration intéressee.

3. Un releve C 21 et un releve C 21bis sont établis pour chacune des trois annees auxquelles s'applique la statistique.

4. En cas de différences entre les indications correspondantes fournies par deux Administrations, le Bureau international les invite à se mettre d'accord et a lui indiquer les sommes définitivement arrêtées.

5. Lorsqu'une Administration seulement a fourni les relevés C 21 ou C 21bis, le Bureau international en informe l'autre Administration intéressée et lui indique les montants des relevés reçus. Si dans l'intervalle d'un mois à compter du jour de l'envoi des relevés aucune remarque n'est faite au Bureau international, les montants de ces relevés sont considéres comme admis de plein droit.

6. Dans le cas prevu a l'article 172, paragraphe 8, les relevés doivent porter la mention "Aucune observation de l'Administration débitrice n'est parvenue dans le délai réglementaire"

7. Le Bureau international établit, à la fin de chaque année, sur la base des relevés qui lui sont parvenus jusque-là et qui sont considérés comme admis de plein droit, un décompte général annuel des frais de transit et des frais terminaux. Le cas échéant, il se conforme à l'article 163, paragraphe 5, pour les paiements annuels.

8. Le décompte indique séparément pour les frais de transit et pour les frais terminaux:

a) le doit et l'avoir de chaque Administration;

b) le solde débiteur ou le solde créditeur de chaque Administration;

c) les sommes à payer par les Administrations débitrices;

d) les sommes à recevoir par les Administrations créancières.

9. Le Bureau international procède par voie de compensation, de manière à restreindre au minimum le nombre des paiements à effectuer.

10. Les décomptes généraux annuels doivent être transmis aux Administrations par le Bureau international, aussitôt que possible et, au plus tard, avant l'expiration du premier trimestre de l'année qui suit celle de leur établissement.

11. Exceptionnellement, deux Administrations peuvent, si elles le jugent indispensable, convenir de régler leurs comptes directement entre elles. Dans ce cas, aucun relevé C 21 ou C 21bis n'est transmis au Bureau international.

Article 174

Paiement des frais de transit et des frais terminaux

1. Si le paiement du solde des frais de transit ou des frais terminaux résultant du décompte général annuel du Bureau international n'est pas effectué un an après l'expiration du délai réglementaire (article 103, paragraphe 11), il est loisible à l'Administration créancière d'en informer le Bureau qui invite l'Administration débitrice a payer dans un délai ne devant pas dépasser quatre mois.

2. Si le paiement des sommes dues n'est pas effectué à l'expiration de ce nouveau délai, le Bureau international fait figurer ces sommes dans le décompte général annuel suivant, a l'avoir de l'Administration créancière. Dans ce cas, des intérêts composés sont dus, c'est-à-dire que l'intérêt est ajouté au capital à la fin de chaque année jusqu'à parfait paiement.

3. En cas d'application du paragraphe 2, le décompte général dont il s'agit et ceux des quatre années qui suivent ne doivent pas contenir, autant que possible, dans les soldes résultant du tableau de compensation, des sommes a payer par l'Administration défaillante a l'Administration créancière intéressée.

Article 175

Revision des comptes de frais de transit

1. Quand une Administration postale constate que le trafic diffère très sensiblement de celui qui résulte de la statistique des frais de transit, elle peut demander que les résultats de cette statistique soient revisés.

2. Les Administrations peuvent s'entendre pour effectuer cette revision.

3. A défaut d'entente, chaque Administration peut demander dans les cas suivants l'établissement d'une statistique spéciale en vue de la revision des comptes de frais de transit:

a) utilisation de la voie aérienne en lieu et place de la voie de surface pour le transport des dépêches;

b) modification importante dans l'acheminement par voie de surface des dépêches d'un pays pour un ou plusieurs autres pays;

c) constatation, par une Administration intermédiaire, dans le délai d'un an qui suit la période de statistique, qu'il existe entre les expéditions faites par une Administration pendant la période de statistique et le trafic normal une différence de 20 pour cent au moins sur les poids totaux des dépêches expédiées en transit, ces poids étant calculés sur la base du produit du nombre des sacs de chaque catégorie et des poids moyens correspondants;

d) constatation, par une Administration intermédiaire, à tout moment pendant la période d'application de la statistique, que le poids total des dépêches en transit a augmenté d'au moins 50 pour cent ou diminué d'au moins 50 pour cent par rapport aux données de la dernière statistique, ce poids total étant calculé sur la base du produit du nombre des sacs de chaque catégorie et des poids moyens correspondants.

4. La statistique spéciale portera suivant les circonstances soit sur la totalité, soit sur une partie seulement du trafic.

5. A défaut d'entente également, les résultats d'une statistique de transit spéciale établie sur la base du paragraphe 3 ne sont pris en considération que s'ils affectent de plus de 5000 francs par an les comptes entre l'Administration d'origine et l'Administration intéressée.

6. Les modifications résultant de l'application des paragraphes 3 et 5 doivent porter effet sur les décomptes de l'Administration d'origine avec les Administrations qui ont effectué le transit antérieurement et les Administrations qui l'assurent postérieurement aux modifications survenues, même lorsque la modification des comptes n'atteint pas pour certaines Administrations le minimum fixé.

7. Par dérogation aux paragraphes 3, 5 et 6, et en cas de déviation complète et permanente de dépêches d'un pays intermédiaire par un autre pays, les frais de transit dus par l'Administration d'origine au pays qui a effectué le transit antérieurement sur la base de la dernière statistique doivent, sauf entente spéciale, être payés par l'Administration intéressée au nouveau pays transitaire à partir de la date à laquelle a été constatée ladite déviation.

Article 176

Revision des comptes de frais terminaux du courrier de surface

1. Quand une Administration postale constate que le trafic diffère très sensiblement de celui qui résulte de la statistique des frais terminaux du courrier de surface, elle peut demander que les résultats de cette statistique soient revisés.

2. Les Administrations peuvent s'entendre pour effectuer cette revision.

3. A défaut d'entente, chaque Administration peut demander dans les cas suivants l'établissement d'une statistique spéciale en vue de la revision des comptes de frais terminaux du courrier de surface:

a) utilisation de la voie aérienne en lieu et place de la voie de surface pour le transport des dépêches;

b) constatation, dans le délai d'un an qui suit la période de statistique, qu'il existe entre le trafic relevé pendant la période de statistique et le trafic normal une différence de 20 pour cent au moins sur les poids totaux des dépêches reçues ou expédiées, ces poids étant calculés sur la base du produit du nombre des sacs de chaque catégorie et des poids moyens correspondants;

c) constatation, à tout moment pendant la période d'application de la statistique, que le poids total des dépêches de surface reçues ou expédiées a augmenté d'au moins 50 pour cent ou diminué d'au moins 50 pour cent par rapport aux données de la dernière statistique, ce poids total étant calculé sur la base du produit du nombre des sacs de chaque catégorie et des poids moyens correspondants.

4. A défaut d'entente également, les résultats d'une statistique spéciale de frais terminaux du courrier de surface établie sur la base du paragraphe 3 ne sont pris en considération que s'ils affectent de plus de 5000 francs par an les comptes entre l'Administration d'origine et l'Administration intéressée.

Titre VI

Dispositions diverses

Chapitre unique

Article 177

Correspondance courante entre Administrations

Les Administrations ont la faculté d'employer pour l'échange de leur correspondance courante une formule conforme au modèle C 29 ci-annexé.

Article 178

Caractéristiques des timbres-poste et des empreintes d'affranchissement

1. Les empreintes produites par les machines à affranchir doivent être de couleur rouge vif, quelle que soit la valeur qu'elles représentent.

2. Les timbres-poste et les empreintes des machines à affranchir utilisées par des particuliers possédant un permis de l'Administration postale du pays d'origine doivent porter, en caractères latins, l'indication du pays d'origine et mentionner leur valeur d'affranchissement d'aprés le Recueil des équivalents. L'indication du nombre d'unités ou de fractions de l'unité monétaire servant à exprimer cette valeur est faite en chiffres arabes. Les empreintes d'affranchissement utilisées par les Administrations elles-mêmes doivent porter les mêmes indications que celles des particuliers possédant un permis de l'Administration ou, en lieu et place, l'indication du pays d'origine et la mention "Taxe perçue" "Port payé" ou une expression analogue. Cette mention peut être libellée en français ou dans la langue du pays d'origine; elle peut aussi revêtir une forme abrégée, par exemple "T.P " ou "P.P "

3. En ce qui concerne les envois affranchis au moyen d'empreintes obtenues à la presse d'imprimerie ou par un autre procédé d'impression ou de timbrage (article 25 de la Convention), les indications du pays d'origine et de la valeur d'affranchissement peuvent être remplacées par le nom du bureau d'origine et la mention "Taxe perçue" "Port payé" ou une expression analogue. Cette mention peut être libellée en français ou dans la langue du pays d'origine; elle peut aussi revêtir une forme abrégée, par exemple "T.P " ou "P.P " Dans tous les cas, l'indication adoptée doit figurer, en lettres très apparentes, dans un cadre particulier nettement tracé, dont la surface ne doit pas être inférieure à 300 mm2.

4. Les timbres-poste commémoratifs ou philanthropiques, pour lesquels une surtaxe est à payer indépendamment de la valeur d'affranchissement, doivent être confectionnés de façon à éviter tout doute au sujet de cette valeur.

5. Les timbres-poste peuvent être distinctement marqués de perforations à l'emporte-pièce ou d'impressions en relief obtenues au moyen du repoussoir, selon les conditions fixées par l'Administration qui les a émis, pourvu que ces opérations ne nuisent pas à la clarté des indications prévues au paragraphe 2.

Article 179

Emploi présumé frauduleux de timbres-poste ou d'empreintes d'affranchissement

1. Sous réserve expresse des dispositions de la législation de chaque pays, la procédure ci-apres est suivie pour la constatation de l'emploi frauduleux, pour l'affranchissement, de timbres-poste ainsi que d'empreintes de machines à affranchir ou de presses d'imprimerie:

a) lorsqu'au départ soit un timbre-poste, soit une empreinte de machine a affranchir ou de presse d'imprimerie sur un envoi quelconque laisse soupçonner un emploi frauduleux (présomption de contrefaçon ou de réemploi) et que l'expéditeur n'en est pas connu, la figurine n'est altérée d'aucune façon et l'envoi, accompagne d'un avis conforme au modèle C 10 ci-annexé, est adressé sous enveloppe recommandée d'office au bureau de destination. Un exemplaire de cet avis est transmis, pour information, aux Administrations des pays d'origine et de destination. Toute Administration peut demander, par une notification adressée au Bureau international, que les avis C 10 qui concernent son service soient transmis a son Administration centrale ou à un bureau spécialement désigné;

b) l'envoi n'est remis au destinataire, convoqué pour constater le fait, que s'il paie le port dû, fait connaître le nom et l'adresse de l'expéditeur et met à la disposition de la poste, après avoir pris connaissance du contenu, soit l'envoi entier s'il est inséparable du corps du délit présumé, soit la partie de l'envoi (enveloppe, bande, portion de lettre, etc.) qui contient la suscription et l'empreinte ou le timbre signalé comme douteux. Le résultat de la convocation est constaté par un procès-verbal conforme au modèle C 11 ci-annexé, signé par l'agent des postes et par le destinataire. Le refus éventuel de ce dernier est constaté sur ce document.

2. Le procès-verbal est transmis, avec pièces à l'appui, sous recommandation d'office, a l'Administration du pays d'origine qui y donne la suite que comporte sa législation.

3. Les Administrations dont la législation ne permet pas la procédure prévue au paragraphe 1, lettres a) et b), doivent en informer le Bureau international aux fins de notification aux autres Administrations.

Article 180

Coupons-réponse internationaux

1. Les coupons-réponse internationaux sont conformes au modèle C 22 ci-annexé. Ils sont imprimés, sur papier portant en filigrane les lettres UPU en grands caractères, par les soins du Bureau international qui les livre aux Administrations à l'appui d'un bordereau de livraison conforme au modèle C 24 ci-annexé, établi en double exemplaire. Après vérification, l'Administration de destination renvoie au Bureau international un exemplaire dûment signé.

2. Chaque Administration a la faculté:

a) de donner aux coupons-réponse une perforation distinctive qui ne nuise pas à la lecture du texte et ne soit pas de nature à entraver la vérification de ces valeurs;

b) d'indiquer au moyen d'un procédé d'impression le prix de vente sur les coupons-réponse ou de demander au Bureau international que ce prix soit indiqué au moment de l'impression.

3. Le délai d'échange des coupons-réponse est illimité. Les bureaux de poste s'assurent de l'authenticité des titres lors de leur échange et vérifient notamment la présence du filigrane. Les coupons-réponse peuvent être revêtus de l'empreinte du bureau relevant de l'Administration d'origine. Les coupons-réponse dont le texte imprimé ne correspond pas au texte officiel sont refuses comme non valables. Les coupons-réponse échanges sont revêtus d'une empreinte du timbre a date du bureau qui en effectue l'échange.

4. Les coupons-réponse échangés sont renvoyés au Bureau international par paquets de mille et de cent, accompagnés d'un relevé conforme au modèle C 23 ci-annexé établi en double exemplaire et comportant l'indication globale de leur nombre et de leur valeur, celle-ci étant calculée conformément au taux prévu à l'article 28, paragraphe 2, de la Convention. En cas de modification de ce taux, tous les coupons-réponse échangés antérieurement à la date de modification font l'objet d'un envoi unique comprenant exceptionnellement des égrenés; ils sont accompagnés d'un relevé C 23 spécial comptabilisé à l'ancienne valeur.

5. Le Bureau international reprend également les coupons-réponse détériorés transmis à l'appui d'un relevé C 23 séparé, établi en double exemplaire.

6. A titre exceptionnel, le Bureau international peut tenir compte des coupons-réponse internationaux détruits avant la vente ou après l'échange. Dans ce cas, le relevé C 23, établi en double exemplaire par l'Administration intéressee, est accompagné d'une attestation officielle de destruction.

7. Le Bureau international tient une comptabilité appropriée ou sont inscrits:

a) au débit de chaque Administration, la valeur des coupons-réponse fournis ainsi que le montant de la bonification accordée à l'Administration au titre de la période biennale précédente;

b) au crédit, la valeur des coupons-réponse échangés qui sont renvoyés au Bureau international.

Un relevé de compte est envoyé pour approbation à chaque Administration intéressée. Si dans l'intervalle d'un mois à compter de l'envoi du releve aucune remarque n'est faite au Bureau international, les montants de ce relevé sont considéres comme admis de plein droit.

8. Le Bureau international établit un décompte général biennal comportant:

a) les débits et crédits vises au paragraphe 7;

b) les bonifications accordées aux Administrations par répartition de l'excedent global de la valeur des coupons-réponse fournis sur la valeur des coupons-reponse échangés pendant la période biennale, à raison de 80 pour cent au prorata des coupons-réponse livrés par le Bureau international et de 20 pour cent au prorata des coupons-réponse échangés par les Administrations;

c) les sommes a payer et à recevoir par les Administrations.

9. Le décompte général est transmis aux Administrations, complété par un tableau de compensation qui sert de base aux reglements.

10. Les articles 173, paragraphes 9 et 10, et 174 sont applicables.

Article 181

Décompte des frais de douane, etc., avec l'Administration de dépôt des envois francs de taxes et de droits

1. Le décompte relatif aux frais de douane, etc., déboursés par chaque Administration pour le compte d'une autre, est effectué au moyen de comptes particuliers mensuels, conformes au modèle C 26 ci-annexé, qui sont établis par l'Administration créancière dans la monnaie de son pays. Les parties B des bulletins d'affranchissement qu'elle a conservées sont inscrites par ordre alphabétique des bureaux qui ont fait l'avance des frais et suivant l'ordre numérique qui leur a été donné.

2. Si les deux Administrations intéressées assurent également le service des colis postaux dans leurs relations réciproques, elles peuvent comprendre, sauf avis contraire, dans les décomptes des frais de douane, etc., de ce dernier service, ceux de la poste aux lettres.

3. Le compte particulier, accompagné des parties B des bulletins d'affranchissement, est transmis à l'Administration débitrice au plus tard à la fin du mois qui suit celui auquel il se rapporte. Il n'est pas établi de compte négatif.

4. La vérification des comptes a lieu dans les conditions fixées par le Règlement d'exécution de l'Arrangement concernant les mandats de poste et les bons postaux de voyage.

5. Les décomptes donnent lieu à une liquidation spéciale. Chaque Administration peut, toutefois, demander que ces comptes soient réglés avec ceux des mandats de poste, des colis postaux CP 16 ou enfin avec les comptes R 5 des remboursements, sans y être incorporés.

Article 182

Formules à l'usage du public

En vue de l'application de l'article 10, paragraphe 3, de la Convention, sont considérées comme formules à l'usage du public les formules:

C 1 (Etiquette de douane),
C 2/CP 3 (Déclaration en douane),
C 3/CP 4 (Bulletin d'affranchissement),
C 5 (Avis de réception),
C 6 (Enveloppe de réexpédition),
C 7 (Demande de retrait,
de modification d'adresse,
d'annulation ou de modification du montant du remboursement),
C 8 (Réclamation concernant un envoi ordinaire),
C 9 (Réclamation concernant un envoi recommandé, etc.),
C 22 (Coupon-réponse international),
C 25 (Carte d'identité postale).

Troisième partie

Dispositions concernant le transport aérien

Chapitre I

Règles d'expédition et d'acheminement

Article 183

Signalisation des correspondances-avion surtaxées

Les correspondances-avion surtaxées doivent porter au départ, sur la partie gauche du recto, soit une étiquette spéciale de couleur bleue ou une empreinte de même couleur comportant les mots "Par avion", soit à la rigueur ces deux mots en gros caractères écrits à la main ou à la machine, avec traduction facultative dans la langue du pays d'origine. Toutefois, en ce qui concerne les envois sous enveloppe normalisés, cette étiquette spéciale, empreinte ou indication doit être placée conformément à l'article 19, paragraphe 8, lettre a), chiffre 3° de la Convention.

Article 184

Suppression des mentions "Par avion" et "Aérogramme"

1. La mention "Par avion" et toute annotation relative au transport aérien doivent être barrées au moyen de deux forts traits transversaux lorsque l'acheminement des correspondances-avion surtaxées non ou insuffisamment affranchies ou lorsque la réexpédition ou le renvoi à l'origine des correspondances-avion surtaxées a lieu par les moyens de transport normalement utilisés pour les correspondances non surtaxées; dans le premier cas, il faut en indiquer brièvement les motifs.

2. La mention "Aérogramme" doit être barrée au moyen de deux forts traits transversaux en cas de transmission par voie de surface par application de l'article 59 de la Convention.

Article 185

Confection des dépêches-avion

1. Les dépeches-avion se composent de correspondances-avion classees et enliassees par categories (LC, journaux et écrits periodiques, autres AO), les liasses étant désignées par les étiquettes correspondantes conformes aux modèles AV 10 ci-annexes. Ces dépêches doivent être confectionnées au moyen de sacs entièrement bleus ou a larges bandes bleues et portant les indications visées à l'article 149, paragraphe 4. Pour les correspondances-avion ordinaires ou recommandées expediées en petit nombre, il peut être fait usage d'enveloppes conformes au modèle AV 9 ci-annexe, confectionnees soit avec du papier fort de couleur bleue, soit en matière plastique ou autre et portant une étiquette bleue.

2. Les feuilles d'avis et les feuilles d'envoi VD 3 accompagnant les dépeches-avion doivent être revêtues, dans leur en-tête, de l'étiquette "Par avion" ou de l'empreinte visée à l'article 183.

3. Le conditionnement et le texte des étiquettes des sacs-avion doivent être conformes aux modèles AV 8 ci-annexés. Les étiquettes proprement dites ou les fiches facultatives visees à l'article 155, paragraphe 3, doivent avoir les couleurs prescrites a l'article 155, paragraphe 1, lettres a) a d).

4. Sauf avis contraire des Administrations intéressees, des dépeches peuvent être insérées dans une autre dépêche de même nature, c'est-à-dire contenant des envois de même catégorie (LC ou AO).

5. Les correspondances-avion ordinaires, déposées en dernière limite d'heure aux bureaux de poste établis dans les aeroports, sont expédiées, par les avions en partance, sous enveloppe AV 9 a l'adresse des bureaux d'échange de destination.

Article 186

Constatation et verification du poids des dépêches-avion

1. Le numéro de la dépêche et le poids brut de chaque sac, enveloppe ou paquet faisant partie de cette dépeche, de même que la catégorie des envois (LC ou AO) y inséres, sont indiqués sur l'étiquette AV 8 ou sur la suscription exterieure.

2. Si les deux catégories d'envois (LC et AO) sont réunies dans un même emballage, le poids de chacune d'elles doit être indique, outre le poids total, sur l'étiquette AV 8 ou sur la suscription extérieure; le poids de l'emballage extérieur est ajouté au poids des envois bénéficiant du taux de transport le plus bas et inserés dans l'emballage. En cas d'emploi d'un sac collecteur, il n'est pas tenu compte du poids de ce sac.

3. Le poids de chaque sac de la dépêche-avion ou, le cas échéant, de chacune des deux catégories (LC et AO) est arrondi à l'hectogramme supérieur ou inférieur selon que la fraction de l'hectogramme excède ou non 50 grammes; l'indication du poids est remplacée par le chiffre 0 pour les dépêches-avion pesant 50 grammes ou moins. Si le poids de chaque catégorie est inférieur à 50 grammes, mais que le poids total excède 50 grammes, celui de la catégorie dont le poids est le plus élevé doit être arrondi à l'hectogramme.

4. Si un bureau intermédiaire constate que le poids réel d'un des sacs composant une dépêche diffère de plus de 100 grammes du poids annoncé, il rectifie l'étiquette AV 8 et signale immédiatement l'erreur au bureau d'échange expéditeur par bulletin de vérification C 14; lorsqu'il s'agit d'un sac contenant plusieurs catégories d'envois, la rectification est apportée à celle de ces catégories dont le poids est le plus élevé. Si les différences constatées restent dans les limites précitées, les indications du bureau expéditeur sont tenues pour valables.

Article 187

Sacs collecteurs

1. Lorsque le nombre des sacs de faible poids, des enveloppes ou des paquets à transporter sur un même parcours aérien le justifie, les bureaux de poste chargés de la remise des dépêches-avion à la compagnie aérienne assurant le transport confectionnent, dans la mesure du possible, des sacs collecteurs.

2. Les étiquettes des sacs collecteurs doivent porter, en caracteres très apparents, la mention "Sac collecteur"· les Administrations intéressees se mettent d'accord quant à l'adresse a porter sur ces étiquettes.

Article 188

Bordereau de livraison AV 7

1. Les dépeches a remettre a l'aeroport, à l'exception de celles qui font l'objet de l'accord particulier avec l'Administration de réception prévu à l'article 60, paragraphe 3, de la Convention, sont accompagnees de cinq exemplaires au maximum, par escale aérienne, d'un bordereau de livraison de couleur blanche, conforme au modèle AV 7 ci-annexe.

2. Un exemplaire du bordereau de livraison AV 7 signé par le représentant de l'organisme (compagnie aérienne ou service specialisé de l'aeroport) chargé du service terrestre est conserve par le bureau expéditeur; les quatre autres exemplaires accompagnent les dépeches pour être utilisés de la façon suivante:

a) le premier, dûment signe a l'aeroport de débarquement contre livraison des dépêches, est conserve par le personnel de bord a l'intention de sa compagnie;
b) le deuxième accompagne les dépeches au bureau de poste auquel le bordereau de livraison est adressé;
c) le troisième est conserve, a l'aeroport d'embarquement, par l'organisme charge du service terrestre;
d) le quatrième est remis, a l'aeroport de débarquement, a l'organisme charge, à cet aeroport, du service terrestre.

3. Lorsque les dépêches-avion sont transmises par voie de surface a une Administration intermédiaire pour être réacheminees par la voie aerienne, elles sont accompagnees d'un bordereau de livraison AV 7 a l'intention du bureau intermediaire.

Article 189

Etablissement et verification des bordereaux AV 7

1. Le numero de la dépeche, le poids par catégorie d'envois, pour chaque sac, enveloppe ou paquet, et toutes autres indications utiles figurant sur l'étiquette AV 8 ou sur la suscription exterieure doivent être reportés sur le bordereau AV 7. Toutefois, dans les rapports entre les Administrations qui se sont déclarees d'accord a ce sujet, l'indication du poids total de chaque catégorie d'envois peut remplacer le poids, par catégorie d'envois, pour chaque sac, enveloppe ou paquet.

2. Sont également inscrites sur le bordereau AV 7·

a) individuellement, les dépeches insérées dans un sac collecteur, avec indication qu'elles sont contenues dans un tel sac;
b) les enveloppes AV 9 contenant les correspondances ordinaires déposées en dernière limite d'heure.

3. Tout bureau intermédiaire ou de destination qui constate des erreurs dans les indications figurant sur le bordereau AV 7 doit immediatement les signaler, par bulletin de verification C 14, au dernier bureau d'échange expediteur de même qu'au bureau d'échange qui a confectionné la dépêche.

Article 190

Absence du bordereau de livraison AV 7

1. Lorsqu'une dépêche parvient à l'aéroport de destination — ou à un aéroport intermédiaire devant en assurer le réacheminement par les soins d'une autre entreprise de transport — sans être accompagnée d'un bordereau de livraison AV 7, l'Administration dont dépend cet aéroport signale ce fait par bulletin de vérification C 14 au bureau responsable du chargement de cette dépêche, et lui demande un duplicata du document manquant.

2. Toutefois, si l'escale de chargement ne peut être déterminée, le bulletin de vérification est adressé directement au bureau expéditeur de la dépêche, à charge pour lui de le faire suivre au bureau par lequel la dépêche a transité.

Article 191

Transbordement des dépeches-avion

1. Sauf entente speciale entre les Administrations intéressees, le transbordement des dépeches en cours de route, dans un meme aeroport, est assure par l'Administration du pays ou il a lieu.

2. Le paragraphe 1 ne s'applique pas lorsque le transbordement s'effectue entre les appareils de deux lignes successives de la même entreprise de transport. D'autre part, l'Administration du pays de transit peut autoriser le transbordement direct d'avion a avion entre deux entreprises de transport différentes; le cas echeant, l'entreprise de transport qui l'effectue est tenue d'envoyer au bureau d'échange du pays ou a lieu ce transbordement un exemplaire du bordereau AV 7 ou tout document en tenant lieu et comportant les détails de l'operation.

Article 192

Mesures a prendre en cas d'interruption de vol, de déviation ou du mauvais acheminement du courrier

1. Lorsqu'un avion interrompt son voyage pour une duree susceptible de causer du retard au courrier ou lorsque, pour une cause quelconque, le courrier est débarqué à un aeroport autre que celui qui est indique sur le bordereau AV 7, ou si, a l'aeroport de transbordement, les dépeches qui ont été signalées sur les documents comme devant être transbordées directement n'ont pas pu être réacheminées par le vol prevu, les agents de l'Administration du pays ou a lieu l'escale prennent en charge ce courrier et le reacheminent par les voies les plus rapides (aériennes ou de surface).

2. Le paragraphe 1 ne s'applique pas lorsque:

a) le transbordement s'effectue entre les appareils de deux lignes successives de la meme entreprise de transport;

b) l'Administration qui expedie les dépeches par ces appareils a pris les dispositions necessaires pour assurer leur expedition par un vol subsequent de la meme compagnie;

c) le délai d'attente jusqu'au départ du vol subsequent ne nuit pas a la rapidité de transmission du courrier.

3. L'Administration qui reçoit des dépêches-avion ou des sacs mal achemines par suite d'une erreur d'étiquetage doit apposer une nouvelle étiquette sur la dépêche ou le sac, avec l'indication du bureau d'origine, et le réacheminer sur sa destination veritable.

4. Dans les cas vises aux paragraphes 1 et 3, le bureau ayant assure le réacheminement est tenu en l'occurrence d'informer le bureau d'origine de chaque dépêche ou sac par bulletin de verification C 14, en y indiquant notamment le service aérien qui l'a livree et les services utilisés (voie aerienne ou de surface) pour le réacheminement jusqu'à destination.

Article 193

Mesures a prendre en cas d'accident

1. Lorsque, par suite d'un accident survenu en cours de transport, un avion ne peut poursuivre son voyage et livrer le courrier aux escales prévues, le personnel de bord doit remettre les dépêches au bureau de poste le plus proche du lieu de l'accident ou le plus qualifié pour le réacheminement du courrier. En cas d'empêchement du personnel de bord, ce bureau, informé de l'accident, intervient sans délai, pour prendre livraison du courrier et le faire réacheminer à destination par les voies les plus rapides, après constatation de l'état et, éventuellement, remise en état des correspondances endommagées.

2. L'Administration du pays où l'accident s'est produit doit renseigner télégraphiquement toutes les Administrations des escales précédentes sur le sort du courrier, lesquelles avisent à leur tour par télégramme toutes les autres Administrations intéressées.

3. Les Administrations qui ont embarqué du courrier sur l'avion accidenté doivent envoyer une copie des bordereaux de livraison AV 7 à l'Administration du pays ou l'accident s'est produit.

4. Le bureau qualifié signale ensuite, par bulletin de vérification, aux bureaux de destination des dépêches accidentées, les détails des circonstances de l'accident et des constatations faites; une copie de chaque bulletin est adressée aux bureaux d'origine des dépêches correspondantes et une autre à l'Administration du pays dont dépend la compagnie aérienne. Ces documents sont expédiés par la voie la plus rapide (aérienne ou de surface).

Article 194

Correspondances-avion transmises dans des dépêches-surface

L'article 153 s'applique aux correspondances-avion transmises dans des dépêches-surface.

Article 195

Envoi des correspondances-avion en transit à découvert

Les correspondances-avion en transit à découvert parvenant dans une dépêche-avion ou dans une dépêche-surface et à réacheminer par la voie aérienne sont réunies, par groupes de pays de destination, classées par catégories, en liasses identifiées par les étiquettes AV 10 correspondantes.

Article 196

Etablissement et vérification des bordereaux AV 2

1. Lorsque, dans les conditions prévues aux articles 197 et 198, les correspondances-avion à découvert sont accompagnées de bordereaux conformes au modèle AV 2 ci-annexé, leur poids est indiqué séparément pour chaque groupe de pays de destination. Les bordereaux AV 2 sont soumis à une numérotation spéciale selon deux séries continues, l'une pour les envois non recommandés, l'autre pour les envois recommandés. Le nombre des bordereaux AV 2 est porté à la rubrique correspondante du tableau III de la feuille d'avis C 12. Les Administrations de transit ont la faculté de demander l'emploi de bordereaux spéciaux AV 2 mentionnant dans un ordre fixe les groupes de pays les plus importants.

2. Le poids de chaque catégorie de correspondances à découvert pour chaque groupe de pays est arrondi au décagramme supérieur ou inférieur selon que la fraction du décagramme excède ou non 5 grammes.

3. Si le bureau intermédiaire constate que le poids réel des correspondances à découvert diffère de plus de 20 grammes du poids annoncé, il rectifie le bordereau AV 2 et signale immédiatement l'erreur au bureau d'échange expéditeur par un bulletin de vérification C 14. Si la différence constatée reste dans la limite précitée, les indications du bureau expéditeur sont tenues pour valables.

4. En cas d'absence du bordereau AV 2, les correspondances-avion à découvert doivent être réexpédiées par la voie aérienne, à moins que la voie de surface ne soit plus rapide; le cas échéant, le bordereau AV 2 est établi d'office et l'irrégularité fait l'objet d'un bulletin C 14 à la charge du bureau d'origine.

Article 197

Correspondances-avion en transit à découvert. Opérations de statistique

1. Les frais de transport aérien des correspondances-avion en transit à découvert prévus à l'article 72 de la Convention sont calculés sur la base de statistiques effectuées annuellement et alternativement durant les périodes du 2 au 15 mai inclus et du 15 au 28 octobre inclus, de sorte que ces périodes coïncident avec celles qui se rapportent aux statistiques triennales relatives au courrier de surface en transit prévues à l'article 163.

2. Pendant la période de statistique, les correspondances-avion en transit à découvert sont accompagnées de bordereaux AV 2 établis et vérifiés comme il est prescrit à l'article 196; l'étiquette de liasse AV 10 et le bordereau AV 2 doivent porter en surimpression la lettre "S" Lorsqu'il n'y a aucune correspondance-avion à découvert dans une dépêche qui d'ordinaire en contient, la feuille d'avis doit être accompagnée d'un bordereau AV 2 portant la mention "Néant"

3. Chaque Administration qui expédie des correspondances-avion en transit à découvert est tenue d'informer les Administrations intermédiaires de tout changement survenant au cours d'une période de décompte dans les dispositions prises pour l'échange de ce courrier.

Article 198

Correspondances-avion en transit a découvert exclues des operations de statistique

1. Les correspondances-avion en transit à découvert exclues des opérations de statistique conformément a l'article 72, paragraphe 3, de la Convention et pour lesquelles les comptes sont établis sur la base du poids réel doivent être accompagnees de bordereaux AV 2 établis et verifiés comme il est prescrit par l'article 196. Si le poids des correspondances-avion mal acheminees, originaires d'un même bureau d'échange et contenues dans une dépeche de ce bureau, n'excede pas 50 grammes, l'établissement d'office du bordereau AV 2 selon l'article 196, paragraphe 4, n'a pas lieu.

2. Les correspondances-avion déposees a bord d'un navire en pleine mer, affranchies au moyen de timbres-poste du pays auquel appartient ou dont dépend le navire, doivent être accompagnees, au moment de leur remise a découvert à l'Administration dans un port d'escale intermediaire, d'un bordereau AV 2 ou, si le navire n'est pas equipe d'un bureau de poste, d'un releve de poids qui doit servir de base a l'Administration intermédiaire pour reclamer les frais de transport aerien. Le bordereau AV 2 ou le relevé de poids doit comprendre le poids des correspondances pour chaque pays de destination, la date, le nom et le pavillon du navire, et être numéroté suivant une serie annuelle continue pour chaque navire; ces indications sont verifiées par le bureau auquel les correspondances sont remises par le navire.

Article 199

Renvoi des sacs-avion vides

1. Les sacs-avion vides doivent être renvoyes a l'Administration d'origine suivant les regles de l'article 161. Toutefois, la formation de dépeches speciales est obligatoire dès que le nombre des sacs de l'espece atteint dix.

2. Les sacs-avion vides renvoyes par la voie aérienne font l'objet de dépeches speciales décrites sur des bordereaux conformes au modèle AV 7 S ci-annexé.

3. Moyennant accord prealable, une Administration peut utiliser pour la formation de ses dépeches les sacs appartenant a l'Administration de destination.

Chapitre II

Comptabilite. Règlement des comptes

Article 200

Modes de décompte des frais de transport aerien

1. Le décompte des frais de transport aerien est établi conformément aux articles 71 et 72 de la Convention.

2. Par dérogation au paragraphe 1, les Administrations peuvent, d'un commun accord, décider que les reglements de compte pour les dépêches-avion auront lieu d'après des releves statistiques; dans ce cas, elles fixent elles-memes les modalités de confection des statistiques et d'établissement des comptes.

Article 201

Modes de décompte des frais de transit de surface relatifs aux dépêches-avion

Si les dépêches-avion transportées par voie de surface ne sont pas comprises dans les statistiques prévues à l'article 163, les frais de transit territorial ou maritime relatifs à ces dépêches-avion sont établis d'après leur poids brut reel indique sur les bordereaux AV 7.

Article 202

Etablissement des relevés de poids AV 3 et AV 4

1. Chaque Administration créancière établit, mensuellement ou trimestriellement à son choix et d'aprés les indications relatives aux dépêches-avion portées sur les bordereaux AV 7, un relevé conforme au modèle AV 3 ci-annexé. Les dépêches transportées sur un même parcours aérien sont décrites sur ce relevé par bureau d'origine, puis par pays et bureau de destination et pour chaque bureau de destination, dans l'ordre chronologique des dépeches. Lorsque des relevés AV 3 distincts sont établis pour le transport aérien à l'intérieur du pays de destination selon l'article 70, paragraphe 4, de la Convention, ils doivent porter la mention "Service intérieur"

2. Pour les correspondances parvenues à découvert et réacheminées par la voie aérienne, l'Administration créancière établit annuellement à la fin de chaque période de statistique prévue à l'article 197, paragraphe 1, et d'apres les indications figurant sur les bordereaux AV 2 "S" un relevé conforme au modèle AV 4 ci-annexé. Les poids totaux sont multipliés par 26 sur le relevé AV 4. Si les comptes doivent être établis d'après le poids réel des correspondances, les relevés AV 4 sont établis selon la périodicité prévue au paragraphe 1 pour les relevés AV 3 et sur la base des bordereaux AV 2 correspondants.

3. Si, au cours d'une période de décompte, un changement survenu dans les dispositions prises pour l'échange des correspondances-avion en transit à découvert provoque une modification d'au moins 20 pour cent et dépassant 500 francs sur le total des sommes à payer par l'Administration expéditrice à l'Administration intermédiaire, ces Administrations, à la demande de l'une ou de l'autre, s'entendent pour remplacer le multiplicateur 26 visé au paragraphe 2 par un autre qui vaut seulement pour l'année considérée.

4. Lorsque l'Administration débitrice le demande, des relevés AV 3 et AV 4 séparés sont établis pour chaque bureau d'échange expéditeur de dépêches-avion ou de correspondances-avion en transit à découvert.

Article 203

Etablissement des comptes particuliers AV 5

1. L'Administration créancière établit, sur une formule conforme au modèle AV 5 ci-annexé, les comptes particuliers indiquant les sommes qui lui reviennent d'après les relevés de poids AV 3 et AV 4. Des comptes particuliers distincts sont établis pour les dépêches-avion closes et pour les correspondances-avion à découvert selon la périodicité prévue à l'article 202, paragraphes 1 et 2 respectivement.

2. Les sommes à comprendre dans les comptes particuliers AV 5 sont calculées:

a) pour les dépeches closes, sur la base des poids bruts figurant sur les relevés AV 3;

b) pour les correspondances-avion à découvert, d'après les poids nets figurant sur les relevés AV 4, avec majoration de 5 pour cent.

3. Les comptes AV 5 établis mensuellement ou trimestriellement peuvent être résumés par l'Administration créancière dans un compte récapitulatif trimestriel, semestriel ou annuel selon entente entre les Administrations intéressées.

4. Les comptes particuliers AV 5 peuvent être résumés dans un compte général trimestriel conforme au modèle AV 11 ci-annexé, établi par les Administrations créancières qui ont adopté le système de règlement par compensation des comptes; ce compte peut, toutefois, être établi semestriellement, après entente entre les Administrations intéressées.

Article 204

Transmission et acceptation des relevés de poids AV 3 et AV 4 et des comptes particuliers AV 5

1. Aussitôt que possible, et dans le délai maximal de six mois après la fin de la période à laquelle ils se rapportent, l'Administration créancière transmet ensemble et en double expédition à l'Administration débitrice les relevés AV 3, les relevés AV 4 quand le paiement est effectué sur la base du poids réel des correspondances-avion à découvert, et les comptes particuliers AV 5 correspondants. L'Administration débitrice peut refuser d'accepter les comptes qui ne lui ont pas été transmis dans ce délai.

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2. Après avoir vérifié les releves AV 3 et AV 4 et accepté les comptes particuliers AV 5 correspondants, l'Administration débitrice renvoie un exemplaire des comptes AV 5 à l'Administration créancière. Si les vérifications font apparaître des divergences, les relevés AV 3 et AV 4 rectifiés doivent être joints à l'appui des comptes AV 5 dûment modifiés et acceptés. Si l'Administration créancière conteste les modifications portées sur ces relevés AV 3 ou AV 4, l'Administration débitrice confirmera les données réelles en transmettant des photocopies des formules AV 7 ou AV 2 établies par le bureau d'origine lors de l'expédition des dépeches litigieuses. L'Administration créancière qui n'a reçu aucune observation rectificative dans un délai de quatre mois à compter du jour de l'envoi considère les comptes comme admis de plein droit.

3. Les paragraphes 1 et 2 s'appliquent également aux correspondances-avion pour lesquelles le paiement est effectué sur la base des statistiques. Toutefois, dans ce cas, les délais de six mois et de quatre mois sont ramenés respectivement à quatre et a deux mois.

4. Chaque fois que les statistiques prévues à l'article 197, paragraphe 1, ont lieu en octobre, les paiements annuels afférents aux correspondances-avion en transit à découvert peuvent être provisoirement effectues sur la base des statistiques établies en mai de l'année précédente. Les paiements provisionnels sont ensuite ajustés l'annee suivante lorsque les comptes établis d'après les statistiques d'octobre sont acceptés ou considérés comme admis de plein droit.

5. Les différences dans les comptes ne sont pas prises en considération si elles ne dépassent pas au total 10 francs par compte.

6. Sauf entente speciale entre les Administrations intéressées, les relevés AV 3 et AV 4 et les comptes particuliers AV 5 correspondants sont toujours transmis par la voie postale la plus rapide (aérienne ou de surface).

7. Si le total des comptes particuliers AV 5 ne dépasse pas 25 francs par an, l'Administration débitrice est exonérée de tout paiement.

Chapitre III

Renseignements a fournir par les Administrations et par le Bureau international

Article 205

Renseignements à fournir par les Administrations

1. Chaque Administration fait parvenir au Bureau international, sur des formules qui lui sont envoyées par celui-ci, les renseignements utiles concernant l'exécution du service postal aérien. Ces renseignements comportent, notamment, les indications ci-après:

a) à l'égard du service intérieur:
   - 1° les régions et les villes principales sur lesquelles les dépêches ou les correspondances-avion originaires de l'étranger sont réexpédiées par des services aériens internes;
   - 2° les taux, par kilogramme, des frais de transport aérien calculés selon l'article 71, paragraphe 3, de la Convention, et leur date d'application;

b) à l'égard du service international:
   - 1° les décisions prises au sujet de l'application de certaines dispositions facultatives concernant la poste aerienne;
   - 2° les taux, par kilogramme, des frais de transport aérien qu'elle perçoit directement, selon l'article 74 de la Convention, et leur date d'application;
   - 3° les taux, par kilogramme, des frais de transport aérien des dépêches-avion en transit entre deux aéroports d'un meme pays, fixes selon l'article 71, paragraphe 4, de la Convention, et leur date d'application;
   - 4° les pays pour lesquels elle forme des dépêches-avion;
   - 5° les bureaux effectuant le transbordement des dépêches-avion en transit d'une ligne aérienne à une autre et le minimum de temps nécessaire pour les opérations du transbordement des dépêches-avion;

6° les taux de transport aérien fixés pour le réacheminement des correspondances-avion reçues à découvert selon le système des tarifs moyens prévu a l'article 72, paragraphe 1, de la Convention, et leur date d'application;

7° les surtaxes aeriennes ou les taxes combinées pour les différentes catégories de correspondances-avion et pour les différents pays, avec indication des noms des pays pour lesquels le service de courrier non surtaxé est admis;

8° le cas échéant, les taxes spéciales de réexpédition ou de renvoi à l'origine fixées selon les articles 68, paragraphe 3, et 69, paragraphe 2, de la Convention.

2. Toutes modifications aux renseignements visés sous le paragraphe 1 doivent être transmises sans retard au Bureau international par la voie la plus rapide. Celles concernant les indications visées sous la lettre a), chiffre 2° et la lettre b), chiffre 6° doivent parvenir au Bureau international dans les délais prévus à l'article 73 de la Convention.

3. Les Administrations peuvent s'entendre pour se communiquer directement les informations relatives aux services aériens qui les intéressent, plus spécialement les horaires et les heures-limites auxquelles les correspondances-avion provenant de l'étranger doivent arriver pour atteindre les diverses distributions.

Article 206

Documentation à fournir par le Bureau international

1. Le Bureau international est charge d'élaborer et de distribuer aux Administrations les documents suivants:

a) "Liste génerale des services aéropostaux" (dite "Liste AV 1") publiée au moyen des informations fournies par application de l'article 205, paragraphe 1;

b) "Liste des distances aeropostales" établie en coopération avec les transporteurs aériens et publiée sous réserve de l'accord des Administrations sur son contenu;

c) "Liste des surtaxes aériennes" (article 205, paragraphe 1, lettre b), chiffres 7° et 8°).

2. Le Bureau international est également chargé de fournir aux Administrations, à leur demande et a titre onereux, des cartes et horaires aériens regulièrement edités par un organisme privé spécialisé et reconnus comme repondant le mieux aux besoins des services postaux aériens.

3. Toutes modifications aux documents visés au paragraphe 1 ainsi que la date de mise en vigueur de ces modifications sont portées à la connaissance des Administrations par la voie la plus rapide (aérienne ou de surface) dans les moindres délais et sous la forme la mieux appropriée.

Quatrième partie

Dispositions finales

Article 207

Mise à execution et durée du Règlement

1. Le present Règlement sera executoire à partir du jour de la mise en vigueur de la Convention postale universelle.

2. Il aura la même durée que cette Convention, à moins qu'il ne soit renouvelé d'un commun accord entre les Parties intéressées.

Fait à Lausanne, le 5 juillet 1974.

[The signatures appearing here in the original correspond to those on pages 637–657]

LISTE DES FORMULES

No	Dénomination ou nature de la formule	Références
1	2	3
C 1	Etiquette "Douane"	art. 116, par. 1
C 2/CP 3	Déclaration en douane	art. 116, par. 1
C 3/CP 4	Bulletin d'affranchissement	art. 117, par. 2
C 4	Etiquette "R", combinée avec le nom du bureau d'origine et le numéro de l'envoi	art. 130, par. 4
C 5	Avis de { réception / paiement }	art. 131, par. 2
C 6	Enveloppe collectrice pour la réexpédition d'envois de la poste aux lettres	art. 138, par. 1
C 7	Demande { de retrait / de modification d'adresse / d'annulation ou de modification du montant du remboursement }	art. 140, par. 1
C 8	Réclamation concernant un envoi ordinaire	art. 142, par. 1
C 9	Réclamation concernant un envoi recommandé, une lettre avec valeur déclarée ou un colis postal	art. 143, par. 1
C 9bis	Avis de réexpédition d'une formule C 9	art. 143, par. 10
C 10	Avis concernant l'emploi présumé frauduleux de timbres-poste, d'empreintes de machines à affranchir ou de presses d'imprimerie	art. 179, par. 1, lettre a)
C 11	Procès-verbal concernant l'emploi présumé frauduleux de timbres-poste ou d'empreintes d'affranchissement	art. 179, par. 1, lettre b)
C 12	Feuille d'avis pour l'échange des dépêches	art. 150, par. 1
C 13	Liste spéciale, envois recommandés	art. 151, par. 1
C 14	Bulletin de vérification concernant l'échange des dépêches	art. 158, par. 2
C 15	Feuille d'avis spéciale avec données statistiques	art. 166, par. 1
C 16	Bulletin de vérification concernant les données statistiques	art. 166, par. 3
C 17	Relevé statistique des dépêches en transit	art. 167, par. 1, lettre a)
C 17bis	Relevé statistique des dépêches reçues	art. 167, par. 1, lettre b)
C 18	Bordereau de livraison des dépêches	art. 157, par. 1
C 18bis	Bordereau de livraison des dépêches-surface transportées par voie aérienne	art. 157, par. 6
C 19	Bulletin de transit concernant la statistique des dépêches	art. 169, par. 1
C 20	Compte particulier des frais de transit	art. 172, par. 7, lettre a)
C 20bis	Compte particulier des frais terminaux	art. 172, par. 7, lettre b)
C 21	Relevé des frais de transit	art. 173, par. 2
C 21bis	Relevé des frais terminaux	art. 173, par. 2
C 22	Coupon-réponse international	art. 180, par. 1
C 23	Relevé particulier des coupons-réponse échangés	art. 180, par. 4
C 24	Relevé particulier des coupons-réponse délivrés	art. 180, par. 1
C 25	Carte d'identité postale	art. 106, par. 2
C 26	Compte particulier mensuel des frais de douane, etc.	art. 181, par. 1
C 27	Bulletin d'essai pour déterminer le parcours le plus favorable d'une dépêche de lettres ou de colis	art. 156, par. 3
C 28	Etiquette de dépêche	art. 155, par. 1
C 29	Correspondance courante	art. 177
C 30	Etiquette de liasses	art. 149, par. 1
AV 1	Liste générale des services aéropostaux, Liste AV 1	art. 206, par. 1, lettre a)
AV 2	Bordereau des poids des correspondances-avion à découvert	art. 196, par. 1
AV 3	Relevé de poids des dépêches-avion	art. 202, par. 1
AV 4	Relevé de poids des correspondances-avion à découvert	art. 202, par. 2
AV 5	Compte particulier concernant le courrier-avion	art. 203, par. 1
AV 7	Bordereau de livraison des dépêches-avion	art. 188, par. 1
AV 7 S	Bordereau de livraison des dépêches-avion de sacs vides	art. 199, par. 2
AV 8	Etiquette de sac-avion	art. 185, par. 3
AV 9	Enveloppe pour la confection de dépêches-avion	art. 185, par. 1
AV 10	Etiquettes de liasses	art. 185, par. 1
AV 11	Compte général courrier-avion	art. 203, par. 4

ANNEXES Formules C 1 à C 30, AV 1 à AV 5, AV 7 à AV 11

(recto)

DOUANE C 1

Peut être ouvert d'office

(Partie à détacher si l'envoi est accompagné de déclarations en douane. Sinon, à remplir)

Voir instructions au verso

Désignation détaillée du contenu

.....

.....

.....

.....

.....

.....

Faire une croix s'il s'agit d'un cadeau ☐

d'un échantillon de marchandises ☐

Valeur (préciser la monnaie)	Poids net

Convention, Lausanne 1974, art. 116, par. 1 – Dimensions: 52×74 mm, couleur verte

(verso)

Instructions

Quand la valeur du contenu excède 300 francs-or ou l'équivalent en monnaie du pays expéditeur, coller sur l'envoi la partie supérieure de cette étiquette seulement et remplir la déclaration en douane C 2/CP 3.

Le contenu de votre envoi, même s'il s'agit d'un cadeau ou d'un échantillon, doit être décrit d'une manière exacte et complète. L'inobservation de cette condition pourrait occasionner un retard de l'envoi et des inconvénients au destinataire, ou même entraîner la saisie de l'envoi par les autorités douanières à l'étranger.

Remarque. — Il est recommandé aux Administrations postales d'indiquer l'équivalent de 300 fr-or dans leur monnaie nationale.

R **LAUSANNE 1**
N° 460

Convention, Lausanne 1974, art. 130, par. 4 — Dimensions: 37×13 mm

Administration des postes

DÉCLARATION EN DOUANE C 2/CP 3 (recto)

(1) Nom et adresse de l'expéditeur

(2) Eventuellement numéro de référence de l'expéditeur

(3) Nom et adresse complète du destinataire y compris le pays de destination

(4) Faire une croix(x) s'il s'agit
☐ d'un cadeau ☐ d'échantillons de marchandises

(5) Le soussigné certifie l'exactitude des renseignements donnés dans la présente déclaration

(6) Lieu et date

(8) Signature

(7) Observations

(9) Pays d'origine des marchandises

(10) Pays de destination

(11) Poids brut total kg g

(10) Nombre d'envois

(13) Désignation détaillée du contenu

(14) N° tarifaire

(15) Poids net kg g

(16) Valeur

AVANT DE REMPLIR CETTE DÉCLARATION, LIRE ATTENTIVEMENT LES INSTRUCTIONS AU VERSO

Convention, Lausanne 1974 art 116 par 1 Colis. Lausanne 1974 art 106 par 1 lettre b - Dimensions 210 148 mm

C 2/CP 3 (verso)

Instructions

La déclaration en douane sera établie en français ou dans une autre langue admise dans le pays de destination.

Pour dédouaner votre envoi, la douane du pays de destination doit en connaître le contenu. Vous devez, en conséquence, remplir la déclaration d'une manière complète, exacte et lisible. Dans le cas contraire, il peut en résulter des retards dans l'acheminement de l'envoi et d'autres inconvénients pour le destinataire. De plus, toute déclaration fausse, ambiguë ou incomplète risque d'entraîner notamment la saisie de l'envoi.

Il vous incombe, par ailleurs, de vous renseigner sur les documents (certificat d'origine, certificat sanitaire, facture, etc.), éventuellement exigibles dans le pays de destination, et de les annexer à la présente déclaration.

Case (4) L'indication exigée ici ne dispense pas de l'obligation de remplir la déclaration de manière détaillée, et n'implique pas nécessairement l'admission en franchise de l'envoi dans le pays de destination.

Case (7) Voir renvoi 1 ci-dessous.

Case (13) Indiquer séparément les différentes espèces de marchandises. Ne sont pas admises les indications génériques telles que: produits alimentaires, échantillons[1], pièces de rechange, etc.

Case (14) Indiquer, s'il est connu, le numéro tarifaire du pays de destination.

Case (15) Indiquer le poids net de chaque espèce de marchandise.

Case (16) Indiquer la valeur de chaque espèce de marchandise, en précisant l'unité monétaire utilisée.

[1] Donner dans la case (7), le cas échéant, toute autre indication utile (marchandise en retour, admission temporaire, par exemple).

(recto)

COUPON À REMETTRE À L'EXPÉDITEUR

C 3/CP 4
Partie A

DÉTAIL DES FRAIS DUS

en monnaie du pays de destination de l'envoi

Partie à remplir par l'Administration de destination

Timbre du bureau qui a fait l'avance des frais

TOTAL DES FRAIS DÉBOURSÉS

Taxe pour franchise à la livraison[2]	
Droits de douane	
Taxe de présentation à la douane	
Autres frais	
Total	
Total après conversion	

Montant en chiffres et en monnaie du pays de destination de l'envoi

Bureau qui a fait l'avance

Date

N° du registre

Signature de l'agent

Montant en chiffres après la conversion

Registre d'arrivée n°

Signature de l'agent qui a converti le montant

Timbre du bureau qui a recouvré les frais

Timbre du bureau qui a recouvré les frais

Partie A (verso)

Administration d'origine

[2] Appelée aussi « Taxe de commissions ».

Administration des postes

C 3/CP 4

BULLETIN D'AFFRANCHISSEMENT

Partie B

Nature de l'envoi | N° | Poids

Valeur déclarée | Bureau de dépôt

Nom et adresse complète de l'expéditeur

Nom et adresse complète du destinataire

L'envoi doit être remis franc de taxes et droits que je m'engage à payer

Signature de l'expéditeur

Timbre du bureau d'origine

Partie B (recto)

[1] A remplir seulement pour les colis.

(verso)

C 3/CP 4
Partie B

DÉTAIL DES FRAIS DUS
en monnaie du pays de destination de l'envoi

Taxe pour franchise à la livraison?	
Droits de douane	
Taxe de présentation à la douane	
Autres frais	
Total	

Partie à remplir par l'Administration de destination

TOTAL DES FRAIS DÉBOURSÉS

Montant en chiffres et en monnaie du pays de destination de l'envoi

Bureau qui a fait l'avance

N du registre

Timbre du bureau qui a fait l'avance des frais

Date

Signature de l'agent

Partie B (verso)

Applique dans Taxe de commission

Bord supérieur de la formule lorsque les parties A et B sont repliées l'une sur l'autre

COUPON

Nature de l'envoi | Poids

N | Valeur déclarée

Bureau de dépot

Nom et adresse complète du destinataire

L'expéditeur a payé les taxes et droits indiqués au verso

Timbre du bureau d'origine

Administration des postes

C 3/CP 4

BULLETIN D'AFFRANCHISSEMENT

Partie A

Nature de l'envoi | N | Poids

Valeur déclarée

Bureau de dépot

Nom et adresse complète de l'expéditeur

Nom et adresse complète du destinataire

L'envoi doit être remis franc de taxes et droits que je m'engage à payer

Signature de l'expéditeur

Timbre du bureau d'origine

A renvoyer au bureau d

Partie A (recto)

A remplir seulement pour les colis

Convention Lausanne 1974, art. 117, par. 2, Colis, Lausanne 1974, art. 110, par. 3, lettre b) – Dimensions: 148 × 105 mm, couleur jaune

(recto)

AVIS C 5

Administration des postes d'origine

Timbre du bureau renvoyant l'avis

☐ **de réception**

Service des postes ☐ **de paiement**

A renvoyer par la voie la plus rapide (aérienne ou de surface), à découvert et en franchise de port.
Une étiquette ou une empreinte de couleur bleue «PAR AVION» est apposée sur les avis renvoyés par avion.

A remplir par l'expéditeur qui indiquera son adresse pour le renvoi du présent avis

Nom ou raison sociale

Rue et n

Localité

Pays

Convention, Lausanne 1974, art. 131, par. 2 – Dimensions: 148 · 105 mm, couleur rouge clair

(verso)

A remplir par le bureau d'origine

Envoi recommandé

☐ Lettre ☐ Imprimé ☐

Envoi avec valeur déclarée — Valeur déclarée

☐ Lettre ☐ Colis — Montant

☐ Mandat de poste ☐ Mandat de versement

Bureau de dépôt — Date de dépôt — N°

Nom ou raison sociale du destinataire ou intitulé du CCP

Rue et n° — Localité et pays

A compléter à destination

Cet avis doit être signé par le destinataire ou par une personne y autorisée en vertu des règlements du pays de destination, ou, si ces règlements le comportent, par l'agent du bureau de destination, et renvoyé par le premier courrier directement à l'expéditeur

Timbre du bureau de destination

L'envoi mentionné ci-dessus a été dûment

☐ remis ☐ payé

☐ inscrit en CCP

Date — Signature du destinataire — Signature de l'agent

(recto)

C 6

(Administration des postes d'origine)

SERVICE DES POSTES

ENVELOPPE COLLECTRICE
Réexpédition d'envois de la poste aux lettres

Timbre à date

Indications
Cette enveloppe peut être ouverte par le bureau distributeur.
Il ne peut y être inséré aucun envoi à soumettre au contrôle douanier ou de nature à occasionner des déchirures.
S'il y a des taxes à percevoir, appliquer le timbre T au milieu de la partie supérieure de l'enveloppe collectrice.
Si les envois sont destinés aux marins ou passagers embarqués sur un même navire, ou à des personnes prenant part en commun à un voyage, l'enveloppe collectrice est munie de l'adresse du navire ou de l'agence à qui les envois doivent être remis.

Adresse complète du destinataire

Nom du destinataire

Aux bons soins de (éventuellement)

Rue et n°

Localité ou bureau de destination

Pays de destination

Convention lausanne 1974 (n° 118 par 3)— Dimensions 176 × 250 mm

C 6 (verso)

A présenter ouverte au bureau de poste réexpéditeur

Administration des postes d'origine

DEMANDE C 7 (page 1)

☐ **de retrait (I)**

☐ **de modification d'adresse (II)**

Bureau ou service d'origine

☐ **d'annulation ou de modification du montant du remboursement (III)**

Bureau de destination ou service désigné pour l'entremise

☐ Demande par voie postale de surface (page 1)

☐ Demande par voie postale aérienne (page 1)

☐ Demande par voie télégraphique (page 2)

A transmettre sous recommandation. Une seule formule suffit pour plusieurs envois déposés simultanément au même bureau par le même expéditeur et pour le même destinataire

Demande par voie postale

Désignation de l'envoi	Nature de l'envoi — N° de l'envoi — Date d'expédition Bureau d'origine — N° de la dépêche Montant du remboursement primitif en chiffres (le cas échéant) Nom et adresse complète de l'expéditeur ..... Adresse complète du destinataire telle qu'elle est indiquée sur l'envoi ..... Le fac-similé ci-joint est conforme à ☐ l'enveloppe de l'envoi ☐ la suscription de l'envoi
I. Demande de retrait	Prière de renvoyer l'envoi ☐ par voie de surface ☐ par voie aérienne
II. Demande de modification d'adresse	Prière de réexpédier l'envoi ☐ par voie de surface ☐ par voie aérienne Nouvelle adresse .....
III. Demande d'annulation ou de modification du montant du remboursement	☐ Prière d'annuler le remboursement ☐ Prière de modifier le montant du remboursement Nouveau montant du remboursement, les unités en toutes lettres ..... ☐ Ci-joint le mandat de remboursement rectifié

Lieu et date	Timbre du bureau ou service de dépôt de la demande Signature du chef
Signature de l'expéditeur	

Convention, Lausanne 1974, art. 140, par. 1 – Dimensions: 210 × 297 mm

Demande par voie télégraphique C 7 (page 2)

I. Demande de retrait	☐ Postbur ☐ Postex ☐ Postgen Bureau ou service de destination de la demande Renvoyer par voie ☐ de surface ☐ aérienne Nature de l'envoi N° de dépot Bureau de dépot Date de dépot de Adresse complète du destinataire à Indication éventuelle de l'expéditeur, format et couleur de l'envoi, etc. Description ☐ Postbur ☐ Postex ☐ Postgen
II. Demande de modification d'adresse	☐ Postbur ☐ Postex ☐ Postgen Bureau ou service de destination de la demande Ancienne indication Remplacer Nouvelle indication par Nature de l'envoi N° de dépôt sur Bureau de dépot Date de dépot de Adresse complète du destinataire à Indication éventuelle de l'expéditeur, format et couleur de l'envoi, etc. Description réexpédition demandée par voie ☐ de surface ☐ aérienne ☐ Postbur ☐ Postex ☐ Postgen
III. Demande d'annulation ou de modification du montant du remboursement	☐ Postbur ☐ Postex ☐ Postgen Bureau ou service de destination de la demande Nouveau montant en toutes lettres (le cas echeant) ☐ Annuler ☐ Modifier en Nature de l'envoi N° de dépot remboursement grevant Bureau de dépôt Date de dépôt de Adresse complète du destinataire à ☐ Postbur ☐ Postex ☐ Postgen
Lieu et date Signature de l'expéditeur	Timbre du bureau de dépôt de la demande Signature du chef

C 7 (page 3)

Partie à remplir par le bureau ou service d'origine de la demande

Bureau ou service de depot de la demande	Cette page doit être renvoyée à l'adresse ci-contre

Désignation de l'envoi	Nature de l'envoi — N° de l'envoi — Date d'expédition Bureau d'origine — N° de la depeche Montant du remboursement primitif en chiffres (le cas echeant) Nom et adresse complete de l'expediteur Adresse complete du destinataire telle qu'elle est indiquee sur l'envoi

RÉPONSE DU BUREAU DE DESTINATION qui détache et renvoie cette page entière au bureau de dépôt de la demande ou au service spécialement désigné

I. Demande de retrait	L'envoi en question est dûment renvoyé à l'origine par voie ☐ de surface ☐ aérienne N° de la depeche — Date de la depeche
II. Demande de modification d'adresse	L'envoi en question est dûment renvoyé à l'adresse soûsmentionnée par voie ☐ de surface ☐ aérienne N° de la depeche — Date de la depeche Nouvelle adresse de l'envoi reexpedie
III. Demande d'annulation ou de modification du montant du remboursement	Le montant du remboursement en question est dûment ☐ annulé ☐ modifié comme suit Nouveau montant du remboursement
IV. Divers	☐ L'envoi en question a déjà été remis au destinataire ☐ L'envoi en question a été saisi en vertu de la législation interne de ce pays ☐ La demande par voie télégraphique n'étant pas assez explicite pour permettre de donner la suite nécessaire, prière de communiquer les détails complémentaires ☐ La recherche a été infructueuse

Timbre du bureau ou service de destination
Signature du chef

Administration des postes d'origine

C 8 (recto)

RÉCLAMATION
Envoi ordinaire

Indications. Une seule formule suffit pour plusieurs envois déposés simultanement par le meme expéditeur et pour le meme destinataire.

Timbre du bureau d'origine

Bureau ou service d'origine	Date	Référence

1. Renseignements à fournir par le réclamant (expéditeur ou destinataire)

Envoi reclamé	☐ Lettre ☐ Carte postale ☐ Journal ☐ Imprimé ☐ Petit paquet ☐
Mentions spéciales	☐ Exprès ☐ Avion
Dépôt	Date précise ou approximative
Expéditeur	Nom et adresse complète ....
Destinataire	Nom et adresse complète .... Nom et adresse partes sur l'envoi ....
Contenu (description exacte)	....
Description extérieure	L'adresse était ☐ écrite sur l'envoi ☐ collée ☐ attachee Dimensions de l'envoi Marques spéciales Fac-similé ☐ annexé ☐ non annexé
L'envoi retrouvé doit être remis	☐ à l'expéditeur ☐ au destinataire

Convention, Lausanne 1974, art. 142, par. 1 — Dimensions: 210×297 mm

C 8 (verso)

2. Renseignements à fournir par l'expéditeur

Dépôt	Date et heure Nom du bureau ou emplacement de la boîte aux lettres ☐ Par l'expéditeur lui-même ☐ Par un tiers Nom du tiers
Affranchissement	☐ Pour la voie aérienne ☐ Pour la voie de surface Montant de l'affranchissement
Mentions spéciales	☐ Exprès ☐ Avion Autres mentions éventuelles

3. Renseignements particuliers fournis par le bureau d'origine

4. Renseignements à fournir par le destinataire

L'envoi est parvenu au destinataire	☐ Oui	Date
	☐ Non	
Mode de distribution d'envois de la poste aux lettres	☐ Retrait au bureau	Nom du bureau Nom de la personne qui prend possession des envois
	☐ Distribution à domicile	☐ Remise directe au destinataire ☐ Remise à une personne attachée au service du destinataire ☐ Dépôt dans une boîte particulière ☐ La boîte est bien fermée et régulièrement levée
Provenance des envois de la poste aux lettres perdus antérieurement		

5. Renseignements particuliers fournis par le bureau de destination

La présente formule doit être renvoyée à

TIAS 8231

87-123 O - 77 - 47

C 9 (page 1)

Administration des postes d'origine

RÉCLAMATION
Envoi recommandé, lettre avec valeur déclarée ou colis postal

Timbre du bureau d'origine

Indications. Une seule formule suffit pour plusieurs envois de la même catégorie – envoi recommandé, lettre avec valeur déclarée, colis ordinaire, colis avec valeur déclarée – déposés simultanément au même bureau par le même expéditeur et expédiés par la même voie pour le même destinataire.

Bureau ou service d'origine

Date de la réclamation

Date du duplicata

Référence

1. Renseignements à fournir par le service d'origine

Motif de la réclamation

Envoi ☐ non parvenu ☐ spolié ☐ avarié ☐ retardé

Envoi recommandé

☐ Lettre ☐ Imprimé ☐

Envoi avec valeur déclarée

Valeur déclarée

☐ Lettre ☐ Colis

☐ Colis ordinaire

Mentions spéciales

☐ Avion ☐ Exprès ☐ Urgent ☐ Avis de réception

Montant du remboursement et monnaie

☐ Remboursement

Poids (ne concerne pas les envois de la poste aux lettres)

Date du dépôt

Bureau de dépôt

N° de l'envoi

Voie d'acheminement (ne concerne pas les envois de la poste aux lettres)

Nom et adresse complète de l'expéditeur

Nom et adresse complète du destinataire

Contenu (description exacte)

Description extérieure (ne concerne pas les envois de la poste aux lettres)

Fac-similé de la suscription de l'envoi

☐ annexé ☐ non annexé

Renseignements à fournir par le bureau d'origine et les bureaux réexpéditeurs

Dépêche de transmission de l'envoi	Date	De	Pour
☐ Avion ☐ Surface			
☐ Avion ☐ Surface			
☐ Avion ☐ Surface			

Convention, Lausanne 1974, art. 143, par. 1 – Dimensions: 210×297 mm

C 9 (page 2)

Renseignements à fournir par le bureau d'échange du pays d'origine

Dépêche de transmission de l'envoi

N° Date

☐ Avion ☐ Surface

Bureau d'échange expéditeur

Bureau d'échange de destination

Inscription	N°	N° d'inscription	Timbre du bureau
☐ Inscription globale			
☐ Tableau VI de la feuille d'avis (C 12)			
☐ Liste spéciale (C 13)			
☐ Feuille d'envoi (VD 3)			
☐ Feuille de route (CP 11 ou CP 20)			

2. Renseignements à fournir par les services intermédiaires ou par le service de destination en cas de renvoi ou de réexpédition (voir page 3, tableau 3 B)

Dépêche de transmission de l'envoi

N° Date

☐ Avion ☐ Surface

Bureau d'échange expéditeur

Bureau d'échange de destination

Inscription	N°	N° d'inscription	Timbre du bureau
☐ Inscription globale			
☐ Tableau VI de la feuille d'avis (C 12)			
☐ Liste spéciale (C 13)			
☐ Feuille d'envoi (VD 3)			
☐ Feuille de route (CP 11 ou CP 20)			

Signature

Dépêche de transmission de l'envoi

N° Date

☐ Avion ☐ Surface

Bureau d'échange expéditeur

Bureau d'échange de destination

Inscription	N°	N° d'inscription	Timbre du bureau
☐ Inscription globale			
☐ Tableau VI de la feuille d'avis (C 12)			
☐ Liste spéciale (C 13)			
☐ Feuille d'envoi (VD 3)			
☐ Feuille de route (CP 11 ou CP 20)			

Signature

3. Renseignements à fournir par le service de destination C 9 (page 3)

A. En cas de distribution

Date de livraison

L'envoi désigné d'autre part a été dûment livré à l'ayant droit

En cas de livraison retardée, indiquer succinctement le motif du retard au tableau 4, sous «Autres communications éventuelles»

Le montant du remboursement a été Date N° du mandat

☐ transmis à l'expéditeur de l'envoi

Date N° du mandat

☐ transmis au bureau de chèques postaux

Nom du bureau de chèques postaux

☐ inscrit au compte courant postal

Timbre et signature du chef du bureau distributeur

B. En cas de non-distribution, indiquer le motif s'il s'agit d'instance ou de renvoi à l'origine

Traitement de l'envoi Nom du bureau

☐ Il est en instance

Date

☐ Il a été renvoyé au bureau d'origine[1]

Motifs

Nouvelle adresse complète

☐ Il a été réexpédié[1]

Date

☐ Il n'est pas parvenu à destination. La déclaration du destinataire est ci-jointe

Timbre et signature du chef du bureau distributeur

4. Réponse définitive

(à donner par l'Administration de destination ou, le cas échéant, par l'Administration intermédiaire qui ne peut établir la transmission régulière de l'envoi réclamé à l'Administration suivante)

Les recherches ordonnées dans notre service sont demeurées infructueuses. Si l'envoi recherché n'est pas parvenu en retour à l'expéditeur, nous vous autorisons à dédommager le réclamant dans les limites réglementaires.

Référence

☐ Le montant entier payé pourra être inscrit au débit de notre service dans un compte récapitulatif CP 16

Référence

☐ En raison de l'inscription globale, il est impossible d'établir où la perte s'est produite. La moitié du montant payé pourra être inscrite au débit de notre service dans un compte récapitulatif CP 16

Autres communications éventuelles

Timbre, date et signature

La présente formule doit être renvoyée à

[1] Acheminement voir tableau 2.

Administration des postes d'origine

C 9bis

Bureau ou service expéditeur de l'avis

AVIS
Réexpédition d'une formule C 9

Administration d'origine de la reclamation	Date de l'avis
	Notre référence
	Votre date / Votre référence

Envoi concerné

Nature de l'envoi	☐ Envoi recommandé ☐ Lettre avec valeur déclarée ☐ Colis ordinaire ☐ Colis avec valeur déclarée
Dépôt	Date / Bureau / Numéro
Mentions spéciales	Valeur déclarée Montant du remboursement
Expéditeur	.....
Destinataire	.....

Réexpédition de la formule C 9 ce jour à	Nom du bureau

Renseignements sur le réacheminement de l'envoi concerné

Dépêche	De / Pour N° de la dépêche / Date
Inscription	☐ Inscription globale N° / N° d'inscription ☐ Feuille d'avis N° / N° d'inscription ☐ Liste spéciale N° / N° d'inscription ☐ Feuille d'envoi N° / N° d'inscription ☐ Feuille de route
Autres renseignements	

Le bureau d'échange destinataire a reçu l'envoi sans faire d'observations.

Si la réclamation reste sans réponse dans le délai voulu, prière d'en adresser un duplicata au service auquel nous avons réexpédié la réclamation, en y indiquant les renseignements précités. L'affaire peut être considérée comme terminée en ce qui concerne notre service.

Signature

Convention, Lausanne 1974, art. 143, par. 10 – Dimensions: 210 × 297 mm

C 10

Administration des postes d'origine

AVIS

Emploi présumé frauduleux de timbres-poste ou d'empreintes d'affranchissement

Bureau expéditeur de l'avis	Date de l'avis

Indications. Avis de l'expédition, sous recommandation, de l'envoi de la poste aux lettres décrit ci-après, paraissant revêtu d'un timbre-poste ou d'une empreinte comme indiqué ci-dessous.
Outre l'envoi au bureau de destination, un exemplaire de la formule C 10 est transmis à chacune des Administrations d'origine et de destination.

Nature de la fraude présumée

- ☐ Timbre-poste contrefait
- ☐ Timbre-poste déjà employé
- ☐ Empreinte contrefaite de machine à affranchir
- ☐ Empreinte déjà employée de machine à affranchir
- ☐ Empreinte contrefaite de presse d'imprimerie
- ☐ Empreinte déjà employée de presse d'imprimerie

Nature de l'envoi

Bureau d'origine	Date de dépôt

Copie textuelle de l'adresse

Irrégularité présumée

Observations éventuelles

Timbre, date et signature

Convention, Lausanne 1974, art. 179, par. 1, lettre e) — Dimensions: 210×297 mm

Administration des postes d'origine

C 11

Bureau qui établit le procès-verbal

PROCÈS-VERBAL

Emploi présumé frauduleux de timbres-poste ou d'empreintes d'affranchissement

A l'Administration d

Indications. A transmettre sous recommandation à l'Administration d'origine de l'envoi.

Date du procès-verbal

Nature de l'envoi	Bureau d'origine	
Date d'expédition	Poids de l'envoi	Affranchissement
Nom et adresse du destinataire		

Nature de la fraude présumée

- ☐ Timbre-poste contrefait
- ☐ Timbre-poste déjà employé
- ☐ Empreinte contrefaite de machine à affranchir
- ☐ Empreinte déjà employée de machine à affranchir
- ☐ Empreinte contrefaite de presse d'imprimerie
- ☐ Empreinte déjà employée de presse d'imprimerie

Le destinataire déclare

- ☐ que l'expéditeur lui est inconnu
- ☐ qu'il refuse de faire connaître l'expéditeur
- ☐ que l'envoi a été expédié par la personne ci-après

Nom et adresse de l'expéditeur

En conséquence,

- ☐ nous avons remis l'envoi au destinataire
- ☐ nous avons saisi à l'intention de l'Administration d'origine
  - ☐ l'envoi
  - ☐ la partie de l'envoi qui contient la suscription et l'empreinte ou le timbre signalé comme douteux

Observations éventuelles

En foi de quoi nous avons dressé le présent procès-verbal, en simple expédition, pour qu'il y soit donné suite conformément à l'article 13 de la Convention et à l'article 179 de son Règlement.

Signature du destinataire ou de son fondé de pouvoir	Timbre du bureau qui établit le procès-verbal et date Qualité et signature de l'agent

Convention, Lausanne 1974, art. 179, par. 1, lettre b) – Dimensions: 210 × 297 mm

Administration expéditrice

FEUILLE D'AVIS

Echange des dépêches C 12 (recto)

Bureau d'échange expéditeur	Date d'expédition	Heure	Dépêche n°

Bureau d'échange de destination

Nom du paquebot

N° de la ligne aérienne

Via

I. La dépêche contient

des envois ordinaires ☐ exprés ☐ avion

II. Nombre des sacs

	Nombre
Sacs à étiquettes rouges	
Sacs à étiquettes blanches et bleues	
Pochées de sacs vides (SV)	
Total des sacs	

III. Récapitulation des envois inscrits dans la dépêche

	Recommandés	Avec valeur déclarée
Nombre de sacs contenant des envois		
Nombre de paquets contenant des envois		
Nombre de listes spéciales (recommandés) ou de feuilles d'envoi (valeurs)		
Nombre total des envois compris dans la dépêche		

Nombre de bordereaux AV 2

IV. Dépêches closes insérées dans la présente dépêche

N de la dépêche	Bureau d'origine	Bureau de destination	Nombre des sacs ou paquets

Timbre du bureau d'échange expéditeur
Signature de l'agent

V. Indications de service

	Nombre
Sacs de l'Administration expéditrice	
Sacs vides en retour appartenant à l'Administration de destination	

Autres indications

VI. Liste des envois recommandés

Inscription globale

Nombre d'envois insérés dans le présent sac

En lettres

En chiffres

Inscription individuelle

Numéro courant	Numéro de l'envoi	Bureau d'origine	Observations
1			
2			
3			
4			
5			
6			
7			
8			
9			

Suite éventuelle au verso

Timbre du bureau d'échange de destination
Signature de l'agent

Convention, Lausanne 1974, art. 150, par. 1 – Dimensions: 210×297 mm

C 12 (verso)

VI. Liste des envois recommandés (suite et fin)

Numéro		Bureau d'origine	Observations	Numéro		Bureau d'origine	Observations
courant	de l'envoi			courant	de l'envoi		
10				40			
11				41			
12				42			
13				43			
14				44			
15				45			
16				46			
17				47			
18				48			
19				49			
20				50			
21				51			
22				52			
23				53			
24				54			
25				55			
26				56			
27				57			
28				58			
29				59			
30				60			
31				61			
32				62			
33				63			
34				64			
35				65			
36				66			
37				67			
38				68			
39				69			

Administration expéditrice

LISTE SPÉCIALE
Envois recommandés

C 13

Bureau d'échange expéditeur	Date d'expédition / Heure	Dépêche n°
	Liste spéciale n°	
Bureau d'échange de destination	Nom du paquebot	
	N° de la ligne aérienne	
	Via	

Inscription globale

Nombre (en lettres)

Nombre (en chiffres)

Inscription individuelle

Numéro courant	Numéro de l'envoi	Bureau d'origine	Observations
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			
27			
28			
29			
30			
31			
32			
33			
34			
35			
36			
37			
38			
39			
40			

Timbre du bureau d'échange expéditeur
Signature de l'agent

Timbre du bureau d'échange de destination
Signature de l'agent

Convention, Lausanne 1974, art. 151, par. 1 – Dimensions: 210×297 mm

Administration des postes d'origine

BULLETIN DE VÉRIFICATION

Echange des dépêches

C 14 (recto)

Bureau d'origine du bulletin	Date du bulletin / N°	Dépêche n°
	Date d'expédition / heure	
Bureau de destination du bulletin	Nom du paquebot	
	Train n°, vol n°, etc.	
	Bureau d'échange expéditeur	
	Bureau d'échange de destination	

1. Irrégularités concernant des sacs ou des plis

Dépêche n°	Bureau d'origine	Bureau de destination	Nombre des récipients litigieux					
			☐ sacs		☐ plis			
			rouges	blancs	bleus	LC	AO	CP

Les sacs et plis décrits ci-dessus

☐ ne sont pas parvenus ici

☐ sont parvenus en excédent

☐ sont-ils parvenus à votre bureau?

☐ sont parvenus en mauvais état

☐ ont été réparés ici

☐ sont parvenus sans étiquette

2. Irrégularités concernant des documents

Documents manquants (prière de transmettre une copie)

Nombre des envois recommandés reçus

☐ Bordereau AV 7

☐ Bordereau AV 2

☐ Feuille d'avis N°

☐ Liste spéciale

	LC	AO	CP	
☐ Le bordereau AV 7 a été corrigé ainsi d'après les indications de poids de l'étiquette				Le poids total a été contrôlé ici
☐ En raison d'une erreur de calcul, les totaux du bordereau AV 7 ont été corrigés ainsi				

Irrégularités concernant la feuille d'avis sous les tableaux	Inscrit	Reçu	Observations
☐ II Nombre des sacs			
☐ III Total des envois recommandés			
☐ Listes spéciales			
☐ Feuilles d'envois			
☐ Total des envois avec valeur déclarée			
☐ V Sacs en retour, etc. Nombre			

A transmettre sous recommandation

Convention, Lausanne 1974, art. 158, par. 2 — Dimensions: 210 × 297 mm

C 14 (verso)

3. Autres irrégularités

Timbre du bureau qui établit le bulletin et date Signatures des agents	Vu et accepté Timbre du bureau de destination du bulletin et date Signature du chef

Administration expéditrice

FEUILLE D'AVIS SPÉCIALE

Données statistiques

C 15 (recto)

Bureau d'échange expéditeur	Date d'expédition	Heure	Dépêche n°

Bureau d'échange de destination	Nom du paquebot
	Via

Nombre de sacs soumis aux frais de transit et/ou aux frais terminaux dont le poids brut			Nombre de sacs exempts de frais de transit et de frais terminaux
ne dépasse pas 5 kg (sacs légers)	dépasse 5 kg sans excéder 15 kg (sacs moyens)	dépasse 15 kg sans excéder 30 kg (sacs lourds)	

I. La dépêche contient

des envois ordinaires ☐ exprès ☐ avion

II. Nombre des sacs

	Nombre
Sacs à étiquettes rouges	
Sacs à étiquettes blanches et bleues	
Pochées de sacs vides (SV)	
Total des sacs	

III. Récapitulation des envois inscrits dans la dépêche

	Recommandés	Avec valeur déclarée
Nombre de sacs contenant des envois		
Nombre de paquets contenant des envois		
Nombre de listes spéciales (recommandés) ou de feuilles d'envoi (valeurs)		
Nombre total des envois compris dans la dépêche		

Nombre de bordereaux AV 2

IV. Dépêches closes insérées dans la présente dépêche

N° de la dépêche	Bureau d'origine	Bureau de destination	Nombre des sacs ou paquets

V. Indications de service

	Nombre
Sacs de l'Administration expéditrice	
Sacs vides en retour appartenant à l'Administration de destination	

Autres indications

VI. Liste des envois recommandés

Inscription globale

Nombre d'envois insérés dans le présent sac

En lettres

En chiffres

Inscription individuelle

	Numéro courant	Numéro de l'envoi	Bureau d'origine	Observations
1				
2				
3				
4				
5				
6				
7				

Suite éventuelle au versa

Timbre du bureau d'échange expéditeur
Signature de l'agent

Timbre du bureau d'échange de destination
Signature de l'agent

Convention, Lausanne 1974, art. 166, par. 1 – Dimensions: 210×297 mm

C 15 (verso)

VI. Liste des envois recommandés (suite et fin)

Numéro		Bureau d'origine	Observations	Numéro		Bureau d'origine	Observations
cou-rant	de l'envoi			cou-rant	de l'envoi		
8				38			
9				39			
10				40			
11				41			
12				42			
13				43			
14				44			
15				45			
16				46			
17				47			
18				48			
19				49			
20				50			
21				51			
22				52			
23				53			
24				54			
25				55			
26				56			
27				57			
28				58			
29				59			
30				60			
31				61			
32				62			
33				63			
34				64			
35				65			
36				66			
37				67			

Administration des postes d'origine

BULLETIN DE VÉRIFICATION C 16

Données statistiques

Bureau d'origine du bulletin	Date du bulletin / N°	Dépêche n°
Bureau de destination du bulletin	Date d'expédition	heure
	Bureau d'échange expéditeur	
	Bureau d'échange de destination	

Dépêches closes soumises aux frais de transit et/ou aux frais terminaux

	Nombre de sacs	
	d'après la déclaration du bureau expéditeur	d'après la constatation du bureau de destination
Sacs légers (jusqu'à 5 kg)		
Sacs moyens (de plus de 5 jusqu'à 15 kg)		
Sacs lourds (de plus de 15 jusqu'à 30 kg)		
Sacs exempts de frais de transit et de frais terminaux		

Observations

La présente formule doit être renvoyée sous recommandation à

Timbre du bureau qui établit le bulletin et date Signature des agents	Vu et accepté Timbre du bureau de destination du bulletin et date Signature du chef

Convention, Lausanne 1974, art. 166, par. 3 – Dimensions: 210×297 mm

C 17

Administration de destination des dépêches

RELEVÉ STATISTIQUE

Dépêches en transit

Bureau d'échange de destination des dépêches	Date du relevé Nombre de jours de statistique
Bureau d'échange expéditeur des dépêches	Administration expéditrice des dépêches

Indications. Dans la plus large mesure possible, indiquer les détails de la route suivie et des services utilisés pour l'expédition des dépêches.

Administrations intermédiaires

Expédition par paquebots

Numéro de la dépêche	Date	Première dépêche			Deuxième dépêche			Troisième dépêche		
		heure d'expédition			heure d'expédition			heure d'expédition		
		Nombre de sacs			Nombre de sacs			Nombre de sacs		
		légers (jusqu'à 5 kg)	moyens (de plus de 5 jusqu'à 15 kg)	lourds (de plus de 15 jusqu'à 30 kg)	légers (jusqu'à 5 kg)	moyens (de plus de 5 jusqu'à 15 kg)	lourds (de plus de 15 jusqu'à 30 kg)	légers (jusqu'à 5 kg)	moyens (de plus de 5 jusqu'à 15 kg)	lourds (de plus de 15 jusqu'à 30 kg)
1	2	3	4	5	6	7	8	9	10	11
Totaux										

Signature du chef du bureau d'échange de destination	Vu et accepté Lieu et date. Signature du chef du bureau d'échange expéditeur

Convention, Lausanne 1974, art. 167, par. 1, lettre a) — Dimensions: 210×297 mm

Administration de destination des dépêches

RELEVÉ STATISTIQUE
Dépêches reçues

C 17bis

Bureau d'échange de destination des dépêches	Date du relevé Nombre de jours de statistique
Bureau d'échange expéditeur des dépêches	Administration expéditrice des dépêches

Numéro de la dépêche	Date	Première dépêche			Deuxième dépêche			Troisième dépêche		
		heure d'expédition			heure d'expédition			heure d'expédition		
		Nombre de sacs			Nombre de sacs			Nombre de sacs		
		légers (jusqu'à 5 kg)	moyens (de plus de 5 jusqu'à 15 kg)	lourds (de plus de 15 jusqu'à 30 kg)	légers (jusqu'à 5 kg)	moyens (de plus de 5 jusqu'à 15 kg)	lourds (de plus de 15 jusqu'à 30 kg)	légers (jusqu'à 5 kg)	moyens (de plus de 5 jusqu'à 15 kg)	lourds (de plus de 15 jusqu'à 30 kg)
1	2	3	4	5	6	7	8	9	10	11
Totaux										

Signature du chef du bureau d'échange de destination	Vu et accepté Lieu et date. Signature du chef du bureau d'échange expéditeur

Convention, Lausanne 1974, art. 167, par. 1, lettre b) – Dimensions: 210×297 mm, couleur jaune

TIAS 8231

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Administration des postes d'origine

BORDEREAU

Livraison des dépêches

C 18

Bureau d'origine	Date de la remise
A remplir si le chargement est remis à un bureau ou à un train	A remplir si le chargement est remis à un service maritime
Nom du bureau ou n° du train	Compagnie
	Nom du paquebot / Date du départ
	Port de débarquement

Numéro ou date de la dépêche	Origine des dépêches	Destination des dépêches	Nombre de: sacs à étiquette rouge	sacs de courrier ordinaire	sacs de colis avec valeur déclarée	sacs de colis ordinaires	colis hors sac	pochettes de sacs vides	Observations ou en cas d'utilisation de conteneurs indication du N° du conteneur	N° du scelle
1	2	3	4	5	6	7	8	9	10	
Totaux										

Timbre du bureau expéditeur du chargement, date et signature	Le soussigné reconnaît avoir reçu en bon état les dépêches mentionnées ci-dessus Date et signature

Convention, Lausanne 1974, art. 157, par. 1 – Dimensions: 210 × 297 mm

Administration des postes d'origine

BORDEREAU C 18bis

Livraison des dépêches-surface transportées par voie aérienne

Bureau d'origine	Date du départ / Heure
	Ligne n°
	Aéroport de déchargement

Numéro ou date de la dépêche	Origine des dépêches	Destination des dépêches	Nombre de: sacs à étiquette rouge	sacs de courrier ordinaire	sacs de colis avec valeur déclarée	sacs de colis ordinaires	colis hors sac	pochées de sacs vides	Poids brut des sacs, etc.		Observations ou en cas d'utilisation de conteneurs indication du N° du conteneur	N° du scellé
1	2	3	4	5	6	7	8	9	10		11	
									kg	g		
Totaux												

Timbre du bureau expéditeur Signature de l'agent	L'agent de l'aéroport ou de la compagnie aérienne	Timbre du bureau de destination Signature de l'agent

Convention, Lausanne 1974, art. 157, par. 6 – Dimensions: 210×297 mm

Administration expéditrice

Bureau expéditeur

BULLETIN DE TRANSIT
Statistique des dépêches

C 19 (recto)

Date d'expédition

Bureau de destination	Dépêche n°	Timbre du bureau expéditeur
Administration de destination	Nombre de sacs[1]	

A transporter annexé au bordereau C 18 de la dépêche à laquelle ce bulletin se rapporte et à remplir avant la remise. Porter la mention «C 19» dans la colonne «Observations» du bordereau C 18.

ATTENTION! Chaque Administration ne dispose que d'une seule rangée horizontale de cases pour les indications concernant le transit territorial et d'une seule rangée pour le transit maritime éventuel.

Les renseignements concernant le transit doivent être indiqués successivement par le bureau d'échange d'entrée et le bureau d'échange de sortie de chaque Administration intermédiaire, à l'exclusion de tout autre bureau, en commençant par le premier bureau d'échange d'entrée. Le dernier bureau d'échange intermédiaire doit transmettre le bulletin directement au bureau de destination; celui-ci y indique la date exacte d'arrivée de la dépêche, joint le bulletin au relevé C 17 correspondant et renvoie le tout au bureau expéditeur.

Parcours	Timbre à date du bureau d'échange d'entrée	Timbre à date du bureau d'échange de sortie	Services empruntés (En cas de transit territorial, indiquer T.t. et la route suivie. En cas de transit maritime, indiquer T.m., la route suivie, le nom du paquebot et celui de la ligne de paquebot)	Pays auxquels les frais de transit doivent être payés
1	2	3	4	5
1er parcours				
2e parcours				
3e parcours				

Suite éventuelle au verso

[1] Sans les sacs de récipients vides et autres sacs «Exempt».

Convention, Lausanne 1974, art. 169, par. 1 – Dimensions: 210 × 297 mm, couleur verte

C 19 (verso)

Parcours	Timbre à date du bureau d'échange d'entrée	Timbre à date du bureau d'échange de sortie	Services empruntés (En cas de transit territorial, indiquer T.t. et la route suivie. En cas de transit maritime, indiquer T.m., la route suivie, le nom du paquebot et celui de la ligne de paquebot)	Pays auxquels les frais de transit doivent être payés
1	2	3	4	5
4e parcours				
5e parcours				
6e parcours				
7e parcours				
8e parcours				

Timbre du bureau de destination

Administration créancière

C 20

COMPTE PARTICULIER

Frais de transit

Administration débitrice	Date du compte
	Services de transit
	Année

Bureau expéditeur	Bureau de destination	Dépêches expédiées pendant la période de statistique								Observations
		Nombre de sacs du poids moyen de			Poids totaux	Frais de transit par kg brut		Avoir		
		3 kg	12 kg	26 kg						
1	2	3	4	5	6	7		8		9
					kg	fr	c	fr	c	
Total										
Multiplié par 26 (ou 13)										
Total à reporter au relevé C 21										

L'Administration créancière Lieu, date et signature de l'agent	Vu et accepté par l'Administration débitrice Lieu, date et signature

Convention, Lausanne 1974, art. 172, par. 7, lettre a) — Dimensions: 210 × 297 mm

Administration créancière

COMPTE PARTICULIER
Frais terminaux

C 20bis (recto)

Administration débitrice	Date du compte
	Année

I. DÉPÊCHES DE SURFACE

Bureau expéditeur	Bureau de destination	Dépêches reçues pendant la période de statistique				Observations
		Nombre de sacs du poids moyen de			Poids totaux kg	
		3 kg	12 kg	26 kg		
1	2	3	4	5	6	7
				Total		

Bureau expéditeur	Bureau de destination	Dépêches expédiées pendant la période de statistique				
		Nombre de sacs du poids moyen de			Poids totaux kg	
		3 kg	12 kg	26 kg		
1	2	3	4	5	6	
				Total		

Différence de poids entre les dépêches de surface reçues et expédiées	kg
Poids totaux des dépêches de surface reçues	kg
Poids totaux des dépêches de surface expédiées	kg
Différence	kg
Multipliée par 26 (ou 13)	

Convention, Lausanne 1974, art. 172, par. 7, lettre b) - Dimensions: 210 × 297 mm, couleur jaune

C 20bis (versa)

II. DÉPÊCHES-AVION

Bureau expéditeur	Bureau de destination	Poids totaux réels des dépêches-avion reçues pendant l'année		Observations
1	2	3		4
		kg	g	
	Total		—	

Bureau expéditeur	Bureau de destination	Poids totaux réels des dépêches-avion expédiées pendant l'année	
1	2	3	
		kg	g
	Total		—

Différence de poids entre les dépêches-avion reçues et expédiées	
Poids totaux des dépêches-avion reçues	kg
Poids totaux des dépêches-avion expédiées	kg
Différence	kg

III. TOTAL À REPORTER AU RELEVÉ C 21bis

Différence de poids totale des dépêches de surface	kg	Frais terminaux par kg brut		Avoir	
Différence de poids totale des dépêches-avion	kg				
Différence totale des dépêches-avion et des dépêches de surface	kg	fr 1	c 50	fr	c

L'Administration créancière	Vu et accepté par l'Administration débitrice
Lieu, date et signature de l'agent	Lieu, date et signature de l'agent

Administration des postes

C 21

RELEVÉ

Frais de transit

Date du relevé

Indications. Relevé indiquant les montants totaux des comptes particuliers réciproques entre Administrations.

Sommes dues pour l'année	Report des comptes particuliers C 20			
	Administration qui établit le relevé		Administration correspondante	
Année de la statistique de base				
	fr	c	fr	c
Nom de l'Administration				
Montant du paiement provisionnel effectué par				
Totaux				
Déduction				
Nom de l'Administration				
Solde au crédit de		—		—

Observations éventuelles

L'Administration qui établit le relevé
Signature de l'agent

Convention, Lausanne 1974, art. 173, par. 2 — Dimensions: 210×297 mm

Administration des postes

C 21bis

RELEVÉ

Frais terminaux

Date du releve

Indications. Relevé indiquant le solde du compte particulier C 20bis.

Sommes dues pour l'année	Report du compte particulier C 20bis			
	Administration qui établit le relevé		Administration correspondante	
Année de la statistique de base du courrier de surface				
	fr	c	fr	c
Nom de l'Administration Montant du paiement provisionnel effectué par		—		—
Nom de l'Administration Solde ou crédit de		—		—

Observations éventuelles

L'Administration qui établit le relevé
Signature de l'agent

Convention, Lausanne 1974, art. 173, par. 2 – Dimensions: 210 × 297 mm, couleur jaune

UNION POSTALE UNIVERSELLE

COUPON-RÉPONSE INTERNATIONAL

C 22

Ce coupon est échangeable dans tous les pays de l'Union postale universelle contre un ou plusieurs timbres-poste représentant l'affranchissement minimal d'une lettre ordinaire, expédiée à l'étranger par voie de surface.[1]

Empreinte de contrôle du pays d'origine (date facultative)	Prix de vente (indication facultative)	Timbre du bureau qui effectue l'échange

Convention, Lausanne 1974, art. 180, par. 1 – Dimensions: 105×74 mm

[1] Cette explication est répétée au verso dans les langues allemande, anglaise, arabe, chinoise, espagnole et russe.

C 23

L'Administration des postes

RELEVÉ PARTICULIER

Coupons-réponse échangés

Administration qui a échangé les coupons-réponse	Date du relevé
	Indications. Les envois de coupons-réponse ne doivent pas comporter de fraction de centaine.

Coupons-réponse à 1 franc-or échangés contre des timbres-poste et transmis au Bureau international	Nombre	Montant
		fr

L'Administration qui établit le relevé Lieu, date et signature	Vu et accepté par le Bureau international de l'UPU Lieu, date et signature
	Berne, le

Convention, Lausanne 1974, art. 180, par. 4 – Dimensions: 210 × 148 mm, couleur blanche

UNION POSTALE UNIVERSELLE
Bureau international

RELEVÉ PARTICULIER
Coupons-réponse délivrés

C 24

Administration qui a reçu les coupons-réponse	Date du relevé
	Indications. Les envois de coupons-réponse ne doivent pas comporter de fraction de centaine.

Coupons-réponse à 1 franc-or délivrés par le Bureau international	Nombre
	Montant fr

Le Bureau international de l'UPU Lieu, date et signature Berne, le	Vu et accepté par l'Administration débitrice Lieu, date et signature

Convention, Lausanne 1974, art. 180, par. 1 – Dimensions: 210×148 mm, couleur rose

(recto)

C 25

Administration des postes de

CARTE D'IDENTITÉ POSTALE

Photographie

Timbre-poste
(En partie sur la photographie)

UNION POSTALE UNIVERSELLE

N°	Valable jusqu'au
Nom	
Prenom(s)	
Profession	
Nationalité	
Domicile	
Signature du titulaire	

Convention, Lausanne 1974, art. 106, par. 2 – Dimensions: 105×74 mm

(versa)

Signalement

Date et lieu de naissance		
Taille	Cheveux	Yeux
Teint	Marques particulières	

Bureau d'émission	Signature de l'agent

1. Cette carte, délivrée exclusivement par le service des postes, est reconnue comme pièce justificative d'identité pour les opérations postales.
2. Les Administrations postales ne sont pas responsables des conséquences que peuvent entraîner la perte, la soustraction ou l'emploi frauduleux de la présente carte.

Administration créancière

C 26

COMPTE PARTICULIER MENSUEL

Frais de douane, etc.

Administration débitrice	Date du compte Mois ..... Année

Numéro courant	Date de l'avance	Numéro du bulletin d'affranchissement	Bureau qui a fait l'avance	Montant de chaque bulletin d'affranchissement		Observations
1	2	3	4	5		6
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19						
20						
Total						

L'Administration créancière
Lieu, date et signature

Convention, Lausanne 1974, art. 181, par. 1 — Dimensions: 210×297 mm

Administration expéditrice

C 27

BULLETIN D'ESSAI

Détermination du parcours le plus favorable d'une dépêche de lettres ou de colis

Administration de destination	Date du bulletin

Indications. A renvoyer dûment complété, par la voie la plus rapide,

A remplir par le bureau expéditeur

Dépêche	☐ Dépêche-surface de lettres	☐ Dépêche-avion de lettres
	☐ Dépêche-surface de colis	☐ Dépêche-avion de colis
	Numéro	Bureau expéditeur
	Date d'expédition	Bureau de destination
Mode d'acheminement	☐ Par la ligne aérienne	Numéro
	☐ Par le paquebot	Nom du paquebot
	☐ Par	
Signature		

A remplir par le bureau de destination

Arrivée	Bureau qui a reçu la dépêche	
	Date d'arrivée	heure
Mode d'arrivée	☐ Par la ligne aérienne	Numéro
	☐ Par le paquebot	Nom du paquebot
	☐ Par	
Livraison (concerne seulement les dépêches de lettres)	Les correspondances adressées à des destinataires habitant la localité siège du bureau ont été livrées	
	Date	
	Heure de commencement de la distribution	
Signature		

A renvoyer à	Nom du bureau

Convention, Lausanne 1974, art. 156, par. 3 — Dimensions: 210×297 mm

Convention, Lausanne 1974, art. 155, par. 1 – Dimensions: 125 × 60 mm, couleur rouge vermillon, blanche, bleu clair ou verte respectivement.

Remarque. – Pour tenir compte des besoins de leur service, les Administrations ont la latitude de modifier légèrement le texte et les dimensions de la formule, toutefois sans trop s'écarter des directives que le modèle comporte.

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Administration expéditrice	C 29 **CORRESPONDANCE COURANTE** Date / Numéro Réponse au n° / Date
Administration de destination	Une lettre écrite sur cette formule n'exige pas de préambule, de salutations et de compliments. L'adresse du destinataire est seulement nécessaire quand une enveloppe à panneau transparent est employée.
Objet	

Convention, Lausanne 1974, art. 177 — Dimensions: 210 × 297 mm

C 30

LC

Administration expéditrice
Portugal
Bureau expéditeur
Lisboa
Agent expéditeur

Bureau de destination

ANKARA

En cas d'erreur, prière de joindre cette étiquette ou bulletin de vérification

Convention, Lausanne 1974, art. 149 par. 1 – Dimensions: 105 × 74 mm couleur blanche

C 30

AO

Administration expéditrice
Portugal
Bureau expéditeur
Lisboa
Agent expéditeur

Bureau de destination

ANKARA

En cas d'erreur, prière de joindre cette étiquette ou bulletin de vérification

Convention, Lausanne 1974 art. 149 par. 1 – Dimensions: 105 × 74 mm couleur bleu clair

R ☐ LC ☐ AO

Nombre des recommandés

C 30

Administration expéditrice
Portugal
Bureau expéditeur
Lisboa
Agent expéditeur

Bureau de destination

ANKARA

En cas d'erreur, prière de joindre cette étiquette ou bulletin de vérification

Convention, Lausanne 1974, art. 149, par. 1 – Dimensions: 105 × 74 mm couleur rose

Remarque. – Pour tenir compte des besoins de leur service, les Administrations ont la latitude de modifier légèrement le texte, les dimensions et la couleur de ces formules, toutefois sans trop s'écarter des directives que le modèle comporte.

AV 1

LISTE GÉNÉRALE DES SERVICES AÉROPOSTAUX

LISTE AV 1

Note. – La Liste AV 1 est élaborée et distribuée aux Administrations par le Bureau international (Convention, Lausanne 1974, art. 206, par. 1, lettre a)

Convention, Lausanne 1974, art. 206, par. 1, lettre a) – Dimensions: 210×297 mm

Administration expéditrice

BORDEREAU AV 2

Poids des correspondances-avion à découvert

Bureau d'échange expéditeur	Date du bordereau N°
	Correspondances-avion ☐ Non recommandées
Bureau d'échange de destination	☐ Recommandées
Administration de destination de la dépêche	Dépêche N° ☐ Surface ☐ Avion
	Date d'expédition heure

Indications. Le poids de chaque catégorie de correspondances à découvert et, le cas échéant, à destination d'une zone déterminée est arrondi au décagramme supérieur ou inférieur selon que la fraction du décagramme excède ou non 5 grammes.
Pendant la période de statistique, porter en tête de cette formule la lettre «S» en un caractère de grandes dimensions.

Groupes de pays pour lesquels les taux de rémunération sont les mêmes	Poids net		Observations
	LC	AO	
1	2	3	4
	g	g	

Administration reacheminant les dépêches

Bureau d'échange reacheminant les dépêches

AV 3

RELEVÉ DE POIDS
Dépêches-avion
Date du relevé

Administration expéditrice des dépêches	Dépêches acheminées de à Mois ou trimestre / Année

Indications. A expédier en double exemplaire.

Date du transport	N° de la dépêche	Bureau expéditeur	Bureau de destination	N° de la ligne aérienne utilisée	Poids par catégorie d'envois						Observations
					LC		AO		CP		
1	2	3	4	5	6		7		8		9
					kg	g	kg	g	kg	g	

Administration de destination

RELEVÉ DE POIDS
Correspondances-avion à découvert

AV 4

Bureau d'échange de destination des dépêches	Indications. A expédier en double exemplaire. Date du relevé
Administration expéditrice des dépêches	☐ Dépêches-surface ☐ Dépêches-avion Bureau d'échange expéditeur des dépêches

Mois	Trimestre	Période de statistique	Année

Date d'expédition de la dépêche	N° du bordereau AV 2	Groupes de pays de destination								Observations
		LC	AO	LC	AO	LC	AO	LC	AO	
1	2	3	4	5	6	7	8	9	10	11
		g	g	g	g	g	g	g	g	

Administration créancière

AV 5

COMPTE PARTICULIER

Courrier-avion

Administration débitrice	Date du compte
	☐ Dépêches-avion closes
	☐ Correspondances-avion à découvert

Mois	Trimestre	Année

Parcours Pays de destination ou groupes de Pays	Catégories d'envois	Poids transporté au cours du ou des mois de			Poids total	Prix du transport par kg	Total des frais de transport à payer
1	2	3	4	5	6	7	8
		kg g	kg g	kg g	kg g	fr c	fr c
	LC						
	AO						
	CP						
	LC						
	AO						
	CP						
	LC						
	AO						
	CP						
	LC						
	AO						
	CP						
	LC						
	AO						
	CP						
	LC						
	AO						
	CP						
Majoration de 5 % sur le montant total du transit à découvert							
Total général							—

L'Administration créancière Lieu, date et signature	Vu et accepté par l'Administration débitrice Lieu, date et signature

Convention, Lausanne 1974, art. 203, par. 1 — Dimensions: 210×297 mm

Administration des postes

Bureau d'échange expéditeur

AV 7

BORDEREAU DE LIVRAISON
Dépêches-avion

Bureau d'échange de destination	Date du départ	heure
	Ligne n°	

Aéroport de transbordement direct (art. 191, par. 2)	Aéroport de déchargement

N° de la dépêche	Bureau d'origine	Bureau de destination	Nombre des				Poids brut des sacs, etc.						Observations
			sacs LC	plis LC	sacs AO	sacs de colis	LC		AO		CP		
1	2	3	4	5	6	7	8		9		10		11
							kg	g	kg	g	kg	g	
Totaux													

Timbre du bureau expéditeur Signature de l'agent	L'agent de l'aéroport ou de la compagnie aérienne	Timbre du bureau de destination Signature de l'agent

Convention, Lausanne 1974, art. 188, par. 1 – Dimensions: 210×297 mm

Administration des postes

Bureau d'échange expéditeur

AV 7 S

BORDEREAU DE LIVRAISON
Dépêches-avion de sacs vides

Bureau d'échange de destination	Date du départ	heure
	Ligne n°	

Aéroport de transbordement direct (art. 191, par. 2)	Aéroport de déchargement

Numéro de la dépêche	Bureau d'origine	Bureau de destination	Nombre de pochées de sacs vides	Poids brut		Observations
1	2	3	4	5		6
				kg	g	
Totaux						

SACS - AVION VIDES

Timbre du bureau expéditeur Signature de l'agent	L'agent de l'aéroport ou de la compagnie aérienne	Timbre du bureau de destination Signature de l'agent

Convention, Lausanne 1974, art. 199, par. 2 – Dimensions: 210×297 mm

Convention, Lausanne 1974, art. 185, par. 3 – Dimensions: 125×60 mm, couleur rouge vermillon ou blanche

Convention, Lausanne 1974, art. 185, par. 3 – Dimensions: 125×60 mm, couleur bleu clair

Convention, Lausanne 1974, art. 185, par. 3 – Dimensions: 125×60 mm, couleur verte

Remarque. – Pour tenir compte des besoins de leur service, les Administrations ont la latitude de modifier légèrement le texte et les dimensions de la formule, toutefois sans trop s'écarter des directives que le modèle comporte.

AV 9
Administration expéditrice de la dépêche
Bureau expéditeur
DÉPÊCHE-AVION
N°
Sans feuille
POIDS
g
LC
AO
Total
DÉPÊCHE-AVION
pour
MONROVIA
(Liberia)
Ligne n°
Aéroport de transbordement
Convention, Lausanne 1974, art. 185, par. 1 — Dimensions: 176×250 mm ou 250×353 mm; couleur bleue

AV 10

LC

Par avion

Administration expéditrice

Suède

Bureau expéditeur

Stockholm Flyg

Agent expéditeur

Bureau de destination

MADRID AP

En cas d'erreur, cette étiquette doit être jointe au bulletin de vérification

Convention, Lausanne 1974, art. 185, par. 1 - Dimensions: 105×74 mm, couleur blanche

AV 10

AO

Par avion

Administration expéditrice

Suède

Bureau expéditeur

Stockholm Flyg

Agent expéditeur

Bureau de destination

MADRID AP

En cas d'erreur, cette étiquette doit être jointe au bulletin de vérification

Convention, Lausanne 1974, art. 185, par. 1 - Dimensions: 105×74 mm, couleur bleu clair

Remarque. — Pour tenir compte des besoins de leur service, les Administrations ont la latitude de modifier légèrement le texte, les dimensions et la couleur des formules AV 10, toutefois sans trop s'écarter des directives que le modèle comporte.

R ☐ LC ☐ AO

Nombre des recommandés

AV 10

Par avion

Administration expéditrice

Suède

Bureau expéditeur

Stockholm Flyg

Agent expéditeur

Bureau de destination

MADRID AP

En cas d'erreur, cette étiquette doit être jointe au bulletin de vérification

Convention, Lausanne 1974, art. 185, par. 1 – Dimensions: 105×74 mm, couleur rose

LC Correspondances à découvert

Par avion

AV 10

Administration expéditrice

Suède

Bureau expéditeur

Stockholm Flyg

Agent expéditeur

Bureau de destination de la dépêche

MADRID AP

N° du groupe de pays de destination

En cas d'erreur, cette étiquette doit être jointe au bulletin de vérification

Convention, Lausanne 1974, art. 195 – Dimensions: 105×74 mm, couleur blanche

Remarque. – Pour tenir compte des besoins de leur service, les Administrations ont la latitude de modifier légèrement le texte, les dimensions et la couleur des formules AV 10, toutefois sans trop s'écarter des directives que le modèle comporte.

AO **Correspondances à découvert** **Par avion** AV 10

Administration expéditrice

Suède

Bureau expéditeur

Stockholm Flyg

Agent expéditeur

Bureau de destination de la dépêche

MADRID AP

N° du groupe de pays de destination

En cas d'erreur, cette étiquette doit être jointe au bulletin de vérification

Convention, Lausanne 1974, art. 195 – Dimensions: 105 × 74 mm, couleur bleu clair

Nombre **R** LC Nombre **AO**	– AV 10 **Recommandés à découvert** **Par avion**

Administration expéditrice

Suède

Bureau expéditeur

Stockholm Flyg

Agent expéditeur

Bureau de destination de la dépêche

MADRID AP

N° du groupe de pays de destination

En cas d'erreur, cette étiquette doit être jointe au bulletin de vérification

Convention, Lausanne 1974, art. 195 – Dimensions: 105×74 mm, couleur rose

Remarque. — Pour tenir compte des besoins de leur service, les Administrations ont la latitude de modifier légèrement le texte, les dimensions et la couleur des formules AV 10, toutefois sans trop s'écarter des directives que le modèle comporte.

Administration qui établit le compte

AV 11

COMPTE GÉNÉRAL COURRIER-AVION

Administration correspondante	Date du compte
	Trimestre / Année
	Semestre / Année

Echange	Période	Solde des comptes AV 5 en faveur de l'Administration		Observations
		qui établit le compte	correspondante	
1	2	3	4	5
		fr	fr	
Réception par l'Administration qui établit le compte				
Expédition par l'Administration qui établit le compte				
Totaux				
A déduire				
Solde créditeur				

Nom de l'Administration créancière

L'Administration qui établit le compte AV 11	Vu et accepté par l'Administration qui reçoit le compte AV 11
Lieu, date et signature	Lieu, date et signature

Convention, Lausanne 1974, art. 203, par. 4 - Dimensions: 210×297 mm

Copie certifiée conforme à l'original déposé dans les archives de la Confédération suisse.

Berne, le 5 mars 1975

Pour le
DEPARTEMENT POLITIQUE FEDERAL

(Bührer)
Chef de la
Section des Traités internationaux

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Having examined and considered the provisions of the Second Additional Protocol to the Constitution of the Universal Postal Union, the General Regulations of the Universal Postal Union (including the Final Protocol thereof), the Universal Postal Convention (including its Final Protocol and Detailed Regulations), Acts of the Universal Postal Union, signed at Lausanne on the 5th day of July, 1974, amending the Constitution of the Universal Postal Union, signed at Vienna on the 10th day of July, 1964, as amended by the Additional Protocol to the Constitution, signed at Tokyo on the 14th day of November, 1969, and revising the General Regulations of the Universal Postal Union (including the Final Protocol thereof), and the Universal Postal Convention (including its Final Protocol and Detailed Regulations), which were signed at Tokyo on the 14th day of November, 1969, the same are by me, by virtue of the powers vested by law in the United States Postal Service and delegated by its Board of Governors to the Postmaster General, hereby concluded, with the consent of the President of the United States of America.

This ratification is applicable to the United States of America, the Territories of the United States of America, and all areas for the international relations of which it is responsible.

In witness whereof, I have caused the seal of the United States Postal Service to be hereto affixed this 10th day of February 1976.

UNITED STATES POSTAL SERVICE
U.S. MAIL

Benjamin F. Bailar
Postmaster General

[SEAL]

I hereby approve the aforementioned Second Additional Protocol to the Constitution of the Universal Postal Union, General Regulations, and Universal Postal Convention, and in testimony thereof have caused the seal of the United States of America to be hereto affixed.

By the President:

Gerald R. Ford

Washington, D. C.

March 4, 1976

Secretary of State

CONSTITUTION OF THE UNIVERSAL POSTAL UNION

(as amended by the 1969 Tokyo and 1974 Lausanne Additional Protocols)

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33. Coming into operation and duration of the Constitution

FINAL PROTOCOL TO THE CONSTITUTION OF THE UNIVERSAL POSTAL UNION

Sole art
Accession to the Constitution

CONSTITUTION OF THE UNIVERSAL POSTAL UNION[1]

Preamble

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.

Section I

Organic provisions

Chapter I

General

Article 1

Scope and objectives of the Union

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

2. The aim of the Union is 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 2

Members of the Union

Member countries of the Union are:
(a) Countries which have membership status at the date on which this Constitution comes into force.
(b) Countries admitted to membership in accordance with article 11.

[1] As amended by the 1969 Tokyo and 1974 Lausanne Additional Protocols.

Article 3

Jurisdiction of the Union

The Union has 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

Postal administrations which provide a service with territories not included in the Union are bound to act as intermediaries for other administrations. The provisions of the Convention and its Detailed Regulations are 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 is French.

Article 7

Monetary standard

The franc adopted as the monetary unit in the Acts of the Union is the gold franc of 100 centimes weighing $^{10}/_{31}$ of a gramme and of a fineness of 0.900.

Article 8

Restricted Unions. Special Agreements

1. Member countries, or their postal administrations if the legislation of those 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 Executive Council and to the Consultative Council for Postal Studies[1].

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

[1] Amended by the 1969 Tokyo Congress.

Article 9

Relations with the United Nations

The relations between the Union and the United Nations are 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

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 entails a formal declaration of accession to the Constitution and to the obligatory Acts of the Union. It shall be addressed through diplomatic channels to the Government of the Swiss Confederation, which shall notify the accession or consult the member countries on the application for admission, as the case may be [1].

4. A country which is not a member of the United Nations will 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 are considered as having abstained.

5. Accession or admission to membership shall be notified by the Government of the Swiss Confederation to the Governments of member countries. It shall take effect from the date of such notification.

Article 12

Withdrawal from the Union. Procedure

1. Each member country may withdraw from the Union by notice of denunciation of the Constitution given through diplomatic channels to the Government of the Swiss Confederation and by that Government to the Governments of member countries.

2. Withdrawal from the Union becomes effective one year after the day on which the notice of denunciation provided for in § 1 is received by the Government of the Swiss Confederation.

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*Agreements of July 4, 1947 and July 13 and 27, 1949. TIAS 5881; 16 UST 1304, 1309. [Footnote added by the Department of State.]

[1] Amended by the 1969 Tokyo Congress.

Chapter III

Organization of the Union

Article 13

Organs of the Union

1. The organs of the Union are Congress, Administrative Conferences, the Executive Council, the Consultative Council for Postal Studies, Special Committees and the International Bureau [1].

2. The permanent organs of Union are the Executive Council, the Consultative Council for Postal Studies and the International Bureau.

Article 14

Congress

1. Congress is the supreme organ of the Union.

2. Congress consists 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.

Article 16

Administrative Conferences

Conferences entrusted with the examination of questions of an administrative nature may be convened at the request or with the consent of at least two-thirds of the postal administrations of member countries.

Article 17

Executive Council

1. Between Congresses the Executive Council (EC) ensures the continuity of the work of the Union in accordance with the provisions of the Acts of the Union.

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

Article 18

Consultative Council for Postal Studies

The Consultative Council for Postal Studies (CCPS) is entrusted with carrying out studies and giving opinions on technical, operational and economic questions concerning the postal service [1].

[1] Amended by the 1969 Tokyo Congress.

Article 19

Special Committees

Special Committees may be entrusted by a Congress or by an Administrative Conference with the study of one or more specific questions.

Article 20

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 general supervision of the Government of the Swiss Confederation, serves as an organ of liaison, information and consultation for postal administrations.

Chapter IV

Finances of the Union

Article 21

Expenditure of the Union. Contributions of member countries[1]

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 § 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 § 2, shall be borne in common by member countries. 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 Government of the Swiss Confederation shall fix, by agreement with the Government of the country concerned, the contribution class into which the latter is 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 is the basic Act of the Union. It contains the organic rules of the Union.

2. The General Regulations embody those provisions which ensure the application of the Constitution and the working of the Union. They shall be binding on all member countries.

[1] Amended by the 1969 Tokyo and 1974 Lausanne Congresses.

3. The Universal Postal Convention and its Detailed Regulations embody the rules applicable throughout the international postal service and the provisions concerning the letter-post services. These Acts shall be binding on all member countries.

4. The Agreements of the Union, and their Detailed Regulations, regulate the services other than those of the letter post between those member countries which are parties to them. They shall be binding on those countries only.

5. The Detailed Regulations, which contain the rules of application necessary for the implementation of the Convention and of the Agreements, shall be drawn up by the postal administrations of the member countries concerned.

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

Article 23

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 § 1 must be addressed to the Government:
(a) of the country where Congress is held, if made at the time of signature of the Act or Acts in question;
(b) of the Swiss Confederation in all other cases.

3. Any member country may at any time address to the Government of the Swiss Confederation a notification of its intention to denounce the application of these Acts of the Union in respect of which it has made the declaration provided for in § 1. Such notification shall take effect one year after the date of its receipt by the Government of the Swiss Confederation.

4. The declarations and notifications provided for in §§ 1 and 3 shall be communicated to member countries by the Government of the country which has received them.

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

Chapter II

Acceptance and denunciation of the Acts of the Union

Article 25

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

1. Signature of the Acts of the Union by plenipotentiaries shall take place at the end of Congress.

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

3. Approval of the Acts of the Union other than the Constitution is governed by the constitutional regulations of each signatory country.

4. When a 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 countries that have ratified or approved them.

Article 26

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

The instruments of ratification of the Constitution and, where appropriate, of approval of the other Acts of the Union shall be addressed as soon as possible to the Government of the Swiss Confederation and by that Government to the Governments of member countries[1].

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 is 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.

Chapter III

Amendment of the Acts of the Union

Article 29

Presentation of proposals

1. The postal administration of a member country has the right to present, either to Congress or between Congresses, proposals concerning the Acts of the Union to which its country is a party.

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

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.

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.

[1] Amended by the 1969 Tokyo Congress.

Article 31

Amendment of the Convention, the General Regulations and the Agreements

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

2. The Acts referred to in § 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 preceding Congress shall be abrogated.

Chapter IV

Settlement of disputes

Article 32

Arbitration

In the event of a dispute between two or more postal administrations of member countries concerning the interpretation of the Acts of the Union or the responsibility imposed on a postal administration 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 Government of the country in which Congress is held.

Done at Vienna, the 10th of July 1964.

FINAL PROTOCOL TO THE CONSTITUTION OF THE UNIVERSAL POSTAL UNION

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

Sole article

Accession to the Constitution

Member countries of the Union which have not signed the Constitution may accede to it at any time. Instruments of accession shall be addressed through diplomatic channels to the Government of the country in which the seat of the Union is situated and by that Government to the Governments of the member countries of the Union.

In witness whereof, the under-mentioned plenipotentiaries 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 Constitution itself, and they have signed it 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 Government of the country in which Congress is held.

Done at Vienna, the 10th of July 1964.

MULTILATERAL

Universal Postal Union: Money Orders and Postal Travelers' Checks

Agreement and Detailed Regulations done at Lausanne July 5, 1974;
Ratified by the Postmaster General of the United States of America, with a reservation, February 10, 1976;
Entered into force January 1, 1976.

MONEY ORDERS AND POSTAL TRAVELLERS' CHEQUES AGREEMENT

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51. Conditions of approval of proposals concerning this Agreement and its Detailed Regulations
52. Entry into force and duration of the Agreement

MONEY ORDERS AND POSTAL TRAVELLERS' CHEQUES AGREEMENT

The undersigned, plenipotentiaries of the Governments of the member countries of the Union, having regard to article 22, § 4, of the Constitution of the Universal Postal Union concluded at Vienna on 10 July 1964, [1] have, by common consent and subject to article 25, § 3, of the Constitution, drawn up the following Agreement.

Section I

Preliminary provisions

Article 1

Purpose of the Agreement

This Agreement shall govern, the exchange of postal money orders, hereinafter called "money orders" and the postal travellers cheques service that contracting countries agree to set up in their reciprocal relations.

Section II

Money orders

Chapter I

General provisions

Article 2

Methods of exchange

1. Money orders may be exchanged either by post or, if telegraph money orders are accepted in relations between the countries concerned, by telegraph.

2. Exchange by post may be carried out by cards or lists, as administrations prefer. In the first case, the instruments shall be called "card money orders" and in the second, "list money orders"

3. Exchange by telegraph may be done by telegraph card money orders or by telegraph list money orders, and both categories shall be called "telegraph money orders"

[1] TIAS 5881, 16 UST 1299.

Chapter II

Issue of money orders

Article 3

Currency. Conversion

1. In the absence of special agreement, the amount of the money order shall be expressed in the currency of the paying country.

2. The issuing administration shall fix the conversion rate of its currency into that of the paying country.

Article 4

Maximum amount issued

1. The amount of a money order may not exceed the equivalent of 3000 francs. However, each administration may set a lower maximum.

2. Exceptionally, no maximum shall be set for the money orders covered by article 7

Article 5

Payment of funds. Receipt

1. Each administration shall determine the form in which the sender of a money order shall pay the funds to be transferred.

2. A receipt, bearing the number of the money order, shall be given gratis to the sender at the time the funds are paid.

Article 6

Charges

1. The issuing administration shall freely decide the charge to be collected at the time of issue. The amount of this charge may not exceed 20 francs.

2. To this principal charge, it shall add any charges pertaining to special services (request for advice of payment, for payment by express, etc).

3. Money orders exchanged between a contracting country and a non-contracting country, through the intermediary of a country party to this Agreement, may be subjected by the administration of the intermediary country to an additional proportional charge of ¼%, but not less than 1 franc and not more than 2 francs, deducted from the amount of the order; however, this charge may be collected from the sender and allocated to the administration of the intermediary country if the administrations concerned agree to that.

Article 7

Exemption from charges

Money orders relating to the postal service exchanged under the terms of article 15 of the Convention shall be exempt from all charges.

Article 8

Special provisions regarding the issue of telegraph money orders

1. Telegraph money orders shall be subject to the provisions of the Telegraph Regulations [1] attached to the International Telecommunications Convention. [2]

2. In addition to the postal rate, the sender of a telegraph money order shall pay the telegram charges including any charge for a personal message to the payee.

Chapter III

Special provisions relating to certain facilities offered to the public

Article 9

Advice of payment. Express delivery. Payment to addressee only. Forwarding by air. Messages to the payee

1. The sender of a money order may ask to be notified of payment. Article 42, § 1, of the Convention [3] shall be applicable to advices of payment.

2. If the first advice of payment has not reached him within a normal time, the sender may make out a second on payment of the charge laid down. If the money order was paid before the second advice of payment was made out, the charge collected shall be refunded to the sender.

3. Subject to article 16, the sender of a money order may ask for the funds to be delivered at the place of address by express delivery immediately upon arrival of the money order; in that case, article 29 of the Convention shall be applicable.

4. In relations with countries which permit payment to the addressee only, the sender of a money order may request, by an entry made on the form, that payment be made exclusively to the addressee and with a personal receipt from the payee. In that case, the sender shall pay a special charge equal to that provided for in article 21 (q), of the Convention.

5. The sender of a card money order or a list money order may ask for it to be sent by air upon payment of the air surcharge.

6. The sender may write down, on the back of the coupon, a personal message to the payee of the money order. With respect to list money orders, only references shall be accepted.

Article 10

Withdrawal from the post. Alteration of address

The sender of a money order, under the conditions prescribed in article 30 of the Convention, may have it withdrawn from the service or have its address altered, so long as the instrument or the funds have not been delivered to the payee.

Article 11

Redirection

1. If a payee changes his address, any money order may be redirected by post or telegraph either at the request of the sender or at that of the payee, within the limitations of the money order service which operates between the reforwarding country and the country of new destination. In this case, article 31, §§ 1 to 3, of the Convention shall be applicable by analogy.

2. Redirection by post of postal or telegraph money orders shall be performed without collecting charges and without issuing new instruments when the country of new destination maintains an exchange of card money orders with the issuing country on the basis of this Agreement.

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[1] TIAS 4390; 10 UST 2423. The Paris, 1949, revision of the telegraph regulations (TIAS 2175, 2 UST 17) remains in force as between contracting parties which are not parties to the current revision (Geneva, 1958)

[2] TIAS 6267, 18 UST 575.

[3] TIAS 8231, *ante*, p. 345.

3. In all other cases, redirection shall be done by means of a new money order the charges for which, including any telegraph charges, shall be deducted from the amount of the reforwarded money order.

4. In redirection, article 31, § 6, of the Convention, shall be applicable with respect to the *poste restante* charge and the additional express charge.

Article 12

Endorsement

Any country may declare transferable, by endorsement, within its territory, the ownership of money orders coming from another country.

Chapter IV

Payment of money orders

Article 13

Duration of validity. Authorization to extend period of validity

1. The validity of money orders shall extend:
(a) as a general rule, until expiry of the first month following that of issue;
(b) upon agreement between the administrations concerned, until expiry of the third month following that of issue;
(c) in relations between distant countries, until expiry of the seventh month following that of issue.

2. After that period card money orders shall be paid only if they bear an authorization to extend the period of validity *("visa pour date")* given by the service designated by the issuing administration, at the request of the paying post office. List money orders may not be granted the authorization to extend the period of validity.

3. The authorization to extend the period of validity shall confer upon card money orders, starting from the day it is granted, a new validity whose duration shall be the same as that which a money order issued on the same day would have.

4. If non-payment before expiry of validity is not due to a service error, a so-called "authorization to extend the period of validity" charge, equal to that provided for in article 21 (m), of the Convention, may be collected.

Article 14

Maximum amount on payment

1. In the absence of special agreement, the maximum amount of the money orders payable in a country shall be the same as that adopted by the administration of that country for issue.

2. When one and the same sender has had issued, on the same day, to the order of the same payee, several money orders whose total amount exceeds the maximum adopted by the paying administration, the latter shall be authorized to space out the payment of the instruments so that the sum paid to the payee on one and the same day shall not exceed this maximum.

Article 15

General regulations for payment of money orders

1. Money orders shall be paid according to the regulations of the paying country.

2. The amount of the money orders shall be paid to the payee in the legal currency of the paying country; it may be paid in any other currency following special agreement between the corresponding administrations.

3. Payment may validly be made by a deposit to a postal giro account, in accordance with the regulations in force in the paying administration.

4. After advising the administrations concerned, the paying administration may, if its legislation so requires, either ignore fractions of monetary units or round the amount off to the nearest monetary unit or tenth part thereof.

Article 16

Express delivery

If the sender has requested payment by express delivery, the paying administration may deliver by this means either the funds, or the instrument itself, or an advice, of arrival of the money order, in so far as provided by its regulations.

Article 17

Charges which may be collected from payee

The following charges may be collected from the payee:
(a) a delivery charge, when payment is made at the place of address;
(b) the charge for payment authorization laid down in article 20, § 5;
(c) if appropriate, the charge for the authorization to extend the period of validity provided in article 13, § 4;
(d) the corresponding air surcharge when the requests for authorization to extend the validity period or for payment authorization, as well as the resulting visas or authorizations, shall be transmitted by air at the request of the payee;
(e) the charge laid down in article 21 (c), of the Convention, when the money order is addressed *poste restante*.

Article 18

Special provisions regarding payment of telegraph money orders

1. Telegraph money orders shall always be delivered as laid down in article 16.

2. When funds are delivered to the address by express delivery, the paying administration may collect a special charge for this, taking into account, if the money order telegram bears the paid service notation XP the express charge paid by the sender.

3. Delivery of an advice of arrival or of the instrument itself shall be made without charge to the payee; however, if this place of address is outside the local delivery area of the paying office and if the money order telegram does not bear the paid service notation XP the express charge may be collected from the payee.

Chapter V

Unpaid money orders. Payment authorizations

Article 19

Unpaid money orders

1. Any refused money order, any money order whose payee is unknown, or who has left without a forwarding address or who has gone to a country to which it cannot be redirected, shall be returned immediately to the issuing administration.

2. Any money order whose payment is not claimed within the validity period shall be returned immediately after expiry of such period.

3. Any money order unpaid for any cause whatsoever shall be reimbursed to the sender.

4. Article 31, § 6, of the Convention shall be applicable to the *poste restante* charge and the additional express charge.

Article 20

Payment authorization

1. Any card money order mislaid, lost or destroyed before payment may be replaced at the request of the sender or the payee, by a payment authorization obtained from the issuing administration.

2. When the sender and the payee simultaneously request, one the reimbursement and the other the payment of the money order, the authorization shall be made out:

(a) to the order of the sender when the request is made before delivery of the money order or of the advice of arrival to the payee;

(b) to the order of the payee when the request is made after delivery of the money order or of the advice of arrival.

3. A payment authorization shall also be obtained when a conversion error attributable to the issuing office necessitates a supplementary payment to the payee.

4. The validity period of a payment authorization shall be the same as that for a money order issued on the same day.

5. If no service error was committed, a "payment authorization" charge equal to that prescribed in article 21 (m), of the Convention, may be collected either from the sender or the payee, except if the charge has already been collected for the inquiry form or the advice of payment.

Article 21

Stale money orders

Sums converted into money orders whose amount has not been claimed before prescription shall be permanently acquired by the administration of the issuing country. The prescription period shall be set by the legislation of the said country.

Chapter VI

Liability

Article 22

Principle and extent of liability

1. Postal administrations shall be liable for the sums paid in until such time as the money orders have been duly paid.

2. Liability shall extend to errors of conversion and telegraphic transmission errors.

3. Administrations shall assume no liability for delays which may occur in the transmission and payment of money orders.

Article 23

Exceptions to the principle of liability

Postal administrations shall be relieved of all liability:

(a) when, owing to the destruction of official records by *force majeure*, they cannot account for the payment of a money order, unless proof of their liability is otherwise produced;

(b) upon expiry of the prescription period laid down in article 21

(c) in the case of a dispute as to the validity of a payment, upon expiry of the period prescribed in article 39, § 1, of the Convention.

Article 24

Determination of liability

1. Subject to §§ 2 to 5 below, liability shall rest with the issuing administration.

2. Liability shall rest with the paying administration if it cannot establish that the payment was made under the terms prescribed in its regulations.

3. Liability shall rest with the postal administration of the country where the error occurred:

(a) if it is a service error, including an error of conversion;

(b) if it is an error in telegraphic transmission occurring within the issuing country or the paying country.

4. Liability shall rest with the issuing administration and the paying administration equally:

(a) if the error is attributable to both administrations or if it is not possible to establish in which country the error occurred;

(b) if an error in telegraphic transmission occurs in an intermediary country:

(c) if it is not possible to establish the country in which such error of transmission occurred.

5. Subject to § 2, liability shall rest:

(a) in the case of payment of a spurious money order, with the administration of the country on whose territory the money order was introduced into the service;

(b) in the case of payment of a money order whose amount has been increased fraudulently, with the administration of the country in which the money order was falsified; however, the loss shall be borne equally by the issuing and paying administrations when it is not possible to establish the country in which the falsification occurred or when it is not possible to obtain compensation for a falsification committed in an intermediary country which does not participate in the money order service on the basis of this Agreement.

Article 25

Refund of amounts owing. Recourse

1. The obligation to indemnify the claimant shall rest with the paying administration if the funds are to be delivered to the payee; it shall rest with the issuing administration if they are to be repaid to the sender.

2. Whatever the reason for the refund, the amount refunded may not exceed that paid in.

3. The administration which indemnified the claimant shall have the right of recourse against the administration responsible for the incorrect payment.

4. The administration which finally bore the loss shall have the right of recourse, up to the amount paid, against the sender, against the payee or against third parties.

Article 26

Time allowed for payment

1. Payment of amounts owing to the claimant shall be made as soon as possible, within a maximum period of six months from the day following the day of inquiry.

2. The administration which, according to article 25, § 1, shall indemnify the claimant may, exceptionally, postpone payment beyond that period if, despite every effort made in the investigation of the matter, the said period is not sufficient to establish liability.

3. The administration to which the claim has been made shall be authorized to indemnify the claimant on behalf of the administration which was liable when the latter, although duly informed, has allowed five months to pass without finally settling the claim.

Article 27

Reimbursing the administration which paid the indemnity

1. The administration on whose behalf the claimant was indemnified shall reimburse the administration which made the payment the amount of its disbursement within four months of dispatch of the advice of payment.

2. This reimbursement shall be made without charge for the creditor administration:

(a) by one of the payment procedures outlined in article 103, § 8, of the Detailed Regulations [1] of the Convention;

(b) subject to agreement, by an entry to the credit of the administration of that country in the money order account.

3. After the four-month period, the amount due to the creditor administration shall be chargeable with interest at the rate of 6% per annum, reckoned from the date of expiry of that period.

Chapter VII

Accounting

Article 28

Allocation of charges

1. The issuing administration shall allocate to the paying administration a unit rate on the amount of the charges that it has collected in application of article 6.

2. The rate shall be fixed in relation to the average amount of card money orders included in one and the same monthly account at:

0.80 francs up to 100 francs;
1.00 franc over 100 francs and up to 200 francs;
1.20 francs over 200 francs and up to 300 francs;
1.50 francs over 300 francs and up to 400 francs;
1.80 francs over 400 francs and up to 500 francs;
2.10 francs over 500 francs.

3. However, the administrations concerned may, at the request of the paying administration, agree on a higher rate than that which is fixed in § 2, when the charge collected on issue is higher than the amount of the combined charge below:

(a) set charge of:
- 0.80 francs for card money orders;
- 1.60 francs for list money orders;

(b) proportional charge of ¾% of the sum paid in.

[1] TIAS 8231, *ante*, p. 345.

4. Inpayment money orders and money orders issued free of charge shall give rise to no allocation.

5. For list money orders, over and above the unit rate provided for in § 2, of this article, a supplementary rate of 50 centimes shall be allocated to the paying administration.

6. In cases of reforwarding, the administration of the country of new destination shall receive, regardless of the charges actually collected by the issuing administration, the rates that would have been due to it if it had been the administration of the country of initial destination.

Article 29

Preparation of accounts

1. Each paying administration shall prepare, for each issuing administration, a monthly account of the sums paid for card money orders or a monthly account of the amount of the lists received during the month for list money orders; the monthly accounts shall be incorporated, periodically, in a general offset account giving rise to the determination of a balance.

2. When money orders have been paid in various currencies, the lower credit shall be converted into the currency of the higher credit, using as a conversion basis the average official rate of exchange in the country of the debtor administration during the period to which the account pertains; this average rate shall be invariably calculated to four decimal places.

3. The settlement of accounts may also be made on the basis of monthly accounts, without offsetting.

Article 30

Settlement of accounts

1. In the absence of special agreement, payment of the balance of the general account or the amount of monthly accounts shall be made in the currency that the creditor administration uses for payment of money orders.

2. Any administration may maintain with the administration of the corresponding country a credit from which the sums due shall be deducted.

3. Any administration which finds another administration overdrawn by a sum exceeding the limits fixed by the Regulations may ask for a payment on account.

4. In cases of non-payment within the periods fixed by the Regulations, sums due shall be chargeable with interest at the rate of 6% per annum, reckoned from the date of expiry of those periods to the day of payment.

5. No unilateral measure, such as a moratorium, prohibition of transfer, etc, may interfere with the implementation of the provisions of this Agreement and its Detailed Regulations on the preparation and settlement of accounts.

Chapter VIII

Miscellaneous provisions

Article 31

Offices participating in the exchange

Postal administrations shall take all necessary measures to ensure, so far as possible, the payment of money orders in all localities of their countries.

Article 32

Participation of non-postal organizations

1. Countries, in which the money order service is provided by non-postal organizations, may participate in the exchange governed by the provisions of this Agreement.

2. These organizations shall come to an agreement with the postal administration of their country to ensure full implementation of all clauses of the Agreement; the postal administration shall act as their intermediary in their relations with the postal administrations of the other contracting countries and with the International Bureau.

Article 33

Prohibition of fiscal or other fees

Money orders and the receipts given on money orders may not be subjected to any charge or fee other than those authorized by this Agreement.

Section III

Inpayment money orders

Article 34

Nature of inpayment money orders

The sender of a money order may, as a substitute for payment in cash, ask for the entry of the amount to the credit of the postal giro account of the payee, if the regulations of the country of destination permit.

Article 35

General provisions

Subject to articles 36 to 39, inpayment money orders shall be governed by the provisions laid down for money orders in this Agreement.

Article 36

Maximum amount issued

The amount on inpayment money orders shall be unlimited. However, each administration may limit the total amount of the inpayment money orders that any depositor may order either in one day, or during a specified period.

Article 37

Charges

1. The issuing administration shall freely decide the charge to be collected at the time of issue. This charge shall be lower than the charge for a money order of the same amount.

2. To this principal charge, it shall add any charges pertaining to special services (request for advice of entry to the credit of the payee s postal giro account, etc).

Article 38

Advice of entry

In relations between countries whose administrations have so agreed, the depositor may ask for an advice of entry to the credit of the payee s account. Article 42 of the Convention shall apply to advices of entry.

Article 39

Prohibitions

1. Reforwarding of an inpayment money order to another country of destination shall not be permitted.
2. Notwithstanding article 12, endorsement shall not be permitted for inpayment money orders.

Section IV

Postal travellers cheques

Chapter I

General provision and issue

Article 40

Definition. Books

1. Postal travellers cheques shall be instruments which may be issued and paid by the postal administrations of contracting countries on the basis of the provisions of this Agreement.
2. They shall be issued in books.

Article 41

Currency. Maximum amount. Conversion

1. Each cheque shall be made out, in the currency of the country of payment, for a fixed sum equivalent to approximately 25, 50 or 100 francs and determined by agreement between the postal administrations concerned.
2. In special cases, the cheques may be made out in another currency than that of the country of payment or for a sum appreciably different from any of the equivalents stated in § 1.
3. The issuing administration shall fix the conversion rate of its currency into that of the paying country.
4. A book shall contain not more than ten cheques; each book may contain cheques of different amounts.

Article 42

Charge

The charge payable on each cheque shall be fixed by the issuing administration; it may not exceed ¾% of the sum paid in, or be less than 10 centimes.

Article 43

Selling price

The issuing administration may collect, in addition to the value of the cheques and in addition to the charges, a sum corresponding to the cost of the cheques, their covers and the work involved in making up the books.

Chapter II

Payment of cheques

Article 44

Validity of the instruments. Payment of funds

1. The cheques shall be valid for four months from the day of issue; months shall be counted from nth to nth, whatever the number of days in them.

2. When the paying service does not have sufficient funds, it may suspend payment of the cheques until such time as it has been able to procure the means of payment.

3. Ownership of books and cheques shall not be transferable by means of endorsement or cession; books and cheques may not be pledged.

Article 45

Stop order

Subject to the application of the legislation of their country, administrations may not act on requests to stop the payment of a properly issued cheque.

Chapter III

Inquiries. Liability. Accounting

Article 46

Inquiries and liability

1. No claim may be instigated against the issuing administration unless the book is produced.

2. In case of the loss of a book or cheques, the claimant shall, in order to obtain reimbursement of the corresponding amounts, show proof to the issuing administration that he has requested delivery of a book of cheques and paid the total corresponding amount.

3. This administration may then proceed to make the repayment within a period which may not exceed the period of validity by three months and after satisfying itself that the instruments declared to be lost have not been paid; the three-month period shall be extended to six months in relations with distant countries.

4. Administrations shall not be liable for the consequences which may be caused by the loss, fraudulent removal or fraudulent use of books or cheques.

Article 47

Allocation of charges. Preparation of accounts

1. The issuing administration shall allocate to the paying administration ⅜% of the amount of the cheques paid.

2. The account of the amounts paid for cheques shall be prepared monthly at the same time as the one of the amounts paid for money orders.

Section V

Final provisions

Article 48

Application of this Agreement to postal travellers cheques

Section II of this Agreement shall apply to postal travellers cheques in all cases not expressly governed by section IV.

Article 49

Application of the Convention

The Convention shall be applicable, where appropriate, by analogy, in all cases not expressly governed by this Agreement.

Article 50

Exception to the application of the Constitution

Article 4 of the Constitution shall not apply to this Agreement.

Article 51

Condition of approval of proposals concerning this Agreement and its Detailed Regulations

1. To become effective, proposals submitted to Congress relating to this Agreement and its Detailed Regulations must be approved by a majority of the member countries present and voting, which are parties to the Agreement. At least half of these member countries represented at Congress shall be present at the time of voting.

2. To become effective, proposals introduced between two Congresses relating to this Agreement and its Detailed Regulations must obtain:

(a) unanimity of votes, if they involve the addition of new provisions or amendments to articles 1 to 10, 11, § 4, 12 to 14, 15, §§ 1, 2 and 4, 16 to 18, 19, § 4, 20, § 5, 22 to 30, 33, and 48 to 52 of this Agreement and 102 to 106, 109, 116, 119 to 121, 124, 129 to 133, 136, § 1, and 157 of its Detailed Regulations;

(b) two-thirds of the votes, if they involve amendments to the provisions of this Agreement other than those mentioned under (a) and (c), of articles 107 and 108, 110, 112, 115, 117 118, 122, 123, 125, 127 134, 137 and 138 to 144 of its Detailed Regulations;

(c) a majority of the votes, if they involve amendments to article 20, § 3, of the Agreement and other articles of the Detailed Regulations or interpretation of the provisions of this Agreement and its Detailed Regulations, except in the case of a dispute to be submitted to arbitration as provided for in article 32 of the Constitution.

Article 52

Entry into force and duration of the Agreement

This Agreement shall come into force on 1 January 1976 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 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 Government of the country in which Congress is held.

Done at Lausanne, 5 July 1974.

[For signatures, see French text, pp. 878–898.]

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DETAILED REGULATIONS OF THE MONEY ORDERS AND POSTAL TRAVELLERS' CHEQUES AGREEMENT

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DETAILED REGULATIONS OF THE MONEY ORDERS AND POSTAL TRAVELLERS' CHEQUES AGREEMENT

Having regard to article 22, § 5, of the Constitution of the Universal Postal Union concluded at Vienna on 10 July 1964, the undersigned, on behalf of their respective postal administrations, have by common consent drawn up the following measures for ensuring the implementation of the Money Orders and Postal Travellers Cheques Agreement.

Part I

Preliminary provisions

Article 101

Information to be supplied by administrations

1. At least three months before implementing the Agreement, each administration shall transmit to the other administrations, through the intermediary of the International Bureau, the following information:

(a) Money order service

(1) a list of countries with which it exchanges card money orders, list money orders and inpayment money orders on the basis of the Agreement;

(2) either a list of offices that it authorizes to issue and pay money orders or the notice that all its offices participate in this service;

(3) if appropriate, notice that it takes part in the exchange of telegraph money orders;

(4) the maximum amount adopted for issue and payment;

(5) the currency in which the amount of the money orders addressed to its country shall be expressed;

(6) the charge collected on money orders issued;

(7) either the method of indicating this charge, or the advice that this charge is not indicated;

(8) if appropriate, the charges collected for payment at the place of address, *poste restante*, authorization to extend the period of validity, inquiry, and payment authorization, respectively;

(9) the duration of the period after which its legislation permanently assigns to the State the amount of the money orders whose payment has not been claimed;

(10) the special charge for delivery of funds by express (telegraph money orders);

(11) its decision with respect to the possibility, in its country, of transferring or not transferring ownership of money orders by means of endorsement;

(12) a copy of the money order forms it uses, unless money orders are exchanged by means of lists;

(13) the spelling, in the official language of its country, of the numbers 1 to 3000, to be used to express the sums to be entered on money orders;

(14) a list of countries not participating in the Agreement for which it can serve as intermediary for the exchange of money orders;

(15) the service to which inquiries, requests for withdrawal from the post and alteration of address and requests for authorization to extend the period of validity shall be transmitted (central administration, exchange office or other specially designated office);

(b) Postal travellers cheques
  (1) a list of countries with which it exchanges postal travellers cheques on the basis of the Agreement;
  (2) either a list of offices that it authorizes to issue and pay cheques or the notice that all its offices participate in the service;
  (3) the amount, in the currency of the countries for which the cheques are drawn, of each postal travellers cheque;
  (4) the charges collected on cheques issued.

2. Any amendment to the information mentioned above shall be notified without delay.

3. Administrations shall inform one another direct of the conversion rates that they apply in their reciprocal relations and any changes made in these rates.

Article 102

Application of the Detailed Regulations of the Convention

In all cases not expressly governed by these Regulations the provisions of the Detailed Regulations of the Convention shall be applicable, particularly those of the following articles:
(a) article 131, "Advice of delivery"
(b) article 134, "Express items"
(c) articles 140 and 141, "Withdrawal from the post. Alteration of address" supplemented by articles 109 and 124 of these Regulations.

Article 103

Forms for the use of the public

For the purpose of applying article 10, § 3, of the Convention, the following shall be considered as forms for the use of the public:
MP 1 (International money order),
MP 4 (Inquiry concerning an international money order),
MP 10 (Postal travellers cheque),
MP 11 (Book of postal travellers cheques),
MP 12 (International money order for machine handling),
MP 16 (International inpayment money order).

Part II

Money orders

Section I

Card money orders

Chapter I

Issue, transmission

Article 104

Card money order forms

1. Card money orders shall be drawn up on a pink, strong cardboard form conforming to the annexed specimen MP 1.

2. Administrations which agree to grant certain facilities to bulk posters of money orders may authorize them to use a form conforming to the annexed specimen MP 12.

Article 105

Preparation of card money orders

1. Money orders shall be written in roman letters and arabic numerals, without erasure or alteration, even if certified. Entries shall be handwritten, printed if possible, or typewritten. Pencilled entries shall not be accepted; however, service instructions may be made with an indelible pencil. The MP 12 form shall, with the exception of the service instructions, be filled in completely by typewriter.

2. The amount of the money orders and the name of the currency unit shall be written out in full. The amount shall also be given in numerals and, if necessary, with the abbreviation of the name of the unit provided that it is usual and does not create confusion. When the currency used is based on the decimal system, fractions of the currency unit may be expressed in numerals only, but obligatorily in hundredths (or thousandths) by means of a figure of two (or three) numerals using a zero (or two zeros) if necessary. When the currency used is not based on the decimal system, the number of currency units or fractions of currency units shall always be written out in full while their name may be abbreviated under the conditions prescribed for the decimal system; in the indication of the amount in numerals, the units or fractions of currency units not mentioned in the sum in letters shall be replaced by zeros.

3. The indication written out in full of the amount on MP 1 and MP 12 money orders may be replaced by a numbered indication supplied by a so-called "cheque-protecting machine" and preceded by a symbol other than a number or a letter, in the relations with administrations which accept payment of such money orders. In that case, the amount to be paid shall be given only once in the instrument. The characters used shall be large enough not to be misread.

4. The address of the money orders shall be written so that the payee may be clearly identified; abbreviated addresses and telegraphic addresses shall not be accepted.

5. Service money orders shall bear on both front and back, the entry *"Service des postes"* (On postal service) or some similar entry.

6. Money orders for delivery to the addressee only shall bear, on front and back, in conspicuous letters, the entry *"Ne payer qu en main propre"* (Pay to addressee only).

7. Money orders with advice of payment shall bear, on the front in conspicuous letters, the entry, *"Avis de paiement"* (Advice of payment).

8. It shall not be compulsory to indicate on the money order the charge collected from the sender. Where applicable, this charge shall be indicated either by affixing postage stamps or by entering the charge collected in the space provided on the forms MP 1, MP 12 and MP 16.

Article 106

Prohibited or authorized entries

It shall be prohibited to make any other entries on the money orders than those comprised in the contents of the forms, except for service instructions such as "On postal service" "Pay to addressee only" "Advice of payment" "By air mail" however, the sender may write down a personal message on the back, as provided for in article 9, § 6, of the Agreement.

Article 107

Automatic registration

Administrations may agree among themselves as to the amount above which the money orders they issue shall be automatically registered, providing this amount is not less than 200 francs.

Article 108

Transmission of card money orders

1. In the absence of special agreement, money orders shall not be transmitted in envelopes.

2. Money orders shall be inserted in mails in the manner prescribed in article 151, §§ 2 to 6, or in article 152 of the Detailed Regulations of the Convention, depending on whether or not they are automatically registered.

Chapter II

Special provisions relating to certain facilities offered to the public

Article 109

Withdrawal from the post. Alteration of address

1. Any request for withdrawal from the post or for alteration of address sent by mail shall be drawn up on a form conforming to annexed specimen MP 4.

2. Any request for withdrawal from the post or for alteration of address sent by telegraph shall be confirmed, by the first post, by a postal request. The MP 4 form shall have written across the top the note "*Confirmation de la demande télégraphique du* . . ." (Confirmation of telegraphic request dated . . .) underlined in red pencil; the paying office shall hold the money order until receipt of this confirmation.

3. However, the paying administration may, on its own responsibility, act on a telegraphic request for withdrawal or for alteration of address without waiting for confirmation by post.

Article 110

Redirection of card money orders

1. An office redirecting a card money order by mail shall cross out in ink, where appropriate, indications of the amount of the money order in such a way as to leave the original entries legible; the entry under the heading "Sum deposited" *(Somme versée)* shall not be altered. The amount of the money order shall be converted into the currency of the country of the new destination on the basis of the rate set for money orders originating from the reforwarding country; the result of the conversion shall be written on the money order, in figures and in words, if possible above the indication of the original amount. The entry of the new amount shall be signed by the official on duty. The same procedure shall be followed in cases of subsequent redirection.

2. In cases of redirection to the country of initial destination, the reforwarding office shall restore the original amount; if the reforwarding is to the issuing country, the reforwarding office shall substitute, for the amount indicated, that inscribed in the service indications under the heading "Sum deposited".

3. In cases of redirection by telegraph, the reforwarding office shall prepare a telegraph money order for the sum remaining after deduction of postal and telegraph charges. The postal charge shall be calculated from the sum obtained after deduction of the telegraph charge from the original amount. The conversion into the currency of the country of the new destination shall be carried out according to the terms laid down in §§ 1 and 2 above. The original money order shall be receipted by the reforwarding office; it shall bear the entry "*Réexpédié le montant de* . . . *à* . . . *sous déduction des taxes de* . . ." (Reforwarded the amount from

. . . to . . . less deduction of charges of . . .), and shall be accounted as a paid money order. The coupon of the original money order shall be attached to the advice of issue referred to in article 131, for delivery to the payee.

4. Paragraph 3 shall be applicable:

(a) to card money orders originating in a contracting country and redirected to another contracting country with which the issuing country does not exchange money orders or when they are exchanged by means of lists;

(b) to card money orders redirected to a country which is not a party to the Agreement;

(c) to card money orders originating in a non-contracting country and redirected to a contracting country.

5. Requests for redirection shall be recorded, as a reminder, by the office of initial destination and by offices of subsequent destination, if any. The reforwarding office shall advise the issuing office of this action.

Chapter III

Special treatment, inquiries

Article 111

Irregular card money orders

1. Any card money order presenting one of the irregularities listed below shall be returned, for correction, to the issuing office by the quickest route (air or surface) and in an envelope along with a form conforming to the annexed specimen MP 14:

(a) inexact, insufficient or unclear indication of the name or address of the payee;

(b) discrepancies in or omissions of names or amounts;

(c) exceeding the maximum amount agreed to between the administrations concerned, due to an obvious error in the conversion rate;

(d) erasures or alterations in the entries;

(e) omission of stamps, signatures, or other service indications;

(f) indication of the amount to be paid in a currency other than that which is accepted, or omission of the name of the currency unit;

(g) obvious error in the ratio between the currency of the issuing country and that of the paying country, a ratio which the paying office, however, shall not be bound to verify;

(h) use of non-regulation forms.

2. Nevertheless, in the case of irregularities which are, or appear to be, attributable to the sender, the administration of payment may, where applicable, after notifying the payee, permit the latter to make a request for rectification. This request may be sent, at the payee's expense, by air or telegraph; these charges shall be refunded to him if it is established that the mistake was due to a service error.

3. However, in its relations with distant countries, the administration of payment may automatically rectify minor errors. Such rectification shall be written in red ink and signed by the official on duty.

4. When rectification of the irregularity is requested by telegram, the irregular money order shall be held by the paying office, which shall make the correction upon receipt of the rectifying telegram and attach this telegram to the money order.

5. Upon receipt of a request for rectification by air or by telegram, the issuing office shall check whether the irregularity derives from an error imputable to the service; if so, it shall correct it forthwith by air or by telegraph. If not, it shall notify the sender, who shall then be authorized to correct the irregularity by air or by telegraph, at his own expense.

6. If after a period of 30 days the sender has not complied with a request for rectification of a money order accompanied by an MP 14 form, the money order shall be considered unpaid. The above form, bearing the appropriate information, shall be returned to the office of destination by the quickest route (air or surface).

Article 112

Preparation of the advice of payment

Administrations whose regulations do not permit the use of the form attached by the issuing administration shall be authorized to prepare the advice of payment on their own service form.

Article 113

Authorization to extend the validity period

Authorization to extend the validity period shall be entered on the money order itself.

Article 114

Inquiries

1. Any inquiry concerning a card money order shall be drawn up on an MP 4 form and transmitted, as a general rule, by the issuing office direct to the paying office. One form may be used for several money orders issued at the same time at the request of the same sender and to the order of the same payee. Inquiries shall be transmitted officially and always by the most rapid route (air or surface) under the conditions prescribed in article 39 of the Convention.

2. When the paying office is in a position to supply definitive information on what happened to the instrument, it shall return the form, completed according to the results of the investigations, to the office which received the inquiry. In cases of fruitless investigations or disputed payment, the form shall be transmitted to the issuing administration through the intermediary of the paying administration which shall attach, if possible, a statement by the payee attesting that he has not received the amount of the money order.

3. When an inquiry is submitted in a country other than the issuing country or the paying country, the MP 4 form shall be transmitted to the issuing administration accompanied by the certificate of posting. If, for any reason, the certificate produced cannot be attached to the MP 4 form, the latter shall be endorsed: "*Vu récépissé du depôt n° . . . delivré le . . . par le bureau de . . . pour un montant de . . .*" (See certificate of posting No . . . issued on . . . by the office of . . . for the sum of . . .). The period prescribed in article 39, § 1, of the Convention shall apply.

Chapter IV

Unpaid card money orders

Article 115

Return of unpaid card money orders

1. Money orders which could not be paid to the payees for any reason shall be returned direct to the issuing office; before this the paying office shall record them, stamp them, or affix the label prescribed in article 139, §§ 1 to 3, of the Detailed Regulations of the Convention.

2. However, money orders prepared under the conditions laid down in article 110, §§ 3 and 4, shall be transmitted to the administration which prepared them. That administration shall place the amount at the disposal of the administration which issued the original instrument either by a new charge-free money order or by a deduction from the monthly account of the paid money orders.

Article 116

Payment authorizations

Payment authorizations shall be prepared on a pink form conforming to the annexed specimen MP 13.

Article 117

Card money orders mislaid, lost or destroyed before payment

1. Before issuing payment authorization to cover a money order mislaid, lost or destroyed before payment, the issuing administration shall ascertain in agreement with the paying administration that the money order has not been paid, reimbursed, or redirected; every precaution shall also be taken to prevent its being paid later.

2. In support of his request for reimbursement, the sender shall produce the certificate of posting for the mislaid, lost or destroyed instrument.

3. When the paying administration declares that a money order has not reached it, the issuing administration may issue a payment authorization on condition that the money order in dispute does not appear in any of the monthly accounts covering the validity period of the money order; however, if no reply is obtained from the paying administration within the period prescribed in article 26, §§ 1 and 2, of the Agreement, for the indemnification of the claimant, and if the instrument does not appear in any of the monthly accounts received by the end of that period, the issuing administration shall be authorized to reimburse the funds; notification of this action shall be sent, under registered cover, to the paying administration and the money order, henceforth deemed definitively lost, may not subsequently be entered in an account.

Article 118

Money orders mislaid, lost or destroyed after payment

1. The paying administration may replace any money order mislaid, lost or destroyed after payment by a new instrument prepared on form MP 1. This form shall bear all the necessary indications of the original instrument as well as the words "*Titre établi en remplacement d'un mandat égaré (perdu ou détruit) après paiement*" (Instrument prepared to replace a money order mislaid (lost or destroyed) after payment) and a date stamp.

2. A statement by the payee attesting that he has received the funds shall be given, preferably on the back of the replacement instrument itself. Exceptionally, this statement may be taken on a slip attached to the latter as a supporting document; such a statement shall take the place of the original receipt.

3. If this statement cannot be requested of the payee, an official note shall be made on the back of the replacement instrument or on a special supporting document, stating that the amount of the money order has in fact been paid.

Section II

List money orders

Chapter I

Preliminary provisions

Article 119

Provisions common to list money orders and card money orders

The following articles of these Regulations shall apply to list money orders:
(a) article 106, "Prohibited or authorized entries";
(b) article 109, "Withdrawal from the post. Alteration of address", supplemented by the provisions of article 124;
(c) article 114, "Inquiries".

Chapter II

Issue, transmission

Article 120

Offices of exchange

List money orders shall be exchanged only through the intermediary of offices called "offices of exchange" designated by the administration of each of the contracting countries.

Article 121

Transmission of list money orders

1. List money orders shall be transmitted between the issuing office and the office of exchange of the issuing country or between the office of exchange of the paying country and the paying office by forms which each of the administrations concerned shall determine according to its own convenience.

2. Between offices of exchange of different countries, they shall be transmitted according to the following rules:
(a) each office of exchange shall prepare, daily or upon agreed dates, lists in the form of the annexed specimen MP 2, recapitulating the money orders deposited in its country for payment in another;
(b) every money order entered on a list shall bear a serial number called an international number; this number shall be assigned from an annual series beginning, by agreement between the administrations concerned, on 1 January or on 1 July, when the numbering changes, the first list which follows shall bear, in addition to its serial number, the last number of the preceding series;
(c) the lists themselves shall be numbered, according to the natural sequence of the numbers, beginning on 1 January or on 1 July of each year;
(d) the lists shall be transmitted post free to the corresponding office of exchange by the most rapid route (air or surface) and, in the absence of special agreement, without the money orders prepared by the issuing office;
(e) the corresponding office of exchange shall acknowledge receipt of each list by an appropriate entry on the first list dispatched in the opposite direction.

3. The administrations concerned may agree to limit the description of the money orders on the MP 2 list to entering in column 7 the amount of the money orders transmitted. In that case, the issuing country shall attach to the list the forms used to transmit the money orders between the issuing office and its own office of exchange, or any other form that the administrations agree to adopt.

Article 122

Special lists

A special MP 2 list shall be prepared for each of the following categories of money orders:
(a) money orders exempt from charges referred to in both article 16 of the Convention and article 7 of the Agreement; the list shall be endorsed, at the top, "*Mandats exempts de taxe*" (Money orders exempt from charges);

(b) money orders which the sender has asked to be sent by air; the list shall be endorsed *"Mandats par avion"* (Money orders by air mail) and shall be forwarded by the first air mail.

Article 123

Special services. Entries to be made on lists

1. When the sender of a money order requests express delivery, the entry *"Exprès"* (Express) shall be made on the MP 2 list in the "Remarks" column, opposite the corresponding entry.

2. When the sender of a money order requests an advice of payment, the notation "A P" shall be entered on the MP 2 list, in the "Remarks" column, opposite the entry relative to the money order.

3. When the sender of a money order requests payment to addressee only, the entry *"Ne payer qu'en main propre"* (Payment to addressee only) shall be made on the MP 2 list in the "Remarks" column, opposite the money order.

Chapter III

Special provisions relating to certain facilities offered to the public

Article 124

Withdrawal from the post. Alteration of address

Notwithstanding article 140 of the Detailed Regulations of the Convention, MP 4 requests for withdrawal from the post or alteration of address relative to list money orders shall be sent to the office of exchange of the paying country through the intermediary of the office of exchange of the issuing country.

Article 125

Redirection of list money orders

Any list money order redirected to another country shall be receipted by the reforwarding office. If appropriate, the sum shall be converted, after deduction of charges, into the currency of the country of new destination and a new money order prepared.

Chapter IV

Operations in the paying country

Article 126

Treatment of missing or incorrect lists

1. If a list is missing, an inquiry shall immediately be instigated by the office of exchange which notes its absence. The office of exchange of the issuing country shall immediately send to the office which made the inquiry, by the fastest route (air or surface), a duplicate of the missing list.

2. The lists shall be carefully checked by the office of exchange of the paying country, which shall automatically correct them if they contain any minor errors. The office of exchange of the issuing country shall be advised of these corrections when the office of exchange of the paying country acknowledges receipt of the list.

3. When the lists contain irregularities worth pointing out, the office of exchange of the paying country shall request explanations from the office of exchange of the issuing country, which shall reply as promptly as possible; meanwhile, payment of the money order which is the subject of the request shall be held in abeyance. Requests for explanations and the relevant replies shall be exchanged by the quickest route (air or surface).

Article 127

Sending advice of payment

The advice of payment, prepared by the paying office on a C 5 form provided for in article 131, § 2, of the Detailed Regulations of the Convention, shall be sent direct to the sender of the money order.

Article 128

Return of unpaid list money orders

1. The following shall be returned to the office of exchange, by means of an entry in the next MP 2 list, as if they were a money order dispatched from the paying country to the issuing country:
(a) money orders referred to in article 19 of the Agreement;
(b) money orders which have been the subject of a request for withdrawal from the post.

2. An appropriate notation, followed by the international number and a concise description of the original money order, shall be made in the "Remarks" column, opposite the entry.

Section III

Telegraph money orders

Chapter I

Preliminary provisions

Article 129

Common provisions

The provisions relative to card money orders and list money orders shall apply to telegraph money orders, in everything not expressly governed by section III of these Regulations.

Chapter II

Issue. Transmission

Article 130

Preparation of telegraph money orders

1. Telegraph money orders shall be prepared by the issuing post office which shall send money order telegrams direct to the paying post office. Money order telegrams shall be written in French in the absence of a special agreement and shall invariably be drawn up as follows:
Indications of service charges paid (if appropriate),
Advice of payment (if appropriate),
Payment to addressee only (if appropriate),
Money order . . . (postal issuing number),
Name of the paying post office,

Name of the issuing post office and (if appropriate) its number and name of country of origin,
Name of the sender,
Total amount to be paid,
Exact designation of payee, of his residence (place name) and, if possible, of his domicile (street address), so that the rightful owner may be clearly identified,
Personal message (if any).

2. When several telegraph money orders are issued at the same time by the same sender to the order of the same payee, one money order telegram may be sent if the administration of destination accepts this; in which case the issuing number shall be indicated in the following manner: "Money Orders 201–203" and the total to be paid shall comprise the individual amounts of each money order.

3. When the locality where the paying post office is located does not have a telegraph office, the money order telegram shall bear the name of the paying post office and that of the telegraph office which serves it. When there is doubt about the existence of a telegraph office in the locality of payment or when the telegraph office which serves it cannot be indicated, the money order telegram shall bear either the name of the territorial subdivision, or of the paying country, or both these indications, or any other detail deemed sufficient for the forwarding of the money order telegram.

4. The amount shall be expressed as follows: total number of monetary units in figures, then in words, the name of the monetary unit and fractions of a unit, if any, in figures.

5. The surname of a female payee, even if it is accompanied by a first name, shall be preceded by one of the words "Mrs" or "Miss" unless this indication duplicates a rank, a title, a position or a profession which enables the rightful owner to be clearly identified; neither the sender nor the payee may be designated by a coded abbreviation or word.

6. The name of the place of residence of the payee may be omitted if it is the same as that of the paying office. When telegraph money orders are addressed *"Poste restante"* or *"Télégraphe restant"*, the money order telegrams shall bear the indication of the corresponding service charge paid, to the exclusion of any other equivalent entry.

Article 131

Advice of issue

1. The issuing office shall draw up for each telegraph money order a confirmatory advice of issue in the form of the annexed specimen MP 3.

2. It shall be prohibited to affix postage stamps or postage-paid impressions to these advices.

3. The advice of issue shall be sent, under cover, by the first mail and by the quickest route (air or surface):
(a) direct to the paying office, in the case of a telegraph card money order;
(b) to the office of exchange of the issuing country, in the case of a telegraph list money order.

Article 132

Transmission of telegraph list money orders

1. Telegraph list money orders shall be transmitted direct by the issuing post office to the paying post office without going through the intermediary of the offices of exchange.

2. Telegraph list money orders shall give rise to the preparation of a special MP 2 list headed "Telegraph list money orders".

3. The offices of exchange may assign to the telegraph list money orders described on such special lists an international number from a special series for telegraph money orders.

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Chapter III

Special provisions relating to certain facilities offered to the public

Article 133

Alteration of address

1. Except when it involves a simple correction of the address as described in article 30, § 6, of the Convention, the paying office of a telegraph money order shall have the advice of issue in its possession before acting upon a request for alteration of address.

2. However, the paying administration may, on its own responsibility, act on a telegraphic request for alteration of address without waiting for either confirmation by post or the advice of issue.

Article 134

Redirection of telegraph money orders

1. A telegraph money order shall be redirected by post or by telegraph without having to wait for the advice of issue.

2. In cases of postal redirection to the issuing country before arrival of the advice of issue, the reforwarding office shall limit itself to changing the address of the payee and crossing out, in ink, the particulars of the amount. The money order shall be transmitted under cover to the office of new destination; the same shall apply to the advice of issue on its arrival at the reforwarding office.

Chapter IV

Operations in the paying country

Article 135

Treatment of irregular telegraph money orders

1. When a money order cannot be delivered, because of insufficient or inaccurate address, or for any other reason for which the payee is not responsible, a telegraph service advice shall be sent to the issuing office stating the reason for non-delivery.

2. Upon receipt of a request for rectification by telegraph service notice, the issuing office shall proceed as indicated in article 111, §§ 5 and 6.

3. Any telegraph money order whose irregularity has not been corrected within a normal period, by air or telegraph, shall be rectified in the manner prescribed for postal money orders.

Article 136

Payment of telegraph money orders

1. Telegraph money orders shall be paid on receipt and without waiting for the advice of issue; this shall subsequently be attached, if possible, to the money order receipted by the payee.

2. Telegraph money orders whose advice of issue reaches the paying office before the money order telegram shall not be paid on sight of the advice of issue alone; in that case the money order telegram shall be inquired about by means of a telegraph service notice. Advices of issue which have not reached the paying office by the first mail after the date of the money order shall be inquired about by means of request for rectification in the form of the specimen MP 14.

3. Telegraph list money orders for which the paying office has not received any money order telegram may be paid only after a receipt of a duplicate of this money order telegram, requested by telegraph service notice.

4. Telegraph money orders for which the office of exchange of the paying country has not received an MP 2 list within a normal period shall be the subject of requests for explanations addressed to the office of exchange of the issuing country, which shall reply as promptly as possible. In cases of non-reply within a reasonable period, the telegraph list money orders actually paid may automatically be added to the first MP 2 list received from the issuing administration; if the missing MP 2 list arrives after this automatic entry, it shall be cancelled or rectified by the office of exchange which receives it.

Article 137

Preparation of advice of payment

The task of preparing an advice of payment for a telegraph money order shall rest with the paying office, which shall send it to the issuing office immediately after payment and without waiting for the advice of issue.

Article 138

Return of unpaid telegraph money orders

1. Telegraph card money orders which could not be paid to the payees for any reason whatsoever shall be subject to the provisions of article 115.

2. They shall be returned under cover, without waiting for the arrival of the relative advices of issue. Advices of issue received subsequently shall also be returned under cover.

Section IV

Inpayment money orders

Article 139

General provisions

Subject to what is expressly prescribed in this section, inpayment money orders shall be subject to the general provisions governing money orders whatever the method of transmission, by post or telegraph, whether it involves the card system or the list system.

Article 140

Preparation of inpayment money orders

1. Inpayment money orders shall be prepared on a strong, yellow cardboard form conforming to the annexed specimen MP 16.

2. The address on inpayment money orders shall consist of the surname or business name of the payee, the number of his postal giro account preceded by the words *"compte courant postal"* (postal giro account) or the abbreviation *"CCP"*, and the designation of the postal giro centre in which the payee's postal giro account is held.

Article 141

List of inpayment money orders

1. Inpayment money orders, in the list system, shall be transmitted by means of a special MP 2 list which shall be entitled "*Mandats de versement*" (Inpayment money orders).

2. When the sender of an inpayment money order requests an advice of entry to the credit of the payee's postal giro account, the notation "A 1" shall be entered on the MP 2 list in the "Remarks" column, opposite the entry pertaining to the money order.

Article 142

Telegraph inpayment money orders

Telegraph inpayment money orders shall be prepared in accordance with article 130. They shall give rise to the transmission of money order telegrams direct to the giro centre which holds the payee's postal giro account. The money order telegrams shall be written in French in the absence of special agreement and shall invariably be drawn up as follows:

Indications of service charges paid (if appropriate),
Advice of entry (if appropriate),
Money order . . . (postal issuing number),
Name of the postal giro centre of destination,
Name of the sender,
Total amount to be credited to the payee's postal giro account,
Exact designation of payee and number of his postal giro account preceded by the initials CCP,
Personal message (if any).

Article 143

Inpayment money orders mislaid, lost or destroyed after entry

Any inpayment money order mislaid, lost or destroyed after entry of the amount to the credit of a postal giro account may be replaced by the administration of destination by a new instrument prepared on an MP 16 form bearing the indications prescribed in article 118, § 1, and specifying, on the back, the date of entry to the credit of the payee's postal giro account.

Article 144

Accounting provisions concerning inpayment money orders

In the absence of special agreement, inpayment money orders shall be described on a special MP 6 list and incorporated into the monthly account for money orders.

Section V

Accounting provisions

Chapter I

Common regulations

Article 145

Preparation of monthly accounts

1. Each paying administration shall prepare monthly, for each of the administrations from which it received money orders, a monthly account in the form of the annexed specimen MP 5 for card money orders, or a monthly account in the form of the annexed specimen MP 15, for list money orders. It shall recapitulate in this account all the money orders paid by its own offices on behalf of the corresponding administration during the preceding month; it shall likewise recapitulate those money orders the extension of whose period of validity has been duly authorized and which have already been paid during another month, but which for any reason it has only been possible to enter in the accounts during the month to which the account relates. The recapitulation shall be made according to:

(a) the chronological order of the months of issue;

(b) the alphabetical or numerical order of the issuing offices, as agreed;

(c) for each issuing office, the numerical order of the money orders.

2. If necessary, the paid money orders shall be summarized on a special list in the form of the annexed specimen MP 6, which shall be attached to the monthly account prepared, in this case, on a form conforming to the annexed specimen MP 7.

3. The paying administration shall also enter in this account:

(a) the amount of the rates due to it by virtue of article 28 of the Agreement;

(b) if appropriate, the amount of the reimbursement referred to in article 27 and that of the interest prescribed in articles 27, § 3, and 30, § 4, of the Agreement;

4. The receipted payment authorizations shall be treated as money orders and described in the MP 5 account or, when appropriate, on the MP 6 list under the same conditions which would apply if the instruments themselves were involved.

5. The monthly account shall be transmitted to the debtor administration at the latest before the end of the month following that to which it pertains, accompanied by the supporting instruments (money orders and receipted payment authorizations). When, for any reason whatsoever, the monthly account cannot be transmitted in due time, the debtor administration shall be advised, within the eight days which follow expiry of the above-mentioned period, of the estimated transmission date of the account in question. The information shall be sent by telegraph.

6. If there are no instruments paid (money orders, payment authorizations), a "Nil" monthly account shall be sent to the corresponding administration.

7. Discrepancies in the monthly accounts noted by the debtor administration shall be taken up in the next monthly account to be prepared; they shall be ignored if the amount does not exceed 50 centimes per account.

Article 146

Preparation of the general account

1. The general account shall be drawn up, on a form conforming to the annexed specimen MP 8, by the creditor administration immediately upon receipt of the monthly accounts and even before checking the details of these accounts.

2. It shall be settled within the two months following expiry of the month to which it pertains; this period shall be extended to four months in relations between distant countries.

3. Administrations may agree among themselves to prepare the general account on a quarterly, half-yearly or yearly basis.

Article 147

Payment methods and periods

1. In the absence of special agreement, and subject to § 2, the balance of the general account or the totals of the monthly accounts shall be paid in the currency of the creditor country, without loss to the latter:

(a) by means of cheques or drafts payable on sight at the capital or at a commercial centre in the creditor country, or by means of giro transfers;
(b) or by deduction from any credit established under the terms of article 30, § 2, of the Agreement.

2. The payment charges collected in the debtor country (fees, clearing charges, deposits, commission, etc) and charges collected by banks in intermediate countries shall be borne by the debtor administration. The charges collected in the creditor country shall be borne by the creditor administration.

3. Payment shall be made no later than fifteen days after receipt of the general account or after receipt of the monthly account, if the regulations operate on the basis of that account; this period shall be extended to one month for distant countries.

4. In the event of disagreement between two administrations regarding the total of the sum to be paid, only the payment of the contested portion may be postponed; the debtor administration shall notify the creditor administration within the periods prescribed in § 3 of the reasons for the dispute.

Article 148

Instalments

1. Any administration which finds another administration overdrawn by a sum exceeding 30000 francs per month, may claim during the month in which the money orders are issued the automatic payment of a monthly instalment. The amount of the instalment shall be calculated on the basis of the average amount of the last three monthly accounts accepted. The debtor administration shall pay the instalment on a monthly basis once it is claimed, at the latest on the fifteenth day of each month, unless it can show that the average of the last three months elapsed no longer corresponds to the actual volume of money order traffic, in which case the amount of the instalment shall be reassessed accordingly. In case of non-payment within the above-mentioned period, article 30, § 4, of the Agreement shall apply unless the debtor administration is able to prove that the creditor administration does not regularly send its accounts within the period laid down in article 145, § 5.

2. A debtor administration which wishes to benefit from the option provided in article 30, § 2, of the Agreement without having previously received a request for an instalment from the creditor administration shall determine as it sees fit the amount and frequency of the payments it deems necessary to cover its issues.

3. When the sum paid as an instalment is greater than the actual balance of the period in question, the difference shall be taken up in the next account or, if appropriate, carried over to the credit provided for in article 30, § 2, of the Agreement.

Chapter II

Special accounting regulations for list money orders and telegraph money orders

Article 149

Preparation of monthly accounts

List money orders and telegraph money orders shall be subject to the following special accounting provisions:

(a) List money orders
  (i) administrations shall recapitulate, on the monthly account, the totals of the lists received during the month;
  (ii) the monthly account shall be transmitted to the debtor administration, immediately upon receipt of the last list of the month to which it pertains;
  (iii) administrations may, by common consent, waive preparation of monthly accounts and settle the amount of each list by means of a cheque or draft, to be attached to that list;

(b) Telegraph money orders
  (i) telegraph money orders shall be recapitulated with the card money orders or the list money orders, as appropriate;
  (ii) telegraph money orders, accompanied by corresponding advices of issue, whenever possible, shall be attached to the monthly account; advices of issue which reach the paying administration after transmission of the account upon which the telegraph money orders to which they pertain are described shall be returned to the issuing administration, attached to a later account;
  (iii) the provisions of subparagraph (b) (ii) shall not apply to telegraph list money orders.

Part III

Postal travellers' cheques

Article 150

General regulations for issue

Subject to the special provisions below, the general provisions relating to the issue of money orders shall be applicable to the drawing up of cheques and book covers.

Article 151

Cheque forms and book covers. Supply

1. Postal travellers' cheques shall be prepared on forms conforming to the annexed specimen MP 10. They shall be made of white paper with a shaded watermark representing an allegoric head approximately two centimetres high. A white strip three-and-one-half centimetres wide shall be provided on the left of the form. The watermark shall be placed at the top of this strip; an embossed stamp, the same for all countries and representing the head of Mercury, shall be applied in the centre; the lower part of this strip shall be reserved for the impression of the embossed stamp which the service issuing the cheques shall apply in accordance with article 152. Apart from the white strip, the form shall have a security backing formed by printing very clearly in three colours an allegory composed of some large subjects with relief shading. The words "*Bon postal de voyage*" (Postal travellers' cheque) shall be printed at the same time as the security backing and in the same colours. Distinctly different shades shall be used for the cheques of each of the three values prescribed in article 41, § 1, of the Agreement.

2. Each cheque shall bear the following indications, printed on the front:
(a) a serial number from 1 to 100 000;
(b) the name of the issuing country;
(c) the value of the cheque followed by the name of the currency in which it has been drawn up;
(d) the name of the country in which it shall be exclusively payable.

3. Cheques sold to the public shall be bound in a book with a light blue cover conforming to the annexed specimen MP 11. The name of the issuing country and the name of the paying country shall be printed on the front.

4. Administrations shall be supplied with cheques and book covers by the International Bureau which shall arrange for them to be printed.

Article 152

Preparation of cheques

1. On issue, the impression of an embossed stamp, peculiar to the service which issues them, shall be applied to the cheques in the white strip on the front in the space provided for that purpose. The first and last days of validity shall also be indicated on the cheques by hand, with a typewriter or by means of a stamp. Administrations may agree to authenticate the cheques by means of the impression of the rubber-stamp used for the issue of postal money orders.

2. Administrations may agree to indicate the name of the issuing service by means of a special embossed stamp.

Article 153

Make-up and preparation of books

1. The cheques shall be placed in the books in numerical order.

2. The office issuing a book shall indicate on the cover, in the space provided for that purpose, the first and last day of validity of the cheques. It shall also write on the hatchings of this cover the number of cheques issued and the numbers of the first and the last of these cheques; the name of the paying country shall be written conspicuously on the book and on the cheques in the spaces provided.

3. Entries shall be made by hand, with a typewriter or by means of mechanical printing process.

4. The impression of the embossed stamp or the rubber-stamp mentioned in article 152, § 1, shall be applied on the cover in the space provided for that purpose when the book is prepared.

Article 154

Exceptional payment of cheques drawn up in a currency other than that of the country where payment is requested

1. When, as a result of exceptional circumstances and then only in relations between countries which have agreed on this beforehand, the payee is obliged to ask for payment of his cheques in a country other than the paying country originally indicated on the cheques, the amount to be paid on each cheque in the currency of the country where payment is sought shall be requested by telegram or air mail from the issuing office, at the payee's expense.

2. The office which makes the payment shall indicate on the front of the cheque the amount paid in its currency and attach the telegram or reply note to the cheques paid in accordance with the conditions mentioned in § 1.

Article 155

Cheques mislaid, lost or destroyed after payment

Article 118 shall apply by analogy to postal travellers' cheques mislaid, lost or destroyed after payment. The replacement instrument shall be prepared on form MP 10. The paying administration shall obtain, through the intermediary of the administration of origin, a statement from the payee to serve as a receipt.

Article 156

Preparation of accounts

1. The monthly account of cheques paid shall be prepared on a form conforming to the annexed specimen MP 9.

2. This account shall be attached to the MP 5 monthly account relating to the money orders paid during the same period and its total shall be added to that of the MP 5 account.

3. Postal travellers' cheques paid exceptionally by a country which is not a party to the service in the circumstances described in article 154 shall be entered in a special MP 5 monthly account, which shall be annexed to the postal money order account.

Part IV

Final provisions

Article 157

Entry into force and duration of the Regulations

1. These Regulations shall come into force on the day on which the Postal Money Orders and Postal Travellers' Cheques Agreement comes into operation.

2. They shall have the same duration as that Agreement, unless renewed by common consent between the parties concerned.

Done at Lausanne, 5 July 1974.

Signatures: the same as on pages 481 to 501.

[For signatures, see French text, pp. 878–898.]

LIST OF FORMS

No	Title or nature of form	References
1	2	3
MP 1	International money order	Art 104, § 1
MP 2	List of money orders	Art 121, § 2 (a)
MP 3	Advice of issue of a telegraph money order	Art 131, § 1
MP 4	Inquiry or request for withdrawal from the post, alteration of address concerning an international money order	Art 109, § 1
MP 5	Monthly account of card money orders and payment authorizations	Art 145, § 1
MP 6	Summary list of paid money orders and payment authorizations	Art 145, § 2
MP 7	Monthly account of money orders, payment authorizations and COD money orders	Art 145, § 2
MP 8	General account of money orders	Art 146, § 1
MP 9	Monthly account of postal travellers' cheques	Art 156, § 1
MP 10	Postal travellers' cheque	Art 151, § 1
MP 11	Book of postal travellers' cheques	Art 151, § 3
MP 12	International money order for machine handling	Art 104, § 2
MP 13	Payment authorization	Art 116
MP 14	Request for rectification of a money order, of an inpayment money order, or a request for authorization of payment	Art 111, § 1
MP 15	Monthly account of list money orders	Art 145, § 1
MP 16	International inpayment money order	Art 140, § 1

Annexes:

Forms MP 1 to MP 16

(Front)

COUNTERFOIL
(May be detached by the payee)

Amount in Arabic figures

Date of issue

Name and address of sender

Postal administration

INTERNATIONAL MONEY ORDER

MP 1

Exchange rate[1]

Sum paid[1]

Space for postage stamps or indication of charge collected if applicable

Amount in Arabic figures

Amount in words and Roman letters

Name of payee

Street and No.

Place of destination

Country of destination

[1]To be entered by the paying administration when effecting the conversion.

Stamp of the issuing office

Stamp of the issuing office

Indications of issuing office

Money order No.

Sum deposited

Office

Date

Signature of the official

Money orders, Lausanne 1974, Art. 104, § 1—Size: 148 x 105 mm, colour pink

(Back)

Space for endorsements, if any

Payee's receipt

Received the sum shown overleaf

Place and date

Signature of payee

In-register

N°

Stamp of paying office

Administration preparing the list	LIST Money orders	MP 2 (Page 1)
Corresponding administration	Date of list	N°

Notes. Please acknowledge receipt of the present list

Lists received and found correct, apart from the alterations shown below.

Number of list	Date of list	International numbers of money orders included in the lists	Amounts on the list	
1	2	3	4	5

Alterations

Money orders, Lausanne 1974, Art. 121, § 2 (a)—Size: 210 x 297 mm

LIST OF MONEY ORDERS

MP 2 (Page 2)

International number	Issue: 1. Office 2. Date 3. Number	Sender Name and full address	Payee Name, forename and full address	Amount in the currency of issue	Exchange rate	Amount in the currency in which the money orders are made out	Special references	To be filled in by office of destination: Number of inward money order	Paying office	Remarks
1	2	3	4	5	6	7	8	9	10	11

LIST OF MONEY ORDERS

MP 2 (Page 3)

International number	Issue: 1. Office 2. Date 3. Number	Sender Name and full address	Payee Name, forename and full address	Amount in the currency of country of issue	Exchange rate	Amount in the currency in which the money orders are made out	Special references	To be filled in by office of destination: Number of internal money order	To be filled in by office of destination: Paying office	To be filled in by office of destination: Remarks
1	2	3	4	5	6	7	8	9	10	11

MP 2 (Page 4)

LIST OF MONEY ORDERS

International number	Issue: 1. Office 2. Date 3. Number	Sender Name and full address	Payee Name, forename and full address	Amount in the currency of country of issue	Exchange rate	Amount in the currency in which the money orders are made out	Special references	To be filled in by office of destination		
								Number of internal money order	Paying office	Remarks
1	2	3	4	5	6	7	8	9	10	11

Stamp, date and signature

Postal administration of origin

MP 3

Office of destination

ADVICE OF ISSUE

Telegraph money order

Notes. To be sent under cover, by the first mail, and by air whenever possible.

Office	Money order No.	Date
Posting		

Amount in currency of paying country	Amount in currency of issuing country

Name of sender

Payee. Name, title and full address

Stamp and date. Signature of the official preparing the advice

The amount cannot be paid on sight of this advice of issue, but only on receipt of the telegram to which this advice relates.

Stamp of paying office

Money orders, Lausanne 1974, Art. 131, § 1—Size: 148 x 105 mm

MP 4 (Front)

☐ INQUIRY

☐ REQUEST for withdrawal from the post

☐ REQUEST for alteration of address

Postal administration of origin

Post office or Giro centre of origin

Post office or Giro centre of destination	Date of MP 4 form Our reference Your reference
Description of money order	☐ Card money order ☐ List money order ☐ Inpayment money order
Method of transmission	☐ Surface or air ☐ Telegraph
Issue	Office / No. of money order / Date
Amount	☐ In currency of paying country ☐ In currency of issuing country Amount of money order
Sender	Name and full address
Payee	Name and full address Giro centre / Account No.
Person making inquiry or request	Name and full address
Additional information	
Reason for inquiry or request	☐ The sender states that the payee has not received the amount. Please investigate this matter and communicate the findings to us ☐ Please return the above-mentioned money order to me for delivery to sender ☐ Please alter as follows: Present address of money order Altered address ☐ The sender wishes to know whether the money order has been paid to the payee Other reasons
If the money order has been lost, the amount is to be paid	☐ to the original payee ☐ to the sender
Method of transmission of reply	☐ Surface ☐ Air ☐ Telegraph The present form must be returned to the office of origin of the request
Place and date Signature of person making the inquiry or request	Stamp of office originating the request Signature of official in charge

Money orders, Lausanne 1974, Art. 109, § 1—Size: 210 x 297 mm

TIAS 8232

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Office sending the reply

MP 4 (Back)

REPLY TO INQUIRY OR REQUEST

Post office or Giro centre of destination of the reply	Date of the reply
	Our reference
	Your reference

Treatment of money order in question

☐ It was duly paid to the payee	Date of payment
☐ It was credited to the payee's account	Date credited
☐ It is still being dealt with at the post office	Name of office
☐ It is still being dealt with at the Giro centre	Name of centre
☐ It has been delivered to the payee, who has not yet taken delivery of the amount	
☐ It has been returned to the country of issue	Date
☐ It has been reforwarded	Date
New address of reforwarded money order	
☐ It has not arrived at the post office	Name of office
☐ It has not arrived at the Giro centre	Name of centre
Other reasons for non-payment of the money order or not crediting the amount to the account	

Declaration of payee (if possible)

Stamp of office sending the reply
Signature of official in charge

MP 5

Administration preparing the account

MONTHLY ACCOUNT

Card money orders and payment authorizations

Issuing administration	Date of account	
	Month	Year

Serial number of the money orders and payment authorizations paid	Issue				Money orders and payment authorizations for which charges have been received		Free-of-charge money orders and payment authorizations		Debit of administration issuing the money orders	
	Year	Month	Office	Number						
1	2	3	4	5	6		7		8	
1										
2										
3										
4										
5										
6										
7										
8										
9										
10										
11										
12										
13										
14										
15										
16										
17										
18										
19										
20										
Totals										

Money orders and payment authorizations for which charges have been received (col. 6)				
No. of money orders	Average amount			
Unit rate	Amount per money order			
Free-of-charge money orders and payment authorizations (col. 7)				
Grand total of sums payable by the issuing administration				

The present monthly account is certified as conforming to the total of money orders and payment authorizations attached

Stamp, date and signature

Money orders, Lausanne 1974, Art. 145, § 1—Size: 210 x 297 mm

Administration preparing the list

MP 6

SUMMARY LIST

Paid money orders and payment authorizations

Issuing administration	Date of list	N°
	Month	Year

Notes. Enter free-of-charge money orders and payment authorizations separately, either at the end of this list, making note of them in the "Remarks" column, or in the additional lists or using the special lists. Enter the payment authorizations in the order appropriate to the money orders to which they refer and make note of them in the "Remarks" column.

Serial number	Issue				Money orders and payment authorizations		Remarks
	Year	Month	Office	Number			
1	2	3	4	5	6		7
Total (To be summarized on the last list or carried forward to the MP 7 monthly account)							

Money orders, Lausanne 1974, Art. 145, § 2—Size: 210 x 297 mm

Administration preparing the account

MP 7

MONTHLY ACCOUNT

Money orders, payment authorizations and COD money orders

Issuing administration	Date of account	
	Month	Year

Notes. This account may also include the reimbursements and interest provided for in Articles 27 and 30 of the Agreement.

Instrument	Number of money orders and payment authorizations paid	Amounts of money orders and payment authorizations paid	Amount of charges and rates
1	2	3	4
Money orders and payment authorizations for which charges have been received (Total on MP 6 forms attached)			
Average amount			
Unit rate Amount per money order			
Free-of-charge money orders and payment authorizations (Total on MP 6 forms attached)			
Totals			
COD money orders according to the R 5 detailed account			
Rates on COD money orders, to be deducted			
Grand totals			
Total charges and rates ☐ to be added ☐ to be deducted			
Possible entries in accordance with Articles 27 and 30 of the Agreement (Reimbursements and interest)			
Grand total of sums payable by the issuing administration			

The present monthly account is certified as conforming to the total of money orders and payment authorizations attached

Stamp, date and signature

Money orders, Lausanne 1974, Art. 145, § 2—Size: 210 x 297 mm

Administration preparing the account

MP 8

GENERAL ACCOUNT

Money orders

Corresponding administration	Date of account
	Exchanged during the period

Period	Credit of administration preparing the account				Credit of corresponding administration			
	Money orders		Charges		Money orders		Charges	
1	2		3		4		5	
Totals								
Deduction after conversion								
Conversion rate		—		—		—		—
Totals								
Balance								
Instalments								
Balance								

Breakdown of instalments

Dates	Our reference	Amounts	

Stamp of administration preparing the account Date and signature	Seen and accepted by the corresponding administration Stamp, date and signature

Money orders, Lausanne 1974, Art. 146, § 1—Size: 210 x 297 mm

Administration preparing the account

MONTHLY ACCOUNT
Postal travellers' cheques

MP 9

Issuing administration	Date of account	Annexes
	Month / Year	

Serial number of cheques paid	Issue			Number	Amount in currency of paying country	
	Year	Month	Office			
1	2	3	4	5	6	
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19						
20						
Total of cheques paid						
Rate of 3/8%						
Grand total of sums payable by the issuing administration						

The present monthly account is certified as conforming to the total of cheques attached

Stamp, date and signature

Money orders, Lausanne 1974, Art. 156, § 1—Size: 210 x 297 mm

(Front)

Counterfoil
for the holder

POSTAL TRAVELLERS' CHEQUE

Amount
(in currency of paying country)

Paying office

.....

Date of Payment

.....

POSTAL ADMINISTRATION
of .....

MP 10

N° .....

Issuing office

.....

Valid from .....

To .....

POSTAL TRAVELLERS' CHEQUE

for the sum of .....
(In Arabic figures with indication of currency)

.....
(in words)

payable ..... exclusively
(Name of paying country)

to the person named on the cover of the book

Embossed stamp of
issuing office

Money orders, Lausanne 1974, Art. 151, § 1—Size: 162 x 114 mm

(Back)

Identity documents produced

.....

Received against this postal travellers' cheque the following sum

Amount

Place | Date

Signature[1]

Date stamp of paying office

Date of payment

No. of payment

Signature of payer

[1]Must conform to that on the cover

Page 1 of cover

Issuing administration

BOOK OF POSTAL TRAVELLERS' CHEQUES MP 11

(See page 4 of cover)

Validity	from		
	to (inclusive)		
Description of cheques (in Arabic figures)	Quantity	Numbers (first and last)	Denomination
Paying country			
Holder	Name and forenames		Embossed stamp (impression) of issuing office
	Address		
	Place of address		
	Signature		

Money orders, Lausanne 1974, Art. 151, § 3—Size: 162 x 115 mm

(Page 4 of cover)

1. Postal travellers' cheques shall be made out in the currency of the paying country; this country is named on page 1 of the cover of this book.

2. In the offices taking part in the service payment shall be made against surrender of the cheque signed in ink. The entitled person must prove his identity either by producing a passport or postal identity card or by other means of proof accepted by the paying country.

3. When the paying service does not have the funds necessary for the payment of the cheque or cheques presented, payment may be suspended until such time as it has been able to procure the funds.

4. The sums paid for conversion into cheques shall, within the prescribed period laid down in the legislation of the issuing country, be guaranteed to the entitled persons up to the time when the cheques are duly paid. An inquiry by the entitled person concerning the payment of a cheque to an unauthorized person shall be admitted only within a period of one year starting from the day following the issue of such cheque. Postal administrations shall not be liable for the consequences which may arise from loss, theft or the fraudulent use of books or the cheques contained in them.

5. No inquiry may be instigated against the administration of the issuing country unless the book which is the subject of the inquiry is produced. However, in the case of loss of book or one or more cheques, the person concerned must show proof to the issuing administration that he has requested delivery of a book of cheques and has paid the total corresponding sum for this purpose. Repayment may not be made until the said administration has satisfied itself that the cheques declared to be lost have not been paid.

6. Books or a cheque or cheques contained in them shall not be transferable to third persons by means of endorsement or cession; they may not be pledged.

   Subject to the provisions of the internal legislation of each country, no action may be taken on requests to stop the payment of properly issued cheques.

(Front)

COUNTERFOIL
(May be detached by the payee)

Amount in Arabic figures

Date of issue

Name and address of sender

Postal administration

INTERNATIONAL MONEY ORDER
for machine handling

MP 12

Exchange rate[1]

Sum paid[1]

Amount in Arabic figures

Amount in words and Roman letters

Payee

Space for postage stamps or indication of charge collected if applicable

[1]To be entered by the paying administration when effecting the conversion.

Stamp of the issuing office

Stamp of the issuing office

Indications of issuing office

Money order No.

Sum deposited

Office of issue

Date

Signature of the official

Money orders, Lausanne 1974, Art. 104, § 2—Size: 148 x 105 mm, colour: pink

(Back)

Space for endorsements, if any

Payee's receipt

Received the sum shown overleaf

Place and date

Signature of payee

In-register

N°

Stamp of paying office

(Front)

COUNTERFOIL

Postal administration

PAYMENT AUTHORIZATION MP 13

Authorization No.

☐ Replacement of

☐ Addition to money order

Amount in Arabic figures

Amount in Arabic figures

Date of original money order

Amount in words and Roman letters

*To be entered by the paying administration when effecting the conversion.

Name and address of sender

Name of payee

Street and number

Exchange rate

Place of destination

Sum paid

Country of destination

Sum deposited

Stamp of the issuing service

Stamp of the issuing service

Money order No.

Date

Office of issue of money order

Signature of the official preparing the authorization

Money orders, Lausanne 1974, Art. 116—Size: 148 x 105 mm, colour: pink

(Back)

Space for endorsements, if any

☐ Replacement of money order

☐ Addition to money order

Payee's receipt

Received the sum shown overleaf

Place and date

Signature of payee

In-register

N°

Stamp of paying office

MP 14 (Front)

Postal administration of origin

Office of origin

I REQUEST FOR RECTIFICATION

☐ of a money order ☐ of an inpayment money order

II REQUEST FOR AUTHORIZATION

☐ of payment (back)

Office of issue of money order	Date of request
	Our reference
	Your reference

Description of money order	☐ Card money order	☐ Telegraph money order
Issue	Office	Money order No. / Date
Amount	☐ In currency of country of payment	☐ In currency of country of issue
	Amount of money order	
Sender	Name and full address	
Payee	Name and full address	
	Giro centre	Account No.
Additional information		

1. Request for rectification of a money order

The money order described above, which is attached herewith, cannot be paid, for the following reason

☐ Incorrect, insufficient or unclear indication of the name or address of the payee

☐ The number of the giro account as shown is wrong

☐ Discrepancies in or omission of names or amounts

☐ Erasures or alterations in the entries

☐ Omission of stamps, signature or other service indications

☐ Indication of the sum to be paid in a currency other than that which is accepted

☐ Exceeding the maximum amount authorized

☐ Obvious error in the ratio between the currency of the issuing country and that of the paying country

☐ Omission of the name of the currency unit

☐ Use of non-regulation form

☐ Expiry of validity date. Date to be countersigned.

☐ The advice of issue (the telegraph money order) has not arrived. Please send a duplicate

Other reasons

Please return the money order, under cover, immediately after rectification, along with this form

Money orders, Lausanne 1974, Art. 111, § 1—Size: 210 x 297 mm

MP 14 (Back)

11. Request for payment authorization

The money order described opposite

☐ was mislaid before payment

☐ was destroyed before payment

☐ was lost before payment

☐ requires an additional payment to the payee, following an error in conversion

Amount of additional payment

Please issue a payment authorization and send it with this form

Stamp of paying office and date
Signature

Stamp of issuing office of money order

Administration preparing the account

MP 15

MONTHLY ACCOUNT

List money orders

Issuing administration:	Date of account Month / Year

Date of lists	Money orders for which charges were received				Free-of-charge money orders				Debit of administration issuing the money orders	
	International numbers of instruments on the lists		List totals		International numbers of documents on the lists		List totals			
1	2		3		4		5		6	
	from	to			from	to				
Totals										

No. of money orders	Average amount	Money orders for which charges were received (col. 3)		
Unit rate	Amount per money order			
Fixed rate (50 c per money order)				
Free-of-charge money orders (col. 5)				
Grand total of sums payable by the issuing administration				

Stamp, date and signature

Money orders, Lausanne 1974, Art. 145, § 1—Size: 210 x 297 mm

(Front)

COUNTERFOIL intended for holder of giro account No: .....

Postal administration

MP 16

INTERNATIONAL INPAYMENT MONEY ORDER

Exchange rate[1]

Sum credited[1]

Amount in Arabic figures

Amount in Arabic figures

Space for postage stamps or indication of charge collected if applicable

Date of issue

Amount in words and Roman letters

Name and address of sender

Name of payee

Giro Account No.

Giro centre

Country of destination

[1] To be entered by the paying administration when effecting the conversion.

Stamp of issuing office

Stamp of issuing office

Indications of issuing office

Money order No.

Sum deposited

Office

Date

Signature of the official

Money orders, Lausanne 1974, Art. 140, § 1—Size: 148 x 105 mm, colour: yellow

(Back)

Space reserved for giro service

Stamp of the giro centre that credited the money order to the payee's giro account

ARRANGEMENT CONCERNANT LES MANDATS DE POSTE
ET LES BONS POSTAUX DE VOYAGE

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ARRANGEMENT CONCERNANT LES MANDATS DE POSTE ET LES BONS POSTAUX DE VOYAGE

Les soussignés, Plénipotentiaires des Gouvernements des Pays-membres de l'Union, vu l'article 22, paragraphe 4, de la Constitution de l'Union postale universelle conclue à Vienne le 10 juillet 1964, ont, d'un commun accord et sous réserve de l'article 25, paragraphe 3, de ladite Constitution, arrêté l'Arrangement suivant:

Titre I

Dispositions préliminaires

Article premier

Objet de l'Arrangement

Le présent Arrangement régit l'échange des mandats de poste, dénommés ci-après "mandats" et le service des bons postaux de voyage que les pays contractants conviennent d'instituer dans leurs relations réciproques.

Titre II

Mandats

Chapitre I

Dispositions générales

Article 2

Modes d'échange

1. Les mandats peuvent être échangés soit par la voie postale, soit, si les télégrammes-mandats sont admis dans les relations entre les pays intéressés, par la voie télégraphique.

2. L'échange par la voie postale peut, au choix des Administrations, s'opérer au moyen de cartes ou de listes. Dans le premier cas, les titres sont dénommés "mandats-cartes" et, dans le second, "mandats-listes".

3. L'échange par la voie télégraphique peut avoir lieu par mandat-carte télégraphique ou par mandat-liste télégraphique, les deux catégories étant dénommées "mandat télégraphique".

Chapitre II

Emission des mandats

Article 3

Monnaie. Conversion

1. Sauf entente spéciale, le montant du mandat est exprimé en monnaie du pays de paiement.

2. L'Administration d'émission fixe le taux de conversion de sa monnaie en celle du pays de paiement.

Article 4

Montant maximal à l'émission

1. Le montant d'un mandat ne peut excéder l'équivalent de 3000 francs. Chaque Administration a cependant la faculté de fixer un maximum plus faible.

2. Par exception, aucun maximum n'est fixé pour les mandats visés à l'article 7.

Article 5

Versement des fonds. Récépissé

1. Chaque Administration détermine la forme dans laquelle l'expéditeur d'un mandat verse les fonds à transférer.

2. Un récépissé portant le numéro du mandat est délivré gratuitement à l'expéditeur au moment du versement des fonds.

Article 6

Taxes

1. L'Administration d'émission détermine librement la taxe à percevoir au moment de l'émission. Le montant de cette taxe ne peut excéder 20 francs.

2. A cette taxe principale, elle ajoute, éventuellement, les taxes afférentes à des services spéciaux (demande d'avis de paiement, de paiement par exprès, etc.).

3. Les mandats échangés, par l'intermédiaire d'un pays partie au présent Arrangement, entre un pays contractant et un pays non contractant, peuvent être soumis, par l'Administration du pays intermédiaire, à une taxe supplémentaire et proportionnelle de 1/4 pour cent, mais au minimum de 1 franc et au maximum de 2 francs, prélevée sur le montant du titre; cette taxe peut toutefois être perçue sur l'expéditeur et attribuée à l'Administration du pays intermédiaire si les Administrations intéressées se sont mises d'accord à cet effet.

Article 7

Franchise de taxes

Sont exonérés de toutes taxes les mandats relatifs au service postal échangés dans les conditions prévues à l'article 15 de la Convention.

Article 8

Dispositions particulières à l'émission des mandats télégraphiques

1. Les mandats télégraphiques sont soumis aux dispositions du Règlement télégraphique annexé à la Convention internationale des télécommunications.

2. En sus de la taxe postale, l'expéditeur d'un mandat télégraphique paie la taxe du télégramme, y compris éventuellement celle d'une communication particulière destinée au bénéficiaire.

Chapitre III

Particularités relatives à certaines facultés accordées au public

Article 9

Avis de paiement. Remise par exprès. Paiement en main propre. Acheminement par voie aérienne. Communication destinée au bénéficiaire

1. L'expéditeur d'un mandat peut demander à être avisé du paiement. L'article 42, paragraphe 1, de la Convention est applicable aux avis de paiement.

2. Lorsque le premier avis de paiement ne lui est pas parvenu dans les délais normaux, l'expéditeur peut en déposer un second moyennant paiement de la taxe prévue. Si le paiement du mandat a eu lieu avant le dépôt d'une seconde demande d'avis de paiement, la taxe perçue est remboursée à l'expéditeur.

3. Sous réserve de l'article 16, l'expéditeur d'un mandat peut demander que la remise des fonds soit effectuée à domicile par exprès dès l'arrivée du mandat; dans ce cas, l'article 29 de la Convention est applicable.

4. Dans les relations avec les pays qui admettent le paiement en main propre, l'expéditeur d'un mandat peut demander, par une mention portée sur la formule, que le paiement ait lieu exclusivement entre les mains et sur acquit personnel du bénéficiaire. Dans ce cas, l'expéditeur paie une taxe spéciale égale à celle qui est prévue à l'article 21, lettre q), de la Convention.

5. L'expéditeur d'un mandat-carte ou d'un mandat-liste peut en demander la transmission par avion contre paiement de la surtaxe aérienne.

6. L'expéditeur peut inscrire, au verso du coupon, une communication particulière destinée au bénéficiaire du mandat. En ce qui concerne les mandats-listes, seules des références sont admises.

Article 10

Retrait. Modification d'adresse

L'expéditeur d'un mandat peut, aux conditions fixées à l'article 30 de la Convention, le faire retirer du service ou en faire modifier l'adresse aussi longtemps que le titre ou les fonds n'ont pas été remis au bénéficiaire.

Article 11

Réexpédition

1. En cas de changement de résidence du bénéficiaire et dans les limites où fonctionne un service de mandats entre le pays réexpéditeur et le pays de nouvelle destination, tout mandat peut être réexpédié par voie postale ou télégraphique soit à la demande de l'expéditeur, soit à celle du bénéficiaire. Dans ce cas, l'article 31, paragraphes 1 à 3, de la Convention est applicable par analogie.

2. La réexpédition, par voie postale, des mandats-cartes postaux ou télégraphiques s'effectue sans perception de taxe et sans émission de nouveaux titres lorsque le pays de nouvelle destination entretient avec le pays d'émission un échange de mandats-cartes sur la base du présent Arrangement.

3. Dans tous les autres cas, la réexpédition est faite au moyen d'un nouveau mandat dont les taxes, y compris, le cas échéant, les taxes télégraphiques, sont prélevées sur le montant du mandat réexpédié.

4. En cas de réexpédition, l'article 31, paragraphe 6, de la Convention est applicable en ce qui concerne la taxe de poste restante et la taxe complémentaire d'exprès.

Article 12

Endossement

Tout pays a le droit de déclarer transmissible par voie d'endossement, sur son territoire, la propriété des mandats provenant d'un autre pays.

Chapitre IV

Paiement des mandats

Article 13

Durée de validité. Visa pour date

1. La validité des mandats s'étend:

a) en règle générale, jusqu'à l'expiration du premier mois qui suit celui de l'émission;

b) après accord entre Administrations intéressées, jusqu'à l'expiration du troisième mois qui suit celui de l'émission;

c) dans les relations entre pays éloignés, jusqu'à l'expiration du septième mois qui suit celui de l'émission.

2. Après ces délais, les mandats-cartes ne sont payés que s'ils sont revêtus d'un "visa pour date" donné, par le service désigné par l'Administration d'émission, à la requête du bureau de poste de paiement. Les mandats-listes ne peuvent bénéficier du visa pour date.

3. Le visa pour date confère au mandat-carte, à partir du jour où il est donné, une nouvelle validité dont la durée est celle qu'aurait un mandat émis le même jour.

4. Si le non-paiement avant expiration du délai de validité ne résulte pas d'une faute de service, il peut être perçu une taxe dite "de visa pour date" égale à celle qui est prévue à l'article 21, lettre m), de la Convention.

Article 14

Montant maximal au paiement

1. Sauf entente spéciale, le montant maximal des mandats payables dans un pays est le même que celui qui a été adopté par l'Administration de ce pays pour l'émission.

2. Lorsqu'un même expéditeur a fait émettre, le même jour, au profit du même bénéficiaire, plusieurs mandats dont le montant total excède le maximum adopté par l'Administration de paiement, celle-ci est autorisée à échelonner le paiement des titres de façon que la somme payée au bénéficiaire, dans une même journée, n'excède pas ce maximum.

Article 15

Règles générales de paiement des mandats

1. Le paiement des mandats est effectué selon la réglementation du pays de paiement.

2. Le montant des mandats est payé au bénéficiaire en monnaie légale du pays de paiement; il peut être payé en toute autre monnaie suivant accord particulier entre les Administrations correspondantes.

3. Le paiement peut être valablement effectué par versement à un compte courant postal, selon les règles en vigueur dans l'Administration de paiement.

4. Après en avoir avisé les Administrations intéressées, l'Administration de paiement a la faculté, si sa législation l'exige, soit de négliger les fractions d'unité monétaire, soit d'arrondir la somme à l'unité monétaire la plus voisine ou au dixième d'unité le plus voisin.

Article 16

Remise par exprès

Si l'expéditeur a demandé le paiement par exprès, l'Administration de paiement a la faculté de faire remettre par ce moyen soit les fonds, soit le titre lui-même, soit un avis d'arrivée du mandat, pour autant que sa réglementation le prévoit.

Article 17

Taxes éventuellement perçues sur le bénéficiaire

Peuvent être perçues sur le bénéficiaire:

a) une taxe de remise, lorsque le paiement est effectué à domicile;
b) la taxe d'autorisation de paiement visée à l'article 20, paragraphe 5;
c) éventuellement, la taxe de visa pour date prévue à l'article 13, paragraphe 4;
d) la surtaxe aérienne correspondante, lorsque les demandes de visa pour date ou d'autorisation de paiement ainsi que les visas ou autorisations qui en résultent doivent être transmis par voie aérienne à la demande du bénéficiaire;
e) la taxe visée à l'article 21, lettre c), de la Convention, lorsque le mandat est adressé poste restante.

Article 18

Dispositions particulières au paiement des mandats télégraphiques

1. La remise des mandats télégraphiques a toujours lieu dans les formes prévues à l'article 16.

2. Lorsque les fonds sont remis à domicile par exprès, l'Administration de paiement peut percevoir de ce chef une taxe spéciale, en tenant compte, si le télégramme-mandat porte l'indication de service taxée XP, de la taxe d'exprès acquittée par l'expéditeur.

3. La remise d'un avis d'arrivée ou du titre lui-même s'effectue sans frais pour le bénéficiaire; toutefois, si le domicile de ce dernier se trouve en dehors du rayon de distribution locale du bureau de paiement et si le télégramme-mandat ne porte pas l'indication de service taxée XP, la taxe de remise par exprès peut être perçue sur le bénéficiaire.

Chapitre V

Mandats impayés. Autorisations de paiement

Article 19

Mandats impayés

1. Est immédiatement renvoyé à l'Administration d'émission tout mandat refusé, tout mandat dont le bénéficiaire est inconnu, parti sans laisser d'adresse ou parti pour un pays sur lequel la réexpédition ne peut être effectuée.

2. Est renvoyé immédiatement après l'expiration du délai de validité tout mandat dont le paiement n'a pas été réclamé durant ce délai.

3. Tout mandat impayé pour une cause quelconque est remboursé à l'expéditeur.

4. L'article 31, paragraphe 6, de la Convention est applicable à la taxe de poste restante et à la taxe complémentaire d'exprès.

Article 20

Autorisation de paiement

1. Tout mandat-carte égaré, perdu ou détruit avant paiement peut, à la demande de l'expéditeur ou du bénéficiaire, être remplacé par une autorisation de paiement délivrée par l'Administration d'émission.

2. Lorsque l'expéditeur et le bénéficiaire demandent simultanément, l'un le remboursement, l'autre le paiement du mandat, l'autorisation est établie:

a) au profit de l'expéditeur lorsque la demande est formulée avant la remise du mandat ou de l'avis d'arrivée au bénéficiaire;

b) au profit du bénéficiaire lorsque la demande est formulée après la remise du mandat ou de l'avis d'arrivée.

3. Une autorisation de paiement est également délivrée lorsqu'une erreur de conversion imputable au bureau d'émission nécessite un versement complémentaire au profit du bénéficiaire.

4. La durée de validité d'une autorisation de paiement est la même que celle d'un mandat émis le même jour.

5. Si aucune faute de service n'a été commise, il peut être perçu, sur l'expéditeur ou sur le bénéficiaire, une taxe dite "d'autorisation de paiement" égale à celle que prévoit l'article 21, lettre m), de la Convention, sauf si cette taxe a déjà été perçue pour la réclamation ou l'avis de paiement.

Article 21

Mandats prescrits

Les sommes converties en mandats dont le montant n'a pas été réclamé avant prescription sont définitivement acquises à l'Administration du pays d'émission. Le délai de prescription est fixé par la législation dudit pays.

Chapitre VI

Responsabilité

Article 22

Principe et étendue de la responsabilité

1. Les Administrations postales sont responsables des sommes versées jusqu'au moment où les mandats ont été réguliérement payés.

2. La responsabilité s'étend aux erreurs de conversion et aux erreurs de transmission télégraphique.

3. Les Administrations n'assument aucune responsabilité en raison des retards qui peuvent se produire dans la transmission et le paiement des mandats.

Article 23

Exceptions au principe de la responsabilité

Les Administrations postales sont dégagées de toute responsabilité:

a) lorsque, par suite de la destruction des documents de service résultant d'un cas de force majeure, elles ne peuvent rendre compte du paiement d'un mandat à moins que la preuve de leur responsabilité n'ait été autrement administrée;

b) à l'expiration du délai de prescription visé à l'article 21;

c) s'il s'agit d'une contestation de la régularité du paiement, à l'expiration du délai prévu à l'article 39, paragraphe 1, de la Convention.

Article 24

Détermination de la responsabilité

1. Sous réserve des paragraphes 2 à 5 ci-après, la responsabilité incombe à l'Administration d'émission.

2. La responsabilité incombe à l'Administration de paiement si elle n'est pas en mesure d'établir que le paiement a eu lieu dans les conditions prescrites par sa réglementation.

3. La responsabilité incombe à l'Administration postale du pays où l'erreur s'est produite:

a) s'il s'agit d'une erreur de service, y compris l'erreur de conversion;

b) s'il s'agit d'une erreur de transmission télégraphique commise à l'intérieur du pays d'émission ou du pays de paiement.

4. La responsabilité incombe à l'Administration d'émission et à l'Administration de paiement par parts égales:

a) si l'erreur est imputable aux deux Administrations ou s'il n'est pas possible d'établir dans quel pays l'erreur s'est produite;

b) si une erreur de transmission télégraphique s'est produite dans un pays intermédiaire;

c) s'il n'est pas possible d'établir le pays où cette erreur de transmission s'est produite.

5. Sous réserve du paragraphe 2, la responsabilité incombe:

a) en cas de paiement d'un faux mandat, à l'Administration du pays sur le territoire duquel le mandat a été introduit dans le service;

b) en cas de paiement d'un mandat dont le montant a été frauduleusement majoré, à l'Administration du pays dans lequel le mandat a été falsifié; toutefois, le dommage est supporté par parts égales par les Administrations d'émission et de paiement lorsqu'il n'est pas possible de déterminer le pays où la falsification est intervenue ou lorsqu'il ne peut être obtenu réparation d'une falsification commise dans un pays intermédiaire qui ne participe pas au service des mandats sur la base du présent Arrangement.

Article 25

Paiement des sommes dues. Recours

1. L'obligation de désintéresser le réclamant incombe à l'Administration de paiement si les fonds sont à remettre au bénéficiaire; elle incombe à l'Administration d'émission si leur restitution doit être faite à l'expéditeur.

2. Quelle que soit la cause du remboursement, la somme à rembourser ne peut dépasser celle qui a été versée.

3. L'Administration qui a désintéressé le réclamant a le droit d'exercer le recours contre l'Administration responsable du paiement irrégulier.

4. L'Administration qui a supporté en dernier lieu le dommage a un droit de recours, jusqu'à concurrence de la somme payée, contre l'expéditeur, contre le bénéficiaire ou contre des tiers.

Article 26

Délai de paiement

1. Le versement des sommes dues aux réclamants doit avoir lieu le plus tôt possible, dans un délai limite de six mois à compter du lendemain du jour de la réclamation.

2. L'Administration qui, selon l'article 25, paragraphe 1, doit désintéresser le réclamant peut exceptionnellement différer le versement au-delà de ce délai si, malgré la diligence apportée à l'instruction de l'affaire, ledit délai n'a pas été suffisant pour permettre de déterminer la responsabilité.

3. L'Administration auprès de laquelle la réclamation a été introduite est autorisée à désintéresser le réclamant pour le compte de l'Administration responsable lorsque celle-ci, régulièrement saisie, a laissé s'écouler cinq mois sans donner de solution définitive à la réclamation.

Article 27

Remboursement à l'Administration intervenante

1. L'Administration pour le compte de laquelle le réclamant a été désintéressé est tenue de rembourser à l'Administration intervenante le montant de ses débours dans un délai de quatre mois à compter de l'envoi de la notification du paiement.

2. Ce remboursement s'effectue sans frais pour l'Administration créancière:

a) par l'un des procédés de paiement prévus à l'article 103, paragraphe 8, du Règlement d'exécution de la Convention;

b) sous réserve d'accord, par inscription au crédit de l'Administration de ce pays dans le compte des mandats.

3. Passé le délai de quatre mois, la somme due à l'Administration créancière est productive d'intérêt, à raison de 6 pour cent par an, à compter du jour d'expiration dudit délai.

Chapitre VII

Comptabilité

Article 28

Attribution des taxes

1. L'Administration d'émission attribue à l'Administration de paiement une quote-part unitaire sur le montant des taxes qu'elle a perçues en application de l'article 6.

2. Le taux de la quote-part est fixé, en fonction du montant moyen des mandats-cartes compris dans un même compte mensuel, à:

- 0,80 franc jusqu'à 100 francs;
- 1,00 franc au-delà de 100 francs et jusqu'à 200 francs;
- 1,20 franc au-delà de 200 francs et jusqu'à 300 francs;
- 1,50 franc au-delà de 300 francs et jusqu'à 400 francs;
- 1,80 franc au-delà de 400 francs et jusqu'à 500 francs;
- 2,10 francs au-delà de 500 francs.

3. Toutefois, les Administrations concernées peuvent, à la demande de l'Administration de paiement, convenir d'une quote-part supérieure à celle qui est fixée au paragraphe 2 lorsque la taxe perçue à l'émission est supérieure au montant de la taxe combinée ci-après:

a) taxe fixe de:
   - 0,80 franc pour les mandats-cartes;
   - 1,60 franc pour les mandats-listes;

b) taxe proportionnelle de 3/4 pour cent de la somme versée.

4. Les mandats de versement et les mandats émis en franchise ne donnent lieu à aucune rétribution.

5. Pour les mandats-listes, en sus de la quote-part unitaire prévue au paragraphe 2 du présent article, une quote-part supplémentaire de 50 centimes est attribuée à l'Administration de paiement.

6. En cas de réexpédition, l'Administration du pays de la nouvelle destination reçoit, quelles que soient les taxes effectivement perçues par l'Administration d'émission, les quotes-parts qui lui auraient été dues si elle avait été l'Administration du pays de première destination.

Article 29

Etablissement des comptes

1. Chaque Administration de paiement établit, pour chaque Administration d'émission, un compte mensuel des sommes payées pour les mandats-cartes ou un compte mensuel du montant des listes reçues pendant le mois pour les mandats-listes; les comptes mensuels sont incorporés, périodiquement, dans un compte général qui donne lieu à la détermination d'un solde.

2. Lorsque les mandats ont été payés dans des monnaies différentes, la créance la plus faible est convertie en la monnaie de la créance la plus forte, en prenant pour base de la conversion le cours moyen officiel du change dans le pays de l'Administration débitrice pendant la période à laquelle le compte se rapporte; ce cours moyen doit être calculé uniformément à quatre décimales.

3. Le règlement des comptes peut aussi avoir lieu sur la base des comptes mensuels, sans compensation.

Article 30

Règlement des comptes

1. Sauf entente spéciale, le paiement du solde du compte général ou du montant des comptes mensuels a lieu dans la monnaie que l'Administration créancière applique au paiement des mandats.

2. Toute Administration peut entretenir auprès de l'Administration du pays correspondant un avoir sur lequel sont prélevées les sommes dues.

3. Toute Administration qui se trouve à découvert vis-à-vis d'une autre Administration d'une somme dépassant les limites fixées par le Règlement est en droit de réclamer le versement d'un acompte.

4. En cas de non-paiement dans les délais fixés par le Règlement, les sommes dues sont productives d'un intérêt de 6 pour cent par an, à dater du jour d'expiration desdits délais jusqu'au jour du paiement.

5. Il ne peut être porté atteinte par aucune mesure unilatérale, telle que moratoire, interdiction de transfert, etc., aux dispositions du présent Arrangement et de son Règlement d'exécution relatives à l'établissement et au règlement des comptes.

Chapitre VIII

Dispositions diverses

Article 31

Bureaux participant à l'échange

Les Administrations postales prennent toutes mesures nécessaires pour assurer, autant que possible, le paiement des mandats dans toutes les localités de leur pays.

Article 32

Participation d'organismes non postaux

1. Les pays dans lesquels le service des mandats est assuré par des organismes non postaux peuvent participer à l'échange régi par les dispositions du présent Arrangement.

2. Il appartient à ces organismes de s'entendre avec l'Administration postale de leur pays pour assurer la complète exécution de toutes les clauses de l'Arrangement; l'Administration postale leur sert d'intermédiaire dans leurs relations avec les Administrations postales des autres pays contractants et avec le Bureau international.

Article 33

Interdiction de droits fiscaux ou autres

Les mandats ainsi que les acquits donnés sur les mandats ne peuvent être soumis à aucune taxe ou à aucun droit autres que ceux qui sont autorisés par le présent Arrangement.

Titre III

Mandats de versement

Article 34

Nature des mandats de versement

L'expéditeur d'un mandat peut demander, en lieu et place du paiement en numéraire, l'inscription du montant au crédit du compte courant postal du bénéficiaire si la réglementation du pays de destination le permet.

Article 35

Dispositions générales

Sous réserve des articles 36 à 39, les mandats de versement sont soumis aux dispositions fixées pour les mandats de poste dans le présent Arrangement.

Article 36

Montant maximal à l'émission

Le montant des mandats de versement est illimité. Toutefois, chaque Administration a la faculté de limiter le montant des mandats de versement que tout déposant peut ordonner soit dans une journée, soit au cours d'une période déterminée.

Article 37

Taxes

1. L'Administration d'émission détermine librement la taxe à percevoir au moment de l'émission. Cette taxe doit être inférieure à la taxe d'un mandat de même montant.

2. A cette taxe principale, elle ajoute, éventuellement, les taxes afférentes aux services spéciaux (demande d'avis d'inscription au crédit du compte courant postal du bénéficiaire, etc.).

Article 38

Avis d'inscription

Dans les relations entre pays dont les Administrations se sont mises d'accord, le déposant peut demander à recevoir avis de l'inscription au crédit du compte du bénéficiaire. L'article 42 de la Convention est applicable aux avis d'inscription.

Article 39

Interdictions

1. La réexpédition d'un mandat de versement à un autre pays de destination n'est pas admise.

2. Par dérogation à l'article 12, l'endossement n'est pas admis pour les mandats de versement.

Titre IV

Bons postaux de voyage

Chapitre I

Généralités et émission

Article 40

Définition. Carnets

1. Les bons postaux de voyage sont des titres qui peuvent être émis et payés, par les Administrations postales des pays contractants, sur la base des principes du présent Arrangement.

2. Ils sont réunis en carnets.

Article 41

Monnaie. Montant maximal. Conversion

1. Chaque bon est libellé, en monnaie du pays de paiement, pour une somme fixe équivalant à environ 25,50 ou 100 francs et déterminée par accord entre les Administrations postales intéressées.

2. Dans des cas spéciaux, les bons peuvent être libellés en une autre monnaie que celle du pays de paiement, ou établis pour une somme s'écartant sensiblement de l'une ou l'autre des équivalences indiquées au paragraphe 1.

3. L'Administration d'émission fixe le taux de conversion de sa monnaie en celle du pays de paiement.

4. Le nombre de bons constituant un carnet est au maximum de 10; chaque carnet peut contenir des bons de différents montants.

Article 42

Taxe

La taxe applicable à chaque bon est fixée par l'Administration d'émission; elle ne peut dépasser 3/4 pour cent de la somme versée, ni être inférieure à 10 centimes.

Article 43

Prix de vente

L'Administration d'émission a la faculté de percevoir, en sus de la valeur des bons et en sus des taxes, une somme correspondant au coût des bons, de leurs couvertures et des travaux divers nécessités par la confection des carnets.

Chapitre II

Paiement des bons

Article 44

Validité des titres. Remise des fonds

1. Les bons sont valables pendant quatre mois à partir du jour de leur émission; les mois se comptent de quantième à quantième, sans égard au nombre de jours dont ils se composent.

2. Lorsque le service payeur ne dispose pas de fonds suffisants, il peut suspendre le paiement des bons jusqu'au moment où il aura pu se procurer les moyens de paiement.

3. La propriété des carnets et des bons n'est transmissible ni par voie d'endossement, ni par voie de cession; ces carnets et ces bons ne peuvent être mis en gage.

Article 45

Opposition au paiement

Sous réserve de l'application de la législation de leur pays, les Administrations ne peuvent donner suite aux demandes d'opposition au paiement de bons régulièrement émis.

Chapitre III

Réclamations. Responsabilité. Comptabilité

Article 46

Réclamations et responsabilité

1. Aucune réclamation ne peut être introduite contre l'Administration d'émission si le carnet n'est pas produit.

2. En cas de perte d'un carnet ou de bons, le réclamant, pour obtenir le remboursement des sommes correspondantes, doit faire la preuve auprès de l'Administration d'émission qu'il a demandé la délivrance d'un carnet de bons et versé la somme totale y afférente.

3. Cette Administration peut procéder au remboursement dans un délai qui ne peut excéder de trois mois le délai de validité et après s'être assurée que les titres déclarés perdus n'ont pas été payés; le délai de trois mois est porté à six mois dans les relations avec les pays éloignés.

4. Les Administrations ne sont pas responsables des conséquences que peuvent entraîner la perte, la soustraction ou l'emploi frauduleux de carnets ou de bons.

Article 47

Attribution des taxes. Etablissement des comptes

1. L'Administration d'émission attribue à l'Administration de paiement 3/8 pour cent du montant des bons payés.

2. Le compte des sommes payées au titre des bons est établi mensuellement en même temps que celui des sommes payées au titre des mandats.

Titre V

Dispositions finales

Article 48

Application du présent Arrangement aux bons postaux de voyage

Le titre II du présent Arrangement est applicable aux bons postaux de voyage en tout ce qui n'est pas expressément réglé par le titre IV.

Article 49

Application de la Convention

La Convention est applicable, le cas échéant, par analogie, en tout ce qui n'est pas expressément réglé par le présent Arrangement.

Article 50

Exception à l'application de la Constitution

L'article 4 de la Constitution n'est pas applicable au présent Arrangement.

Article 51

Conditions d'approbation des propositions concernant le présent Arrangement et son Règlement d'exécution

1. Pour devenir exécutoires, les propositions soumises au Congrès et relatives au présent Arrangement et à son Règlement doivent être approuvées par la majorité des Pays-membres présents et votant qui sont parties à l'Arrangement. La moitié au moins de ces Pays-membres représentés au Congrès doivent être présents au moment du vote.

2. Pour devenir exécutoires, les propositions introduites entre deux Congrès et relatives au présent Arrangement et à son Règlement doivent réunir:

a) l'unanimité des suffrages, s'il s'agit de l'addition de nouvelles dispositions ou de modifications aux dispositions des articles 1 à 10, 11, paragraphe 4, 12 à 14, 15, paragraphes 1, 2 et 4, 16 à 18, 19, paragraphe 4, 20, paragraphe 5, 22 à 30, 33 et 48 à 52 du présent Arrangement et 102 à 106, 109, 116, 119 à 121, 124, 129 à 133, 136, paragraphe 1, et 157 de son Règlement;

b) les deux tiers des suffrages, s'il s'agit de modifications aux dispositions du présent Arrangement autres que celles qui sont mentionnées sous lettres a) et c), des articles 107 et 108, 110, 112, 115, 117, 118, 122, 123, 125, 127, 134, 137 et 138 à 144 de son Règlement;

c) la majorité des suffrages, s'il s'agit de la modification de l'article 20, paragraphe 3, de l'Arrangement et des autres articles du Règlement ou de l'interprétation des dispositions du présent Arrangement et de son Règlement, hors le cas de différend à soumettre à l'arbitrage prévu à l'article 32 de la Constitution.

Article 52

Mise à exécution et durée de l'Arrangement

Le présent Arrangement sera mis à exécution le 1er janvier 1976 et demeurera en vigueur jusqu'à la mise à exécution des Actes du prochain Congrès.

En foi de quoi, les Plénipotentiaires des Gouvernements des pays contractants ont signé le présent Arrangement en un exemplaire qui restera déposé aux Archives du Gouvernement du pays-siège de l'Union. Une copie en sera remise à chaque Partie par le Gouvernement du pays-siège du Congrès.

Fait à Lausanne, le 5 juillet 1974.

87-129 O - 77 - 56

Pour
LA RÉPUBLIQUE DE L'AFGHANISTAN:

Pour
LA RÉPUBLIQUE
DE L'AFRIQUE DU SUD:

Pour
LA RÉPUBLIQUE POPULAIRE
D'ALBANIE:

Pour
LA RÉPUBLIQUE ALGÉRIENNE
DÉMOCRATIQUE ET POPULAIRE:

Pour
LA RÉPUBLIQUE FÉDÉRALE
D'ALLEMAGNE:

Pour
LES ÉTATS-UNIS D'AMÉRIQUE.

Pour
L'ENSEMBLE DES TERRITOIRES DES ÉTATS-UNIS D'AMÉRIQUE, Y COMPRIS LE TERRITOIRE SOUS TUTELLE DES ÎLES DU PACIFIQUE.

Pour
LE ROYAUME DE L'ARABIE SAOUDITE.

Pour
LA RÉPUBLIQUE ARGENTINE.

Pour
L'AUSTRALIE:

Pour
LA RÉPUBLIQUE D'AUTRICHE.

Pour
LE COMMONWEALTH DES BAHAMAS:

Pour
L'ÉTAT DE BAHRAIN.

Pour
LA RÉPUBLIQUE POPULAIRE
DU BANGLADESH:

Pour
BARBADE.

Pour
LA BELGIQUE.

Pour
LE ROYAUME DE BHOUTAN:

Pour
LA RÉPUBLIQUE SOCIALISTE
SOVIÉTIQUE DE BIÉLORUSSIE:

Pour
LA RÉPUBLIQUE SOCIALISTE
DE L'UNION DE BIRMANIE:

Pour
LA RÉPUBLIQUE DE BOLIVIE.

Pour
LA RÉPUBLIQUE DU BOTSWANA.

Pour
LA RÉPUBLIQUE FÉDÉRATIVE
DU BRÉSIL.

Pour
LE CANADA.

Pour
LA RÉPUBLIQUE POPULAIRE
DE BULGARIE.

Pour
LA RÉPUBLIQUE CENTRAFRICAINE.

Pour
LA RÉPUBLIQUE DU BURUNDI:

Pour
LA RÉPUBLIQUE UNIE DU CAMEROUN.

Pour
LE CHILI:

Pour
LA RÉPUBLIQUE POPULAIRE
DE CHINE.

Pour
LA RÉPUBLIQUE DE CHYPRE.

Pour
LA RÉPUBLIQUE DE COLOMBIE:

Pour
LA RÉPUBLIQUE POPULAIRE
DU CONGO:

BBALOUNDA

Pour
LA RÉPUBLIQUE DE CORÉE.

Pour
LA RÉPUBLIQUE DE COSTA-RICA:

Rodríguez J

Pour
LA RÉPUBLIQUE DE CÔTE D'IVOIRE:

Pour
LA RÉPUBLIQUE DE CUBA:

Pour
LA RÉPUBLIQUE DU DAHOMEY

GOUNONGBE

ADOUN

Pour
LA RÉPUBLIQUE ARABE D'ÉGYPTE.

Pour
LE ROYAUME DE DANEMARK.

Pour
LA RÉPUBLIQUE DE EL SALVADOR.

Pour
LES EMIRATS ARABES UNIS:

Pour
LA RÉPUBLIQUE DOMINICAINE.

Pour
LA RÉPUBLIQUE DE L'ÉQUATEUR:

Pour
L'ESPAGNE:

Pour
LE TERRITOIRE ESPAGNOL
DE L'AFRIQUE:

Pour
L'ÉTHIOPIE:

Pour
FIDJI:

Pour
LA RÉPUBLIQUE DE FINLANDE:

Pour
LA RÉPUBLIQUE FRANÇAISE:

Pour
L'ENSEMBLE DES TERRITOIRES
REPRÉSENTÉS PAR L'OFFICE FRANÇAIS
DES POSTES ET TÉLÉCOMMUNICATIONS
D'OUTRE-MER:

Pour
LE ROYAUME-UNI
DE GRANDE-BRETAGNE
ET D'IRLANDE DU NORD,
ÎLES DE LA MANCHE
ET ÎLE DE MAN:

Pour
LA RÉPUBLIQUE GABONAISE:

Pour
LES TERRITOIRES D'OUTRE-MER
DONT LES RELATIONS
INTERNATIONALES
SONT ASSURÉES
PAR LE GOUVERNEMENT
DU ROYAUME-UNI
DE GRANDE-BRETAGNE
ET D'IRLANDE DU NORD.

Pour
LE GHANA:

Pour
LA GRÈCE:

Pour
LA RÉPUBLIQUE DU GUATÉMALA:

Pour
LA RÉPUBLIQUE DE GUINÉE:

Pour
LA RÉPUBLIQUE DE GUINÉE-BISSAU:

Pour
LA RÉPUBLIQUE
DE GUINÉE ÉQUATORIALE:

Pour
LA GUYANE:

Pour
LA RÉPUBLIQUE D'HAÏTI:

Pour
LA RÉPUBLIQUE DE HAUTE-VOLTA:

Pour
LA RÉPUBLIQUE DU HONDURAS:

Pour
LA RÉPUBLIQUE POPULAIRE
HONGROISE:

Pour
L'INDE:

Pour
LA RÉPUBLIQUE D'INDONÉSIE:

Pour
L'IRAN:

Pour
LA RÉPUBLIQUE D'IRAQ:

Pour
L'IRLANDE:

Pour
LA RÉPUBLIQUE D'ISLANDE:

Pour
ISRAËL:

Pour
LE JAPON:

Pour
L'ITALIE:

Pour
LE ROYAUME HACHÉMITE
DE JORDANIE:

Pour
LA JAMAÏQUE:

Pour
LA RÉPUBLIQUE DE KENYA:

Pour
LA RÉPUBLIQUE KHMÈRE:

Pour
KUWAIT:

Pour
LE ROYAUME DU LAOS:

Pour
LE ROYAUME DU LESOTHO:

Pour
LA RÉPUBLIQUE LIBANAISE:

Pour
LA RÉPUBLIQUE DE LIBÉRIA:

Pour
LA RÉPUBLIQUE ARABE LIBYENNE:

Pour
LA PRINCIPAUTÉ DE LIECHTENSTEIN:

Pour
LE LUXEMBOURG:

Pour
LA MALAISIE:

Pour
MALAWI:

Pour
LA RÉPUBLIQUE DES MALDIVES:

Pour
LA RÉPUBLIQUE MALGACHE:

Pour
LA RÉPUBLIQUE DU MALI:

Pour
MALTE:

Pour
LE ROYAUME DU MAROC:

Pour
MAURICE:

Pour
LA RÉPUBLIQUE ISLAMIQUE
DE MAURITANIE:

Pour
LES ÉTATS-UNIS DU MEXIQUE:

Pour
LA PRINCIPAUTÉ DE MONACO:

Pour
LA RÉPUBLIQUE POPULAIRE
DE MONGOLIE:

Pour
LA RÉPUBLIQUE DE NAURU:

Pour
LE NÉPAL:

Pour
LA RÉPUBLIQUE DU NICARAGUA:

Pour
LA REPUBLIQUE DU NIGER:

Pour
LA RÉPUBLIQUE FÉDÉRALE DE NIGÉRIA:

Pour
LA NORVÈGE:

Pour
LA NOUVELLE-ZÉLANDE:

Pour
LE SULTANAT D'OMAN:

Pour
L'OUGANDA:

Pour
LE PAKISTAN:

Pour
LA RÉPUBLIQUE DE PANAMA:

Pour
LA RÉPUBLIQUE DE PARAGUAY:

Pour
LES PAYS-BAS:

Pour
LES ANTILLES NÉERLANDAISES
ET SURINAM:

Pour
LA RÉPUBLIQUE DU PÉROU:

Pour
LA RÉPUBLIQUE DES PHILIPPINES:

Pour
LA RÉPUBLIQUE POPULAIRE
DE POLOGNE:

Pour
LE PORTUGAL:

Pour
LES PROVINCES PORTUGAISES
DE L'AFRIQUE OCCIDENTALE:

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Pour
LES PROVINCES PORTUGAISES
DE L'AFRIQUE ORIENTALE,
DE L'ASIE ET DE L'OCÉANIE:

Pour
L'ÉTAT DE QATAR:

Pour
LA RÉPUBLIQUE DÉMOCRATIQUE
ALLEMANDE:

Pour
LA RÉPUBLIQUE POPULAIRE
DÉMOCRATIQUE DE CORÉE:

Pour
LA RÉPUBLIQUE SOCIALISTE
DE ROUMANIE:

Pour
LA RÉPUBLIQUE RWANDAISE:

Pour
LA RÉPUBLIQUE DE SAINT-MARIN:

Pour
LA RÉPUBLIQUE DU SÉNÉGAL:

Pour
LA RÉPUBLIQUE DE SIERRA LEONE:

Pour
SINGAPOUR:

Pour
LA RÉPUBLIQUE DÉMOCRATIQUE
DE SOMALIE:

Pour
LA RÉPUBLIQUE DÉMOCRATIQUE
DU SOUDAN:

Pour
LA RÉPUBLIQUE DE SRI LANKA
(CEYLAN):

Pour
LA SUÈDE:

Pour
LA CONFÉDÉRATION SUISSE:

Pour
LE ROYAUME DU SWAZILAND:

Pour
LA RÉPUBLIQUE ARABE SYRIENNE:

Pour
LA RÉPUBLIQUE UNIE DE TANZANIE:

Pour
LA RÉPUBLIQUE DU TCHAD:

Pour
LA RÉPUBLIQUE SOCIALISTE
TCHÉCOSLOVAQUE:

Pour
LA THAÏLANDE:

Pour
LA RÉPUBLIQUE TOGOLAISE:

Pour
LE ROYAUME DES TONGA:

Pour
TRINITÉ ET TOBAGO:

Pour
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Pour
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Pour
LA RÉPUBLIQUE SOCIALISTE
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SOCIALISTES SOVIÉTIQUES:

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L'ÉTAT DE LA CITÉ DU VATICAN:

Pour
LA RÉPUBLIQUE DE VÉNÉZUÉLA:

Pour
LA RÉPUBLIQUE DU VIÊT-NAM:

Pour
LA RÉPUBLIQUE ARABE DU YÉMEN:

Pour
LA RÉPUBLIQUE DÉMOCRATIQUE
POPULAIRE DU YÉMEN:

Pour
LA RÉPUBLIQUE SOCIALISTE
FÉDÉRATIVE DE YOUGOSLAVIE:

Pour
LA RÉPUBLIQUE DU ZAÏRE:

Pour
LA RÉPUBLIQUE DE ZAMBIE:

RÈGLEMENT D'EXÉCUTION
DE L'ARRANGEMENT CONCERNANT LES MANDATS DE POSTE
ET LES BONS POSTAUX DE VOYAGE

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RÈGLEMENT D'EXÉCUTION DE L'ARRANGEMENT CONCERNANT LES MANDATS DE POSTE ET LES BONS POSTAUX DE VOYAGE

Les soussignés, vu l'article 22, paragraphe 5, de la Constitution de l'Union postale universelle conclue à Vienne le 10 juillet 1964, ont, au nom de leurs Administrations postales respectives, arrêté, d'un commun accord, les mesures suivantes pour assurer l'exécution de l'Arrangement concernant les mandats de poste et les bons postaux de voyage:

Première partie

Dispositions préliminaires

Article 101

Renseignements à fournir par les Administrations

1. Chaque Administration doit, trois mois au moins avant de mettre à exécution l'Arrangement, communiquer aux autres Administrations, par l'intermédiaire du Bureau international, les renseignements ci-après:

a) Service des mandats

1° la liste des pays avec lesquels elle échange des mandats-cartes, des mandats-listes et des mandats de versement sur la base de l'Arrangement;

2° soit la liste des bureaux qu'elle autorise à émettre et à payer des mandats, soit l'avis que tous ses bureaux participent à ce service;

3° le cas échéant, l'avis de sa participation à l'échange des mandats télégraphiques;

4° le montant maximal adopté à l'émission et au paiement;

5° la monnaie dans laquelle doit être exprimé le montant des mandats à destination de son pays;

6° la taxe appliquée aux mandats émis;

7° soit le mode d'indication de cette taxe, soit l'avis que cette taxe n'est pas indiquée;

8° le cas échéant, les taxes perçues respectivement pour le paiement à domicile, la poste restante, le visa pour date, la réclamation et l'autorisation de paiement;

9° la durée des délais après lesquels sa législation attribue définitivement à l'Etat le montant des mandats dont le paiement n'a pas été réclamé;

10° la taxe spéciale de remise des fonds par exprès (mandats télégraphiques);

11° sa décision en ce qui concerne la possibilité, dans son pays, de transmettre ou non la propriété des mandats par voie d'endossement;

12° un exemplaire des formules de mandat qu'elle emploie, sauf si l'échange des mandats a lieu au moyen de listes;

13° l'orthographe, dans la langue officielle de son pays, des nombres de 1 à 3000, à utiliser pour exprimer les sommes à inscrire sur les mandats;

14° la liste des pays ne participant pas à l'Arrangement pour lesquels elle peut servir d'intermédiaire pour l'échange des mandats;

15° le service auquel les réclamations, les demandes de retrait et de modification d'adresse ainsi que les demandes de "visa pour date" doivent être transmises (Administration centrale, bureau d'échange ou autre bureau spécialement désigné);

b) Service des bons postaux de voyage
   1° la liste des pays avec lesquels elle échange des bons postaux de voyage sur la base de l'Arrangement;
   2° soit la liste des bureaux qu'elle autorise à émettre et à payer des bons, soit l'avis que tous ses bureaux participent au service;
   3° le montant, en monnaie des pays sur lesquels les bons sont tirés, de chaque bon postal de voyage;
   4° les taxes appliquées aux bons émis.

2. Toute modification aux renseignements visés ci-dessus doit être notifiée sans retard.

3. Les Administrations doivent se communiquer directement les taux de conversion qu'elles appliquent dans leurs relations réciproques et toutes les modifications apportées à ces taux.

Article 102

Application du Règlement d'exécution de la Convention

Sont applicables aux mandats, pour tout ce qui n'est pas expressément prévu par le présent Règlement, les dispositions du Règlement d'exécution de la Convention et, plus particulièrement, celles qui font l'objet des articles ci-après:
a) article 131 "Avis de réception";
b) article 134 "Envois exprès";
c) articles 140 et 141 "Retrait. Modification d'adresse", complétés par les articles 109 et 124 du présent Règlement.

Article 103

Formules à l'usage du public

En vue de l'application de l'article 10, paragraphe 3, de la Convention, sont considérées comme étant à l'usage du public les formules ci-après:
MP 1 (Mandat de poste international),
MP 4 (Réclamation concernant un mandat de poste international),
MP 10 (Bon postal de voyage),
MP 11 (Carnet de bons postaux de voyage),
MP 12 (Mandat de poste international pour libellé mécanographique),
MP 16 (Mandat de versement international).

Deuxième partie

Mandats

Titre I

Mandats-cartes

Chapitre I

Emission. Transmission

Article 104

Formules de mandats-cartes

1. Les mandats-cartes sont établis sur une formule en carton résistant de couleur rose, conforme au modèle MP 1 ci-annexé.

2. Les Administrations qui conviennent d'accorder certaines facilités aux expéditeurs d'un nombre important de mandats peuvent les autoriser à faire usage de la formule conforme au modèle MP 12 ci-annexé.

Article 105

Etablissement des mandats-cartes

1. Les mandats-cartes sont libellés en caractères latins et en chiffres arabes, sans rature ni surcharge, même approuvées. Les inscriptions sont faites à la main, si possible en caractères d'imprimerie, ou à la machine. Les inscriptions au crayon ne sont pas admises; toutefois, les indications de service peuvent être portées au crayon-encre. La formule MP 12 doit, à l'exception des indications de service, être remplie intégralement à la machine.

2. Le montant des mandats et le nom de l'unité monétaire doivent être indiqués en toutes lettres. Le montant est aussi indiqué en chiffres et, si cela est nécessaire, avec l'abréviation du nom de l'unité pour autant qu'elle soit usuelle et ne prête pas à confusion. Lorsque la monnaie utilisée est fondée sur le système décimal, les fractions d'unité monétaire peuvent être exprimées en chiffres seulement, mais obligatoirement en centièmes (ou millièmes) au moyen d'un nombre de deux (ou trois) chiffres dont, au besoin un zéro (ou deux zéros). Lorsque la monnaie utilisée n'est pas fondée sur le système décimal, le nombre des unités monétaires ou fractions d'unité monétaire est toujours écrit en toutes lettres tandis que leur nom peut être abrégé dans les conditions prévues pour le système décimal; dans l'indication du montant en chiffres, les unités ou fractions d'unité monétaire non mentionnées dans la somme en lettres sont remplacées par des zéros.

3. L'indication en toutes lettres du montant des mandats MP 1 et MP 12 peut être remplacée par une indication chiffrée fournie par une machine dite "à protéger les chèques" et précédée d'un signe autre qu'un chiffre ou une lettre dans les relations avec les Administrations qui acceptent le paiement de tels mandats. Dans ce cas, le montant à payer n'est indiqué qu'une seule fois dans le corps du titre. Les caractères utilisés doivent avoir des dimensions telles que ces caractères ne prêtent pas à confusion.

4. L'adresse des mandats doit être libellée de façon à déterminer nettement le bénéficiaire; les adresses abrégées et les adresses télégraphiques ne sont pas admises.

5. Les mandats de service doivent porter au recto la mention "Service des postes" ou une mention analogue.

6. Les mandats à remettre en main propre doivent porter au recto et au verso, en caractères très apparents, la mention "Ne payer qu'en main propre".

7. Les mandats avec avis de paiement doivent porter en tête du recto, en caractères très apparents, la mention "Avis de paiement".

8. L'indication, sur le mandat, de la taxe perçue sur l'expéditeur n'est pas obligatoire. Le cas échéant, cette indication se fait soit par l'application de timbres-poste, soit par l'inscription de la taxe perçue à l'emplacement prévu sur les formules MP 1, MP 12 et MP 16.

Article 106

Mentions interdites ou autorisées

Il est interdit de consigner sur les mandats d'autres mentions que celles que comporte la contexture des formules, à l'exception des indications de service telles que "Service des postes", "Ne payer qu'en main propre", "Avis de paiement", "Par avion", "Par exprès"; toutefois, l'expéditeur a le droit d'inscrire au verso du coupon une communication particulière ainsi qu'il est prévu à l'article 9, paragraphe 6, de l'Arrangement.

Article 107

Recommandation d'office

Les Administrations peuvent s'entendre sur le montant à partir duquel les mandats qu'elles émettent sont soumis à la recommandation d'office, à condition que ce montant ne soit pas inférieur à 200 francs.

Article 108

Transmission des mandats-cartes

1. Sauf entente spéciale, les mandats ne sont pas transmis sous enveloppe.

2. Les mandats sont insérés dans les dépêches de la manière prescrite à l'article 151, paragraphes 2 à 6, ou à l'article 152 du Règlement d'exécution de la Convention suivant qu'ils sont ou ne sont pas recommandés d'office.

Chapitre II

Particularités relatives à certaines facultés accordées au public

Article 109

Retrait. Modification d'adresse

1. Toute demande de retrait ou de modification d'adresse par voie postale est établie sur une formule conforme au modèle MP 4 ci-annexé.

2. Toute demande de retrait ou de modification d'adresse par voie télégraphique doit être confirmée, par le premier courrier, au moyen d'une demande postale. La formule MP 4 est revêtue en tête de la mention "Confirmation de la demande télégraphique du ..." soulignée au crayon rouge; le bureau de paiement retient le mandat jusqu'à la réception de cette confirmation.

3. L'Administration de paiement peut toutefois, sous sa propre responsabilité, donner suite à une demande télégraphique de retrait ou de modification d'adresse sans attendre la confirmation postale.

Article 110

Réexpédition des mandats-cartes

1. Le bureau qui réexpédie un mandat-carte par voie postale barre, s'il y a lieu, d'un trait de plume, les indications du montant du mandat de manière à laisser lisibles les inscriptions primitives; l'indication se trouvant sous la rubrique "Somme versée" doit rester intacte. Le montant du mandat est converti en la monnaie du pays de nouvelle destination d'après le taux fixé pour les mandats émanant du pays de réexpédition; le résultat de la conversion est inscrit sur le mandat, en chiffres et en toutes lettres, autant que possible au-dessus de l'indication du montant primitif. L'indication du nouveau montant est signée par l'agent de service. Le même procédé doit être suivi en cas de réexpéditions ultérieures.

2. En cas de réexpédition sur le pays de première destination, le bureau réexpéditeur rétablit le montant primitif; si la réexpédition a lieu sur le pays d'émission, le bureau réexpéditeur substitue, au montant indiqué, celui qui est inscrit aux indications de service sous la rubrique "Somme versée".

3. En cas de réexpédition par voie télégraphique, le bureau réexpéditeur établit un mandat télégraphique pour la somme restant après déduction des taxes postales et télégraphiques. La taxe postale est calculée sur la somme obtenue après déduction, du montant primitif, de la taxe télégraphique. La conversion en monnaie du pays de nouvelle destination est effectuée dans les conditions prévues aux paragraphes 1 et 2 ci-dessus. Le mandat primitif est quittancé par le bureau réexpéditeur; il est revêtu de la mention "Réexpédié le montant de ... à ... sous déduction des taxes de ..." et comptabilisé comme mandat payé. Le coupon du mandat primitif est annexé, pour être remis au bénéficiaire, à l'avis d'émission visé à l'article 131.

4. Le paragraphe 3 est applicable:

a) aux mandats-cartes originaires d'un pays contractant, réexpédiés sur un autre pays contractant avec lequel le pays d'émission n'entretient pas d'échange de mandats, ou lorsque l'échange est effectué au moyen de listes;

b) aux mandats-cartes réexpédiés sur un pays qui n'est pas partie à l'Arrangement;

c) aux mandats-cartes originaires d'un pays non contractant réexpédiés sur un pays contractant.

5. Les demandes de réexpédition sont enregistrées, pour mémoire, par le bureau de première destination et, le cas échéant, par les bureaux destinataires ultérieurs. Le bureau qui opère la réexpédition en donne avis au bureau d'émission.

Chapitre III

Traitements particuliers. Réclamations

Article 111

Mandats-cartes irréguliers

1. Est renvoyé au bureau d'émission par la voie la plus rapide (aérienne ou de surface) et sous enveloppe, accompagné d'une formule conforme au modèle MP 14 ci-annexé pour être régularisé, tout mandat-carte qui présente l'une des irrégularités suivantes:

a) indication inexacte, insuffisante ou douteuse du nom ou du domicile du bénéficiaire;

b) différences ou omissions de noms ou de sommes;

c) dépassement du montant maximal convenu entre les Administrations intéressées, dû à une erreur évidente dans le taux de conversion;

d) ratures ou surcharges dans les inscriptions;

e) omission de timbres, de signatures ou d'autres indications de service;

f) indication du montant à payer dans une monnaie autre que celle qui est admise ou omission de la désignation de l'unité monétaire;

g) erreur évidente dans le rapport entre la monnaie du pays d'émission et celle du pays de paiement, rapport que le bureau de paiement n'est cependant pas tenu de vérifier;

h) emploi de formules non réglementaires.

2. Néanmoins, en ce qui concerne les irrégularités qui sont ou paraissent imputables à l'expéditeur, l'Administration de paiement peut, le cas échéant, après avoir avisé le bénéficiaire, lui permettre de formuler une demande de régularisation. Celle-ci peut être transmise par la voie aérienne ou télégraphique, aux frais du bénéficiaire; ces frais lui sont remboursés s'il est établi que l'erreur résulte d'une faute de service.

3. Toutefois, dans ses rapports avec les pays éloignés, l'Administration de paiement peut, sous sa responsabilité, rectifier d'office des erreurs sans gravité. Ces rectifications sont inscrites à l'encre rouge et signées par le préposé.

4. Lorsque la rectification de l'irrégularité est demandée par télégramme, le mandat irrégulier est conservé par le bureau de paiement qui procède à la régularisation dès réception du télégramme rectificatif et qui joint ce télégramme au mandat.

5. A la réception d'une demande de régularisation par avion ou par télégramme, le bureau d'émission vérifie si l'irrégularité provient d'une erreur imputable au service; dans l'affirmative, il la rectifie sur-le-champ par la voie aérienne ou télégraphique. Dans le cas contraire, il prévient l'expéditeur qui est alors autorisé à redresser l'irrégularité, par la voie aérienne ou télégraphique et à ses frais.

6. Si à l'issue d'un délai de trente jours, l'expéditeur n'a pas donné suite à une demande de régularisation d'un mandat transmis à l'appui d'une formule MP 14, le titre est considéré comme impayé. Ladite formule, revêtue de l'information adéquate, est renvoyée au bureau de destination par la voie la plus rapide (aérienne ou de surface).

Article 112

Etablissement de l'avis de paiement

Les Administrations dont la réglementation ne permet pas l'emploi de la formule jointe par l'Administration d'émission sont autorisées à établir l'avis de paiement sur une formule de leur propre service.

Article 113

Visa pour date

Le visa pour date doit être inscrit sur le mandat même.

Article 114

Réclamations

1. Toute réclamation concernant un mandat-carte est établie sur une formule MP 4 et transmise, en règle générale, par le bureau d'émission, directement au bureau de paiement. Une seule formule peut être utilisée pour plusieurs mandats émis simultanément à la demande d'un même expéditeur et au profit du même bénéficiaire. Les réclamations sont transmises d'office et toujours par la voie la plus rapide (aérienne ou de surface) dans les conditions prévues à l'article 39 de la Convention.

2. Lorsque le bureau de paiement est en état de fournir des renseignements définitifs sur le sort du titre, il renvoie la formule, complétée suivant le résultat des recherches, au bureau qui a reçu la réclamation. En cas de recherches infructueuses ou de paiement contesté, la formule est transmise à l'Administration d'émission par l'intermédiaire de l'Administration de paiement qui joint, si possible, une déclaration du bénéficiaire attestant qu'il n'a pas reçu le montant du mandat.

3. Lorsqu'une réclamation est déposée dans un pays autre que le pays d'émission ou le pays de paiement, la formule MP 4 est transmise à l'Administration d'émission accompagnée du récépissé de dépôt. Si, pour des raisons particulières, le récépissé produit ne peut être joint à la formule MP 4, celle-ci doit être revêtue de la mention "Vu récépissé de dépôt No ... délivré le ... par le bureau de ... pour un montant de ...". Le délai prescrit à l'article 39, paragraphe 1, de la Convention est applicable.

Chapitre IV

Mandats-cartes impayés

Article 115

Renvoi des mandats-cartes impayés

1. Les mandats qui n'ont pu être payés aux bénéficiaires pour une cause quelconque sont renvoyés directement au bureau d'émission; préalablement, le bureau de paiement les enregistre, les frappe du timbre ou les munit de l'étiquette dont l'usage est prescrit par l'article 139, paragraphes 1 à 3, du Règlement d'exécution de la Convention.

2. Toutefois, les mandats créés dans les conditions prévues à l'article 110, paragraphes 3 et 4, doivent être transmis à l'Administration qui les a établis. Celle-ci en met le montant à la disposition de l'Administration dont émane le titre original soit au moyen d'un nouveau mandat en franchise de taxe, soit par voie de déduction au compte mensuel des mandats payés.

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Article 116

Autorisations de paiement

Les autorisations de paiement sont établies sur une formule de couleur rose conforme au modèle MP 13 ci-annexé.

Article 117

Mandats-cartes égarés, perdus ou détruits avant paiement

1. Avant de délivrer une autorisation de paiement concernant un mandat égaré, perdu ou détruit avant paiement, l'Administration d'émission doit s'assurer en accord avec l'Administration de paiement que le mandat n'a été ni payé, ni remboursé, ni réexpédié; toutes précautions doivent également être prises pour qu'il ne soit pas payé ultérieurement.

2. A l'appui de sa demande de remboursement, l'expéditeur doit produire le récépissé de dépôt du titre égaré, perdu ou détruit.

3. Lorsque l'Administration de paiement déclare qu'un mandat ne lui est pas parvenu, l'Administration d'émission peut délivrer une autorisation de paiement, à condition que le mandat litigieux ne figure dans aucun des comptes mensuels se rapportant à la période de validité du mandat; toutefois, si aucune réponse n'a été obtenue de l'Administration de paiement dans le délai prévu à l'article 26, paragraphes 1 et 2, de l'Arrangement, pour le désintéressement du réclamant et si le titre ne figure sur aucun des comptes mensuels reçus à l'expiration de ce délai, l'Administration d'émission est autorisée à procéder au remboursement des fonds; notification en est adressée, sous pli recommandé, à l'Administration de paiement et le mandat, réputé désormais comme définitivement perdu, ne peut être ultérieurement porté en compte.

Article 118

Mandats-cartes égarés, perdus ou détruits après paiement

1. Tout mandat égaré, perdu ou détruit après paiement peut être remplacé par l'Administration de paiement par un nouveau titre établi sur une formule MP 1. Cette formule doit porter toutes les indications utiles du titre original et être revêtue de la mention "Titre établi en remplacement d'un mandat égaré (perdu ou détruit) après paiement" ainsi que d'une empreinte du timbre à date.

2. Une déclaration du bénéficiaire attestant qu'il a reçu les fonds doit être donnée de préférence directement au verso du titre de remplacement. Exceptionnellement, cette déclaration peut être recueillie sur une fiche annexée à ce titre comme pièce à l'appui; cette déclaration tient lieu d'acquit primitif.

3. S'il n'est pas possible de demander cette déclaration au bénéficiaire, une annotation est faite d'office au verso du titre de remplacement ou sur une pièce à l'appui particulière, précisant que le montant du mandat de poste a été effectivement payé.

Titre II

Mandats-listes

Chapitre I

Dispositions préliminaires

Article 119

Dispositions communes aux mandats-listes et aux mandats-cartes

Sont applicables aux mandats-listes les articles ci-après du présent Règlement:

a) article 106 "Mentions interdites ou autorisées";
b) article 109 "Retrait. Modification d'adresse", complété par l'article 124;
c) article 114 "Réclamations".

Chapitre II

Emission. Transmission

Article 120

Bureaux d'échange

L'échange des mandats-listes a lieu exclusivement par l'intermédiaire de bureaux dits "bureaux d'échange" désignés par l'Administration de chacun des pays contractants.

Article 121

Transmission des mandats-listes

1. La transmission des mandats-listes entre le bureau d'émission et le bureau d'échange du pays d'émission ou entre le bureau d'échange du pays de paiement et le bureau de paiement s'effectue au moyen de formules que chacune des Administrations intéressées détermine selon ses propres convenances.

2. Entre bureaux d'échange de pays différents, la transmission s'effectue selon les règles ci-après:

a) chaque bureau d'échange établit, journellement ou à des dates convenues, des listes conformes au modèle MP 2 ci-annexé, récapitulant les mandats déposés dans son pays pour être payés dans un autre;
b) tout mandat inscrit sur une liste porte un numéro d'ordre appelé numéro international; ce numéro est attribué d'après une série annuelle commençant, selon accord entre les Administrations intéressées, le 1er janvier ou le 1er juillet; lorsque le numérotage change, la première liste qui suit doit porter, outre le numéro de la série, le dernier numéro de la série précédente;
c) les listes sont elles-mêmes numérotées, suivant la suite naturelle des nombres, à partir du 1er janvier ou du 1er juillet de chaque année;
d) les listes sont transmises en franchise de port au bureau d'échange correspondant par la voie la plus rapide (aérienne ou de surface) et, sauf entente spéciale, sans être accompagnées des mandats établis par les bureaux d'émission;
e) le bureau d'échange correspondant accuse réception de chaque liste par une mention appropriée portée sur la première liste à expédier dans le sens opposé.

3. Les Administrations intéressées peuvent convenir de limiter la description des mandats sur la liste MP 2 à l'indication dans la colonne 7 du montant des mandats transmis. Dans ce cas, le pays d'émission annexe à la liste les formules utilisées pour la transmission des mandats entre le bureau d'émission et son propre bureau d'échange ou toute autre formule que les Administrations conviennent d'adopter.

Article 122

Listes spéciales

Une liste MP 2 spéciale doit être établie pour chacune des catégories suivantes de mandats:

a) mandats en franchise visés tant à l'article 16 de la Convention qu'à l'article 7 de l'Arrangement; la liste doit porter, en tête, les mots "Mandats exempts de taxe";
b) mandats dont l'expéditeur a demandé l'acheminement par voie aérienne; la liste doit porter la mention "Mandats par avion" et doit être acheminée par le premier courrier aérien.

Article 123

Services spéciaux. Mentions à porter sur les listes

1. Lorsque l'expéditeur du mandat demande la remise par exprès, la mention "Exprès" est portée sur la liste MP 2 dans la colonne "Observations", en regard de l'inscription correspondante.

2. Lorsque l'expéditeur d'un mandat demande un avis de paiement, la mention "AP" est portée sur la liste MP 2, dans la colonne "Observations", en regard de l'inscription relative au mandat.

3. Lorsque l'expéditeur d'un mandat demande le paiement en main propre, la mention "Ne payer qu'en main propre" est portée sur la liste MP 2 dans la colonne "Observations", en regard de l'inscription relative au mandat.

Chapitre III

Particularités relatives à certaines facultés accordées au public

Article 124

Retrait. Modification d'adresse

Par dérogation à l'article 140 du Règlement d'exécution de la Convention, les demandes de retrait ou de modification d'adresse MP 4 relatives aux mandats-listes sont envoyées au bureau d'échange du pays de paiement par l'intermédiaire du bureau d'échange du pays d'émission.

Article 125

Réexpédition des mandats-listes

Tout mandat-liste réexpédié sur un autre pays est quittancé par le bureau réexpéditeur. Le cas échéant, la somme est convertie, après déduction des taxes, en monnaie du pays de nouvelle destination et un nouveau mandat est établi.

Chapitre IV

Opérations dans le pays de paiement

Article 126

Traitement des listes manquantes ou irrégulières

1. Si une liste manque, elle est réclamée immédiatement par le bureau d'échange qui en constate l'absence. Le bureau d'échange du pays d'émission envoie sans délai, par la voie la plus rapide (aérienne ou de surface), au bureau d'échange qui l'a réclamée, un duplicata de la liste manquante.

2. Les listes sont vérifiées soigneusement par le bureau d'échange du pays de paiement qui les rectifie d'office si elles contiennent des erreurs de peu d'importance. Le bureau d'échange du pays d'émission est informé de ces corrections au moment où le bureau d'échange du pays de paiement lui accuse réception de la liste.

3. Lorsque les listes contiennent des irrégularités dignes d'être signalées, le bureau d'échange du pays de paiement demande des explications au bureau d'échange du pays d'émission qui doit répondre dans le plus bref délai; en attendant, le paiement des mandats faisant l'objet de la demande est suspendu. Les demandes d'explications et les réponses y relatives sont échangées par la voie la plus rapide (aérienne ou de surface).

Article 127

Envoi de l'avis de paiement

L'avis de paiement, établi par le bureau de paiement sur une formule C 5, prévue à l'article 131, paragraphe 2, du Règlement d'exécution de la Convention, est envoyé directement à l'expéditeur du mandat.

Article 128

Renvoi des mandats-listes impayés

1. Sont renvoyés, au bureau d'échange, par la voie d'une inscription dans la prochaine liste MP 2, comme s'il s'agissait d'un mandat expédié du pays de paiement vers le pays d'émission:

a) les mandats visés à l'article 19 de l'Arrangement;

b) les mandats ayant fait l'objet d'une demande de retrait.

2. Une mention appropriée, suivie du numéro international et de la description sommaire du mandat primitif, est portée dans la colonne "Observations", en regard de l'inscription.

Titre III

Mandats télégraphiques

Chapitre I

Dispositions préliminaires

Article 129

Dispositions communes

Sont applicables aux mandats télégraphiques, pour tout ce qui n'est pas expressément prévu par le titre III du présent Règlement, les dispositions relatives aux mandats-cartes et aux mandats-listes.

Chapitre II

Emission. Transmission

Article 130

Etablissement des mandats télégraphiques

1. Les mandats télégraphiques sont établis par le bureau de poste d'émission et donnent lieu à l'envoi de télégrammes-mandats adressés directement au bureau de poste de paiement. Les télégrammes-mandats sont rédigés en français sauf entente spéciale et libellés invariablement dans l'ordre indiqué ci-après:

- Indications de service taxées (s'il y a lieu);
- Avis paiement (s'il y a lieu);
- Paiement main propre (s'il y a lieu);
- Mandat ... (numéro postal d'émission);
- Nom du bureau de poste de paiement;

- Nom du bureau de poste d'émission et (s'il y a lieu) son numéro; caractéristique et nom du pays d'origine;
- Nom de l'expéditeur;
- Montant de la somme à payer;
- Désignation exacte du bénéficiaire, de sa résidence et, si possible, de son domicile, de façon que l'ayant droit soit nettement déterminé;
- Communication particulière (le cas échéant).

2. Lorsque plusieurs mandats télégraphiques sont émis simultanément par le même expéditeur au nom d'un même bénéficiaire, un seul télégramme-mandat peut être envoyé si l'Administration de destination l'admet; dans ce cas, le numéro d'émission est indiqué de la manière suivante: "Mandats 201–203" et la somme globale à payer comporte le détail du montant de chaque mandat.

3. Lorsque la localité où se trouve le bureau de poste de paiement n'est pas pourvue d'un bureau télégraphique, le télégramme-mandat doit porter l'indication du bureau de poste de paiement et celle du bureau télégraphique qui le dessert. Lorsqu'il y a doute quant à l'existence d'un bureau télégraphique dans la localité de paiement ou lorsque le bureau télégraphique qui la dessert ne peut être indiqué, le télégramme-mandat doit porter soit le nom de la subdivision territoriale, soit celui du pays de paiement, soit ces deux indications ou toute autre précision jugée suffisante pour l'acheminement du télégramme-mandat.

4. La somme est exprimée de la façon suivante: nombre entier d'unités monétaires en chiffres puis en toutes lettres, nom de l'unité monétaire et, le cas échéant, fraction d'unité en chiffres.

5. Le nom patronymique d'un bénéficiaire féminin, même s'il est accompagné d'un prénom, doit être précédé de l'un des mots "Madame" ou "Mademoiselle", à moins que cette indication ne fasse double emploi avec celle d'une qualité, d'un titre, d'une fonction ou d'une profession permettant de déterminer nettement l'ayant droit; ni l'expéditeur ni le bénéficiaire ne peuvent être désignés par une abréviation ou un mot conventionnels.

6. Le nom de la résidence du bénéficiaire peut être omis s'il est le même que celui du bureau de paiement. Quand les mandats télégraphiques sont adressés "poste restante" ou "télégraphe restant", les télégrammes-mandats doivent porter l'indication de service taxée correspondante, à l'exclusion de toute autre mention équivalente.

Article 131

Avis d'émission

1. Tout mandat télégraphique donne lieu à l'établissement, par le bureau d'émission, d'un avis d'émission confirmatif conforme au modèle MP 3 ci-annexé.

2. Il est interdit d'apposer des timbres-poste ou des empreintes d'affranchissement sur cet avis.

3. L'avis d'émission est adressé sous enveloppe, par le premier courrier et par la voie la plus rapide (aérienne ou de surface):

a) directement au bureau de paiement, s'il s'agit d'un mandat-carte télégraphique;

b) au bureau d'échange du pays d'émission, s'il s'agit d'un mandat-liste télégraphique.

Article 132

Transmission des mandats-listes télégraphiques

1. Les mandats-listes télégraphiques sont transmis directement par le bureau de poste d'émission au bureau de poste de paiement sans passer par l'intermédiaire des bureaux d'échange.

2. Les mandats-listes télégraphiques donnent lieu à l'établissement d'une liste MP 2 spéciale qui porte en tête la mention "Mandats télégraphiques".

3. Les bureaux d'échange peuvent attribuer aux mandats-listes télégraphiques décrits sur les listes spéciales de l'espèce un numéro international d'une série propre aux mandats télégraphiques.

Chapitre III

Particularités relatives à certaines facultés accordées au public

Article 133

Modification d'adresse

1. Sauf lorsqu'il s'agit d'une simple correction d'adresse prévue à l'article 30, paragraphe 6, de la Convention, le bureau de paiement d'un mandat télégraphique doit être en possession de l'avis d'émission avant de donner suite à une demande de modification d'adresse.

2. Toutefois, l'Administration de paiement peut, sous sa propre responsabilité, donner suite à une demande télégraphique de modification d'adresse sans attendre ni la confirmation postale ni l'avis d'émission.

Article 134

Réexpédition des mandats télégraphiques

1. La réexpédition (par voie postale ou par voie télégraphique) d'un mandat télégraphique est effectuée sans qu'il y ait lieu d'attendre l'avis d'émission.

2. En cas de réexpédition postale sur le pays d'émission avant l'arrivée de l'avis d'émission, le bureau réexpéditeur se borne à modifier l'adresse du bénéficiaire et barre, d'un trait de plume, les indications du montant. Le mandat est transmis sous enveloppe au bureau de la nouvelle destination; il en est de même de l'avis d'émission dès son arrivée au bureau réexpéditeur.

Chapitre IV

Opérations dans le pays de paiement

Article 135

Traitement des mandats télégraphiques irréguliers

1. Tout mandat télégraphique dont la remise ne peut être effectuée par suite d'adresse insuffisante ou inexacte, ou pour une autre cause non attribuable au bénéficiaire, donne lieu à l'envoi au bureau d'émission d'un avis de service télégraphique indiquant la cause de la non-remise.

2. A la réception d'une demande de régularisation par avis de service télégraphique, le bureau d'émission procède comme il est indiqué à l'article 111, paragraphes 5 et 6.

3. Tout mandat télégraphique dont l'irrégularité n'a pas été redressée dans un délai normal par la voie aérienne ou télégraphique est régularisé dans la forme prescrite pour les mandats de poste.

Article 136

Paiement des mandats télégraphiques

1. Les mandats télégraphiques sont mis en paiement dès réception et sans attendre l'avis d'émission; celui-ci est rattaché ultérieurement, si possible, au mandat acquitté par le bénéficiaire.

2. Les mandats télégraphiques dont l'avis d'émission parvient au bureau de paiement avant le télégramme-mandat ne doivent pas être payés au vu du seul avis d'émission; dans ce cas, il y a lieu de réclamer le télégramme-mandat au moyen d'un avis de service télégraphique. Les avis d'émission qui ne seraient pas parvenus au bureau de paiement par le premier courrier après la date du mandat sont réclamés au moyen d'une demande de régularisation conforme au modèle MP 14.

3. Les mandats-listes télégraphiques pour lesquels le bureau de paiement n'a pas reçu de télégramme-mandat ne peuvent être payés qu'après réception d'une ampliation de ce télégramme-mandat, réclamée par avis de service télégraphique.

4. Les mandats-listes télégraphiques pour lesquels le bureau d'échange du pays de paiement n'a pas reçu, dans un délai normal, une liste MP 2 font l'objet de demandes d'explication adressées au bureau d'échange du pays d'émission qui doit répondre dans le plus bref délai. En cas de non-réponse dans un délai raisonnable, les mandats-listes télégraphiques effectivement payés peuvent être ajoutés d'office à la première liste MP 2 reçue de l'Administration d'émission; si la liste MP 2 manquante parvient après cette inscription d'office, elle est annulée ou rectifiée par le bureau d'échange qui la reçoit.

Article 137

Etablissement de l'avis de paiement

Le soin d'établir un avis de paiement pour un mandat télégraphique incombe au bureau de paiement qui le fait parvenir au bureau d'émission immédiatement après le paiement et sans attendre l'avis d'émission.

Article 138

Renvoi des mandats-cartes télégraphiques impayés

1. Les mandats-cartes télégraphiques qui n'ont pu être payés aux bénéficiaires pour une cause quelconque sont soumis aux dispositions de l'article 115.

2. Ils doivent être renvoyés sous enveloppe, sans attendre l'arrivée des avis d'émission y relatifs. Les avis d'émission arrivant ultérieurement sont également renvoyés sous enveloppe.

Titre IV

Mandats de versement

Article 139

Dispositions générales

Sous réserve de ce qui est expressément prévu dans ce titre, les mandats de versement sont soumis aux dispositions régissant les mandats, quel que soit le mode de transmission, par la voie postale ou par la voie télégraphique, qu'il s'agisse du système-carte ou du système-liste.

Article 140

Etablissement des mandats de versement

1. Les mandats de versement sont établis sur une formule en carton résistant de couleur jaune conforme au modèle MP 16 ci-annexé.

2. L'adresse des mandats de versement comporte le nom patronymique ou la raison sociale du bénéficiaire, le numéro de son compte courant postal précédé des mots "compte courant postal" ou de l'abréviation "CCP" et de la désignation du bureau de chèques postaux détenteur du compte courant postal du bénéficiaire.

Article 141

Liste de mandats de versement

1. Les mandats de versement, dans le système-liste, sont transmis au moyen d'une liste spéciale MP 2 qui doit être intitulée "Mandats de versement".

2. Lorsque l'expéditeur d'un mandat de versement demande un avis d'inscription au crédit du compte courant postal du bénéficiaire, la mention "AI" est portée sur la liste MP 2 dans la colonne "Observations" en regard de l'inscription relative au mandat.

Article 142

Mandats de versement télégraphiques

Les mandats de versement télégraphiques sont établis conformément à l'article 130. Ils donnent lieu à l'envoi de télégrammes-mandats adressés directement au bureau de chèques postaux qui tient le compte courant postal du bénéficiaire. Les télégrammes-mandats sont rédigés en français sauf entente spéciale et libellés invariablement dans l'ordre ci-après:

- Indications de service taxées (s'il y a lieu);
- Avis inscription (s'il y a lieu);
- Mandat ... (numéro postal d'émission);
- Nom du bureau de chèques postaux de destination;
- Nom de l'expéditeur;
- Montant de la somme à porter au crédit du compte courant postal du bénéficiaire;
- Désignation exacte du bénéficiaire et du numéro de son compte courant postal précédé des initiales CCP;
- Communication particulière (le cas échéant).

Article 143

Mandats de versement égarés, perdus ou détruits après inscription

Tout mandat de versement égaré, perdu ou détruit après inscription du montant au crédit d'un compte courant postal peut être remplacé par l'Administration de destination par un nouveau titre établi sur une formule MP 16 portant les indications prescrites à l'article 118, paragraphe 1, et précisant au verso la date d'inscription au crédit du compte courant postal du bénéficiaire.

Article 144

Dispositions comptables concernant les mandats de versement

Sauf entente spéciale, les mandats de versement sont décrits sur une liste MP 6 spéciale et incorporés dans le compte mensuel des mandats.

Titre V

Dispositions comptables

Chapitre I

Règles communes

Article 145

Etablissement des comptes mensuels

1. Chaque Administration de paiement établit mensuellement, pour chacune des Administrations dont elle a reçu des mandats, un compte mensuel conforme au modèle MP 5 ci-annexé s'il s'agit de mandats-cartes ou un compte mensuel conforme au modèle MP 15 ci-annexé s'il s'agit de mandats-listes. Elle récapitule sur ce compte tous les mandats payés par ses propres bureaux, pour le compte de l'Administration correspondante, pendant le mois précédent. Elle récapitule de même les mandats dûment visés pour date qui ont été déjà payés pendant un autre mois, mais qui, pour une raison quelconque, n'ont pu être mis en compte que pendant le mois auquel se rapporte le compte. La récapitulation est faite en respectant:

a) l'ordre chronologique des mois d'émission;

b) l'ordre alphabétique ou numérique des bureaux d'émission selon ce qui a été convenu;

c) pour chaque bureau d'émission, l'ordre numérique des mandats.

2. En cas de besoin, les mandats payés sont récapitulés sur une liste spéciale conforme au modèle MP 6 ci-annexé qui est jointe au compte mensuel établi, dans ce cas, sur une formule conforme au modèle MP 7 ci-annexé.

3. L'Administration de paiement inscrit également sur ce compte:

a) le montant des quotes-parts qui lui reviennent en vertu de l'article 28 de l'Arrangement;

b) le cas échéant, le montant des remboursements visés par l'article 27 et celui des intérêts prévus aux articles 27, paragraphe 3, et 30, paragraphe 4, de l'Arrangement.

4. Les autorisations de paiement acquittées sont traitées comme des mandats et décrites sur le compte MP 5 ou, éventuellement, sur la liste MP 6 dans les mêmes conditions que s'il s'agissait des titres eux-mêmes.

5. Le compte mensuel est transmis à l'Administration débitrice, au plus tard avant la fin du mois qui suit celui auquel il se rapporte, accompagné des pièces à l'appui (mandats et autorisations de paiement quittancés). Lorsque, pour un motif quelconque, le compte mensuel ne peut être transmis en temps opportun, l'Administration débitrice doit être informée, dans les huit jours qui suivent l'expiration du délai précité, de la date d'envoi présumée du compte dont il s'agit. L'information doit être donnée par la voie télégraphique.

6. A défaut de titres payés (mandats, autorisations de paiement), un compte mensuel négatif est adressé à l'Administration correspondante.

7. Les différences constatées par l'Administration débitrice dans les comptes mensuels sont reprises dans le premier compte mensuel à établir; elles sont négligées si le montant n'en excède pas 50 centimes par compte.

Article 146

Etablissement du compte général

1. Le compte général est établi sur une formule conforme au modèle MP 8 ci-annexé par l'Administration créancière immédiatement après la réception des comptes mensuels avant même d'avoir procédé à la vérification de détail de ces comptes.

2. Il doit être arrêté dans un délai de deux mois après l'expiration du mois auquel il se rapporte; ce délai est de quatre mois dans les relations avec les pays éloignés.

3. Les Administrations peuvent s'entendre en vue d'établir le compte général par trimestre, par semestre ou par année.

Article 147

Modes et délais de paiement

1. Sauf entente spéciale et sous réserve du paragraphe 2, le solde du compte général ou les totaux des comptes mensuels sont réglés en monnaie du pays créancier, sans aucune perte pour ce dernier:

a) soit au moyen de chèques ou de traites payables à vue sur la capitale ou sur une place commerciale du pays créancier ou au moyen de virements postaux;

b) soit par prélèvement sur des provisions éventuelles constituées en vertu de l'article 30, paragraphe 2, de l'Arrangement.

2. Les frais de paiement (droits, frais de clearing, provisions, commissions, etc.) perçus dans le pays débiteur ainsi que les frais prélevés par les banques intermédiaires dans les pays tiers sont à la charge de l'Administration débitrice. Les frais perçus dans le pays créancier sont à la charge de l'Administration créancière.

3. Le paiement doit être effectué au plus tard quinze jours après réception du compte général ou après réception du compte mensuel, si les règlements s'opèrent sur la base de ce compte; ce délai est d'un mois pour les pays éloignés.

4. En cas de désaccord entre les deux Administrations sur le montant de la somme à payer, seul le paiement de la partie contestée peut être différé; l'Administration débitrice doit notifier à l'Administration créancière, dans les délais prévus au paragraphe 3, les raisons de la contestation.

Article 148

Acomptes

1. Toute Administration qui se trouve à découvert, vis-à-vis d'une autre Administration, d'une somme dépassant 30 000 francs par mois a le droit de réclamer pendant le mois où les mandats sont émis le versement automatique d'un acompte mensuel. Le montant de cet acompte est calculé sur la base du montant moyen des trois derniers comptes mensuels acceptés. L'Administration débitrice doit payer mensuellement l'acompte une fois réclamé, au plus tard le quinzième jour de chaque mois, à moins qu'elle ne puisse invoquer que la moyenne des trois derniers mois révolus ne correspond plus à l'importance réelle du trafic des mandats, auquel cas le montant de l'acompte est réévalué en conséquence. En cas de non-paiement dans le délai précité, l'article 30, paragraphe 4, de l'Arrangement est applicable sauf si l'Administration débitrice est en mesure de prouver que l'Administration créancière ne transmet pas régulièrement ses comptes dans le délai fixé par l'article 145, paragraphe 5.

2. L'Administration débitrice qui désire bénéficier de la faculté prévue à l'article 30, paragraphe 2, de l'Arrangement, sans avoir été préalablement saisie d'une demande d'acompte de l'Administration créancière, détermine, à sa convenance, le montant et la fréquence des versements qu'elle estime devoir opérer pour assurer la couverture de ses émissions.

3. Lorsque la somme versée à titre d'acompte est supérieure au solde réel de la période considérée, la différence est reprise dans le compte suivant ou, le cas échéant, portée à l'avoir prévu à l'article 30, paragraphe 2, de l'Arrangement.

Chapitre II

Règles comptables particulières aux mandats-listes et aux mandats télégraphiques

Article 149

Etablissement des comptes mensuels

Les mandats-listes et les mandats télégraphiques sont soumis aux dispositions comptables spéciales ci-après:

a) Mandats-listes
   - 1° les Administrations récapitulent, sur le compte mensuel, les totaux des listes reçues au cours du mois;
   - 2° le compte mensuel est transmis à l'Administration débitrice dès réception de la dernière liste du mois auquel il se rapporte;
   - 3° les Administrations peuvent, d'un commun accord, renoncer à l'établissement de comptes mensuels et régler le montant de chaque liste au moyen d'un chèque ou d'une traite, à joindre à cette liste;

b) Mandats télégraphiques

1° les mandats télégraphiques sont récapitulés, selon le cas, avec les mandats-cartes ou avec les mandats-listes;

2° les mandats télégraphiques accompagnés, autant que possible, par les avis d'émission correspondants, sont joints au compte mensuel; les avis d'émission qui parviennent à l'Administration de paiement après l'envoi du compte sur lequel sont décrits les mandats télégraphiques auxquels ils se rapportent sont renvoyés, à l'Administration d'émission, annexés à l'un des comptes suivants;

3° les dispositions de la lettre b), chiffre 2°, ne s'appliquent pas aux mandats-listes télégraphiques.

Troisième partie

Bons postaux de voyage

Article 150

Règles générales d'émission

Sous réserve des particularités ci-après, les dispositions générales relatives à l'émission des mandats sont applicables à l'établissement des bons et des couvertures de carnets.

Article 151

Formules de bons et de couvertures de carnets. Approvisionnement

1. Les bons postaux de voyage sont établis sur des formules conformes au modèle MP 10 ci-annexé; confectionnés sur papier blanc, ils comportent un filigrane ombré représentant une tête allégorique de deux centimètres de hauteur environ. Une bande blanche de trois centimètres et demi de large est ménagée sur le côté gauche de la formule. Dans le haut de cette bande est situé le filigrane; au centre est appliqué un timbre sec en relief, le même pour tous les pays, et qui représente une tête de Mercure; la partie inférieure de cette bande est réservée à l'empreinte du timbre sec que le service qui délivre les bons doit appliquer conformément à l'article 152. A l'exception de la bande blanche, la formule est revêtue d'un fond de sécurité constitué par l'impression très nette, en trois couleurs, d'une allégorie composée de quelques larges motifs comportant des modelés. L'indication "Bon postal de voyage" est imprimée en même temps que le fond de sécurité et dans les mêmes couleurs. Il est fait usage de teintes nettement différentes pour les bons de chacune des trois valeurs prévues à l'article 41, paragraphe 1, de l'Arrangement.

2. Chaque bon porte les mentions suivantes, imprimées au recto:

a) le numéro d'une série allant de 1 à 100 000;

b) le nom du pays d'émission;

c) la valeur du bon suivie du nom de la monnaie dans laquelle il est établi;

d) le nom du pays dans lequel il est payable exclusivement.

3. Les bons vendus au public sont réunis et brochés en carnet sous couverture de couleur bleu clair, conforme au modèle MP 11 ci-annexé. Le nom du pays d'émission et le nom du pays de paiement sont imprimés au recto.

4. Les Administrations sont approvisionnées en bons et en couvertures de carnets par le Bureau international qui en assure l'impression.

Article 152

Etablissement des bons

1. Lors de l'émission, les bons sont revêtus, dans la bande blanche ménagée au recto et à l'emplacement prévu à cet effet, de l'empreinte d'un timbre sec en relief, spécial au service qui les émet. Le premier et le dernier jour de validité doivent de plus être indiqués sur les bons, à la main, à la machine à écrire ou au moyen d'un timbre. Les Administrations peuvent convenir d'authentifier les bons au moyen de l'empreinte du timbre humide utilisé pour l'émission des mandats de poste.

2. Les Administrations peuvent convenir d'indiquer, au moyen d'un gaufrage spécial, le nom du service émetteur.

Article 153

Confection et établissement des carnets

1. Les bons sont classés dans les carnets dans l'ordre numérique.

2. Le bureau qui émet un carnet indique sur la couverture, à l'emplacement réservé à cet effet, le premier et le dernier jour de validité des bons. Il porte également sur les filets de cette couverture le nombre des bons émis ainsi que les numéros du premier et du dernier de ces bons; le nom du pays de paiement est indiqué d'une manière apparente sur le carnet et sur les bons aux emplacements prévus.

3. Les inscriptions doivent être faites à la main, à la machine à écrire ou au moyen d'un procédé mécanique d'impression.

4. L'empreinte du timbre sec en relief ou du timbre humide mentionnés à l'article 152, paragraphe 1, doit être apposée sur la couverture et à l'endroit prévu à cet effet, lors de l'établissement du carnet.

Article 154

Paiement à titre exceptionnel de bons libellés en une monnaie autre que celle du pays où le paiement est demandé

1. Lorsque, par suite de circonstances exceptionnelles et dans les relations avec les pays qui en ont préalablement convenu, le bénéficiaire est conduit à demander le paiement de ses bons dans un pays autre que le pays de paiement primitivement indiqué sur les bons, le montant à payer pour chaque bon en monnaie du pays où le paiement est sollicité est demandé au bureau d'émission, aux frais du bénéficiaire, par télégramme ou par avion.

2. Le bureau qui effectue le paiement indique au recto du bon la somme versée en sa monnaie et annexe le télégramme ou l'avis-réponse aux bons payés dans les conditions visées au paragraphe 1.

Article 155

Bons égarés, perdus ou détruits après paiement

L'article 118 est applicable, par analogie, dans le cas de bons postaux de voyage égarés, perdus ou détruits après paiement. Le titre de remplacement est établi sur une formule MP 10. L'Administration de paiement se procure, par l'intermédiaire de l'Administration d'origine, la déclaration du bénéficiaire destinée à tenir lieu d'acquit.

Article 156

Etablissement des comptes

1. Le compte mensuel des bons payés est établi sur une formule conforme au modèle MP 9 ci-annexé.

2. Ce compte est joint au compte mensuel MP 5 relatif aux mandats payés pendant la même période et le total en est ajouté à celui du compte MP 5.

3. Les bons postaux de voyage payés à titre exceptionnel par un pays ne participant pas au service, dans les conditions prévues à l'article 154, sont décrits sur un compte mensuel MP 5 spécial qui est annexé au compte des mandats de poste.

Quatrième partie

Dispositions finales

Article 157

Mise à exécution et durée du Règlement

1. Le présent Règlement sera exécutoire à partir du jour de la mise en vigueur de l'Arrangement concernant les mandats de poste et les bons postaux de voyage.

2. Il aura la même durée que cet Arrangement, à moins qu'il ne soit renouvelé d'un commun accord entre les Parties intéressées.

Fait à Lausanne, le 5 juillet 1974.

[The signatures appearing here in the original correspond to those on pages 878–898.]

LISTE DES FORMULES

No	Dénomination ou nature de la formule	Références
1	2	3
MP 1	Mandat de poste international	art. 104, par. 1
MP 2	Liste des mandats de poste	art. 121, par. 2, lettre a)
MP 3	Avis d'émission d'un mandat télégraphique	art. 131, par. 1
MP 4	Réclamation ou demande de retrait, de modification d'adresse concernant un mandat de poste international	art. 109, par. 1
MP 5	Compte mensuel des mandats-cartes et des autorisations de paiement	art. 145, par. 1
MP 6	Liste récapitulative des mandats de poste et des autorisations de paiement	art. 145, par. 2
MP 7	Compte mensuel des mandats de poste, des autorisations de paiement et des mandats de remboursement	art. 145, par. 2
MP 8	Compte général des mandats de poste	art. 146, par. 1
MP 9	Compte mensuel des bons postaux de voyage	art. 156, par. 1
MP 10	Bon postal de voyage	art. 151, par. 1
MP 11	Carnet de bons postaux de voyage	art. 151, par. 3
MP 12	Mandat de poste international pour libellé mécanographique	art. 104, par. 2
MP 13	Autorisation de paiement	art. 116
MP 14	Demande de régularisation d'un mandat de poste, d'un mandat de versement ou demande d'autorisation de paiement	art. 111, par. 1
MP 15	Compte mensuel des mandats-listes	art. 145, par. 1
MP 16	Mandat de versement international	art. 140, par. 1

ANNEXES

Formules MP 1 à MP 16

(recto)

COUPON

(Peut être détaché par le bénéficiaire)

Montant en chiffres arabes

Date d'émission

Nom et adresse de l'expéditeur

Administration des postes

MP 1

MANDAT DE POSTE INTERNATIONAL

Cours du change[1]

Somme payée[1]

Montant en chiffres arabes

Montant en toutes lettres et en caractères latins

Nom du bénéficiaire

Rue et n°

Lieu de destination

Pays de destination

S'il y a lieu application des timbres-poste ou indication de la taxe perçue

[1] A porter par l'Administration de paiement lorsqu'elle opère la conversion.

Timbre du bureau d'émission

Timbre du bureau d'émission

Indications du bureau d'émission

N° du mandat

Somme versée

Bureau

Date

Signature de l'agent

Mandats, Lausanne 1974, art. 104, par. 1 — Dimensions: 148×105 mm, couleur rose

(verso)

Cadre réservé aux endossements, s'il y a lieu

Quittance du bénéficiaire

Reçu la somme indiquée d'outre-mer

Lieu et date

Signature du bénéficiaire

Registre d'arrivée

N°

Timbre du bureau payeur

Administration qui établit la liste

LISTE

Mandats de poste

MP 2 (page 1)

Administration correspondante	Date de la liste	N°

Indications. Prière d'accuser réception de la présente liste.

Listes reçues et trouvées conformes, exception faite des modifications ci-après

Numéro de la liste	Date de la liste	Numéros internationaux des mandats compris dans les listes	Montants de la liste	
1	2	3	4	5

Modifications

Mandats, Lausanne 1974, art. 121, par. 2, lettre a) — Dimensions: 210×297 mm

TIAS 8232

87-129 O - 77 - 59

LISTE DES MANDATS DE POSTE

MP 2 (page 2)

Numéro d'ordre international	Emission: 1. Bureau 2. Date 3. Numéro	Expéditeur Nom et adresse complète	Bénéficiaire Nom, prénom et adresse complète	Montant en monnaie du Pays d'émission	Cours du change	Montant en monnaie dans laquelle les mandats sont exprimés	Références particulières	A remplir par le bureau de destination: Numéro du mandat intérieur	Bureau payeur	Observations
1	2	3	4	5	6	7	8	9	10	11

LISTE DES MANDATS DE POSTE

MP 2 (page 3)

Numéro d'ordre international	Emission: 1. Bureau 2. Date 3. Numéro	Expéditeur Nom et adresse complète	Bénéficiaire Nom, prénom et adresse complète	Montant en monnaie du Pays d'émission	Cours du change	Montant en monnaie dans laquelle les mandats sont exprimés	Références particulières	A remplir par le bureau de destination: Numéro du mandat intérieur	A remplir par le bureau de destination: Bureau payeur	A remplir par le bureau de destination: Observations
1	2	3	4	5	6	7	8	9	10	11

MP 2 (page 4)

LISTE DES MANDATS DE POSTE

Numéro d'ordre international	Emission: 1. Bureau 2. Date 3. Numéro	Expéditeur Nom et adresse complète	Bénéficiaire Nom, prénom et adresse complète	Montant en monnaie du Pays d'émission	Cours du change	Montant en monnaie dans laquelle les mandats sont exprimés	Références particulières	A remplir par le bureau de destination: Numéro du mandat inférieur	A remplir par le bureau de destination: Bureau payeur	A remplir par le bureau de destination: Observations
1	2	3	4	5	6	7	8	9	10	11

Timbre, date et signature

Administration des postes d'origine

MP 3

Bureau de destination

AVIS D'ÉMISSION

Mandat télégraphique

Indications. A envoyer sous enveloppe, par le prochain courrier et autant que possible par avion.

Bureau	N° du mandat	Date

Dépôt

Montant en monnaie du Pays de paiement	Montant en monnaie du Pays d'émission

Nom de l'expéditeur

Bénéficiaire. Nom, qualité et adresse complète

Timbre et date. Signature de l'agent qui établit l'avis

Le montant ne peut pas être payé sur le vu de cet avis d'émission, mais seulement sur celui du télégramme auquel cet avis se rapporte.

Timbre du bureau payeur

Mandats, Lausanne 1974, art. 131, par. 1 — Dimensions: 148×105 mm

MP 4 (recto

Administration des postes d'origine

Bureau de poste ou de chèques postaux d'origine

☐ **RÉCLAMATION**

☐ **DEMANDE de retrait**

☐ **DEMANDE de modification d'adresse**

Bureau de poste ou de chèques postaux de destination	Date de la formule MP 4 Notre référence Votre référence
Description du mandat	☐ Mandat-carte ☐ Mandat-liste ☐ Mandat de versement
Mode de transmission	☐ Voie de surface ou aérienne ☐ Voie télégraphique
Emission	Bureau N° du mandat Date
Montant	☐ En monnaie du pays de paiement ☐ En monnaie du pays d'émission Montant du mandat
Expéditeur	Nom et adresse complète
Bénéficiaire	Nom et adresse complète Bureau de chèques postaux N° du compte
Réclamant ou demandeur	Nom et adresse complète
Renseignements complémentaires	
Motif de la réclamation ou de la demande	☐ D'après la déclaration de l'expéditeur, le bénéficiaire n'a pas reçu le montant. Veuillez effectuer une enquête à ce sujet et nous en communiquer le résultat ☐ Prière de me renvoyer le mandat susmentionné pour remise à l'expéditeur ☐ Prière de modifier comme suit Adresse actuelle du mandat Adresse modifiée ☐ L'expéditeur désire savoir si le mandat a été payé au bénéficiaire Autres motifs
Si le mandat a été égaré, le montant doit être payé	☐ au bénéficiaire primitif ☐ à l'expéditeur
Mode de transmission de la réponse	☐ Voie de surface ☐ Voie aérienne ☐ Voie télégraphique La présente formule doit être renvoyée au bureau d'origine de la demande
Lieu et date Signature du réclamant ou du demandeur	Timbre du bureau d'où émane la demande Signature du chef

Mandats, Lausanne 1974, art. 109, par. 1 – Dimensions: 210 × 297 mm

Bureau qui expédie la réponse

MP 4 (verso)

RÉPONSE À LA RÉCLAMATION OU À LA DEMANDE

Bureau de poste ou de chèques postaux de destination de la réponse	Date de la réponse
	Notre référence
	Votre référence

Traitement du mandat en question

Date du paiement

☐ Il a été dûment payé au bénéficiaire

Date de l'inscription

☐ Il a été inscrit au crédit du compte du bénéficiaire

Nom du bureau

☐ Il est encore en instance au bureau de poste

Nom du bureau

☐ Il est encore en instance au bureau de chèques

☐ Il a été remis au bénéficiaire, qui n'a pas encore pris livraison du montant

Date

☐ Il a été renvoyé au pays d'émission

Date

☐ Il a été réexpédié

Nouvelle adresse du bénéficiaire

Nom de poste

☐ Il n'est pas parvenu au bureau de poste

Nom de poste

☐ Il n'est pas parvenu au bureau de chèques

Après réception du mandat, le nom du bénéficiaire du mandat, le nom et l'adresse du donneur d'ordre, le montant et la date

Déclaration du bénéficiaire (si possible)

Signature du bénéficiaire (ou de son représentant légal)

MP 5

Administration qui établit le compte

COMPTE MENSUEL

Mandats-cartes et autorisations de paiement

Administration d'émission	Date du compte	
	Mois	Année

Numéro courant des mandats et autorisations de paiement payés	Emission				Mandats et autorisations de paiement taxés	Mandats et autorisations de paiement en franchise de taxe	Débit de l'Administration émettrice des mandats
	Année	Mois	Bureau	Numéro			
1	2	3	4	5	6	7	8
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							
20							
Totaux							

Mandats et autorisations de paiement taxés (colonne 6)		
Nombre de mandats	Montant moyen	
Quote-part unitaire	Montant par mandat	
Mandats et autorisations de paiement en franchise de taxe (colonne 7)		
Total général des sommes dues par l'Administration d'émission		

Le présent compte mensuel est certifié conforme au total des mandats et autorisations de paiement ci-annexés

Timbre, date et signature

Mandats, Lausanne 1974, art. 145, par. 1 · Dimensions 210 · 297 mm

Administration qui établit la liste

MP 6

LISTE RÉCAPITULATIVE

Mandats de poste et autorisations de paiement

Administration d'émission	Date de la liste	19
	Mois	(Année

Indications. Relever séparément les mandats et autorisations de paiement en franchise de taxe, soit à la fin de cette liste avec la mention y relative dans la colonne « Observations » soit aux listes complémentaires ou en utilisant des listes spéciales. Inscrire les autorisations de paiement au rang qu'occuperaient les mandats auxquels elles se rapportent et les signaler dans la colonne « Observations ».

Numéro courant	Émission				Mandats et autorisations de paiement	Observations
	Année	Mois	Bureau	Numéro		
1	2	3	4	5	6	7
Total (à récapituler sur la dernière liste ou à reporter au compte mensuel MP 7)						

Manédits Louviers 1974 qté 145 par 2 Dimensions 210 × 297 mm

Administration qui établit le compte

MP 7

COMPTE MENSUEL

Mandats de poste, autorisations de paiement et mandats de remboursement

Administration d'émission	Date du compte Mois / Année

Indications. Dans ce compte peuvent aussi être compris les sommes à rembourser et les intérêts prévus aux articles 27 et 30 de l'Arrangement.

Titre	Nombre des mandats et des autorisations de paiement payés	Montants des mandats et des autorisations de paiement payés	Montant des quotes-parts
1	2	3	4
Mandats et autorisations de paiement taxés (Total établi sur formules MP 6 ci-annexées)			
Montant moyen			
Quote-part unitaire (Montant par mandat)			
Mandats et autorisations de paiement en franchise de taxe (Total établi sur formules MP 6 ci-annexées)			
Totaux			
Mandats de remboursement selon le compte particulier formule R 5			
A déduire les quotes-parts sur les mandats de remboursement			
Totaux généraux			
Total des quotes-parts ☐ à ajouter ☐ à déduire			
Inscriptions éventuelles selon les articles 27 et 30 de l'Arrangement (Sommes à rembourser et intérêts)			
Total général des sommes dues par l'Administration d'émission			

Le présent compte mensuel est certifié conforme au total des mandats et autorisations de paiement ci-annexés

(timbre, date et signature)

Mandats, Lausanne 1974, art. 145, par. 2 - Dimensions 210 × 297 mm

Administration qui établit le compte

MP 8

COMPTE GÉNÉRAL

Mandats de poste

Administration correspondante	Date du compte Echanges pendant la période

Période	Avoir de l'Administration qui établit le compte		Avoir de l'Administration correspondante	
	Mandats	Taxes	Mandats	Taxes
1	2	3	4	5
Totaux				
Déduction après conversion Taux de conversion				
Totaux				
Balance				
Acomptes				
Solde				

Détails des acomptes

Dates	Notre référence	Montants

Timbre de l'Administration qui établit le compte Date et signature	Vu et accepté par l'Administration correspondante Timbre, date et signature

Mandats, Lausanne 1974, art. 146, par. 1 — Dimensions: 210×297 mm

Administration qui établit le compte

COMPTE MENSUEL
Bons postaux de voyage

MP 9

Administration d'émission	Date du compte	Annexes
	Mois / Année	

Numéro courant des bons payés	Emission			Numéro	Montant en monnaie du Pays payeur	
	Année	Mois	Bureau			
1	2	3	4	5	6	
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19						
20						
Total des bons payés						
Quote-part de 3/8 %						
Total général des sommes dues par l'Administration d'émission						

Le présent compte mensuel est certifié conforme au total des bons ci-annexés
Timbre, date et signature

Mandats, Lausanne 1974, art. 156, par. 1 — Dimensions: 210×297 mm

(recto)

Talon
à la disposition du titulaire

BON POSTAL DE VOYAGE

Montant
(en monnaie du Pays de paiement)

Bureau payeur

Date de paiement

ADMINISTRATION DES POSTES MP 10

d

N°

Bureau émetteur

Valable du

au

BON POSTAL DE VOYAGE

de la somme de
(en chiffres arabes, avec indication de la monnaie)

(en toutes lettres)

payable exclusivement
(Nom du Pays de paiement)

entre les mains de la personne désignée sur la couverture du carnet

Timbre sec du bureau d'émission

Mandats, Lausanne 1974, art. 151, par. 1 — Dimensions: 162×114 mm

(verso)

Pièces d'identité produites

Reçu contre ce bon postal de voyage la somme ci-après

Montant

Lieu Date

Signature[1]

Timbre à date du bureau de paiement

Date de paiement

N° du paiement

Signature du payeur

[1]Doit être conforme à celle qui figure sur la couverture

(1re page de la couverture)

Administration d'émission

CARNET DE BONS POSTAUX DE VOYAGE MP 11

(Voir page 4 de la couverture)

Validité	du au (inclus)		
Description des bons (en chiffres arabes)	Nombre	Numéros (premier et dernier)	Valeur
Pays de paiement			
Titulaire	Nom et prénoms		Timbre sec (en relief) du bureau émetteur
	Adresse		
	Lieu de domicile		
	Signature		

Mandats, Lausanne 1974, art. 151, par. 3 — Dimensions: 162×115 mm

(4e page de la couverture)

1. Les bons postaux de voyage sont libellés en monnaie du Pays où ils doivent être payés; ce Pays est désigné à la 1re page de la couverture du présent carnet.

2. Dans les bureaux participant au service, le paiement a lieu contre remise du bon signé à l'encre. L'ayant droit doit justifier de son identité soit par la production de son passeport ou d'une carte d'identité postale, soit au moyen d'une autre preuve admise dans le Pays payeur.

3. Lorsque le service payeur ne dispose pas des fonds nécessaires au paiement du ou des bons qui lui sont présentés, le paiement peut être suspendu jusqu'au moment où ce service s'est procuré les fonds.

4. Les sommes versées pour être converties en bons sont, dans le délai de prescription fixé par la législation du Pays d'émission, garanties aux ayants droit jusqu'au moment où les bons ont été régulièrement payés. La réclamation de l'ayant droit concernant le paiement d'un bon à une personne non autorisée n'est admise que dans le délai d'un an à partir du lendemain de l'émission de ce bon. Les Administrations postales ne sont pas responsables des conséquences que peuvent entraîner la perte, la soustraction ou l'emploi frauduleux de carnets ou de l'un ou l'autre des bons qu'ils contiennent.

5. Aucune réclamation ne peut être introduite contre l'Administration du Pays d'émission si le carnet qui fait l'objet de la réclamation n'est pas produit. Toutefois, en cas de perte d'un carnet ou d'un ou de plusieurs bons, l'intéressé doit prouver à l'Administration émettrice qu'il a demandé la délivrance d'un carnet de bons et qu'il a versé, à cet effet, la somme totale correspondante. Le remboursement ne peut être effectué que lorsque ladite Administration s'est assurée que les bons déclarés perdus n'ont pas été payés.

6. Les carnets ou l'un ou l'autre des bons qu'ils contiennent ne sont transmissibles à des tiers ni par endossement ni par cession; ils ne peuvent être mis en gage.

Sous réserve de ce qui est prévu par la législation interne de chaque Pays, il n'est pas donné suite aux demandes qui sont présentées en vue de faire opposition au paiement de bons régulièrement émis.

(recto)

COUPON
(Peut être détaché par le bénéficiaire)

Montant en chiffres arabes

Date d'émission

Nom et adresse de l'expéditeur

Administration des postes

Montant en chiffres arabes

Montant en toutes lettres et en caractères latins

Bénéficiaire

MANDAT DE POSTE INTERNATIONAL MP 12
pour libellé mécanographique

Cours du change[1]

Somme payée[1]

S'il y a lieu application des timbres-poste ou indication de la taxe perçue

[1] A porter par l'Administration de paiement lorsqu'elle opère la conversion.

Timbre du bureau d'émission

Timbre du bureau d'émission

Indications du bureau d'émission

N° du mandat

Somme versée

Bureau d'émission

Date

Signature de l'agent

Mandats, Lausanne 1974, art. 104, par. 2 — Dimensions: 148×105 mm, couleur rose

(versa)

Cadre réservé aux endossements, s'il y a lieu

Quittance du bénéficiaire

Reçu la somme indiquée d'autre part

Lieu et date

Signature du bénéficiaire

Registre d'arrivée

N°

Timbre du bureau payeur

(recto)

COUPON

Administration des postes

AUTORISATION DE PAIEMENT MP 13

N° de l'autorisation

Remplacement

Complément d'un mandat de poste

Montant en chiffres arabes

Montant en chiffres arabes

Date du mandat original

Montant en toutes lettres et en caractères latins

A porter par l'Administration de paiement lorsqu'elle opère la conversion

Nom et adresse de l'expéditeur

Nom du bénéficiaire

Rue et n°

Cours du change

Lieu de destination

Somme payée

Pays de destination

Somme versée

Timbre du service d'émission

Timbre du service d'émission

N° du mandat

Date

Bureau d'émission du mandat

Signature de l'agent qui établit l'autorisation

Mandats, Lausanne 1974, art. 116 — Dimensions: 148×105 mm, couleur rose

(verso)

Cadre réservé aux endossements, s'il y a lieu

Remplacement d'un mandat de poste

Complément d'un mandat de poste

Quittance du bénéficiaire

Reçu la somme indiquée d'autre part

Lieu et date

Signature du bénéficiaire

Registre d'arrivée

N°

Timbre du bureau payeur

MP 14 (recto)

Administration des postes d'origine

Bureau d'origine

I. DEMANDE DE RÉGULARISATION

☐ **d'un mandat de poste** ☐ **d'un mandat de versement**

II. DEMANDE D'AUTORISATION

☐ **de paiement (verso)**

Bureau d'émission du mandat	Date de la demande Notre référence Votre référence

Description du mandat	☐ Mandat-carte ☐ Mandat télégraphique
Emission	Bureau N° du mandat Date
Montant	☐ En monnaie du pays de paiement ☐ En monnaie du pays d'émission Montant du mandat
Expéditeur	Nom et adresse complète
Bénéficiaire	Nom et adresse complète Bureau de chèques postaux N° du compte
Renseignements complémentaires	

I. Demande de régularisation d'un mandat

Le mandat décrit ci-dessus, que vous voudrez bien trouver ci-joint, ne peut être payé, pour le motif suivant:

☐ Indication inexacte, insuffisante ou douteuse du nom ou du domicile du bénéficiaire

☐ Le numéro du compte courant postal indiqué est erroné

☐ Différences ou omission des noms ou de sommes

☐ Ratures ou surcharges dans les inscriptions

☐ Omission de timbres, de signature ou d'autres indications de service

☐ Indication de la somme à payer dans une monnaie autre que celle qui est admise

☐ Dépassement du montant maximal autorisé

☐ Erreur évidente dans le rapport entre la monnaie du pays d'émission et celle du pays de paiement

☐ Omission du nom de l'unité monétaire

☐ Emploi de formule non réglementaire

☐ Délai de validité expiré. A viser pour date

☐ L'avis d'émission (le mandat télégraphique) n'est pas arrivé. Prière d'envoyer un duplicata de cet avis

Autres motifs

Prière de renvoyer le mandat, sous enveloppe, immédiatement après sa régularisation, accompagné de la présente formule

Mandats, Lausanne 1974, art. 111, par. 1 – Dimensions: 210 × 297 mm

TIAS 8232

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MP 14 (verso)

ff. Demande d'autorisation de paiement

Le mandat décrit ci-contre

☐ a été égaré avant paiement

☐ a été détruit avant paiement

☐ a été perdu avant paiement

☐ nécessite, par suite d'une erreur de conversion, un paiement complémentaire au bénéficiaire

Montant du paiement complémentaire

Prière de délivrer une autorisation de paiement et de transmettre celle-ci accompagnée de la présente formule

Timbre du bureau de paiement et date
Signature

Timbre du bureau d'émission du mandat

Administration qui établit le compte

MP 15

COMPTE MENSUEL

Mandats-listes

Administration d'émission	Date du compte Mois / Année

Date des listes	Mandats taxés				Mandats en franchise de taxe				Débit de l'Administration émettrice des mandats	
	Numéros d'ordre internationaux des titres figurant sur les listes		Totaux des listes		Numéros d'ordre internationaux des titres figurant sur les listes		Totaux des listes			
1	2		3		4		5		6	
	de	à			de	à				
Totaux										
Nombre de mandats		Montant taxé Montant par mandat			Mandats taxés (col. 3)					
Quote-part unitaire										
Quote-part fixe (50 c par mandat)										
Mandats en franchise de taxe (colonne 5)										
Total général des sommes dues par l'Administration d'émission										

Timbre-date et signature

Mandats. Lausanne 1974, art. 145, par. 1 – Dimensions 210 × 297 mm

(recto)

COUPON destiné au titulaire du CCP n° .....

Administration des postes

MP 16

MANDAT DE VERSEMENT INTERNATIONAL

Cours du change[1]

Montant en chiffres arabes

Montant en chiffres arabes

Somme créditée[1]

S'il y a lieu application des timbres-poste ou indication de la taxe perçue

Date d'émission

Montant en toutes lettres et en caractères latins

Nom et adresse de l'expéditeur

Nom du bénéficiaire

CCP n°

Bureau de chèques

Pays de destination

[1] A porter par l'Administration de paiement lorsqu'elle opère la conversion.

Timbre du bureau d'émission

Timbre du bureau d'émission

Indications du bureau d'émission

N° du mandat

Somme versée

Bureau

Date

Signature de l'agent

Mandats, Lausanne 1974, art. 140, par. 1 — Dimensions: 148×105 mm, couleur jaune

(verso)

Cadre réservé au service de chèques postaux

Timbre du bureau de chèques postaux qui a porté le mandat au crédit du compte courant postal du bénéficiaire

Copie certifiée conforme à l'original déposé dans les archives de la Confédération suisse.

Berne, le 5 mars 1975

Pour le
DEPARTEMENT POLITIQUE FEDERAL

(Bührer)
Chef de la
Section des Traités internationaux

Having examined and considered the provisions of the Postal Money Orders and Postal Travellers' Cheques Agreement (including its Detailed Regulations), one of the Acts of the Universal Postal Union, signed at Lausanne on the 5th day of July, 1974, revising the Money Orders and Postal Travellers' Cheques Agreement (including its Detailed Regulations), which was signed at Tokyo on the 14th day of November, 1969,[1] the same are by me, by virtue of the powers vested by law in the United States Postal Service and delegated by its Board of Governors to the Postmaster General, hereby ratified, with the reservation that the United States Postal Service does not intend to avail itself of the optional provisions of the Agreement and the Detailed Regulations relating to travellers' cheques.

This ratification is applicable to the United States of America, the Territories of the United States of America, and all areas for the international relations of which it is responsible.

In witness whereof, I have caused the seal of the United States Postal Service to be hereto affixed this 10th day of February 1976.

UNITED STATES POSTAL SERVICE
U.S. MAIL

Benjamin F. Bailar
Postmaster General

[1] TIAS 7236; 22 UST 1901.

JAPAN

Criminal Investigations

Agreement signed at Washington March 23, 1976;
Entered into force March 23, 1976.

PROCEDURES FOR MUTUAL ASSISTANCE IN
ADMINISTRATION OF JUSTICE IN CONNECTION
WITH THE LOCKHEED AIRCRAFT CORPORATION MATTER

The United States Department of Justice and the Ministry of Justice of Japan, hereinafter referred to as "the parties", confirm the following procedures in regard to mutual assistance to be rendered to agencies with law enforcement responsibilities in their respective countries with respect to alleged illicit acts pertaining to the sales activities in Japan of the Lockheed Aircraft Corporation and its subsidiaries or affiliates.

1. All requests for assistance shall be communicated directly between the parties.

2. Upon request, the parties shall use their best efforts to make available to each other relevant and material information, such as statements, depositions, documents, business records, correspondence or other materials, available to them concerning alleged illicit acts pertaining to the sales activities in Japan of the Lockheed Aircraft Corporation and its subsidiaries or affiliates.

3. Such information shall be used exclusively for purposes of investigation conducted by agencies with law enforcement responsibilities and in ensuing legal proceedings, criminal, civil and administrative.

4. Except as provided in paragraph 5, all such information made available by the parties pursuant to these procedures, and all correspondence between the parties relating to such information and to the implementation of these procedures, shall be kept confidential and shall not be disclosed to third parties or to government agencies having no law enforcement responsibilities. Disclosure to other agencies having law enforcement responsibilities shall be conditioned on the recipient agency's acceptance of the terms set forth herein.

In the event of breach of confidentiality, the other party may discontinue cooperation under these procedures.

5. Information made available pursuant to these procedures may be used freely in ensuing legal proceedings, criminal, civil and administrative, in the requesting state in which an agency of the requesting state having law enforcement responsibilities is a party,

and the parties shall use their best efforts to furnish the information for purposes of such legal proceedings in such form as to render it admissible pursuant to the rules of evidence in existence in the requesting state, including, but not limited to, certifications, authentications, and such other assistance as may be necessary to provide the foundation for the admissibility of evidence.

6. The parties shall give advance notice prior to the institution of legal proceedings, criminal, civil and administrative, in which information made available pursuant to these procedures is intended to be used.

7. The parties shall use their best efforts to assist in the expeditious execution of letters rogatory issued by the judicial authorities of their respective countries in connection with legal proceedings, criminal, civil and administrative, which may ensue in their respective countries.

8. The assistance to be rendered to a requesting state shall not be required to extend to such acts by the authorities of the requested state as might result in the immunization of any person from prosecution in the requested state.

9. All actions to be taken by a requested state will be performed subject to all limitations imposed by its domestic law. Execution of a request for assistance may be postponed or denied if execution would interfere with ongoing investigations or legal proceedings, criminal, civil and administrative, in the requested state.

10. Nothing contained herein shall limit the rights of the parties to utilize for any purpose information which is obtained by the parties independent of these procedures.

11. The mutual assistance to be rendered by the parties pursuant to these procedures is designed solely for the benefit of their respective agencies having law enforcement responsibilities and is not intended or designed to benefit third parties, or to affect the admissibility of evidence under the laws of either the United States or Japan.

Done at Washington, D.C. this twenty-third day of March, 1976.

[1]
For the United States Department of Justice:

[2]
For the Ministry of Justice of Japan:

[1] Richard Thornburgh
[2] Yasuyoshi Shiono

米国司法省のために

日本国法務省のために

鹽野宣慶

ている援助を行うことが被要請国において現に行われている捜査・調査又は刑事上、民事上及び行政上の裁判若しくは審理に関する手続の支障となる場合には、これを延期し又は拒否することができる。

10 この手続のいかなる規定も、当事者がこの手続によらないで入手する資料につき、これをいかなる目的にせよ利用する当事者の権利を制限するものではない。

11 この手続に基づき当事者により相互に提供される援助は、双方の法執行の責任を有する機関のためにのみ行われることを目的とするものであつて、第三者を利すること又は米国若しくは日本国のいずれかの国の法律の下における証拠の許容性に影響を及ぼすことを意図し又は目的とするものではない。

千九百七十六年三月二十三日にワシントンで

をするものとする。

6 当事者は、この手続に基づき提供される資料を使用しようとする刑事上、民事上及び行政上の裁判又は審理に関する手続を開始する前に、その旨を事前に通知するものとする。

7 当事者は、他方の国において行われることのある刑事上、民事上及び行政上の裁判又は審理に関する手続に関連してその国の司法当局により発せられる嘱託書による嘱託事項の迅速な実施を援助することにつき最善の努力をするものとする。

8 要請国に対する援助は、被要請国の当局のとる措置として自国において訴追を免除する結果となることのある措置をとることにまで及ぶ必要はないものとする。

9 被要請国によりとられることとなるすべての措置は、その国内法に定めるすべての制約の範囲内で行われる。要請され

示を受ける機関がこの手続に定める条件を受諾することを要件とするものとする。

秘密保持の条件に対する違反があつたときは、相手の当事者は、この手続に基づく協力を打ち切ることができる。

5

この手続に基づき提供される資料は、法執行の責任を有する要請国の機関を一当事者として要請国において行われる刑事上、民事上及び行政上の裁判又は審理に関する手続において、自由に使用することができる。当事者は、要請国におけるこれらの裁判又は審理に関する手続のため、要請国の現行の証拠法則により証拠として許容される形式でその資料を提供すること(証明すること、認証すること及び証拠の許容性の根拠を証明するのに必要とされるその他の援助の提供をすることを含むが、これらに限定されない。)につき最善の努力

る関連性及び重要性を有する資料（例えば、供述書・供述録取書、証言録取書、文書、業務記録、通信その他の物件）を相互に提供することにつき最善の努力をするものとする。

3 これらの資料は、専ら、法執行の責任を有する機関により行われる捜査・調査のために並びにこれに伴う刑事上、民事上及び行政上の裁判又は審理に関する手続においてのみ使用するものとする。

4 5に規定する場合を除くほか、この手続に基づき当事者により提供されるすべてのこれらの資料並びに当事者間におけるこれらの資料及びこの手続の実施に関連するすべての通信は、その秘密が保持されなければならず、また、第三者又は法執行の責任を有しない政府機関に対し開示されてはならない。法執行の責任を有する他の機関に対する開示は、当該開

ロッキード・エアクラフト社問題に関する法執行についての相互援助のための手続

米国司法省及び日本国法務省（以下「当事者」という。）は、ロッキード・エアクラフト社及びその子会社又は関連会社の日本における販売活動に関連する非合法な疑いのある行為に関して、それぞれの国における法執行の責任を有する機関に対し相互に提供される援助に関する次の手続を確認する。

1 援助のためのすべての要請は、当事者間で直接行われるものとする。

2 当事者は、要請を受けたときは、ロッキード・エアクラフト社及びその子会社又は関連会社の日本における販売活動に関連する非合法な疑いのある行為に関する当事者が入手し得

AUSTRALIA

Extradition

Treaty signed at Washington May 14, 1974;
Ratification advised by the Senate of the United States of America December 1, 1975;
Ratified by the President of the United States of America December 16, 1975;
Ratified by Australia December 22, 1975;
Ratifications exchanged at Canberra April 8, 1976;
Proclaimed by the President of the United States of America May 5, 1976;
Entered into force May 8, 1976.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

CONSIDERING THAT:

The Treaty on Extradition between the United States of America and Australia was signed at Washington on May 14, 1974, the original of which Treaty is hereto annexed;

The Senate of the United States of America by its resolution of December 1, 1975, two-thirds of the Senators present concurring therein, gave its advice and consent to ratification of the Treaty;

The Treaty was ratified by the President of the United States of America on December 16, 1975, in pursuance of the advice and consent of the Senate, and has been duly ratified on the part of Australia;

The respective instruments of ratification were exchanged at Canberra on April 8, 1976;

It is provided in Article XXI of the Treaty that the Treaty shall enter into force thirty days after the exchange of instruments of ratification;

NOW, THEREFORE, I, Gerald R. Ford, President of the United States of America, proclaim and make public the Treaty, to the end that it shall be observed and fulfilled with good faith on and after May 8, 1976, by the United States of America and by the citizens of the United States of America and all other persons subject to the jurisdiction thereof.

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IN TESTIMONY WHEREOF, I have signed this proclamation and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this fifth day of May in the year of our Lord one thousand nine hundred seventy-six and of the Independence of the United States of America the two hundredth.

[SEAL]

GERALD R. FORD

By the President:
JOSEPH JOHN SISCO
Acting Secretary of State

TREATY ON EXTRADITION BETWEEN
THE UNITED STATES OF AMERICA AND AUSTRALIA

The United States of America and Australia, desiring to make more effective the cooperation of the two countries for the reciprocal extradition of offenders, agree as follows:

ARTICLE I

Each Contracting Party agrees, under the conditions and circumstances established by this Treaty, reciprocally to deliver up persons found in its territory who have been charged with or convicted of any of the offenses mentioned in Article II of this Treaty committed within the territory of the other Contracting Party, or outside that territory under the conditions specified in Article IV of this Treaty.

ARTICLE II

(1) Persons shall be delivered up according to the provisions of this Treaty for any of the following offenses provided these offenses are punishable by the laws of both Contracting Parties by a term of imprisonment exceeding one year or by death:

1. Murder or willful murder; assault with intent to commit murder.
2. Manslaughter.
3. Aggravated or willful wounding or injuring; assault occasioning actual bodily harm.
4. Unlawful throwing or application of any corrosive or injurious substances upon the person of another.
5. Rape; indecent assault, including unlawful sexual acts with or upon children.
6. Illegal abortion.
7. Procuring, or trafficking in, women or young persons for immoral purposes; living on the earnings of prostitution.
8. Abandoning or exposing a child when the life of that child is or is likely to be injured or endangered.

9. Bigamy.
10. Kidnapping; child stealing; abduction; false imprisonment.
11. Robbery.
12. Burglary; housebreaking or any similar offense.
13. Larceny.
14. Embezzlement.
15. Obtaining any property, money or valuable securities by false pretenses or other form of deception.
16. An offense against the law relating to bribery.
17. Extortion.
18. Receiving any property, money or valuable securities knowing the same to have been unlawfully obtained.
19. Fraud by an agent, bailee, banker, factor or trustee, by a director or officer of a company or by a promoter of a company, whether existing or not.
20. An offense relating to counterfeiting or forgery.
21. Perjury; subornation of perjury; conspiring to defeat the course of justice.
22. Arson.
23. An act done with the intention of endangering the safety of any person traveling upon a railway or in any aircraft or vessel or other means of transportation.
24. Any seizure or exercise of control, by force or violence or threat of force or violence, or by any other form of intimidation, of an aircraft.
25. Piracy, by statute or by law of nations; revolt on board a vessel against the authority of the master of the vessel.

26. Malicious injury to property.

27. An offense against the bankruptcy laws.

28. An offense against the laws relating to narcotics, dangerous drugs or psychotropic substances.

29. Dealing in slaves.

(2) Extradition shall also be granted for any other offenses that are made extraditable under the extradition laws of Australia and which are felonies under the laws of the United States of America.

(3) Extradition shall also be granted for any offense against a federal law of the United States of America of which one of the above-mentioned offenses is a substantial element, even if transporting or transportation or the use of the mails or of interstate facilities is also an element of the specific offense.

(4) Extradition shall also be granted for aiding, abetting, counseling or procuring the commission of, being an accessory before or after the fact to, or attempting or conspiring to commit, any of the offenses mentioned in the preceding paragraphs of this Article.

(5) If extradition is requested for any offense mentioned in a preceding paragraph of this Article and that offense is punishable under the laws of both Contracting Parties by a term of imprisonment exceeding one year or by death, that offense shall be extraditable under the provisions of this Treaty whether or not the laws of both Contracting Parties would place that offense within the same category of offenses made extraditable by that preceding paragraph of this Article and whether or not the laws of the requested State denominate the offense by the same terminology.

ARTICLE III

(1) For the purposes of this Treaty, the territory of a Contracting Party means all the territory under the jurisdiction of that Contracting Party, including airspace and territorial waters, and also includes -

(a) any vessel registered in any territory under the jurisdiction of that Contracting Party; and

(b) any aircraft registered in any such territory provided that the aircraft is in flight when the relevant offense is committed.

(2) For the purposes of this Treaty -

(a) the territory under the jurisdiction of a Contracting Party includes the Territories for the international relations of which that Contracting Party is responsible;

(b) an aircraft shall be considered in flight from the moment when the power is applied for the purpose of take-off until the moment when the landing run ends.

ARTICLE IV

When the offense for which extradition has been requested has been committed outside the territory of the requesting State -

(a) if the United States of America is the requested State - the executive authority of the United States of America; or

(b) if Australia is the requested State - the Attorney-General of Australia,

shall have the power to grant the extradition if the laws of the requested State provide for jurisdiction over such an offense committed in similar circumstances.

ARTICLE V

(1) Neither of the Contracting Parties shall be bound to deliver up its own nationals under this Treaty but the executive authority of each Contracting Party shall have the power to deliver them up if, in its discretion, it considers that it is proper to do so.

(2) For the purposes of this Article -

(a) a reference to the executive authority of a Contracting Party shall, in the case of Australia, be construed as a reference to the Attorney-General of Australia;

(b) Australian protected persons shall be deemed to be nationals of Australia; and

(c) the nationality of a person shall be determined to be that which he held at the time when he was charged with the offense for which his extradition is requested.

ARTICLE VI

Extradition shall be granted only if the evidence is found sufficient, according to the laws in the territory where the person whose extradition is requested is found, either to justify his trial or committal for trial if the offense with which he is charged or its equivalent had been committed in that territory or to prove that he is the identical person convicted by the courts of the requesting State.

ARTICLE VII

(1) Extradition shall not be granted in any of the following circumstances:

(a) when the person whose extradition is requested is being proceeded against, has been tried and discharged or punished, or has been pardoned, in the territory of the requested State for the offense for which his extradition is requested;

(b) when the prosecution for the offense has become barred by lapse of time according to the laws of the requesting State; or

(c) when the offense in respect of which extradition is requested is of a political character, or the person whose extradition is requested proves that the extradition request has been made for the purpose of trying or punishing him for an offense of a political character.

(2) If any question arises whether a case comes within the provisions of subparagraph (c) of paragraph (1) of this Article, the requested State shall decide that question.

ARTICLE VIII

If, under the law of the requesting State, an offense for which the extradition of a person is requested, or any other offense for which he may be detained or tried under paragraph (1) of Article XIV, is subject to a penalty of death but the law of the requested State does not provide for such a penalty in a similar case, the requested State may recommend to the requesting State that any punishment imposed for any of those offenses be a less severe punishment.

ARTICLE IX

When the person whose extradition is requested is being proceeded against or is serving a sentence in the territory of the requested State for an offense other than that for which extradition has been requested, his surrender may be deferred until the conclusion of the proceedings and the full execution of any punishment that may be or may have been imposed on him.

ARTICLE X

The determination that extradition based upon the request therefor should or should not be granted shall be made in accordance with the law of the requested State and the person whose extradition is sought shall have the right to use such remedies and recourses as are provided by that law.

ARTICLE XI

(1) The request for extradition shall be made through the diplomatic channel.

(2) The request shall be accompanied by a description of the person sought, a statement of the facts of the case, the text of the applicable laws of the requesting State including the law defining the offense, the law prescribing the punishment for the offense and the law relating to the limitation of the legal proceedings.

(3) When the request relates to a person who has not yet been convicted, it must also be accompanied by a warrant of arrest issued by a judge or other judicial officer of the requesting State and by such evidence as, according to the laws of the requested State,

would justify his trial or committal for trial if the offense had been committed there, including evidence proving the person requested is the person to whom the warrant of arrest refers.

(4) When the request relates to a person already convicted, it must be accompanied by the judgment of conviction and sentence, if any, passed upon him in the territory of the requesting State, by a statement, if applicable, showing how much of the sentence has not been served and by evidence proving that the person requested is the person to whom the judgment refers.

(5) The warrant of arrest and deposition or other evidence, given under oath or affirmed, and the judicial documents establishing the existence of the conviction, or certified copies of those documents, shall be admitted in evidence in the examination of the request for extradition when -

(a) in the case of a request by Australia - those documents or certified copies bear the signature, or are accompanied by the attestation, of a judge, magistrate or officer of Australia or are authenticated by the official seal of the Attorney-General and, in any case, are certified by the principal diplomatic or consular officer of the United States of America in Australia; or

(b) in the case of a request by the United States of America - the warrant, if any, bears an original signature, or the other documents are certified, by a judge, magistrate or officer of the United States of America and, in any case, are authenticated by the oath of a witness or sealed with the official

seal of the Department of State on behalf of the Secretary of State or of the Department of Justice on behalf of the Attorney General.

ARTICLE XII

(1) In case of urgency a Contracting Party may apply for the provisional arrest of the person sought pending the presentation of the request for extradition through the diplomatic channel.

(2) The application shall contain a description of the person sought, an indication of intention to request the extradition of the person sought and a statement of the existence of a warrant of arrest or a judgment of conviction against that person, and such further information, if any, as would be necessary to justify the issue of a warrant of arrest had the offense been committed, or the person sought been convicted, in the territory of the requested State.

(3) On receipt of such an application the requested State shall take the necessary steps to secure the arrest of the person claimed.

(4) A person arrested upon such an application shall be set at liberty upon the expiration of forty-five days from the date of his arrest if a request for his extradition accompanied by the documents specified in Article XI has not been received.

(5) Paragraph (4) of this Article shall not prevent the institution of proceedings with a view to extraditing the person sought if the request is subsequently received.

ARTICLE XIII

(1) If the requested State requires additional evidence or information to enable it to decide on the request for extradition, that State may request that such evidence or information be furnished within such period as it specifies.

(2) If the person sought is under arrest and the additional evidence or information submitted as aforesaid is not sufficient or if such evidence or information is not received within the period specified by the requested State, he shall be discharged from custody.

(3) The discharge of a person from custody under paragraph (2) of this Article shall not bar the requesting State from submitting another request in respect of the same offense.

ARTICLE XIV

(1) A person extradited under this Treaty may be detained, tried or punished in the territory of the requesting State for any offense mentioned in Article II for which the person could be convicted upon proof of the facts upon which the request for extradition was based.

(2) Except as provided in paragraph (1) of this Article, a person extradited under this Treaty shall not be detained, tried or punished in the territory of the requesting State for an offense other than that for which extradition has been granted, or be extradited by that State to a third State, unless -

(a) he has left the territory of the requesting State after his extradition and has voluntarily returned to it;

(b) he has not left the territory of the requesting State within thirty days after being free to do so; or

(c) the offense concerned is one for which the requested State has consented to his detention, trial or punishment or to his extradition to a third State and is an offense mentioned in Article II.

(3) A request for the consent of the requested State under subparagraph (c) of paragraph (2) of this Article shall be accompanied by such information and documents as are requested by that State.

(4) This Article does not apply to offenses committed after the extradition.

ARTICLE XV

A requested State, upon receiving two or more requests for the extradition of the same person either for the same offense, or for different offenses, shall determine to which of the requesting States it will extradite the person sought, taking into consideration the circumstances and particularly the possibility of a later extradition between the requesting States, the seriousness of each offense, the place where the offense was committed, the nationality and residence of the person sought, the dates upon which the requests were received and the provisions of any extradition agreements between the requested State and the other requesting State or States.

ARTICLE XVI

(1) The requested State shall promptly communicate to the requesting State through the diplomatic channel the decision on the request for extradition.

(2) Where extradition of a person for an offense is granted, the person shall be conveyed by the appropriate authorities of the requested State to a port or airport in the territory of that State agreed between that State and the requesting State.

(3) If a warrant or order for the extradition of a person sought has been issued by the competent authority and he is not removed from the territory of the requested State within such time as is prescribed by the laws of that State, he may be set at liberty, and the requested State may subsequently refuse to extradite that person for the same offense.

(4) Australia is not required to extradite a person before the expiration of fifteen days after the date on which he has been held judicially to be liable to extradition, or, if proceedings for a writ of habeas corpus have been brought, before the expiration of fifteen days after the final decision of the competent court has been given.

ARTICLE XVII

(1) To the extent permitted under the law of the requested State and subject to the rights of third parties, which shall be duly respected, all articles found in the requested State that have been acquired as a result of the offense or may be required as evidence shall, if the requesting State so requests, be surrendered if extradition is granted.

(2) Subject to the qualifications of paragraph (1) of this Article, the above-mentioned articles shall, if the requested State so requests, be surrendered to the requesting State even if the extradition, having been agreed to, cannot be carried out owing to the death or escape of the person sought.

(3) Where the law of the requested State or the rights of third parties so require, any articles so surrendered shall be returned to the requested State free of charge if that State so requests.

ARTICLE XVIII

(1) Expenses related to the transportation of the person sought to the requesting State shall be paid by the requesting State.

(2) The requested State shall make all necessary arrangements for, and meet the cost of, the representation of the requesting State in any proceedings arising out of a request for extradition.

(3) No pecuniary claim, arising out of the arrest, detention, examination and surrender of persons sought under the terms of this Treaty, shall be made by the requested State against the requesting State.

ARTICLE XIX

(1) The right to transport through the territory of one of the Contracting Parties a person surrendered to the other Contracting Party by a third State shall be granted on request made through the diplomatic channel.

(2) In the case of a national of the requested State, the request shall establish that conditions are present which would warrant extradition of the person by the State of transit.

(3) The request may be refused if reasons of public order are opposed to the transit.

(4) Permission for the transit of a person surrendered shall include authorization for accompanying officials to hold that person in custody or request and obtain assistance from authorities in the State of transit in maintaining custody.

(5) The Party to which the person has been extradited shall reimburse the Party through whose territory such person is transported for any expenses incurred by the latter in connection with such transportation.

ARTICLE XX

This Treaty applies to offenses mentioned in Article II committed before, on or after the date on which this Treaty enters into force, provided that no extradition shall be granted for an offense committed before that date which was not an offense under the laws of both Contracting Parties at the time of its commission.

ARTICLE XXI

(1) This Treaty is subject to ratification and the instruments of ratification shall be exchanged in Canberra as soon as possible.

(2) This Treaty shall enter into force thirty days after the exchange of instruments of ratification. [1]

(3) This Treaty may be terminated by either Contracting Party giving notice of termination to the other Contracting Party at any time and the termination shall be effective six months after the date of receipt of such notice.

(4) This Treaty shall terminate and replace, as between the Contracting Parties to the present Treaty, the Treaty on Extradition between the United States and Great Britain of December 22, 1931, [2] as made applicable to Australia.

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[1] May 8, 1976.
[2] TS 849; 47 Stat. 2122.

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IN WITNESS WHEREOF the undersigned, being duly authorized thereto by their respective Governments, have signed this Treaty.

DONE at Washington this fourteenth day of May, 1974.

FOR THE UNITED STATES OF AMERICA:

FOR AUSTRALIA:

IRAN

Technical Cooperation

Agreement signed at Washington March 4, 1975;
Entered into force April 5, 1976.

AGREEMENT ON TECHNICAL COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE IMPERIAL GOVERNMENT OF IRAN

The Government of the United States of America, and the Imperial Government of Iran,

Desiring to expand and strengthen their friendly relations,

Confirming their mutual interest in the expansion of economic cooperation between the two countries,

Recognizing the importance of technical cooperation for the expansion of economic relations, and

Wishing to create the most appropriate conditions for the development of technical cooperation,

Have agreed as follows:

Article 1

The Contracting Parties undertake to develop technical cooperation, on the basis of mutual respect for sovereignty and noninterference in each other's domestic affairs.

Article 2

Technical cooperation as mentioned in Article 1 shall cover a wide variety of economic activities including industry, agriculture, social affairs, and the development of infrastructure, and may take the form of furnishing technical and training services, advisory personnel and the supply of related commodities and facilities, for the implementation of joint projects, as may be mutually agreed between the Contracting Parties.

Article 3

The Contracting Parties shall adopt mutually agreeable administrative, organizational and staff arrangements to facilitate implementation of this Agreement.

Article 4

The Contracting Parties or their agencies or ministries may enter into specific agreements to implement technical cooperation described in Article 2.

Article 5

The implementation agreements described in Article 4 will contain, inter alia, standard provisions on:

A. Advance payment, as mutually agreed upon for costs incurred in the technical cooperation described in Article 2 including costs of project development, program implementation, administrative and staff support and project termination;

B. Privileges and immunities, when applicable, of personnel assigned to engage in such technical cooperation in the territory of the other Contracting Party; and

C. Claims arising from such technical cooperation.

Article 6

When requested by either Contracting Party, representatives of both Contracting Parties shall meet to review progress toward achieving the purposes of this Agreement, and to negotiate solutions to any outstanding problems.

Article 7

This Agreement shall be inapplicable to agreements and transactions relating to the sale of defense articles and services by the Government of the United States to the Imperial Government of Iran.

Article 8

This Agreement shall enter into force on the date of an exchange of notes confirming this fact between the Contracting Parties. [1]

Article 9

This Agreement shall remain in effect for five years from the date it enters into force, subject to revision or extension, as mutually agreed, and may be terminated at any time by either Contracting Party by one hundred and eighty days' advance notice in writing.

Done in Washington in duplicate on March 4, 1975, both originals being equally authentic.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

[2]

FOR THE IMPERIAL GOVERNMENT OF IRAN:

[3]

[1] Apr. 5, 1976.
[2] Henry A. Kissinger
[3] Hushang Ansary

FRANCE

Air Charter Services

Agreement extending the agreement of May 7, 1973, as amended and extended.
Effected by exchange of notes
Signed at Paris December 29 and 31, 1975;
Entered into force December 31, 1975.

The American Chargé d'Affaires ad interim to the French Minister of Foreign Affairs

No. 203 PARIS, *December 29, 1975.*

EXCELLENCY:

I have the honor to refer to recent discussions in Paris between representatives of our two Governments relating to air charter services between our territories and to the Memorandum of Understanding of May 7, 1973 as amended by subsequent agreement effected by the exchange of notes of March 26 and 29, 1974.[1]

In order that representatives of our two Governments may have time to continue their discussions, I propose on behalf of my Government that the Memorandum of Understanding of May 7, 1973, as amended, be extended until February 29, 1976 by amending it as follows:

In the second introductory paragraph substitute "February 29, 1976" for "December 31, 1975".

If this arrangement is acceptable, I have the honor to propose that this note and your reply to that effect constitute an Agreement between our two Governments, effective on the date of your reply, which shall remain in force until February 29, 1976.

Accept, Excellency, the renewed assurances of my highest consideration.

SAMUEL R. GAMMON

His Excellency
JEAN SAUVAGNARGUES,
Minister of Foreign Affairs,
Paris

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[1] TIAS 7617, 7815; 24 UST 1028; 25 UST 641.

The French Minister of Foreign Affairs to the American Ambassador

LE MINISTRE
DES
AFFAIRES ÉTRANGÈRES

PARIS *le 31 décembre 1975*

MONSIEUR L'AMBASSADEUR,

Vous avez bien voulu m'adresser sous le numéro 203, en date du 29 décembre 1975, une lettre dont la teneur est la suivante:

"EXCELLENCE,

J'ai l'honneur de me référer aux récentes discussions qui ont eu lieu à Paris entre des représentants de nos deux Gouvernements relatives aux services aériens non réguliers entre nos territoires et au Mémorandum d'accord, en date du 7 mai 1973, tel qu'amendé par accord subséquent effectué par échange de notes en date des 26 et 29 mars 1974.

Afin de permettre que les représentants de nos deux Gouvernements puissent avoir le temps de poursuivre leurs discussions, je propose, au nom de mon Gouvernement, que le Mémorandum d'accord du 7 mai 1973, tel qu'amendé, soit prorogé jusqu'au 29 février 1976 par la modification suivante:

Dans le second paragraphe introductoire, substituer "29 février 1976" à "31 décembre 1975".

Si cet arrangement est acceptable, j'ai l'honneur de proposer que la présente lettre et Votre réponse à ce sujet constituent un Accord entre nos deux Gouvernements prenant effet à la date de Votre réponse, qui restera en vigueur jusqu'au 29 février 1976.

Veuillez accepter, Excellence, les assurances renouvelées de ma plus haute considération."

J'ai l'honneur de Vous faire savoir que les dispositions qui précèdent rencontrent le plein accord du Gouvernement français.

Je vous prie d'agréer, Monsieur l'Ambassadeur, les assurances de ma très haute considération.

J SAUVAGNARGUES [SEAL]

S. Exc. Monsieur KENNETH RUSH,
Ambassadeur des Etats-Unis d'Amérique
à PARIS

TRANSLATION

THE MINISTER OF FOREIGN AFFAIRS

Paris, December 31, 1975

Mr. Ambassador:

You were good enough to send me your note No. 203 dated December 29, 1975, which reads as follows:

[For the English language text, see p. 1.]

I have the honor to inform you that the foregoing provisions have the full agreement of the French Government.

Accept, Mr. Ambassador, the assurances of my very high consideration.

J. Sauvagnargues [SEAL]

His Excellency
Kenneth Rush,
Ambassador of the
United States of America,
Paris.

CANADA

Extradition

Treaty signed at Washington December 3, 1971;
And agreement amending the treaty
Effected by exchange of notes
Signed at Washington June 28 and July 9, 1974;
Ratification of the treaty, as amended, advised by the Senate of the United States of America December 1, 1975;
Ratified by the President of the United States of America December 12, 1975;
Ratified by Canada February 2, 1976;
Ratifications exchanged at Ottawa March 22, 1976;
Proclaimed by the President of the United States of America May 6, 1976;
Entered into force March 22, 1976.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

CONSIDERING THAT:

The Treaty on Extradition between the United States of America and Canada was signed at Washington on December 3, 1971, as amended by an exchange of notes on June 28 and July 9, 1974, the original of which Treaty, as amended, is hereto annexed;

The Senate of the United States of America by its resolution of December 1, 1975, two-thirds of the Senators present concurring therein, gave its advice and consent to ratification of the Treaty, as amended;

The Treaty was ratified by the President of the United States of America on December 12, 1975, in pursuance of the advice and consent of the Senate, and has been duly ratified on the part of Canada;

The respective instruments of ratification were exchanged at Ottawa on March 22, 1976;

It is provided in Article 18 of the Treaty that the Treaty shall enter into force upon the exchange of ratifications;

NOW, THEREFORE, I, Gerald R. Ford, President of the United States of America, proclaim and make public the Treaty, as amended,

to the end that it shall be observed and fulfilled with good faith on and after March 22, 1976, by the United States of America and by the citizens of the United States of America and all other persons subject to the jurisdiction thereof.

IN TESTIMONY WHEREOF, I have signed this proclamation and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this sixth day of May in the year of our Lord one thousand nine hundred seventy-six
[SEAL] and of the Independence of the United States of America the two hundredth.

GERALD R. FORD

By the President:
JOSEPH JOHN SISCO
Acting Secretary of State

TREATY ON EXTRADITION BETWEEN
THE UNITED STATES OF AMERICA
AND CANADA

The United States of America and Canada, desiring to make more effective the cooperation of the two countries in the repression of crime by making provision for the reciprocal extradition of offenders, agree as follows:

ARTICLE 1

Each Contracting Party agrees to extradite to the other, in the circumstances and subject to the conditions described in this Treaty, persons found in its territory who have been charged with, or convicted of, any of the offenses covered by Article 2 of this Treaty committed within the territory of the other, or outside thereof under the conditions specified in Article 3(3) of this Treaty.

ARTICLE 2

(1) Persons shall be delivered up according to the provisions of this Treaty for any of the offenses listed in the Schedule annexed to this Treaty, which is an integral part of this Treaty, provided these offenses are punishable by the laws of both Contracting Parties by a term of imprisonment exceeding one year.

(2) Extradition shall also be granted for attempts to commit, or conspiracy to commit or being a party to any of the offenses listed in the annexed Schedule.

(3) Extradition shall also be granted for any offense against a federal law of the United States in which one of the offenses listed in the annexed Schedule, or made extraditable by paragraph (2) of this Article, is a substantial element, even if transporting, transportation, the use of the mails or interstate facilities are also elements of the specific offense.

ARTICLE 3

(1) For the purpose of this Treaty the territory of a Contracting Party shall include all territory under the jurisdiction of that Contracting Party, including air space

and territorial waters and vessels and aircraft registered in that Contracting Party or aircraft leased without crew to a lessee who has his principal place of business, or, if the lessee has no such place of business, his permanent residence in, that Contracting Party if any such aircraft is in flight, or if any such vessel is on the high seas when the offense is committed. For the purposes of this Treaty an aircraft shall be considered in flight from the moment when power is applied for the purpose of the take-off until the moment when the landing run ends.

(2) In a case when offense 23 of the annexed Schedule is committed on board an aircraft at any time from the moment when all its external doors are closed following embarkation until the moment when any such door is opened for disembarkation, such offense and any other offense covered by Article 2 committed against passengers or crew of that aircraft in connection with such offense shall be considered to have been committed within the territory of a Contracting Party if the aircraft was registered in that Contracting Party, if the aircraft landed in the territory of that Contracting Party with the alleged offender still on board, or if the aircraft was leased without crew to a lessee who has his principal place of business, or, if the lessee has no such place of business, his permanent residence in that Contracting Party.

(3) When the offense for which extradition has been requested has been committed outside the territory of the requesting State, the executive or other appropriate authority of the requested State shall have the power to grant the extradition if the laws of the requested State provide for jurisdiction over such an offense committed in similar circumstances.

ARTICLE 4

(1) Extradition shall not be granted in any of the following circumstances:

(i) When the person whose surrender is sought is being proceeded against, or has been tried and discharged or punished in the territory of the requested State for the offense for which his extradition is requested.

(ii) When the prosecution for the offense has become barred by lapse of time according to the laws of the requesting State.

(iii) When the offense in respect of which extradition is requested is of a political character, or the person whose extradition is requested proves that the extradition request has been made for the purpose of trying or punishing him for an offense of the above-mentioned character. If any question arises as to whether a case comes within the provisions of this subparagraph, the authorities of the Government on which the requisition is made shall decide.

(2) The provisions of subparagraph (iii) of paragraph (1) of this Article shall not be applicable to the following:

(i) A kidnapping, murder or other assault against the life or physical integrity of a person to whom a Contracting Party has the duty according to international law to give special protection, or any attempt to commit such an offense with respect to any such person.

(ii) When offense 23 of the annexed Schedule, or an attempt to commit, or a conspiracy to commit, or being a party to the commission of that offense, has been committed on board an aircraft engaged in commercial services carrying passengers.

ARTICLE 5

If a request for extradition is made under this Treaty for a person who at the time of such request, or at the time of the commission of the offense for which extradition is sought, is under the age of eighteen years and is considered by the requested State to be one of its residents, the requested State, upon a determination that extradition would disrupt the social readjustment and rehabilitation of that person, may recommend to the requesting State that the request for extradition be withdrawn, specifying the reasons therefor.

ARTICLE 6

When the offense for which extradition is requested is punishable by death under the laws of the requesting State and the laws of the requested State do not permit such punishment for that offense, extradition may be refused unless the requesting State provides such assurances as the requested State considers sufficient that the death penalty shall not be imposed, or, if imposed, shall not be executed.

ARTICLE 7

When the person whose extradition is requested is being proceeded against or is serving a sentence in the territory of the requested State for an offense other than that for which extradition has been requested, his surrender may be deferred until the conclusion of the proceedings and the full execution of any punishment he may be or may have been awarded.

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ARTICLE 8

The determination that extradition should or should not be granted shall be made in accordance with the law of the requested State and the person whose extradition is sought shall have the right to use all remedies and recourses provided by such law.

ARTICLE 9

(1) The request for extradition shall be made through the diplomatic channel.

(2) The request shall be accompanied by a description of the person sought, a statement of the facts of the case, the text of the laws of the requesting State describing the offense and prescribing the punishment for the offense, and a statement of the law relating to the limitation of the legal proceedings.

(3) When the request relates to a person who has not yet been convicted, it must also be accompanied by a warrant of arrest issued by a judge or other judicial officer of the requesting State and by such evidence as, according to the laws of the requested State, would justify his arrest and committal for trial if the offense had been committed there, including evidence proving the person requested is the person to whom the warrant of arrest refers.

(4) When the request relates to a person already convicted, it must be accompanied by the judgment of conviction and sentence passed against him in the territory of the requesting State, by a statement showing how much of the sentence has not been served, and by evidence proving that the person requested is the person to whom the sentence refers.

ARTICLE 10

(1) Extradition shall be granted only if the evidence be found sufficient, according to the laws of the place where the person sought shall be found, either to justify his committal for trial if the offense of which he is accused had been committed in its territory or to prove that he is the identical person convicted by the courts of the requesting State.

(2) The documentary evidence in support of a request for extradition or copies of these documents shall be admitted in evidence in the examination of the request for extradition when, in the case of a request emanating from Canada, they are authenticated by an officer of the Department of Justice of Canada and are certified by the principal diplomatic or consular officer of the United States in Canada, or when, in the case of a request emanating from the United States, they are authenticated by an officer of the Department of State of the United States and are certified by the principal diplomatic or consular officer of Canada in the United States.

ARTICLE 11

(1) In case of urgency a Contracting Party may apply for the provisional arrest of the person sought pending the presentation of the request for extradition through the diplomatic channel. Such application shall contain a description of the person sought, an indication of intention to request the extradition of the person sought and a statement of the existence of a warrant of arrest or a judgment of conviction against that person, and such further information, if any, as would be necessary to justify the issue of a warrant of arrest had the offense been committed, or the person sought been convicted, in the territory of the requested State.

(2) On receipt of such an application the requested State shall take the necessary steps to secure the arrest of the person claimed.

(3) A person arrested shall be set at liberty upon the expiration of forty-five days from the date of his arrest pursuant to such application if a request for his extradition accompanied by the documents specified in Article 9 shall not have been received. This stipulation shall not prevent the institution of proceedings with a view to extraditing the person sought if the request is subsequently received.

ARTICLE 12

(1) A person extradited under the present Treaty shall not be detained, tried or punished in the territory of the requesting State for an offense other than that for which extradition has been granted nor be extradited by that State to a third State unless:

(i) He has left the territory of the requesting State after his extradition and has voluntarily returned to it;

(ii) He has not left the territory of the requesting State within thirty days after being free to do so; or

(iii) The requested State has consented to his detention, trial, punishment for an offense other than that for which extradition was granted or to his extradition to a third State, provided such other offense is covered by Article 2.

(2) The foregoing shall not apply to offenses committed after the extradition.

ARTICLE 13

(1) A requested State upon receiving two or more requests for the extradition of the same person either for the same offense, or for different offenses, shall determine to which of the requesting States it will extradite the person sought.

(2) Among the matters which the requested State may take into consideration are the possibility of a later extradition between the requesting States, the seriousness of each offense, the place where the offense was committed, the dates upon which the requests were received and the provisions of any extradition agreements between the requested State and the other requesting State or States.

ARTICLE 14

(1) The requested State shall promptly communicate to the requesting State through the diplomatic channel the decision on the request for extradition.

(2) If a warrant or order for the extradition of a person sought has been issued by the competent authority and he is not removed from the territory of the requested State within such time as may be prescribed by the laws of that State, he may be set at liberty and the requested State may subsequently refuse to extradite that person for the same offense.

ARTICLE 15

(1) To the extent permitted under the law of the requested State and subject to the rights of third parties, which shall be duly respected, all articles acquired as a result of the offense or which may be required as evidence shall, if found, be surrendered to the requesting State if extradition is granted.

(2) Subject to the qualifications of paragraph (1) of this Article, the above-mentioned articles shall be returned to the requesting State even if the extradition, having been agreed to, cannot be carried out owing to the death or escape of the person sought.

ARTICLE 16

(1) The right to transport through the territory of one of the Contracting Parties a person surrendered to the other Contracting Party by a third State shall be granted on request made through the diplomatic channel, provided that conditions are present which would warrant extradition of such person by the State of transit and reasons of public order are not opposed to the transit.

(2) The Party to which the person has been extradited shall reimburse the Party through whose territory such person is transported for any expenses incurred by the latter in connection with such transportation.

ARTICLE 17

(1) Expenses related to the transportation of the person sought to the requesting State shall be paid by the requesting State. The appropriate legal officers of the State in which the extradition proceedings take place shall, by all legal means within their power, assist the requesting State before the respective judges and magistrates.

(2) No pecuniary claim, arising out of the arrest, detention, examination and surrender of persons sought under the terms of this Treaty, shall be made by the requested State against the requesting State.

ARTICLE 18

(1) This Treaty shall be ratified and the instruments of ratification shall be exchanged at Ottawa as soon as possible.

(2) This Treaty shall terminate and replace any extradition agreements and provisions on extradition in any other agreement in force between the United States and Canada; except that the crimes listed in such agreements and committed prior to entry into force of this Treaty shall be subject to extradition pursuant to the provisions of such agreements.

(3) This Treaty shall enter into force upon the exchange of ratifications.[1] It may be terminated by either Contracting Party giving notice of termination to the other Contracting Party at any time and the termination shall be effective six months after the date of receipt of such notice.

[1] Mar. 22, 1976.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto by their respective Governments, have signed this Treaty.

DONE in duplicate, in the English and French languages, each language version being equally authentic, at Washington this third day of December, one thousand nine hundred seventy one.

FOR THE UNITED STATES OF AMERICA:

William P. Rogers [1]

FOR CANADA:

Mitchell Sharp [2]

[1] William P. Rogers
[2] Mitchell Sharp

SCHEDULE

1. Murder; assault with intent to commit murder.
2. Manslaughter.
3. Wounding; maiming; or assault occasioning bodily harm.
4. Unlawful throwing or application of any corrosive substances at or upon the person of another.
5. Rape; indecent assault.
6. Unlawful sexual acts with or upon children under the age specified by the laws of both the requesting and requested States.
7. Willful nonsupport or willful abandonment of a minor when such minor is or is likely to be injured or his life is or is likely to be endangered.
8. Kidnapping; child stealing; abduction; false imprisonment.
9. Robbery; assault with intent to steal.
10. Burglary; housebreaking.
11. Larceny, theft or embezzlement.
12. Obtaining property, money or valuable securities by false pretenses or by threat of force or by defrauding the public or any person by deceit or falsehood or other fraudulent means, whether such deceit or falsehood or any fraudulent means would or would not amount to a false pretense.
13. Bribery, including soliciting, offering and accepting.
14. Extortion.

15. Receiving any money, valuable securities or other property knowing the same to have been unlawfully obtained.
16. Fraud by a banker, agent, or by a director or officer of any company.
17. Offenses against the laws relating to counterfeiting or forgery.
18. Perjury in any proceeding whatsoever.
19. Making a false affidavit or statutory declaration for any extrajudicial purpose.
20. Arson.
21. Any act done with intent to endanger the safety of any person travelling upon a railway, or in any aircraft or vessel or other means of transportation.
22. Piracy, by statute or by law of nations; mutiny or revolt on board a vessel against the authority of the captain or commander of such vessel.
23. Any unlawful seizure or exercise of control of an aircraft, by force or violence or threat of force or violence, or by any other form of intimidation, on board such aircraft.
24. Willful injury to property.
25. Offenses against the bankruptcy laws.
26. Offenses against the laws relating to the traffic in, production, manufacture, or importation of narcotic drugs, Cannabis sativa L., hallucinogenic drugs, amphetamines, barbiturates, cocaine and its derivatives.

27. Use of the mails or other means of communication in connection with schemes devised or intended to deceive or defraud the public or for the purpose of obtaining money or property by false pretenses.

28. Offenses against federal laws relating to the sale or purchase of securities.

29. Making or having in possession any explosive substance with intent to endanger life, or to cause severe damage to property.

30. Obstructing the course of justice in a judicial proceeding, existing or proposed, by:

    a) dissuading or attempting to dissuade a person by threats, bribes, or other corrupt means from giving evidence;

    b) influencing or attempting to influence by threat, bribes, or other corrupt means a person in his conduct as a juror; or

    c) accepting a bribe or other corrupt consideration to abstain from giving evidence or to do or to refrain from doing anything as a juror.

TRAITE D'EXTRADITION ENTRE
LES ETATS-UNIS D'AMERIQUE
ET LE CANADA

Les Etats-Unis d'Amérique et le Canada, désireux de renforcer la coopération existant entre les deux pays pour la répression du crime en instituant des dispositions en vue de l'extradition réciproque des délinquants, sont convenus de ce qui suit:

ARTICLE 1

Chaque Partie contractante s'engage à livrer à l'autre Partie, dans les circonstances et sous réserve des conditions indiquées au présent Traité, les individus trouvés sur son territoire qui ont été accusés ou déclarés coupables d'une des infractions couvertes par l'Article 2 du présent Traité commise sur le territoire de l'autre ou, aux conditions spécifiées au paragraphe 3) de l'Article 3 du présent Traité, hors de ce territoire.

ARTICLE 2

1) Les individus seront livrés conformément aux dispositions du présent Traité pour l'une quelconque des infractions énumérées à l'Annexe jointe audit Traité, et qui en est partie intégrante, à condition que ces infractions soient punissables, en vertu des lois des deux Parties contractantes, d'une peine d'emprisonnement de plus d'un an.

2) Sera également extradé tout individu qui aura tenté de commettre l'une des infractions énumérées à l'Annexe du présent Traité, aura comploté en vue de la commettre ou y aura été partie.

3) L'extradition sera également accordée pour toute infraction à une loi fédérale des Etats-Unis dont une des infractions énumérées à l'Annexe ci-jointe ou justifiant l'extradition en vertu du paragraphe 2) du présent Article constitue un élément important, même si le transport ou l'utilisation de la poste ou des moyens de communication entre Etats sont également des éléments de cette infraction particulière.

ARTICLE 3

1) Aux fins du présent Traité, le territoire d'une Partie contractante comprend tout le territoire auquel s'étend la compétence de celle-ci, y compris l'espace aérien et les eaux territoriales ainsi que les navires et aéronefs immatriculés dans le territoire de cette Partie contractante ou les aéronefs loués sans équipage à une personne qui a le siège principal de son exploitation ou, à défaut, sa résidence permanente sur le territoire de ladite Partie contractante, si un tel aéronef est en vol ou si un tel navire se trouve en haute mer lorsque l'infraction est commise. Aux fins du présent Traité, un aéronef est considéré comme étant en vol depuis le moment où la force motrice est employée pour décoller jusqu'au moment où l'atterrissage a pris fin.

2) Si l'infraction 23 de l'Annexe ci-jointe est commise à bord d'un aéronef entre le moment où, l'embarquement étant terminé, toutes ses portes extérieures sont fermées et le moment où l'une de ces portes est ouverte en vue du débarquement, cette infraction ainsi que toute autre infraction couverte par l'Article 2 qui est commise contre les passagers ou l'équipage de cet aéronef à l'occasion de cette infraction sont considérées comme ayant été commises sur le territoire d'une Partie contractante si l'aéronef était immatriculé dans le territoire de celle-ci, s'il a atterri dans ledit territoire alors que l'auteur présumé de l'infraction se trouvait à bord ou s'il a été loué sans équipage à une personne qui a le siège principal de son exploitation ou, à défaut, sa résidence permanente dans le territoire de ladite Partie contractante.

3) Lorsque l'infraction pour laquelle l'extradition a été demandée a été commise hors du territoire de l'Etat requérant, l'exécutif ou toute autre autorité compétente de l'Etat requis a le pouvoir d'accorder l'extradition si les lois de l'Etat requis donnent compétence pour une telle infraction commise dans des circonstances similaires.

ARTICLE 4

1) L'extradition n'est accordée dans aucun des cas suivants:

i) Lorsque l'individu dont l'extradition est demandée ou bien fait l'objet de poursuites ou bien a été jugé et acquitté ou puni, sur le territoire de l'Etat requis, pour l'infraction motivant la demande d'extradition.

ii) Lorsque la poursuite relative à l'infraction est frappée de prescription selon les lois de l'Etat requérant.

iii) Lorsque l'infraction motivant la demande d'extradition revêt un caractère politique ou que l'individu dont l'extradition est demandée prouve que la demande d'extradition vise à le mettre en jugement ou à le punir pour une infraction revêtant un caractère politique. Si la question se pose de savoir si une affaire tombe sous le coup des dispositions du présent alinéa, il appartient aux autorités gouvernementales de l'Etat auquel la demande est présentée d'en décider.

2) Les dispositions de l'alinéa iii) du paragraphe 1) du présent Article ne s'appliquent pas à ce qui suit:

i) L'enlèvement ou le meurtre d'un individu auquel une Partie contractante est tenue, selon le droit international, d'accorder une protection spéciale ou toutes autres voies de fait visant à lui enlever la vie ou à nuire à sa santé physique, ou toute tentative de perpétration d'une telle infraction à l'égard d'un tel individu.

ii) Lorsqu'un individu commet l'infraction 23 de l'Annexe ci-jointe à bord d'un aéronef en service commercial faisant le transport de passagers, ou, à bord d'un tel aéronef, tente de commettre ou complote en vue de commettre cette infraction ou y est partie.

ARTICLE 5

Si une demande d'extradition faite en vertu du présent Traité vise un individu qui, au moment de cette demande ou au moment de la commission de l'infraction pour laquelle l'extradition est demandée, est âgé de moins de dix-huit ans et considéré par l'Etat requis comme étant l'un de ses résidents, l'Etat requis peut, s'il est établi que l'extradition empêcherait le reclassement social et la réhabilitation de cet individu, recommander à l'Etat requérant de retirer sa demande d'extradition, en spécifiant les raisons sur lesquelles il se fonde.

ARTICLE 6

Lorsque l'infraction motivant la demande d'extradition est punissable de la peine de mort en vertu des lois de l'Etat requérant et que les lois de l'Etat requis n'autorisent pas cette peine pour une telle infraction, l'extradition peut être refusée à moins que l'Etat requérant ne garantisse à l'Etat requis, d'une manière jugée suffisante par ce dernier, que la peine de mort ne sera pas infligée ou, si elle l'est, ne sera pas appliquée.

ARTICLE 7

Lorsque l'individu dont l'extradition est demandée fait l'objet de poursuites ou subit une peine sur le territoire de l'Etat requis pour une infraction autre que celle pour laquelle l'extradition a été demandée, sa remise peut être différée jusqu'à l'issue des procédures et jusqu'à ce qu'il ait purgé toute peine qui pourra ou a pu lui être infligée.

ARTICLE 8

La décision d'accorder ou de refuser l'extradition doit être prise conformément à la loi de l'Etat requis et l'individu dont l'extradition est demandée aura droit à tous les recours prévus par ladite loi.

ARTICLE 9

1) La demande d'extradition doit se faire par la voie diplomatique.

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2) La demande doit être accompagnée du signalement de l'individu recherché, d'un énoncé des faits, du texte des dispositions des lois de l'Etat requérant décrivant l'infraction et stipulant la peine à infliger à cet égard ainsi que d'un énoncé de la loi relative à la prescription en matière de procédures judiciaires.

3) Lorsque la demande vise un individu qui n'a pas encore été déclaré coupable, elle doit en outre être accompagnée d'un mandat d'arrêt émis par un juge ou une autre autorité judiciaire de l'Etat requérant et de tout élément de preuve qui, selon les lois de l'Etat requis, justifierait l'arrestation et la mise en jugement dudit individu si l'infraction y avait été commise, notamment la preuve que l'individu dont on demande l'extradition est bien celui qui est visé par le mandat d'arrêt.

4) Lorsque la demande vise un individu déjà déclaré coupable, elle doit être accompagnée du jugement de culpabilité et de la sentence prononcés contre lui dans le territoire de l'Etat requérant, d'une déclaration indiquant quelle partie de la peine reste à purger et de la preuve que l'individu dont l'extradition est demandée est bien celui qui doit purger la peine.

ARTICLE 10

1) L'extradition ne doit être accordée que si la preuve est jugée suffisante, selon les lois du lieu où l'individu recherché est trouvé, soit pour justifier une mise en jugement si l'infraction dont il est accusé avait été commise sur le territoire dont ce

lieu fait partie, soit pour établir qu'il est bien l'individu condamné par les tribunaux de l'Etat requérant.

2) Les preuves documentaires à l'appui d'une demande d'extradition, qu'il s'agisse d'originaux ou de copies, doivent être admises en preuve lors de l'examen de la demande d'extradition lorsque, dans le cas d'une demande émanant du Canada, elles sont légalisées par un fonctionnaire du Ministère de la Justice du Canada et certifiées par le principal agent diplomatique ou consulaire des Etats-Unis au Canada, ou que, dans le cas d'une demande émanant des Etats-Unis, elles sont légalisées par un fonctionnaire du Département d'Etat des Etats-Unis et certifiées par le principal agent diplomatique ou consulaire du Canada aux Etats-Unis.

ARTICLE 11

1) En cas d'urgence, une Partie contractante peut demander l'arrestation provisoire de l'individu recherché en attendant la présentation de la demande d'extradition par la voie diplomatique. La demande d'arrestation doit donner le signalement de l'individu recherché, indiquer qu'on se propose de demander l'extradition de cet individu, indiquer si un mandat d'arrêt a été émis contre lui ou s'il a été déclaré coupable aux termes d'un jugement et fournir, le cas échéant, les autres renseignements qui seraient nécessaires pour justifier l'émission d'un mandat d'arrêt si l'infraction avait été commise dans le territoire de l'Etat requis ou si l'individu recherché y avait été condamné.

2) Dès réception d'une telle demande, l'Etat requis prend les mesures nécessaires pour assurer l'arrestation de l'individu réclamé.

3) Un individu arrêté doit être mis en liberté à l'expiration d'un délai de quarante-cinq jours de la date de son arrestation en vertu de cette demande si une demande d'extradition, accompagnée des documents spécifiés à l'Article 9, n'a pas alors été reçue à son égard. Cette stipulation n'empêche pas d'engager des procédures en vue de l'extradition de l'individu recherché si la demande d'extradition est reçue par la suite.

ARTICLE 12

1) Un individu extradé en vertu du présent Traité ne doit être ni détenu, ni jugé, ni puni sur le territoire de l'Etat requérant pour une infraction autre que celle ayant motivé l'extradition et ne peut non plus être livré par ledit Etat à un Etat tiers, sauf:

i) S'il a quitté le territoire de l'Etat requérant après son extradition et y est revenu volontairement;

ii) S'il n'a pas quitté le territoire de l'Etat requérant dans un délai de trente jours après être devenu libre de le faire; ou

iii) Si l'Etat requis a consenti soit à ce qu'il soit détenu, jugé et puni pour une infraction autre que celle ayant motivé son extradition, soit à ce qu'il soit livré à un Etat tiers, à condition que cette autre infraction soit couverte par l'Article 2.

2) Les dispositions qui précèdent ne s'appliquent pas aux infractions commises après l'extradition.

ARTICLE 13

1) Lorsque l'extradition d'un individu est demandée par deux Etats ou plus, soit pour la même infraction, soit pour des infractions différentes, l'Etat requis doit déterminer vers lequel des Etats requérants il extradera l'individu recherché.

2) L'Etat requis peut notamment prendre en considération les facteurs suivants: la possibilité d'une extradition ultérieure entre les Etats requérants, la gravité de chaque infraction, le lieu où l'infraction a été commise, les dates auxquelles les demandes ont été reçues et les dispositions des accords d'extradition conclus entre l'Etat requis et le ou les autres Etats requérants.

ARTICLE 14

1) L'Etat requis doit rapidement communiquer à l'Etat requérant, par la voie diplomatique, la décision prise sur la demande d'extradition.

2) Si un mandat ou un ordre d'extradition d'un individu recherché a été émis par l'autorité compétente et que l'individu n'est pas renvoyé du territoire de l'Etat requis dans le délai qui peut être prescrit par les lois de cet Etat, il peut être libéré et l'Etat requis peut, par la suite, refuser de l'extrader pour la même infraction.

ARTICLE 15

1) Dans la mesure où le permettent les lois de l'Etat requis et sous réserve des droits des tiers, qui doivent être dûment respectés, tous les objets obtenus par suite de l'infraction ou qui peuvent être requis à titre de preuve doivent, s'ils sont trouvés, être remis à l'Etat requérant si l'extradition est accordée.

2) Sous réserve des conditions du paragraphe 1) du présent Article, les objets ci-dessus mentionnés doivent être restitués à l'Etat requérant même si l'extradition, ayant été accordée, ne peut être effectuée en raison de la mort ou de l'évasion de l'individu recherché.

ARTICLE 16

1) Le droit de transporter sur le territoire d'une des Parties contractantes un individu qui est livré à l'autre Partie contractante par un Etat tiers sera accordé sur demande faite par la voie diplomatique, pourvu que soient réunies les conditions qui justifieraient l'extradition de cet individu par l'Etat de transit et que des raisons d'ordre public ne s'opposent pas à son passage.

2) La Partie vers laquelle l'individu a été extradé doit rembourser à la Partie sur le territoire de laquelle il est transporté tous les frais encourus par cette dernière à l'occasion de ce transport.

ARTICLE 17

1) Les frais relatifs au transport de l'individu recherché vers l'Etat requérant doivent être couverts par ce dernier. Les officiers de justice compétents de l'Etat dans lequel se déroulent les procédures d'extradition doivent, par tous les moyens juridiques dont ils disposent, aider l'Etat requérant devant les juges et magistrats respectifs.

2) Aucune réclamation d'ordre pécuniaire, découlant de l'arrestation, de la détention, de l'interrogatoire et de la remise d'individus recherchés aux termes du présent Traité, ne doit être présentée par l'Etat requis contre l'Etat requérant.

ARTICLE 18

1) Le présent Traité sera ratifié et les instruments de ratification seront échangés à Ottawa le plus tôt possible.

2) Le présent Traité terminera et remplacera tous accords d'extradition en vigueur entre les Etats-Unis et le Canada et toutes dispositions relatives à l'extradition contenues dans tout autre accord en vigueur entre eux; toutefois, les infractions énumérées dans ces accords et commises avant l'entrée en vigueur du présent Traité seront passibles d'extradition en application des dispositions de ces accords.

3) Le présent Traité entrera en vigueur le jour de l'échange des ratifications. Il pourra être dénoncé à tout moment par l'une des Parties contractantes sur notification à l'autre Partie de son intention d'y mettre fin et, dans ce cas, le Traité cessera d'être en vigueur six mois après la date de réception de cette notification.

EN FOI DE QUOI les soussignés, dûment autorisés par leurs Gouvernements respectifs, ont signé le présent Traité.

FAIT en double exemplaire, dans les langues anglaise et française, les deux textes faisant également foi, à Washington ce troisième jour de décembre mil neuf cent soixante et onze.

POUR LES ETATS-UNIS D'AMERIQUE:

POUR LE CANADA:

ANNEXE

1. Le meurtre; les voies de fait avec intention de commettre un meurtre.
2. L'homicide involontaire (manslaughter).
3. Les blessures; la mutilation; ou les voies de fait occasionnant des lésions corporelles.
4. Le fait de lancer ou appliquer, illicitement, des substances corrosives sur une autre personne.
5. Le viol; l'attentat à la pudeur.
6. Les actes sexuels illicites commis avec des enfants, ou sur la personne de tels enfants n'ayant pas atteint l'âge spécifié par les lois de l'Etat requérant et celles de l'Etat requis.
7. Le refus de pourvoir à la subsistance, ou l'abandon volontaire d'un mineur lorsque ce mineur est ou sera probablement blessé ou que sa vie est ou sera probablement en danger.
8. L'enlèvement (kidnapping); le vol d'enfant; le rapt (abduction); l'emprisonnement illégal.
9. Le vol qualifié; les voies de fait dans l'intention de voler.
10. Le cambriolage; l'effraction.
11. Le larcin, le vol ou le détournement.

12. L'obtention de biens et de sommes d'argent ou de valeurs par des faux-semblants ou par menace de violence ou en fraudant le public ou une personne quelle qu'elle soit par supercherie, mensonge ou d'autres moyens dolosifs, que cette supercherie, ce mensonge ou ces autres moyens dolosifs constituent ou non un faux-semblant.
13. La corruption, notamment la sollicitation, l'offre et l'acceptation y relatives.
14. L'extorsion.
15. La réception d'argent, de valeurs ou d'autres biens que l'on sait avoir été obtenus illégalement.
16. La fraude commise par un banquier ou un agent ou par un administrateur ou membre de la direction d'une compagnie.
17. Les infractions aux lois ayant trait à la contrefaçon ou au faux.
18. Le parjure au cours de procédures quelles qu'elles soient.
19. Le fait de souscrire un faux affidavit ou de faire une déclaration solennelle fausse à une fin extrajudiciaire.
20. Le crime d'incendie.
21. Tout acte commis dans l'intention de porter atteinte à la sécurité d'une personne voyageant en chemin de fer, à bord d'un aéronef ou d'un navire ou par un autre moyen de transport.
22. La piraterie, aux termes d'une loi ou du droit des gens; la mutinerie ou la révolte, à bord d'un navire, contre l'autorité du capitaine ou du commandant de ce navire.

23. Toute prise de possession illicite ou tout exercice illicite du contrôle d'un aéronef, par la force ou la violence, la menace de force ou de violence ou toute autre forme d'intimidation, à bord de cet aéronef.

24. Les dommages causés volontairement à des biens.

25. Les infractions aux lois de la faillite.

26. Les infractions aux lois ayant trait au trafic, à la production, la fabrication ou l'importation de stupéfiants, Cannabis sativa L., drogues hallucinogènes, amphétamines, barbituriques, cocaïne et ses dérivés.

27. L'usage de la poste ou d'autres moyens de communication relativement à des projets conçus ou formés pour leurrer ou frauder le public ou dans le dessein d'obtenir de l'argent ou des biens par des faux-semblants.

28. Les infractions aux lois fédérales ayant trait à la vente et à l'achat de valeurs mobilières.

29. La fabrication ou la possession d'une substance explosive quelconque dans le but de mettre en danger la vie des personnes ou de causer de graves dommages aux biens.

30. Le fait d'entraver le cours de la justice dans une procédure judiciaire, existante ou projetée:

a) dissuadant ou tentant de dissuader une personne, par des menaces, des pots-de-vin ou autres moyens de corruption, de rendre témoignage;

b) influençant ou tentant d'influencer, par des menaces, des pots-de-vin ou autres moyens de corruption, une personne dans sa conduite comme juré;

c) acceptant un pot-de-vin ou une autre compensation vénale pour s'abstenir de rendre témoignage ou pour faire ou s'abstenir de faire quelque chose à titre de juré.

[AMENDING AGREEMENT]

The Canadian Ambassador to the Secretary of State

Canadian Embassy Ambassade du Canada

Washington, D.C.

June 28, 1974

No. 126

Excellency,

I have the honour to refer to the Treaty on Extradition between the Government of Canada and the Government of the United States signed at Washington on December 3, 1971 and to subsequent discussions between representatives of our two governments concerning the amendment of the said Treaty.

Further to those discussions I now have the honour to propose that the said Treaty be amended as follows:

(1) That Article 4(2)(i) of the Treaty shall be amended to read: "A kidnapping, murder, or other assault against the life or physical integrity of a person to whom a Contracting Party has the duty according to international law to give special protection, or any attempt or conspiracy to commit, or being a party to

The Honourable
Henry A. Kissinger,
Secretary of State,
Washington, D.C.
20520

the commission of, such an offence with respect to any such person."

(2) That clause 26 of the Schedule annexed to the Treaty shall be amended to read: "Offences against the laws relating to the traffic in, production, manufacture or importation of drugs listed in Schedule I to the Single Convention on Narcotic Drugs of March 30, 1961[1] and of drugs listed in Schedules I, II and III to the Convention on Psychotropic Substances of February 21, 1971."

If this proposal meets with the approval of your government, I have the further honour to propose that this Note, which is authentic in English and in French, and your reply shall constitute an amendment to the Treaty on Extradition between Canada and the United States referred to above, which shall come into force on the date of the entry into force of the said Treaty and which shall be considered an integral part of the said Treaty.

Accept, Excellency, the assurances of my highest consideration.

M. Cadieux,
Ambassador.

[1] TIAS 6298; 18 UST 1559.

French Text of the Canadian Note

Canadian Embassy Ambassade du Canada

Washington, D.C.
June 28, 1974

No. 126

Excellence,

J'ai l'honneur de me référer au Traité d'extradition entre le Gouvernement du Canada et le Gouvernement des Etats-Unis signé à Washington le 3 décembre 1971 et aux pourparlers subséquents entre les représentants de nos deux gouvernements au sujet de l'amendement dudit Traité.

Comme suite à ces pourparlers, j'ai l'honneur de proposer que ledit Traité soit amendé comme il suit:

(1) Que l'Article 4(2)(i) du Traité soit amendé pour qu'on y lise: "Un enlèvement, meurtre ou autre voie de fait contre la vie ou l'intégrité physique d'une personne à l'égard de laquelle l'une des Parties contractantes a le devoir, selon le droit international, d'accorder une protection spéciale, ou toute tentative ou complot en vue

L'Honorable
Henry A. Kissinger,
Secrétaire d'Etat,
Washington, D.C.
20520

de commettre ou de participer à un tel délit à l'égard d'une telle personne."

(2) Que la clause 26 de l'Annexe au Traité soit amendée pour qu'on y lise: "Des infractions aux lois se rapportant au trafic, à la production, à la fabrication ou à l'importation des drogues énumérées au Tableau I annexé à la Convention unique sur les stupéfiants du 30 mars 1961 et des drogues énumérées aux Tableaux I, II et III annexés à la Convention sur les substances psychotropes du 21 février 1971."

Si cette proposition reçoit l'approbation de votre Gouvernement, j'ai en outre l'honneur de proposer que cette Note, qui est authentique dans sa version anglaise et française, et votre réponse constituent un amendement au Traité d'extradition entre le Canada et les Etats-Unis, dont il est question ci-dessus, lequel prendra effet le jour de l'entrée en vigueur dudit Traité et sera considéré comme partie intégrante dudit Traité.

Je vous prie d'agréer, Excellence, l'assurance de ma très haute considération.

L'Ambassadeur,

M. Cadieux.

M. Cadieux.

The Secretary of State to the Canadian Ambassador

DEPARTMENT OF STATE
WASHINGTON

July 9, 1974

Excellency:

I have the honor to refer to your note of June 28, 1974, in the English and French languages, relating to amendment of the Treaty on Extradition between the United States of America and Canada, signed at Washington December 3, 1971.

On behalf of the United States of America I confirm the understanding set forth therein and consider that your note and this reply constitute an agreement between the United States and Canada on this matter.

Accept, Excellency, the renewed assurances of my highest consideration.

For the Secretary of State:

Acting Secretary

Joseph John Sisco

His Excellency

Marcel Cadieux,

Ambassador of Canada.

TIAS 8237

87-129 O - 77 - 65

MULTILATERAL

International Council for the Exploration of the Sea

Protocol amending article 14(2) of the convention of September 12, 1964.
Done at Copenhagen August 13, 1970;
Ratification advised by the Senate of the United States of America September 4, 1974;
Ratified by the President of the United States of America September 18, 1974;
Ratification of the United States of America deposited with the Government of Denmark October 31, 1974;
Proclaimed by the President of the United States of America January 24, 1976;
Entered into force November 12, 1975.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

CONSIDERING THAT:

The Protocol to the Convention for the International Council for the Exploration of the Sea was opened for signature at Copenhagen on August 13, 1970, a certified copy of which Protocol, in the English and French languages, is hereto annexed;

The Senate of the United States of America by its resolution of September 4, 1974, two-thirds of the Senators present concurring therein, gave its advice and consent to ratification of the Protocol;

On September 18, 1974, the President of the United States of America approved ratification of the Protocol;

The United States of America deposited its instrument of ratification on October 31, 1974, in accordance with the provisions of the Protocol;

The Protocol entered into force on November 12, 1975;

NOW, THEREFORE, I, Gerald R. Ford, President of the United States of America, proclaim and make public the Protocol, to the end that it shall be observed and fulfilled with good faith on and after November 12, 1975, by the United States of America and by the citizens of the United States of America and all other persons subject to the jurisdiction thereof.

IN TESTIMONY WHEREOF, I have signed this proclamation and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this twenty-fourth day of January in the year of our Lord one thousand nine hundred seventy-six and of the Independence of the United States of America the two hundredth.

[SEAL]

GERALD R. FORD

By the President:
ROBERT S. INGERSOLL
Acting Secretary of State

TIAS 8238

87-129 O - 77 - 66

PROTOCOL TO THE CONVENTION FOR THE INTERNATIONAL COUNCIL FOR THE EXPLORATION OF THE SEA

The Governments of the States Parties to the Convention for the International Council for the Exploration of the Sea, signed at Copenhagen on the twelfth day of September 1964 [1] (hereinafter referred to as "the Convention"),

Desiring to amend certain provisions of the Convention

Have agreed as follows:-

Article I

Paragraph (2) of Article 14 of the Convention shall be amended to read as follows:-

"(2) the Council shall by a 2/3 majority vote of all the Contracting Parties approve an annual budget of the Council".

Article II

(1) This Protocol shall be open for signature on behalf of the Governments of all States Parties to the Convention with or without reservation as to ratification or approval.

(2) Instruments of ratification or approval shall be deposited with the Government of Denmark.

(3) This Protocol shall enter into force on the date on which the Governments of all States Parties to the Convention have become Parties to this Protocol.

(4) The Government of Denmark shall inform the Governments of the States Parties to the Convention of each signature, ratification or approval of this Protocol and of the date of the entry into force of the Protocol.

[1] TIAS 7628; 24 UST 1080.

IN WITNESS WHEREOF the undersigned being duly authorized have signed this Protocol.

DONE at Copenhagen this thirteenth day of August 1970, in the English and French languages, both texts being equally authentic, in a single copy which shall be deposited in the archives of the Government of Denmark who shall forward certified true copies to the Governments of all States Parties to the Convention.

PROTOCOLE A LA CONVENTION DU CONSEIL INTERNATIONAL
POUR L'EXPLORATION DE LA MER

Les Gouvernements des Etats membres de la Convention du Conseil International pour l'Exploration de la Mer, signée à Copenhague le douzième jour du mois de septembre 1964 (ci-après dénommée "la Convention"),

désirant modifier certaines dispositions de la Convention,

sont convenus de ce qui suit:-

Article I

Le texte du paragraphe (2) de l'Article 14 de la Convention est modifié de la façon suivante:-

"(2) Le Conseil vote à la majorité des 2/3 de toutes les Parties contractantes le budget annuel de l'organisation".

Article II

(1) Le Présent Protocole est ouvert à la signature des Gouvernements de tous les Etats Parties à la Convention, avec ou sans réserves de ratification ou d'approbation.

(2) Les instruments de ratification ou les notifications d'approbation seront déposés auprès du Gouvernement du Danemark.

(3) Le Présent Protocole entrera en vigueur à la date à laquelle les Gouvernements de tous les Etats Parties à la Convention seront devenus Parties au présent Protocole.

(4) Le Gouvernement du Danemark doit informer les Gouvernements des Etats Parties à la Convention de toute signature, ratification ou approbation du présent Protocole et aussi de la date de l'entrée en vigueur du Protocole.

EN FOI DE QUOI les soussignés, dûment autorisés à cet effet, ont signé le présent Protocole.

FAIT à Copenhague, le treizième jour du mois d'août 1970 en langue française et anglaise, les deux textes faisant également foi, en un exemplaire unique qui sera déposé dans les archives du Gouvernement du Danemark qui en transmettra des copies certifiées conformes aux Gouvernements de tous les Etats Parties à la Convention.

For the Government of Belgium
Pour le Gouvernement de la Belgique

L.C. Platteau

For the Government of Canada
Pour le Gouvernement du Canada

Max H. Wershof

For the Government of Denmark
Pour le Gouvernement du Danemark

Poul Hartling

For the Government of Finland
Pour le Gouvernement de la Finlande

Kaarlo Muranen

For the Government of France
Pour le Gouvernement de la France

J.C. Winckler

For the Government of the Federal Republic of Germany
Pour le Gouvernement de la République Fédérale d'Allemag
Subject to ratification
Sous réserve de ratification

Klaus Simon

For the Government of Iceland
Pour le Gouvernement de l'Islande

Sigurdur Bjarnason

For the Government of Ireland
Pour le Gouvernement d'Irlande

Brendan Dillon

For the Government of Italy
Pour le Gouvernement de l'Italie

Michele Lanza

For the Government of the Kingdom of the Netherlands
Pour le Gouvernement du Royaume des Pays-Bas

H. van Rijckevorsel

For the Government of Norway
Pour le Gouvernement de la Norvège

Arne Skaug

For the Government of Poland
Pour le Gouvernement de la Pologne

Wendrowski

For the Government of Portugal
Pour le Gouvernement du Portugal

Marcus de Fontes Pereira
de Mello Fonseca

For the Government of Spain
Pour le Gouvernement de l'Espagne

Romeral

For the Government of Sweden
Pour le Gouvernement de la Suède

Herman Kling

For the Government of the Union of Soviet Socialist Republics

Pour le Gouvernement de l'Union des Républiques Socialistes Soviétiques

Egorytchev

For the Government of the United Kingdom of Great Britain and Northern Ireland

Pour le Gouvernement du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord

This signature is not subject to ratification or approval

K.R.C. Pridham

For the Government of the United States of America

Pour le Gouvernement des Etats-Unis d'Amérique

Subject to ratification

Sous réserve de ratification

Thomas J. Dunnigan

Pour copie conforme:
Copenhague le 23 août 1973
K. Kjølsen

Sous-Chef des Archives
au Ministère des Affaires Etrangères

IRELAND

Air Charter Services

Agreement extending the agreement of June 28 and 29, 1973.
Effected by exchange of letters
Signed at Dublin December 23, 1975 and January 9, 1976;
Entered into force January 9, 1976.

The American Ambassador to the Irish Minister for Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA
Ballsbridge
Dublin 4

December 23, 1975

Dr. Garret FitzGerald, T.D.
Minister for Foreign Affairs
80 St. Stephen's Green
Dublin 2

Dear Minister:

I have the honor to refer to recent discussions between representatives of the Governments of Ireland and the United States of America with regard to the Memorandum of Understanding of Air Charter Services of June 29, 1973 between our two Governments. The text of the Memorandum is enclosed as an annex to this letter. [1]

I have the honor to propose that the Memorandum be extended until March 31, 1976 in order to provide the representatives of both Governments time to continue their discussions. If this is acceptable to you, I would further propose that this letter and your reply to it constitute an agreement between our two Governments effective from the date of your reply.

Sincerely yours,

Walter J. P. Curley

Walter J. P. Curley
Ambassador

[1] Not printed herein. For text, see TIAS 7662; 24 UST 1585.

The Irish Minister for Foreign Affairs to the American Ambassador

OIFIG AN AIRE GHNÓTHÁI EACHTRACHA
OFFICE OF THE MINISTER FOR EXTERNAL AFFAIRS

BAILE ÁTHA CLIATH 2
DUBLIN 2

9 JANUARY 1976

His Excellency WALTER J. P. CURLEY
Ambassador of the United States of America
Dublin.

DEAR AMBASSADOR

I have the honour to refer again to your letter dated 23 December 1975 proposing the extension to 31 March 1976 of the Memorandum of Understanding on Travel Group and Advance Booking Charters of 29 June 1973 between our two Governments, in order to provide additional time to the representatives of both Governments to continue their discussions on the Memorandum.

I have the honour to inform you that the Government of Ireland agree with this proposal and to confirm that your letter and this reply shall constitute an agreement between our two Governments in this matter which shall take effect from today's date.

Yours sincerely,

GARRET FITZGERALD

Minister for Foreign Affairs

BRAZIL

Relations

Memorandum of understanding signed at Brasilia February 21, 1976;
Entered into force February 21, 1976.

MEMORANDUM OF UNDERSTANDING CONCERNING CONSULTATIONS ON MATTERS OF MUTUAL INTEREST

The Government of the United States of America and the Government of the Federative Republic of Brazil:

Inspired by the long tradition of friendship and cooperation between their two peoples;

Reaffirming the need to give wider expression to the solidarity of the Western World and the benefits to be derived from a constructive interpretation of the concept of interdependence among all nations;

Recognizing the responsibility of their two countries to pursue their shared goal of a just and enduring solution to international problems;

Convinced of the importance to the sound development of their respective policies of close and frequent consultations on matters of common interest;

And believing that these considerations call for the establishment of a flexible mechanism permitting open and active communication at the cabinet level, have arrived at the following understanding:

1. The two Governments will normally hold consultations semi-annually, on the full range of foreign policy matters including any specific issue that may be raised by either side. Economic,

political, security, cultural, legal, educational and technological subjects, whether bilateral or multilateral, may be discussed within the political framework afforded by the consultations.

2. These consultations will normally be held alternately in the United States and Brazil on dates to be mutually determined. Special meetings may be called by mutual agreement.

3. The consultations will be conducted by the Secretary of State on the part of the United States of America and by the Minister of Foreign Relations on the part of the Federative Republic of Brazil. The Chairman of the meeting will be the chief of the delegation of the host country.

4. Each delegation will be composed of such other high-ranking officials, including cabinet members, as may be appropriate to the agenda to be discussed.

5. After review of matters of common interest by the delegations, the chiefs of the delegations may propose to their respective governments measures deemed pertinent and appropriate.

6. By joint decision, study groups or working groups may be established to examine particular questions of current interest or to help carry forward special projects.

7. Each party will establish such internal arrangements as it deems appropriate to follow through on the agreed conclusions and recommendations that may arise from the consultations.

8. In addition to these consultations at the cabinet level, consultations will be carried forward on an on-going basis through normal diplomatic channels. These channels will be used for the preparation of a mutually acceptable agenda for the consultations.

9. The foregoing arrangements will complement and in no way replace or detract from the existing channels for transacting business.

10. This memorandum will come into operation upon signature by the Secretary of State of the United States of America and of the Foreign Minister of the Federative Republic of Brazil.

Signed in duplicate at Brasilia this twenty-first day of February, 1976, in the English and Portuguese languages.

For the Government of the United States of America:

[1]

For the Government of the Federative Republic of Brazil:

[2]

[1] Henry A. Kissinger
[2] A. F. Azeredo da Silveira

MEMORANDUM DE ENTENDIMENTO RELATIVO A CONSULTAS SOBRE ASSUNTOS DE INTERESSE MÚTUO

O Governo dos Estados Unidos da América e o Governo da República Federativa do Brasil:

Inspirados pela longa tradição de amizade e cooperação entre os dois Povos;

Reafirmando a necessidade de dar mais ampla expressão à solidariedade do Mundo Ocidental e aos benefícios a serem retirados de uma interpretação construtiva do conceito de interdependência entre todas as Nações;

Reconhecendo a responsabilidade dos dois países em perseguir seu objetivo comum de uma solução justa e duradoura para os problemas internacionais;

Convencidos da importância de consultas estreitas e freqüentes em assuntos de interesse comum para o correto desenvolvimento de suas respectivas políticas;

E acreditando que essas considerações requerem o estabelecimento de um mecanismo flexível que permita comunicações abertas e dinâmicas em nível ministerial,

chegaram ao seguinte entendimento:

1. Os dois Governos realizarão normalmente consultas semestrais, sobre toda a gama de assuntos de política exterior, inclusive qualquer questão específica que venha a ser levantada por uma das Partes. Temas econômicos, políticos, de segurança, culturais, legais, educacionais e tecnológicos, tanto bilaterais, quanto multilaterais, poderão ser discutidos dentro do contexto político ensejado pelas consultas.

2. Essas consultas se realizarão normalmente de forma alternativa no Brasil e nos Estados Unidos, em datas a serem mutuamente acordadas. Reuniões especiais poderão ser convocadas por acordo mútuo.

3. As consultas serão conduzidas pelo Secretário de Estado, de parte dos Estados Unidos da América, e pelo Ministro das Relações Exteriores, de parte da República Federativa do Brasil. As reuniões serão presididas pelo Chefe da Delegação do país anfitrião.

4. Cada Delegação incluirá tantas outras altas autoridades, inclusive de nível ministerial, quantas seja apropriado, tendo em vista a agenda a ser discutida.

5. Depois do exame de assuntos de interesse comum pelas Delegações, os Chefes das Delegações poderão propor aos seus respectivos Governos medidas julgadas pertinentes e apropriadas.

6. Por decisão conjunta, grupos de estudo ou grupos de trabalho poderão ser criados para examinar questões particulares de interesse corrente ou para dar prosseguimento a projetos especiais.

7. Cada Parte tomará as providências internas que julgar convenientes para implementar as conclusões e recomendações acordadas que possam vir a decorrer das consultas.

8. Além dessas consultas em nível ministerial, seguirão as consultas numa base contínua através dos canais diplomáticos normais. Estes canais serão utilizados para a elaboração de uma agenda mutuamente aceitável para as consultas.

9. As disposições precedentes complementarão e de maneira alguma substituirão ou cercearão os canais existentes para a realização de contatos.

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10. Este memorandum entrará em vigor na data de sua assinatura pelo Secretário de Estado dos Estados Unidos da América e pelo Ministro das Relações Exteriores da República Federativa do Brasil.

Assinado em duplicata em Brasília, aos vinte e um dias de fevereiro de 1976, nas línguas inglesa e portuguesa.

Pelo Governo dos Estados Unidos da América:

Pelo Governo da República Federativa do Brasil:

EGYPT

Early Warning System: Privileges and Immunities

Agreement effected by exchange of letters
Signed at Cairo April 22, 1976;
Entered into force April 22, 1976.

The Egyptian Deputy Prime Minister and Minister of Foreign Affairs to the American Ambassador

MINISTRY
OF FOREIGN AFFAIRS
THE MINISTER

April 22 , 1976

Excellency,

I have the honor to refer to the United States proposal of 1 September 1975, [1] which was accepted by Egypt, in connection with the early warning system. In the light of that acceptance which was based on the full respect of Egypt's sovereignty and territorial integrity, I would like to propose the following:

1. The Government of the United States shall notify the competent Egyptian authorities of the arrival and the final departure of all U.S. Civilian Personnel(USCP) assigned pursuant to the above proposal within an appropriate period prior to such arrival and departure. In all cases the number of USCP must not exceed at any time two hundred persons.

2. All USCP will respect Egyptian laws, regulations, customs and traditions, and refrain from any activity or action incompatible with their functions according to the above U.S. proposal or inconsistent with its spirit. The Government of the United States will take appropriate steps to ensure that the USCP abide by this paragraph.

3. The privileges and immunities granted to the above mentioned persons are for the purpose of facilitating the performance of the functions agreed upon in the above proposal.

[1] TIAS 8156; 26 UST 2278.

4. Pursuant to paragraph 6 of the above U.S. proposal, members of the USCP shall be immune from the criminal and civil jurisdiction of the Arab Republic of Egypt. To assure that to the greatest extent possible no injustices shall be done because of this immunity, the Government of the United States advises as follows:
   A. All members of the USCP have undertaken to carry third party liability insurance in an amount not less than the minimum required by the Arab Republic of Egypt for organizations not registered with an Egyptian state Insurance Company;
   B. The Secretary of State shall, in accordance with relevant provisions of U.S. law, give due consideration to the payment of claims presented by the Government of the Arab Republic of Egypt for personal or property damage to any of its nationals, arising out of actions of the members of the USCP and not adequately compensated by the liability insurance policies mentioned above;
   C. The Government of the United States shall give due consideration to requests by the Government of the Arab Republic of Egypt in particular cases to waive the immunity granted by this article.
5. Appropriate authorities of the Arab Republic of Egypt outside the zone of the above mentioned Early Warning System may take into custody any of the above persons suspected of the commission or attempted commission of a criminal offense or action causing serious injury to persons or property in order immediately to deliver such person, together with any property in his or her

possession, to the nearest appropriate representative of the Government of the United States and shall immediately inform the Director of the above described United States personnel or his designee of any such action. Such persons shall not be arrested or incarcerated but may be interviewed by appropriate Egyptian authorities after their delivery to, and in the presence of, an appropriate representative of the Government of the United States. Even if any such person is not taken into temporary custody in accordance with this paragraph, the Government of the Arab Republic of Egypt shall immediately notify the Director of the above described United States personnel or his designee of any alleged criminal offense, action resulting in a possible claim for damages or other misconduct by the above persons.

6. The above persons and their personal property including vehicles, shall be exempt from all forms of taxation and customs duties and inspection in the Arab Republic of Egypt.

7. The above persons will be furnished with appropriate identification which shall be produced upon demand to the appropriate authorities of the Arab Republic of Egypt. The Arab Republic of Egypt shall furnish the above persons with appropriate license plates for their personally owned vehicles and other appropriate passes, documents and permits.

8. In the performance of their functions under the above U.S. proposal, the members of the USCP as well as their vehicles, vessels, aircraft and equipment shall enjoy without payment of fees or charges, except for charges that are related directly to services rendered, freedom of movement between their zones as specified in the above U.S. proposal, and to and from points of access to Egypt, or to their zones according to procedures agreed upon between the Egyptian authorities and the director of USCP.

9. The provisions of this letter shall apply equally to dependents, resident in the Arab Republic of Egypt, of members of the USCP. Procedures for implementing this article shall be agreed upon between the Director of the USCP and Egyptian authorities.

Upon acceptance of the above provisions, the present letter and your reply will be considered as constituting an integral part of the above U.S. proposal of 1 September 1975 and shall be deemed to have taken effect as from the date of arrival of the first person of USCP in Egypt and shall remain in force until the departure of the USCP from Egypt as envisaged by the proposal performing their function.

With my highest considerations,

Ismail Fahmy

Deputy Prime Minister
and Minister of Foreign Affairs

H.E. Hermann Fr.Eilts
American Ambassador
Cairo, Egypt.

The American Ambassador to the Egyptian Deputy Prime Minister and Minister of Foreign Affairs

CAIRO, EGYPT, *April 22, 1976*

EXCELLENCY:

I have the honor to refer to your letter of April 22, 1976, and to confirm that the terms of your letter are acceptable to the United States. In accordance with the terms of your letter, this exchange constitutes an integral part of the United States Proposal of 1 September 1975.

Accept, Excellency, the assurances of my highest consideration.

Sincerely,

HERMANN FR. EILTS

Hermann Frederick Eilts
American Ambassador

His Excellency
ISMAIL FAHMY,
Deputy Prime Minister and
Minister of Foreign Affairs,
Arab Republic of Egypt,
Cairo.

IRAN

Air Transport Services

Agreement effected by exchange of notes
Dated at Washington December 29, 1975 and January 19, 1976;
Entered into force January 19, 1976.
With memorandum of consultations
Signed at Washington November 25, 1975.
And amending and extending agreement
Effected by exchange of notes
Dated at Washington March 31 and April 28, 1976;
Entered into force April 28, 1976.

The Department of State to the Iranian Embassy

The Department of State refers to the consultations between delegations representing the Government of the United States and the Government of Iran which were held in Washington, November 18–20 and 24–25, 1975 to discuss certain air fares offered by Iran Air. The Department of State proposes that the following interim understandings constitute an agreement between the governments of the United States and Iran until April 1, 1976:

"1. The United States authorities will defer further consideration of the suspension of the Iran Air reduced air fares.

"2. On the basis of comity and reciprocity, the aeronautical authorities of each country will favorably consider applications by airlines of the other country for the operation of charter flights between their two countries, without requiring payment of no-objection fees. The airlines of each country may operate such flights with leased aircraft in addition to their own equipment, subject to conformance with applicable regulations of the other country.

"3. The two sides will consult further on the foregoing matters and, in response to the outstanding Iranian request for consultations, on other matters under the Air Transport Agreement[1] during January 1976 or, if it is not possible to make arrangements then, at the earliest possible date in February 1976."

The Department of State proposes that this note and the reply of the Embassy of Iran shall render such agreement effective from the date of the Embassy's reply.

DEPARTMENT OF STATE,
WASHINGTON, *December 29, 1975*

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[1] Signed Feb. 1, 1973. TIAS 8149; 26 UST 1929.

The Iranian Embassy to the Department of State

No. 8707

IMPERIAL EMBASSY OF IRAN
WASHINGTON, D. C.

The Imperial Embassy of Iran presents its compliments to the Department of State and has the honor to refer to the Department's note dated December 29, 1975, the full text of which reads as follows:

"The Department of State refers to the consultations between delegations representing the Government of the United States and the Government of Iran which were held in Washington, November 18-20 and 24-25, 1975 to discuss certain air fares offered by Iran Air. The Department of State proposes that the following interim understandings constitute an agreement between the governments of the United States and Iran until April 1, 1976:

"1. The United States authorities will defer further consideration of the suspension of the Iran Air reduced air fares.

"2. On the basis of comity and reciprocity, the aeronautical authorities of each country will favorably consider applications by airlines of the other country for the operation of charter flights between their two countries, without requiring payment of no-objection fees. The airlines of each country may operate such flights with leased aircraft in addition to their own equipment, subject to conformance with applicable regulations of the other country.

"3. The two sides will consult further on the foregoing matters and, in response to the outstanding Iranian request for consultations, on other matters under the Air Transport Agreement during January 1976 or, if it is not possible to make arrangements then, at the earliest possible date in February 1976."

The Department of State proposes that this note and the reply of the Embassy of Iran shall render such agreement effective from the date of the Embassy's reply."

The Imperial Embassy of Iran wishes to inform the Department of State of the concurrence of the Imperial Government of Iran thereto.

The Imperial Embassy of Iran would also like to recall that during the consultations held between the two delegations representing their respective governments in Washington in November 1975, the Iranian delegation expressed the view that charter flights should not unduly affect scheduled services.

The Imperial Embassy of Iran avails itself of this opportunity to renew to the Department of State the assurances of its highest consideration.

Washington, D.C., January 19, 1976

Department of State
Washington, D.C.

MEMORANDUM OF CONSULTATIONS

Delegations representing the Government of the United States of America and the Government of Iran met in Washington November 18–20 and 24–25, 1975, to continue their consultations with regard to the Iranian Government order providing for reduced air fares for certain Iranian nationals.

The two Delegations discussed various aspects of the reduced air fare question, as well as the operation of charter flights between the two countries. In the interest of working toward a long-term solution of these problems, the two Delegations agreed to recommend to their Governments that they exchange notes providing that, for an interim period until April 1, 1976, the following understandings will apply:

1. The United States authorities will defer further consideration of the suspension of the Iran Air reduced air fares.
2. On the basis of comity and reciprocity, the aeronautical authorities of each country will favorably consider applications by airlines of the other country for the operation of charter flights between their two countries, without requiring payment of no-objection fees. The airlines of each country may operate such flights with leased aircraft in addition to their own equipment, subject to conformance with applicable regulations of the other country.
3. The two sides will consult further on the foregoing matters and, in response to the outstanding Iranian request for consultations, on other matters under the Air Transport Agreement during January 1976 or, if it is not possible to make arrangements then, at the earliest possible date in February 1976.

The United States Delegation expressed its view that the Iranian authorities should examine the possibility of decreasing the categories of persons eligible for the reduced air fares, and/or a schedule for phasing out those fares, as well as the question of Pan American's participation therein.

The Iranian Delegation expressed its view that charter flights should not unduly affect scheduled services.

E. KAZEMI

Ezedine Kazemi
Chairman
Iranian Delegation

MICHAEL H. STYLES

Michael H. Styles
Chairman
United States Delegation

NOVEMBER 25, 1975

[AMENDING AND EXTENDING AGREEMENT]

The Department of State to the Iranian Embassy

The Department of State refers the Iranian Embassy to the negotiations between delegations representing the Government of the United States and the Government of Iran which were held in Washington, February 17–20 to discuss certain air fares offered by Iran Air and other outstanding issues affecting commercial air transport between Iran and the United States. The Department of State proposes that the interim agreement concluded by an exchange of notes on January 19, 1976 [1] be extended until December 31, 1976. The Department of State also proposes that the following paragraph be added to the above referenced agreement in accordance with the views expressed in paragraph 6 of the Memorandum of Consultations of February 20, 1976: [2]

"4. The two sides agreed on the need to facilitate the development of charter air transport between their respective territories. To this end, they agreed to remove the so called right-of-first-refusal, and cumbersome administrative complexities and delays which hamper the growth of charter air transport between their respective countries."

The Department of State assumes that if this proposal is acceptable to the Iranian Government, it will not be necessary to hold further consultations under Article 12 of the Agreement on Air Transport Services to revise Article 8 as was requested in the note 15952/18 of March 9th [2] from the Imperial Ministry of Foreign Affairs.

The Department of State proposes that this note and the reply of the Embassy of Iran shall render such agreement effective from the date of the Embassy's reply.

DEPARTMENT OF STATE,
WASHINGTON, *31 MAR 1976*

[1] See pp. 1047–1049.
[2] Not printed.

The Iranian Embassy to the Department of State

IMPERIAL EMBASSY OF IRAN
WASHINGTON, D. C.
APRIL 28, 1976

NOTE #1019

THE IMPERIAL EMBASSY OF IRAN PRESENTS ITS COMPLIMENTS TO THE DEPARTMENT OF STATE AND HAS THE HONOR TO REFER TO THE NOTE OF MARCH 31, 1976, CONCERNING THE NEGOTIATIONS BETWEEN THE TWO GOVERNMENTS WITH REGARD TO CERTAIN AIR FARES AND OTHER OUTSTANDING ISSUES AFFECTING COMMERCIAL AIR TRANSPORT BETWEEN IRAN AND THE UNITED STATES, WHICH READS AS:

"THE DEPARTMENT OF STATE PROPOSES THAT THE INTERIM AGREEMENT CONCLUDED BY AN EXCHANGE OF NOTES ON JANUARY 19, 1976 BE EXTENDED UNTIL DECEMBER 31, 1976. THE DEPARTMENT OF STATE ALSO PROPOSES THAT THE FOLLOWING PARAGRAPH BE ADDED TO THE ABOVE REFERENCED AGREEMENT IN ACCORDANCE WITH THE VIEWS EXPRESSED IN PARAGRAPH 6 OF THE MEMORANDUM OF CONSULTATIONS OF FEBRUARY 20, 1976:

'4. THE TWO SIDES AGREED ON THE NEED TO FACILITATE THE DEVELOPMENT OF CHARTER AIR TRANSPORT BETWEEN THEIR RESPECTIVE TERRITORIES. TO THIS END, THEY AGREED TO REMOVE THE SO CALLED RIGHT-OF-FIRST-REFUSAL, AND CUMBERSOME ADMINISTRATIVE COMPLEXITIES AND DELAYS WHICH HAMPER THE GROWTH OF CHARTER AIR TRANSPORT BETWEEN THEIR RESPECTIVE COUNTRIES.'

THE DEPARTMENT OF STATE ASSUMES THAT IF THIS PROPOSAL IS ACCEPTABLE TO THE IRANIAN GOVERNMENT, IT WILL NOT BE NECESSARY TO HOLD FURTHER CONSULTATIONS UNDER ARTICLE 12 OF THE AGREEMENT ON AIR TRANSPORT SERVICES TO REVISE ARTICLE 8 AS WAS REQUESTED IN THE

NOTE 15952/18 OF MARCH 9TH FROM THE IMPERIAL MINISTRY OF FOREIGN AFFAIRS.

THE DEPARTMENT OF STATE PROPOSES THAT THIS NOTE AND THE REPLY OF THE EMBASSY OF IRAN SHALL RENDER SUCH AGREEMENT EFFECTIVE FROM THE DATE OF THE EMBASSY'S REPLY."

THE IMPERIAL EMBASSY OF IRAN IS PLEASED TO INFORM THE DEPARTMENT OF STATE THAT THE IMPERIAL GOVERNMENT OF IRAN IS WILLING TO ACCEPT THE PROPOSAL AS STATED IN SAID NOTE, EFFECTIVE FROM THE DATE OF THIS NOTE, APRIL 28, 1976 UNTIL DECEMBER, 1976.

THE IMPERIAL EMBASSY OF IRAN AVAILS ITSELF OF THIS OPPORTUNITY TO RENEW TO THE DEPARTMENT OF STATE THE ASSURANCES OF ITS HIGHEST CONSIDERATION.

UNITED STATES DEPARTMENT OF STATE
WASHINGTON, D. C.

NIGERIA

Criminal Investigations

Agreement signed at Washington April 20, 1976;
Entered into force April 20, 1976.

PROCEDURES FOR MUTUAL ASSISTANCE IN THE ADMINISTRATION OF JUSTICE IN CONNECTION WITH THE LOCKHEED AIRCRAFT CORPORATION MATTER

The United States Department of Justice and the Nigerian Ministry of Justice, hereinafter referred to as "the parties", confirm the following procedures in regard to mutual assistance to be rendered to agencies with law enforcement responsibilities in their respective countries with respect to alleged illicit acts pertaining to the sales activities in Nigeria of the Lockheed Aircraft Corporation and its subsidiaries or affiliates:

1. All requests for assistance shall be communicated between the parties through the diplomatic channel.

2. Upon request, the parties shall use their best efforts to make available to each other relevant and material information, such as statements, depositions, documents, business records, correspondence or other materials, available to them concerning alleged illicit acts pertaining to the sales activities in Nigeria of the Lockheed Aircraft Corporation and its subsidiaries or affiliates.

3. Such information shall be used exclusively for purposes of investigation conducted by agencies with law enforcement responsibilities and in ensuing criminal, civil and administrative proceedings, hereinafter referred to as "legal proceedings".

4. Except as provided in paragraph 5, all such information made available by the parties pursuant to these procedures, and all correspondence between the parties relating to such information and to the implementation of these procedures, shall be kept confidential and shall not be disclosed to third parties or to government agencies having no law enforcement responsibilities. Disclosure to other agencies having law enforcement responsibilities shall be conditioned on the recipient agency's acceptance of the terms set forth herein.

In the event of breach of confidentiality, the other party may discontinue cooperation under these procedures.

5. Information made available pursuant to these procedures may be used freely in ensuing legal proceedings in the requesting state in which an agency of the requesting state having law enforcement responsibilities is a party, and the parties shall use their best efforts to furnish the information for purposes of such legal proceedings in such form as to render it admissible pursuant to the rules of evidence in existence in the requesting state, including, but not limited to, certifications, authentications, and such other assistance as may be necessary to provide the foundation for the admissibility of evidence.

6. The parties shall give advance notice and afford an opportunity for consultation prior to the use, within the meaning of paragraph 5, of any information made available pursuant to these procedures.

7. Upon request, the parties agree to permit the interviewing of persons in their respective countries by law enforcement officials of the other party, provided advance notice is given of the identity of the persons to be interviewed and of the place of the interview. Representatives of the other party may be present at such interviews. The parties will assist each other in arranging for such interviews and will permit the taking of testimony or statements or the production of documents and other materials in accordance with the practice or procedure of the requesting state. The requesting party shall not pursue its request for an interview or for the production of documents and other materials if the requested party considers that it would interfere with an ongoing investigation or proceeding being conducted by the authorities of the requested party.

8. The parties shall use their best efforts to assist in the expeditious execution of letters rogatory issued by the judicial authorities of their respective countries in connection with any legal proceedings which may ensue in their respective countries.

9. The assistance to be rendered to a requesting state shall not be required to extend to such acts by the authorities of the requested state as might result in the immunization of any person from prosecution in the requested state.

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10. All actions to be taken by a requested state will be performed subject to all limitations imposed by its domestic law. Execution of a request for assistance may be postponed or denied if execution would interfere with an ongoing investigation or legal proceeding in the requested state.

11. Nothing contained herein shall limit the rights of the parties to utilize for any purpose information which is obtained by the parties independent of these procedures.

12. The mutual assistance to be rendered by the parties pursuant to these procedures is designed solely for the benefit of their respective agencies having law enforcement responsibilities and is not intended or designed to benefit third parties or to affect the admissibility of evidence under the laws of either the United States or Nigeria.

Done at Washington, D.C., this 20th day of April, 1976.

For the Ministry of Justice of the Federal Republic of Nigeria:

[1]

Ambassador of Nigeria

For the United States Department of Justice:

[2]

[1] Edward Olusola Sanu
Ambassador of Nigeria
[2] Richard L. Thornburgh

COLOMBIA

Criminal Investigations

Agreement signed at Washington April 22, 1976;
Entered into force April 22, 1976.

PROCEDURES FOR MUTUAL ASSISTANCE IN THE ADMINISTRATION OF JUSTICE IN CONNECTION WITH THE LOCKHEED AIRCRAFT CORPORATION MATTER

The United States Department of Justice and the Procurador General de la Nación of Colombia, hereinafter referred to as "the parties", confirm the following procedures in regard to mutual assistance to be rendered to agencies with law enforcement responsibilities in their respective countries with respect to alleged illicit acts pertaining to the sales activities in Colombia of the Lockheed Aircraft Corporation and its subsidiaries or affiliates:

1. All requests for assistance shall be communicated between the parties through the diplomatic channel.

2. Upon request, the parties shall use their best efforts to make available to each other relevant and material information, such as statements, depositions, documents, business records, correspondence or other materials, available to them concerning alleged illicit acts pertaining to the sales activities in Colombia of the Lockheed Aircraft Corporation and its subsidiaries or affiliates.

3. Such information shall be used exclusively for purposes of investigation conducted by agencies with law enforcement responsibilities and in ensuing criminal, civil and administrative proceedings, hereinafter referred to as "legal proceedings".

4. Except as provided in paragraph 5, all such information made available by the parties pursuant to these procedures, and all correspondence between the parties relating to such information and to the implementation of these procedures, shall be kept confidential and shall not be disclosed to third parties or to government agencies having no law enforcement responsibilities. Disclosure to other agencies having law enforcement responsibilities shall be conditioned on the recipient agency's acceptance of the terms set forth herein. Should a subsequent change in the domestic law impair the ability of the requesting state, or an agency thereof, to carry out the terms set forth herein, the requesting state shall promptly return all materials made available hereunder to the requested state.

In the event of breach of confidentiality, the other party may discontinue cooperation under these procedures.

5. Information made available pursuant to these procedures may be used freely in ensuing legal proceedings in the requesting state in which an agency of the requesting state having law enforcement responsibilities is a party, and the parties shall use their best efforts to furnish the information for purposes of such legal proceedings in such form as to render it admissible pursuant to the rules of evidence in existence in the requesting state, including, but not limited to, certifications, authentications, and such other assistance as may be necessary to provide the foundation for the admissibility of evidence.

6. The parties shall give advance notice and afford an opportunity for consultation prior to the use, within the meaning of paragraph 5, of any information made available pursuant to these procedures.

7. Upon request, the parties agree to permit the interviewing of persons in their respective countries by law enforcement officials of the other party, provided advance notice is given of the identity of the persons to be interviewed and of the place of the interview. Representatives of the other party may be present at such interviews. The parties will assist each other in arranging for such interviews and will permit the taking of testimony or statements or the production of documents and other materials in accordance with the practice or procedure of the requesting state. The requesting party shall not pursue its request for an interview or for the production of documents and other materials if the requested party considers that it would interfere with an ongoing investigation or proceeding being conducted by the authorities of the requested party.

8. The parties shall use their best efforts to assist in the expeditious execution of letters rogatory issued by the judicial authorities of their respective countries in connection with any legal proceedings which may ensue in their respective countries.

9. The assistance to be rendered to a requesting state shall not be required to extend to such acts by the authorities of the requested state as might result in the immunization of any person from prosecution in the requested state.

10. All actions to be taken by a requested state will be performed subject to all limitations imposed by its domestic law. Execution of a request for assistance may be postponed or denied if execution would interfere with an ongoing investigation or legal proceeding in the requested state.

11. Nothing contained herein shall limit the rights of the parties to utilize for any purpose information which is obtained by the parties independent of these procedures.

12. The mutual assistance to be rendered by the parties pursuant to these procedures is designed solely for the benefit of their respective agencies having law enforcement responsibilities and is not intended or designed to benefit third parties or to affect the admissibility of evidence under the laws of either the United States or Colombia.

Done at Washington, D.C., this 22nd day of April, 1976.

For the Procurador General de la Nación:

[1]

Ambassador of Colombia to the United States

For the United States Department of Justice:

[2]

Assistant Attorney General Criminal Division

[1] Julio Cesar Turbay
[2] Richard L. Thornburgh

NETHERLANDS

Criminal Investigations

Agreement signed at Washington March 29, 1976;
Entered into force March 29, 1976.

PROCEDURES FOR MUTUAL ASSISTANCE

The United States Department of Justice, hereinafter referred to as "the Department", and the Netherlands Commission of Three, established by Decision of the Netherlands Council of Ministers of 9 February 1976, hereinafter referred to as "the Commission", confirm the following procedures in regard to reciprocal assistance to be rendered in matters within the terms of reference of the Commission:

1. All requests for assistance shall be communicated between the Department and the Commission through the diplomatic channel, unless otherwise agreed.

2. Upon request, the Department and the Commission shall use their best efforts to make available to each other relevant and material information, such as statements, depositions, documents, business records, correspondence or other materials, available to them concerning matters within the terms of reference of the Commission.

3. Such information shall be used exclusively by the Department for purposes of investigation conducted by agencies with law enforcement responsibilities and in ensuing

criminal, civil and administrative proceedings, and by the Commission within the terms of its reference.

4. Except as provided in paragraph 5, all such information made available pursuant to these procedures, and all correspondence between the Department and the Commission relating to such information and to the implementation of these procedures, shall be kept confidential and shall not be disclosed to third parties or to government agencies having no law enforcement responsibilities.

In the event of breach of confidentiality, cooperation under these procedures may be discontinued.

5. Information made available pursuant to these procedures may be used freely by the Department in ensuing criminal, civil and administrative proceedings in the United States, and by the Commission within the terms of its reference in the Netherlands.

6. The Department shall give advance notice prior to the institution of criminal, civil and administrative proceedings in which information made available pursuant to

these procedures is intended to be used, and the Commission shall give advance notice prior to the intended utilization of such information within the terms of its reference.

7. The assistance to be rendered to the Commission shall not be required to extend to such acts by the Department as might result in the immunization of any person from prosecution in the United States.

8. All actions to be taken by the Department and by the Commission will be performed subject to all limitations imposed by its domestic law. Execution of a request for assistance may be postponed or denied if execution would interfere with ongoing investigations in the United States or in the Netherlands.

9. The mutual assistance to be rendered by the Department and the Commission pursuant to these procedures is designed solely for their benefit, and is not intended or designed to benefit third parties, or to affect the admissibility of evidence under the laws of either the United States or the Netherlands.

Done at Washington, D.C. this 29th day of March, 1976.

For the United States Department of Justice:

[1]

For the Commission of Three:

[2]

[1] Richard L. Thornburgh
[2] Age R. Tammenoms Bakker

JAPAN

Atomic Energy: Research Participation and Technical Exchange

Agreement signed at Tokyo February 23, 1976; Entered into force February 23, 1976.

AGREEMENT

ON RESEARCH PARTICIPATION AND TECHNICAL EXCHANGE

BETWEEN

THE UNITED STATES NUCLEAR REGULATORY COMMISSION (USNRC)

AND

THE JAPAN ATOMIC ENERGY RESEARCH INSTITUTE (JAERI)

IN

THE USNRC LOFT RESEARCH PROGRAM COVERING

A FOUR YEAR PERIOD

Whereas, the United States Nuclear Regulatory Commission (USNRC) and the Japan Atomic Energy Research Institute (JAERI):

(a) have a mutual interest in cooperation in the field of reactor safety research,

(b) have as a mutual objective improving and thus ensuring the safety of reactors on an international basis,

(c) have as a mutual objective the achievement of full reciprocity in the exchange of technical information in the field of reactor safety research,

(d) recognize their status either as successor to, or, an authorized participant under an agreement between the USAEC and the Japanese Atomic Energy Bureau (JAEB) for the exchange of technical information in the field of research and development in reactor safety, dated the fifth day of March 1973,

(e) recognize that they are participants in the cooperative programs on reactor safety research of the International Energy Agency (IEA) as defined in the Article IV of the Guiding Principles for Cooperation in the Field of Energy Research and Development, agreed upon by the IEA Governing Board, and

(f) have expressed their intention to participate cooperatively in the USNRC funded Loss of Fluid Test (LOFT) research program at the Idaho National Engineering Laboratory owned by the United States Government and operated under a contractural arrangement between the Aerojet Nuclear Company and the U.S. Energy Research and Development Administration (USERDA).

NOW, THEREFORE, the USNRC and the JAERI do hereby mutually agree as follows:

ARTICLE I - PROGRAM COOPERATION

1. The USNRC and the JAERI will join together, in accordance with the provisions of this agreement, for cooperative research in the USNRC Loss of Fluid Test (LOFT) program as described in the LOFT PROGRAM DESCRIPTION (LPD-1, October 1974) for a period of four years beginning upon execution of this agreement.

ARTICLE II - SCOPE OF AGREEMENT

A. Scope of Responsibility - USNRC

1. The USNRC agrees to provide the necessary personnel, materials, equipment, and services in order that the LOFT research program may be carried out as described in the LOFT PROGRAM DESCRIPTION (LPD-1, October 1974), as amended; subject to the availability of funds. It is the USNRC's intention to include in the LOFT research program a series of Loss of Coolant Experiments (LOCE) with nuclear heating as soon as technically feasible following the non-nuclear LOCEs, subject to the availability of funds.

2. The USNRC agrees to permit the JAERI to assign up to three mutually agreed upon technical experts to the LOFT Program for participation in the conduct and analysis of program experiments.

3. In addition, the USNRC agrees to permit the JAERI to assign one technical expert as a consultant to the LOFT programs review group which will periodically review the status of the present program and future program planning.

4. The USNRC agrees to grant the JAERI and its assignees access, to the maximum extent authorized by the law of the United States, to all experimental data and results of analyses generated by the LOFT program during the period of this agreement.

5. The USNRC agrees to provide the JAERI access as necessary to operational computer codes developed to analyze experimental data generated by the LOFT program to the maximum extent permitted by the law of the United States, except for proprietary codes and data, unless authorized by the owner.

B. Scope of Responsibility - JAERI

1. The JAERI, as a contribution for the technical benefits received by participation in the USNRC LOFT research program and receipt of information under this agreement, agrees to pay the United States Government the sum of one million dollars annually for four years, subject to financial approval by the Japanese Government. The first payment of one million dollars shall be made to a to be specified U.S. Government account within 30 days after the execution of this agreement and one million dollars on each of the remaining anniversary dates of the execution of this agreement.

2. The JAERI agrees to provide the USNRC access to any and all results obtained from JAERI's analyses of information and experimentation developed under and during the period of this agreement, including computer codes used in such analyses.

3. The JAERI agrees to bear the total costs of transportation, living expenses and any other costs arising from its participation under this agreement, and the transport and related costs for apparatuses and other equipment furnished by the JAERI.

ARTICLE III - PATENTS

A. With respect to any invention or discovery made or conceived during the period of, and in the course of and under, this agreement for JAERI participation in the USNRC LOFT research program, the USNRC on behalf of the United States Government, as recipient party, and the JAERI as assigning party, hereby agree that:

1. If made or conceived by personnel of one party (the assigning party) or its contractors while assigned to the other party (recipient party) or its contractors:

(a) The recipient party shall acquire all right, title, and interest in and to any such invention, discovery, patent application or patent in its own country and in third countries, subject to a non-exclusive, irrevocable, royalty-free license to the assigning party, with the right to grant

sublicenses, under any such invention, discovery, patent application or patent for use in the production or utilization of special nuclear material or atomic energy; and

(b) The assigning party shall acquire all right, title, and interest in and to any such invention, discovery, patent application, or patent in its own country, subject to a non-exclusive, irrevocable, royalty-free license to the recipient party, with the right to grant sublicenses, under any such invention, discovery, patent application or patent, for use in the production or utilization of special nuclear material or atomic energy.

2. If made or conceived while in attendance at meetings or when employing information which has been communicated under this exchange arrangement by one party or its contractors to the other party or its contractors, the party making the invention shall acquire all right, title, and interest in and to any such invention, discovery, patent application or patent in all countries, subject to the grant to the other party of a royalty-free non-exclusive, irrevocable license, with the right to grant sublicenses, in and to any such invention, discovery, patent application, or patent, in all countries, for use in the production or utilization of special nuclear material or atomic energy.

B. Neither party shall discriminate against citizens of the country of the other party with respect to granting any license or sublicense under any invention pursuant to subparagraphs A(1) and A(2) above.

C. Each party waives any and all claims against the other party for compensation, royalty or award as regards any such inventions or discovery, patent application, or patent, and releases the other party with respect to any and all such claims, including any claims under the provisions of the U.S. Atomic Energy Act of 1954, as amended,[1] and applicable Japanese Laws, and the JAERI assumes the obligation under the Japanese Law insofar as the USNRC and its contractors are concerned.

ARTICLE IV - PROGRAM CHANGE OR TERMINATION

A. If the USNRC LOFT technical program is substantially increased by mutual agreement the USNRC and JAERI mutually agree to consider equitable adjustments in the JAERI contribution.

[1] 68 Stat. 919; 42 U.S.C. § 2011.

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B. If the LOFT research program is substantially reduced or eliminated, equitable work determined by the USNRC and JAERI to be of equivalent programmatic interest will be substituted as may be mutually agreed.

C. Upon a decision by either USNRC or JAERI to withdraw from this agreement, the withdrawing party shall notify the other party of the intent to withdraw at least six months prior to the date of the withdrawal.

D. The JAERI is given the option to participate in a continuation of the LOFT program beyond the four year period of this agreement under mutually acceptable terms and conditions.

ARTICLE V - EXCHANGE OF SCIENTIFIC INFORMATION AND USE OF RESULTS OF PROGRAM

A. The USNRC and the JAERI agree that until approval is granted by the transmitting party for publication, the information, once transmitted, will be freely available to government authorities and organizations cooperating with the USNRC and the JAERI for their own use but not for publication. When required by administrative procedures in its own country, the USNRC and the JAERI may on its own responsibility disseminate or otherwise make use of information received.

B. The USNRC and the JAERI agree that the application or use of any information exchanged or transferred among them shall be the responsibility of the party receiving the information, and the transmitting party does not warrant the suitability of the information for any particular use or application.

ARTICLE VI - DISPUTES

A. Any dispute between the USNRC and the JAERI concerning the application or interpretation of this agreement that is not settled through consultation shall be submitted to the jurisdiction of the United States federal courts. This Agreement shall be construed in accordance with the internal federal law applicable in the appropriate United States courts, to agreements to which the Government of the United States is a party.

FOR THE UNITED STATES NUCLEAR REGULATORY COMMISSION

BY: [1]

TITLE: Minister-Counselor, American Embassy

DATE: February 23, 1976

FOR THE JAPAN ATOMIC ENERGY RESEARCH INSTITUTE

BY: 宮崎英二
Eiji Munakata

TITLE: President, JAERI

DATE: February 23, 1976

[1] Thomas P. Shoesmith
Minister-Counselor, American Embassy

CANADA

Remote Sensing from Satellites and Aircraft

Agreement amending and extending the agreement of May 14, 1971.
Effected by exchange of notes
Signed at Ottawa March 19 and 22, 1976;
Entered into force March 22, 1976;
Effective May 14, 1975.

The Canadian Ambassador to the Secretary of State

Canadian Embassy Ambassade du Canada

March 19, 1976

No. 103

Sir,

I have the honour to refer to the Agreement dated May 14, 1971[1] between our two Governments regarding remote sensing from satellites and aircraft effected by an exchange of notes and to propose that the Agreement be extended for a further period of five years commencing on May 14, 1975 under the terms of the Notes of May 14, 1971 and the Annex thereto and that the following additional provisions be added to it:

(1) Under the experimental earth resources programme, the Canadian Department of Energy, Mines and Resources (EMAR) will acquire data directly from NASA's Landsat-type satellites (formerly called Earth Resources Technology Satellites) at two ground stations located in Canada: one near Prince Albert, Saskatchewan, and the second in the east coast region.

(2) Catalogue listings of Landsat data processed by the Canadian ground system as well as ground station tape recorder logs will be provided to NASA on a monthly basis.

[1] TIAS 7125; 22 UST 684.

(3) This Agreement, as extended, assures EMAR access to Landsat 1, 2, and C satellites. Access is assured to Landsat 1 and 2 for period of one year from the date of launching of Landsat 2 (January 22, 1975) without charge by NASA. It is understood, however, that NASA may thereafter establish some cost-sharing arrangement for participating ground stations. Before doing so, however, NASA will consult with EMAR.

(4) For the purposes of this Agreement, it is understood that EMAR and other Canadian Government agencies participating in the programme will ensure unrestricted public availability of all Landsat data of areas within range of the Canadian ground stations at a fair and reasonable charge, and will provide, free of charge, processed Landsat data required by non-USA and non-Canadian principal investigators as selected under the NASA Landsat Investigation Programme, whose test sites are in range of Canadian ground stations.

(5) The present Agreement shall be subject to review by the two Governments at any time following acceptance by both Governments of a future multilateral instrument in the form of guidelines, principles or agreements dealing with the same substantive matters.

If these proposals meet with the approval of the Government of the United States, I have the honour further to propose that this Note, which is equally authentic in English and French, and your reply to that effect, shall constitute an Agreement between our two Governments to extend the Agreement constituted by the Exchange of Notes of May 14, 1971, for a period of five years commencing on May 14, 1975, and to amend it by adding the additional provisions stipulated hereinabove, and to propose that this Agreement enter into force on the date of your reply with effect from May 14, 1975 as far as the extension of the earlier Agreement is concerned. It is understood that the present Agreement may be terminated by either Government upon six months notice to the other, or extended further by the mutual agreement of the two Governments.

Please accept, Sir, the renewed assurances of my highest consideration.

J.H. Warren,
Ambassador.

The Honourable Henry A. Kissinger,
The Secretary of State,
Washington, D.C.

French Text of the Canadian Note

Canadian Embassy Ambassade du Canada

le 19 mars 1976

N° 103

Monsieur,

J'ai l'honneur de me référer à notre Accord du 14 mai 1971 concernant la télédétection à partir de satellites et d'aéronefs, accord auquel nous sommes parvenus par un échange de notes, et de proposer que ledit Accord soit prorogé de cinq ans à compter du 14 mai 1975 en vertu de la Note du 14 mai 1971 et de son annexe et que les nouvelles dispositions suivantes y soient ajoutées:

(1) En vertu du programme expérimental de télédétection des ressources terrestres, le ministère canadien de l'Energie, des Mines et des Ressources (EMR) captera directement les données provenant des satellites de type Landsat de la NASA (autrefois appelés satellites de détection des ressources terrestres) à partir de deux stations terriennes situées au Canada, l'une près de Prince Albert (Saskatchewan) et l'autre, sur la côte est.

(2) Un catalogue contenant la liste des données Landsat traitées par nos installations au sol ainsi que les registres des enregistrements des stations susmentionnées seront remis mensuellement à la NASA.

(3) La prorogation de l'Accord assure à l'EMR l'accès aux satellites Landsat 1, 2 et C. La Partie canadienne aura accès aux satellites Landsat 1 et 2 pour une durée d'un an à partir de la date de lancement de Landsat 2 (le 22 janvier 1975) et cela, gratuitement de la part de NASA. Il est toutefois entendu que la NASA pourra subséquemment établir une entente de partage des frais avec les stations terriennes participantes. Avant de le faire, elle devra toutefois consulter l'EMR.

(4) Aux fins du présent Accord, il est entendu que l'EMR et les autres organismes du Gouvernement canadien participants donneront au public, moyennant des droits justes et raisonnables, libre l'accès à toutes les données Landsat se rapportant aux régions couvertes par les stations terriennes canadiennes et qu'ils fourniront gratuitement les données traitées telles que requises aux cherchers principaux autres que canadiens et américains, tels que choisis en vertu du Landsat Investigation Programme de la NASA et dont les sites d'essais se trouvent à l'interieur du territoire couvert par les stations terriennes canadiennes.

(5) Les deux Gouvernements pourront réviser le présent Accord à tout moment suivant leur acceptation d'un mécanisme d'entente multilatéral à venir, pouvant prendre la forme de lignes directrices, principes ou accords se rapportant aux mêmes questions de fond.

Si ces propositions rencontrent l'accord du Gouvernement des Etats-Unis, j'ai de plus l'honneur de proposer que cette Note, qui fait également foi en français et en anglais, et votre réponse à cet effet, constitueront un Accord entre nos deux Gouvernements en vue de proroger l'Accord constitué par l'échange de Notes du 14 mai 1971 pour une période de cinq ans à compter du 14 mai 1975 et de l'amender en y ajoutant les nouvelles dispositions stipulées ci-dessus, et de proposer que le présent Accord entre en vigueur à la date de votre réponse avec effet au 14 mai 1975 pour ce qui a trait à la prorogation de l'Accord antérieur. Il est entendu que le présent Accord peut être résilié par l'un ou l'autre Gouvernement moyennant préavis de six mois ou prorogé à nouveau de consentement mutuel des deux Gouverements.

Veuillez agréer, Monsieur, les assurances de ma très haute considération.

l'Ambassadeur,

J.H. Warren

L'Honorable Henry A. Kissinger,
Secrétaire d'Etat,
Washington, D.C.

The Secretary of State to the Canadian Ambassador

DEPARTMENT OF STATE
WASHINGTON

MARCH 22, 1976

EXCELLENCY:

I have the honor to refer to your note No. 103 of March 19, 1976 in which you propose the renewal, for a further period of five years of the agreement between the Government of the United States and the Government of Canada concerning a joint program in the field of experimental remote sensing from satellites and aircraft, which was effected by an exchange of notes done at Washington on May 14, 1971.

The proposed extension meets with the approval of the Government of the United States of America. I have the honor to confirm, therefore, that your note and this reply shall constitute an agreement between our two Governments to extend the agreement for a further period of five years commencing on May 14, 1975, it being understood that such agreement may be terminated by either Government upon six month's notice to the other. This will also confirm that the present agreement shall enter into force on the date of this reply with effect from May 14, 1975.

Accept, Excellency, the renewed assurances of my highest consideration.

For the Secretary of State:

MYRON B KRATZER

His Excellency
JACK H. WARREN,
Ambassador of Canada.

MEXICO

Cooperation and Mutual Assistance in Mapping, Charting and Geodesy

Memorandum signed at Mexico City July 25, 1975; Entered into force July 25, 1975.

MEMORANDUM OF MAPPING, CHARTING AND GEODESY ARRANGEMENTS BETWEEN DEFENSE MAPPING AGENCY UNITED STATES DEPARTMENT OF DEFENSE AND COMMISSION ON STUDIES OF THE NATIONAL TERRITORY OF MEXICO

Purpose

The purpose of this memorandum is to record the understandings and arrangements between the Defense Mapping Agency (DMA) and the Commission on Studies of the National Territory (CETENAL), hereinafter referred to as the cooperating agencies, concerning cooperation and mutual assistance in mapping, charting and geodesy, as well as the exchange of maps, charts, and related data.

Objectives

The cooperating agencies will:

a. Exchange geodetic and cartographic information necessary to carry out their respective operations, as well as for the purpose of promoting better understanding between their nations.

b. Exchange data and products which result from programs which evolve from this arrangement.

c. Exchange pertinent technological data relating to developments in methodology and equipment which would be of interest, e.g., survey techniques, photogrammetry, geoceiver operations, and triangulation techniques.

Mutual Understandings

1. It is understood that any action taken by either of the cooperating agencies pursuant to this memorandum will be subject to the availability to that agency of personnel, equipment, materials, and funds for the purpose.

2. CETENAL will be responsible for matters relating to policies of the Secretary of the Presidency of the United States of México and of the responsabilities implied. DMA will be responsible for matters of U.S. Department of Defense policy and its responsibilities. The cooperating agencies will jointly consult on programs to be accomplished under this arrangement, determine how such programs are to be executed, and determine the extent of involvement of each.

3. Whenever required by programs under this arrangement, each Agency will colaborate in order to make available for the personnel, equipment and materials, the entrance or exit from their national territory.

4. Each cooperating agency may designate an executive agency to act for it in carrying out any of its obligations under this arrangement.

ENTRY INTO FORCE

This arrangement will go into force on the date when it is signed and will remain in force and effect until 90 days after the date on which either agency advises the other that it wishes to terminate it.

FOR THE COMMISSION ON STUDIES OF THE NATIONAL TERRITORY OF MEXICO

JUAN B. PUIG DE LA PARRA

Eng. Juan B. Puig
Director

FOR THE DEFENSE MAPPING AGENCY UNITED STATES DEPARTMENT OF DEFENSE

CHARLES H. ANDREGG

for S. D. CRAMER, JR., VADM, USN
Director

MEXICO CITY, *July 25, 1975.*

MEMORANDUM SOBRE LOS CONVENIOS RELATIVOS A CARTOGRAFIA Y GEODESIA CELEBRADOS ENTRE LA AGENCIA CARTOGRAFICA DE LA DEFENSA DEL DEPARTAMENTO DE LA DEFENSA DE LOS ESTADOS UNIDOS DE NORTEAMERICA Y LA COMISION DE ESTUDIOS DEL TERRITORIO NACIONAL DE LA SECRETARIA DE LA PRESIDENCIA DE LOS ESTADOS UNIDOS MEXICANOS

FINALIDAD

Este memorándum tiene la finalidad de consignar los acuerdos y convenios concernientes a la cooperación y asistencia mutua sobre cartografía y geodesia, así como sobre el intercambio de mapas, cartas y datos relacionados, celebrados entre la Agencia Cartográfica de la Defensa (DMA) y la Comisión de Estudios del Territorio Nacional (CETENAL), a las que en lo sucesivo se hará referencia como las agencias colaboradoras.

OBJETIVOS

Las Agencias colaboradoras efectuarán:

a) El intercambio de información geodésica y cartográfica necesario para la ejecución de sus respectivas operaciones, así como con el propósito de promover un mejor entendimiento entre sus países.

b) El intercambio de datos y de los productos resultantes de programas que se desarrollen con motivo de este convenio.

c) El intercambio de la información técnica pertinente relacionada con desarrollos de metodología y equipo que fueran de interés; v.g. técnicas de levantamientos, fotogrametría, operaciones con geociver y técnicas de triangulación.

ACUERDOS MUTUOS

1. Queda entendido que cualquier acción tomada por una u otra de las agencias colaboradoras, que persiga las finalidades de este memorándum, estará sujeta a la disponibilidad de personal, equipo, materiales y fondos que para ese propósito tenga la agencia.

2. La CETENAL será responsable de los asuntos relacionados con la política de la Secretaría de la Presidencia de los Estados Unidos Mexicanos y de las responsabilidades implicadas. La DMA será responsable de los asuntos relacionados con la política del Departamento de la Defensa de los Estados Unidos de Norteamérica y de sus responsabilidades. Las Agencias colaboradoras celebrarán en mancomún consultas sobre los programas que deban realizarse de acuerdo al presente convenio, determinarán la forma en que tales programas deberán llevarse a cabo y decidirán sobre el grado de participación de cada una.

3. Cuando los programas de este convenio lo requieran la Agencia del país colaborará a facilitar que el personal, equipo y materiales puedan entrar y salir de su territorio nacional.

4. Cada una de las agencias colaboradoras podrá nombrar una agencia ejecutiva que actúe en su representación para cumplir con cualesquiera de sus obligaciones contraídas por este convenio.

VIGENCIA DEL ACUERDO

Este convenio entrará en vigor en la fecha que sea firmado y sus efectos permanecerán en vigencia durante 90 días después de la fecha en que cualquiera de las agencias notifique a la otra que desea darlo por terminado.

POR LA COMISION DE ESTUDIOS DEL TERRITORIO NACIONAL DE LA SECRETARIA DE LA PRESIDENCIA DE LOS ESTADOS UNIDOS MEXICANOS

El Director

JUAN B. PUIG DE LA PARRA

Ing. Juan B. Puig de la Parra

POR LA AGENCIA CARTOGRAFICA DE LA DEFENSA DEL DEPARTAMENTO DE LA DEFENSA DE LOS ESTADOS UNIDOS DE NORTEAMERICA

El Director

CHARLES H. ANDREGG

for S. D. Cramer, Jr., Vadm,Usn

MÉXICO, D.F., *julio 25 de 1975.*

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