POSTAL UNION OF THE AMERICAS AND SPAIN: MONEY ORDERS

Agreement and final protocol signed at Panama December 22, 1936 [1]
Ratified and approved by the Postmaster General of the United States August 12, 1937
Approved by the President of the United States August 20, 1937
Ratification of the United States deposited at Panama September 17, 1937
Entered into force October 1, 1937
Terminated by agreement of September 25, 1946 [2]

50 Stat. 1708; Post Office Department print

[TRANSLATION]

AGREEMENT RELATIVE TO MONEY ORDERS

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

The undersigned, Plenipotentiaries of the Governments of the countries above mentioned, in exercise of the authority conferred by Article 5 of the Universal Postal Convention in force, agree, subject to ratification, 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 will be governed by the present Agreement.

ARTICLE 2

Money

The amount of the orders will be expressed in money of the country of destination. However, the Administrations are authorized to adopt, by mutual consent, some other money more convenient to their interests.

[1] For postal forms appended to the agreement, see 50 Stat. 1720.
[2] TIAS 1682, *post*, vol. 4.

ARTICLE 3

Conditions for exchange of money orders

The exchange of money orders between the contracting countries will be effected by means of lists conforming to model "A" hereto appended.[3]

Each Administration will designate the offices in its country which will be charged with preparing the said lists and transmitting them to such other offices as may be designated for the same purpose by the other Administrations. When an Administration designates more than one office for the receipt of lists, it must communicate, with full details, the distribution to be made of the orders in the said lists.

ARTICLE 4

Maximum amount of money orders

The Administrations of the contracting countries which agree to establish this service will come to an agreement to fix the maximum amount of money orders exchanged among them; but this amount may not be lower than 300 gold francs, in accordance with the monetary standard of the Universal Postal Convention, or the equivalent of that amount in the respective money.

However, orders relating to the postal service, issued free of charge in accordance with the provisions of Article 8 following, may exceed the maximum fixed by any Administration.

ARTICLE 5

Rates and commission fees

1. The remitter of every order issued in accordance with the present Agreement shall pay a charge of 30 centimes of a gold franc at most, and a proportional fee which may not exceed ½% of the amount of the order.[4]

2. The Administration of origin will credit that of destination with ¼% of the total amount of the orders paid by the latter.

ARTICLE 6

Indorsements

The contracting countries are authorized to permit, within their territories, and in accordance with their domestic legislation, the indorsement of orders originating in any country.

ARTICLE 7

Responsibility

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

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[3] See footnote 1, p. 329.

[4] For text of a U.S. reservation made in the final protocol, see p. 336.

ARTICLE 8 [5]

Exemption from charges

Orders relating to the service exchanged between Administrations or between post offices belonging to any Administration will be exempt from all charges, as well as orders sent to the International Office of Montevideo and vice versa.

ARTICLE 9

Period of validity of orders

In the absence of agreement to the contrary, every money order will be payable in the country of destination for a period of twelve months following that of its issuance.

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

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 that the amount of the order be returned, he must make application to the Central Administration of the country in which the order has been issued.

2. In general, no money order will be repaid without the authorization of the Central Administration of the paying country.

ARTICLE 11 [5]

Advice of payment

The remitter of an order may obtain an advice of payment for a fee equivalent to that collected by the Administration of origin for a return receipt for registered correspondence. This fee will be retained by the Administration of origin.

The Administration of destination will issue the advice of payment on a printed form agreeing with model "F", and will transmit it directly to the interested party, or to the issuing Administration for delivery to the former.

ARTICLE 12

Reissuance

At the request of the remitter or payee of an order, the latter may be reissued to a country other than the one for which it was originally destined,

[5] For text of a U.S. reservation made in the final protocol, see p. 336.

whenever an exchange of money orders exists with the new country of destination.

The reissuing Administration will have the right to deduct from the amount of the order the fees due for the new orders issued by it, in accordance with the provisions of Article 5 preceding.

In case of reissuance, the order will be considered as if it had been paid by the reissuing Administration, which will include it in the account for that purpose, adding the word "Reissued".

Article 13

Domestic legislation

Money orders exchanged between two countries will be subject, with respect to their issuance 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 issuance and payment of domestic money orders.

Article 14

Preparation of lists

1. Each exchange office will advise the corresponding exchange office, daily or on the dates mutually agreed upon, of the amounts received in its country for payment in the other, making use for the purpose of model "A" hereto appended.

2. Every money order noted in the lists will bear a consecutive number known as "international number", commencing on January 1 or July 1 of each year, as may be agreed, with the number 1. The lists will likewise bear a serial number, commencing with the number 1 on January 1 or July 1 of each year.

3. The exchange offices will acknowledge receipt of each list by means of the first subsequent list sent in the other direction.

4. Any list which is missing will be called for immediately by the exchange office which discovers its absence. The dispatching exchange office, in that case, will send the complaining exchange office a duplicate of the missing list, duly authenticated, as soon as possible.

Article 15

Checking and correction of lists

The lists will be verified carefully by the exchange office of destination and corrected when they contain simple errors.

These corrections will be reported to the dispatching exchange office, at the time of acknowledging receipt of the list in which they have been made.

When the lists contain other irregularities, the exchange office of destination will ask for explanations by the dispatching exchange office, which shall

reply as soon as possible. Meanwhile, the issuance of the internal money orders corresponding to the aforesaid irregular notations will be suspended.

ARTICLE 16

Payment of orders

1. On receipt at an exchange office of a list of orders in accordance with the provisions of the foregoing Article, the said office will proceed to effect or order the payment to the payees, in money of the country of destination, of the amounts shown in the list, in that money or any other agreed upon, in accordance with the regulations in force in each country for the payment of international money orders.

2. Duplicates of money orders will be issued by the Administration of Posts of the reissuing country only in accordance with its domestic regulations, and after previous proof that the order has not been either paid to the payee or returned to origin.

ARTICLE 17

Rendering and settlement of accounts

1. In the absence of agreement to the contrary, at the end of each quarter, the creditor Administration will make up the relative account for the corresponding Administration, showing in detail:

(a) The totals of the lists containing 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 the orders which have become invalid during the quarter.

The credit balance of each Administration will be expressed in its own money.

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

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

If the balance results in favor of the latter Administration, it will be paid by attaching to the account a sight draft on the creditor country.

If the balance results in favor of the Administration which has rendered the account, payment will be made by the debtor Administration in the manner indicated in the preceding paragraph, when the account is returned accepted.

For the preparation of such quarterly account, use will be made of models "B", "C", "D", and "E" appended to the present Agreement.

2. The Administrations may also come to an agreement not to effect conversions, but to make settlements unilaterally; that is to say, for each Administration to credit the other with the total amount of the orders paid on its account. In this case, each Administration shall render a quarterly account.

ARTICLE 18

Discontinuation of money-order accounts

Administrations may, by mutual agreement, discontinue the rendering of accounts referred to in the preceding Article. In this case, they shall undertake to transmit, together with each list of money orders, model "A", a check for the total amount thereof, plus the premium indicated in Section 2 of Article 5; the same procedure being followed when the use of models "C" and "D" is necessary.

The checks, in the absence of agreement to the contrary, will be issued in money of the creditor country, and conversion will accordingly be made on the basis of the open exchange.

ARTICLE 19

Advance payments on account

When it results that one of the corresponding Administrations owes the other, on money order accounts, a balance in excess of 25,000 gold francs, or the approximate equivalent of that amount in its own money, the debtor Administration shall send the other Administration as soon as possible, as an advance payment on account, an amount approximating the balance of the accounts for the quarterly settlement referred to by Article 17.

ARTICLE 20

Suspension of service

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

An Administration adopting any of the measures referred to in the preceding paragraph shall immediately give notice of the fact to the Administrations with which it exchanges money orders.

ARTICLE 21

Telegraphic orders

The provisions of this Agreement will be extended to the service of telegraphic orders among those countries which agree to perform it; and, to that

end, after previous agreement among themselves, they will fix the conditions regulating the said service.

ARTICLE 22

Propositions in the interval between meetings

The present Agreement may be modified in the interval between Congresses in the manner prescribed by the Universal Postal Convention in force. In order for the modifications to become effective, they must obtain:

(a) Unanimity of votes if it is a question of introducing new provisions or modifying the present Article or Articles 1, 2, 4, 7, 8, 13, 17, 18, 19, 20 and 23.

(b) Two-thirds of the votes to modify the other provisions.

ARTICLE 23

Effective date and duration of Agreement

1. The present Agreement will become effective October 1, 1937, and will remain in force without limitation of time, each of the contracting parties reserving the right to denounce it by means of notice given by its Government to that of the Oriental Republic of Uruguay one year in advance.

2. The ratifications will be deposited in the city of Panama, Republic of Panama, as soon as possible. A certificate will be made up relative to the deposit of the ratifications of each country, and the Government of Panama will send a copy of the said certificate, through diplomatic channels, to the Governments of the other signatory countries.

3. The stipulations of the Money Order Agreement adopted at Madrid on November 10, 1931,[6] 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 nevertheless be valid for those 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 above enumerated sign the present Agreement in the city of Panama, Republic of Panama, on the 22d day of the month of December, 1936.

For Argentina:
LUIS S. LUTI

For Bolivia:
JORGE E. BOYD

For Brazil:
LEONIDAS DE SIQUEIRA MENESES
JAYME DIAS FRANÇA
JULIO SÁNCHEZ PÉREZ

[6] *Ante*, p. 56.

For Colombia:
ALFONSO PALACIO RUDAS

For Costa Rica:
ENRIQUE FONSECA ZÚÑIGA

For Cuba:
CARLOS A. VASSEUR

For Chile:
SILVERIO BRAÑAS
MIGUEL A. PARRA

For the Dominican Republic:
MANUEL DE J. QUIJANO

For Ecuador:
VICTORIANO ENDARA A.
VICTOR M. NARANJO

For El Salvador:
JOSÉ E. ARJONA

For Spain:
JOSÉ V. CHÁVEZ
JOSÉ ROBERTO MONTERO

For the United States of America:
For Harllee Branch:
JOHN E. LAMIELL
JOHN E. LAMIELL
STEWART M. WEBER

For Guatemala:
TOMÁS ARIAS

For Honduras:
ALBERTO ZÚÑIGA

For Mexico:
JOSÉ V. CHÁVEZ
JOSÉ ROBERTO MONTERO

For Nicaragua:
ADOLFO ALTAMIRANO BROWNE

For Panama:
JOSÉ E. ARJONA
JUAN B. CHEVALIER
JUAN BRIN
CARLOS ORTIZ R.
TOMÁS H. JÁCOME
MANUEL DE J. QUIJANO
ANGELO FERRARI

For Paraguay:
LUIS S. LUTI

For Peru:
AUGUSTO S. SALAZAR
ERNESTO CÁCERES B.

For Uruguay:
HUGO V. DE PENA

For Venezuela:
FRANCISCO VÉLEZ SALAS
CARLOS HARTMANN

FINAL PROTOCOL OF THE AGREEMENT RELATIVE TO MONEY ORDERS

At the moment of signing the Agreement relative to Money Orders concluded by the Fourth Americo-Spanish Postal Congress, the undersigned Plenipotentiaries have agreed upon the following:

I

The United States of America records the fact that it can not accept the provisions of Articles 5, section 1, 8, and 11.

II

Brazil records the fact that it can execute the Money Order service only under the conditions laid down by Article 18 of the Agreement.

Done at Panama on the 22d day of December, 1936.

For Argentina:
LUIS S. LUTI

For Bolivia:
JORGE E. BOYD

For Brazil:
LEONIDAS DE SIQUEIRA MENESES
JAYME DIAS FRANÇA
JULIO SÁNCHEZ PÉREZ

For Colombia:
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ENRIQUE FONSECA ZÚÑIGA

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[For postal forms appended to the agreement, see 50 Stat. 1720.]