POSTAL CONVENTION

Signed at Manila September 17 and at Washington September 30, 1947
Operative October 1, 1947
Approved and ratified by the President of the United States February 10, 1948
Ratified by the Philippines December 31, 1948
Superseded by agreement of September 21 and November 12, 1964 [1]

61 Stat. 4161; Treaties and Other International Acts Series 1913

POSTAL CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF THE PHILIPPINES

For the purpose of making postal arrangements between the United States of America and the Republic of the Philippines, the undersigned, Robert E. Hannegan, Postmaster General of the United States of America and R. Nepomuceno, Secretary of Public Works and Communications of the Republic of the Philippines, by virtue of authority vested in them by law, have agreed upon the following articles:

ARTICLE 1

(a) The provisions of this Convention will apply to letters, single and reply-paid post cards, prints of all kinds including printed matter for the blind and second-class matter, commercial papers, samples without value, and small packets, ordinary and registered, and to parcel-post packages, ordinary only. These articles will be subject to such regulations in the country of destination as that country may deem necessary to protect its customs revenue.

(b) The two Administrations advise each other, by means of the List of Prohibited Articles published by the International Bureau of the Universal Postal Union, of all prohibited articles. However, they do not on that account assume any responsibility towards the customs or police authorities or the sender.

If parcels wrongly admitted to the mails are neither returned to origin

[1] 16 UST 1680; TIAS 5893.

nor delivered to the addressee, the Administration of origin must be informed in a precise manner of the treatment accorded the parcel.

(c) The Administration of origin is entitled to collect from the sender of each parcel the postage and the fees for requests for information as to the disposal of a parcel made after it has been posted.

Except in the case of returned or redirected parcels, pre-payment of the postage and such of the fees mentioned in the preceding paragraph as are applicable, is compulsory.

(d) The weight limit for parcel-post packages shall be 44 pounds for parcels addressed for delivery in the United States and the whole of its possessions; the cities of Manila, Baguio, Iloilo, Cebu, Zamboanga and Davao, and the municipality of Tacloban in the province of Leyte, Philippines, and 11 pounds for parcels addressed for delivery in other points of the Philippines. Parcel post packages containing legal, educational, medical and scientific books up to 22 pounds (10 kilograms) in weight for provincial capitals and other cities in the Philippines may also be accepted for mailing in the United States. The dimensions shall be: Greatest combined length and girth, 6 feet. Greatest length, 3½ feet, except that parcels may measure up to 4 feet in length, on condition that parcels over 42 and not over 44 inches in length do not exceed 24 inches in girth, parcels over 44 and not over 46 inches in length do not exceed 20 inches in girth, and parcels over 46 inches and up to 4 feet in length do not exceed 16 inches in girth.

The weight limits and dimensions for the other articles mentioned above under (a) as well as the postage rates and registration fees for such articles will be the same as are generally applicable from the United States of America to the countries of the Americo-Spanish Postal Union. In no case may the rates, fees, weight limits and dimensions or other provisions be less favorable, for the public, than those provided for by the Universal Postal Convention then in force.

(e) Except as required by the regulations of the country of destination for the collection of its customs duties, all admissible matter mailed in one country for the other, or received in one country from the other, shall be free from any detention or inspection whatever, and shall be forwarded by the most speedy means to its destination and be promptly delivered to the respective persons to whom it is addressed, being subject in its transmission to the laws and regulations of such country respectively.

Article 2

(a) Each Administration shall retain to its own use the whole of the postage and registration, or special delivery fees it collects on postal articles exchanged with the other, including deficient postage, but it is agreed that on packages sent at parcel post rates, the country of origin shall allow to the country of destination on the total excess number of parcel post packages dis-

patched over the number of such packages received, 30 cents for each parcel not over 11 pounds in weight and 60 cents for each parcel over 11 pounds in weight, settlement to be made quarterly in a general postal account between the two countries on the basis of the parcel bills.

The charges specified above may be reduced or increased on three months previous notice given by one country to the other. These reductions or increases shall hold good for at least one year.

(b) The charges to be paid for the transit of parcel post and air mail of one country by the services of the other country shall be fixed by the country whose services are utilized.

(c) The charges to be paid for the transit to a third country of articles in the regular mails of one country by the services of the other country shall be the transit charges, based on transit statistics, provided by the Universal Postal Convention then in force.

(d) In case of the total loss of a registered article originating in either country and addressed to the other, the maximum indemnity shall be the amount provided by the Universal Postal Union Convention in force from time to time.

(e) The special delivery fee to be levied and collected upon first class mail matter originating in either country and addressed to the other shall be twenty cents.

(f) Articles of every kind not prepaid or insufficiently prepaid, originating in either country and addressed to the other, shall be dealt with in accordance with the regulations prescribed by the Universal Postal Union Convention in force for unprepaid and insufficiently prepaid articles.

Article 3

In case a parcel post package is redirected from one address to another in the country of destination, it shall be subject to an additional charge for postage. The country of destination may, at its option, levy and collect from the addressee of a parcel post package for interior service and delivery, a charge, the amount of which is to be fixed according to its own regulations, but which shall in no case exceed five cents for each parcel regardless of weight. A customs clearance charge may also be collected on each parcel post package which may in no case exceed ten cents for each parcel.

Article 4

(a) Exchanges of mails under this Convention shall be effected through the post offices of both countries designated as exchange post offices under such regulations relative to the details of the exchanges as may be mutually determined to be essential to the security and expedition of the mails and the protection of the customs revenues.

(b) Each country shall provide for and bear the expense of the conveyance of its mails to the other.

ARTICLE 5

(a) Any packet of mailable correspondence, with the exception of parcels prepaid at parcel post rates, may be registered upon payment of the rate of postage and the registration fee applicable thereto in the country of origin.

(b) An acknowledgment of the delivery of a registered article shall be returned to the sender when requested; but either country may require of the sender prepayment of a fee therefor not exceeding ten cents.

ARTICLE 6

Ordinary and registered exchanges shall be effected in properly closed sacks, under such regulations relative to the details of the exchanges as may be mutually determined to be essential.

If a registered article advised shall not be found in the mails by the receiving office, its absence shall be immediately reported by the receiving to the sending office.

ARTICLE 7

(a) All parcel post packages must be fully prepaid before dispatch. Parcels which are not delivered for any cause, shall be reciprocally returned without charge, through the appropriate exchange offices of the two countries, after the expiration of the period for their detention prescribed by the laws or regulations of the country of destination. Such parcels shall be liable on return to senders to a charge equal to the amount required to fully prepay the postage thereon when originally mailed. Insufficiently prepaid articles in the regular mails shall be liable on return to senders to the charge for deficient postage that would have been collected from the addressees if said articles had been delivered.

ARTICLE 8

(a) Parcel-post packages shall be dispatched in separate sacks from other articles.

(b) Parcel bills shall be prepared in duplicate for such parcels dispatched. The duplicate is sent in the regular mails, while the original is inserted in one of the sacks. The sack containing the parcel bill is to be designated by the letter "F" on the label.

(c) The parcels included in each dispatch are to be entered on the bills to show the total number of parcels according to the following divisions of weight:

(1) not over 11 pounds
(2) over 11 pounds

(d) Parcels sent "a decouvert" must be entered separately on the bills. Returned or redirected parcels must be entered individually on the bills and be followed by the word "Returned" or "Redirected".

(e) The total number of sacks comprising each dispatch must also be shown on the bills.

(f) Each dispatching exchange office numbers the bills in the upper left-hand corner in accordance with an annual series. The last number of the preceding year must be mentioned on the first bill of the following year.

(g) The exact method of advising parcels or the receptacles containing them sent by one Administration in transit through the other, together with any details of procedure in connection with the advice of such parcels or receptacles for which provision is not made in this Convention, shall be settled by mutual consent through correspondence between the two Administrations.

ARTICLE 9

(a) On receipt of a dispatch of parcel post packages, the exchange office of destination proceeds to verify it. The entries in the parcel bill must be verified exactly. Each error or omission must be brought immediately to the knowledge of the dispatching exchange office by means of a bulletin of verification. A dispatch is considered as having been found in order in all regards when no bulletin of verification is made up.

If any error or irregularity which could give rise to liability for compensation is found upon receipt of a dispatch, all objects which may serve later on for investigations, or for examination of requests for indemnity, must be kept.

(b) The dispatching exchange office to which a bulletin of verification is sent returns it after having examined it and entered thereon its observations, if any. That bulletin is then attached to the parcel bills of the parcels to which it relates. Corrections made on a parcel bill which are not justified by supporting papers are considered as devoid of value.

(c) If necessary, the dispatching exchange office may also be advised by telegram, at the expense of the office sending such telegram.

(d) In case of shortage of a parcel bill, a duplicate is prepared, a copy of which is sent to the exchange office of origin of the dispatch.

(e) The office of exchange which receives from a corresponding office a parcel which is damaged or insufficiently packed must redispatch such parcel after repacking, if necessary, preserving the original packing as far as possible.

If the damage is such that the contents of the parcel may have been abstracted, the office must first officially open the parcel and verify its contents.

In either case, the weight of the parcel will be verified before and after repacking, and indicated on the wrapper of the parcel itself. That indication will be followed by the note "Repacked at . . . .", and the signature of the agents who have effected such repacking.

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ARTICLE 10

All matters connected with the exchange of mails between the two countries, which are not herein provided for, shall be governed by the provisions of the Universal Postal Convention and Regulations then in force, so far as the provisions of such Universal Postal Convention and Regulations shall be obligatory upon both of the contracting parties, except as hereafter modified or changed.

ARTICLE 11

The Postmaster General of the United States of America and the Secretary of Public Works and Communications of the Republic of the Philippines shall have authority to jointly make such further regulations of order and detail and to provide for such changes and modifications as may be found necessary to carry out the present Convention from time to time.

ARTICLE 12

This Convention shall be ratified by the contracting countries in accordance with their respective laws, and its ratifications shall be exchanged as early as possible. It shall take effect on a date to be mutually decided on and shall continue in force until terminated by mutual agreement, or annulled at the instance of the Post Office Department of either country, upon six months previous notice given to the other.

Done in duplicate and signed at Manila, Philippines, the 17th day of September, 1947, and at Washington the 30th day of September, 1947.

R. NEPOMUCENO
Secretary of Public Works and Communications of the Republic of the Philippines

[SEAL] ROBERT E. HANNEGAN
Postmaster General of the United States of America