

N° 3349.

**ÉTATS-UNIS D'AMÉRIQUE
ET DANEMARK**

Accord relatif à l'échange des colis
grevés de remboursement. Signé à
Copenhague, le 13 octobre 1933,
et à Washington, le 11 novem-
bre 1933.

**UNITED STATES OF AMERICA
AND DENMARK**

Agreement for Collect-on-Delivery
Service. Signed at Copenhagen,
October 13, 1933, and at Wash-
ington, November 11, 1933.

No. 3349. — AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND DENMARK FOR COLLECT-ON-DELIVERY SERVICE. SIGNED AT COPENHAGEN, OCTOBER 13, 1933, AND AT WASHINGTON, NOVEMBER 11, 1933.

English and Danish official texts communicated by the Permanent Delegate of Denmark accredited to the League of Nations. The registration of this Agreement took place February 14, 1934.

For the purpose of concluding arrangements for the exchange between the UNITED STATES OF AMERICA (including Alaska, Hawaii, Puerto Rico, Guam, Samoa, and the Virgin Islands of the United States) and DENMARK (including Faroe Islands and Greenland) of parcels marked for the collection of trade charges, the undersigned James A. FARLEY, Postmaster General of the United States of America, and C. I. MONDRUP, Director General of Posts of Denmark, by virtue of authority vested in them, have agreed upon the following articles :

Article I.

1. Parcel post packages admissible for mailing and insurance under the Parcel post Agreement² signed at Copenhagen the ninth day of December 1932, and at Washington the twenty-eighth day of December 1932, and having charges to be collected on delivery, shall be accepted for mailing from Denmark to any money order post office in the United States of America or from the United States of America to any money order office in Denmark.

2. Collect-on-delivery parcels shall be accepted only when insured. Collect-on-delivery parcels and the money orders issued in payment of the charges thereon shall be handled apart from ordinary dispatches of parcel post and from ordinary money orders.

3. By mutual consent through correspondence, the collect-on-delivery service may be extended to ordinary (uninsured) parcel post packages exchanged between the two countries with the provision that each country may handle in transit and otherwise treat ordinary (uninsured) collect-on-delivery parcels addressed to, or received from, the other country in accordance with its own domestic regulations.

4. The provisions of this Agreement do not cover transit collect-on-delivery parcels.

Article II.

1. Parcels bearing charges for collection on delivery shall be subject to the postage rates, insurance fees, conditions of mailing and other formalities applicable to insured parcels without trade charges as stipulated in the aforesaid Agreement of December 9/28, 1932, when not inconsistent with the provisions of this Agreement.

¹ Came into force November 1, 1933.

² Volume CXL, page 453, of this Series.

TEXTE DANOIS. — DANISH TEXT.

N^o 3349. — OVERENSKOMST¹ MELLEM DE FORENEDE STATER I AMERIKA OG DANMARK ANGAAENDE POSTOPKRÆVNINGSDVEKSLING. UNDERTEGNET I KØBENHAVN, DEN 13. OKTOBER OG I WASHINGTON DEN 11. NOVEMBER 1933.

Textes officiels anglais et danois communiqués par le délégué permanent du Danemark auprès de la Société des Nations. L'enregistrement de cet accord a eu lieu le 14 février 1934.

Med det Formaal at indføre Udveksling af Pakker med Postopkrævning mellem DE FORENEDE STATER I AMERIKA (med Alaska, Hawaii, Puerto Rico, Guam, Samoa og Virgin Øerne) og DANMARK (med Færøerne og Grønland) er underskrevne James A. FARLEY, Generalpostmester i De Forenede Stater i Amerika, og C. I. MONDRUP, Generaldirektør for Post-og Telegrafvæsenet i Danmark, i Medfør af de os meddelte Bemyndigelser kommet overens om følgende Bestemmelser :

Artikel I.

1. Pakker, som kan modtages til Postbesørgelse med angiven Værdi i Henhold til den i København den 9. December 1932 og i Washington den 28. December 1932 underskrevne Postpakkeoverenskomst², skal modtages til Postbesørgelse med Postopkrævning fra Danmark til alle Posthuse i De Forenede Stater i Amerika, der udfører Postanvisningsforretninger, og fra De Forenede Stater i Amerika til alle Posthuse i Danmark.

2. Postopkrævningspakker kan kun modtages som Pakker med angiven Værdi. Postopkrævningspakker og Opkrævningspostanvisninger skal behandles adskilt fra den almindelige Pakkepost og de almindelige Postanvisninger.

3. Efter fælles Aftale ved Korrespondance kan Postopkrævningsudvekslingen udvides til at omfatte ogsaa almindelige Pakker (uden angiven Værdi), der udveksles mellem de to Lande, dog med den Bestemmelse, at hvert Land i Henseende til Befordring og Ekspedition iovrigt kan behandle almindelige Postopkrævningspakker (uden angiven Værdi), der er afsendt fra eller bestemt til det andet Land, i Overensstemmelse med dets egne indenrigske Bestemmelser.

4. Bestemmelserne i denne Overenskomst omfatter ikke transiterende Postopkrævningspakker.

Artikel II.

1. Postopkrævningspakker skal underkastes de i fornævnte Overenskomst af 9/28 December 1932 for Pakker med angiven Værdi uden Postopkrævning indeholdte Bestemmelser angaaende Porto, Værdiporto, Befordringsbetingelser og andre Formaliteter, forsaavidt disse Bestemmelser ikke er uforenelige med Bestemmelserne i nærværende Overenskomst.

¹ Entré en vigueur le 1^{er} novembre 1933.

² Volume CXL, page 453, de ce recueil.

2. The Administration of origin is entitled to collect from the sender of each parcel mailed collect-on-delivery, such collect-on-delivery fee, in addition to the required postage and other fees, as may be prescribed by its regulations, which collect-on-delivery fee shall belong entirely to the country collecting it. No special account of these fees is to be made between the two Administrations.

Article III.

1. The maximum amount to be collected on delivery shall, for the present, be 500 francs gold or its equivalent in the currency of the country of origin. This amount may be increased or decreased at any time by mutual agreement through correspondence between the two postal Administrations. The amount to be collected on delivery shall invariably be stated in the currency of the country of mailing.

2. When the sender makes a request early enough for any reduction or cancellation of the amount to be collected on delivery, the request shall be handled between the exchange offices which have handled the parcel, unless otherwise agreed to through correspondence between the Administrations.

Article IV.

The responsibility of properly closing, packing and sealing collect-on-delivery parcels lies upon the sender, and the postal service of neither country will assume liability for loss arising from defects which may not be observed at the time of posting.

Article V.

1. The entire amount of the collect-on-delivery charges without any deduction for money order fee or "collection" charges is to be remitted to the sender by means of an international money order. The post office delivering the collect-on-delivery parcel will collect from the addressee the full amount of the collect-on-delivery charges and in addition thereto such money order fee or fees as are required to remit the amount of the collect-on-delivery charges to the sender in the country of origin.

2. The country effecting delivery of a collect-on-delivery parcel may at its option collect a reasonable amount, not in excess of five cents (25 oere), from the addressee as a collection charge, but this amount is not to be deducted from the collection charges which are remitted to the sender.

3. Examination of the contents of a collect-on-delivery parcel by the addressee is prohibited until the collect-on-delivery charges and any other charges that may be due thereon have been collected, even though the sender or addressee may make request that such action be permitted.

Article VI.

1. Every advice of a money order issued in either country in payment of collect-on-delivery charges on an insured parcel must show plainly the collect-on-delivery (insurance) number of the parcel and bear the letters "C.O.D." or the word "Remboursement" in a conspicuous position.

2. The collect-on-delivery money order advice lists shall show, in addition to the usual details, the collect-on-delivery (insurance) number of the parcels. No collect-on-delivery money order shall be listed unless the remitter's name and the payee's name and his exact address are included.

Article VII.

1. Parcels with collect-on-delivery charges shall be exchanged through the same offices as are appointed for the exchange of insured parcels without collect-on-delivery charges.

The exchange of collect-on-delivery parcels between such office shall be effected in direct dispatches in sacks containing nothing but collect-on-delivery articles, the letters " C. O. D. " or the word " Remboursement " being entered very conspicuously in the documents covering them, as well as on the labels of the sacks.

2. Such parcels will be listed in separate bills to show, in respect to each parcel, the collect-on-delivery number and post office and state of origin, and the collect-on-delivery amount.

3. Upon receipt of a dispatch of collect-on-delivery parcels at the exchange office of the country of destination, the dispatch must be carefully checked and otherwise treated as provided in Article 8 of the Regulations of Execution of the Agreement of December 9/28, 1932.

Article VIII.

The offices of New York and Copenhagen shall be the only ones to send lists of collect-on-delivery money orders, and such money orders shall be listed separately from the ordinary money orders and the list shall be marked " Collect-on-delivery " or " Remboursement ".

Article IX.

1. The collect-on-delivery money orders which have not been paid to the payee for any reason shall be subject to the disposition of the Administration of the country of origin of the articles to which they relate.

When it appears that the collect-on-delivery service was used in furtherance of a scheme to defraud, payment of the money orders in question will be withheld, if practicable, and the orders disposed of in accordance with the equities of each case under the rules and regulations of the country of origin of the collect-on-delivery parcels involved.

2. As for other formalities, collect-on-delivery money orders shall be subject to the provisions governing the money order exchange between the two countries.

Article X.

1. In case an insured collect-on-delivery parcel has been lost, rifled or damaged, the postal Administrations are responsible as for an insured parcel without trade charges, in conformity with the provisions in Article VII of the Agreement of December 9/28, 1932.

2. When a collect-on-delivery parcel has been delivered to the addressee but the charges have not been remitted, the sender or other rightful claimant is entitled to an indemnity corresponding to the collect-on-delivery amount not remitted, provided that he has made his claim in due time and unless the delivery without collecting the charges has arisen from the fault or negligence of the sender or from the transmission of the contents in parcel post mails being prohibited.

This stipulation also applies to the case that a lower amount than the full collect-on-delivery charge is collected from the addressee.

The indemnity provided for in this section may not in any case exceed the collect-on-delivery amount.

3. As to the fixing of the responsibility and the payment of the indemnity the same stipulations shall be applied as are provided for insured parcels not sent collect-on-delivery, as set forth in Article VII of the aforesaid Agreement of December 9/28, 1932.

4. When a collect-on-delivery parcel for which indemnity has been paid is recovered, the postmaster at the delivering office will deliver the parcel and collect the charges, hold such amount and request instructions from the Administration to which his office is subordinate. If the addressee, however, refuses to accept a recovered parcel and pay the charges, the postmaster will hold it and likewise seek instructions as to its disposition. In the latter case the Administration responsible for the indemnity shall determine the disposition to be made of the parcel involved.

5. By the fact of the payment of indemnity, the Administration making the payment is subrogated to the rights of the sender for any eventual recourse concerning the parcel against the addressee or a third party.

Article XI.

Each collect-on-delivery parcel and the relative customs declaration must bear, on the address side, the conspicuous impression of an official stamp or label reading "Collect on Delivery" or "C. O. D.", or "Remboursement", and in close proximity to these words there must appear the number given the parcel which shall be the insurance number (only one original number) and after it must be shown in Roman letters and in Arabic figures the exact amount of the collect-on-delivery charges which should not include the additional money order fee or fees that will be collected in the country making delivery of the parcel for making the remittance to the sender in the country of mailing.

Article XII.

1. Unless mutually agreed otherwise, collect-on-delivery parcels shall not be reforwarded to a third country.

2. The sender of a collect-on-delivery parcel may cause it to be recalled as provided in Article X of the Agreement of December 9/28, 1932.

Article XIII.

The sender may provide, in case his collect-on-delivery parcel is undeliverable as originally addressed, for other disposition to be made of it the same as in the case of parcels without trade charges and as stipulated in Article 9 of the Regulations of Execution of the Agreement of December 9/28, 1932.

Article XIV.

Details as to the methods of handling indemnity claims involving collect-on-delivery parcels and other details for the execution of this Agreement may be arranged by correspondence between the two Administrations.

Article XV.

All matters connected with the exchange of collect-on-delivery articles not covered by this Agreement shall be covered by Money Order, Postal, and Parcel Post Conventions in force between the two countries, or by the provisions of the Universal Postal Union Convention and the Detailed Regulations for its Execution, insofar as they are applicable and not inconsistent with the provisions of this Agreement, and then if no other arrangement has been made, the internal legislation or

regulations of the United States of America or Denmark, according to the country involved, shall govern, or the matter will be made the subject of mutual agreement by correspondence between the two countries.

Article XVI.

Either Administration may temporarily suspend the collect-on-delivery service, in whole or in part, when there are special reasons for doing so, or restrict it to certain offices ; but on condition that previous and opportune notice of such a measure is given to the other Administration, such notice to be given by the most rapid means if necessary.

Article XVII.

This Agreement shall take effect and operations thereunder shall begin on a date to be mutually settled between the Administrations of the two countries, and shall continue in force until terminated by mutual agreement ; but may be annulled at the desire of either Administration upon six months' previous notice given to the other.

Done in duplicate and signed at Copenhagen, the 13th day of October 1933, and at Washington, the 11th day of November 1933.

(Sign) James A. FARLEY.
*The Postmaster General
of the United States of America.*

(Sign) C. MONDRUP.
*The Director General
of Posts of Denmark.*

¹ TRADUCTION. — TRANSLATION.

N^o 3349. — ACCORD ENTRE LES ÉTATS-UNIS D'AMÉRIQUE ET LE DANEMARK, RELATIF A L'ÉCHANGE DES COLIS GREVÉS DE REMBOURSEMENT. SIGNÉ A COPENHAGUE, LE 13 OCTOBRE 1933, ET A WASHINGTON, LE 11 NOVEMBRE 1933.

En vue d'instituer un échange de colis grevés de remboursement entre les ETATS-UNIS D'AMÉRIQUE (y compris l'Alaska, Hawaï, Porto-Rico, Guam, Samoa et les îles Vierges des Etats-Unis) et le DANEMARK (y compris les îles Feroe et le Groenland), les soussignés James A. FARLEY, directeur général des postes des Etats-Unis d'Amérique, et C. I. MONDRUP, directeur général des postes du Danemark, en vertu des pouvoirs qui leur ont été conférés, sont convenus des dispositions suivantes :

Article premier.

1. Les colis postaux qui peuvent être expédiés sous forme de colis avec valeur déclarée en vertu de l'Accord concernant l'échange des colis postaux signé à Copenhague le 9 décembre 1932 et à Washington le 28 décembre 1932, pourront être également expédiés grevés de remboursement du Danemark à destination de tous les bureaux de poste assurant un service des mandats postaux aux Etats-Unis d'Amérique, ou des Etats-Unis d'Amérique à destination de tous les bureaux de poste similaires du Danemark.

2. Les colis postaux grevés de remboursement ne pourront être acceptés qu'avec déclaration de valeur. Ces colis, ainsi que les mandats de remboursement établis à leur sujet, feront l'objet d'un traitement distinct de celui des colis postaux ordinaires et des mandats de poste ordinaires.

3. A la suite d'un accord conclu par correspondance, le service des remboursements pourra être étendu aux colis ordinaires (sans déclaration de valeur) échangés entre les deux pays, sous la réserve, toutefois, que chaque pays, en ce qui concerne le transport et l'expédition, pourra traiter les colis ordinaires (sans déclaration de valeur) grevés de remboursement, à destination ou en provenance de l'autre pays, conformément à son propre règlement intérieur.

4. Les dispositions du présent accord ne comprennent pas les colis grevés de remboursement en transit.

Article II.

1. Les colis grevés de remboursement seront soumis aux dispositions du susdit Accord des 9 et 28 décembre 1932 applicables aux colis avec déclaration de valeur sans remboursement, en ce qui concerne les taxes postales, les taxes de déclaration de valeur, les conditions de transport et toutes autres formalités, pour autant que ces dispositions ne seront pas incompatibles avec celles du présent accord.

2. L'administration du pays d'origine pourra percevoir de l'expéditeur des colis expédiés contre remboursement, en sus de la taxe d'affranchissement et des autres taxes, la taxe de remboursement

¹ Traduit par le Secrétariat de la Société des Nations, à titre d'information.

¹ Translated by the Secretariat of the League of Nations, for information.