

N° 4581.

ÉTATS-UNIS D'AMÉRIQUE
ET ILES FIDJI

Arrangement relatif à l'échange des colis postaux, et règlement d'exécution y annexé. Signés à Washington, le 15 novembre 1938, et à Suva, le 10 janvier 1939.

Texte officiel anglais communiqué par l'envoyé extraordinaire et ministre plénipotentiaire des Etats-Unis d'Amérique à Berne et le secrétaire d'Etat aux Affaires étrangères de Sa Majesté en Grande-Bretagne. L'enregistrement a eu lieu le 3 juin 1939.

UNITED STATES OF AMERICA
AND FIJI

Parcel Post Agreement, and Regulations of Execution annexed thereto. Signed at Washington, November 15th, 1938, and at Suva, January 10th, 1939.

English official text communicated by the Envoy Extraordinary and Minister Plenipotentiary of the United States of America at Berne and by His Majesty's Secretary of State for Foreign Affairs in Great Britain. The registration took place June 3rd, 1939.

No. 4581. — PARCEL POST AGREEMENT BETWEEN THE POSTAL ADMINISTRATIONS OF THE UNITED STATES OF AMERICA AND THE COLONY OF FIJI. SIGNED AT WASHINGTON, NOVEMBER 15TH, 1938, AND AT SUVA, JANUARY 10TH, 1939.

The undersigned have by mutual consent drawn up the following Agreement :

Article I. — OBJECT OF THE AGREEMENT.

Between the Postal Administration of the United States of America (including Alaska, Puerto Rico, the Virgin Islands, Guam, Samoa, and Hawaii) on the one hand, and the Postal Administration of the Colony of Fiji on the other hand, there may be exchanged, under the denomination of parcel post, parcels up to the maximum weight and the maximum dimensions indicated in the Regulations of Execution.

Article II. — TRANSIT PARCELS.

1. Each Postal Administration guarantees the right of transit through its service, to or from any country with which it has parcel-post communication, of parcels originating in or addressed for delivery in the service of the other contracting Postal Administration.

2. Each Postal Administration shall inform the other to which countries parcels may be sent through it as intermediary, and the amount of the charges due it therefor, as well as other conditions.

3. To be accepted for onward transmission, parcels sent by one of the contracting Postal Administrations through the service of the other Postal Administration must comply with the conditions prescribed from time to time by the intermediary Postal Administration.

Article III. — PREPAYMENT OF POSTAGE AND FEES.

1. The Postal 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 that may from time to time be prescribed by its regulations.

2. Except in the case of returned or redirected parcels, prepayment of the postage and the fees mentioned in the preceding section is compulsory.

Article IV. — PREPARATION OF PARCELS.

Every parcel shall be packed in a manner adequate for the length of the journey and the protection of the contents as set forth in the Regulations of Execution.

Article V. — PROHIBITIONS.

1. The following articles are prohibited transmission by parcel post :

(a) A letter or a communication having the nature of a letter. Nevertheless, it is permitted to enclose in a parcel an open invoice, confined to the particulars which constitute an invoice, and also a simple copy of the address of the parcel, with mention of the address of the sender.

(b) An enclosure which bears an address different from that placed on the cover of the parcel.

- (c) Any live animal, except leeches.
- (d) Opium, morphine, cocaine, and other narcotics.
- (e) Any article the admission of which is forbidden by the Customs or other laws or regulations in force in either country.
- (f) Any explosive or inflammable article, and in general any article the conveyance of which is dangerous, including articles which from their nature or packing may be a source of danger to postal employees, or may soil or damage other parcels.
- (g) Obscene or immoral articles.

2. When a parcel contravening any of these prohibitions is handed over by one Postal Administration to the other, the latter shall proceed in accordance with its laws and inland regulations. Explosive or inflammable articles, as well as documents, pictures, and other articles injurious to public morals may be destroyed on the spot by the Postal Administration which has found them in the mails.

The fact that a parcel contains a letter, or a communication having the nature of a letter, may not, in any case, entail the return of the parcel to the sender. The letter is, however, marked for the collection of postage due from the addressee at the regular rate.

The two Postal 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.

3. If parcels wrongly admitted to the post are neither returned to origin nor delivered to the addressee, the Postal Administration of origin must be informed in a precise manner of the treatment accorded to the parcels.

Article VI. — RESPONSIBILITY. INDEMNITY.

The two contracting Postal Administrations will not be responsible for the loss, abstraction, or damage of a parcel.

Article VII. — FEE FOR CUSTOMS CLEARANCE.

The office of delivery may collect from the addressee either in respect of delivery to the Customs and clearance through the Customs or in respect of delivery to the Customs only, a fee not exceeding 50 centimes gold per parcel.

Article VIII. — DELIVERY TO THE ADDRESSEE. FEE FOR DELIVERY AT THE PLACE OF ADDRESS.

Parcels are delivered to the addressees as quickly as possible in accordance with the conditions in force in the country of destination. This country may collect in respect of delivery of parcels to the addressee a fee not exceeding 50 centimes gold per parcel. The same fee may be charged, if the case arises, for each presentation after the first at the addressee's residence or place of business.

Article IX. — WAREHOUSING CHARGES.

The country of destination is authorized to collect the warehousing charge fixed by its legislation for parcels addressed "General Delivery" or which are not claimed within the prescribed period. This charge may in no case exceed five gold francs.

Article X. — CUSTOMS CHARGES.

The parcels are subject to all Customs laws and regulations in force in the country of destination. The duties collectible on that account are collected from the addressee on delivery of the parcel in accordance with the Customs regulations of the country of destination.

Article XI. — CUSTOMS CHARGES TO BE CANCELLED.

The Customs charges on parcels sent back to the country of origin or redirected to another country shall be cancelled both in the Colony of Fiji and in the United States of America.

Article XII. — RECALL AND CHANGE OF ADDRESS.

So long as a parcel has not been delivered to the addressee, the sender may recall it or cause its address to be changed. The Postal Administration of the country of origin may collect and retain, for this service, the charge fixed by its regulations. The requests for recall or change of address of parcels to be delivered in the United States of America shall be addressed to the Central Administration at Washington ; those relating to parcels for delivery in the Colony of Fiji shall be addressed to the General Post Office, Suva.

Article XIII. — CERTIFICATE OF MAILING.

The sender will, on request at the time of mailing a parcel, receive a certificate of mailing from the post office where the parcel is mailed, on a form provided for the purpose ; and each country may fix a reasonable fee therefor.

Article XIV. — INQUIRIES AND COMPLAINTS.

1. A fee may be charged, at the option of the country of origin, on a request for information as to the disposal of a parcel made after it has been posted.

2. A fee may also be charged, at the option of the country of origin, in connection with any complaint of any irregularity which *prima facie* was not due to the fault of the Postal Service.

Article XV. — MISSENT PARCELS.

Parcels, when missent, are reforwarded to their correct destination by the most direct route at the disposal of the reforwarding Postal Administration. They must not be charged with Customs or other charges by that Administration.

When the reforwarding involves return of the parcel to the office of origin, the retransmitting Postal Administration refunds to that office the credits received and reports the error by a bulletin of verification.

When the reforwarding involves dispatch of a parcel to a third country and if the amount credited to the retransmitting Postal Administration is insufficient to cover the expenses of retransmission which it has to defray, the retransmitting Postal Administration allows to the Postal Administration to which it forward the parcel the credits due it ; it then recovers the amount of the deficiency by claiming it from the office of exchange from which the missent parcel was directly received. The reason for this claim is notified to the latter by means of a bulletin of verification.

Article XVI. — REFORWARDING.

1. A parcel may be redirected in consequence of the addressee's change of address in the country of destination, at the request of either the sender or the addressee.

The reforwarding of a parcel within either the United States of America or the Colony of Fiji gives rise to the collection of the supplementary charges provided for by the Postal Administration reforwarding the parcel. The same is true, if occasion arises, in regard to the delivery of such parcel to another person at the original place of destination. These charges shall not be cancelled even in case the parcel is returned to origin or is reforwarded to another country.

2. If a parcel must be reforwarded to either the United States of America or the Colony of Fiji, it is liable to new postage charges, unless such charges have been paid in advance. The new postage is collected from the addressee by the Postal Administration effecting the delivery.

3. At the request of the sender or addressee, parcels may also be reforwarded or returned to another country. The senders may mark the parcels: "Do not forward to a third country". In that case, the parcels must not be reforwarded to any other country.

Article XVII. — NON-DELIVERY.

1. Undeliverable parcels returned to the sender are liable to new postage charges. The charges are collectible from the sender and are collected by the Postal Administration delivering the parcels to him.

2. At the time of mailing, the sender must state how his parcel is to be disposed of in the event of non-delivery; that is, the sender must mark the parcel and the Customs declarations with one of the following notes:

- "In case of non-delivery, the parcel should be returned to the sender";
- "In case of non-delivery, the parcel should be considered as abandoned";
- "In case of non-delivery, the parcel should be delivered to ...".

No note other than those provided for above, or note of similar import, is permitted, except as provided in Article XVI, Section 3.

3. Barring contrary instructions, undeliverable parcels are returned to origin, without previous notification, 30 days after their arrival at the office of destination. Parcels which the addressee refuses to accept shall be returned immediately. In all cases, the reason for non-delivery must be indicated on the parcel.

4. Parcels liable to deterioration or corruption may be sold immediately, even en route, on the outward or return voyage, without previous notice and without judicial formality, for the benefit of the rightful party.

If, for any reason, sale is impossible, the deteriorated or corrupted articles are destroyed. The sale or destruction gives rise to the making of a report which is sent to the Postal Administration of origin.

5. Undeliverable parcels which the sender has abandoned may, at the expiration of a 30-day period, be sold for the profit of the Postal Administration of the country of destination.

6. The provisions of Article XVIII, Section 2, shall be applied to a parcel which is returned in consequence of non-delivery.

Article XVIII. — CHARGES.

1. For each parcel exchanged between the United States of America and the Colony of Fiji the dispatching Office credits to the Office of destination in the parcel bills the quotas due to the latter, and indicated in the Regulations of Execution.

2. In case of reforwarding or return to origin of a parcel, if new postage is collected by the redispaching Office, the parcel is treated as if it had originated in that country. Otherwise, the redispaching Office recovers from the other Office the quota due to it, namely, as the case may be:

- (a) The charges prescribed by Section 1 above;
- (b) The charges for reforwarding or return.

In the case of reforwarding or return to a third country, the accrued charges, that is, such of the charges mentioned in (a) and (b) above as are applicable, shall follow the parcel, but in the case that the third country concerned refuses to assume the charges because they cannot be collected from the addressee or sender, as the case may be, or for any other reason, they shall be charged back to the country of origin.

In the case of a parcel returned or reforwarded in transit through one of the two Postal Administrations to or from the other, the intermediary Administration may claim also the sum

due to it for any additional territorial or sea service provided, together with any amounts due to any other Administration or Administrations concerned.

Article XIX. — POSTAL CHARGES OTHER THAN THOSE PRESCRIBED NOT TO BE COLLECTED.

The parcels to which this Agreement applies shall not be subject to any postal charges other than those contemplated by the different Articles hereof.

Article XX. — DEFINITION OF GOLD FRANCS AND CENTIMES.

The francs and centimes mentioned in this Agreement are gold francs and centimes as defined by the Postal Union Convention.

Article XXI. — AIR PARCELS.

The Chiefs of the two contracting Postal Administrations have the right to fix by mutual consent the air surtax and other conditions in the case where the parcels are conveyed by air routes.

Article XXII. — TEMPORARY SUSPENSION OF SERVICE.

In extraordinary circumstances such as will justify the measure, either Postal Administration may temporarily suspend the parcel post service, either entirely or partially, or restrict it to certain offices, on condition of giving immediate notice, if necessary by telegraph, to the other Postal Administration.

Article XXIII. — MATTERS NOT PROVIDED FOR IN THE PRESENT AGREEMENT.

1. Unless they are provided for in the present Agreement, all questions concerning requests for recall or change of address of parcels shall be treated in accordance with the domestic legislation of the United States of America or of the Colony of Fiji.

2. The details relative to the application of the present Agreement will be fixed by the two Postal Administrations in Regulations of Execution, the provisions of which may be modified or completed by common consent by way of correspondence.

3. The two Postal Administrations notify each other mutually of their laws, ordinances, and tariffs concerning the exchange of parcel post, as well as of all modifications in rates which may be subsequently made.

Article XXIV. — DURATION OF THE AGREEMENT.

1. This Agreement substitutes and abrogates the Parcel Post Convention signed at Suva the 10th day of June, 1920, and at Washington, the 21st day of August, 1920, and it shall become effective and may be put into force administratively on a date to be mutually settled between the Postal Administrations of the two countries.

2. It shall remain in effect as long as it has not been terminated six months in advance by one or the other of the two Postal Administrations.

Done in duplicate and signed at Washington, the 15th day of November, 1938, and at Suva, the 10th day of January, 1939.

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

C. O. TAYLOR,
*The Acting Postmaster General
of the Colony of Fiji.*

REGULATIONS OF EXECUTION.

FOR THE PARCEL POST AGREEMENT.

The following Detailed Regulations for the execution of the Parcel Post Agreement have been agreed upon by the Chiefs of the Postal Administrations of the United States of America and the Colony of Fiji :

Article 1. — LIMITS OF WEIGHT AND SIZE.

1. The parcels to be exchanged under the provisions of this Agreement may not exceed 22 pounds in weight nor three feet six inches in length or six feet in length and girth combined.

The limit of weight and of maximum dimensions stated above may be changed from time to time by agreement made through correspondence.

2. In regard to the exact calculation of the weight and dimensions, the indications furnished by the dispatching office will be accepted save in the case of obvious error.

Article 2. — PREPARATION OF PARCELS.

1. The name and address of the sender and of the addressee must be written legibly and correctly, on the parcel itself if possible, or on a label or tag securely affixed to the parcel.

It is recommended that a duplicate of the address be inserted in every parcel, especially when the use of a tag for the address is rendered necessary by the packing or form of the parcel.

Parcels on which the name of the sender or of the addressee is indicated by initials only are not admitted, unless the initials are the adopted trade name of the sender or addressee which is generally understood.

Addresses in ordinary pencil are not admitted. However, addresses written in indelible pencil on a previously dampened surface are accepted.

2. Each parcel must be packed in such a manner that the contents are protected over the whole route, and in such a way as to prevent the contents from damaging other parcels or objects or injuring postal agents. The packing must protect the contents sufficiently that, in case of rifling, the traces thereof may be easily discovered.

Parcels may be sealed at the option of the sender, or careful tying is sufficient as a mode of closing.

The Customs Administration of the country of destination is authorized to open the parcels in order to inspect the contents. To that end, the seals or any other fastenings may be broken. Parcels opened by the Customs must be refastened and also officially resealed, except in the case of parcels which were not sealed by the senders in the first instance.

3. Liquids and easily liquefiable substances must be sent in a double receptacle. Between the first (bottle, flask, box, etc.) and the second (box of metal, strong wood, strong corrugated cardboard, or strong carton of fibreboard, or receptacle of equal strength), there must be left a space to be filled with sawdust, bran, or other absorbent material, in sufficient quantity to absorb all the liquid in case the receptacle is broken.

4. Powders and dyes in powder form must be packed in strong boxes of tin or other metal which, after soldering, must be placed in turn in substantial outer covers in such a way as to avoid all damage to other articles.

Article 3. — CUSTOMS DECLARATIONS.

1. The sender shall prepare one Customs declaration for each parcel sent from either country, upon a special form provided for the purpose by the country of origin.

The Customs declaration shall give a general description of the parcel, an accurate statement in detail of its contents and value, date of mailing, gross and net weight, the sender's name and address, and the name and address of the addressee, and shall be securely attached to the parcel.

However, as an exception to the foregoing, when more than one parcel is mailed simultaneously by the same sender in the United States of America to the same addressee at the same address in the Colony of Fiji, or *vice versa*, the sender need prepare only one Customs declaration for the entire shipment, which Customs declaration shall show, in addition to the particulars set forth in the preceding paragraph, the total number of parcels comprising the shipment, and shall be securely attached to one of the parcels. The parcels comprising the entire shipment shall be clearly marked in such case with a fractional number, the numerator of which will indicate, in Arabic figures, the number of the parcel and denominator the number of parcels comprising the shipment; for example, if a single shipment were composed of 15 parcels, each parcel would be numbered, respectively, 1/15, 2/15, 3/15, etc.

2. The Postal Administrations accept no responsibility for the correctness of the Customs declarations.

Article 4. — RECEPTACLES.

1. The Postal Administrations of the two contracting countries shall provide the respective bags necessary for the dispatch of their parcels and each bag shall be marked to show the name of the office or country to which it belongs.

2. Bags must be returned empty to the dispatching office by the next mail. Empty bags to be returned are made up in bundles of ten, enclosing nine bags in one. The total number of bags returned shall be entered on the relative parcel bills.

3. In case ten per cent or more of the total number of bags used during the year have not been returned, the value of the missing bags must be repaid to the Postal Administration of origin.

Article 5. — METHOD OF EXCHANGE OF PARCELS.

1. The parcels shall be exchanged, in sacks duly fastened and sealed by the offices appointed by agreement between the two Postal Administrations, and shall be dispatched to the country of destination by the country of origin at its cost and by such means as it provides.

2. The weight of any sack of parcels shall not exceed 80 pounds avoirdupois.

Article 6. — BILLING OF PARCELS.

1. The parcel bills must be prepared in duplicate. The original is sent in the regular mails, while the duplicate is inserted in one of the sacks. The sack containing the parcel bill is designated by the letter " F " traced in a conspicuous manner on the label.

2. The parcels included in each dispatch to the United States of America are to be entered on the parcel bills to show the total number of parcels and the total net weight thereof. The parcels included in each dispatch to the Colony of Fiji are to be entered on the parcel bills to show the total number of parcels according to the divisions of weight (a) up to 3 pounds, (b) 3 to 7 pounds, (c) 7 to 11 pounds, and (d) 11 to 22 pounds.

3. Parcels sent " *à découvert* " must be entered separately on the parcel bills.

4. Returned or redirected parcels must be entered individually on the parcel bills and be followed by the word " Returned " or " Redirected " as the case may be. A statement of the charges which may be due on these parcels and their weights should be shown in the " Observations " column.

5. The total number of sacks comprising each dispatch must also be shown on the parcel bills.

6. Each dispatching exchange office numbers the parcel 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.

7. The exact method of advising parcels or the receptacles containing them sent by one Postal 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 Agreement, shall be settled by mutual consent through correspondence between the two Postal Administrations.

Article 7. — VERIFICATION BY THE EXCHANGE OFFICE.

1. Upon receipt of a dispatch, 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 is found upon receipt of a dispatch, all objects which may serve later on for investigations must be kept.

2. 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.

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

4. 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.

5. The office of exchange which receives from a corresponding office a parcel which is damaged or insufficiently packed must redispach 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.

Article 8. — PAYMENT.

1. For each parcel sent to the Colony of Fiji, payment shall be made at the rate of 1 franc per parcel not exceeding 3 pounds in weight, 1.50 franc per parcel weighing over 3 up to 7 pounds, 2.50 francs per parcel weighing over 7 up to 11 pounds, and 5 francs per parcel over 11 up to 22 pounds.

2. For each parcel sent to the United States of America or to its possessions, payment shall be made as follows, based on the bulk net weight of each dispatch :

0.70 gold franc per kilogram for parcels for the United States ;

0.35 gold franc per kilogram for parcels for the United States Virgin Islands, Hawaii, Puerto Rico, Guam, and Samoa ;

0.70 gold franc per kilogram for parcels for Alaska.

3. In addition, there shall be paid the following transit charges for parcels, sent via the United States of America for its possessions, based on the bulk net weight of each dispatch :

0.70 gold franc per kilogram when only sea service is provided ;

1.15 gold franc per kilogram when only land service is provided ;

1.50 gold franc per kilogram when both land and sea services are provided.

4. The terminal quotas and transit charges above mentioned may be reduced or increased on three months previous notice given by one country to the other. The reduction or increase shall remain in force for at least one year.

Article 9. — ACCOUNTING.

1. At the end of each quarter, each Postal Administration makes up an account on the basis of the parcel bills.

2. These accounts accompanied by the parcel bills, and, if any, copies of verification notes relating thereto shall be submitted to the examination of the corresponding Postal Administration in the course of the month following the quarter to which they relate.

3. The recapitulation, transmission, examination, and acceptance of these accounts must not be delayed, and payment of the balance shall take place, at the latest, at the expiration of the following quarter.

4. The balance resulting from the adjustment of accounts between the two Postal Administrations is paid by a sight draft drawn on New York, or by some other means mutually agreed upon by correspondence. The expenses of payment are chargeable to the debtor Administration.

Article 10. — MISCELLANEOUS NOTIFICATIONS.

The Postal Administrations shall communicate to each other a summary of the provisions of their laws or regulations applicable to the parcels exchanged between the two countries, and other items necessary for carrying out the exchange of parcels.

These Regulations shall come into operation on the day on which the Parcel Post Agreement comes into force and shall have the same duration as that Agreement.

Done in duplicate and signed at Washington, the 15th day of November, 1938, and at Suva, the 10th day of January, 1939.

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

C. O. TAYLOR,
*The Acting Postmaster General
of the Colony of Fiji.*

I hereby certify that this is a true and complete textual copy of the original Agreement between the Colony of Fiji and the United States of America concerning the exchange of parcel post in the language (English) in which the original was signed at Washington on November 15th, 1938, and at Suva on January 10th, 1939.

Ramsey S. Black,
Acting Postmaster General.