

No. 6815

**FEDERATION OF MALAYA and UNITED KINGDOM OF
GREAT BRITAIN AND NORTHERN IRELAND
(ON BEHALF OF THE STATE OF SINGAPORE)
and
AUSTRALIA**

**Agreement (with schedule) concerning the exchange of
postal parcels subject to trade charges between Malaya
and Christmas Island. Signed at Kuala Lumpur, on
16 October 1962**

Official text: English.

Registered by the Federation of Malaya on 15 July 1963.

**FÉDÉRATION DE MALAISIE et ROYAUME-UNI
DE GRANDE-BRETAGNE ET D'IRLANDE DU NORD
(AU NOM DE L'ÉTAT DE SINGAPOUR)
et
AUSTRALIE**

**Accord (avec annexe) concernant l'échange de colis postaux
contre remboursement entre la Malaisie et l'île
Christmas. Signé à Kuala-Lumpur, le 16 octobre 1962**

Texte officiel anglais.

Enregistré par la Fédération de Malaisie le 15 juillet 1963.

No. 6815. AGREEMENT¹ BETWEEN THE GOVERNMENTS OF THE FEDERATION OF MALAYA AND OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND (ON BEHALF OF THE STATE OF SINGAPORE) AND THE GOVERNMENT OF THE COMMONWEALTH OF AUSTRALIA CONCERNING THE EXCHANGE OF POSTAL PARCELS SUBJECT TO TRADE CHARGES BETWEEN MALAYA AND CHRISTMAS ISLAND. SIGNED AT KUALA LUMPUR, ON 16 OCTOBER 1962

Whereas the Governments of the Federation of Malaya and of the State of Singapore and the Government of the Commonwealth of Australia are desirous of concluding an Agreement concerning the exchange of postal parcels subject to trade charges between Malaya and Christmas Island :

And whereas the Government of the State of Singapore is a party to this Agreement with the assent of Her Majesty's Government in the United Kingdom :

Now it is hereby agreed as follows :

Article 1

In this Agreement, the expression " Malaya " means the Malayan Postal Union which comprises the Federation of Malaya (that is to say, the States of Johore, Kedah, Kelantan, Malacca, Negri Sembilan, Pahang, Penang, Perak, Perlis, Selangor and Trengganu) and the State of Singapore.

Article 2

1. Parcels subject to the collection of trade charges (hereinafter referred to as " trade charge parcels ") may be exchanged between Christmas Island and Malaya.

2. Trade charge parcels shall be subject to the conditions and charges applying to ordinary parcels or to insured parcels, as the case may be, and to the special formalities and fees set out in this Agreement and in the Schedule to this Agreement.

¹ Came into force on 16 October 1962, in accordance with article 11.

Article 3

1. The amount of the trade charge shall be expressed in Malayan currency.
2. The maximum amount of the trade charge in respect of parcels exchanged between Christmas Island and Malaya shall be dollars four hundred (\$400/-) (Malayan currency) per parcel.

Article 4

1. The despatch fee to be levied on the sender of a trade charge parcel shall not exceed:
 - (a) thirty cents for the first dollars twenty (\$20/-) of the amount of the trade charge; and
 - (b) fifteen cents for each subsequent dollars ten (\$10/-) or fraction thereof.
2. Each Post Office shall communicate to the other the amount of the despatch fee fixed by it and any variation subsequently made in such fee within the limits of paragraph 1 of this Article.
3. The despatch fee shall be shared between the Post Office of the country of origin and that of the country of destination in the manner prescribed in paragraph 9 of the Schedule to this Agreement.

Article 5

1. In addition to the despatch fee referred to in Article 4 of this Agreement, the Post Office of the country of destination of a trade charge parcel may collect a delivery fee from the addressee not exceeding 15 cents per parcel.
2. Each Post Office shall communicate to the other the amount of the delivery fee fixed by it and any variation subsequently made in such fee within the limits of paragraph 1 of this Article.
3. Such fees shall be retained by the Post Office which collects them.

Article 6

1. The amounts of trade charges collected shall be liquidated by means of Trade Charge Money Orders which shall be issued free of all charges. The amount of a Trade Charge Money Order which cannot be delivered shall remain at the disposal of the Post Office of the country of origin of the parcel on which the trade charge is payable.

Article 7

1. The loss of a trade charge parcel shall entail responsibility upon the postal service in the conditions applying to parcels not subject to trade charges.

2. After the delivery of a parcel, the Post Office of the country of destination shall be responsible for the amount of the trade charge, unless it can prove that the parcel, when transmitted to its service, did not comply with the provisions of paragraph 1 of the Schedule to this Agreement, and that the parcel was not specially advised as subject to the collection of a trade charge on the parcel bill of the mail in which the parcel was received.

3. An application as to the disposal of the amount of a trade charge shall be entertained only if made within a year of the posting of the parcel.

Article 8

1. The sender of a trade charge parcel shall not have the amount of the trade charge cancelled or altered after posting.

Article 9

1. The Post Office of Malaya and the Post Office of Christmas Island agree to admit trade charge parcels in transit through their respective services.

2. The accounts relative to the trade charges shall be drawn up and settled directly between the Post Office of the country of origin and the Post Office of the country of destination of such parcels.

3. If the Post Office of Christmas Island desires to send or receive trade charge parcels through the Post Office of Malaya, to or from a Post Office with which the Post Office of Malaya has, and with which Christmas Island has not, a direct trade charge service, it shall be permitted to do so. The accounts relative to the trade charges on parcels in such cases shall be between Christmas Island and Malaya and between Malaya and the Post Office of the country of destination or the Post Office of the country of origin of the parcels, as the case may be.

Article 10

1. The Post Office of Malaya and the Post Office of Christmas Island may, from time to time, mutually agree on matters of detail for the purpose of ensuring the better working of this Agreement in accordance with the needs of the postal service, so long as such matters of detail are not inconsistent with the provisions of this Agreement and of the Schedule to this Agreement.

Article 11

The present Agreement and the Schedule to this Agreement shall come into force with effect from the 16th day of October, 1962, and shall then remain in operation until it shall be modified or determined by the mutual consent of the contracting parties, or until one year after the date on which one of the contracting parties shall have notified the other of its intention to terminate it.

IN WITNESS WHEREOF the undersigned, being duly authorised by their respective Governments, have signed this Agreement.

DONE in Triplicate at Kuala Lumpur this 16th day of October, 1962.

For the Governments
of the Federation of Malaya
and of the State of Singapore :
(*Signed*) Ibrahim BIN VARSHAY
Postmaster General, Malaya

For the Government
of the Commonwealth of Australia:
(*Signed*) J. K. CRITCHLEY
High Commissioner for Australia
in the Federation of Malaya

THE SCHEDULE

1.—(1) On a trade charge parcel, the word " Remboursement " shall be written or printed boldly beside the address, and immediately after it the amount of the trade charge shall be shown in Malayan currency, without erasure or alteration, even if any alteration be certified.

(2) Each trade charge parcel shall be accompanied by a Customs Declaration.

(3) Each trade charge parcel shall bear an orange-coloured label with the word " Remboursement " in Roman characters.

(4) In the absence of a request by the sender to the contrary, a trade charge parcel which cannot be delivered at the expiration of fifteen days from its arrival at the place of destination shall be returned to the sender, without previous notification and at his expense.

(5) The sender may request at the time of posting that if the parcel cannot be delivered as addressed, it may either be treated as abandoned or be tendered for delivery at a second address in the country of destination, and no other alternative shall be admissible. If the sender avails himself of this facility, his request shall appear on the Customs Declaration and shall be in conformity with, or analogous to, one of the following forms :

" If not deliverable as addressed, abandon. "

" If not deliverable as addressed, deliver to..... "

2. Each trade charge parcel shall be entered separately as such on the parcel bill.

3.—(1) Every trade charge parcel shall be accompanied by a Trade Charge Money Order form, which shall be attached to the parcel, shall bear a statement of the amount of the trade charge in Malayan currency and shall show, as a general rule, the sender of the parcel as the payee of the money order. Money orders relating to parcels originating within the service of each Post Office shall be addressed to the money order Office of Exchange at Kuala Lumpur or at Christmas Island, as the case may be.

(2) Entries in pencil shall not be allowed on any Trade Charge Money Order.

4.—(1) Immediately after collecting the trade charge, the office of destination of the parcel, or any other office designated for the purpose by the Post Office of the country of destination, shall fill in the part entitled "Indications de service" in the Trade Charge Money Order form and, after impressing the form with its date-stamp, shall return it free of postage to the office of origin of the parcel or to the office specially named by the Post Office of the country of origin on the form itself.

(2) Trade Charge Money Orders shall be paid under the conditions determined by the Post Office of the country of payment.

5.—(1) A trade charge parcel may be re-directed if the new country of destination maintains with the country of origin an exchange of trade charge parcels. The re-directed parcel shall be accompanied by the Trade Charge Money Order form made out by the country of origin, and the country from which it is re-directed shall not be concerned with the settlement of the trade charge.

(2) In the case of an application for re-direction to a country which does not maintain, directly or through Malaya, with Christmas Island an exchange of trade charge parcels, the parcel shall be treated as one which cannot be delivered.

6.—(1) A Trade Charge Money Order form relating to a parcel which, for any reason whatever, is returned to the country of origin shall be cancelled by the office which returns the parcel, and shall be attached to the parcel.

(2) When a Trade Charge Money Order form is mislaid, lost or destroyed before the collection of the trade charge, the office of destination or any other office appointed by the Post Office of the country of destination shall prepare a duplicate Trade Charge Money Order form.

(3) A Trade Charge Money Order mislaid, lost or destroyed after the collection of the trade charge shall likewise be replaced by a duplicate or by an authority to pay, after proof by the two Post Offices that the money order has not been paid.

7.—(1) A Trade Charge Money Order which it has not been possible to deliver to the payee within the period of validity applicable to money orders shall, at the expiration of the period of validity, be receipted by the Post Office of the country of payment, and claimed from the Post Office which issued it.

(2) A Trade Charge Money Order which has been delivered to the payee, and of which the payee has not claimed payment within the period of validity applicable

to money orders, shall be replaced by an authority to pay. Such authority to pay shall be drawn up by the Post Office which collected the trade charge as soon as it has been able to ascertain that the original order has not been paid within the period of validity, and shall be receipted by the other Post Office which shall claim the amount due in the first account rendered after its receipt.

(3) The Post Office issuing a Trade Charge Money Order shall notify the other Post Office if the order is not claimed within the period of validity.

8. A Trade Charge Money Order of which payment cannot be effected for any of the following reasons :

- (i) incorrect, insufficient, or doubtful description of the name or address of the payee;
- (ii) difference or omission of name or amount;
- (iii) erasure of, or addition to, an entry;
- (iv) omission of stamp, signature or other service indication;
- (v) use of irregular form,

shall be corrected by the Post Office which has issued it, and for this purpose, the money order shall be returned as soon as possible, officially registered, to the office of issue by the office of payment.

9.—(1) Each Post Office shall, at the end of each quarter, prepare a list of paid Trade Charge Money Orders to be claimed against the other Post Office. The Post Office of Christmas Island will forward such list together with the paid trade charge orders to the Post Office of Malaya. The Post Office of Malaya, if it agrees with the claim on the Christmas Island paid Trade Charge Money Order list, shall include the amount of the list, less one half of one per cent of such amount, to the credit of Christmas Island in the money order account. The Post Office of Malaya shall include the amount of its own paid trade charge list, less one half of one per cent of such amount, to the debit of Christmas Island in the money order account, and shall forward to Christmas Island the paid trade charge list and the paid trade charge orders attached to the account.

(2) Trade charges on parcels, exchanged under the provisions of paragraph 2 of Article 8 of this Agreement,¹ shall be accounted for in the money order account on receipt in Malaya of the paid orders from the post office of origin of the parcels. Christmas Island shall allow a commission of three quarters of one per cent of the amount of such trade charge orders claimed from Malaya, that is to say, one half of one per cent under the foregoing paragraph, plus one quarter of one per cent. Malaya shall allow Christmas Island one quarter of one per cent of the amount of all trade charges collected in Christmas Island and claimed against Malaya by the Post Office of payment of the trade charge.

¹ See p. 322 of this volume.