POSTAL UNION OF THE AMERICAS AND SPAIN: POSTAL MONEY ORDERS

Agreement and final protocol 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, with reservations, August 11, 1932 [1]
Entered into force March 1, 1932
Terminated by agreement of December 22, 1936 [2]

Post Office Department files [3]

[TRANSLATION]

AGREEMENT RELATIVE TO POSTAL MONEY ORDERS

Concluded between: Argentina, Bolivia, Colombia, Costa Rica, Cuba, Chile, Dominica, Ecuador, El Salvador, Spain, United States of America, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay, and Venezuela.

The undersigned, Plenipotentiaries of the Governments of the countries mentioned above, by virtue of the authority conferred by Article 5 of the Universal Postal Union Convention in force, agreed, subject to ratification,

[1] The U.S. reservations made at time of deposit of ratification read as follows:

"In the absence of legal authority for the issue of postal money orders in the United States without the exaction of a fee, this Department must except Article 8 from the ratification, but money orders issued without charge by the other postal administrations adhering to the agreement will be paid promptly in the United States.

"This Postal Administration has no provision by which the remitter on the payment of a fee when the order is issued may be notified of its payment, as contemplated by Article 11, and cannot therefore ratify that Article of the Convention. In any instance where an allegation of non-payment or wrong payment is made, however, this Department will gladly conduct an investigation, and, if possible, satisfactorily adjust the dispute, informing the issuing Postal Administration fully of the result of the inquiry, and for this service no fee is exacted.

"As the telegraph service in this country is not controlled by the Federal Government, it is not possible to arrange for the exchange of orders by telegraph as provided by Article 20, and therefore ratification of that article by this Administration cannot be made."

[2] *Post*, p. 329.

[3] See also 131 LNTS 389.

to establish the Money Order Service in accordance with the following clauses:

ARTICLE 1

Object of the Agreement

The exchange of money orders between the contracting countries, whose Administrations agree to perform this service, shall be governed by the provisions of the present agreement.

ARTICLE 2

Money

The amount of the orders will be expressed in the money of the country of destination; however, the Administrations have authority to adopt by mutual consent, other money which is more convenient to their interest.

ARTICLE 3

Conditions for the Exchange of Money Orders

The exchange of postal money orders between the contracting countries will be carried on by means of lists, conforming to form "A" attached.[4]

Each Administration will designate the offices of its country which will have charge of the establishment of said lists and of transmitting them to such other offices which, for that purpose, have been designated between other Administrations.

When an Administration designates more than one office for the receipt of the lists, it must communicate, with full details, the distribution of the orders carried in the lists.

ARTICLE 4

Maximum Amount

The Administrations of the contracting countries which agree to the establishment of this service, are authorized upon agreement to fix the maximum amount of the money orders exchanged between them; but this amount shall not be less than 500 francs gold or the equivalent of this amount of the respective money.

However, orders relative to the Postal Service, exempt from any charge in accordance with the provisions of Article 8 following, may exceed the maximum fixed by each Administration.

ARTICLE 5

Rates of Commission

Each Administration will have the authority to fix the rates of commissions to be collected for money orders issued in accordance with the present

[4] For forms attached to the agreement, see 131 LNTS 399.

agreement and modify the amount of the commission whenever its interests demand it, but will be obligated to communicate sufficiently ahead of time said rates and their modifications to the Administration interested.

The rates fixed by each Administration by virtue of the provision of the preceding paragraph must be identical for the money orders of the same amounts addressed to all the countries which have adhered to the agreement.

Article 6

Endorsements

Each of the contracting countries is authorized to permit in its territory, and in accordance with its domestic regulations, endorsement of money orders originating in any of the other countries.

Article 7

Responsibility

The Administrations will be responsible to the remitters for the amounts which have been deposited to be converted into money orders until they have been paid to the payees or to the endorsees.

Article 8

Exemption from Charges

There will be exempt from any charge orders pertaining to the Postal Service, exchanged between the Postal Administrations or between the offices under the jurisdiction of these Administrations, as well as the orders transmitted to the International Office of Montevideo and reciprocally.

Article 9

Period of Validity of the Orders

Barring agreement to the contrary, every postal money order will be paid in the country of destination within the twelve months following its issue.

The amount of all the orders which have not been paid during that period of time will be credited in the first account rendered to the Administration of the country of origin which will proceed in accordance with the regulations of that country.

Article 10

Change of Address and Repayment of Orders

1. When the remitter desires to correct an error in the address of the payee or wishes that the amount of a money order be returned, he must apply to the Central Administration of the country in which the order was issued.

2. In no case shall a money order be repaid without obtaining from the Central Administration of the country to which it was sent the assurance that payment has not been effected and that the said Administration expressly authorizes the repayment.

ARTICLE 11

Advice of Payment

The remitter of a money order will be able to obtain an advice of payment against a fee equivalent to an advice of receipt for registered mail collected by the Administration of origin. This fee will be kept by the Administration of origin.

The Administration of destination will issue the advice of payment upon a printed model according to form "F" and will transmit it officially either directly to the party interested or to the issuing Administration of Posts for its delivery to the party interested.

ARTICLE 12

Reissue

At the request of the remitter or of the payee, the order may be reissued to a country other than the one on which it was originally drawn provided there exists an exchange of orders with the new country of destination.

The reissuing Administration will have the right to deduct from the amount of the order the fee collected for money orders issued by it in accordance with the provisions of Article 5.

In case of reissue, the order will be considered as having been paid by the reissuing Administration and be included in the account for that purpose, adding the wording "reissue".

ARTICLE 13

Domestic Legislation

The postal money orders exchanged between two countries will be subject, with respect to their issue and payment, to the provisions in force in the country of origin or in the country of destination, as the case may be, concerning the issue and payment of domestic money orders.

ARTICLE 14

Preparation of the lists

1. Daily, or on the date mutually agreed upon, each exchange office will advise the corresponding exchange office of the amounts received in its country for payment in the other, using for that purpose form "A" attached.

2. Each money order noted in these lists shall carry a number which will be called the International number, commencing on January 1 or on July

1 of each year, as mutually agreed upon, with No. 1. The lists will likewise carry a sequence number commencing with No. 1 on January 1 or July 1 of each year.

3. The exchange offices will acknowledge mutually the receipt of each list by means of the first list following sent in the opposite direction.

4. Any list that is missing shall be asked for immediately by the office that has found it lacking. The remitting exchange office, in that case, will send as soon as possible to the complaining exchange office a duplicate of the list asked for, duly authenticated.

Article 15

Verification and Correction of the Lists

The lists will be carefully verified by the exchange office of destination and be corrected when simple mistakes are found.

The remitting exchange office will be advised of those corrections while acknowledging the receipt of the list in which they should have been made.

When the lists contain other irregularities, the exchange office of destination shall ask for explanations from the remitting exchange office which shall have to be answered as soon as possible. In the meantime, the issuance of the corresponding domestic money orders will be suspended until the irregularities have been corrected.

Article 16

Conversion of the International Orders into Inland Orders

1. Upon receipt at an exchange office of a list of orders, in accordance with the provisions of the foregoing Article, said office shall proceed to issue inland money orders in favor of the payees in the money of the country of destination which are carried in the list, sending immediately these inland money orders to the payees or to the paying offices in accordance with the regulations governing the payment of the orders in each country.

2. Duplicates of money orders shall be issued only by the Postal Administration of the paying country, in accordance with its internal regulations and previous proof that the order has not been paid to the payee or returned to the office of origin.

Article 17

Rendering and Settling of Accounts

1. Barring agreement to the contrary, at the end of each quarter, one of the two corresponding Administrations, designated by mutual consent, shall render an account in which shall be entered in detail:

a. The totals of the lists that contain the particulars of the orders issued in both countries during the quarter;

b. The totals of the orders which have been repaid to the remitters; and

c. The totals of those orders which have become invalid during the quarter.

2. The credit of each Administration shall be expressed in its own money.

3. The smaller amount will be converted into the money of the creditor country at the average rate of exchange prevailing during the quarter covered by the account.

4. This account, rendered in duplicate, will be sent by the Administration which has rendered the account to the corresponding Administration.

When a balance appears in favor of the latter Administration, it shall be paid by means of a sight draft in favor of the creditor country, attached to the account.

When there is a balance in favor of the Administration which has rendered the account, payment will be made by the debtor Administration in the form indicated in the previous paragraph, with the return of the accepted account.

5. Forms "B", "C", "D", and "E" attached to this agreement will be used in rendering these quarterly accounts.

6. The Administrations may also agree not to effect conversions, but to make settlements unilaterally; that is to say, for each administration to credit to the other the total amount of the orders paid on its account and, in this case, each Administration would have to render a quarterly account.

ARTICLE 18

Advance Payments on Account

When it is ascertained that one of the corresponding Administrations owes the other on money order account a balance in excess of 25,000 gold francs, or the approximate equivalent of that amount in its own money, the debtor Administration will send, with as little delay as possible, to the other Administration, and as an advance payment on account, an amount approximating the balance of the accounts for the quarterly settlement referred to in the Article above.

ARTICLE 19

Suspension of the Service

The Administrations of the contracting countries may, under extraordinary circumstances, suspend temporarily the issue of money orders and may adopt such provisions as they deem necessary to safeguard the interests of the Administrations and to avoid speculations through the money order service by individuals or commercial institutions.

The Administration that adopts any of the measures referred to in the foregoing paragraph shall communicate the fact immediately to the Administration with which it exchanges postal money orders.

ARTICLE 20

Telegraphic Orders

The contracting Administrations may establish the exchange of orders by telegraph in accordance with the provisions of the Universal Postal Union Convention, relative to the money order service.

ARTICLE 21

Proposals between Assemblies

The present agreement may be modified during the interval between Congresses in the manner prescribed in Chapter III of the Universal Postal Convention in force. In order that these modifications may become executory, it is necessary to obtain:

1. A unanimous vote if it is desired to introduce new provisions or to modify the present Article and the provisions of Articles 1, 2, 4, 5, 7, 8, 13, 17, 18, 19, and 22.
2. Two-thirds of the votes to modify the other provisions.

ARTICLE 22

Standing and Duration of the Agreement

1. This Convention will become effective March 1, 1932, and will remain in force without limitation of time, reserving to each of the contracting parties the right of withdrawal by giving notice thereof through its Government to the Government of the Oriental Republic of Uruguay one year in advance.
2. The ratifications should be deposited in the City of Madrid within the shortest time possible; a resolution was adopted relative to the deposit of the ratifications of each country, and the Government of Spain, through diplomatic channels, will remit a copy of the said resolution to the Governments of the other signatory countries.
3. The stipulations of the money order agreement adopted at Mexico on November 9, 1926,[5] shall be repealed from the date this Convention goes into effect.
4. In case one of the contracting countries fails to ratify this Convention, that fact will not affect the validity for those that shall ratify it.
5. The contracting countries may ratify this agreement provisionally by correspondence, and the Administrations concerned will be advised thereof through the International Office, without prejudice that, in accordance with the legislation of each country and upon approbation by the National Congresses, this be confirmed through diplomatic channels.

[5] *Ante*, vol. 2, p. 635.

In witness whereof, the Plenipotentiaries of the countries named have signed this agreement at Madrid on the 10th day of November, 1931.

For Argentina:
R. Correa Luna

For Bolivia:
G. A. Otero

For Colombia:
Alberto Sánchez de Iriarte
E. Zaldúa Piedrahita
W. Mac-Lellan

For Costa Rica:
Adriano Mtín Lanuza
Eduardo Fournier Quirós

For Cuba:
M. S. Pichardo
José Méndez

For Chile:
E. Bermúdez
Carlos Morla Lynch

For Dominica:
E. Brache Hijo
Enrique Deschamps

For Ecuador:
Ricardo Crespo Ordóñez
Abel Romeo Castillo

For El Salvador:
Raúl Contreras

For Spain:
A. Nistal
A. Camacho
Agustín Ramos
Demetrio Pereda

For the United States of America:
W. Irving Glover
Eugene R. White

For Guatemala:
Enrique Traumann

For Haiti:
Luis M. Soler

For Honduras:
Antonio Graíño

For Mexico:
A. J. Pani
Antonio Castro Leal

For Nicaragua:
José Garcia-Plaza

For Panama:
Carlos Ortiz R.

For Paraguay:
Fernando Pignet
R. Blanco-Fombona

For Peru:
Manuél García Yrigoyen

For Uruguay:
César Miranda

For Venezuela:
Antonio Reyes
León Aguilar

Final Protocol

The United States of America has stated that it cannot accept the provisions of Articles 8, 11, and 20.

Done at Madrid on the 10th day of November 1931.

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For Ecuador:
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For El Salvador:
RAÚL CONTRERAS

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

For the United States of America:
W. IRVING GLOVER
EUGENE R. WHITE

For Guatemala:
ENRIQUE TRAUMANN

For Haiti:
LUIS M. SOLER

For Honduras:
ANTONIO GRAÍÑO

For Mexico:
A. J. PANI
ANTONIO CASTRO LEAL

For Nicaragua:
JOSÉ GARCIA-PLAZA

For Panama:
CARLOS ORTIZ R.

For Paraguay:
FERNANDO PIGNET
R. BLANCO-FOMBONA

For Peru:
MANUÉL GARCÍA YRIGOYEN

For Uruguay:
CÉSAR MIRANDA

For Venezuela:
ANTONIO REYES
LEÓN AGUILAR