

No. 20981

**JAPAN
and
PHILIPPINES**

Parcel Post Agreement. Signed at Manila on 24 March 1980

Authentic text: English.

Registered by Japan on 14 April 1982.

**JAPON
et
PHILIPPINES**

**Accord concernant les colis postaux. Signé à Manille
le 24 mars 1980**

Texte authentique : anglais.

Enregistré par le Japon le 14 avril 1982.

PARCEL POST AGREEMENT¹ BETWEEN JAPAN AND THE REPUBLIC OF THE PHILIPPINES

The Government of Japan and the Government of the Republic of the Philippines,

Desiring to improve the parcel post service between the two countries,
Have agreed as follows:

Article I. 1. Between Japan and the Republic of the Philippines, postal parcels (hereinafter called “parcels”) shall be exchanged by surface and air routes under the conditions prescribed in this Agreement.

2. The Postal Administration of each country (hereinafter called the “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 Administration.

Article II. The limits of weight and dimensions of parcels exchanged between the two countries shall be fixed by mutual consent between the Administrations.

Article III. 1. Each Administration shall fix the postage rates for parcels posted in its service. However, such rates must be fixed not to exceed the total amount of the cost for handling the parcel in the service of the Administration of origin, in addition to the cost of sea or air transportation between the two countries and the credits due to the Administration of destination for handling the parcel in its service.

2. The prepayment of the postage referred to in the preceding paragraph shall be compulsory.

Article IV. 1. For parcels exchanged between the two countries, the Administration of origin shall pay to the Administration of destination the amount of credit fixed by mutual consent between the Administrations on the basis of the cost of handling in the service of the Administration of destination.

2. As regards parcels originating in one of the two countries and sent through the other to a third country, the Administration of origin shall pay to the intermediate Administration the amount of credit fixed by mutual consent between the Administrations on the basis of the cost relating to the transit which is incurred by the intermediate Administration.

3. As regards parcels originating in a third country and sent to one of the two countries through the other in open mail, the intermediate Administration shall pay to the Administration of destination the amount of credit fixed by mutual consent between the Administrations on the basis of the cost of handling in the service of the Administration of destination.

4. In cases where parcels are transported by the air service of the other country, the dispatching Administration shall pay to the other Administration, as the cost

¹ Came into force on 1 October 1980, the date agreed upon by the Parties in an exchange of notes after its approval by each Contracting Party pursuant to its constitutional procedures, in accordance with article XVIII (2).

of air transportation, the same amount as the maximum fixed by the Universal Postal Union.

Article V. 1. The following articles shall be prohibited transmission by the parcel post service herein provided:

- (a) Articles excluded from the domestic mail of either country;
- (b) Articles the importation of which is not admitted in accordance with customs and other laws and regulations in force in the country of destination;
- (c) Letters or communications having the nature of an actual and personal correspondence, whether attached to, enclosed in, or written on a parcel (however, open invoices shall not be considered as letters and communications mentioned above);
- (d) Packages enclosed in a parcel but addressed to a person other than the person indicated in the address of the parcel itself;
- (e) Articles which, by their nature or packing, may expose postal employees to danger or soil or damage other parcels.

2. When a parcel containing any prohibited article is received at the country of destination, it shall be disposed of in accordance with the internal laws and regulations of that country.

3. If a parcel be found to contain an unpaid or underpaid letter, a communication having the nature of an actual and personal correspondence or a package addressed to a person other than the person indicated in the address of the parcel itself, such letter, communication or package shall be charged the charge prescribed in the Universal Postal Convention of the Universal Postal Union as for an unpaid or underpaid unregistered item and the amount of charge shall accrue to the Administration of destination.

Article VI. 1. Parcels shall be subject to all customs and other laws and regulations in force in the country of destination. The customs duties and other non-postal charges payable on that account shall be collected from the addressees.

2. Customs duties and other non-postal charges on parcels either returned to origin, abandoned by the sender, destroyed on account of the whole deterioration of the contents, or redirected to a third country shall be canceled.

Article VII. 1. The Administration of destination 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 charge not to exceed the maximum amount for service of the same kind prescribed in the Postal Parcels Agreement of the Universal Postal Union.

2. The Administration of destination may collect from the addressee for delivery of parcels at the post office or at the addressee's residence, the special charge, if any, prescribed by its internal legislation for service of the same kind in the internal service. The same charge may be charged for each presentation after the first at the addressee's residence.

3. The Administration of destination may collect from the addressee a suitable warehousing charge for parcels which are not withdrawn within the period which it has fixed. However, this charge may not exceed the maximum amount for service of the same kind prescribed in the Postal Parcels Agreement of the Universal Postal Union.

4. The charges prescribed by the above three paragraphs shall not be canceled even in case the parcel is redirected or returned out of the country.

Article VIII. 1. Parcels may, at the addressee's request, be redirected within the country of destination or to a third country in consequence of the change of address of the addressees. However, in the latter case, the redirection is effected provided that the parcels comply with the conditions required for their onward conveyance and provided further that the charge for conveyance and, if any, various charges of which the cancellation is not allowed by the retransmitting Administration are prepaid by the addressee or collectible from the Administration of the new destination.

2. The Administration of destination may collect from the addressee additional charges prescribed by its internal regulations for redirection of parcels within that country. These charges shall not be canceled even if the parcel is redirected to a third country, or returned to origin.

3. The redirection may be effected by air route, at the request of the addressee and if the payment of the air charge for new transmission is guaranteed.

4. The sender shall be entitled to forbid any redirection by means of a suitable annotation on the parcel and on the Customs declaration.

5. In case of redirection of parcels from one of the two countries to the other, the charge for conveyance and, if any, various charges of which the cancellation is not allowed by the retransmitting Administration shall be collected from the addressee, if not prepaid.

Article IX. 1. So long as a parcel has not been duly delivered, the sender may recall it or cause its address to be altered. The request for this purpose shall be transmitted by mail or by telegraph.

2. The Administration of origin may collect from the sender for each request a charge not to exceed the maximum amount for service of the same kind prescribed in the Postal Parcels Agreement of the Universal Postal Union. When the request is to be transmitted by air route or by telegraph, the Administration of origin may additionally collect from the sender the appropriate air surcharge or telegraph charge. If the sender wishes to be informed by air route or by telegraph of the action taken by the office of destination, the Administration of origin may collect from the sender the appropriate air surcharge or telegraph charge for this purpose.

3. Only a single charge prescribed in the preceding paragraph shall be charged in respect of a request concerning two or more parcels mailed simultaneously at the same office by the same sender to the same addressee at the same address.

4. When parcels are returned to origin, in consequence of the request for recall, the charge for conveyance and, if any, various charges of which the cancellation is not allowed by the returning Administration shall be collected from the sender.

5. When, in consequence of the request for change of address, parcels are redirected within the country of destination or to a third country, the provisions of paragraphs 1 and 2 of Article VIII shall correspondingly apply.

Article X. 1. The sender of a parcel may give instructions at the time of mailing as to the disposal of the parcel in the event it is not deliverable as addressed.

2. If the sender does not give any instructions in accordance with the preceding paragraph or the sender's instructions have not resulted in delivery, undeliverable

parcels shall be returned to the sender at the expiration of the period prescribed by the internal regulations of the country of destination, except that parcels refused by the addressee or the immediate return of which is requested by the sender shall be returned at once. The return to origin of undeliverable air parcels shall be effected by surface route except in cases where the sender instructs return by air at his expense.

3. The provisions of paragraphs 1, 2 and 5 of Article VIII shall correspondingly apply to parcels redirected in and out of the country in consequence of non-delivery.

4. Undeliverable parcels which the sender has instructed to be abandoned shall not be returned but shall be disposed of in accordance with the internal legislation of the country of destination.

Article XI. In case of redirection or return of parcels from one of the two countries to the other, the retransmitting Administration shall claim from the other:

- (a) The charges for conveyance which are due to it, if not prepaid;
- (b) Various charges the cancellation of which is not allowed by it.

Article XII. 1. The sender or addressee of a parcel may request, within the period of one year counting from the day following that of mailing, an inquiry about the disposal of the parcel upon payment of a charge which may be fixed by the Administration of origin or of destination. The charge for an inquiry shall not exceed the maximum amounts for service of the same kind prescribed in the Postal Parcels Agreement of the Universal Postal Union.

2. The inquiry shall be forwarded and returned by the quickest available means. If an inquiry is to be made by telegraph, the telegraph charge shall be collected in addition to the charge for the inquiry, and if the reply is to be sent by telegraph, the telegraph charge for that reply.

3. Only a single charge prescribed by paragraphs 1 and 2 of this Article shall be charged in respect of an inquiry concerning two or more parcels mailed simultaneously at the same office by the same sender to the same addressee at the same address.

Article XIII. 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 internal regulations of the country concerned.

Article XIV. 1. Except those disposed of by virtue of the provisions of Article V on the prohibitions, parcels wrongly accepted and dispatched may be returned to origin by the Administration of destination.

2. Missent parcels shall be reforwarded to their correct destination by the most direct route at the disposal of the Administration to which they were missent. However, missent parcels which cannot be reforwarded to their correct destination shall be returned to origin.

3. The reforwarding to the correct destination or the return to origin of missent air parcels shall be effected by air route, provided that the reforwarding to the correct destination may be effected by surface route when no air service is available and if such reforwarding is anticipated to take less time than the transmission through the country of origin by air route.

Article XV. The Administrations shall not be responsible for the loss of parcels exchanged between the two countries nor for the abstraction of or damage to their contents.

Article XVI. No postal charges other than those prescribed by this Agreement shall be collected for parcels exchanged between the two countries.

Article XVII. 1. The details necessary for the execution of this Agreement shall be settled by mutual consent between the Administrations.

2. As to matters affecting the service of each country which are not expressly covered by this Agreement each Contracting Party shall apply its internal legislation.

Article XVIII. 1. This Agreement shall supersede and abrogate the Parcel Post Agreement between Japan and the Republic of the Philippines signed at Tokyo on January 16, 1963, and at Manila on January 19, 1963.¹

2. This Agreement shall be approved by each Contracting Party in accordance with its constitutional procedures, and, thereafter, it shall enter into force on the date to be agreed upon by the Contracting Parties in an exchange of diplomatic notes.

3. This Agreement shall continue in force until terminated by mutual consent or until the expiration of six months after either of the Contracting Parties shall have notified the other of the intention to terminate the Agreement.

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

DONE at Manila, in duplicate in the English language, this twenty-fourth day of March 1980.

For the Government of Japan:

H. TANAKA

For the Government of the Republic of the Philippines:

F. TANABE

¹ United Nations, *Treaty Series*, vol. 517, p. 281.