

No. 2549

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**AUSTRALIA**  
**and**  
**ITALY**

**Note by which the Government of Australia, in pursuance of article 44 of the Treaty of Peace with Italy, notified the Italian Government of those pre-war bilateral treaties between the two countries which Australia desires to keep in force or revive. London, 7 January 1949**

*Official text: English.*

*Registered by Australia on 23 April 1954.*

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**AUSTRALIE**  
**et**  
**ITALIE**

**Note par laquelle le Gouvernement australien a notifié au Gouvernement italien, en application de l'article 44 du Traité de paix avec l'Italie, les traités bilatéraux conclus entre les deux pays avant la guerre que l'Australie désire maintenir ou remettre en vigueur. Londres, 7 janvier 1949**

*Texte officiel anglais.*

*Enregistrée par l'Australie le 23 avril 1954.*

No. 2549. NOTE<sup>1</sup> BY WHICH THE GOVERNMENT OF AUSTRALIA, IN PURSUANCE OF ARTICLE 44 OF THE TREATY OF PEACE WITH ITALY,<sup>2</sup> NOTIFIED THE ITALIAN GOVERNMENT OF THOSE PRE-WAR BILATERAL TREATIES BETWEEN THE TWO COUNTRIES WHICH AUSTRALIA DESIRES TO KEEP IN FORCE OR REVIVE. LONDON, 7 JANUARY 1949

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AUSTRALIA HOUSE, STRAND  
LONDON, W.C.2

7th January, 1949

Your Excellency,

In accordance with the terms of Article 44 of the Treaty of Peace with Italy<sup>2</sup> which came into force with respect to Australia on the 9th July, 1948, I have the honour, on the instructions of my Government, to communicate to you, for the information of the Italian Government, that the Australian Government desires to keep in force or revive the following pre-war bilateral treaties or agreements :—

- (1) Treaty for the Mutual Surrender of Fugitive Criminals concluded between United Kingdom and Italy on the 5th February, 1873<sup>3</sup> which, prior to the outbreak of war, applied to Australia including the Territories of Papua and Norfolk Island.
- (2) Convention regarding Legal Proceedings in Civil and Commercial matters concluded between United Kingdom and Italy on the 17th December, 1930<sup>4</sup> to which Australia, including the Territories of Norfolk Island and Papua and the Mandated (now Trust) Territories of New Guinea and Nauru acceded as from 9th November, 1933.
- (3) Agreement between Australia and Italy for the Exchange of Postal Parcels, 1st February-1st June, 1932.<sup>5</sup>
- (4) Agreement between Australia and Italy for the Exchange of Money Orders 23rd April-22nd June 1934.<sup>6</sup>

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<sup>1</sup> Deemed to have come into force on 7 January 1949, the date of notification.

<sup>2</sup> United Nations, *Treaty Series*, Vols. 49 and 50.

<sup>3</sup> United Nations, *Treaty Series*, Vol. 104, p. 48.

<sup>4</sup> League of Nations, *Treaty Series*, Vol. CXXXI, p. 78; Vol. CXXXVIII, p. 464; Vol. CLVI, p. 249; Vol. CLX, p. 410, and Vol. CXCVII, p. 324.

<sup>5</sup> See p. 244 of this volume.

<sup>6</sup> League of Nations, *Treaty Series*, Vol. CLXV, p. 107.

It is the understanding of the Government of Australia that the notification of the above list under the terms of the Treaty of Peace in no way prejudices the right of either of the two Governments to propose revisions in any of the treaties or agreements mentioned. It is also understood that any of the provisions in the treaties and agreements in the above list which may be found not to be in conformity with the Treaty of Peace shall be considered to have been deleted so far as the application of the Treaty of Peace is concerned, but shall be regarded as being in full force with regard to matters not covered by the Treaty of Peace.

In accordance with paragraph 2 of Article 44 of the Treaty of Peace, the Australian Government will register with the Secretariat of the United Nations the bilateral treaties and agreements which will be kept in force or revived.

Please accept, Your Excellency, the assurances of my high consideration.

*(Signed)* J. A. BEASLEY

His Excellency Duke Tommaso Gallarati Scotti  
Ambassador Extraordinary and Plenipotentiary  
of Italy  
14, Three Kings Yard, Davies Street  
London, W.1

AGREEMENT<sup>1</sup> FOR AN EXCHANGE OF POSTAL PARCELS BETWEEN ITALY AND THE COMMONWEALTH OF AUSTRALIA. SIGNED AT ROME, ON 18 FEBRUARY 1932, AND AT MELBOURNE, ON 1 JUNE 1932

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The undersigned, being duly authorised, have agreed, on behalf of their respective Governments, to the provisions contained in the following Articles :

*Article I*

EXCHANGE OF PARCELS

There shall be a regular exchange of postal parcels, both insured and uninsured, between Italy and the Commonwealth of Australia. The exchange shall be effected per medium of such Post Offices of the two contracting countries as may be determined by the respective Postal Administrations.

*Article II*

PROVISION OF THE UNIVERSAL POSTAL UNION PARCEL POST AGREEMENT

Except where they are inconsistent with the provisions of the following articles of this Agreement, the provisions of the Universal Postal Union Parcel Post Agreement of London<sup>2</sup> shall apply to the exchange of postal parcels between Italy and Australia.

*Article III*

LIMITS OF SIZE AND WEIGHT

1. No parcel shall exceed 3 feet 6 inches (1.07 metres) in length and the sum of the length and of the greatest circumference measured in a direction other than that of the length shall not exceed 6 feet (1.83 metres).

2. The weight of a parcel posted in Australia shall not exceed eleven English pounds and the weight of a parcel posted in Italy shall not exceed 5 kilogrammes.

3. The foregoing limits of size and weight shall be subject to alteration by mutual arrangement between the Administrations concerned.

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<sup>1</sup> Came into force on 1 July 1932, in accordance with article XVII.

<sup>2</sup> League of Nations, *Treaty Series*, Vol. CIII, p. 73 ; Vol. CVII, p. 554 ; Vol. CXVII, p. 312 ; Vol. CXXII, p. 360 ; Vol. CXXX, p. 459 ; Vol. CXXXIV, p. 419 ; Vol. CXLVII, p. 343 ; Vol. CLII, p. 298, and Vol. CLVI, p. 216.

*Article IV*

## POSTAGE

1. The prepayment of postage shall be compulsory.
2. The postage shall be made up of the sums accruing to the Administrations (including the Administrations of the two contracting countries) taking part in the conveyance of the parcels by land or by sea.
3. The Administration of each contracting country shall inform the other of the rates of postage which have been adopted and of any subsequent alteration to such rates.

*Article V*

## PAYMENT FOR SEA CONVEYANCE

The Administration of the despatching country shall bear the cost of the sea conveyance of the parcels to the country of destination.

2. The routes by which the parcels shall be forwarded and the ports at which the parcels shall be landed shall be determined by mutual arrangement between the two Administrations.

3. When vessels under contract to the Commonwealth of Australia are utilised by the Italian Postal Administration for the conveyance of parcels the Australian Administration shall be paid for the service in accordance with the scale which that Administration has adopted for general application.

*Article VI*

## INTERMEDIARY SERVICES

The services of one contracting country may at any time be utilised by the other contracting country for the transmission of parcels to any place or country with which the former has a parcels post service.

2. In the absence of any arrangement to the contrary the parcels shall be forwarded a decouvert.

3. The payment for intermediary services shall be in accordance with the scale which the creditor Administration has adopted for general application to transit parcels.

*Article VII*

## EXPRESS PARCELS

Pending any subsequent arrangement to the contrary (which may be effected by the mutual consent of the two Administrations) the service of express delivery shall not be available to parcels exchanged between the two contracting countries.

*Article VIII*

## WITHDRAWAL—ALTERATION OF ADDRESS

The service of withdrawal of a parcel from the post or alteration of address shall not be given after the parcel has been despatched from the country of origin. It shall, however, be open to the two Administrations at a later date to mutually arrange for the provision of this service under conditions satisfactory to both parties.

*Article IX*

## REDIRECTION OF PARCELS

For the redirection of a parcel

(a) From either of the contracting countries to a third country,  
or

(b) From the contracting country of address to the contracting country of origin,  
additional postage shall be charged on the parcel at the rate applicable for the transmission of parcels from the country of redirection to the country to which the parcel is redirected.

*Article X*

## CASH-ON-DELIVERY PARCELS

The cash on delivery service shall not be available to parcels exchanged between the two contracting countries nor to parcels from a third country received by one of the contracting countries for transmission to the other.

Nevertheless it shall be open to the two Administrations at a later date to mutually arrange for the provision of this service under conditions satisfactory to both parties.

*Article XI*

## INSURED PARCELS

The provisions of Chapters IV to VII inclusive of the Universal Postal Union Parcel Post Agreement of London shall apply to insured parcels exchanged between the two contracting countries except where such provisions are inconsistent with the provisions of the following paragraphs—

(a) Each Administration shall have the right to determine the fees it will charge for insurance of the parcels it despatches.

(b) The creditor Administration shall have the right to determine the amount to be credited to it in respect of the risk accepted on parcels received for delivery or for re-transmission to a third country.

(c) Subject to the provisions of the foregoing paragraph the amount to be credited

(1) to Italy in respect of parcels from Australia,

(2) to Australia in respect of parcels from Italy, shall be 5 gold centimes per 300 gold francs or portion thereof of the insured value of each parcel.

(d) Subject also to the provisions of paragraph (b) the additional amount which shall be credited to the Australian Administration in respect of sea service risk when parcels are forwarded from Italy by vessels under contract to the Commonwealth of Australia shall be 10 gold centimes per 300 gold francs or portion thereof of the insured value of each parcel.

(e) The provisions of Chapter V of the Universal Postal Union Parcel Post Agreement shall not apply.

(f) No compensation shall be payable in respect of the loss of an uninsured parcel nor for the abstraction of or damage to the contents of an uninsured parcel.

### *Article XII*

#### APPORTIONMENT OF POSTAGE

In respect of parcels posted in Australia for delivery in Italy the Administration of the latter country shall receive 85 gold centimes for each parcel weighing not more than one kilogramme and 125 gold centimes for each parcel of a weight exceeding one kilogramme but not exceeding five kilogrammes.

2. In respect of parcels posted in Italy for delivery in Australia the Administration of the latter country shall receive for parcels weighing :

up to 1 kilogramme . . . . .	1 gold franc
over 1 and up to 3 kilogrammes . . . . .	2 gold francs
over 3 and up to 5 kilogrammes . . . . .	3 gold francs

3. The creditor Administration shall have power to alter the relative foregoing amounts after the expiration of four months' notice to the other Administration if the notice is given by post or after three months if the notice is given by telegraph.

### *Article XIII*

#### AIR SERVICES

Unless and until arrangements mutually satisfactory to both parties are concluded by the respective Administrations aerial services shall not be utilised for the exchange of parcels between Italy and the Commonwealth of Australia.

*Article XIV*

## REGULATIONS

The provisions of the Regulations for the execution of the Universal Postal Union Parcel Post Agreement shall apply to the exchange of parcels between Italy and Australia except where such provisions are inconsistent with the provisions of this Agreement or with any mutual arrangement between the two Administrations concerning the treatment of parcels or associated procedure.

*Article XV*

## ACCOUNTS

Each Administration shall prepare quarterly statements in respect of parcels received from the other Administration.

2. Separate statements shall be prepared by the Italian Administration for the parcel mails received from each Australian office of exchange.

3. The statements shall be summarised in an account and the account accompanied by the statements, the parcel bills and other necessary supporting documents shall be sent to the Administration concerned for verification, in the course of the quarter following that to which the account relates.

4. The quarterly accounts after verification and acceptance shall be summarised in a general annual account by the creditor Administration and in the absence of any arrangement to the contrary between the two Administrations the balance of the annual account shall be settled through the medium of the Comptroller and Accountant General, General Post Office, London.

*Article XVI*

## MEASURES OF DETAIL

The Administrations of the two countries shall have power to decide by mutual arrangement all measures of detail concerning the carrying out of this agreement and the exchange of parcels.

*Article XVII*

## PERIOD OF AGREEMENT

This Agreement shall come into operation on the first day of July 1932 and shall remain in force until one year after the date on which one party has given notice to the other party of its intention to terminate it.



Both the Italian and English originals of this Agreement shall be considered as original texts.

DONE at Rome  
the eighteenth day of February 1932

(Signed) Costanzo CIANO

DONE at Melbourne  
the first day of June 1932

(Signed) J. E. FENTON