

No. 7482

**JAPAN
and
CANADA**

Parcel Post Agreement (with annex). Signed at Tokyo, on 16 February 1956, and at Ottawa, on 20 March 1956

Protocol to amend article 4 of the above-mentioned Agreement. Signed at Tokyo, on 21 February 1962

Official texts: English and Japanese.

Registered by Japan on 25 November 1964.

**JAPON
et
CANADA**

**Accord relatif à l'échange de colis postaux (avec annexe).
Signé à Tokyo, le 16 février 1956, et à Ottawa, le 20 mars 1956**

Protocole portant amendement de l'article 4 de l'Accord susmentionné. Signé à Tokyo, le 21 février 1962

Textes officiels anglais et japonais.

Enregistrés par le Japon le 25 novembre 1964.

No. 7482. PARCEL POST AGREEMENT¹ BETWEEN JAPAN AND CANADA. SIGNED AT TOKYO, ON 16 FEBRUARY 1956, AND AT OTTAWA, ON 20 MARCH 1956

The Government of Japan and the Government of Canada desiring to improve the parcel post service between the two countries;

The undersigned, being duly authorized by their respective Governments for that purpose, have agreed upon the following articles :

Article 1

CONDITIONS OF EXCHANGE

1. Parcels under the designation of postal parcels, may be exchanged between the contracting countries by direct sea service.
2. Parcels sent to or from a third country may be forwarded in either closed mails or in open transit and shall be reforwarded by the most rapid land and sea routes which are used for their own mails by the countries undertaking the transit.
3. The parcels shall be despatched in bags, and mails shall only be made up on such offices of exchange as may be mutually agreed upon by the Postal Administrations of the contracting countries (hereinafter called the "Administrations").

Article 2

WEIGHT AND DIMENSIONS

The weight and dimensions of each parcel shall not exceed the following :

(a) Parcels accepted in Japan :

Weight 10 kilogrammes.

Dimensions 1.05 metres in length, and 1.80 metres in length and girth combined.

(b) Parcels accepted in Canada :

Weight 20 pounds.

Dimensions 3 feet 6 inches in length, and 6 feet in length and girth combined.

¹ Came into force on 1 July 1956, the date agreed upon by the Contracting Parties, in accordance with article 24 (2).

Article 3

POSTAGE RATES

1. The postage rates shall be composed only of the sum of the territorial and maritime rates of origin, transit and destination.
2. Prepayment of postage on all parcels is obligatory except in the case of redirected parcels.

Article 4

TERRITORIAL AND MARITIME RATES

1. The territorial and maritime charges for each country shall be as follows :

(a) Parcels originating in Japan addressed to Canada :

	<i>Not over 1 kilo (fr. c.)</i>	<i>Over 1 kilo but not over 3 kilos (fr. c.)</i>	<i>Over 3 kilos but not over 5 kilos (fr. c.)</i>	<i>Over 5 kilos but not over 7 kilos (fr. c.)</i>	<i>Over 7 kilos but not over 10 kilos (fr. c.)</i>
Territorial rate of Japan . . .	0.50	1.15	1.50	2.00	3.00
For sea conveyance from Japan to Canada	see Paragraph 2.				
Territorial rate of Canada . . .	0.50	1.15	1.50	2.55	4.25

(b) Parcels originating in Canada addressed to Japan :

	<i>Not over 3 lbs. (fr. c.)</i>	<i>Over 3 lbs. but not over 7 lbs. (fr. c.)</i>	<i>Over 7 lbs. but not over 10 lbs. (fr. c.)</i>	<i>Over 10 lbs. but not over 15 lbs. (fr. c.)</i>	<i>Over 15 lbs. but not over 20 lbs. (or 22 lbs. in case of parcels to be re- turned) (fr. c.)</i>
Territorial rate of Canada . . .	0.50	1.15	1.50	2.55	4.25
For sea conveyance from Ca- nada to Japan	see Paragraph 2.				
Territorial rate of Japan	0.50	1.15	1.50	2.00	3.00

2. The maritime rates shall be the total amount of the cost of sea conveyance between the two countries and the other costs necessary for the Administration of origin in respect to that transport.
3. The Administration of origin undertakes to pay for the sea conveyance of the parcel mails despatched to the country of destination.

Article 5

CLEARANCE FEE, WAREHOUSING CHARGE, ETC.

The Administrations may collect the amounts for the customs clearance fee, warehousing charge, and the other postal charges for the various services

mentioned hereinafter in this Agreement, of which the amounts are not fixed clearly therein, within the limits of maximum amounts for these services prescribed in the Parcel Post Agreement¹ of the Universal Postal Union.

Article 6

REQUEST FOR INFORMATION

The sender of a parcel may make a request for information about the disposal of the parcel within the period of one year counting from the day following that of posting.

Article 7

RESPONSIBILITY

1. The Administrations are not responsible in principle for the loss of ordinary parcels, spoliation or damage of their contents; but either Administration is at liberty to indemnify the sender for the loss of such parcels, or spoliation or damage of their contents, which may occur in its own service, without recourse to the other Administration. The Administrations, however, make enquiry in cases which are submitted to them in connection with the loss, spoliation or damage.
2. The sender of a parcel shall be responsible for ensuring that it is securely packed in such a manner as to protect the contents from damage and to make it impossible to tamper with the contents without leaving an obvious trace of violation.

Article 8

PROHIBITIONS

1. Parcels may not contain substances of a dangerous, destructive, explosive or offensive nature, or contraband articles or substances, or liquids (unless securely packed in proper cases) nor may they contain a letter or any article, the transmission of which by parcel post is prohibited by the country of destination.
2. The Administrations shall exchange a list of the articles which are prohibited in their country.
3. Any parcel, the contents of which are found to be prohibited in terms of the foregoing shall be disposed of in accordance with the internal regulations of the country concerned.

¹ United Nations, *Treaty Series*, Vol. 365, p. 3.

4. If the parcel be found to contain an unpaid or insufficiently prepaid letter, such letter shall be charged with double the deficient postage at the letter rate and amount of charge shall accrue to the country of destination.

Article 9

CANCELLATION OF CUSTOMS AND OTHER NON-POSTAL CHARGES

1. The Administrations agree to consult with the competent authorities of their respective countries in order to obtain the cancellation of customs and other non-postal charges on parcels returned to the country of origin, abandoned by the sender, wholly destroyed or forwarded to a third country.
2. Similar action is undertaken in respect of the loss of parcels, or spoliation or damage of their contents in their service.

Article 10

ADDRESSING OF PARCELS

1. Every parcel shall bear the name and address of the person for whom it is intended, given with such completeness as will enable delivery to be effected.
2. Addresses in pencil shall not be allowed, provided that parcels bearing addresses written in copying pencil on a surface previously damped shall be accepted.
3. The sender of a parcel shall be advised to enclose in the parcel a copy of address together with a note of his own address.

Article 11

CUSTOMS DECLARATION

1. Every parcel shall have affixed thereto a Customs Declaration duly completed.
2. The Administrations assume no responsibility for the correctness of the Customs Declaration.

Article 12

PARCEL BILLS

Parcels exchanged between the Administrations shall be entered by the despatching office of exchange on parcel bills in the manner agreed upon by the Administrations. The parcel bills shall be forwarded with the parcels to the office of exchange of the country of destination.

Article 13

CHECKING OF PARCELS

The Administration which has received a parcel mail shall check the parcels and the accompanying bills. If a parcel is missing or any other irregularity is noted, it shall be immediately reported to the despatching Administration by means of a verification note. The report of such a serious irregularity as to involve the responsibility of the respective Administration shall be accompanied by such evidence as the labels, strings, wax, or lead seals used for closing the bag which contained the parcels, if they are available. If no report is made by the next mail, it will be assumed that the mail has been received in proper order until the contrary is proved.

Article 14

MISSENT PARCELS

1. Missent parcels shall be forwarded to destination by the most direct route at the disposal of the Administration re-transmitting them. When this re-transmission involves the return of parcels to the Administration from which they were received, the rates credited in the parcel bill from that Administration shall be cancelled and the re-transmitting Administration shall simply record the parcels on the return parcel bill and call attention to the error by means of a verification note.
2. In other cases the rates shall be allowed to stand and if the amount credited is insufficient to cover the expense of re-transmission, the re-transmitting Administration shall cancel the original amount entered to its credit on the parcel bill of the despatching Administration and claim the appropriate charges for the onward transmission, notifying that Administration by means of a verification note.

Article 15

RE-DIRECTION

Postal parcels re-directed in consequence of a mistake by the sender or of the removal of the addressee from one country to another to which postal parcels are sent shall be subjected by the delivering Administration to a charge, to be paid by the addressee, representing the rates due to the latter Administration and to each intermediary Administration, if there be any. The re-directing Administration shall recover its quota by charging it to the first intermediary Administration or to the Administration of the new destination. But if the amount chargeable for the further conveyance of a re-directed parcel be paid

at the time of its re-direction, the parcel shall be dealt with as if it had been addressed direct from the re-transmitting country to the country of destination, and delivered without any charge to the addressee for postage.

Article 16

UNDELIVERABLE PARCELS

1. The sender of a parcel may request at the time of posting that if the parcel cannot be delivered as addressed it may be either (a) treated as abandoned or (b) tendered for delivery at a second address in the country of destination. No other alternative is admissible.

2. If the sender avails himself of this facility, his request must be indicated in the appropriate place in the Customs Declaration, and must be in one of the following forms :

“ If undeliverable as addressed, abandon.”

“ If undeliverable as addressed, deliver to”

3. In the absence of a definite request for abandonment, a parcel which is undeliverable at the original address, or at the alternative address if one is furnished, shall be returned to the sender without previous notification and at his expense.

4. Parcels which cannot be delivered, returned to the sender, or otherwise disposed of, or which have been abandoned by the senders, shall not be sent back to the country of origin, but shall be dealt with in accordance with the regulations of the country of destination.

5. Any parcel, the addressee of which has left for a country to which postal parcels cannot be forwarded from the country of original destination, shall be dealt with as “undeliverable.”

Article 17

DETERIORATION OF CONTENTS

Where the deterioration or imminent corruption of the contents of a parcel is feared they may be sold immediately, without previous notice or judicial formality, for the benefit of the right party, or they may be disposed of in such other manner as provided for by the regulations of the country concerned.

Article 18

RETURN OF EMPTY RECEPTACLES

Except where special arrangements exist for reciprocal use, empty receptacles must be returned to the Administration to which they belong by the earliest convenient mail. No territorial or maritime transit charges are payable in respect of these returned "Empties" and they must, as far as possible, follow the route used on the outward journey.

Article 19

AIR PARCEL POST

Air Parcel Post may be exchanged between Japan and Canada, subject to the general regulations applicable as regards the exchange of surface parcel post between the two contracting countries.

The charges allotted for each country shall be as follows :

Air conveyance—Same as the maximum amount as fixed by the Universal Postal Union.

Territorial—Same as for surface parcels (see article 4).

Article 20

INSURANCE

Parcels exchanged by surface or air conveyance between Japan and Canada may be insured in accordance with the terms set forth in the Annex¹ of this Agreement.

Article 21

MUTUAL CONSENT BETWEEN THE ADMINISTRATIONS

Matters necessary to ensure the execution of the present Agreement shall be settled by mutual consent between the chiefs of the Administrations.

Article 22

SETTLEMENT OF ACCOUNTS

Accounts based on the charges due in terms of Article 4 and the details reflected in the relative parcel bills shall be prepared at intervals and under conditions mutually agreed upon by the Administrations. Settlement of the balances resulting shall also be effected by mutual arrangement.

¹ See p. 74 of this volume.

Article 23

MONETARY STANDARD

The franc adopted as the monetary unit in the provisions of this Agreement is the gold franc of 100 centimes of a weight of 10/31 of a gramme and of a fineness of 0.900.

Article 24

ENTRY INTO FORCE AND DURATION OF AGREEMENT

1. This Agreement shall supersede and be substituted for the Agreement concerning the Exchange of Postal Parcels between the Empire of Japan and the Dominion of Canada signed at Tokyo on the 27th day of the 6th month of the 2nd year of Taisho and at Ottawa on the 13th day of March 1914 including the Detailed Regulations thereof.
2. This Agreement shall be approved by each contracting party in accordance with its legal procedures, and, thereafter, it shall enter into force on the date to be agreed upon by the contracting parties.
3. This Agreement shall continue in force until six months after either of the contracting parties shall have notified the other of its intention to terminate it.

DONE in duplicate, in the Japanese and English languages, both texts being equally authentic, and signed at Tokyo on the sixteenth day of February, 1956, and at Ottawa on the twentieth day of March, 1956.

For Japan :

Mamoru SHIGEMITSU
Isamu MURAKAMI

For Canada :

Hugues LAPOINTE

ANNEX

PROVISIONS RELATING TO INSURANCE OF PARCEL POST BETWEEN
JAPAN AND CANADA

1. Except in cases beyond control and in the cases provided for in paragraphs 8, 9, 10, 11 and 12, indemnity shall be paid to the sender or at the sender's request to the addressee for the loss of insured parcels exchanged by the direct-parcel post service between Japan and Canada and for the abstraction or damage of their contents not to exceed the actual amount of the loss, abstraction or damage.

2. Each country shall be responsible for the loss of insured parcels or the abstraction or damage of their contents in its own service.
 3. The limit of insurance value shall be 300 francs gold.
 4. The insurance fees shall be fixed by the country of origin in respect to parcels despatched.
 5. The country of origin shall allow the country of destination an insurance land credit of five centimes (gold) for each unit of 200 gold francs insured value for each insured parcel despatched.
 6. The insurance number and the name of the office of origin of each parcel shall be entered on lists to accompany each parcel post despatch.
 7. A certificate of posting, bearing thereon a receipt for the insurance fee, must be obtained by the person posting the parcel.
 8. The Administrations may, by mutual consent, fix the articles which may not be accepted for insurance.
 9. No parcel may be insured for an amount above the real value of its contents.
 10. Compensation will not be given for damage sustained by a parcel (including the abstraction of its contents) which has been delivered without external trace of injury and has been accepted by the addressee.
 11. Application for indemnity must be made within one year of the date of posting of the parcel and the insurance receipt must accompany the claim in every case.
 12. Compensation will not be given when the damage is caused by the fault or negligence of the sender or when it arises from the nature of the contents.
 13. Compensation will not include indirect loss or loss of profits.
 14. Where compensation is due for the loss of a parcel or for the destruction or abstraction of the whole of the contents, the sender is entitled to return of the postal charges which have been paid. The insurance fee, however, is not returned in any case.
 15. The sender of an insured parcel may apply, at the time of posting or within the period of one year counting from the day following that of posting, for an advice of delivery upon payment of a fixed fee.
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PROTOCOL¹ TO AMEND ARTICLE 4 OF THE PARCEL
POST AGREEMENT BETWEEN JAPAN AND CANADA.²
SIGNED AT TOKYO, ON 21 FEBRUARY 1962

The Government of Japan and the Government of Canada,

Desiring to amend the Parcel Post Agreement between Japan and Canada, signed at Tokyo on February 16, 1956 and at Ottawa on March 20, 1956 (hereinafter referred to as "the Agreement")², have agreed to delete paragraph 1 of Article 4 of the Agreement and substitute the following :

" 1. For parcels despatched from one country to the other, or through the intermediary of either country to a third country, the territorial rates shall be those fixed by mutual consent between the chiefs of the Administrations on the basis of the cost of handling and territorial conveyance in the service of each Administration."

The present Protocol shall be approved by each contracting party in accordance with its legal procedures, and, thereafter, it shall enter into force on the date to be agreed upon by the Governments of the contracting parties. The present Protocol shall continue in force as long as the Agreement remains effective.

IN WITNESS WHEREOF, the undersigned, being duly authorized by their respective Governments, have signed the present Protocol.

DONE at Tokyo, in duplicate, in the Japanese and English languages, both texts being equally authentic, this twenty-first day of February, 1962.

For Japan :

Zentaro KOSAKA
Hisatsune SAKOMIZU

For Canada :

William F. BULL

¹ Came into force on 1 October 1962, the date agreed upon by the Contracting Parties, in accordance with the provisions of the Protocol.

² See p. 60 of this volume.