

**No. 12265**

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**AUSTRALIA  
and  
SWITZERLAND**

**Agreement concerning the exchange of money orders. Signed at  
Berne on 6 June 1972**

*Authentic texts : English and French.*

*Registered by Australia on 18 January 1973.*

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**AUSTRALIE  
et  
SUISSE**

**Arrangement concernant l'échange de mandats de poste. Signé à  
Berne le 6 juin 1972**

*Textes authentiques : anglais et français.*

*Enregistré par l'Australie le 18 janvier 1973.*

## AGREEMENT<sup>1</sup> CONCERNING THE EXCHANGE OF MONEY ORDERS BETWEEN AUSTRALIA AND SWITZERLAND

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The Government of the Commonwealth of Australia and The Swiss Federal Council, desiring to regulate the exchange of money orders between the Commonwealth of Australia and Switzerland, have agreed as follows :

### *Article 1*

1. There shall be a regular exchange of money orders between Australia and the Swiss Confederation.

2. The Postal Administration of either party or of a third country is hereinafter referred to as the Administration.

### *Article 2. MEANS OF EXCHANGE; OFFICES OF EXCHANGE*

1. The exchange shall take place by means of lists and shall be performed exclusively by the agency of exchange offices.

2. The offices stipulated for the exchange of lists (hereinafter referred to as exchange offices) shall be :

On the part of Switzerland :

Division des chèques postaux  
Direction générale des PTT  
CH-3000 Berne  
Suisse

On the part of Australia :

Chief Money Orders Office  
Postmaster General's Department  
Melbourne, Victoria 3000  
Australia

3. If a traffic increase so warrants, additional exchange offices may be nominated by agreement.

### *Article 3. MAXIMUM AMOUNT*

1. The maximum amount of a money order issued in Switzerland and paid in Australia shall be 80 Australian dollars. The maximum amount for a money order issued in Australia and paid in Switzerland shall be 400 Swiss francs.

2. No money order shall contain a fractional part of a cent or of a centime.

### *Article 4. OFFICE AND STATE OF PAYMENT*

Every money order must contain the name of the office of payment and, in the case of orders payable in Australia, the State in which such office is situated.

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<sup>1</sup> Came into force on 6 June 1972 by signature, in accordance with article 25.

*Article 5. PARTICULARS TO BE SHOWN BY REMITTER*

The remitter must furnish if possible his Christian name and surname (or at least the initials of one Christian name), as well as his address and that of the payee. In the case of a firm or company the name thereof may be shown as the remitter or the payee of the money order. If the Christian name is not given, the money may be accepted at the remitter's risk.

*Article 6. CURRENCY, CONVERSION*

1. The amounts of the money orders shall be expressed :

- a) in the currency of Switzerland in respect of orders issued in Australia for payment in Switzerland;
- b) in Australian currency in respect of orders issued in Switzerland for payment in Australia.

2. The issuing Administration shall determine the rate for conversion of its currency into that of the paying country, and it shall inform the latter of such rate.

*Article 7. CHARGES*

1. Each Administration shall fix the amount of the charges to be levied on all money orders issued.

2. Each Administration shall notify the other of the charges and fees fixed under this agreement; such charges must in all cases be paid in advance by the remitter. As regards repayment, the domestic legislation of the issuing Administration shall apply.

3. The charges levied shall belong to the issuing Administration which shall credit to the paying Administration one half of one percent of the total of the lists forwarded.

*Article 8. " THROUGH " MONEY ORDERS*

1. Each Administration may forward to the other Administration money orders destined for countries which maintain a money order service with the intermediary Administration.

2. The " through " money orders provided for in the preceding paragraph shall be accepted subject to the following conditions :

- a) The value of an order must not exceed the maximum amount specified in article 3, nor that fixed for the exchange of money orders between the intermediary Administration and the paying Administration.
- b) The money orders shall be forwarded by the issuing Administration to the intermediary Administration, which in its turn shall forward them to the paying Administration. Money orders for which Australia serves as intermediary must be forwarded to the exchange office of Melbourne.
- c) The particulars of " through " orders shall be entered separately on the ordinary advice lists under the heading " through orders " and the total amount of the " through " orders shall be included in the total of such lists.
- d) The name and address of the payee of each " through " money order, and the names of the office and country of payment, shall be shown as precisely as possible on the list or on the money order which accompanies such list.
- e) The issuing Administration shall allow to the paying Administration, in respect of " through " money orders, the same percentage as provided under article 7 (3) for ordinary money orders.

- f) The intermediary Administration shall be entitled to deduct from the amount of each “ through ” money order a “ through ” commission of one half of one percent ( $\frac{1}{2}\%$ ).
- g) In the event of a “ through ” order being repaid to the remitter the “ through ” commission shall not be refunded.

*Article 9. LIST OF MONEY ORDERS ISSUED*

1. The money orders shall be recorded by the exchange office of the issuing Administration on a list statement conforming to a design agreed upon by the two Administrations. The Australian Administration shall use lists containing all necessary particulars. The Swiss Administration shall make out lists in accordance with an abridged procedure. It shall attach to the lists, in respect of each money order mentioned thereon, a duplicate of the money order form filled in by the remitter and containing all the necessary particulars.

Such lists, accompanied if applicable by attachments, shall be forwarded to the exchange office of the paying Administration by the first available air mail following the issuing of the money order.

2. The lists shall be numbered consecutively throughout the year commencing with no. 1 at the beginning of the month of January in each year, and ending with the number of the last list despatched in the month of December of the same year.

3. All money orders shown in the lists shall also be numbered consecutively (these numbers to be called “ International Numbers ”), commencing with number one (1) at the beginning of each calendar year.

4. From these lists or from the attachments thereto, the exchange office of the paying Administration shall prepare internal money orders in its own currency for amounts as specified on each original money order.

5. Such internal money orders shall be forwarded to the payees or to the post office where payment is to be made according to the arrangements existing in each country regulating the payment of internal money orders.

*Article 10. EXAMINATION AND RECTIFICATION OF LISTS*

1. Each exchange office shall promptly communicate to the other the correction of any simple error which it may discover in the verification lists.

2. When the lists show irregularities which the exchange office of the paying Administration cannot rectify, that office shall apply to the issuing Administration for an explanation, and such explanation shall be furnished without delay.

*Article 11. PAYMENT OF MONEY ORDERS*

Payment of money orders shall be made in the currency of the country of payment, namely in Australian dollars for money orders paid in Australia and in Swiss francs for money orders paid in Switzerland.

*Article 12. DUPLICATE ORDERS AND TRANSFER*

Only the paying Administration shall be entitled to raise duplicates of money orders, or to proceed to the transfer of such orders. In the actual event the regulations of the paying Administration shall apply.

*Article 13.* REPAYMENT, TRANSFER

1. The remitter of a money order may, before payment of such order, demand repayment of the amount thereof, or the rectification of the address of the payee. Rectification of the name of the payee is not admitted.

2. If the paying Administration is already in possession of the list at the time when the request for repayment is made, repayment may take place only after that Administration has authorised the issuing Administration to repay the amount.

*Article 14.* PERIOD OF VALIDITY

1. The period of validity of money orders shall be fixed by the Administration which makes out the money order in accordance with the lists.

2. After the expiration of this period the money orders shall lose their validity, and their amounts shall be placed at the disposal of the issuing Administration in the list of unpaid money orders.

*Article 15.* ADVICE OF PAYMENT

1. The remitter of a money order may obtain an Advice of Payment of the order by paying in advance, to the exclusive profit of the issuing Administration, a charge to be fixed by that Administration. This Advice of Payment shall normally be forwarded by surface mail, but should the remitter so desire, the Advice may be forwarded by air provided the air surcharge is paid in advance.

2. If application for an Advice of Payment be made at the time of issue of the order, the letters "AP" shall be written against the entry on the list, and if the Advice is required by air mail the notation "AP Air" shall be written against the entry on the list.

3. After paying the amount of the order, the post office where the payment is made shall forward an Advice of Payment by first surface post in the case of an ordinary Advice of Payment, and by first air mail in the case of an Advice required by air, to the issuing post office.

4. In the case of "through" orders (article 8), all completed forms of Advice shall be sent to the intermediary Administration which shall arrange for their despatch to the remitters or to the issuing post office.

5. If application for an Advice of Payment be made subsequent to the issue of a money order, an Advice of Payment form duly filled in and addressed to the remitter shall be sent to the exchange office of the paying Administration (or in the case of "through" money orders, to the exchange office of the intermediary Administration), which shall arrange for its completion and despatch to the remitter.

*Article 16.* REPAID AND UNPAID MONEY ORDERS

1. Money orders which, for any reason at all, cannot be paid out to the payee, shall be reported to the despatching exchange office by means of an Advice showing the reason for non-payment. If, despite the particulars furnished by the sender, the money order cannot be paid, the paying Administration shall notify this to the issuing Administration, which shall repay the money order to the remitter.

2. Every month the paying Administration shall record such money orders on a special Statement, which shall be an integral part of the quarterly account. The total of this Statement is accounted for in the General Statement.

3. This special Statement shall be forwarded even if nothing is recorded on it.

*Article 17. LIABILITY*

1. Administrations shall be responsible for amounts duly paid in, up till the time when such amounts have been duly paid out.
2. They shall accept no liability for delays which may occur in the transmission and in the paying of the money orders.

*Article 18. EXCEPTIONS TO THE PRINCIPLE OF LIABILITY*

Administrations shall be cleared of all liability when (their liability not having been proved on other scores), the destruction of service documents resulting from circumstances beyond control prevents them from producing evidence of payment.

*Article 19. LIMITATION*

1. All compensation claims against Administrations must be made within the time limit of one year.
2. The time limit shall begin on the day following that of lodging at the post office.

*Article 20. DETERMINATION OF LIABILITY*

1. Liability shall accrue to the issuing Administration; it shall accrue to the paying Administration if the latter cannot establish that payment has duly taken place.
2. If an error is imputable to both Administrations the liability shall be apportioned in proportion to the degree of error committed.

*Article 21. GENERAL STATEMENT*

1. At the end of each quarter, or as soon thereafter as practical, each Administration shall prepare in duplicate a General Statement of money orders paid by its Service, and shall forward it to the other Administration for approval.
2. Such Statement shall record the money orders received during the quarter and shall comprise :
  - a) a summary showing particulars and the total amounts of each list, as well as the total amount of all lists for the quarter;
  - b) a summary of money orders repaid to senders during the quarter;
  - c) a summary of void orders to account during the quarter;
  - d) a general summary of money order transactions based on particulars referred to in sub-paragraphs (a), (b) and (c) of this paragraph, and showing the balance due by the debtor to the creditor Administration.

*Article 22. SETTLEMENT OF ACCOUNTS*

1. A payment on account shall be made by the debtor Administration when the balance resulting from the reciprocal exchange of money orders during a particular month exceeds 10,000 Swiss francs or 2,000 Australian dollars.
2. Each Administration shall pay to the other Administration the total of the quarterly account at such time as the latter has been accepted as correct and a copy

returned to the creditor Administration. The total of the General Statement shall be settled in the currency of the creditor Administration and by means of bank cheque.

3. Payment in favour of the Postal Administration of the Commonwealth of Australia shall be addressed to the :

Director-General  
Posts and Telegraphs  
Melbourne, Victoria 3000  
Australia

through the intermediary of the :

Commonwealth Trading Bank of Australia  
367 Collins Street  
Melbourne, Victoria 3000  
Australia

payment in favour of the Swiss PTT Enterprise shall be addressed to the :

Division des chèques postaux  
Direction générale des PTT  
CH-3000 Berne  
Suisse

through the intermediary of the :

Banque nationale suisse  
CH-300 Berne  
Suisse

4. The transfer expenses attending all remittances made under the provisions of this Agreement shall be borne by the debtor Administration.

#### *Article 23. ADDITIONAL RULES*

Each Administration may adopt additional rules or amend existing rules for security reasons or for the sake of improved service, provided that such rules as adopted or amended are not inconsistent with the present Agreement. Each Administration shall inform the other of such adjustments.

#### *Article 24. SUSPENSION OF SERVICE*

1. Each Administration may under extraordinary circumstances temporarily suspend the exchange of money orders.

2. Notice of such suspension shall be given to the other Administration by air-mail or by telegram if such means of communication are available.

#### *Article 25. ENTRY INTO FORCE*

The present Agreement shall enter into force on date of signature thereof and unless otherwise agreed, it shall cease to have effect twelve months after the day on which either Government shall have notified the other of its intention to terminate the Agreement.

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

DONE in duplicate at Berne in the English and French languages, both texts being equally authentic, this sixth day of June 1972.

*[Signed]*

JOHN FORSYTHE  
For the Government  
of the Commonwealth of Australia

*[Signed]*

MARKUS REDLI  
For the Swiss Federal Council

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