POSTAL UNION OF THE AMERICAS AND SPAIN: PARCEL POST

Agreement signed at Madrid November 10, 1931
Ratified and approved by the Postmaster General of the United States February 1, 1932
Approved by the President of the United States February 3, 1932
Ratification of the United States deposited at Madrid August 11, 1932
Entered into force March 1, 1932
Terminated by agreement of December 22, 1936 [1]

47 Stat. 1957; Post Office Department print

[TRANSLATION]

AGREEMENT CONCERNING PARCEL POST

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

The undersigned, Plenipotentiaries of the Governments of the countries above mentioned, in exercise of the option conferred by Article 5 of the Universal Postal Convention in force, agree, subject to ratification, to the establishment of the parcel-post service in accordance with the following provisions.

ARTICLE 1

Object of the Agreement

1. Under the denomination of "parcel post" ("Encomienda Postal," "Paquete Postal" or "Bulto Postal") this class of mail matter may be sent from any one of the above-mentioned countries to any other of them.

2. Parcels may be sent registered, insured or collect-on-delivery, when the adhering countries agree to adopt these forms of service in their reciprocal relations.

3. The dispatch of such parcels in containers in good condition, properly fastened, shall be obligatory.

[1] *Post*, p. 319.

Article 2

Transit

1. Liberty of transit is guaranteed over the territory of every one of the contracting countries. Consequently, the various Administrations may use the intermediary of one or more countries for the reciprocal exchange of parcels.

2. Parcels will be sent in closed dispatches which will be forwarded by the most rapid territorial and maritime routes which the countries intervening in the transportation utilize for their own dispatches.

3. The dispatching Administrations will be obliged to send a copy of the parcel bills to each of the intermediary Administrations.

Article 3

Weight and dimensions

1. The maximum weight of each parcel will be 10 kilograms, the Administrations remaining at liberty to limit it to 5.

2. The maximum dimensions for parcels shall be fixed by the Agreement of the Universal Postal Union in force, relative to this service. Nevertheless, the Administrations of the contracting countries shall have the option of admitting, after obtaining the consent of the intermediary countries, parcels with other limits of weight and dimensions.

3. Bulky parcels will be accepted only in relations between countries which undertake to effect their transportation.

Article 4

Postage rates and payments

1. The postage on parcels exchanged under this Agreement will be composed only of the sum of the rates of origin, transit and destination. If necessary, the maritime rates provided by the Agreement of the Universal Postal Union in force concerning the exchange of parcel post will be added.

2. The rates of origin, transit and destination are fixed for each country at 50 centimes of a gold franc or their equivalent for each parcel up to 5 kilograms, and one gold franc or its equivalent for each parcel whose weight exceeds 5 kilograms but not 10 kilograms.

3. However, the contracting Administrations will have the option of increasing these rates up to double their amount, and of applying a fixed surcharge of 25 centimes of a gold franc or their equivalent to each parcel which they dispatch or receive.

4. Administrations which, in the Universal service, enjoy special authorizations to increase the rates set forth in Section 2 may also make use of said authorizations in Americo-Spanish service.

5. Notwithstanding the provisions of the foregoing Sections, no contracting Administration will be obligated to fix a rate lower than that established for this class of articles in its domestic service.

6. The Administration of origin will credit each of the Administrations taking part in the transportation, as well as that of destination, with the corresponding charges, in accordance with the provisions of the foregoing Sections.

ARTICLE 5

Customs-clearance, delivery, storage and other charges

The Administrations of destination may collect from the addressees of parcels:

(*a*) A fee of 50 centimes of a gold franc or their equivalent, as a maximum, for the operations, formalities and transactions in connection with customs handling;

(*b*) A fee of 50 centimes of a gold franc or their equivalent, as a maximum, for the transmission and delivery of each parcel to the address of the addressee.

When parcels are not delivered at the address of the addressee, the latter shall be advised of their arrival. In this case, the Administrations whose domestic regulations require it, will collect a special fee for the delivery of said notice; this fee shall not exceed the postage for a single weight-unit on an ordinary letter in the domestic service;

(*c*) A daily storage charge, which shall not exceed that fixed by the postal legislation of each country, charged from the time prescribed therein, provided that the total to be collected shall in no case exceed five gold francs or their equivalent;

(*d*) The customs duties and all other non-postal charges which their domestic legislation establishes; and

(*e*) The amount corresponding to the consular fee, when it has not been prepaid by the sender.

ARTICLE 6

Prohibition against other charges

The parcels of which the present Agreement treats may not be subjected to any other postal charges than those established in the foregoing Articles.

However, the Administrations that agree among themselves on the admission of registered, collect-on-delivery or insured parcels are authorized to collect the special charges relative to this class of articles.

ARTICLE 7

Responsibility

1. The Administrations shall be responsible for the loss, rifling or damage of parcels.

The sender shall have the right in such case to an indemnity equivalent to the actual amount of the loss, rifling or damage. This indemnity shall not exceed:

(*a*) For parcels up to 5 kilograms in weight, 25 gold francs or their equivalent;

(*b*) For parcels up to 10 kilograms in weight, 40 gold francs or their equivalent.

2. The indemnity shall be calculated according to the current price of merchandise of the same kind in the place where and at the time when the parcel was accepted for transportation.

3. For insured parcels exchanged between those Administrations which agree to establish this type of service, the indemnity shall not exceed the insured value.

Article 8

Parcels pending delivery

1. The period during which parcels must be held at the disposal of the interested parties at the offices of destination is fixed at thirty days. The said period may be increased to ninety days by agreement among the Administrations concerned, it being understood that in every case the return will be effected without previously consulting the sender.

2. The senders, by virtue of the provisions enumerated in the preceding Section, are obligated to indicate on the reverse side of the dispatch note what disposal must be made of their parcels in case they cannot be delivered, limitation being made to one of the following provisions:

(*a*) That the parcel be returned to origin.

(*b*) That the parcel be delivered to another addressee.

(*c*) That the parcel be considered abandoned.

Article 9

Fraudulent declarations

1. In cases where it is proved that senders of parcels, by themselves or by agreement with the addressees, have falsely declared the quality, weight or measure of the contents, or in any other way have tried to defraud the fiscal interests of the country of destination, avoiding the payment of import duties by concealing articles or declaring them in such a way as to show the evident intention of nullifying or reducing the amount of those duties, the Administration concerned is authorized to dispose of those articles in accordance with its domestic laws, and neither the sender nor the addressee will have any right to delivery, return or indemnity.

2. The Administration confiscating a parcel in accordance with the preceding authorization shall notify the addressee and the Administration of origin.

ARTICLE 10

Parcels for second addressees

Senders of parcels addressed in care of banks or other organizations for delivery to second addressees will be obliged to state on the tags, labels or wrappers thereof the exact names and addresses of the persons for whom such parcels are intended. Nevertheless, the second addressee shall be informed of the presence of that parcel, and the notice charge provided by Article 5 may be collected, but he shall not have the power to claim delivery except by written authorization of the first addressee or of the sender; the latter shall, in that case, take steps for its delivery through the Administration of origin of the parcel.

ARTICLE 11

Abandoned or returned parcels

Abandoned parcels, or those returned to origin which can not be delivered to the senders, will be sold by the Administration concerned. If the proceeds of the sale are lower than the charges due on the parcel, the deficit will be divided in equal shares between the Administrations of origin and destination.

ARTICLE 12

Propositions in the interval between meetings

The present Agreement may be modified in the interval which transpires between Congresses, following the procedure established in Chapter III of the Convention of the Universal Postal Union in force. In order to become effective, the modifications must obtain:

1. Unanimity of votes, if it is a question of introducing new provisions or modifying the present Article or Articles 1, 2, 3, 4, 5, 6, and 7.
2. Two-thirds of the votes, in order to modify the other provisions.

ARTICLE 13

Equivalents

Each contracting country shall determine the legal equivalent of its money, with relation to the gold franc.

ARTICLE 14

Matters not provided for

1. All matters not provided for by this Agreement will be governed by the provisions of the Agreement of the Universal Postal Union in force and its Regulations of Execution.

2. However, the contracting Administrations may agree upon other details for the carrying out of the service.

3. The right of the contracting countries to retain in force the regulatory procedure adopted for the fulfillment of Conventions among themselves is recognized, provided that such procedure is not contrary to the provisions of this agreement.

ARTICLE 15

Effective date and duration of the Agreement

1. The present Agreement will become effective March 1, 1932, and will remain in force without time limit, each of the contracting parties reserving the right to abrogate it by means of notice given by its Government to that of the Republic of Uruguay, one year in advance.

2. The deposit of ratifications will be effected in Madrid as soon as possible; the relative certificate will be made up in regard to the ratification by each country, and the Government of Spain will send a copy of the said certificate, through diplomatic channels, to the Governments of the other signatory countries.

3. The stipulations of the Parcel-Post Convention sanctioned in Mexico on November 9, 1926,[2] are abrogated, beginning with the date on which the present Agreement becomes effective.

4. In case that the Agreement is not ratified by one or more of the contracting countries, it will none the less be valid for the countries which have ratified it.

5. The contracting countries may ratify this Agreement provisionally, by correspondence, giving notice thereof to the respective Administrations through the medium of the International Office, without prejudice to the fact that, according to the legislation of each country and after approval by the National Congresses, it may be confirmed through diplomatic channels.

In faith of which, the Plenipotentiaries of the countries enumerated sign the present Agreement at Madrid, on the tenth of November, one thousand nine hundred and thirty-one.

For Argentina:
R. CORREA LUNA

For Bolivia:
G. A. OTERO

For Brazil:
LUIS GUIMARÃES

For Canada:

For Colombia:
ALBERTO SÁNCHEZ DE IRIARTE
E. ZALDÚA PIEDRAHITA
W. MAC-LELLAN

For Costa Rica:
ADRIANO MTÍN LANUZA
EDUARDO FOURNIER QUIRÓS

For Chile:
E. BERMÚDEZ
CARLOS MORLA LYNCH

For the Dominican Republic:
E. BRACHE HIJO
ENRIQUE DESCHAMPS

For Ecuador:
RICARDO CRESPO ORDÓÑEZ
ABEL ROMEO CASTILLO

[2] *Ante*, vol. 2, p. 629.

For El Salvador:
RAÚL CONTRERAS

For Spain:
A. NISTAL
A. CAMACHO
AGUSTÍN RAMOS
DEMETRIO PEREDA

For the United States of America:
For W. Irving Glover:
EUGENE R. WHITE
EUGENE R. WHITE

For Guatemala:
ENRIQUE TRAUMANN

For Haiti:
LUIS MA SOLER

For Honduras:
ANTONIO GRAÍÑO

For Mexico:
A. J. PANI
ANTONIO CASTRO LEAL

For Nicaragua:
JOSÉ GARCÍA-PLAZA

For Panama:
CARLOS ORTIZ R.

For Paraguay:
FERNANDO PIGNET
R. BLANCO-FOMBONA

For Peru:
MANUEL GARCÍA YRIGOYEN

For Uruguay:
CÉSAR MIRANDA

For Venezuela:
ANTONIO REYES
LEÓN AGUILAR

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