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Z A K O N
O POTVRĐIVANJU SVJETSKE POŠTANSKE KONVENCIJE I ZAVRŠNOG
PROTOKOLA UZ SVJETSKU
POŠTANSKU KONVENCIJU - ŽENEVA 2008.

Član 1

Potvrđuju se Svjetska poštanska konvencija i Završni protokol uz Svjetsku poštansku konvenciju, usvojeni na Kongresu Svjetskog poštanskog saveza u Ženevi, 12. avgusta 2008. godine, u originalu na francuskom, engleskom, španskom i arapskom jeziku.

Član 2

Tekst Svjetske poštanske konvencije i Završnog protokola iz člana 1 ovog zakona u originalu na engleskom i u prevodu na crnogorski jezik glasi:

Universal Postal Convention

The undersigned, plenipotentiaries of the governments of the member countries of the Union, having regard to article 22.3 of the Constitution of the Universal Postal Union concluded at Vienna on 10 July 1964, have by common consent and subject to article 25.4 of the Constitution drawn up in this Convention the rules applicable throughout the international postal service.

Part I

Rules applicable in common throughout the international postal service

Sole chapter
General provisions

Article 1

Definitions

1 For the purposes of the Universal Postal Convention, the following terms shall have the meanings defined below:

1.1 parcel: item conveyed under the conditions of the Convention and the Parcel Post Regulations;

1.2 closed mail: labelled bag or set of bags or other receptacles sealed with or without lead, containing postal items;

1.3 misrouted mails: receptacles received at an office of exchange other than the one mentioned on the (bag) label;

1.4 missent items: items received at an office of exchange meant for an office of exchange in another member country;

1.5 postal item: generic term referring to anything dispatched by the Post's services (letter post, parcel post, money orders, etc.);

1.6 transit charges: remuneration for services rendered by a carrier in the country crossed (designated operator, other service or combination of the two) in respect of the land, sea and/or air transit of mails;

1.7 terminal dues: remuneration owed to the designated operator of the country of destination by the designated operator of the dispatching country in compensation for the costs incurred in the country of destination for letter-post items received;

1.8 designated operator: any governmental or non-governmental entity officially designated by the member country to operate postal services and to fulfil the related obligations arising out of the Acts of the Union on its territory;

1.9 small packet: item conveyed under the conditions of the Convention and the Letter Post Regulations;

1.10 inward land rate: remuneration owed to the designated operator of the country of destination by the designated operator of the dispatching country in compensation for the costs incurred in the country of destination for parcels received;

1.11 transit land rate: remuneration owed for services rendered by a carrier in the country crossed (designated operator, other service or combination of the two) in respect of the land and/or air transit of parcels through its territory;

1.12 sea rate: remuneration owed for services rendered by a carrier (designated operator, other service or a combination of the two) participating in the sea conveyance of parcels;

1.13 universal postal service: the permanent provision of quality basic postal services at all points in a member country's territory, for all customers, at affordable prices;

1.14 transit à découvert: open transit through an intermediate country, of items whose number or weight does not justify the make-up of closed mails for the destination country.

Article 2

Designation of the entity or entities responsible for fulfilling the obligations arising from adherence to the Convention

Member countries shall notify the International Bureau, within six months of the end of Congress, of the name and address of the governmental body responsible for overseeing postal affairs. Within six months of the end of Congress, member countries shall also provide the International Bureau with the name and address of the operator or operators officially designated to operate postal services and to fulfil the obligations arising from the Acts of the Union on their territory. Between Congresses, changes in the governmental bodies and the officially designated operators shall be notified to the International Bureau as soon as possible.

Article 3

Universal postal service

1 In order to support the concept of the single postal territory of the Union, member countries shall ensure that all users/customers enjoy the right to a universal postal service involving the permanent provision of quality basic postal services at all points in their territory, at affordable prices.

2 With this aim in view, member countries shall set forth, within the framework of their national postal legislation or by other customary means, the scope of the postal services offered and the requirement for quality and affordable prices, taking into account both the needs of the population and their national conditions.

3 Member countries shall ensure that the offers of postal services and quality standards will be achieved by the operators responsible for providing the universal postal service.

4 Member countries shall ensure that the universal postal service is provided on a viable basis, thus guaranteeing its sustainability.

Article 4

Freedom of transit

1 The principle of the freedom of transit is set forth in article 1 of the Constitution. It shall carry with it the obligation for each member country to ensure that its designated operators forward, always by the quickest routes and the most secure means which they use for their own items, closed mails and à découvert letter-post items which are passed to them by another designated operator. This principle shall also apply to missent items or misrouted mails.

2 Member countries which do not participate in the exchange of letters containing infectious substances or radioactive substances shall have the option of not admitting these items in transit à découvert through their territory. The same shall apply to letter-post items other than letters, postcards and literature for the blind. It shall also apply to printed papers, periodicals, magazines, small packets and M bags the content of which does not satisfy the legal requirements governing the conditions of their publication or circulation in the country crossed.

3 Freedom of transit for postal parcels to be forwarded by land and sea routes shall be limited to the territory of the countries taking part in this service.

4 Freedom of transit for air parcels shall be guaranteed throughout the territory of the Union. However, member countries which do not operate the postal parcels service shall not be required to forward air parcels by surface.

5 If a member country fails to observe the provisions regarding freedom of transit, other member countries may discontinue their postal service with that member country.

Article 5

Ownership of postal items. Withdrawal from the post. Alteration or correction of address. Redirection. Return to sender of undeliverable items

1 A postal item shall remain the property of the sender until it is delivered to the rightful owner, except when the item has been seized in pursuance of the legislation of the country of origin or destination and, in case of application of article 15.2.1.1 or 15.3, in accordance with the legislation of the country of transit.

2 The sender of a postal item may have it withdrawn from the post or have its address altered or corrected. The charges and other conditions are laid down in the Regulations.

3 Member countries shall ensure that designated operators redirect postal items, if an addressee has changed his address, and for the return to sender of undeliverable items to the sender. The charges and other conditions are laid down in the Regulations.

Article 6

Charges

1 The charges for the various international postal and special services shall be set by the member countries or their designated operators, depending on national legislation, in accordance with the principles set out in the Convention and its Regulations. They shall in principle be related to the costs of providing these services.

2 The member country of origin or its designated operator, depending on national legislation, shall fix the postage charges for the conveyance of letter- and parcel-post items. The postage charges shall cover delivery of the items to the place of address provided that this delivery service is operated in the country of destination for the items in question.

3 The charges collected, including those laid down for guideline purposes in the Acts, shall be at least equal to those collected on internal service items presenting the same characteristics (category, quantity, handling time, etc.).

4 Member countries or their designated operators, depending on national legislation, shall be authorized to exceed any guideline charges appearing in the Acts.

5 Above the minimum level of charges laid down in 3, member countries or their designated operators may allow reduced charges based on their national legislation for letter-post items and parcels posted in the territory of the member country. They may, for instance, give preferential rates to major users of the Post.

6 No postal charge of any kind may be collected from customers other than those provided for in the Acts.

7 Except where otherwise provided in the Acts, each designated operator shall retain the charges which it has collected.

Article 7

Exemption from postal charges

1 Principle

1.1 Cases of exemption from postal charges, as meaning exemption from postal prepayment, shall be expressly laid down by the Convention. Nonetheless, the Regulations may provide for both exemption from postal prepayment and exemption from payment of transit charges, terminal dues and inward rates for letter-post items and postal parcels relating to the postal service sent by member countries, designated operators and Restricted Unions. Furthermore, letter-post items and postal parcels sent by the UPU International Bureau to Restricted Unions, member countries and designated operators shall be considered to be items relating to the postal service and shall be exempted from all postal charges. However, the member country of origin or its designated operator shall have the option of collecting air surcharges on the latter items.

2 Prisoners of war and civilian internees

2.1 Letter-post items, postal parcels and postal financial services items addressed to or sent by prisoners of war, either direct or through the offices mentioned in the Regulations of the Convention and of the Postal Payment Services Agreement, shall be exempt from all postal charges, with the exception of air surcharges. Belligerents apprehended and interned in a neutral country shall be classed with prisoners of war proper so far as the application of the foregoing provisions is concerned.

2.2 The provisions set out under 2.1 shall also apply to letter-post items, postal parcels and postal financial services items originating in other countries and addressed to or sent by civilian internees as defined by the Geneva Convention of 12 August 1949 relative to the protection of civilian persons in time of war, either direct or through the offices mentioned in the Regulations of the Convention and of the Postal Payment Services Agreement.

2.3 The offices mentioned in the Regulations of the Convention and of the Postal Payment Services Agreement shall also enjoy exemption from postal charges in respect of letterpost items, postal parcels and postal financial services items which concern the persons referred to under 2.1 and 2.2, which they send or receive, either direct or as intermediaries.

2.4 Parcels shall be admitted free of postage up to a weight of 5 kilogrammes. The weight limit shall be increased to 10 kilogrammes in the case of parcels the contents of which cannot be split up and of parcels addressed to a camp or the prisoners' representatives there ("hommes de confiance") for distribution to the prisoners.

2.5 In the accounting between designated operators, rates shall not be allocated for service parcels and for prisoner-of-war and civilian internee parcels, apart from the air conveyance dues applicable to air parcels.

3 Literature for the blind

3.1 Literature for the blind shall be exempt from all postal charges, with the exception of air surcharges.

Article 8

Postage stamps

1 The term "postage stamp" shall be protected under the present Convention and shall be reserved exclusively for stamps which comply with the conditions of this article and of the Regulations.

2 Postage stamps:

2.1 shall be issued and put into circulation solely under the authority of the member country or territory, in conformity with the Acts of the Union;

2.2 are a manifestation of sovereignty and constitute proof of prepayment of the postage corresponding to their intrinsic value when affixed to postal items, in conformity with the Acts of the Union;

- 2.3 must be in circulation for postal prepayment or for philatelic purposes, in the membercountry or territory of issue, according to its national legislation;
- 2.4 must be accessible to all citizens within the member country or territory of issue.
- 3 Postage stamps comprise:
- 3.1 the name of the member country or territory of issue, in roman letters¹;
- 3.2 the face value, expressed:
- 3.2.1 in principle, in the official currency of the country or territory of issue, or as a letter or symbol;
- 3.2.2 through other identifying characteristics.
- 4 Emblems of state, official control marks and logos of intergovernmental organizations featuring on postage stamps shall be protected within the meaning of the Paris Convention for the Protection of Industrial Property.
- 5 The subjects and designs of postage stamps shall:
- 5.1 be in keeping with the spirit of the Preamble to the UPU Constitution and with decisions taken by the Union's bodies;
- 5.2 be closely linked to the cultural identity of the member country or territory, or contribute to the dissemination of culture or to maintaining peace;
- 5.3 have, when commemorating leading figures or events not native to the member country or territory, a close bearing on the country or territory in question;
- 5.4 be devoid of political character or of any topic of an offensive nature in respect of a person or a country;
- 5.5 be of great significance to the member country or territory.
- 6 Postal prepayment impressions, franking machine impressions and impressions made by a printing press or another printing or stamping process in accordance with the UPU Acts may be used only with the authorization of the member country or territory.

Article 9

Postal security

Member countries and their designated operators shall adopt and implement a proactive security strategy at all levels of postal operations to maintain and enhance the confidence of the general public in the postal services, in the interests of all officials involved. This strategy shall include the exchange of information on maintaining the safe and secure transport and transit of mails between member countries and their designated operators.

Article 10

Sustainable development

Member countries and/or their designated operators shall adopt and implement a proactive sustainable development strategy focusing on environmental, social and economic action at all levels of postal operations and promote sustainable development awareness in the postal services.

Article 11

Violations

- 1 Postal items
- 1.1 Member countries shall undertake to adopt the necessary measures to prevent, prosecute and punish any person found guilty of the following:
- 1.1.1 the insertion in postal items of narcotics and psychotropic substances, as well as explosive, flammable or other dangerous substances, where their insertion has not been expressly authorized by the Convention;
- 1.1.2 the insertion in postal items of objects of a paedophilic nature or of a pornographic nature using children.
- 2 Means of postal prepayment and postal payment itself

¹ An exception shall be granted to Great Britain, the country which invented the postage stamp.

2.1 Member countries shall undertake to adopt the necessary measures to prevent, prosecute and punish any violations concerning the means of postal prepayment set out in this Convention, such as:

- 2.1.1 postage stamps, in circulation or withdrawn from circulation;
- 2.1.2 prepayment impressions;
- 2.1.3 impressions of franking machines or printing presses;
- 2.1.4 international reply coupons.

2.2 In this Convention, violations concerning means of postal prepayment refer to any of the acts outlined below committed with the intention of obtaining illegitimate gain for oneself or for a third party. The following acts shall be punished:

2.2.1 any act of falsifying, imitating or counterfeiting any means of postal prepayment, or any illegal or unlawful act linked to the unauthorized manufacturing of such items;

2.2.2 any act of using, circulating, marketing, distributing, disseminating, transporting, exhibiting, showing, or publicizing any means of postal prepayment which has been falsified, imitated or counterfeited;

2.2.3 any act of using or circulating, for postal purposes, any means of postal prepayment which has already been used;

2.2.4 any attempt to commit any of these violations.

3 Reciprocity

3.1 As regards sanctions, no distinction shall be made between the acts outlined in 2, irrespective of whether national or foreign means of postal prepayment are involved; this provision shall not be subject to any legal or conventional condition of reciprocity.

Part II

Rules applicable to letter post and postal parcels

Chapter 1

Provision of services

Article 12

Basic services

1 Member countries shall ensure that their designated operators accept, handle, convey and deliver letter-post items.

2 Letter-post items are:

2.1 priority items and non-priority items, up to 2 kilogrammes;

2.2 letters, postcards, printed papers and small packets, up to 2 kilogrammes;

2.3 mail for the blind, up to 7 kilogrammes;

2.4 special bags containing newspapers, periodicals, books and similar printed documentation for the same addressee at the same address called "M bags", up to 30 kilogrammes.

3 Letter-post items shall be classified on the basis either of the speed of treatment of the items or of the contents of the items in accordance with the Letter Post Regulations.

4 Higher weight limits than those indicated in paragraph 2 apply optionally for certain letter-post item categories under the conditions specified in the Letter Post Regulations.

5 Subject to paragraph 8, member countries shall also ensure that their designated operators accept, handle, convey and deliver postal parcels up to 20 kilogrammes, either as laid down in the Convention, or, in the case of outward parcels and after bilateral agreement, by any other means which is more advantageous to their customers.

6 Weight limits higher than 20 kilogrammes apply optionally for certain parcel-post categories under the conditions specified in the Parcel Post Regulations.

7 Any member country whose designated operator does not undertake the conveyance of parcels may arrange for the provisions of the Convention to be implemented by transport companies. It may, at the same time, limit this service to parcels originating in or addressed to places served by these companies.

8 Notwithstanding paragraph 5, member countries which, prior to 1 January 2001 were not parties to the Postal Parcels Agreement shall not be obliged to provide the postal parcels service.

Article 13

Supplementary services

1 Member countries shall ensure the provision of the following mandatory supplementary services:

1.1 registration service for outbound priority and airmail letter-post items;

1.2 registration service for outbound non-priority and surface letter-post items to destinations for which there is no priority or airmail service;

1.3 registration service for all inbound letter-post items.

2 The provision of a registration service for outbound non-priority and surface letter-post items to destinations for which there is a priority or airmail service shall be optional.

3 Member countries or their designated operators may provide the following optional supplementary services in relations between those designated operators which agreed to provide the service:

3.1 insurance for letter-post items and parcels;

3.2 recorded delivery for letter-post items;

3.3 cash-on-delivery service for letter-post items and parcels;

3.4 express delivery service for letter-post items and parcels;

3.5 delivery to the addressee in person of registered, recorded delivery or insured letter-post items;

3.6 free of charges and fees service for letter-post items and parcels;

3.7 fragile and cumbersome parcels services;

3.8 consignment service for collective items from one consignor sent abroad.

4 The following three supplementary services have both mandatory and optional parts:

4.1 international business reply service (IBRS), which is basically optional. All member countries or their designated operators shall, however, be obliged to operate the IBRS "return" service;

4.2 international reply coupons, which shall be exchangeable in any member country. The sale of international reply coupons is, however, optional;

4.3 advice of delivery for registered and recorded delivery letter-post items, parcels and insured items. All member countries or their designated operators shall admit incoming advices of delivery. The provision of an outward advice of delivery service is, however, optional.

5 The description of these services and their charges are set out in the Regulations.

6 Where the service features below are subject to special charges in the domestic service, designated operators shall be authorized to collect the same charges for international items, under the conditions described in the Regulations:

6.1 delivery for small packets weighing over 500 grammes;

6.2 letter-post items posted after the latest time of posting;

6.3 items posted outside normal counter opening hours;

6.4 collection at sender's address;

6.5 withdrawal of a letter-post item outside normal counter opening hours;

6.6 poste restante;

6.7 storage for letter-post items weighing over 500 grammes, and for parcels;

6.8 delivery of parcels, in response to the advice of arrival;

6.9 cover against risks of force majeure.

Article 14

Electronic mail, EMS, integrated logistics and new services

1 Member countries or designated operators may agree with each other to participate in the following services, which are described in the Regulations:

1.1 electronic mail, which is a postal service involving the electronic transmission of messages; designated operators may enhance electronic mail by offering registered electronic mail, which supplements electronic mail by providing proof of sending, proof of delivery and a secure communication channel between authenticated users;

1.2 EMS, which is a postal express service for documents and merchandise, and shall whenever possible be the quickest postal service by physical means. This service may be provided on the basis of the EMS Standard Multilateral Agreement or by bilateral agreement;

1.3 integrated logistics, which is a service that responds fully to customers' logistical requirements and includes the phases before and after the physical transmission of goods and documents;

1.4 the electronic postal certification mark, which provides evidentiary proof of an electronic event, in a given form, at a given time, and involving one or more parties.

2 Member countries or designated operators may by mutual consent create a new service not expressly provided for in the Acts of the Union. Charges for a new service shall be laid down by each designated operator concerned, having regard to the expenses of operating the service.

Article 15

Items not admitted. Prohibitions

1 General

1.1 Items not fulfilling the conditions laid down in the Convention and the Regulations shall not be admitted. Items sent in furtherance of a fraudulent act or with the intention of avoiding full payment of the appropriate charges shall not be admitted.

1.2 Exceptions to the prohibitions contained in this article are set out in the Regulations.

1.3 All member countries or their designated operators shall have the option of extending the prohibitions contained in this article, which may be applied immediately upon their inclusion in the relevant compendium.

2 Prohibitions in all categories of items

2.1 The insertion of the articles referred to below shall be prohibited in all categories of items:

2.1.1 narcotics and psychotropic substances, as defined by the International Narcotics Control Board, or other illicit drugs which are prohibited in the country of destination;

2.1.2 obscene or immoral articles;

2.1.3 counterfeit and pirated articles;

2.1.4 other articles the importation or circulation of which is prohibited in the country of destination;

2.1.5 articles which, by their nature or their packing, may expose officials or the general public to danger, or soil or damage other items, postal equipment or third-party property;

2.1.6 documents having the character of current and personal correspondence exchanged between persons other than the sender and the addressee or persons living with them;

3 Explosive, flammable or radioactive materials and dangerous goods

3.1 The insertion of explosive, flammable or other dangerous goods as well as radioactive materials shall be prohibited in all categories of items.

3.2 The insertion of replica and inert explosive devices and military ordnance, including inert grenades, inert shells and the like, shall be prohibited in all categories of items.

3.3 Exceptionally, the following dangerous goods shall be admitted:

3.3.1 the radioactive materials sent in letter-post items and postal parcels mentioned in article 16.1;

3.3.2 the infectious substances sent in letter-post items and postal parcels mentioned in article 16.2.

4 Live animals

4.1 Live animals shall be prohibited in all categories of items.

4.2 Exceptionally, the following shall be admitted in letter-post items other than insured items:

4.2.1 bees, leeches and silk-worms;

4.2.2 parasites and destroyers of noxious insects intended for the control of those insects and exchanged between officially recognized institutions;

4.2.3 flies of the family Drosophilidae for biomedical research exchanged between officially recognized institutions.

4.3 Exceptionally, the following shall be admitted in parcels:

4.3.1 live animals whose conveyance by post is authorized by the postal regulations of the countries concerned.

5 Insertion of correspondence in parcels

5.1 The insertion of the articles mentioned below shall be prohibited in postal parcels:

5.1.1 correspondence, with the exception of archived materials, exchanged between persons other than the sender and the addressee or persons living with them.

6 Coins, bank notes and other valuable articles

6.1 It shall be prohibited to insert coins, bank notes, currency notes or securities of any kind payable to bearer, travellers' cheques, platinum, gold or silver, whether manufactured or not, precious stones, jewels or other valuable articles:

6.1.1 in uninsured letter-post items;

6.1.1.1 however, if the national legislation of the countries of origin and destination permits this, such articles may be sent in a closed envelope as registered items;

6.1.2 in uninsured parcels; except where permitted by the national legislation of the countries of origin and destination;

6.1.3 in uninsured parcels exchanged between two countries which admit insured parcels;

6.1.3.1 in addition, any member country or designated operator may prohibit the enclosure of gold bullion in insured or uninsured parcels originating from or addressed to its territory or sent in transit *à découvert* across its territory; it may limit the actual value of these items.

7 Printed papers and literature for the blind

7.1 Printed papers and literature for the blind:

7.1.1 shall not bear any inscription or contain any item of correspondence;

7.1.2 shall not contain any postage stamp or form of prepayment, whether cancelled or not, or any paper representing a monetary value, except in cases where the item contains as an enclosure a card, envelope or wrapper bearing the printed address of the sender of the item or his agent in the country of posting or destination of the original item, which is prepaid for return.

8 Treatment of items wrongly admitted

8.1 The treatment of items wrongly admitted is set out in the Regulations. However, items containing articles mentioned in 2.1.1, 2.1.2, 3.1 and 3.2 shall in no circumstances be forwarded to their destination, delivered to the addressees or returned to origin. In the case of articles mentioned in 2.1.1, 3.1 and 3.2 discovered while in transit, such items shall be handled in accordance with the national legislation of the country of transit.

Article 16

Admissible radioactive materials and infectious substances

1 Radioactive materials shall be admitted in letter-post items and parcels in relations between member countries which have declared their willingness to admit them either reciprocally or in one direction only under the following conditions:

1.1 radioactive materials shall be made up and packed in accordance with the respective provisions of the Regulations;

1.2 when they are sent in letter-post items, they shall be subject to the tariff for priority items or the tariff for letters and registration;

1.3 radioactive materials contained in letter-post items or postal parcels shall be forwarded by the quickest route, normally by air, subject to payment of the corresponding surcharges;

1.4 radioactive materials may be posted only by duly authorized senders.

2 Infectious substances, with the exception of category A infectious substances affecting humans (UN 2814) and affecting animals (UN 2900) shall be admitted in letter-post items and postal parcels, under the following conditions:

2.1 Category B infectious substances (UN 3373) may be exchanged by mail only between officially recognized senders, as determined by their competent authority. These dangerous goods may be acceptable in mail, subject to the national and international legislation in force and the current edition of the United Nations Recommendations on the Transport of Dangerous Goods, as promulgated by the International Civil Aviation Organization (ICAO).

2.2 Category B infectious substances (UN 3373) must be handled, packed and labelled in accordance with the provisions listed in the Letter Post Regulations and Parcel Post Regulations. These items shall be subject to the tariff for priority items or the tariff for registered letters. An additional charge for the handling of these items shall be allowed.

2.3 Exempt patient specimens (human or animal) may be exchanged by mail only between officially recognized senders determined by their competent authority. These materials may be acceptable in mail, subject to the national and international legislation in force and the current edition of the United Nations Recommendations on the Transport of Dangerous Goods, as promulgated by the ICAO.

2.4 Exempt patient specimens (human or animal) must be handled, packed and labelled in accordance with the provisions listed in the Letter Post Regulations. These items shall be subject to the tariff for priority items or to the tariff for registered letters. An additional charge for the handling of these items is allowed.

2.5 Admission of infectious substances and exempt patient specimens (human or animal) shall be restricted to member countries that have declared their willingness to admit such items, whether reciprocally or in one direction only.

2.6 Permissible infectious substances and exempt patient specimens (human or animal) shall be forwarded by the quickest route, normally by air, subject to the payment of the corresponding air surcharges, and shall be given priority in delivery.

Article 17

Inquiries

1 Each designated operator shall be bound to accept inquiries relating to parcels or registered, insured or recorded delivery items posted in its own service or that of any other designated operator, provided that the inquiries are presented within a period of six months from the day after that on which the item was posted. The transmission of inquiries shall be made by priority mail, by EMS or by electronic means. The period of six months shall concern relations between claimants and designated operators and shall not include the transmission of inquiries between designated operators.

2 Inquiries shall be entertained under the conditions laid down in the Regulations.

3 Inquiries shall be free of charge. However, additional costs caused by a request for transmission by EMS shall, in principle, be borne by the person making the request.

Article 18

Customs control. Customs duty and other fees

1 The designated operators of the countries of origin and destination shall be authorized to submit items to customs control, according to the legislation of those countries.

2 Items submitted to customs control may be subjected to a presentation-to-Customs charge, the guideline amount of which is set in the Regulations. This charge shall only be collected for the submission to Customs and customs clearance of items which have attracted customs charges or any other similar charge.

3 Designated operators which are authorized to clear items through the Customs on behalf of customers may charge customers a customs clearance fee based on the actual costs. This fee may be charged for all items declared at Customs according to the national legislation, including those exempt from customs duty. Customers shall be clearly informed in advance about the required fee.

4 Designated operators shall be authorized to collect from the senders or addressees of items, as the case may be, the customs duty and all other fees which may be due.

Article 19

Exchange of closed mails with military units

1 Closed letter-post mails may be exchanged through the intermediary of the land, sea or air services of other countries:

1.1 between the post offices of any member country and the commanding officers of military units placed at the disposal of the United Nations;

1.2 between the commanding officers of such military units;

1.3 between the post offices of any member country and the commanding officers of naval, air or army units, warships or military aircraft of the same country stationed abroad;

1.4 between the commanding officers of naval, air or army units, warships or military aircraft of the same country.

2 Letter-post items enclosed in the mails referred to under 1 shall be confined to items addressed to or sent by members of military units or the officers and crews of the ships or aircraft to or from which the mails are forwarded. The rates and conditions of dispatch applicable to them shall be fixed, according to its regulations, by the designated operator of the member country which has made the military unit available or to which the ships or aircraft belong.

3 In the absence of special agreement, the designated operator of the member country which has made the military unit available or to which the warships or military aircraft belong shall be liable to the designated operators concerned for the transit charges for the mails, the terminal dues and the air conveyance dues.

Article 20

Quality of service standards and targets

1 Member countries or their designated operators shall establish and publish delivery standards and targets for their inward letter-post items and parcels.

2 These standards and targets, increased by the time normally required for customs clearance, shall be no less favourable than those applied to comparable items in their domestic service.

3 Member countries or their designated operators of origin shall also establish and publish end-to-end standards for priority and airmail letter-post items as well as for parcels and economy/surface parcels.

4 Member countries or their designated operators shall measure the application of quality of service standards.

Chapter 2

Liability

Article 21

Liability of designated operators. Indemnities

1 General

1.1 Except for the cases provided for in article 22, designated operators shall be liable for:

1.1.1 the loss of, theft from or damage to registered items, ordinary parcels and insured items;

1.1.2 the loss of recorded delivery items;

1.1.3 the return of registered items, insured items and ordinary parcels on which the reason for non-delivery is not given.

1.2 Designated operators shall not be liable for items other than those mentioned in 1.1.1 and 1.1.2.

1.3 In any other case not provided for in this Convention, designated operators shall not be liable.

1.4 When the loss of or total damage to registered items, ordinary parcels and insured items is due to a case of force majeure for which indemnity is not payable, the sender shall be entitled to repayment of the charges paid for posting the item, with the exception of the insurance charge.

1.5 The amounts of indemnity to be paid shall not exceed the amounts mentioned in the Letter Post Regulations and the Parcel Post Regulations.

1.6 In cases of liability, consequential losses or loss of profits shall not be taken into account in the indemnity to be paid.

1.7 All provisions regarding liability of designated operators shall be strict, binding and complete. Designated operators shall in no case, even in case of severe fault, be liable above the limits provided for in the Convention and the Regulations.

2 Registered items

2.1 If a registered item is lost, totally rifled or totally damaged, the sender shall be entitled to an indemnity set in the Letter Post Regulations. If the sender has claimed an amount less than the amount set in the Letter Post Regulations, designated operators may pay that lower amount and shall receive reimbursement on this basis from any other designated operators involved.

2.2 If a registered item is partially rifled or partially damaged, the sender is entitled to an indemnity corresponding, in principle, to the actual value of the theft or damage.

3 Recorded delivery items

3.1 If a recorded delivery item is lost, totally rifled or totally damaged, the sender shall be entitled to refund of the charges paid for posting the item only.

4 Ordinary parcels

4.1 If a parcel is lost, totally rifled or totally damaged, the sender shall be entitled to an indemnity of an amount set in the Parcel Post Regulations. If the sender has claimed an amount less than the amount set in the Parcel Post Regulations, designated operators may pay that lower amount and shall receive reimbursement on this basis from any other designated operators involved.

4.2 If a parcel is partially rifled or partially damaged, the sender shall be entitled to an indemnity corresponding, in principle, to the actual value of the theft or damage.

4.3 Designated operators may agree to apply, in their reciprocal relations, the amount per parcel set in the Parcel Post Regulations, regardless of the weight.

5 Insured items

5.1 If an insured item is lost, totally rifled or totally damaged, the sender shall be entitled to an indemnity corresponding, in principle, to the insured value in SDRs.

5.2 If an insured item is partially rifled or partially damaged, the sender shall be entitled to an indemnity corresponding, in principle, to the actual value of the theft or damage. It may, however, in no case exceed the amount of the insured value in SDRs.

6 If a registered or insured letter-post item is returned and the reason for non-delivery is not given, the sender shall be entitled to a refund of the charges paid only.

7 If a parcel is returned and the reason for non-delivery is not given, the sender shall be entitled to a refund of the charges paid by the sender for posting the parcel in the country of origin and the expenses occasioned by the return of the parcel from the country of destination.

8 In the cases mentioned in 2, 4 and 5, the indemnity shall be calculated according to the current price, converted into SDRs, of articles or goods of the same kind at the place and time at which the item was

accepted for conveyance. Failing a current price, the indemnity shall be calculated according to the ordinary value of articles or goods whose value is assessed on the same basis.

9 When an indemnity is due for the loss of, total theft from or total damage to a registered item, ordinary parcel or insured item, the sender, or the addressee, as the case may be, shall also be entitled to repayment of the charges and fees paid for posting the item with the exception of the registration or insurance charge. The same shall apply to registered items, ordinary parcels or insured items refused by the addressee because of their bad condition if that is attributable to the postal service and involves its liability.

10 Notwithstanding the provisions set out under 2, 4 and 5, the addressee shall be entitled to the indemnity after delivery of a rifled or damaged registered item, ordinary parcel or insured item.

11 The designated operator of origin shall have the option of paying senders in its country the indemnities prescribed by its national legislation for registered items and uninsured parcels, provided that they are not lower than those laid down in 2.1 and 4.1. The same shall apply to the designated operator of destination when the indemnity is paid to the addressee. However, the amounts laid down in 2.1 and 4.1 shall remain applicable.

11.1 in the event of recourse against the designated operator liable; or

11.2 if the sender waives his rights in favour of the addressee or vice versa.

12 Reservations concerning the exceeding of deadlines for inquiries and payment of indemnity to designated operators, including the periods and conditions fixed in the Regulations, shall not be made, except in the event of bilateral agreement.

Article 22

Non-liability of member countries and designated operators

1 Designated operators shall cease to be liable for registered items, recorded delivery items, parcels and insured items which they have delivered according to the conditions laid down in their regulations for items of the same kind. Liability shall, however, be maintained:

1.1 when theft or damage is discovered either prior to or at the time of delivery of the item;

1.2 when, internal regulations permitting, the addressee, or the sender if it is returned to origin, makes reservations on taking delivery of a rifled or damaged item;

1.3 when, internal regulations permitting, the registered item was delivered to a private mailbox and the addressee declares that he did not receive the item;

1.4 when the addressee or, in the case of return to origin, the sender of a parcel or of an insured item, although having given a proper discharge, notifies the designated operator that delivered the item without delay that he has found theft or damage. He shall furnish proof that such theft or damage did not occur after delivery. The term "without delay" shall be interpreted according to national law.

2 Member countries and designated operators shall not be liable:

2.1 in cases of force majeure, subject to article 13.6.9;

2.2 when they cannot account for items owing to the destruction of official records by force majeure, provided that proof of their liability has not been otherwise produced;

- 2.3 when such loss, theft or damage has been caused by the fault or negligence of the sender or arises from the nature of the contents;
 - 2.4 in the case of items that fall within the prohibitions specified in article 15;
 - 2.5 when the items have been seized under the legislation of the country of destination, as notified by the member country or designated operator of that country;
 - 2.6 in the case of insured items which have been fraudulently insured for a sum greater than the actual value of the contents;
 - 2.7 when the sender has made no inquiry within six months from the day after that on which the item was posted;
 - 2.8 in the case of prisoner-of-war or civilian internee parcels;
 - 2.9 when the sender's actions may be suspected of fraudulent intent, aimed at receiving compensation.
- 3 Member countries and designated operators shall accept no liability for customs declarations in whatever form these are made or for decisions taken by the Customs on examination of items submitted to customs control.

Article 23

Sender's liability

- 1 The sender of an item shall be liable for injuries caused to postal officials and for any damage caused to other postal items and postal equipment, as a result of the dispatch of articles not acceptable for conveyance or the non-observance of the conditions of acceptance.
- 2 In the case of damage to other postal items, the sender shall be liable for each item damaged within the same limits as designated operators.
- 3 The sender shall remain liable even if the office of posting accepts such an item.
- 4 However, where the conditions of acceptance have been observed by the sender, the sender shall not be liable, in so far as there has been fault or negligence in handling the item on the part of designated operators or carriers, after acceptance.

Article 24

Payment of indemnity

- 1 Subject to the right of recourse against the designated operator which is liable, the obligation to pay the indemnity and to refund the charges and fees shall rest either with the designated operator of origin or with the designated operator of destination.
- 2 The sender may waive his rights to the indemnity in favour of the addressee. Conversely, the addressee may waive his rights in favour of the sender. The sender or the addressee may authorize a third party to receive the indemnity if internal legislation allows this.

Article 25

Possible recovery of the indemnity from the sender or the addressee

- 1 If, after payment of the indemnity, a registered item, a parcel or an insured item or part of the contents previously considered as lost is found, the sender or the addressee, as the case may be, shall be advised that the item is being held at his disposal for a period of three months on repayment of the amount of the indemnity paid. At the same time he shall be asked to whom the item is to be delivered. In the event of refusal or failure to reply within the prescribed period, the same approach shall be made to the addressee or the sender as the case may be, granting that person the same period to reply.
- 2 If the sender and the addressee refuse to take delivery of the item or do not reply within the period provided for in paragraph 1, it shall become the property of the designated operator or, where appropriate, designated operators which bore the loss.
- 3 In the case of subsequent discovery of an insured item the contents of which are found to be of less value than the amount of the indemnity paid, the sender or the addressee, as the case may be, shall repay the amount of this indemnity against return of the item, without prejudice to the consequences of fraudulent insurance.

Chapter 3

Provisions specific to letter post

Article 26

Posting abroad of letter-post items

1 A designated operator shall not be bound to forward or deliver to the addressee letter-post items which senders residing in the territory of its member country post or cause to be posted in a foreign country with the object of profiting by the more favourable rate conditions there.

2 The provisions set out under 1 shall be applied without distinction both to letter-post items made up in the sender's country of residence and then carried across the frontier and to letter-post items made up in a foreign country.

3 The designated operator of destination may claim from the sender and, failing this, from the designated operator of posting, payment of the internal rates. If neither the sender nor the designated operator of posting agrees to pay these rates within a time limit set by the designated operator of destination, the latter may either return the items to the designated operator of posting and shall be entitled to claim reimbursement of the redirection costs, or handle them in accordance with its national legislation.

4 A designated operator shall not be bound to forward or deliver to the addressees letter-post items which senders post or cause to be posted in large quantities in a country other than the country where they reside if the amount of terminal dues to be received is lower than the sum that would have been received if the mail had been posted in the country where the senders reside. The designated operator of destination may claim from the designated operator of posting payment commensurate with the costs incurred and which may not exceed the higher of the following two amounts: either 80% of the domestic tariff for equivalent items, or the rates applicable pursuant to articles 28.3 to 28.7 or 29.7, as appropriate. If the designated operator of posting does not agree to pay the amount claimed within a time limit set by the designated operator of destination, the designated operator of destination may either return the items to the designated operator of posting and shall be entitled to claim reimbursement of the redirection costs, or handle them in accordance with its national legislation.

Part III

Remuneration

Chapter 1

Provisions specific to letter post

Article 27

Terminal dues. General provisions

1 Subject to exemptions provided in the Regulations, each designated operator which receives letter-post items from another designated operator shall have the right to collect from the dispatching designated operator a payment for the costs incurred for the international mail received.

2 For the application of the provisions concerning the payment of terminal dues by their designated operators, countries and territories shall be classified in accordance with the lists drawn up for this purpose by Congress in its resolution C 18/2008., as follows:

2.1 countries and territories in the target system prior to 2010;

2.2 countries and territories in the target system as of 2010 and 2012 (new target system countries);

2.3 countries and territories in the transitional system.

3 The provisions of the present Convention concerning the payment of terminal dues are transitional arrangements, moving towards a country-specific payment system at the end of the transition period.

4 Access to domestic services. Direct access

4.1 In principle, each designated operator shall make available to the other designated operators all the rates, terms and conditions offered in its domestic service on conditions identical to those proposed to its national customers. It shall be up to the designated operator of destination to

decide whether the terms and conditions of direct access have been met by the designated operator of origin.

4.2 Designated operators of countries in the target system shall make available to other designated operators the rates, terms and conditions offered in their domestic service, on conditions identical to those proposed to their national customers.

4.3 Designated operators of new target system countries may opt not to make available to other designated operators the rates, terms and conditions offered in their domestic service on conditions identical to those proposed to their national customers. Those designated operators may, however, opt to make available to a limited number of designated operators the application of domestic conditions, on a reciprocal basis, for a trial period of two years. After that period, they must choose either to cease making available the application of domestic conditions or to continue to make their own domestic conditions available to all designated operators. However, if designated operators of new target system countries ask designated operators of target system countries for the application of domestic conditions, they must make available to all designated operators the rates, terms and conditions offered in their domestic service on conditions identical to those proposed to their national customers.

4.4 Designated operators of countries in the transitional system may opt not to make available to other designated operators the application of domestic conditions. They may, however, opt to make available to a limited number of designated operators the application of domestic conditions, on a reciprocal basis, for a trial period of two years. After that period, they must choose either to cease making available the application of domestic conditions or to continue to make their own domestic conditions available to all designated operators.

5 Terminal dues remuneration shall be based on quality of service performance in the country of destination. The Postal Operations Council shall therefore be authorized to supplement the remuneration in articles 28 and 29 to encourage participation in monitoring systems and to reward designated operators for reaching their quality targets. The Postal Operations Council may also fix penalties in case of insufficient quality, but the remuneration shall not be less than the minimum remuneration according to articles 28 and 29.

6 Any designated operator may waive wholly or in part the payment provided for under 1.

7 For M bags, the terminal dues rate to be applied shall be 0.793 SDR per kilogramme. M bags weighing less than 5 kilogrammes shall be considered as weighing 5 kilogrammes for terminal dues payment purposes.

8 For registered items there shall be an additional payment of 0.55 SDR per item for 2010 and 2011 and 0.6 SDR for 2012 and 2013. For insured items, there shall be an additional payment of 1.1 SDR per item for 2010 and 2011 and 1.2 SDR for 2012 and 2013. The Postal Operations Council shall be authorized to supplement remuneration for these and other supplementary services where the services provided contain additional features to be specified in the Letter Post Regulations.

9 Any designated operator may, by bilateral or multilateral agreement, apply other payment systems for the settlement of terminal dues accounts.

10 Designated operators may exchange non-priority mail on an optional basis by applying a 10% discount to the priority terminal dues rate.

11 Designated operators may exchange format-separated mail on an optional basis at a discounted terminal dues rate.

12 The provisions applicable between designated operators of countries in the target system shall apply to any designated operator of a country in the transitional system which declares that it wishes to join the target system. The Postal Operations Council may set transitional measures in the Letter Post Regulations. The full provisions of the target system may apply to any new target designated operator that declares that it wishes to apply such full provisions without transitional measures.

Article 28

Terminal dues. Provisions applicable to mail flows between designated operators of countries in the target system

1 Payment for letter-post items, including bulk mail but excluding M bags and IBRS items, shall be established on the basis of the application of the rates per item and per kilogramme

reflecting the handling costs in the country of destination; these costs must be related to the domestic tariffs. The rates shall be calculated in accordance with the conditions specified in the Letter Post Regulations.

2 Payment for IBRS items shall be as described in the Letter Post Regulations.

3 The rates per item and per kilogramme shall be calculated on the basis of a percentage of the charge for a 20-gramme priority letter in the domestic service, which shall be 70% for countries in the target system prior to 2010 and 100% for countries entering the target system from 2010 or 2012 (new target system countries).

4 The Postal Operations Council will conduct a study of the cost of handling inbound mail during 2009 and 2010. If this study reveals a percentage different from the 70% set out under paragraph 2, the POC shall consider whether to change the percentage of the charge for a 20 gramme priority letter for the years 2012 and 2013.

5 From the charge used for the calculation in paragraph 2 above, 50% of the VAT or other taxes shall be excluded for the years 2010 and 2011, and 100% for the years 2012 and 2013.

6 The rates applied for flows between countries in the target system prior to 2010 may not be higher than:

6.1 for the year 2010, 0.253 SDR per item and 1.980 SDR per kilogramme;

6.2 for the year 2011, 0.263 SDR per item and 2.059 SDR per kilogramme;

6.3 for the year 2012, 0.274 SDR per item and 2.141 SDR per kilogramme;

6.4 for the year 2013, 0.285 SDR per item and 2.227 SDR per kilogramme.

7 The rates applied for flows between countries in the target system prior to 2010 may not be lower than the rates in 2009, prior to application of the quality of service link. The rates may also not be lower than:

7.1 for the year 2010, 0.165 SDR per item and 1.669 SDR per kilogramme;

7.2 for the year 2011, 0.169 SDR per item and 1.709 SDR per kilogramme;

7.3 for the year 2012, 0.173 SDR per item and 1.750 SDR per kilogramme;

7.4 for the year 2013, 0.177 SDR per item and 1.792 SDR per kilogramme.

8 The rates applied for flows to, from or between new target system countries, other than for bulk mail, shall be:

8.1 for the year 2010: 0.155 SDR per item and 1.562 SDR per kilogramme;

8.2 for the year 2011: 0.159 SDR per item and 1.610 SDR per kilogramme;

8.3 for the year 2012: 0.164 SDR per item and 1.648 SDR per kilogramme;

8.4 for the year 2013: 0.168 SDR per item and 1.702 SDR per kilogramme.

9 The payment for bulk mail shall be established by applying the rates per item and per kilogramme provided for in article 28, paragraphs 3 to 74.

10 For registered or insured items not carrying a barcoded identifier or carrying a barcoded identifier that is not compliant with UPU Technical Standard S10, there shall be a further additional payment of 0.5 SDR per item unless otherwise bilaterally agreed.

11 No reservations may be made to this article, except within the framework of a bilateral agreement.

Article 29

Terminal dues. Provisions applicable to mail flows to, from and between designated operators of countries in the transitional system

1 In preparation for the entry into the target system of the designated operators of countries in the terminal dues transitional system, payment for letter-post items, including bulk mail but excluding M bags, shall be established on the basis of yearly increases of 2.8% on the adjusted 2009 rates, using the worldwide average of 14.64 items per kilogramme.

2 Payment for IBRS items shall be as described in the Letter Post Regulations.

3 The rates applied for flows to, from and between countries in the transitional system shall be:

3.1 for the year 2010: 0.155 SDR per item and 1.562 SDR per kilogramme;

3.2 for the year 2011: 0.159 SDR per item and 1.610 SDR per kilogramme;

3.3 for the year 2012: 0.164 SDR per item and 1.648 SDR per kilogramme;

3.4 for the year 2013: 0.168 SDR per item and 1.702 SDR per kilogramme.

4 For flows below 100 tonnes a year, the per kilogramme and per item components shall be converted into a total rate per kilogramme on the basis of a worldwide average of 14.64 items per kilogramme. The following rates shall apply:

4.1 for the year 2010: 3.831 SDR per kilogramme;

4.2 for the year 2011: 3.938 SDR per kilogramme;

4.3 for the year 2012: 4.049 SDR per kilogramme;

4.4 for the year 2013: 4.162 SDR per kilogramme.

5 For mail flows over 100 tonnes per year, the flat rate per kilogramme listed above shall be applied if neither the origin designated operator nor the destination designated operator requests the revision mechanism to revise the rate on the basis of the actual number of items per kilogramme, rather than the worldwide average. The sampling for the revision mechanism shall be applied in accordance with the conditions specified in the Letter Post Regulations.

6 The downward revision of the total rate in paragraph 4 may not be invoked by a country in the target system against a country in the transitional system unless the latter asks for a revision in the opposite direction.

7 The payment for bulk mail to designated operators of countries in the target system shall be established by applying the rates per item and per kilogramme provided for in article 28. For bulk mail received, designated operators in the transitional system may request payment according to paragraph 3.

8 No reservations may be made to this article, except within the framework of a bilateral agreement.

Article 30

Quality of Service Fund

1 Terminal dues payable by all countries and territories to the countries classified by Congress as group 5 countries for terminal dues and the Quality of Service Fund (QSF), except for M bags and bulk mail items, shall be increased by 20% of the rates given in article 29 for payment into the Quality of Service Fund (QSF) for improving the quality of service in group 5 countries. There shall be no such payment from one group 5 country to another group 5 country.

2 Terminal dues, except for M bags and bulk mail items, payable by countries and territories classified by Congress as group 1 countries to the countries classified by Congress as group 4 countries shall be increased by 10% of the rates given in article 29, for payment into the QSF for improving the quality of service in group 4 countries.

3 As of 1 January 2012, terminal dues, except in respect of M bags and bulk mail items, payable by countries and territories classified by Congress as group 2 countries to the countries classified by Congress as group 4 countries shall be increased by 10% of the rates given in article 29, for payment into the QSF for improving the quality of service in group 4 countries.

4 Terminal dues, except in respect of M bags and bulk mail items, payable by countries and territories classified by Congress as group 1 countries which were in the target system prior to 2010 to the countries classified by Congress as group 3 countries shall be increased by 8% of the rates given in article 29, for payment into the QSF for improving the quality of service in group 3 countries.

5 Terminal dues, except in respect of M bags and bulk mail items, payable by countries and territories classified by Congress as group 1 countries which will join the target system in 2010 to the countries classified by Congress as group 3 countries shall be increased by 4% of the rates given in article 29, for payment into the QSF for improving the quality of service in group 3 countries.

6 As of 1 January 2012, terminal dues, except in respect of M bags and bulk mail items, payable by countries and territories classified by Congress as group 2 countries to the countries classified by Congress as group 3 countries shall be increased by 4% of the rates given in article 29, for payment into the QSF for improving the quality of service in group 3 countries.

7 Terminal dues, except in respect of M bags and bulk mail items, payable by countries and territories classified by Congress as group 1 countries to the countries classified by Congress as group 2 countries which benefited from a 8% increase prior to 2010, shall be increased in 2010 and 2011 by 4% of the rates given in article 29, and in 2012 and 2013 by 2% of the rates given in article 29.5, for payment into the QSF for improving the quality of service in group 2 countries.

8 Terminal dues, except in respect of M bags and bulk mail items, payable by countries and territories classified by Congress as group 1 countries to the countries classified by Congress as group 2 countries which benefited from a 1% increase prior to 2010 shall be increased in 2010 and 2011 by 1% of the rates given in article 29, for payment into the QSF for improving the quality of service in group 2 countries.

9 The combined terminal dues payable into the QSF for improving the quality of service of countries in groups 2, 3, 4 and 5 shall be subject to a minimum of 12,565 SDR per annum for each beneficiary country. The additional funds needed for reaching this minimum amount shall be invoiced, in proportion to the volumes exchanged, to the countries in the target system prior to 2010.

10 Regional projects should in particular promote the implementation of UPU quality of service improvement programmes and the introduction of cost accounting systems in developing countries. The Postal Operations Council shall adopt, in 2010 at the latest, procedures for financing these projects.

Article 31

Transit charges

1 Closed mails and *à découvert* transit items exchanged between two designated operators or between two offices of the same member country by means of the services of one or more other designated operators (third party services) shall be subject to the payment of transit charges. The latter shall constitute remuneration for the services rendered in respect of land transit, sea transit and air transit. This principle shall also apply to missent items or misrouted mails.

Chapter 2

Other provisions

Article 32

Basic rates and provisions concerning air conveyance dues

1 The basic rate applicable to the settlement of accounts between designated operators in respect of air conveyance shall be approved by the Postal Operations Council. It shall be calculated by the International Bureau according to the formula specified in the Letter Post Regulations.

2 The calculation of air conveyance dues on closed dispatches, priority items, airmail items and air parcels sent in transit *à découvert*, missent items and misrouted mails, as well as the relevant methods of accounting, are described in the Letter Post and Parcel Post Regulations.

3 The air conveyance dues for the whole distance flown shall be borne:

3.1 in the case of closed mails, by the designated operator of the country of origin of the mails, including when these mails transit via one or more intermediate designated operators;

3.2 in the case of priority items and airmail items in transit *à découvert*, including missent items, by the designated operator which forwards the items to another designated operator.

4 These same regulations shall be applicable to items exempted from land and sea transit charges if they are conveyed by air.

5 Each designated operator of destination which provides air conveyance of international mail within its country shall be entitled to reimbursement of the additional costs incurred for such conveyance provided that the weighted average distance of the sectors flown exceeds 300 kilometres. The Postal Operations Council may replace the weighted average distance by other relevant criteria. Unless agreement has been reached that no charge should be made, the dues shall be uniform for all priority mails and airmails originating abroad whether or not this mail is reforwarded by air.

6 However, where the terminal dues levied by the designated operator of destination are based specifically on costs or on domestic rates, no additional reimbursement for internal air conveyance shall be made.

7 The designated operator of destination shall exclude, for the purpose of calculating the weighted average distance, the weight of all mails for which the terminal dues calculation has been based specifically on costs or on the domestic rates of the designated operator of destination.

Article 33

Parcel post land and sea rates

1 Parcels exchanged between two designated operators shall be subject to inward land rates calculated by combining the base rate per parcel and base rate per kilogramme laid down in the Regulations.

1.1 Bearing in mind the above base rates, designated operators may, in addition, be authorized to claim supplementary rates per parcel and per kilogramme in accordance with provisions laid down in the Regulations.

1.2 The rates mentioned in 1 and 1.1 shall be payable by the designated operator of the country of origin, unless the Parcel Post Regulations provide for exceptions to this principle.

1.3 The inward land rates shall be uniform for the whole of the territory of each country.

2 Parcels exchanged between two designated operators or between two offices of the same country by means of the land services of one or more other designated operators shall be subject to the transit land rates, payable to the designated operators which take part in the routeing on land, laid down in the Regulations, according to the distance step applicable.

2.1 For parcels in transit à découvert, intermediate designated operators shall be authorized to claim the single rate per item laid down in the Regulations.

2.2 Transit land rates shall be payable by the designated operator of the country of origin unless the Parcel Post Regulations provide for exceptions to this principle.

3 Any designated operator which participates in the sea conveyance of parcels shall be authorized to claim sea rates. These rates shall be payable by the designated operator of the country of origin, unless the Parcel Post Regulations provide for exceptions to this principle.

3.1 For each sea conveyance used, the sea rate shall be laid down in the Parcel Post Regulations according to the distance step applicable.

3.2 Designated operators may increase by 50% at most the sea rate calculated in accordance with 3.1. On the other hand, they may reduce it as they wish.

Article 34

Authority of the POC to fix charges and rates

1 The Postal Operations Council shall have the authority to fix the following rates and charges, which are payable by designated operators in accordance with the conditions shown in the Regulations:

1.1 transit charges for the handling and conveyance of letter mails through one or more intermediary countries;

1.2 basic rates and air conveyance dues for the carriage of mail by air;

1.3 inward land rates for the handling of inward parcels;

1.4 transit land rates for the handling and conveyance of parcels through an intermediary country;

1.5 sea rates for conveyance of parcels by sea.

2 Any revision made, in accordance with a methodology that ensures equitable remuneration for designated operators performing the services, must be based on reliable and representative economic and financial data. Any change decided upon shall enter into force at a date set by the Postal Operations Council.

Part IV

Final provisions

Article 35

Conditions for approval of proposals concerning the Convention and the Regulations

1 To become effective, proposals submitted to Congress relating to this Convention must be approved by a majority of the member countries present and voting which have the right to vote. At least half of the member countries represented at Congress and having the right to vote shall be present at the time of voting.

2 To become effective, proposals relating to the Letter Post Regulations and the Parcel Post Regulations must be approved by a majority of the members of the Postal Operations Council having the right to vote.

3 To become effective, proposals introduced between Congresses relating to this Convention and to its Final Protocol must obtain:

3.1 two thirds of the votes, at least one half of the member countries of the Union which have the right to vote having taken part in the vote, if they involve amendments;

3.2 a majority of the votes if they involve interpretation of the provisions.

4 Notwithstanding the provisions under 3.1, any member country whose national legislation is as yet incompatible with the proposed amendment may, within ninety days from the date of notification of the latter, make a written declaration to the Director General of the International Bureau stating that it is unable to accept the amendment.

Article 36

Reservations at Congress

1 Any reservation which is incompatible with the object and purpose of the Union shall not be permitted.

2 As a general rule, any member country whose views are not shared by other member countries shall endeavour, as far as possible, to conform to the opinion of the majority. Reservations should be made only in cases of absolute necessity, and proper reasons given.

3 Reservations to any article of the present Convention shall be submitted to Congress as a Congress proposal written in one of the working languages of the International Bureau and in accordance with the relevant provisions of the Rules of Procedure of Congresses.

4 To become effective, proposals concerning reservations must be approved by whatever majority is required for amendment of the article to which the reservation relates.

5 In principle, reservations shall be applied on a reciprocal basis between the reserving member country and the other member countries.

6 Reservations to the present Convention shall be inserted in the Final Protocol to the present Convention, on the basis of proposals approved by Congress.

Article 37

Entry into force and duration of the Convention

1 This Convention shall come into force on 1 January 2010 and shall remain in operation until the entry into force of the Acts of the next Congress.

In witness whereof the plenipotentiaries of the Governments of the member countries have signed this Convention in a single original which shall be deposited with the Director General of the International Bureau. A copy thereof shall be delivered to each party by the International Bureau of the Universal Postal Union.

Done at Geneva, 12 August 2008

Final Protocol to the Universal Postal Convention

At the moment of proceeding to signature of the Universal Postal Convention concluded this day, the undersigned plenipotentiaries have agreed the following:

Article I

Ownership of postal items. Withdrawal from the post. Alteration or correction of address

1 The provisions in article 5.1 and 2 shall not apply to Antigua and Barbuda, Bahrain, Barbados, Belize, Botswana, Brunei Darussalam, Canada, Hong Kong, China, Dominica, Egypt, Fiji, Gambia, United Kingdom of Great Britain and Northern Ireland, Overseas Dependent Territories of the United Kingdom, Grenada, Guyana, Ireland, Jamaica, Kenya, Kiribati, Kuwait, Lesotho, Malawi, Malaysia, Mauritius, Nauru, New Zealand, Nigeria, Papua New Guinea, Saint Christopher and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Seychelles, Sierra Leone, Singapore, Solomon Islands, Swaziland, Tanzania (United Rep.), Trinidad and Tobago, Tuvalu, Uganda, Vanuatu and Zambia.

2 Nor shall article 5.1 and 2 apply to Austria, Denmark and Iran (Islamic Rep.), whose internal legislation does not allow withdrawal from the Post or alteration of the address of correspondence, at the request of the sender, from the time when the addressee has been informed of the arrival of an item addressed to him.

3 Article 5.1 shall not apply to Australia, Ghana and Zimbabwe.

4 Article 5.2 shall not apply to Bahamas, Belgium, the Dem. People's Rep. of Korea, Iraq and Myanmar, whose legislation does not permit withdrawal from the post or alteration of address of letter-post items at the sender's request.

5 Article 5.2 shall not apply to the United States of America.

6 Article 5.2 shall apply to Australia only in so far as that article is consistent with its domestic legislation.

7 Notwithstanding article 5.2, Dem. Rep. of the Congo, El Salvador, Panama (Rep.), Philippines and Venezuela shall be authorized not to return postal parcels after the addressee has requested their clearance by Customs, since this is incompatible with those countries' customs legislation.

Article II

Charges

1 Notwithstanding article 6 Australia, Canada and New Zealand shall be authorized to collect postal charges other than those provided for in the Regulations, when such charges are consistent with the legislation of their countries.

Article III

Exception to the exemption of literature for the blind from postal charges

1 Notwithstanding article 7, Indonesia, Saint Vincent and the Grenadines and Turkey, which do not concede exemption from postal charges to literature for the blind in their internal service, may collect the postage and charges for special services which may not, however, exceed those in their internal service.

2 Notwithstanding article 7, Australia, Austria, Canada, Germany, United Kingdom of Great Britain and Northern Ireland, Japan, Switzerland and United States of America may collect the charges for special services which are applied to literature for the blind in their internal service.

Article IV

Basic services

1 Notwithstanding the provisions of article 12, Australia does not agree to the extension of basic services to include postal parcels.

2 The provisions of article 12.2.4 shall not apply to Great Britain, whose national legislation requires a lower weight limit. Health and safety legislation in Great Britain limits the weight of mail bags to 20 kilogrammes.

3 Notwithstanding article 12.2.4, Kazakhstan and Uzbekistan shall be authorized to limit to 20 kilogrammes the maximum weight of inward and outward M bags.

Article V

Advice of delivery

1 Canada shall be authorized not to apply article 13.4.3, as regards parcels, given that it does not offer the advice of delivery service for parcels in its internal service.

Article VI

International business reply service (IBRS)

1 Notwithstanding article 13.4.1, Bulgaria (Rep.) shall provide the international business reply service after negotiations with the member country concerned.

Article VII

Prohibitions (letter post)

1 Exceptionally, Dem. People's Rep. of Korea and Lebanon shall not accept registered items containing coins, bank notes, securities of any kind payable to bearer, travellers' cheques, platinum, gold or silver whether manufactured or not, precious stones, jewels or other valuable articles. They shall not be strictly bound by the provisions of the Letter Post Regulations with regard to their liability in cases of theft or damage, or where items containing articles made of glass or fragile articles are concerned.

2 Exceptionally, Bolivia, China (People's Rep.), excluding Hong Kong Special Administrative Region, Iraq, Nepal, Pakistan, Saudi Arabia, Sudan and Viet Nam shall not accept registered items containing coins, bank notes, currency notes or securities of any kind payable to bearer, travellers' cheques, platinum, gold or silver whether manufactured or not, precious stones, jewels or other valuable articles.

3 Myanmar reserves the right not to accept insured items containing the valuable articles listed in article 15.5, as this is contrary to its internal regulations.

4 Nepal does not accept registered items or insured items containing currency notes or coins, except by special agreement to that effect.

5 Uzbekistan does not accept registered or insured items containing coins, bank notes, cheques, postage stamps or foreign currency and shall accept no liability in cases of loss of or damage to such items.

6 Iran (Islamic Rep.) does not accept items containing articles contrary to the principles of the Islamic religion.

7 The Philippines reserves the right not to accept any kind of letter post (ordinary, registered or insured) containing coins, currency notes or securities of any kind payable to bearer, travellers' cheques, platinum, gold or silver, whether manufactured or not, precious stones or other valuable articles.

8 Australia does not accept postal items of any kind containing bullion or bank notes. In addition, it does not accept registered items for delivery in Australia, or items in transit *à découvert*, containing valuables such as jewellery, precious metals, precious or semi-precious stones, securities, coins or any form of negotiable financial instrument. It declines all liability for items posted which are not in compliance with this reservation.

9 China (People's Rep.), excluding Hong Kong Special Administrative Region, shall not accept insured items containing coins, bank notes, currency notes or securities of any kind payable to bearer and travellers' cheques in accordance with its internal regulations.

10 Latvia and Mongolia reserve the right not to accept, in accordance with their national legislation, ordinary, registered or insured mail containing coins, bank notes, securities payable to bearer and travellers' cheques.

11 Brazil reserves the right not to accept ordinary, registered or insured mail containing coins, bank notes in circulation or securities of any kind payable to bearer.

12 Viet Nam reserves the right not to accept letters containing articles or goods.

13 Indonesia does not accept registered or insured items containing coins, bank notes, cheques, postage stamps, foreign currency, or any kind of securities payable to bearer for delivery in Indonesia, and shall accept no liability in cases of loss of or damage to such items.

14 Kyrgyzstan reserves the right not to accept letter-post items (ordinary, registered, insured, small packets) containing coins, currency notes or securities of any kind payable to bearer, travellers' cheques, platinum, gold or silver, whether manufactured or not, precious stones, jewels or other valuable articles, and shall accept no liability in cases of loss of or damage to such items.

15 Kazakhstan shall not accept registered or insured items containing coins, banknotes, credit notes or any securities payable to bearer, cheques, precious metals whether manufactured or not, precious stones, jewels and other valuable articles or foreign currency, and shall accept no liability in cases of loss of or damage to such items.

16 Moldova and the Russian Federation do not accept registered or insured items containing bank notes in circulation, securities (cheques) of any kind payable to bearer or foreign currency, and shall accept no liability in cases of loss of or damage to such items.

Article VIII

Prohibitions (postal parcels)

1 Myanmar and Zambia shall be authorized not to accept insured parcels containing the valuable articles covered in article 15.6.1.3.1, since this is contrary to their internal regulations.

2 Exceptionally, Lebanon and Sudan shall not accept parcels containing coins, currency notes or securities of any kind payable to bearer, travellers' cheques, platinum, gold or silver whether manufactured or not, precious stones or other valuable articles, or containing liquids or easily liquefiable elements or articles made of glass or similar or fragile articles. They shall not be bound by the relevant provisions of the Parcel Post Regulations.

3 Brazil shall be authorized not to accept insured parcels containing coins and currency notes in circulation, as well as any securities payable to bearer, since this is contrary to its internal regulations.

4 Ghana shall be authorized not to accept insured parcels containing coins and currency notes in circulation, since this is contrary to its internal regulations.

5 In addition to the articles listed in article 15, Saudi Arabia shall be authorized not to accept parcels containing coins, currency notes or securities of any kind payable to bearer, travellers' cheques, platinum, gold or silver, whether manufactured or not, precious stones or other valuable articles. Nor does it accept parcels containing medicines of any kind unless they are accompanied by a medical prescription issued by a competent official authority, products designed for extinguishing fires, chemical liquids or articles contrary to the principles of the Islamic religion.

6 In addition to the articles referred to in article 15, Oman does not accept items containing:

6.1 medicines of any sort unless they are accompanied by a medical prescription issued by a competent official authority;

6.2 fire-extinguishing products or chemical liquids;

6.3 articles contrary to the principles of the Islamic religion.

7 In addition to the articles listed in article 15, Iran (Islamic Rep.) shall be authorized not to accept parcels containing articles contrary to the principles of the Islamic religion.

8 The Philippines shall be authorized not to accept any kind of parcel containing coins, currency notes or securities of any kind payable to bearer, travellers' cheques, platinum, gold or silver whether manufactured or not, precious stones or other valuable articles, or containing liquids or easily liquefiable elements or articles made of glass or similar or fragile articles.

9 Australia does not accept postal items of any kind containing bullion or bank notes.

10 China (People's Rep.) shall not accept ordinary parcels containing coins, currency notes or securities of any kind payable to bearer, travellers' cheques, platinum, gold or silver, whether manufactured or not, precious stones or other valuable articles. Furthermore, with the exception of the Hong Kong Special Administrative Region, insured parcels containing coins, currency notes or securities of any kind payable to bearer and travellers' cheques shall not be accepted.

11 Mongolia reserves the right not to accept, in accordance with its national legislation, parcels containing coins, bank notes, securities payable to bearer and travellers' cheques.

12 Latvia does not accept ordinary and insured parcels containing coins, bank notes, securities (cheques) of any kind payable to bearer or foreign currency, and shall accept no liability in cases of loss of or damage to such items.

13 Moldova, the Russian Federation, Ukraine and Uzbekistan do not accept ordinary or insured parcels containing bank notes in circulation, securities (cheques) of any kind payable to bearer or foreign currency, and shall accept no liability in cases of loss of or damage to such items.

14 Kazakhstan does not accept ordinary or insured parcels containing coins, bank notes, credit notes or any securities payable to bearer, cheques, precious metals, whether manufactured or not, precious stones, jewels and other valuable articles or foreign currency, and shall accept no liability in cases of loss of or damage to such items.

Article IX

Admissible radioactive materials and biological materials

1 Notwithstanding the provisions of article 16, Mongolia reserves the right not to accept, in accordance with its national legislation, postal items containing any radioactive materials or biological substances.

Article X

Articles subject to customs duty

1 With reference to article 15, Bangladesh and El Salvador do not accept insured items containing articles subject to customs duty.

2 With reference to article 15, Afghanistan, Albania, Azerbaijan, Belarus, Cambodia, Chile, Colombia, Cuba, Dem. People's Rep. of Korea, El Salvador, Estonia, Italy, Kazakhstan, Latvia, Moldova, Nepal, Peru, Russian Federation, San Marino, Turkmenistan, Ukraine, Uzbekistan and Venezuela do not accept ordinary and registered letters containing articles subject to customs duty.

3 With reference to article 15, Benin, Burkina Faso, Côte d'Ivoire (Rep.), Djibouti, Mali and Mauritania do not accept ordinary letters containing articles subject to customs duty.

4 Notwithstanding the provisions set out under 1 to 3, the sending of serums, vaccines and urgently required medicaments which are difficult to procure shall be permitted in all cases.

Article XI

Inquiries

1 Notwithstanding article 17.3, Bulgaria (Rep.), Cape Verde, Chad, Dem. People's Rep. of Korea, Egypt, Gabon, Overseas Dependent Territories of the United Kingdom, Greece, Iran (Islamic Rep.), Kyrgyzstan, Mongolia, Myanmar, Philippines, Saudi Arabia, Sudan, Syrian Arab Rep., Turkmenistan, Ukraine, Uzbekistan and Zambia reserve the right to collect from customers charges on inquiries lodged in respect of letter-post items.

2 Notwithstanding article 17.3, Argentina, Austria, Azerbaijan, Lithuania, Moldova and Slovakia reserve the right to collect a special charge when, on completion of the investigation conducted in response to the inquiry, it emerges that the latter was unjustified.

3 Afghanistan, Bulgaria (Rep.), Cape Verde, Congo (Rep.), Egypt, Gabon, Iran (Islamic Rep.), Kyrgyzstan, Mongolia, Myanmar, Saudi Arabia, Sudan, Suriname, Syrian Arab Rep., Turkmenistan, Ukraine, Uzbekistan and Zambia reserve the right to collect an inquiry charge from customers in respect of parcels.

4 Notwithstanding article 17.3, Brazil, Panama (Rep.) and the United States of America reserve the right to collect a charge from customers for inquiries lodged in respect of letter-post items and parcels posted in countries which apply that type of charge in accordance with paragraphs 1 to 3 of this article.

Article XII

Presentation-to-Customs charge

1 Gabon reserves the right to collect a presentation to Customs charge from customers.

2 Congo (Rep.) and Zambia reserve the right to collect a presentation-to-Customs charge from customers in respect of parcels.

Article XIII

Posting abroad of letter-post items

1 Australia, Austria, United Kingdom of Great Britain and Northern Ireland, Greece, New Zealand and United States of America reserve the right to impose a charge, equivalent to the cost of the work it incurs, on any designated operator which, under the provisions of article 27.4, sends to it items for disposal which were not originally dispatched as postal items by their services.

2 Notwithstanding article 26.4, Canada reserves the right to collect from the designated operator of origin such amount as will ensure recovery of not less than the costs incurred by it in the handling of such items.

3 Article 26.4 allows the designated operator of destination to claim, from the designated operator of posting, appropriate remuneration for delivering letter-post items posted abroad in large quantities. Australia and the United Kingdom of Great Britain and Northern Ireland reserve the right to limit any such payment to the appropriate domestic tariff for equivalent items in the country of destination.

4 Article 26.4 allows the designated operator of destination to claim, from the designated operator of posting, appropriate remuneration for delivering letter-post items posted abroad in large quantities. The following member countries reserve the right to limit any such payment to the limits authorized in the Regulations for bulk mail: Bahamas, Barbados, Brunei Darussalam, China (People's Rep.), United Kingdom of Great Britain and Northern Ireland, Overseas Dependent Territories of the United Kingdom, Grenada, Guyana, India, Malaysia, Nepal, Netherlands, Netherlands Antilles and Aruba, New Zealand, Saint Lucia, Saint Vincent and the Grenadines, Singapore, Sri Lanka, Suriname, Thailand and United States of America.

5 Notwithstanding the reservations under 4, the following member countries reserve the right to apply in full the provisions of article 26 of the Convention to mail received from Union member countries: Argentina, Austria, Benin, Brazil, Burkina Faso, Cameroon, Côte d'Ivoire (Rep.), Cyprus, Denmark, Egypt, France, Germany, Greece, Guinea, Israel, Italy, Japan, Jordan, Lebanon, Luxembourg, Mali, Mauritania, Monaco, Morocco, Norway, Portugal, Saudi Arabia, Senegal, Syrian Arab Rep. and Togo.

6 In application of article 26.4 Germany reserves the right to request the mailing country to grant compensation of the amount it would receive from the country of which the sender is resident.

7 Notwithstanding the reservations made under article XIII, China (People's Rep.) reserves the right to limit any payment for delivering letter-post items posted abroad in large quantities to the limits authorized in the UPU Convention and Letter Post Regulations for bulk mail.

Article XIV

Exceptional inward land rates

1 Notwithstanding article 33, Afghanistan reserves the right to collect an additional exceptional inward land rate of 7.50 SDR per parcel.

Article XV

Special tariffs

1 Belgium, Norway and United States of America may collect higher land rates for air parcels than for surface parcels.

2 Lebanon shall be authorized to collect for parcels up to 1 kilogramme the charge applicable to parcels over 1 and up to 3 kilogrammes.

3 Panama (Rep.) shall be authorized to collect 0.20 SDR per kilogramme for surface airlifted (S.A.L.) parcels in transit.

In witness whereof, the plenipotentiaries below have drawn up this Protocol which shall have the same force and the same validity as if its provisions were inserted in the text of the Convention itself, and they have signed it in a single original which shall be deposited with the Director General of the International Bureau. A copy thereof shall be delivered to each party by the International Bureau of the Universal Postal Union.

Done at Geneva, 12 August 2008.

SVJETSKA POŠTANSKA KONVENCIJA

Dolje potpisani punomoćnici vlada država članica Saveza, imajući u vidu član 22 stav 3 Ustava Svjetskog poštanskog saveza zaključenog u Beču 10. jula 1964. godine, donijeli su, sporazumno i pod rezervom člana 25 stav 4 pomenutog Ustava, u ovoj Konvenciji, pravila koja se primjenjuju na međunarodnu poštansku službu.

PRVI DIO

ZAJEDNIČKA PRAVILA KOJA SE PRIMJENJUJU NA MEĐUNARODNU POŠTANSKU SLUŽBU

OPŠTE ODREDBE

Član 1

Definicije

1. Za potrebe Svjetske poštanske konvencije, sledeći termini imaju definisana značenja:
 - 1.1. paket: pošiljka koja se prevozi pod uslovima ove Konvencije i Pravilnika o poštanskim paketima;
 - 1.2. zatvoreni zaključak: vreća sa nazivnicom ili skup vreća ili drugih posuda, sa ili bez olovne blombe sa pečatom, koje sadrže poštanske pošiljke;
 - 1.3. pogrešno usmjereni zaključci: zaključci (posude) primljeni u izmijeničnoj pošti koja nije označena na vrećnoj nazivnici (naljepnici);
 - 1.4. pogrešno usmjerene pošiljke: pošiljke primljene u izmijeničnoj pošti, a glase za neku drugu izmijeničnu poštu u drugoj zemlji članici;
 - 1.5. poštanska pošiljka: opšti termin koji se odnosi na sve pošiljke koje se otpremaju poštom (pismonosne pošiljke, paketi, novčane uputnice, itd.);
 - 1.6. tranzitni troškovi: nadoknada za usluge koje je prevoznik obavio u tranzitnoj zemlji (ovlašćeni operator, druga služba ili kombinacija ove dvije) u pogledu suvozemnog, pomorskog i/ili vazdušnog tranzita pošiljaka;
 - 1.7. terminalni troškovi: nadoknada koju ovlašćeni operator zemlje porijekla plaća ovlašćenom operatoru odredišne zemlje na ime troškova nastalih u odredišnoj zemlji u vezi sa primljenim pismonosnim pošiljakama;
 - 1.8. ovlašćeni operator: bilo koji vladin ili nevladin entitet službeno određen od države članice da obavlja poštanske usluge i da ispunjava obaveze koje proizilaze iz Akata Saveza na svojoj teritoriji;
 - 1.9. mali paket: pošiljka koja se prenosi pod uslovima ove Konvencije i Pravilnika o pismonosnim pošiljkama;
 - 1.10. dio poštarine za suvozemni prevoz u dolazu: nadoknada koju ovlašćeni operator zemlje porijekla plaća ovlašćenom operatoru odredišne zemlje na ime troškova nastalih u odredišnoj zemlji u vezi sa primljenim paketima;
 - 1.11. dio poštarine za suvozemni tranzit: nadoknada za usluge koje je prevoznik obavio u tranzitnoj zemlji (ovlašćeni operator, druga služba ili kombinacija ove dvije) u pogledu suvozemnog i/ili vazdušnog tranzita paketa preko teritorije te zemlje;
 - 1.12. dio poštarine za pomorski prevoz: nadoknada za usluge koje je obavio prevoznik (ovlašćeni operator, druga služba ili kombinacija ove dvije) koji učestvuje u pomorskom prevozu paketa.
 - 1.13. univerzalna poštanska usluga: neprekidno obezbjeđivanje kvalitetnih osnovnih poštanskih usluga na cijeloj teritoriji države članice, svim korisnicima, po pristupačnim cijenama;

- 1.14. otvoreni tranzit: otvoreni tranzit, preko posredujuće zemlje, pošiljaka čiji broj ili masa ne opravdavaju sačinjavanje zatvorenih zaključaka za odredišnu zemlju.

Član 2

Određivanje jednog ili više entiteta odgovornih za ispunjavanje obaveza koje proističu iz pristupanja Konvenciji

Države članice će obavijestiti Međunarodni biro, u roku od šest mjeseci od završetka Kongresa, o nazivu i adresi državnog tijela zaduženog za nadzor po poštanskim pitanjima. U roku od šest mjeseci od završetka Kongresa, države članice će takođe obavijestiti Međunarodni biro o nazivu i adresi jednog ili više operatora koji su zvanično ovlašćeni za obavljanje poštanskih usluga na svojoj teritoriji i za ispunjavanje obaveza koje proističu iz Akata Saveza. O svim promjenama kod državnih tijela i zvanično ovlašćenih operatora koje nastanu u periodu između dva Kongresa, Međunarodni biro mora biti obaviješten što je moguće prije.

Član 3

Univerzalna poštanska usluga

1. U cilju jačanja koncepta jedinstvene poštanske teritorije Saveza, države članice se staraju da svi korisnici/klijenti uživaju pravo na univerzalnu poštansku uslugu koja se sastoji u ponudi kvalitetnih osnovnih poštanskih usluga, a obavlja se neprekidno na cijeloj teritoriji, po pristupačnim cijenama.
2. U tom cilju, države članice utvrđuju, u okviru svog nacionalnog poštanskog zakonodavstva ili pomoću drugih uobičajenih sredstava, obim poštanskih usluga koje se nude, kao i uslove u pogledu kvaliteta i pristupačnih cijena, vodeći računa istovremeno o potrebama stanovništva i o svojim nacionalnim interesima.
3. Države članice se staraju da operatori ovlašćeni za obavljanje univerzalne poštanske usluge poštuju uslove ponude poštanskih usluga i ispunjavaju standarde kvaliteta.
4. Države članice se staraju da se pružanje univerzalne poštanske usluge obavlja na jednoj realnoj osnovi, čime se garantuje njena održivost.

Član 4

Sloboda tranzita

Načelo slobode tranzita je izraženo u prvom članu Ustava. Ono obavezuje svaku državu članicu da obezbijedi da njeni ovlašćeni operatori, uvek otpremaju najbržim vezama i najsigurnijim sredstvima, koje i sami koriste za sopstvene pošiljke, zatvorene zaključke i pismonosne pošiljke u otvorenom tranzitu, koje su im predali neki drugi ovlašćeni operatori. Ovaj princip se takođe odnosi na pogrešno usmjerene pošiljke ili zaključke.

Države članice koje ne učestvuju u razmjeni pisama koja sadrže infektivne supstance ili radioaktivne materije, mogu da ne primaju takve pošiljke u otvorenom tranzitu preko svoje teritorije. Isto važi za pismonosne pošiljke, osim pisama, dopisnica i sekograma. To takođe važi i za štampane stvari, časopise, magazine, male pakete i „M“ vreće, čiji sadržaj ne zadovoljava zakonske odredbe koje propisuju uslove njihovog objavljivanja ili prometa u tranzitnoj zemlji.

Sloboda tranzita poštanskih paketa, koji se otpremaju suvozemnim i pomorskim putem, ograničena je na teritoriju zemalja koje učestvuju u ovoj službi.

Sloboda tranzita avionskih paketa zagantovana je na cijeloj teritoriji Saveza. Međutim, države članice koje ne učestvuju u službi poštanskih paketa ne mogu biti obavezne da obezbjeđuju površinski prenos avionskih paketa.

Ako jedna država članica ne poštuje odredbe o slobodi tranzita, ostale države članice imaju pravo da obustave poštansku službu sa tom državom članicom.

Član 5

Vlasništvo nad poštanskim pošiljkama. Vraćanje iz pošte. Izmjena ili ispravka adrese. Nadoslanje. Vraćanje neuručivih pošiljaka pošiljaocu

Svaka poštanska pošiljka pripada pošiljaocu sve dok se ne uruči ovlaštenom licu, osim ukoliko je bila zaplenjena shodno zakonodavstvu zemlje porijekla ili odredišne zemlje i, u slučaju primjene člana 15.2.1.1. ili 15.3., u skladu sa zakonodavstvom države porijekla.

Pošiljalac pismonosne pošiljke može zahtjevati vraćanje pošiljke ili izmjenu ili ispravku adrese. Poštarina i drugi uslovi propisani su Pravilnikom.

Države članice obezbjeđuju da ovlašćeni operatori vrše nadoslanje poštanskih pošiljaka, ako je primalac promjenio adresu, i vraćaju neuručene pošiljke pošiljaocu. Poštarina i drugi uslovi propisani su Pravilnicima.

Član 6

Poštarina

Države članice ili njeni ovlašćeni operatori, u zavisnosti od nacionalne regulative, određuju poštarinu za različite međunarodne i druge posebne poštanske usluge, u skladu sa načelima navedenim u Konvenciji i Pravilnicima. Poštarina u načelu mora biti povezana sa troškovima pružanja ovih usluga.

Zemlja porijekla ili njeni ovlašćeni operatori, u zavisnosti od nacionalne regulative, utvrđuje poštarinu za prenos pismonosnih pošiljaka i poštanskih paketa. U poštarinu je uključena dostava pošiljaka na adresu pod uslovom da se u odredišnoj zemlji obavlja usluga dostave pošiljaka o kojima je riječ.

Naplaćena poštarina, uključujući i onu koja je indikativno navedena u Aktima, treba da je bar jednaka onoj koja se naplaćuje za pošiljke u unutrašnjem saobraćaju sa istim karakteristikama (vrsta, količina, vrijeme prerade, itd.).

Države članice ili njeni ovlašćeni operatori, u zavisnosti od nacionalne regulative, imaju pravo da pređu gornje limite svake poštarine indikativno navedene u Aktima.

Mimo najniže granice poštarine, utvrđene pod 3, države članice ili njeni ovlašćeni operatori mogu da odobre sniženu poštarinu, zasnovanu na nacionalnoj regulativi, za pismonosne pošiljke i pakete predate u svojoj zemlji. One tako mogu da odobre povlašćene tarife svojim korisnicima koji imaju veliki obim poštanskog saobraćaja.

Od korisnika se ne može naplatiti druga vrsta poštarine, osim one predviđene u Aktima.

Svaki ovlašćeni operator zadržava poštarinu koju je naplatio, osim u slučajevima kada je to drugačije propisano u Aktima.

Član 7

Oslobađanje od poštarine

1. Načelo
 - 1.1. Slučajevi oslobađanja od poštarine, u smislu oslobađanja od plaćanja poštarine, izričito su propisani Konvencijom. Pored toga, Pravilnici mogu propisati i oslobađanje od plaćanja poštarine i oslobađanje od plaćanja tranzitnih troškova, terminalnih troškova i djelova poštarine u dolazu za pismonosne pošiljke i poštanske pakete upućene poštanskoj službi, koje otpremaju države članice, ovlašćeni operatori i Uži savezi. Osim toga, pismonosne pošiljke i paketi koje Međunarodni biro Saveza otprema Užim savezima, državama članicama i ovlašćenim operatorima smatraju se pošiljkama u poštanskom saobraćaju i oslobođene su od svih poštarina. Međutim, država porijekla ili njen ovlašćeni operator može naplatiti dopunske avionske poštarine za gore navedene pošiljke.
2. Ratni zarobljenici i internirana civilna lica
 - 2.1. Pismonosne pošiljke, poštanski paketi i pošiljke poštansko - finansijskih usluga upućene ratnim zarobljenicima, ili ako ih oni šalju, neposredno ili preko biroa oslobođene su plaćanja svake poštarine, izuzev avionske dopunske poštarine, navedenih u Pravilnicima Konvencije i Aranžmanu o poštansko-finansijskim uslugama. Pripadnici zaraćenih strana, uhapšeni i

- internirani u neku neutralnu zemlju, izjednačeni su s ratnim zarobljenicima u pravom smislu, kada je riječ o primjeni prethodnih odredbi.
- 2.2 Odredbe predviđene pod 2.1. primjenjuju se i na pismonosne pošiljke, poštanske pakete i pošiljke poštanskih finansijskih usluga koje potiču iz drugih zemalja, a upućene su civilnim interniranim licima, ili ih oni šalju, neposredno ili preko biroa navedenih u Pravilnicima Konvencije i Aranžmanu o poštanskim finansijskim uslugama, na način kako je to utvrđeno u Ženevskoj konvenciji o zaštiti civilnih lica za vrijeme rata, od 12. avgusta 1949. godine.
- 2.3 Biroi navedeni u Pravilnicima Konvencije i Aranžmanu o poštanskim finansijskim uslugama uživaju isto tako oslobođanje od plaćanja poštarine za pismonosne pošiljke, poštanske pakete i pošiljke poštanskih finansijskih usluga koje se odnose na lica navedena pod 2.1. i 2.2., a koje oni šalju ili primaju, neposredno ili kao posrednici.
- 2.4 Paketi do mase od 5 kilograma predaju se bez plaćanja poštarine. Granica mase se povećava na 10 kilograma za pakete čija je sadržina nedjeljiva i za pakete upućene nekom logoru ili njegovim povjerenicima, radi podijele zarobljenicima.
- 2.5 U obračunu između ovlašćenih operatora, ne obračunava se poštarina za službene pakete i pakete upućene ratnim zarobljenicima i civilnim interniranim licima, osim avionske dopunske poštarine koja se primjenjuje na avionske pakete.
3. Sekogrami
- 3.1. Sekogrami su oslobođeni plaćanja svake poštarine, izuzev dopunske avionske.

Član 8

Poštanske marke

1. Termin "poštanska marka" je zaštićen po ovoj Konvenciji i rezervisan isključivo za marke koje ispunjavaju uslove iz ovog člana i Pravilnika.
2. Poštanske marke:
 - 2.1 se izdaju i puštaju u promet samo uz odobrenje države članice ili teritorije, a u skladu sa Aktima Saveza;
 - 2.2 su izraz suvereniteta i sadrže dokaz o unaprijed plaćenju poštarine koja odgovara njihovoj stvarnoj vrijednosti kada su nalijepljene na poštanske pošiljke, u skladu sa Aktima Saveza;
 - 2.3. moraju biti u prometu, za plaćanje poštarine unaprijed ili u filatelističke svrhe, u zemlji članici ili teritoriji na kojoj se izdaju, u skladu sa nacionalnom regulativom;
 - 2.4. moraju biti dostupne svim građanima unutar države članice ili teritorije na kojoj se izdaju;
3. Poštanske marke sadrže:
 - 3.1 naziv države članice ili teritorije na kojoj su izdate, ispisan latiničnim pismom¹;
 - 3.2 nominalnu vrijednost, izraženu:
 - 3.2.1 u principu, u važećoj valuti zemlje ili teritorije na kojoj je izdata, ili kao slovo ili simbol;
 - 3.2.2 drugim karakteristikama za identifikaciju.
4. Amblemi države, zvanične kontrolne oznake i logotip međuvladinih organizacija koji su otisnuti na poštanskim markama, zaštićeni su u smislu Pariske konvencije o zaštiti industrijske svojine;
5. Teme i motivi poštanskih maraka moraju biti:
 - 5.1. u skladu sa duhom preambule Ustava Saveza i odluka koje su donijeli organi Saveza;
 - 5.2. u bliskoj vezi sa kulturnim identitetom države članice ili teritorije, ili da doprinose širenju kulture ili održanju mira;
 - 5.3. sa oznakom, kada obilježavaju značajne ličnosti ili događaje koji ne pripadaju zemlji članici ili teritoriji, koja jasno određuje zemlju članicu ili teritoriju o kojoj je riječ;
 - 5.4. bez političkog sadržaja ili bilo koje teme koja je uvredljive prirode za neku ličnost ili zemlju;
 - 5.5. od velikog značaja za zemlju članicu ili teritoriju;
6. Otisci plaćene poštarine, otisci mašine za frankiranje i otisci dobijeni štamparskom mašinom ili drugim štamparskim postupkom saglasno Aktima Saveza, mogu se koristiti samo uz odobrenje države članice ili njene teritorije.

¹ Izuzeće je dopušteno Velikoj Britaniji, državi koja ja izumela poštanske marke.

Član 9

Poštanska bezbjednost

Države članice i njeni ovlašćeni operatori donose i primjenjuju strateške aktivnosti u oblasti bezbjednosti na svim nivoima poštanske eksploatacije, radi očuvanja i povećanja povjerenja javnosti u poštansku službu, u interesu svih zaposlenih. Ova strategija treba da sadrži razmjenu informacija o očuvanju sigurnog i bezbjednog transporta i tranzita pošiljaka između država članica i njihovih ovlašćenih operatera.

Član 10

Održivi razvoj

Države članice i/ili njihovi ovlašćeni operatori su dužne da prihvate i primjenjuju proaktivnu strategiju razvoja na svim nivoima poštanske eksploatacije sa posebnim osvrtom na ekološke, društvene i privredne aktivnosti, kao i da promovišu svijest o pomenutom razvoju u poštanskoj službi.

Član 11

Delikti

1. Poštanske pošiljke
 - 1.1. države članice preduzimaju sve neophodne mjere za sprječavanje niže navedenih djela i gonjenje i kažnjavanje svake osobe za koju se utvrdi da je kriva za:
 - 1.1.1. stavljanje u poštanske pošiljke opojnih droga i psihotropnih materija, kao i eksploziva, zapaljivih ili drugih opasnih materija, tamo gdje njihovo stavljanje nije izričito dozvoljeno Konvencijom;
 - 1.1.2. stavljanje u poštanske pošiljke predmeta pedofilnog ili pornografskog karaktera koji predstavljaju zloupotrebu djece.
 2. Sredstva plaćanja poštarine i načini plaćanja
 - 2.1. države članice preduzimaju sve neophodne mjere za spriječavanje, gonjenje i kažnjavanje svakog prekršaja u vezi sa načinima plaćanja poštarine utvrđenim u ovoj Konvenciji, kao što su:
 - 2.1.1. poštanske marke, u opticaju ili povučene iz prometa;
 - 2.1.2. otisci plaćene poštarine;
 - 2.1.3. otisci mašina za frankiranje ili otisci štamparskih mašina;
 - 2.1.4. međunarodni kuponi za odgovor.
 - 2.2. u ovoj Konvenciji, delikti u vezi sa sredstvima plaćanja poštarine odnose se na bilo koje od niže navedenih djela učinjenih s namjerom da se na nelegitiman način ostvari dobitak za sebe ili treće lice. Sledeća djela su kažnjiva:
 - 2.2.1. falsifikovanje, imitiranje ili krivotvorenje bilo kog sredstva plaćanja poštarine, ili svaki nelegalni ili zabranjeni postupak u vezi sa njihovom neovlašćenom proizvodnjom;
 - 2.2.2. korišćenje, puštanje u promet, reklamiranje, distribuiranje, rasprostiranje, transport, izlaganje, prikazivanje ili objavljivanje bilo kog sredstva plaćanja poštarine koje je bilo falsifikovano, imitirano ili krivotvoreno;
 - 2.2.3. korišćenje ili puštanje u promet, u poštanske svrhe, bilo kog sredstva plaćanja poštarine koje je već ranije korišćeno;
 - 2.2.4. pokušaj da se izvrši neki od navedenih prekršaja.
 3. Reciprocitet
 - 3.1. Što se tiče sankcija, ne pravi se razlika između postupaka navedenih pod 2, bez obzira da li su u pitanju nacionalna ili inostrana sredstva plaćanja poštarine; ova odredba ne podleže reciprocitetu po bilo kom zakonskom ili ugovornom osnovu.

DRUGI DIO

PRAVILA KOJA SE PRIMJENJUJU NA PISMONOSNE POŠILJKE I NA POŠTANSKE PAKETE

Glava 1

PONUĐA USLUGA

Član 12

Osnovne usluge

1. Države članice odnosno njihovi ovlašćeni operatori obezbjeđuju prijem, preradu, prevoz i uručenje pismonosnih pošiljaka.
2. Pismonosne pošiljke su:
 - 2.1. prioritetne pošiljke i neprioritetne pošiljke, do 2 kilograma;
 - 2.2. pisma, dopisnice, štampana stvar i mali paketi, do 2 kilograma;
 - 2.3. sekogrami, do 7 kilograma;
 - 2.4. posebne vreće koje sadrže novine, časopise, knjige i slične štampane stvari za istog primaoca na istoj adresi pod nazivom "M vreće", do 30 kilograma.
3. Pismonosne pošiljke su razvrstane ili prema brzini prenosa pošiljaka ili prema sadržaju pošiljaka u skladu sa Pravilnikom o pismonosnim pošiljkama.
4. Veće granice mase od onih navedenih u stavu 2 primjenjuju se fakultativno za izvjesne kategorije pismonosnih pošiljaka pod uslovima utvrđenim u Pravilniku o pismonosnim pošiljkama.
5. U zavisnosti od stava 8 ovog člana, države članice odnosno njihovi ovlašćeni operatori obezbjeđuju prijem, preradu, prevoz i uručenje poštanskih paketa do 20 kilograma, bilo na osnovu odredaba Konvencije, bilo u slučaju paketa u polazu i posle bilateralnog sporazuma, koristeći sva druga za njihove klijente pogodnija sredstva.
6. Granice mase preko 20 kilograma primjenjuju se fakultativno za izvjesne kategorije poštanskih paketa pod uslovima utvrđenim u Pravilniku o poštanskim paketima.
7. Svaka država članica, čiji ovlašćeni operator ne obavlja prevoz paketa, može da prenese izvršenje odredaba Konvencije na transportna preduzeća. Ona može, istovremeno, ograničiti ovu uslugu na pakete koji potiču ili se upućuju u mjesta koja ova preduzeća opslužuju.
8. Suprotno stavu 5, one države članice, koje do 01. januara 2001. godine nisu potpisale Pravilnik o poštanskim paketima, nisu obavezne da obezbijede službu poštanskih paketa.

Član 13

Dopunske usluge

1. Države članice obezbjeđuju obavljanje sledećih obaveznih dopunskih usluga:
 - 1.1. preporučeno rukovanje za prioritetne i avionske pismonosne pošiljke u polazu;
 - 1.2. preporučeno rukovanje za neprioritetne i površinske pismonosne pošiljke u polazu do odredišta do kojih ne postoji usluga prioritetnih ili avionskih pošiljaka;
 - 1.3. preporučeno rukovanje za sve pismonosne pošiljke u dolazu.
2. Usluga preporučenog rukovanja za neprioritetne i površinske pismonosne pošiljke u polazu do odredišta do kojih postoji usluga prioritetnih ili avionskih pošiljaka, obezbjeđuje se fakultativno.
3. Države članice ili njihovi ovlašćeni operatori mogu obezbijediti sledeće fakultativne dopunske usluge u odnosima između onih ovlašćenih operatora koje su se dogovorile da obezbijede usluge:
 - 3.1. označavanja vrijednosti za pismonosne pošiljke i pakete;
 - 3.2. potvrdu uručjenja za pismonosne pošiljke;
 - 3.3. otkupnine za pismonosne pošiljke i pakete;
 - 3.4. hitne dostave za pismonosne pošiljke i pakete;

- 3.5. uručenje lično primaocu preporučenih pošiljaka, pošiljaka sa potvrđenim uručenjem ili pismonosnih pošiljaka sa označenom vrijednošću;
- 3.6. oslobađanja od plaćanja poštarine i dažbina za pismonosne pošiljke i pakete;
- 3.7. lomljivih i glomaznih paketa;
- 3.8. "Consignment" za grupisane pošiljke od samo jednog pošiljaoca, a upućene za inostranstvo.
4. Sledeće tri dopunske usluge sadrže i obavezni i fakultativni dio:
 - 4.1. pošiljka sa plaćenim odgovorom u međunarodnom poštanskom saobraćaju (IBRS), je u osnovi fakultativna. Međutim, sve države članice ili njihovi ovlašćeni operatori su obavezni da obezbijede uslugu vraćanja pošiljaka IBRS;
 - 4.2. međunarodni kuponi za odgovor, koji se mogu zamijeniti u svakoj državi članici. Međutim, prodaja međunarodnih kupona za odgovor je fakultativna;
 - 4.3. povratnica za preporučene pošiljke i pismonosne pošiljke sa potvrđenim uručenjem, pakete i pošiljke sa označenom vrijednošću. Sve države članice ili njihovi ovlašćeni operatori primaju povratnice u dolaznom saobraćaju. Međutim, povratnica u polaznom saobraćaju je fakultativna.
5. Opis ovih usluga kao i njihova poštarina utvrđeni su Pravilnicima.
6. Kada su uslugom obuhvaćene i niže navedene usluge koje podliježu posebnoj poštarini u unutrašnjem saobraćaju, ovlašćeni operatori imaju pravo da naplate istu poštarinu kao onu koja se naplaćuje za međunarodne pošiljke, pod uslovima utvrđenim u Pravilnicima:
 - 6.1. dostava malih paketa preko 500 grama;
 - 6.2. pismonosne pošiljke predate u posljednjem času;
 - 6.3. pošiljke predate van redovnog radnog vremena šaltera;
 - 6.4. preuzimanje pošiljke u stanu pošiljaoca;
 - 6.5. vraćanje pismonosne pošiljke van redovnog radnog vremena šaltera;
 - 6.6. poste restante;
 - 6.7. ležarina za pismonosne pošiljke preko 500 grama, i za pakete;
 - 6.8. dostava paketa, kao odgovor na izvještaj o prispeću;
 - 6.9. naplata poštarine za rizik od više sile.

Član 14

Elektronska pošta, EMS, poštanski logistički servis i nove usluge

1. Države članice ili njihovi ovlašćeni operatori mogu međusobno da se dogovore da obezbjeđuju sledeće usluge, koje su opisane u Pravilnicima:
 - 1.1. elektronska pošta, poštanska usluga za prenos poruka elektronskim putem; ovlašćeni operatori mogu proširiti ovu uslugu uslugom elektronske registrovane pošte, koja dopunjuje uslugu elektronske pošte time što obezbjeđuje dokaz o otpremi, dokaz o uručenju i osigurava komunikaciju između autentičnih korisnika.
 - 1.2. EMS, poštanska hitna usluga za dokumente i robu, koji se, kad god je to moguće, otpremaju najbržim fizičkim linijama prenosa. Ova usluga se može obavljati na bazi Standardnog multilateralnog sporazuma o EMS pošiljkama ili na bazi bilateralnog sporazuma;
 - 1.3. poštanski logistički servis je servis koji u potpunosti zadovoljava logističke zahtjeve korisnika i koji obuhvata faze prije i posle fizičkog prenosa robe i dokumenata;
 - 1.4. elektronski poštanski sertifikacioni žig, koji je evidentni dokaz elektronskog prenosa, u datoj formi, u dato vrijeme, u kojem učestvuje jedna ili više strana.
2. Država članica ili ovlašćeni operatori mogu sporazumno uvesti novu uslugu, koja nije izričito predviđena Aktima Saveza. Poštarinu za novu uslugu utvrđuje svaki zainteresovani ovlašćeni operator, vodeći računa o troškovima eksploatacije usluge.

Član 15

Pošiljke sa nedozvoljenim sadržajem. Zabrane

1. Opšte
 - 1.1. Ne primaju se pošiljke koje ne ispunjavaju uslove propisane Konvencijom i Pravilnicima. Ne primaju se pošiljke koje se šalju u svrhu obmane ili sa namjerom da se izbjegne puno plaćanje odgovarajuće poštarine.

- 1.2. Izuzeci od zabrana sadržanih u ovom članu, utvrđeni su Pravilnicima.
- 1.3. Sve države članice ili ovlašćeni operatori imaju mogućnost da prošire listu zabrana navedenih u ovom članu, koja se primjenjuje odmah po unošenju zabranjenih predmeta u tu listu.
2. Zabrane koje se odnose na sve vrste pošiljaka
 - 2.1. Zabranjeno je stavljati niže navedene predmete u sve vrste pošiljaka:
 - 2.1.1. opojne droge i psihotropne materije, kao što je to propisano od Međunarodnog odbora za kontrolu narkotika (International Narcotic Control Board), ili drugih zabranjenih lijekova koji su zabranjeni u odredišnoj zemlji;
 - 2.1.2. bestidne ili nemoralne predmete;
 - 2.1.3. falsifikate i plagijate (predmete piraterije);
 - 2.1.4. druge predmete čiji je uvoz ili promet zabranjen u odredišnoj zemlji;
 - 2.1.5. predmete koji, po svojoj prirodi ili pakovanju, mogu biti opasni za službenike ili građane i koji mogu isprljati ili oštetiti druge pošiljke, poštansku opremu ili imovinu trećeg lica;
 - 2.1.6. dokumenta koja imaju karakter aktuelne i lične prepiske, razmijenjene između lica koja nisu pošiljalac i primalac ili lica koja sa njima stanuju.
 3. Eksplozivne, zapaljive ili radioaktivne materije i opasne materije
 - 3.1. Zabranjeno je stavljati u sve vrste pošiljaka eksplozivne, zapaljive ili druge opasne materije, kao i radioaktivne materije.
 - 3.2. Stavljanje replika i neaktivnih eksplozivnih naprava i vojne borbene tehnike, uključujući neaktivne granate, neaktivne čaure i sl., zabranjene su u svim poštanskim pošiljkama;
 - 3.3. Izuzetno, sledeće opasne materije se mogu primiti:
 - 3.3.1. radioaktivne materije otpremljene u pismonosnim pošiljkama i poštanskim paketima predviđene u članu 16.1;
 - 3.3.2. infektivne supstance otpremljene u pismonosnim pošiljkama i poštanskim paketima predviđene u članu 16.2;
 4. Žive životinje
 - 4.1. Zabranjeno je stavljanje živih životinja u sve vrste poštanskih pošiljaka.
 - 4.2. Izuzetno se primaju u pismonosnim pošiljkama koje nisu pošiljke sa označenom vrijednošću:
 - 4.2.1. pčele, pijavice i svilene bube;
 - 4.2.2. paraziti i utamanjivači štetnih insekata, namenjeni za kontrolu ovih insekata, a koji se razmjenjuju između zvanično priznatih ustanova;
 - 4.2.3. vinske mušice (fam. Drosophilidae) radi bio-medicinskog istraživanja, a koje se razmjenjuju između zvanično priznatih ustanova;
 - 4.3. Izuzetno se primaju u poštanskim paketima:
 - 4.3.1. žive životinje čiji je prenos dozvoljen poštanskim propisima zainteresovanih zemalja.
 5. Stavljanje prepiske u pakete
 - 5.1. Zabranjeno je stavljati u poštanske pakete niže navedene predmete:
 - 5.1.1. prepisku, izuzimajući arhivski materijal, razmijenjenu između lica koja nisu pošiljalac i primalac ili lica koja sa njima stanuju.
 6. Metalni novac, novčanice i drugi vrijedni predmeti
 - 6.1. Zabranjeno je stavljati metalni novac, novčanice, ili bilo kakve hartije od vrijednosti na donosioca, putničke čekove, platinu, zlato ili srebro, obrađeno ili ne, drago kamenje, nakit ili druge dragocjene predmete:
 - 6.1.1. u pismonosne pošiljke bez označene vrijednosti;
 - 6.1.1.1. međutim, ako nacionalna regulativa zemlje porijekla i odredišta to dozvoljava, ovi predmeti se mogu otpremiti u zatvorenom omotu kao preporučene ili vrijednosne pošiljke;
 - 6.1.2. u pakete bez označene vrijednosti, osim gdje nacionalna regulativa zemlje porijekla i odredišta to dozvoljava;
 - 6.1.3. u pakete bez označene vrijednosti razmijenjene između dvije zemlje koje primaju pakete sa označenom vrijednošću;
 - 6.1.3.1. osim toga, država članica ili ovlašćeni operator mogu zabraniti stavljanje zlata u polugama u pakete sa ili bez označene vrijednosti koji potiču sa njene teritorije ili se upućuju na njenu teritoriju ili se otpremaju u otvorenom tranzitu preko njene teritorije; ona može da ograniči stvarnu vrijednost ovakvih pošiljaka.
 7. Štampana stvar i sekogrami
 - 7.1. Štampana stvar i sekogrami:

- 7.1.1. ne mogu imati nikakvu zabilješku niti sadržavati bilo kakav predmet koji ima karakter prepiske;
- 7.1.2. ne mogu sadržavati nikakvu poštansku marku niti oblik frankiranja, žigosan ili ne, kao ni bilo kakvu hartiju koja predstavlja neku novčanu vrijednost, osim u slučajevima kada pošiljka sadrži kao prilog kartu, kovertu ili omot sa štampanom adresom pošiljaoca pošiljke ili njegovog agenta u zemlji prijema ili odredišta originalne pošiljke, koja je frankirana za vraćanje.
- 8. Postupak sa pogrešno primljenim pošiljkama
- 8.1. Postupak sa pogrešno primljenim pošiljkama utvrđen je Pravilnicima. Međutim, pošiljke koje sadrže predmete navedene pod 2.1.1., 2.1.2., 3.1. i 3.2. ni u kom slučaju se ne otpremaju na odredište, niti se uručuju primaocima, niti se vraćaju mjestu porijekla. U slučaju da su predmeti navedeni pod 2.1.1., 3.1 i 3.2. otkriveni u toku tranzita, sa takvim predmetima se postupa u skladu sa unutrašnjim zakonodavstvom tranzitne zemlje.

Član 16

Dozvoljene radioaktivne materije i infektivne supstance

- 1. Prijem radioaktivnih materija u pismonosnim pošiljkama i paketima dozvoljen je u odnosima između onih država članica koje su se saglasile da primaju te pošiljke, bilo u njihovim uzajamnim odnosima, bilo samo u jednom smjeru, pod sledećim uslovima:
 - 1.1. radioaktivne materije otpremljene i upakovane prema odgovarajućim odredbama Pravilnika;
 - 1.2. kada se otpremaju u pismonosnim pošiljkama, radioaktivne materije podliježu poštarini za prioritetne pošiljke ili poštarini za pisma i za preporučeno rukovanje;
 - 1.3. radioaktivne materije, sadržane u pismonosnim pošiljkama ili poštanskim paketima, moraju biti otpremljene najbržim putem, obično vazdušnim putem, s tim da se naplati odgovarajuća dopunska avionska poštarina;
 - 1.4. radioaktivne materije mogu slati poštom samo ovlašćeni pošiljaoci.
- 2. Infektivne supstance, izuzimajući infektivne supstance kategorije A koje utiču na ljude (UN 2814) i životinje (UN 2900), primaju se u pismonosnim pošiljkama i poštanskim paketima pod sledećim uslovima:
 - 2.1. Infektivne supstance, kategorije B (UN 3373), mogu se razmjenjivati samo između ovlašćenih pošiljalaca, potvrđenih od nadležnih državnih organa. Ove opasne materije mogu se primati u poštanskim pošiljkama, samo u skladu sa nacionalnom i međunarodno važećom regulativom, kao i u skladu sa važećim Preporukama Ujedinjenih Nacija za transport opasnih materija, koje je usvojila Međunarodna organizacija za civilnu avijaciju (ICAO/IATA).
 - 2.2. Infektivne supstance kategorije B (UN 3373) moraju se upakovati, označiti i sa njima rukovati u skladu sa odredbama propisanim Pravilnikom o pismonosnim pošiljkama i Pravilnikom o poštanskim paketima. Ove pošiljke primaju se kao prioritetne ili kao preporučene. Dozvoljena je naplata dodatne poštarine za rukovanje ovakvim pošiljkama.
 - 2.3. Razmjena ljudskih ili životinjskih uzoraka pacijenata putem poštanskih pošiljaka, dozvoljena je samo između ovlašćenih pošiljalaca, potvrđenih od nadležnih državnih organa. Ove materije mogu se primati u poštanskim pošiljkama, samo u skladu sa nacionalnom i međunarodno važećom regulativom, kao i u skladu sa važećim Preporukama Ujedinjenih Nacija za transport opasnih materija, koje je usvojila Međunarodna organizacija za civilnu avijaciju (ICAO/IATA).
 - 2.4. Ljudski ili životinjski uzorci pacijenata moraju se upakovati, označiti i sa njima rukovati u skladu sa odredbama Pravilnika o pismonosnim pošiljkama. Ove pošiljke primaju se kao prioritetne ili kao preporučene. Dozvoljena je naplata dodatne poštarine za rukovanje ovakvim pošiljkama.
 - 2.5. Prijem infektivnih supstanci i ljudskih ili životinjskih uzoraka pacijenata je ograničen na onaj broj zemlja koje su objavile spremnost da ih prihvataju, bilo na bazi reciprociteta ili samo u jednom smjeru.
 - 2.6. Dozvoljene infektivne supstance i ljudski ili životinjski uzorci pacijenata otpremaju se najbržom vezom, obično vazdušnom, pod uslovom da se naplati odgovarajuća dopunska avionska poštarina, i imaju prioritet prilikom uručenja.

Član 17

Potražnice

- 1. Svaki ovlašćeni operator je dužan da primi potražnice za pakete ili preporučene pošiljke, vrijednosne pošiljke ili pošiljke sa potvrđenim uručenjem predate u njegovoj službi ili bilo kom drugom ovlašćenom operatoru pod uslovom da su potražnice podnijete u roku od šest mjeseci, računajući od prvog narednog dana poslije predaje pošiljke. Prenos potražnica obavlja se putem

prioritetnih pošiljaka, EMS pošiljaka ili elektronskim putem. Period od šest mjeseci tiče se odnosa između podnosioca zahtjeva i ovlaštenih operatora i ne obuhvata prenos potražnica između ovlaštenih operatora.

2. Potražnice se rješavaju u skladu sa uslovima propisanim u Pravilnicima.
3. Postupak sa potražnicama je besplatan. Međutim, ako se zahtjeva korišćenje usluge EMS, dopunski troškovi padaju u načelu na teret podnosioca takvog zahtjeva.

Član 18

Carinska kontrola. Carinske i druge dažbine

1. Ovlašćeni operatori zemlje porijekla i odredišne zemlje ovlašćeni su da, prema zakonodavstvu tih zemalja, podnose pošiljke na carinski pregled.
2. Za pošiljke podnijete na carinsku kontrolu može se naplatiti poštarina za podnošenje na carinski pregled, čiji je predviđeni iznos utvrđen u Pravilnicima. Ova poštarina se naplaćuje samo za podnošenje na carinski pregled i carinske formalnosti koje su opterećene carinskim dažbinama ili svakom drugom dažbinom iste prirode.
3. Ovlašćeni operatori koji imaju ovlašćenje da obavljaju carinjenje u ime klijenata, mogu da naplate od klijenata carinske dažbine zasnovane na stvarnim troškovima postupka carinjenja. Ove carinske dažbine mogu se naplatiti za sve pošiljke prijavljene na carini u skladu sa nacionalnim zakonodavstvom, uključujući i one koje su izuzete iz carinske procedure. Korisnici moraju biti unaprijed informisani o carinskim dažbinama.
4. Ovlašćeni operatori imaju ovlašćenje da naplate od pošiljalaca ili od primalaca pošiljaka, prema slučaju, carinske i sve druge eventualne dažbine.

Član 19

Razmjena zatvorenih zaključaka sa vojnim jedinicama

1. Zatvoreni pismonosni zaključci se mogu razmjenjivati posredovanjem suvozemnih, pomorskih ili vazdušnih službi drugih zemalja:
 - 1.1. između pošta jedne od država članica i komandanata vojnih jedinica stavljenih na raspolaganje Organizaciji Ujedinjenih Nacija;
 - 1.2. između komandanata ovih vojnih jedinica;
 - 1.3. između pošta jedne od država članica i komandanata pomorskih, vazdušnih ili vojnih jedinica, ratnih brodova ili vojnih aviona te iste zemlje, stacioniranih u inostranstvu;
 - 1.4. između komandanata pomorskih, vazdušnih ili vojnih jedinica, ratnih brodova ili vojnih aviona iste zemlje.
2. Pismonosne pošiljke sadržane u zaključcima predviđenim pod 1 moraju biti upućene isključivo na adresu ili poticati od članova vojnih jedinica ili glavnih štabova i posada brodova ili aviona za koje zaključci glase ili koji ih otpremaju. Poštarinu i uslove otpreme koji se na njih primjenjuju određuju, prema svojim pravilima, ovlašćeni operatori države članice koja je stavila na raspolaganje vojnu jedinicu ili kojoj pripadaju brodovi ili avioni.
3. Osim u slučaju posebnog sporazuma, ovlašćeni operator države članice koja je stavila na raspolaganje vojnu jedinicu ili kojoj pripadaju ratni brodovi ili vojni avioni dužuje odgovarajućim ovlašćenim operatorima tranzitne troškove za zaključke, terminalne troškove i troškove vazdušnog prevoza.

Član 20

Standardi i ciljevi kvaliteta usluga

1. Države članice ili njihovi ovlašćeni operatori moraju da utvrde i objave svoje standarde i ciljeve kvaliteta usluga u pogledu roka dostave za pismonosne pošiljke i pakete u dolazu.
2. Ovi standardi i ciljevi kvaliteta usluga, uvećani za vrijeme koje je normalno potrebno za carinjenje, ne smiju biti nepovoljniji od onih koje uprave primjenjuju na slične pošiljke u svom unutrašnjem saobraćaju.
3. Države članice ili njihovi ovlašćeni operatori moraju takođe da utvrde i objave standarde kvaliteta usluga od prijema do uručenja "s kraja na kraj (end to end)" za prioritetne i avionske pismonosne pošiljke, kao i pakete i ekonomske/ površinske pakete.
4. Države članice ili njihovi ovlašćeni operatori moraju pratiti primjenu standarda kvaliteta usluga.

Glava 2

ODGOVORNOST

Član 21

Odgovornost ovlašćenih operatora. Naknada štete

1. Opšte odredbe
 - 1.1. Osim u slučajevima predviđenim u članu 22, ovlašćeni operatori su odgovorni:
 - 1.1.1. za gubitak, orobljenje ili oštećenje preporučenih pošiljaka, običnih paketa i pošiljaka sa označenom vrijednošću;
 - 1.1.2. za gubitak pošiljaka sa potvrđenim uručenjem;
 - 1.1.3. za vraćanje preporučenih pošiljaka, pošiljaka sa označenom vrijednošću i običnih paketa za koji nije dat razlog za neuručenje.
 - 1.2. Ovlašćeni operatori ne snose odgovornost za pošiljke koje nisu obuhvaćene pod tačkama 1.1.1. i 1.1.2.
 - 1.3. U svim ostalim slučajevima koji nisu obuhvaćeni ovom Konvencijom, ovlašćeni operatori nisu odgovorni.
 - 1.4. Kada je gubitak, potpuno orobljenje ili potpuno oštećenje preporučenih pošiljaka, običnih paketa ili pošiljaka sa označenom vrijednošću, rezultat slučaja više sile, koji ne daje pravo na obeštećenje, pošiljalac ima pravo na vraćanje naplaćene poštarine prilikom predaje pošiljke, izuzev poštarine za osiguranje.
 - 1.5. Iznosi koje treba isplatiti kao naknadu ne mogu biti viši od iznosa naznačenih u Pravilniku o pismonosnim pošiljkama i u Pravilniku o poštanskim paketima.
 - 1.6. U slučajevima utvrđene odgovornosti, indirektna šteta ili nerealizovana dobit ne uzimaju se u obzir prilikom određivanja iznosa obeštećenja koji treba isplatiti.
 - 1.7. Sve odredbe koje se odnose na odgovornost ovlašćenih operatora moraju biti precizne, obavezujuće i sveobuhvatne. Odgovornost ovlašćenih operatora je isključena u svim slučajevima izvan domena utvrđenih Konvencijom i pravilnicima, čak i u slučaju grube greške.
2. Preporučene pošiljke
 - 2.1. U slučaju gubitka, potpunog orobljenja ili potpunog oštećenja preporučene pošiljke, pošiljalac ima pravo na naknadu štete utvrđenu Pravilnikom o pismonosnim pošiljkama. Ako pošiljalac zahtjeva iznos manji od iznosa utvrđenog Pravilnikom o pismonosnim pošiljkama, ovlašćeni operatori mogu da plate ovaj manji iznos i da na toj osnovi budu obeštećeni od bilo kog drugog ovlašćenog operatora, uključenog u cio proces.
 - 2.2. U slučaju djelimičnog orobljenja ili djelimičnog oštećenja preporučene pošiljke, pošiljalac ima pravo na naknadu štete koja odgovara, u načelu, stvarnom iznosu orobljenja ili oštećenja.
3. Pošiljke sa potvrđenim uručenjem
 - 3.1. U slučaju gubitka, potpunog orobljenja ili potpunog oštećenja pošiljke sa potvrđenim uručenjem, pošiljalac ima pravo samo na vraćanje poštarine plaćene prilikom predaje pošiljke.
4. Obični paketi
 - 4.1. U slučaju gubitka, potpunog orobljenja ili potpunog oštećenja običnog paketa, pošiljalac ima pravo na naknadu štete utvrđenu Pravilnikom o poštanskim paketima. Ako pošiljalac potražuje iznos koji je manji od iznosa predviđenog u Pravilniku o poštanskim paketima, ovlašćeni opertori imaju mogućnost da isplate ovaj manji iznos i da na toj osnovi budu obeštećeni od drugih eventualno uključenih ovlašćenih operatora.
 - 4.2. U slučaju djelimičnog orobljenja ili djelimičnog oštećenja običnog paketa, pošiljalac ima pravo na naknadu štete koja u načelu odgovara stvarnom iznosu orobljenja ili oštećenja.
 - 4.3. Ovlašćeni operatori mogu se dogovoriti da u svojim međusobnim odnosima primjenjuju iznos po paketu utvrđen Pravilnikom o poštanskim paketima, bez obzira na masu paketa.
5. Pošiljke sa označenom vrijednošću

- 5.1. U slučaju gubitka, potpunog orobljenja ili potpunog oštećenja pošiljke sa označenom vrijednošću, pošiljalac ima pravo na naknadu štete koja, u načelu, odgovara iznosu označene vrijednosti u SDR.
- 5.2. U slučaju djelimičnog orobljenja ili djelimičnog oštećenja pošiljke sa označenom vrijednošću, pošiljalac ima pravo na naknadu štete koja, u načelu, odgovara stvarnom iznosu orobljenja ili oštećenja. Ona ipak ni u kom slučaju ne može preći iznos označene vrijednosti u SDR.
6. Ako su preporučena pošiljka ili vrijednosno pismo, vraćeni bez označenog razloga za njihovo vraćanje, pošiljalac ima pravo samo na refundaciju plaćenih troškova.
7. Ako je vraćen paket, bez označenog razloga za njegovo vraćanje, pošiljalac ima pravo samo na refundaciju troškova plaćenih prilikom prijema paketa u zemlji porijekla i na troškove prouzrokovane vraćanjem iz odredišne zemlje.
8. U slučajevima predviđenim pod 2, 4 i 5, naknada štete se izračunava po tržišnoj cijeni, preračunatoj u SDR, predmeta ili robe iste vrste, u mjestu i u vrijeme kada je pošiljka primljena na otpremu. U nedostatku tržišne cijene, naknada štete se izračunava prema redovnoj vrijednosti predmeta ili robe, procenjenih na istim osnovama.
9. Kada se naknada štete duguje zbog gubitka, potpunog orobljenja ili potpunog oštećenja preporučene pošiljke, običnog paketa ili pošiljke sa označenom vrijednošću, pošiljalac ili primalac, prema slučaju, ima pravo, pored toga, na vraćanje plaćene poštarine, izuzev poštarine za preporučeno rukovanje ili rukovanje pošiljkom sa označenom vrijednošću. Isto važi i za preporučene pošiljke, obične pakete ili pošiljke sa označenom vrijednošću koje je primalac odbio zbog njihovog lošeg stanja, ako se ono može pripisati poštanskoj službi i uključuje njenu odgovornost.
10. Protivno odredbama predviđenim pod 2, 4 i 5, primalac ima pravo na naknadu štete posle preuzimanja preporučene pošiljke, običnog paketa ili pošiljke sa označenom vrijednošću, koji su bili orobljeni ili oštećeni.
11. Ovlašćeni operator u zemlji porijekla može da isplati pošiljaocima u svojoj zemlji odštetu predviđenu njenim unutrašnjim propisima za preporučene pošiljke i pakete bez označene vrijednosti, pod uslovom da ne bude manja od one koja je utvrđena pod 2.1. i 4.1. To isto važi i za ovlašćene operatore odredišne zemlje, kada se naknada štete isplaćuje primaocu. Iznosi utvrđeni pod 2.1. i 4.1. ipak će se primjenjivati:
 - 11.1. u slučaju postupka protiv odgovornog ovlašćenog operatora; ili
 - 11.2. ako se pošiljalac odrekne svojih prava u korist primaoca i obratno.
12. Neće se praviti nikakve rezerve koje se odnose na prekoračenje rokova za potražnice i isplate naknade štete ovlašćenih operatora, uključujući rokove i uslove koji su propisani Pravilnicima, osim na osnovu bilateralnog ugovora.

Član 22

Nepostojanje odgovornosti država članica i ovlašćenih operatora

1. Ovlašćeni operatori prestaju da budu odgovorni za preporučene pošiljke, pošiljke sa potvrđenim uručenjem, pakete i pošiljke sa označenom vrijednošću čije su uručenje izvršile pod uslovima utvrđenim u njihovim propisima za pošiljke iste vrste. Odgovornost ipak postoji:
 - 1.1. kada se orobljenje ili oštećenje utvrdi bilo prije uručenja, bilo u toku uručenja pošiljke;
 - 1.2. kada to unutrašnji propisi dozvoljavaju, primalac ili pošiljalac, ako se pošiljka vraća u mjesto porijekla, stavi primjedbe prilikom preuzimanja orobljene ili oštećene pošiljke;
 - 1.3. kada je, ukoliko to unutrašnji propisi dozvoljavaju, preporučena pošiljka dostavljena u poštanski sandučić, a primalac izjavi u potražnom postupku da je nije primio;
 - 1.4. kada primalac ili, u slučaju vraćanja u mjesto porijekla, pošiljalac paketa ili pošiljke sa označenom vrijednošću, i pored propisno potvrđenog uručenja, bez odlaganja izjavi ovlašćenom operatoru koji mu je pošiljku uručio da je utvrdio štetu; on mora da podnese dokaz da orobljenje ili oštećenje nije nastalo posle uručenja. Termin "bez odlaganja" se primjenjuje u skladu sa nacionalnim zakonodavstvom.
2. Države članice ili ovlašćeni operatori nisu odgovorni:
 - 2.1. u slučaju više sile, uz rezervu člana 13.6.9;
 - 2.2. kada ne mogu da pruže podatke o pošiljkama zbog toga što su službena dokumenta uništena usled više sile, ako njihova odgovornost nije na drugi način dokazana;
 - 2.3. kada je šteta nastala zbog greške ili nehata pošiljaoca ili proizilazi iz prirode sadržine pošiljke;
 - 2.4. kada se radi o pošiljkama čija sadržina pada pod udar zabrana predviđenih u članu 15;

- 2.5. u slučaju zaplijene na osnovu zakonodavstva određene zemlje, prema obavještenju države članice ili ovlaštenog operatora te zemlje;
- 2.6. kada se radi o pošiljkama sa označenom vrijednošću, na kojima je lažno označena viša vrijednost od stvarne vrijednosti sadržine;
- 2.7. kada pošiljalac nije podnio nikakvu potražnicu u roku od šest mjeseci, računajući od narednog dana poslije predaje pošiljke;
- 2.8. kada se radi o paketima ratnih zarobljenika i interniranih civilnih lica;
- 2.9. kada postoji sumnja da je pošiljalac lažno postupao sa ciljem da dobije naknadu štete.
3. Države članice ili ovlašćeni operatori ne preuzimaju nikakvu odgovornost za carinske deklaracije, bez obzira na oblik u kome su sastavljene, i za odluke carinskih organa donijete prilikom pregleda pošiljaka podnijetih na carinsku kontrolu.

Član 23

Odgovornost pošiljaoca

1. Pošiljalac pošiljke je odgovoran za povrede zaposlenih u pošti i za sve štete prouzrokovane na drugim poštanskim pošiljkama kao i na poštanskoj opremi, slanjem predmeta nedozvoljenih za prenos ili nepoštovanjem uslova za prijem.
2. U slučaju štete prouzrokovane na drugim poštanskim pošiljkama, pošiljalac je odgovoran za svaku oštećenu pošiljku u istim granicama kao i ovlašćeni operatori.
3. Pošiljalac ostaje odgovoran čak i ako pošta primi takvu pošiljku.
4. Međutim, kada je pošiljalac poštovao uslove kod predaje pošiljke, on nije odgovoran ako je bilo greške ili nehata ovlašćenog operatora ili prevoznika u toku obrade pošiljke nakon prijema.

Član 24

Isplata naknade štete

1. Zadržavajući pravo podnošenja zahtjeva protiv odgovornog ovlašćenog operatora, obaveza isplate naknade štete i vraćanja poštarine i dažbina pada na teret, prema slučaju, na ovlašćenog operatora zemlje porijekla ili na ovlašćenog operatora određene zemlje.
2. Pošiljalac može da se odrekne svojih prava na naknadu štete u korist primaoca. I obrnuto, primalac može da se odrekne svojih prava u korist pošiljaoca. Pošiljalac ili primalac mogu ovlastiti treće lice da primi naknadu štete, ako unutrašnje zakonodavstvo to dozvoljava.

Član 25

Eventualno vraćanje isplaćene naknade štete od pošiljaoca ili primaoca

1. Ako se, posle isplaćene naknade štete, pronađe preporučena pošiljka, paket ili pošiljka sa označenom vrijednošću ili dio pošiljke, koji su ranije smatrani izgubljenim, pošiljalac ili, prema slučaju, primalac se obavještava da mu je pošiljka na raspolaganju u roku od tri mjeseca, ako vrati iznos plaćene naknade štete. On se istovremeno izjašnjava kome pošiljka treba da bude uručena. U slučaju odbijanja ili izostajanja odgovora u datom roku, isti se postupak sprovodi prema primaocu ili pošiljaocu, prema slučaju, dajući mu isti rok za odgovor.
2. Ako pošiljalac ili primalac odbiju da preuzmu pošiljku ili ne odgovore u roku propisanom u stavu 1, ona postaje svojina ovlašćenog operatora ili, ako je takav slučaj, ovlašćenih operatora koji su isplatili štetu.
3. U slučaju da se naknadno pronađe pošiljka sa označenom vrijednošću, za čiju se sadržinu ispostavi da je niže vrijednosti od isplaćene naknade štete, pošiljalac ili primalac, prema slučaju, mora vratiti iznos te naknade uz uručenje pošiljke, što nema uticaja na posledice koje proizlaze iz lažnog označavanja vrijednosti.

Glava 3
POSEBNE ODREDBE O PISMONOSNIM POŠILJKAMA

Član 26

Predaja pismonosnih pošiljaka u inostranstvu

1. Nijedan ovlašćeni operator nije dužan da otprema niti da uručuje primaocima pismonosne pošiljke koje pošiljaoci, nastanjeni na teritoriji tih država članica, predaju na otpremu ili daju da se predaju na otpremu u stranoj zemlji, a u cilju korišćenja povoljnih uslova u pogledu tarifa koje se tamo primjenjuju.
2. Odredbe predviđene pod 1 primjenjuju se podjednako na pismonosne pošiljke pripremljene u zemlji u kojoj živi pošiljalac, pa zatim prenijete preko granice, kao i na pismonosne pošiljke pripremljene u nekoj stranoj zemlji.
3. Ovlašćeni operator odredišne zemlje ima pravo da traži od pošiljaoca i, ako to ne učini, onda od ovlašćenog operatora zemlje porijekla, plaćanje poštarine po cijenama u unutrašnjem saobraćaju. Ako ni pošiljalac ni ovlašćeni operator zemlje porijekla ne prihvate da plate tu poštarinu u roku koji je odredio ovlašćeni operator odredišne zemlje, ona može ili da vrati pošiljke ovlašćenom operatoru zemlje porijekla uz pravo da joj budu nadoknađeni troškovi vraćanja, ili da sa njima postupa u skladu sa svojom nacionalnom regulativom.
4. Nijedan ovlašćeni operator nije dužan da otprema niti da uručuje primaocima pismonosne pošiljke koje su pošiljaoci predali ili dali da se predaju u velikoj količini u nekoj drugoj zemlji, a ne u onoj u kojoj borave, ako je iznos terminalnih troškova za naplatu niži od iznosa koji bi bio naplaćen da su pošiljke bile predate u zemlji boravišta pošiljaoca. Ovlašćeni operator odredišne zemlje ima pravo da od ovlašćenog operatora zemlje porijekla traži plaćanje nadoknade srazmjerno učinjenim troškovima, čiji iznos ne može biti viši od najvišeg iznosa izračunatog na osnovu sledeće dvije formule: ili 80% od poštarine u unutrašnjem saobraćaju koja se primjenjuje na odgovarajuće pošiljke, ili stope shodno članovima od 28.3. do 28.7. ili 29.7., kako bude pogodno. Ako prijemni ovlašćeni operator ne prihvati da plati traženi iznos u roku koji je odredio ovlašćeni operator odredišne zemlje, on može ili da vrati pošiljke ovlašćenom operatoru zemlje prijema pošiljke, uz pravo da joj budu nadoknađeni troškovi vraćanja, ili da sa njima postupa u skladu sa nacionalnom regulativom.

TREĆI DIO
NADOKNADE

Glava 1
POSEBNE ODREDBE O PISMONOSNIM POŠILJKAMA

Član 27

Terminalni troškovi. Opšte odredbe

1. Uz rezervu izuzetaka utvrđenih u Pravilnicima, svaki ovlašćeni operator koji od drugog ovlašćenog operatora prima pismonosne pošiljke, ima pravo da od otpremnog ovlašćenog operatora naplati naknadu za troškove koje joj prouzrokuje primljena međunarodna pošta.
2. U cilju primjene odredaba o plaćanju terminalnih troškova njihovih ovlašćenih operatora, zemlje i teritorije su razvrstane saglasno spisku koji je u tu svrhu sačinio Kongres u rezoluciji C 18/2008 (Congress resolution C 18/2008), kao što sledi:
 - 2.1. zemlje i teritorije u ciljnom sistemu prije 2010. godine;

- 2.2. zemlje i teritorije u ciljnom sistemu od 2010. i 2012. godine (nove zemlje u ciljnom sistemu);
- 2.3. zemlje i teritorije u tranzicionom sistemu.
3. Odredbe ove Konvencije o plaćanju terminalnih troškova predstavljaju prelazne mjere ka usvajanju sistema plaćanja na kraju tranzicionog perioda.
4. Pristup unutrašnjem režimu. Direktni pristup
- 4.1. U principu, svaki ovlašćeni operator stavlja na raspolaganje drugim ovlašćenim operatorima sve poštarine koje nudi u svom unutrašnjem saobraćaju pod jednakim uslovima svojim nacionalnim korisnicima. Na ovlašćenom operatoru odredišne zemlje je da odluči da li su ispunjeni rokovi i uslovi od strane ovlašćenog operatora zemlje porijekla.
- 4.2. Ovlašćeni operatori zemalja u ciljnom sistemu omogućiće drugim ovlašćenim operatorima poštarine, rokove i uslove koje imaju u svom unutrašnjem saobraćaju, pod istim uslovima koje daju korisnicima u svojoj zemlji.
- 4.3. Ovlašćeni operatori novih zemalja u ciljnom sistemu mogu onemogućiti drugim ovlašćenim operatorima poštarine, rokove i uslove u svom unutrašnjem saobraćaju, pod istim uslovima koje daju korisnicima u svojoj zemlji. Ti ovlašćeni operatori mogu, međutim, ponuditi određenom broju ovlašćenih operatora primjenu domaćih uslova, na bazi reciprociteta, na probni period od 2 (dvije) godine. Nakon tog perioda, moraju odlučiti da li da prekinu sa korišćenjem uslova iz unutrašnjeg saobraćaja ili da omoguće svim ovlašćenim operatorima korišćenje tih uslova. Međutim, ako ovlašćeni operatori novih zemalja u ciljnom sistemu zatraže od drugih ovlašćenih operatora iz zemalja ciljnog sistema da omoguće uslove iz unutrašnjeg saobraćaja, onda moraju i oni da omoguće svim ovlašćenim operatorima one poštarine, rokove i uslove koje pružaju u unutrašnjem saobraćaju, a pod uslovima koji su identični uslovima koje daju korisnicima u svojoj zemlji.
- 4.4. Ovlašćeni operatori zemalja u tranzicionom sistemu mogu onemogućiti drugim ovlašćenim operatorima mogućnost primjene unutrašnjih uslova. Međutim, oni mogu da izaberu da određenom broju ovlašćenih operatora omoguće pristup unutrašnjim uslovima, na bazi reciprociteta, za period od 2 (dvije) godine. Nakon tog perioda, moraju izabrati da li da omoguće korišćenje uslova iz unutrašnjeg saobraćaja ili da omoguće svim ovlašćenim operatorima te uslove.
5. Nadoknade terminalnih troškova zasnivaju se na kvalitetu usluga u odredišnoj zemlji. Stoga je Poštansko operativno vijeće ovlašćeno da izmijeni nadoknade u članovima 28 i 29, kako bi podstaklo učešće u sistemima praćenja kvaliteta usluga i nagradilo ovlašćene operatore koji su postigli ciljeve kvaliteta usluga. Poštansko operativno vijeće takođe može utvrditi visinu kazni koje se plaćaju u slučaju nedovoljnog kvaliteta usluga, ali ne može lišiti uprave minimalnih naknada shodno članovima 28 i 29.
6. Bilo koji ovlašćeni operator može se odreći u potpunosti ili djelimično nadoknade predviđene pod 1.
7. Za M vreće, stopa terminalnih troškova iznosi 0,793 SDR za kilogram. M vreće mase manje od 5 kilograma smatraće se da imaju masu 5 kilograma za plaćanje terminalnih troškova.
8. Za preporučene pošiljke postoji dodatno plaćanje od 0,55 SDR po pošiljci za 2010. i 2011. godinu i 0,6 SDR za 2012. i 2013. godinu. Za vrijednosna pisma dodatno plaćanje iznosi 1,1 SDR po pošiljci za 2010. i 2011. godinu i 1,2 SDR za 2012. i 2013. Poštansko operativno vijeće je ovlašćeno da dopuni iznos nadoknade za ove i druge dopunske usluge, kada te usluge sadrže dodatne karakteristike, precizno navedene u Pravilniku o pismonosnim pošiljkama.
9. Bilo koji ovlašćeni operator može, na osnovu bilateralnog ili multilateralnog sporazuma, primjenjivati drugi sistem obračuna terminalnih troškova.
10. Ovlašćeni operatori mogu razmjenjivati neprioritetne pošiljke fakultativno, primjenjujući 10% popusta na stope prioritetnih terminalnih troškova.
11. Ovlašćeni operatori mogu razmjenjivati pošiljke predsortirane po formatu, na fakultativnoj osnovi, sa umanjnim terminalnim troškovima.
12. Odredbe koje se primjenjuju između ovlašćenih operatora iz zemalja u ciljnom sistemu odnose se na bilo kog ovlašćenog operatora iz zemalja u tranzicionom sistemu, koji želi da se priključi ciljnom sistemu. Poštansko operativno vijeće može utvrditi mjere tranzicije Pravinikom o pismonosnim pošiljkama. Kompletne odredbe ciljnog sistema mogu se primijeniti na bilo kog novog ovlašćenog operatora, koji izjavi da želi da primjenjuje sve odredbe iz ciljnog sistema, bez tranzicionih mjera.

Član 28

Terminalni troškovi. Odredbe koje se primjenjuju na tokove poštanskih pošiljaka između ovlašćenih operatora zemalja u ciljnom sistemu

1. Naknada za pismonosne pošiljke, uključujući i pošiljke u velikom broju, izuzev M vreća i IBRS pošiljaka, utvrđena je primjenom stopa po pošiljci i po kilogramu, koje odražavaju troškove prerade u određenoj zemlji; ovi troškovi moraju biti zasnovani na unutrašnjim poštarinama. Izračunavanje stopa se vrši prema uslovima predviđenim u Pravilniku o pismonosnim pošiljkama.
2. Plaćanje za IBRS pošiljke definisano je Pravilnikom o pismonosnim pošiljkama.
3. Stope po pošiljci i po kilogramu izračunavaju se na bazi procentualnog iznosa poštarine za prioritetno pismo od 20 grama iz unutrašnjeg saobraćaja, koji je 70% za zemlje u ciljnom sistemu do 2010. godine i 100% za zemlje koje ulaze u ciljni sistem od 2010. ili 2012. godine (nove zemlje u ciljnom sistemu).
4. Poštansko operativno vijeće će sprovesti studiju o naplati rukovanja poštanskim pošiljkama u dolazu u toku 2009. i 2010. godine. Ako ova studija ukaže na drugačiji procijenat od 70% iz stava 2 ovog člana, ovo vijeće će razmotriti da li da izmijeni procijenat naplate za prioritetno pismo mase do 20 grama za godine 2012. i 2013.
5. Od naplate koja se koristi za izračunavanje iz stava 3 ovog člana, izuzima se 50% za PDV ili drugih poreza za 2010. i 2011. godinu, a 100% za 2012. i 2013. godinu.
6. Primijenjene stope za tokove između zemalja u ciljnom sistemu do 2010. godine ne mogu biti vijeće od sledećih iznosa:
 - 6.1. za 2010. godinu 0,253 SDR po pošiljci + 1,980 SDR po kilogramu;
 - 6.2. za 2011. godinu 0,263 SDR po pošiljci + 2,059 SDR po kilogramu;
 - 6.3. za 2012. godinu 0,274 SDR po pošiljci + 2,141 SDR po kilogramu;
 - 6.4. za 2013. godinu 0,285 SDR po pošiljci + 2,227 SDR po kilogramu.
7. Stope koje se primjenjuju za tokove između zemalja u ciljnom sistemu do 2010. godine ne mogu biti manje od stopa za 2009. godinu, prije primjene pokazatelja kvaliteta usluga. Stope, takođe, ne mogu biti manje od:
 - 7.1. za 2010. godinu 0,165 SDR po pošiljci + 1,669 SDR po kilogramu;
 - 7.2. za 2011. godinu 0,169 SDR po pošiljci + 1,709 SDR po kilogramu;
 - 7.3. za 2012. godinu 0,173 SDR po pošiljci + 1,750 SDR po kilogramu;
 - 7.4. za 2013. godinu 0,177 SDR po pošiljci + 1,792 SDR po kilogramu.
8. Stope koje se primjenjuju na tokove za, iz i između novih zemalja u ciljnom sistemu, za pošiljke koje nisu u velikom broju (bulk), su:
 - 8.1. za 2010. godinu 0,155 SDR po pošiljci + 1,562 SDR po kilogramu
 - 8.2. za 2011. godinu 0,159 SDR po pošiljci + 1,610 SDR po kilogramu
 - 8.3. za 2012. godinu 0,164 SDR po pošiljci + 1,648 SDR po kilogramu
 - 8.4. za 2013. godinu 0,168 SDR po pošiljci + 1,702 SDR po kilogramu
9. Plaćanje za pošiljke u velikom broju biće određeno primjenom poštarina po pošiljci i po kilogramu, utvrđenim članom 28 od stavova 3 do stava 7.
10. Za preporučene ili pošiljke sa označenom vrijednošću (vrijednosno pismo) koje nemaju barkod identifikaciju ili barkod identifikaciju koja nije u skladu sa Tehničkim standardom S10 (UPU Technical standard S10), naplaćivaće se dodatno 0,5 SDR po pošiljci, ako nije drugačije dogovoreno bilateralnim sporazumom.
11. Na ovaj član se ne mogu staviti nikakve rezerve, osim u okviru bilateralnog sporazuma.

Član 29

Terminalni troškovi. Odredbe koje se primjenjuju na tokove pošiljaka za, iz i između ovlašćenih operatora zemalja u tranzicionom sistemu

1. U pripremi za ulazak ovlašćenih operatora sa terminalnim troškovima iz tranzicionog sistema u ciljni sistem, plaćanje za pismonosne pošiljke uključujući pošiljke u velikom broju (bulk), ali bez M vreća i IBRS pošiljaka, će se računati na bazi godišnjeg rasta od 2,8% na usklađene poštarine za 2009. godinu, koristeći svjetski prosek od 14,64 pošiljaka u jednom kilogramu.
2. Plaćanje za IBRS pošiljke definisano je Pravilnikom o pismonosnim pošiljkama.
3. Poštarine koje se primjenjuju za tokove za, iz i između ovlašćenih operatora zemalja u tranzicionom sistemu su:
 - 3.1. za 2010. godinu 0,155 SDR po pošiljci + 1,562 SDR po kilogramu;

- 3.2. za 2011. godinu 0,159 SDR po pošiljci + 1,610 SDR po kilogramu;
- 3.3. za 2012. godinu 0,164 SDR po pošiljci + 1,648 SDR po kilogramu;
- 3.4. za 2013. godinu 0,168 SDR po pošiljci + 1,702 SDR po kilogramu.
4. Za tokove manje od 100 tona godišnje, komponente po kilogramu i po pošiljci će se konvertovati u ukupnu poštarinu po kilogramu na bazi svjetskog prosjeka od 14,64 pošiljaka u kilogramu. Primjenjivaće se sledeće poštarine:
 - 4.1. za 2010. godinu 3,831 SDR po kilogramu;
 - 4.2. za 2011. godinu 3,938 SDR po kilogramu;
 - 4.3. za 2012. godinu 4,049 SDR po kilogramu;
 - 4.4. za 2013. godinu 4.162 SDR po kilogramu.
5. Za tokove više od 100 tona godišnje, koristiće se jedinstvena, gore pomenuta, poštarina po kilogramu, ako ni ovlašćeni operator zemlje porijekla ni zemlje odredišta ne zatraže mehanizme za revidiranje poštarina na bazi stvarnog broja pošiljaka u kilogramu, umjesto svjetskog prosjeka. Uzimanje uzorka, ako dođe do pokretanja mehanizma za revidiranje poštarina, primenjivaće se u skladu sa uslovima propisanim Pravilnikom o pismonosnim pošiljkama.
6. Revidiranje ukupne poštarine iz stava 4 ovog člana ne može da traži zemlja iz ciljnog sistema protiv zemlje iz tranzicionog sistema, osim ako ova druga nije tražila reviziju u suprotnom pravcu.
7. Plaćanje za pošiljke u velikom broju (bulk) ovlašćeni operatori u zemljama sa ciljnim sistemom će se utvrditi poštarinama po pošiljci i po kilogramu datih u članu 28. Za primljene pošiljke u velikom broju (bulk), ovlašćeni operatori u tranzicionom sistemu mogu zahtjevati plaćanje u skladu sa stavom 3 ovog člana.
8. Na ovaj član se ne mogu staviti nikakve rezerve, osim u okviru bilateralnog sporazuma.

Član 30

Fond za kvalitet usluga

1. Terminalni troškovi, osim za M vreće, IBRS pošiljaka i pošiljaka u velikom broju, koje sve zemlje i teritorije plaćaju zemljama koje je Kongres svrstao u grupu 5 za terminalne troškove Fonda za kvalitet usluga (QSF), uvećaće se za 20% stope od stopa datih članom 29 u korist unaprijeđenja kvaliteta usluga u grupi zemalja klasifikovanih u grupi 5. Takvo plaćanje se neće izvršavati između zemalja grupe 5.
2. Terminalni troškovi, osim za M vreće, IBRS pošiljaka i pošiljaka u velikom broju, koje plaćaju zemlje i teritorije koje je Kongres svrstao u grupu zemalja 1, zemljama koje je Kongres svrstao u grupu zemalja 4 biće povećani za 10% u odnosu na stope date u članu 29, za uplatu u Fond za kvalitet usluga za unaprijeđenje kvaliteta usluga u grupi zemalja 4.
3. Od 01. januara 2012. godine terminalni troškovi, osim za M vreće, IBRS pošiljaka i pošiljaka u velikom broju, koje plaćaju zemlje i teritorije koje je Kongres svrstao u grupu zemalja 2, zemljama koje je Kongres svrstao u grupu zemalja 4 biće povećani za 10% u odnosu na stope date u članu 29, za uplatu u Fond za kvalitet usluga za unaprijeđenje kvaliteta usluga u grupi zemalja 4.
4. Terminalni troškovi, osim za M vreće, IBRS pošiljaka i pošiljaka u velikom broju, koje plaćaju zemlje i teritorije koje je Kongres svrstao u grupu zemalja 1 i koje su bile u ciljnom sistemu prije 2010. godine za zemlje koje je Kongres svrstao u grupu zemalja 3 biće povećani za 8% u odnosu na stope iz člana 29, za uplatu u Fond za kvalitet usluga za unaprijeđenje usluga u grupi zemalja 3.
5. Terminalni troškovi, osim za M vreće, IBRS pošiljaka i pošiljaka u velikom broju, koje plaćaju zemlje i teritorije koje je Kongres svrstao u grupu zemalja 1 koje će pristupiti ciljnom sistemu u 2010. godini za zemlje koje je Kongres svrstao u grupu zemalja 3 biće povećani za 4% u odnosu na stope iz člana 29, za uplatu u Fond za kvalitet usluga za unaprijeđenje usluga u grupi zemalja 3.
6. Od 01. januara 2012. godine, terminalni troškovi, osim za "M" vreće, IBRS pošiljaka i pošiljaka u velikom broju, koje plaćaju zemlje i teritorije koje je Kongres svrstao u grupu zemalja 2, zemljama koje je Kongres svrstao u grupu zemalja 3 biće povećani za 4% u odnosu na stope date u članu 29, za uplatu u Fond za kvalitet usluga za unaprijeđenje kvaliteta usluga u grupi zemalja 3.
7. Terminalni troškovi, osim za M vreće, IBRS pošiljaka i pošiljaka u velikom broju, koje plaćaju zemlje i teritorije koje je Kongres svrstao u grupu zemalja 1 za zemlje koje je Kongres svrstao u grupu zemalja 2, a koje su koristile benefit od 8% prije 2010. godine biće povećani u 2010. i

2011. godini za 4% u odnosu na stope iz člana 29, i u 2012. i 2013. godini za 2% date u članu 28.8, za uplatu u Fond za kvalitet usluga za unaprijeđenje usluga u grupi zemalja 2.
8. Terminalni troškovi, osim za M vreće, IBRS pošiljaka i pošiljaka u velikom broju, koje plaćaju zemlje i teritorije koje je Kongres svrstao u grupu zemalja 1 za zemlje koje je Kongres svrstao u grupu zemalja 2, a koje su koristile benefit od 1% pre 2010. godine biće povećani u 2010. i 2011. godini u odnosu na stope iz člana 29, za uplatu u Fond za kvalitet usluga za unaprijeđenje usluga u grupi zemalja 2.
 9. Kombinovani terminalni troškovi koji se uplaćuju u Fond za kvalitet usluga za unaprijeđenje kvaliteta usluga u grupama zemalja 2,3,4 i 5 biće predmet najmanje 12.565 SDR po godini za svaku zemlju korisnika. Dodatni fondovi koji su neophodni da se dostigne ovaj minimalni iznos, biće fakturirani u srazmjerni sa obimom razmjene, zemljama u cilnom sistemu prije 2010. godine.
 10. Regionalni projekti treba posebno da doprinesu realizaciji programa za poboljšanje kvaliteta usluga i uvođenju analitičkog sistema obračuna u zemljama u razvoju. Poštansko operativno vijeće će usvojiti, najkasnije 2010. godine, procedure za finansiranje ovih projekata.

Član 31

Tranzitni troškovi

1. Za zatvorene zaključke i pošiljke u otvorenom tranzitu koji se razmjenjuju između dva ovlašćena operatora ili između dvije pošte iste države članice posredovanjem službi jednog ili više ovlašćenih operatora (treće lice), plaćaju se tranzitni troškovi. Oni predstavljaju nadoknadu za usluge suvozemnog, pomorskog i vazdušnog tranzita. Ovaj princip takođe važi i za pogrešno usmjerene zaključke ili pošiljke.

Glava 2

OSTALE ODREDBE

Član 32

Osnovne stope i odredbe koje se odnose na troškove vazdušnog prevoza

1. Osnovnu stopu koja se primjenjuje za plaćanje računa između ovlašćenih operatora za vazdušni prevoz usvaja Poštansko operativno vijeće. Nju izračunava Međunarodni biro, prema formuli utvrđenoj Pravilnikom o pismonosnim pošiljkama.
2. Izračunavanje troškova vazdušnog prevoza zatvorenih zaključaka, prioriternih pošiljaka, avionskih pošiljaka i avionskih paketa u otvorenom tranzitu, pogrešno usmjerenih zaključaka i pošiljaka, kao i način obračunavanja koji se na to odnosi, propisuje Pravilnik o pismonosnim pošiljkama i Pravilnik o poštanskim paketima.
3. Transportni troškovi za cjelokupan vazdušni prevoz:
 - 3.1. kada se radi o zatvorenim zaključcima, padaju na teret ovlašćenog operatora zemlje porijekla, uključujući i slučajeve kada se ti zaključci otpremaju u tranzitu preko jednog ili više posredujućih ovlašćenih operatora;
 - 3.2. kada se radi o prioriternim pošiljkama i avionskim pošiljkama u otvorenom tranzitu, uključujući i pogrešno otpremljene pošiljke, padaju na teret ovlašćenog operatora koji otprema pošiljke nekom drugom ovlašćenom operatoru.
4. Ova se ista pravila primjenjuju na pošiljke oslobođene suvozemnih i pomorskih tranzitnih troškova, ako se otpremaju avionom.
5. Svaki ovlašćeni operator, koji obezbjeđuje vazdušni prevoz međunarodnih pošiljaka unutar svoje zemlje, ima pravo da mu se nadoknade dodatni troškovi koje prouzrokuje ovaj prevoz, pod uslovom da srednja ponderisana razdaljina pređenih rastojanja bude vijeća od 300 kilometara. Poštansko operativno vijeće može srednju ponderisanu razdaljinu zamijeniti nekim drugim

odgovarajućim kriterijumom. Osim u slučaju sporazuma o besplatnom prevozu, troškovi moraju biti isti za sve prioritetne zaključke i avionske zaključke porijeklom iz inostranstva, bez obzira da li se ti zaključci nadošalju ili ne nadošalju vazдушnim putem.

6. Međutim, kada je nadoknada terminalnih troškova, koju naplaćuje ovlašćeni operator određene zemlje, zasnovana isključivo na stvarnim troškovima ili na poštarinama u unutrašnjem saobraćaju, ne vrši se nikakva dodatna nadoknada za troškove unutrašnjeg vazdušnog prevoza.
7. Ovlašćeni operator isključuje, kod izračunavanja srednjeg ponderisanog rastojanja, masu svih zaključaka za koje je izračunavanje naknade terminalnih troškova zasnovano isključivo na stvarnim troškovima ili na poštarinama u unutrašnjem saobraćaju ovlašćenog operatora određene zemlje.

Član 33

Djelovi poštarine za suvozemni i pomorski prevoz poštanskih paketa

1. Paketi koji se razmjenjuju između dva ovlašćena operatora podliježu djelovima poštarine za suvozemni prenos u dolazu, koji se izračunavaju kombinovanjem osnovne stope po paketu i osnovne stope po kilogramu, utvrđenih Pravilnikom.
 - 1.1. Imajući u vidu gore navedene osnovne stope, ovlašćeni operatori mogu, takođe, biti ovlašćeni da potražuju dodatne djelove poštarine po paketu i po kilogramu u skladu sa pravilima utvrđenim Pravilnikom.
 - 1.2. Djelovi poštarine navedeni pod 1. i 1.1. padaju na teret ovlašćenog operatora zemlje porijekla, osim ako Pravilnik o poštanskim paketima ne predviđa odstupanja od ovog načela.
 - 1.3. Djelovi poštarine za suvozemni prenos u dolazu moraju biti jedinstveni za cijelu teritoriju svake zemlje.
2. Paketi koji se razmjenjuju između dva ovlašćena operatora ili između dvije pošte iste zemlje, posredstvom površinskih službi jednog ili više ovlašćenih operatora, podliježu, u korist ovlašćenih operatora čije službe učestvuju u suvozemnom prenosu, plaćanju djelova poštarine za suvozemni tranzit, utvrđenih Pravilnikom prema stopi rastojanja.
 - 2.1. Za pakete u otvorenom tranzitu, posredujući ovlašćeni operatori imaju pravo potraživanja paušalnog dijela poštarine po pošiljci, utvrđenu Pravilnikom.
 - 2.2. Djelovi poštarine za suvozemni tranzit padaju na teret ovlašćenog operatora zemlje porijekla, osim ako Pravilnik o poštanskim paketima ne predviđa odstupanja od ovog načela.
3. Svaki ovlašćeni operator čije službe učestvuju u pomorskom prevozu paketa, ovlašćen je da potražuje djelove poštarine za pomorski prevoz. Ovi djelovi poštarine padaju na teret ovlašćenog operatora zemlje porijekla, osim ako Pravilnik o poštanskim paketima ne predviđa odstupanje od ovog načela.
 - 3.1. Za svaku korišćenu pomorsku službu, dio poštarine za pomorski prevoz određuje Pravilnik o poštanskim paketima, prema stopi rastojanja.
 - 3.2. Ovlašćeni operatori mogu da povijećaju najviše do 50% dio poštarine za pomorski prevoz obračunate u skladu sa 3.1. S druge strane, oni mogu da ga smanje po svojoj želji.

Član 34

Nadležnosti Poštansko Operativnog Vijeća u utvrđivanju poštarina i dažbina

1. Poštansko operativno vijeće je ovlašćeno da utvrdi sledeću poštarinu i djelove poštarine koji padaju na teret ovlašćenih operatora, u skladu sa uslovima propisanim Pravilnicima:
 - 1.1. tranzitne troškove za preradu i prevoz pismonosnih zaključaka preko jedne ili više posredujućih zemalja;
 - 1.2. osnovne stope i troškove vazdušnog prevoza za prevoz zaključaka vazдушnim putem;
 - 1.3. djelove poštarine za suvozemni prevoz u dolazu za preradu paketa u dolazu;
 - 1.4. djelove poštarine za suvozemni tranzit za preradu i prevoz paketa preko neke posredujuće zemlje;
 - 1.5. djelove poštarine za pomorski prevoz za prevoz paketa pomorskim putem.
2. Svaka izmjena koja se vrši u skladu sa metodologijom koja obezbjeđuje pravičnu naknadu ovlašćenim operatorima koji pružaju usluge, mora biti zasnovana na pouzdanim i reprezentativnim ekonomskim i

finansijskim podacima. Svaka usvojena izmjena stupa na snagu onog dana kojeg odredi Poštansko operativno vijeće.

ČETVRTI DIO

ZAVRŠNE ODREDBE

Član 35

Uslovi za usvajanje predloga koji se odnose na Konvenciju i Pravilnike

1. Da bi predlozi podnijeti Kongresu, koji se odnose na ovu Konvenciju, postali izvršni, mora ih usvojiti većina država članica s pravom glasa koje su prisutne i koje glasaju. Najmanje polovina država članica koje su zastupljene na Kongresu i koje imaju pravo glasa, mora biti prisutna u trenutku glasanja.
2. Da bi predlozi koji se odnose na Pravilnik o pismonosnim pošiljkama i na Pravilnik o poštanskim paketima postali izvršni, mora ih usvojiti većina članova Poštanskog operativnog vijeća koji imaju pravo glasa.
3. Da bi predlozi podnijeti između dva Kongresa koji se odnose na ovu Konvenciju i na njen Završni protokol postali izvršni, moraju dobiti:
 - 3.1. dvije trećine glasova, s tim da je najmanje polovina država članica Saveza sa pravom glasa učestvovala u glasanju, kada se radi o izmjenama;
 - 3.2. većinu glasova, kada se radi o tumačenju odredaba.
4. Bez obzira na odredbe pod 3.1, svaka država članica čije je nacionalno zakonodavstvo nepodudarno sa predloženom izmjenom može, u roku od devedeset dana od dana kada to saopšti, dostaviti pisanu izjavu generalnom direktoru Međunarodnog biroa kojom potvrđuje da nije u mogućnosti da prihvati ovu izmjenu.

Član 36

Rezerve na Kongresu

1. Svaka rezerva koja nije u skladu sa misijom i ciljevima Saveza nije dozvoljena.
2. Opšte je pravilo da svaka država članica, čije stavove ne dijele ostale države članice, uloži napore, u meri u kojoj je to moguće, da se prikloni mišljenju većine. Rezerva se može staviti samo u slučaju kada je to krajnje neophodno i kada za to postoje jaki razlozi.
3. Rezerve na bilo koji član ove Konvencije podnose se na Kongresu u formi kongresnog predloga napisanog na jednom od radnih jezika Međunarodnog biroa i u skladu sa odgovarajućim odredbama Poslovnika Kongresa.
4. Da bi postala izvršna, predloženu rezervu mora usvojiti ista ona većina koja je potrebna za izmjenu člana na koji se ta rezerva odnosi.
5. U principu, rezerve se primjenjuju na bazi reciprociteta u odnosima između država članica koje stavljaju rezerve i drugih država članica.
6. Rezerve na ovu Konvenciju unose se u Završni protokol ove Konvencije, na osnovu predloga koje je usvojio Kongres.

Član 37

Početak primjene i važenje Konvencije

1. Ova Konvencija stupa na snagu 01. januara 2010. godine i primjenjuje se do stupanja na snagu Akata narednog Kongresa.

U potvrdu čega, punomoćnici vlada država članica su potpisali ovu Konvenciju u jednom originalnom primjerku, koji se deponuje kod generalnog direktora Međunarodnog biroa. Međunarodni biro Svjetskog poštanskog saveza dostaviće po jedan njegov prepis svakoj ugovornici.

Sačinjeno u Ženevi, 12. avgusta 2008. godine

ZAVRŠNI PROTOKOL UZ SVJETSKU POŠTANSKU KONVENCIJU

U trenutku potpisivanja Svjetske poštanske konvencije, zaključene na današnji dan, niže potpisani punomoćnici saglasili su se o sledećem:

Član 1

Vlasništvo nad poštanskim pošiljkama. Vraćanje iz pošte. Izmjena ili ispravka adrese. Nadoslanje. Vraćanje pošiljaocu neuručivih pošiljaka

1. Odredbe članova 5.1. i 2. se ne primjenjuju na Antiguu i Barbudu, Bahrein, Barbados, Belize, Botsvanu, Brunej Darusalam, Kanadu, Hong-Kong, Kinu, Dominiku, Egipat, Fidi, Gambiju, Ujedinjenu Kraljevinu Velike Britanije i Sjeverne Irske, prekomorske teritorije koje zavise od Ujedinjenje Kraljevine, Grenadu, Gijanu, Irsku, Jamajku, Keniju, Kiribati, Kuvajt, Lesoto, Malavi, Maleziju, Mauricijus, Nauru, Novi Zeland, Nigeriju, Papuu – Novu Gvineju, Sveti Kristof i Nevis, Svetu Luciju, Sveti Vinsent i Grenadine, Samou, Sejšele, Sijera Leone, Singapur, Salomonska Ostrva, Svaziland, Tanzaniju (Ujedinjena Rep.), Trinidad i Tobago, Tuvalu, Vanautu i Zambiju.
2. Članovi 5.1. i 2. se isto tako ne primjenjuju na Austriju, Dansku i Iran (Islamska Rep.), čije zakonodavstvo ne dozvoljava vraćanje ili izmjenu adrese pismonosnih pošiljaka na zahtjev pošiljaoca, od trenutka kada je primalac bio obavešten o prispeću pošiljke na njegovu adresu.
3. Član 5.1. ne primjenjuje se na Australiju, Ganu i Zimbabve.
4. Član 5.2. ne primjenjuje se na Bahame, Belgiju, Demokratsku Narodnu Republiku Koreju, Irak i Mijanmar, čije zakonodavstvo ne dozvoljava vraćanje ili izmjenu adrese pismonosnih pošiljaka na zahtjev pošiljaoca.
5. Član 5.2. ne primjenjuje se na Sjedinjene Američke Države.
6. Član 5.2. se primjenjuje na Australiju samo onoliko koliko je to dozvoljeno njenim unutrašnjim zakonodavstvom.
7. Protivno članu 5.2, Demokratska Republika Kongo, El Salvador, Panama (Rep.), Filipini i Venecuela ovlašćene su da ne vraćaju poštanske pakete, nakon što je primalac zahtjevao njihovo carinjenje, pošto je to u suprotnosti sa carinskim propisima ovih zemalja.

Član 2

Poštarina

1. Protivno članu 6, Australija, Kanada i Novi Zeland ovlašćeni su da naplaćuju poštarinu koja nije predviđena Pravilnicima, kada je ta poštarina dozvoljena zakonodavstvom njihovih zemalja.

Član 3

Izuzeće od oslobađanja plaćanja poštarine za sekograme

1. Protivno članu 7, Indonezija, Sveti Vinsent i Grenadini i Turska, koje ne odobravaju oslobađanje od plaćanja poštarine za sekograme u svojoj unutrašnjoj službi, mogu naplaćivati poštarinu za frankiranje i poštarinu za posebne usluge, koje ipak ne mogu biti više od poštarine u njihovoj unutrašnjoj službi.
2. Protivno članu 7, Australija, Austrija, Kanada, Njemačka, Ujedinjeno Kraljevstvo Velike Britanije i Sjeverne Irske, Japan, Švajcarska i Sjedinjene Američke Države, mogu naplaćivati poštarinu za posebne usluge, koja se primjenjuje na sekograme u njihovoj unutrašnjoj službi.

Član 4

Osnovne usluge

1. Bez obzira na odredbe člana 12, Australija ne prihvata da osnovne usluge obuhvataju poštanske pakete.

2. Odredbe člana 12.2.4. ne primjenjuju se na Veliku Britaniju, čije unutrašnje zakonodavstvo propisuje nižu granicu mase. Zakonodavstvo u oblasti zdravlja i bezbjednosti u Velikoj Britaniji ograničava masu vreća do 20 kilograma.
3. Protivno članu 12.2.4., Kazahstan i Uzbekistan imaju ovlašćenje da ograniče, u polazu i dolazu, najvijeću težinu M vreća na 20 kilograma.

Član 5

Povratnica

1. Kanada je ovlašćena da ne primjenjuje član 13.4.3. kada se radi o paketima, pošto ona ne pruža uslugu povratnice za pakete u svom unutrašnjem saobraćaju.

Član 6

Pošiljka sa plaćenim odgovorom u međunarodnom poštanskom saobraćaju - IBRS

1. Protivno članu 13.4.1, Bugarska (Rep.) će obezbijediti uslugu Pošiljka sa plaćenim odgovorom u međunarodnom poštanskom saobraćaju, poslije pregovora sa zainteresovanim državama članicama.

Član 7

Zabrane (pismonosne pošiljke)

1. Izuzetno, Demokratska Narodna Republika Koreja i Liban ne prihvataju preporučene pošiljke koje sadrže metalni novac, ili novčanice, ili bilo koju vrednosnicu na donosioca, ili putničke čekove, ili platinu, zlato ili srebro, obrađeno ili ne, drago kamenje, nakit i druge skupocijene predmete. Njih striktno ne obavezuju odredbe Pravilnika o pismonosnim pošiljkama kada se radi o njihovoj odgovornosti u slučaju orobljenja ili oštećenja preporučenih pošiljaka, kao i u pogledu pošiljaka koje sadrže predmete od stakla ili lomljive predmete.
2. Izuzetno, Bolivija, Kina (Narodna Rep.), izuzev posebnog administrativnog regiona Hong-Kong, Iraka, Nepala, Pakistana, Saudijske Arabije, Sudana i Vijetnama, ne prihvataju preporučene pošiljke koje sadrže metalni novac, novčanice ili bilo koje vrednosnice na donosioca, putničke čekove, platinu, zlato ili srebro, obrađeno ili ne, drago kamenje, nakit i druge skupocijene predmete.
3. Mijanmar zadržava pravo da ne prihvata pošiljke sa označenom vrijednošću koje sadrže skupocijene predmete navedene u članu 15.5. pošto je to u suprotnosti sa njegovim unutrašnjim zakonodavstvom.
4. Nepal ne prihvata preporučene pošiljke ili pošiljke sa označenom vrijednošću koje sadrže novčanice ili metalni novac, osim u slučaju posebnog sporazuma zaključenog u tom cilju.
5. Uzbekistan ne prihvata preporučene pošiljke ili pošiljke sa označenom vrijednošću koje sadrže metalni novac, novčanice, čekove, poštanske marke ili stranu valutu i odbija svaku odgovornost u slučaju gubitka ili oštećenja pošiljaka takve vrste.
6. Iran (Islamska Rep.) ne prihvata pošiljke koje sadrže predmete suprotne islamskoj religiji.
7. Filipini zadržavaju pravo da ne prihvataju pismonosne pošiljke (obične, preporučene ili sa označenom vrijednošću) koje sadrže metalni novac, novčanice ili svaku vrednosnicu na donosioca, putničke čekove, platinu, zlato ili srebro, obrađeno ili ne, drago kamenje ili druge skupocijene predmete.
8. Australija ne prihvata nikakvu poštansku pošiljku koja sadrži zlato u polugama ili novčanice. Pored toga, ona ne prihvata preporučene pošiljke u odredištu za Australiju, niti pošiljke u otvorenom tranzitu koje sadrže predmete od vrijednosti, kao što su nakit, plemeniti metali, drago ili poludrago kamenje, hartije od vrijednosti, metalni novac ili druge vrijednosti. Ona odbija svaku odgovornost kada se radi o poštanskim pošiljkama koje krše ovu rezervu.

9. Kina (Narodna Rep.), izuzev posebnog administrativnog regiona Hong-Konga, ne prihvata pošiljke sa označenom vrijednošću koje sadrže metalni novac, novčanice, bilo koje vrednosnice na donosioca ili putničke čekove, saglasno svojim unutrašnjim propisima.
10. Letonija i Mongolija zadržavaju pravo da ne prihvataju obične pošiljke, preporučene pošiljke ili pošiljke sa označenom vrijednošću koje sadrže metalni novac, novčanice, vrednosnice na donosioca i putničke čekove, pošto se njihovo nacionalno zakonodavstvo tome protivi.
11. Brazil zadržava pravo da ne prihvata obične pošiljke, preporučene pošiljke ili pošiljke sa označenom vrijednošću koje sadrže metalni novac, novčanice u opticaju i bilo koje vrednosnice na donosioca.
12. Vijetnam zadržava pravo da ne prihvata pisma koja sadrže predmete i robu.

13. Indonezija ne prihvata preporučene i pošiljke sa označenom vrijednošću koje sadrže metalni novac, novčanice, čekove, poštanske marke, stranu valutu, ili bilo koju vrstu papira od vrijednosti koje glase na donosioca u Indoneziji i neće prihvatati odgovornost u slučaju gubitka ili oštećenja takve pošiljke.
14. Kirgistan zadržava prava da ne prihvata pismonosne pošiljke (obične, preporučene, vrijednosne i male pakete) koje sadrže metalni novac, novčanice, papire od vrijednosti koje glase na donosioca, putničke čekove, platinu, zlato ili srebro (bez obzira da li je prerađeno ili ne), drago kamenje, nakit i druge vrijednosne predmete i neće prihvatati odgovornost u slučajevima gubitka ili oštećenja takvih pošiljaka.
15. Kazahstan ne prihvata preporučene ili vrijednosne pošiljke koje sadrže metalni novac, novčanice, papire od vrijednosti koje glase na donosioca, putničke čekove, dragocijene metale (bez obzira da li su prerađeni ili ne), drago kamenje, nakit i druge vrijednosne predmete ili stranu valutu i neće prihvatati odgovornost u slučajevima gubitka ili oštećenja takvih pošiljaka.
16. Moldavija i Ruska Federacija ne prihvataju preporučene ili vrijednosne pošiljke koje sadrže novčanice u opticaju, papire od vrijednosti (čekove) bilo koje vrste koji glase na donosioca ili stranu valutu i neće prihvatati odgovornost u slučajevima gubitka ili oštećenja takvih pošiljaka.

Član 8

Zabrane (poštanski paketi)

1. Mijanmar i Zambija su ovlašćene da ne prihvataju pakete sa označenom vrijednošću koji sadrže skupocijene predmete navedene u članu 15.6.1.3.1, pošto je to u suprotnosti sa njihovim unutrašnjim propisima.
2. Izuzetno, Liban i Sudan ne prihvataju pakete koji sadrže metalni novac, novčanice ili svaku vrednosnicu na donosioca, putničke čekove, platinu, zlato ili srebro, obrađeno ili ne, drago kamenje i druge skupocijene predmete, ili koji sadrže tečnosti i materije koje se lako tope, ili predmete od stakla ili slične, ili lomljive. One nisu obavezne da primjenjuju odredbe Pravilnika o poštanskim paketima koje se na to odnose.
3. Brazil je ovlašćen da ne prihvati pakete sa označenom vrijednošću koji sadrže metalni novac i novčanice u opticaju, kao i svaku vrednosnicu na donosioca, pošto se njegovi unutrašnji propisi tome protive.
4. Gana je ovlašćena da ne prihvata pakete sa označenom vrijednošću koji sadrže metalni novac i novčanice u opticaju, pošto se njeni unutrašnji propisi tome protive.
5. Pored predmeta navedenih u članu 15, Saudijska Arabija je ovlašćena da ne prihvata pakete koji sadrže metalni novac, novčanice ili bilo kakve vrednosnice na donosioca, putničke čekove, platinu, zlato ili srebro, obrađeno ili ne, drago kamenje i druge skupocijene predmete. Ona ne prihvata ni pakete koji sadrže lijekove svake vrste, osim ako ih prati lekarski recept koji je izdao zvanični nadležni organ, proizvode namijenjene za gašenje vatre, hemijske tečnosti ili predmete suprotne načelima islamske religije.
6. Pored predmeta navedenih u članu 15, Oman ne prihvata pakete koji sadrže:
 - 6.1. lijekove svih vrsta, osim u slučaju da ih prati lekarski recept koji je izdao zvanični nadležni organ;
 - 6.2. proizvode namijenjene za gašenje vatre i hemijske tečnosti;
 - 6.3. predmete suprotne načelima islamske religije.
7. Pored predmeta navedenih u članu 15, Iran (Islamska Rep.) je ovlašćena da ne prihvata pakete koji sadrže predmete suprotne načelima islamske religije.

8. Filipini su ovlašćeni da ne prihvate pakete koji sadrže metalni novac, novčanice ili svaku vrednosnicu na donosioca, putničke čekove, platinu, zlato ili srebro, obrađeno ili ne, drago kamenje ili druge skupocijene predmete, ili koji sadrže tečnosti i materije koje se lako tope, ili predmete od stakla ili slične, ili lomljive.
9. Australija ne prihvata nikakvu poštansku pošiljku koja sadrži zlato u polugama ili novčanice.
10. Kina (Narodna Rep.) ne prihvata obične pakete koji sadrže metalni novac, novčanice ili bilo kakve vrednosnice na donosioca, putničke čekove, platinu, zlato ili srebro, obrađeno ili ne, drago kamenje ili druge skupocijene predmete. Pored toga, osim ako se radi o posebnom administrativnom regionu Hong-Kong, pakete sa označenom vrijednošću koji sadrže metalni novac, novčanice, bilo kakve vrednosnice na donosioca ili putničke čekove takođe se ne primaju.
11. Mongolija zadržava pravo da ne prihvata, prema svom nacionalnom zakonodavstvu, pakete koji sadrže metalni novac, novčanice, vrijednosne papire po viđenju i putničke čekove.

12. Letonija ne prihvata obične pakete ni pakete sa označenom vrijednošću koji sadrže metalni novac, novčanice, bilo kakve vrednosnice (čekove) na donosioca ili strani novac i ona odbija svaku odgovornost u slučaju gubitka ili oštećenja takvih pošiljaka.
13. Moldavija, Ruska Federacija, Ukrajina i Uzbekistan ne prihvataju obične i vrijednosne pakete koje sadrže novčanice u opticaju, papire od vrijednosti plative na donosioca ili stranu valutu, i neće prihvatati odgovornost u slučaju gubitka ili oštećenja ovih pošiljaka.
14. Kazahstan ne prihvata obične ili vrijednosne pakete koji sadrže metalni novac, novčanice, kreditne novčanice ili papire od vrijednosti na donosioca, čekove, plemenite metale, bilo da su obrađeni ili ne, plemenito kamenje, nakit i druge vredne predmete ili stranu valutu, i neće prihvatiti odgovornost u slučaju gubitka ili oštećenja ovakvih pošiljaka.

Član 9

Dozvoljene radioaktivne materije i infektivne supstance

1. Protivno članu 16 Mongolija zadržava pravo da u skladu sa svojim nacionalnim zakonodavstvom, ne prihvata pošiljke koje sadrže bilo kakav radioaktivni materijal i infektivne supstance.

Član 10

Pošiljke koje podliježu plaćanju carinskih dažbina

1. Pozivanjem na član 15, Bangladeš i El Salvador ne prihvataju pošiljke sa označenom vrijednošću koje sadrže predmete koji podliježu plaćanju carinskih dažbina.
2. Pozivanjem na član 15, sledeće zemlje ne prihvataju obična i preporučena pisma koja sadrže predmete koji podliježu plaćanju carinskih dažbina: Avganistan, Albanija, Azerbejdžan, Belorusija, Kambodža, Čile, Kolumbija, Kuba, Demokratska Narodna Republika Koreja, El Salvador, Estonija, Italija, Kazahstan, Letonija, Moldavija, Nepal, Peru, Ruska Federacija, San Marino, Turkmenistan, Ukrajina, Uzbekistan i Venecuela.
3. Pozivanjem na član 15, sledeće zemlje ne prihvataju obična pisma koja sadrže predmete koji podliježu plaćanju carinskih dažbina: Benin, Burkina Faso, Obala Slonovače (Rep.) Džibuti, Mali i Mauritanija.
4. Bez obzira na odredbe predviđene pod 1 do 3, pošiljke seruma, vakcina, kao i pošiljke hitno potrebnih lijekova koje je teško nabaviti, primaju se u svim slučajevima.

Član 11

Potražnice

1. Protivno članu 17.3, Bugarska (Rep.), Zelenortska ostrva, Čad, Demokratska Narodna Republika Koreja, Egipat, Gabon, prekomorske teritorije koje zavise od Ujedinjenog Kraljevstva, Grčka, Iran (Islamska Rep.), Kirgistan, Mongolija, Mijanmar, Filipini, Saudijska Arabija, Sudan, Sirija (Arapska Rep.), Turkmenistan, Ukrajina, Uzbekistan i Zambija zadržavaju pravo da naplaćuju od svojih korisnika poštarinu za potražnice za pismonosne pošiljke.

2. Protivno članu 17.3, Argentina, Austrija, Azerbejdžan, Litvanija, Moldavija i Slovačka zadržavaju pravo da naplaćuju posebnu poštarinu, kada se po sprovedenom potražnom postupku utvrdi da je potražnica bila neosnovana.
3. Avganistan, Bugarska (Rep.), Zelenortska ostrva, Kongo (Rep.) Egipat, Gabon, Iran (Islamska Rep.), Kirgistan, Mongolija, Mijanmar, Saudijska Arabija, Sudan, Surinam, Sirija (Arapska Rep.), Turkmenistan, Ukrajina, Uzbekistan i Zambija zadržavaju pravo da naplaćuju od svojih klijenata poštarinu za potražnice za pakete.
4. Protivno članu 17.3, Brazil, Panama (Rep.) i Sjedinjene Američke Države zadržavaju pravo da naplaćuju od svojih klijenata poštarinu za potražnice za pismonosne pošiljke i pakete otpremljene u zemljama koje primjenjuju takvu vrstu poštarine u skladu sa stavovima 1 do 3 ovog člana.

Član 12

Poštarina za podnošenje na carinjenje

1. Gabon zadržava pravo da naplaćuje od svojih korisnika poštarinu za podnošenje na carinski pregled.
2. Kongo (Rep.) i Zambija zadržavaju pravo da naplate od svojih korisnika poštarinu za podnošenje na carinski pregled za svaki paket.

Član 13

Predaja pismonosnih pošiljaka u inostranstvu

1. Australija, Austrija, Ujedinjeno Kraljevstvo Velike Britanije i Sjeverne Irske, Grčka, Novi Zeland i Sjedinjene Američke Države zadržavaju pravo da naplaćuju poštarinu, srazmjerno prouzrokovanim troškovima, od svakog ovlašćenog operatora koji im, na osnovu odredaba člana 26.4, vrati pošiljke koje nisu prvobitno otpremljene kao poštanske pošiljke njihovih službi.
2. Protivno članu 26.4, Kanada zadržava pravo da naplaćuje od ovlašćenog operatora zemlje porijekla naknadu koja joj omogućuje da minimalno pokrije troškove koje joj prouzrokuje prerada takvih pošiljaka.
3. Član 26.4. dozvoljava ovlašćenom operatoru odredišne zemlje da traži od ovlašćenog operatora zemlje porijekla odgovarajuću naknadu za uručenje pismonosnih pošiljaka predatih u inostranstvu u velikom broju. Australija i Ujedinjena Kraljevina Velike Britanije i Sjeverne Irske zadržavaju pravo da ograniče to plaćanje na iznos koji odgovara unutrašnjoj tarifi odredišne zemlje, koja se primjenjuje na iste pošiljke.
4. Član 26.4. dozvoljava ovlašćenom operatoru odredišne zemlje da traži od ovlašćenog operatora zemlje porijekla odgovarajuću naknadu za uručenje pismonosnih pošiljaka predatih u inostranstvu u velikom broju. Sledeće države članice zadržavaju pravo da ograniče to plaćanje na najviše iznose odobrene Pravilnikom za pošiljke u velikom broju: Bahami, Barbados, Brunej Darusalam, Kina (Narodna Rep.), Ujedinjena Kraljevina Velike Britanije i Sjeverne Irske, prekomorske teritorije koje zavise od Ujedinjene Kraljevine, Grenada, Gijana, Indija, Malezija, Nepal, Holandija, Holandski Antili i Aruba, Novi Zeland, Sveta Lucija, Sveti Vinsent i Grenadini, Singapur, Šri Lanka, Surinam, Tajland i Sjedinjene Američke Države.
5. Bez obzira na rezerve pod 4, sledeće države članice zadržavaju pravo da primjenjuju u potpunosti odredbe člana 26 Konvencije na pošiljke koje prime od država članica Saveza: Argentina, Austrija, Benin, Brazil, Burkina Faso, Kamerun, Obala Slonovaće (Rep.), Kipar, Danska, Egipat, Francuska, Njemačka, Grčka, Gvineja, Izrael, Italija, Japan, Jordan, Liban, Luksemburg, Mali, Mauritanija, Monako, Maroko, Norveška, Portugal, Saudijska Arabija, Senegal, Sirija (Arapska Rep.) i Togo.
6. U cilju primjene člana 26.4 Njemačka zadržava pravo da zahtjeva od zemlje u kojoj su pošiljke predate naknadu čiji je iznos jednak iznosu koji bi ona primila od zemlje gdje pošiljalac stanuje.

7. Bez obzira na rezerve date u članu 13, Kina (Narodna rep.) zadržava pravo da ograniči plaćanje za uručenje pismonosnih pošiljaka otpremljenih u inostranstvu u velikom broju na najviše iznose odobrene Konvencijom i Pravilnikom o pismonosnim pošiljkama za pošiljke u velikom broju.

Član 14

Izuzetni djelovi poštarine za suvozemni prenos u dolazu

1. Protivno članu 33, Avganistan zadržava pravo da naplaćuje 7,50 SDR po paketu, kao dopunski izuzetni dio poštarine za suvozemni prenos u dolazu.

Član 15

Posebne poštarine

1. Belgija, Norveška i Sjedinjene Američke Države mogu da naplaćuju za avionske pakete višeće djelove poštarine za suvozemni prenos nego za površinske pakete.
2. Liban je ovlašćen da naplaćuje za pakete do 1 kilograma poštarinu koja se primjenjuje na pakete preko 1, a do 3 kilograma.
3. Panama (Rep.) je ovlašćena da naplaćuje 0,20 SDR po kilogramu za površinske pakete koji se u tranzitu prevoze vazdušnim putem (S.A.L.).

U potvrdu čega, niže navedeni punomoćnici su sačinili ovaj Protokol, koji će imati istu snagu i istu valjanost kao da su njegove odredbe bile unijete u sam tekst Konvencije i potpisali su ga u jednom primjerku, koji se deponuje kod generalnog direktora Međunarodnog biroa. Međunarodni biro Svjetskog poštanskog saveza dostaviće po jedan njegov prepis svakoj ugovornici.

Sačinjeno u Ženevi, 12. avgusta 2008. godine

Član 3

Ovaj zakon stupa na snagu osmog dana od dana objavljivanja u „Službenom listu Crne Gore – Međunarodni ugovori”.

SU-SK Broj 01-887/5

Podgorica, 16. decembra 2010. godine

SKUPŠTINA CRNE GORE 24. SAZIVA

PREDŠEDNIK,

Ranko Krivokapić, s.r.

Na osnovu člana 95 tačka 3 Ustava Crne Gore donosim

U K A Z
O PROGLAŠENJU ZAKONA O POTVRĐIVANJU
OSMOG DODATNOG PROTOKOLA UZ USTAV SVJETSKOG
POŠTANSKOG SAVEZA - ŽENEVA 2008.

Proglašavam **Zakon o potvrđivanju Osmog dodatnog protokola uz Ustav Svjetskog poštanskog saveza - Ženeva 2008.**, koji je donijela Skupština Crne Gore 24. saziva, na sedmoj sjednici drugog redovnog zasijedanja u 2010. godini, dana 16. decembra 2010. godine.

Broj: 01- 2620/2
Podgorica, 22.12.2010. godine

Predsjednik Crne Gore
Filip Vujanović, s.r.

Na osnovu člana 82 stav 1 tač. 2 i 17 i člana 91 stav 1 Ustava Crne Gore, Skupština Crne Gore 24. saziva, na sedmoj šednici drugog redovnog zasijedanja u 2010. godini, dana 16. decembra 2010. godine, donijela je

Z A K O N

O POTVRĐIVANJU OSMOG DODATNOG PROTOKOLA UZ USTAV SVJETSKOG POŠTANSKOG SAVEZA - ŽENEVA 2008.

Član 1

Potvrđuje se Osmi dodatni protokol uz Ustav Svjetskog poštanskog saveza, usvojen na Kongresu Svjetskog poštanskog saveza u Ženevi, 12. avgusta 2008.godine, u originalu na francuskom, engleskom, španskom i arapskom jeziku.

Član 2

Tekst protokola iz člana 1 ovog zakona, u originalu na engleskom i u prevodu na crnogorski jezik glasi:

Eighth Additional Protocol to the Constitution of the Universal Postal Union

The plenipotentiaries of the governments of the member countries of the Universal Postal Union, met in Congress at Geneva, in view of article 30.2 of the Constitution of the Universal Postal Union concluded at Vienna on 10 July 1964, have adopted, subject to ratification, the following amendments to that Constitution.

Article I

(Article 1bis amended)

Definitions

1 For the purposes of the Acts of the Universal Postal Union, the following terms shall have the meanings defined below:

1.1 Postal service: all postal services whose scope is determined by the bodies of the Union. The main obligations of postal services are to satisfy certain social and economic objectives of member countries, by ensuring the collection, sorting, transmission and delivery of postal items.

1.2 Member country: a country that fulfils the conditions of article 2 of the Constitution.

1.3 Single postal territory (one and the same postal territory): the obligation upon the contracting parties to the UPU Acts to provide for the reciprocal exchange of letter-post items, including freedom of transit, and to treat postal items in transit from other countries like their own postal items, without discrimination.

1.4 Freedom of transit: obligation for an intermediate member country to ensure the transport of postal items passed on to it in transit for another member country, providing similar treatment to that given to domestic items.

1.5 Letter-post item: items described in the Convention.

1.6 International postal service: postal operations or services regulated by the Acts; set of these operations or services.

1.7 Designated operator: any governmental or non-governmental entity officially designated by the member country to operate postal services and to fulfil the related obligations arising out of the Acts of the Union on its territory.

1.8 Reservation: an exemption clause whereby a member country purports to exclude or to modify the legal effect of a clause of an Act, other than the Constitution and the General Regulations, in its application to that member country. Any reservation shall be compatible with the object and purpose of Union as defined in the preamble and article 1 of the Constitution. It must be duly justified and approved by the majority required for approval of the Act concerned, and inserted in the Final Protocol thereto.

Article II

(Article 4 amended)

Exceptional relations

Member countries whose designated operators provide a service with territories not included in the Union are bound to act as intermediaries for other member countries. The provisions of the Convention and its Regulations shall be applicable to such exceptional relations.

Article III

(Article 8 amended)

Restricted Unions. Special Agreements

1 Member countries, or their designated operators if the legislation of those member countries so permits, may establish Restricted Unions and make Special Agreements concerning the international postal service, provided always that they do not introduce provisions less favourable to the public than those provided for by the Acts to which the member countries concerned are parties.

2 Restricted Unions may send observers to Congresses, conferences and meetings of the Union, to the Council of Administration and to the Postal Operations Council.

3 The Union may send observers to Congresses, conferences and meetings of Restricted Unions.

Article IV

(Article 11 amended)

Accession or admission to the Union. Procedure

1 Any member of the United Nations may accede to the Union.

2 Any sovereign country which is not a member of the United Nations may apply for admission as a member country of the Union.

3 Accession or application for admission to the Union must entail a formal declaration of accession to the Constitution and to the obligatory Acts of the Union. It shall be addressed by the government of the country concerned to the Director General of the International Bureau, who shall notify the accession or consult the member countries on the application for admission, as the case may be.

4 A country which is not a member of the United Nations shall be deemed to be admitted as a member country if its application is approved by at least two thirds of the member countries of the Union. Member countries which have not replied within a period of four months counting from the date of the consultation shall be considered as having abstained.

5 Accession or admission to membership shall be notified by the Director General of the International Bureau to the governments of member countries. It shall take effect from the date of such notification.

Article V

(Article 22 amended)

Acts of the Union

1 The Constitution shall be the basic Act of the Union. It shall contain the organic rules of the Union and shall not be subject to reservations.

2 The General Regulations shall embody those provisions which ensure the application of the Constitution and the working of the Union. They shall be binding on all member countries and shall not be subject to reservations.

3 The Universal Postal Convention, the Letter Post Regulations and the Parcel Post Regulations shall embody the rules applicable throughout the international postal service and the provisions concerning the letter-post and postal parcels services. These Acts shall be binding on all member countries. Member countries shall ensure that their designated operators fulfil the obligations arising from the Convention and its Regulations.

4 The Agreements of the Union, and their Regulations, shall regulate the services other than those of the letter post and postal parcels between those member countries which are parties to them. They shall be binding on those member countries only. Signatory member countries shall ensure that their designated operators fulfil the obligations arising from the Agreements and their Regulations.

5 The Regulations, which shall contain the rules of application necessary for the implementation of the Convention and of the Agreements, shall be drawn up by the Postal Operations Council, bearing in mind the decisions taken by Congress.

6 The Final Protocols annexed to the Acts of the Union referred to in paragraphs 3, 4 and 5 shall contain the reservations to those Acts.

Article VI

(Article 25 amended)

Signature, authentication, ratification and other forms of approval of the Acts of the Union

1 The Acts of the Union arising from the Congress shall be signed by the plenipotentiaries of the member countries.

2 The Regulations shall be authenticated by the Chairman and the Secretary General of the Postal Operations Council.

3 The Constitution shall be ratified as soon as possible by the signatory countries.

4 Approval of the Acts of the Union other than the Constitution shall be governed by the constitutional regulations of each signatory country.

5 When a member country does not ratify the Constitution or does not approve the other Acts which it has signed, the Constitution and other Acts shall be no less valid for the other member countries that have ratified or approved them.

Article VII

(Article 29 amended)

Presentation of proposals

1 A member country shall have the right to present, either to Congress or between Congresses, proposals concerning the Acts of the Union to which it is a party.

2 However, proposals concerning the Constitution and the General Regulations may be submitted only to Congress.

3 Moreover, proposals concerning the Regulations shall be submitted direct to the Postal Operations Council but must first be transmitted by the International Bureau to all member countries and all designated operators.

Article VIII

(Article 32 amended)

Arbitration

In the event of a dispute between two or more member countries concerning the interpretation of the Acts of the Union or the responsibility imposed on a member country by the application of those Acts, the question at issue shall be settled by arbitration.

Article IX

Accession to the Additional Protocol and to the other Acts of the Union

1 Member countries which have not signed the present Protocol may accede to it at any time.

2 Member countries which are party to the Acts renewed by Congress but which have not signed them shall accede thereto as soon as possible.

3 Instruments of accession relating to the cases set forth in paragraphs 1 and 2 shall be sent to the Director General of the International Bureau, who shall notify the governments of the member countries of their deposit.

Article X

Entry into force and duration of the Additional Protocol to the Constitution of the Universal Postal Union

This Additional Protocol shall come into force on 1 January 2010 and shall remain in force for an indefinite period.

In witness whereof the plenipotentiaries of the governments of the member countries have drawn up this Additional Protocol, which shall have the same force and the same validity as if its provisions were inserted in the text of the Constitution itself, and they have signed it in a single original which shall be deposited with the Director General of the International Bureau. A copy thereof shall be delivered to each party by the International Bureau of the Universal Postal Union.

Done at Geneva, 12 August 2008.

OSMI DODATNI PROTOKOL UZ USTAV SVJETSKOG POŠTANSKOG SAVEZA

Punomoćnici vlada država članica Svjetskog poštanskog saveza, okupljeni na Kongresu u Ženevi, na osnovu člana 30 stav 2 Ustava Svjetskog poštanskog saveza, zaključenog u Beču 10. jula 1964. godine, usvojili su sledeće izmjene navedenog Ustava, koje podliježu potvrđivanju.

Član 1

(Izmijenjen član 1bis)

Definicije

1 Za potrebe Akata Svjetskog poštanskog saveza, dolje navedeni termini su definisani na sledeći način:

1.1 Poštanska usluga: skup poštanskih uslužnih djelatnosti čiji obim određuju organi Saveza. Osnovne obaveze koje iz obavljanja ovih usluga proizilaze sastoje se u zadovoljavanju određenih socijalnih i ekonomskih ciljeva država članica, pri čemu je obezbijeđeno prikupljanje, sortiranje, prenos i uručenje poštanskih pošiljaka.

1.2 Država članica: država koja ispunjava uslove navedene u članu 2 Ustava.

1.3 Jedinstvena poštanska teritorija (jedna ista poštanska teritorija): obaveza ugovornih strana po akatima Saveza je da, shodno principu reciprociteta, obezbjeđuju ravnopravnu razmjenu pismonosnih pošiljaka, poštujući načelo slobodnog tranzita i postupanja sa poštanskim pošiljkama koje dolaze iz drugih zemalja, a koje su u tranzitu kroz njihovu zemlju, kao sa njihovim sopstvenim poštanskim pošiljkama, bez diskriminacije.

1.4 Sloboda tranzita: načelo prema kome je posrednička država članica dužna da prenosi poštanske pošiljke koje joj je u tranzitu predala druga država članica, pri čemu sa ovim pošiljkama mora da se postupa na isti način kao i sa pošiljkama u unutrašnjem saobraćaju.

1.5 Pismonosna pošiljka: pošiljke koje su opisane u Konvenciji.

1.6 Međunarodna poštanska usluga: poštanske djelatnosti ili usluge regulisane Aktima; skup ovih djelatnosti ili usluga.

1.7 Ovlašćeni operator: svaki vladin ili nevladin entitet koji je zvanično određen od strane države članice, da obavlja poštanske usluge i da na njegovoj teritoriji ispunjava odnosne obaveze, koje proističu iz Akata Saveza.

1.8 Rezerva: klauzula o izuzimanju kojom država članica namjerava da izuzme ili izmijeni pravni efekat neke odredbe Akta prilikom primjene istog u toj državi članici, ako nije u pitanju odredba iz Ustava ili Opšteg pravilnika. Svaka rezerva će biti kompatibilna sa ciljem i svrhom Saveza, kako su one definisane u preambuli i članu 1 Ustava. Ona mora biti u potpunosti opravdana i odobrena od strane većine koja je potrebna za odobravanje Akta koji je u pitanju i odobrenje priloženo Završnom Protokolu.

Član 2

(Izmijenjen član 4)

Posebni odnosi

Države članice čiji ovlašćeni operatori pružaju usluge na teritorijama koje nisu uključene u Savez, obavezne su da nastupaju kao posrednici prema drugim državama članicama. Odredbe Konvencije i njenih propisa, važe i na takve posebne odnose.

Član 3
(Izmijenjen član 8)
Uži savezi. Posebni ugovori

1 Države članice, ili njihovi ovlašćeni operatori mogu, ako to dopušta zakonodavni okvir tih država članica, osnovati Uže saveze i sklopiti Posebne ugovore koji se tiču međunarodnih poštanskih usluga, pod uslovom da nikako ne uvode odredbe koje su manje povoljne za javnost nego one odredbe iz Akata koje su ove države članice potpisale i postale ugovorne strane.

2 Uži savezi mogu da šalju posmatrače na Kongrese, na konferencije i sastanke Saveza, Administrativnog savjeta i Poštanskog operativnog vijeća.

3 Savez može slati posmatrače na Kongrese, konferencije i sastanke Užih saveza.

Član 4
(Izmijenjen član 11)
Pristupanje ili prijem u Savez, Procedura

1 Svaki član Ujedinjenih nacija može biti primljen u Savez.

2 Svaka suverena država, koja nije član Ujedinjenih nacija, može podnijeti zahtjev da postane država članica Saveza.

3 Prijem, ili zahtjev za prijem u Savez, sa sobom obavežno zahtjeva i formalnu deklaraciju o prihvatanju Ustava i obaveznih Akata Saveza. Zahtjev upućuje vlada zemlje koja je u pitanju, Generalnom direktoru Međunarodnog biroa, koji obavještava o prijemu, ili konsultuje države članice vezano za zahtjev za prijem, zavisno od slučaja.

4 Smatraće se da je neka država, koja nije članica Ujedinjenih Nacija, postala država članica Saveza, ako je njen zahtjev odobrilo najmanje dvije trećine država članica Saveza. Države članice koje nisu odgovorile u roku od četiri mjeseca računajući od datuma konsultacija, smatraće se uzdržanima.

5 Generalni direktor Međunarodnog biroa obavještava vlade država članica o prijemu u članstvo. Članstvo stupa na snagu od datuma takvog obavještenja.

Član 5
(Izmijenjen član 22)
Akta Saveza

1 Ustav je osnovni Akt Saveza. On sadrži pravila o strukturi i organima Saveza i ne podliježe rezervama.

2 Opšti pravilnik sadrži odredbe koje obezbjeđuju primjenu Ustava i funkcionisanje Saveza. On je obavezan za sve države članice i ne podleže rezervama.

3 Svjetska poštanska Konvencija, Pravilnik o pismonosnim pošiljkama i Pravilnik o poštanskim paketima sadrže zajednička pravila koja se primjenjuju na međunarodne poštanske usluge, kao i odredbe koje se odnose na pismonosne pošiljke i na pakete. Ova Akta su obavezna za sve države članice. Države članice će obezbijediti da njihovi ovlašćeni operatori ispunjavaju obaveze koje proističu iz Konvencije i njenih propisa.

4 Sporazumi Saveza i njihovi Pravilnici regulišu ostale usluge, osim pismonosnih pošiljaka i paketa, između država članica koje su njihove ugovornice. Oni su obavezni samo za te zemlje. Države članice koje su i potpisnice, će obezbijediti da njihovi ovlašćeni operatori ispunjavaju obaveze koje proističu iz Sporazuma i njihovih propisa.

5 Pravilnike, koji sadrže pravila potrebna za primjenu Konvencija i Aranžmana, donosi Poštansko operativno vijeće, imajući u vidu odluke koje je donio Kongres.

6 Eventualni završni protokoli priloženi Aktima Saveza, predviđeni u stavovima od 3 do 5, sadrže rezerve na ova Akta.

Član 6
(Izmijenjen član 25)

Potpis, provjera autentičnosti, ratifikovanje i drugi oblici davanja odobrenja na Akte Saveza.

1 Akta Saveza koja su usvojena na Kongresu, potpisuju ovlašćeni predstavnici država članica.

2 Propise ovjeravaju i potvrđuju predsjedavajući i Generalni sekretar Poštanskog operativnog vijeća.

3 Države potpisnice treba da, što je pre moguće, ratifikuju Ustav.

4 Potvrđivanje drugih Akata Saveza, koji nisu Ustav, uređuje se ustavnim propisima svake države potpisnice.

5 Kada država članica ne ratifikuje Ustav, ili ne potvrdi druge Akte koje je potpisala, Ustav i ti drugi akti više neće biti obavezujući za druge države članice koje su ih ratifikovale ili potvrdile prema državi članici koja ih nije ratifikovala.

Član 7

(Izmijenjen član 29)

Podnošenje predloga

1 Država članica ima pravo da, bilo na Kongresu, bilo između Kongresa, podnese predloge koji se tiču onih Akata Saveza čija je ugovorna strana.

2 Međutim, predlozi koji se tiču Ustava i Opštih propisa, mogu se podnositi samo na Kongresu.

3 Osim toga, predlozi koji se tiču Propisa, podnose se direktno Poštanskom operativnom vijeću, ali ih Međunarodni biro najprije treba poslati svim državama članicama i njihovim ovlašćenim operatorima.

Član 8

(Član 32, izmijenjen)

Arbitraža

U slučaju spora između dvije ili više država članica oko tumačenja Akata Saveza ili odgovornosti koju ima država članica prilikom primjene ovih Akata, sporno pitanje će se rješavati arbitražom.

Član 9

Pristupanje Dodatnom protokolu i drugim Aktima Saveza

1 Države članice koje nisu potpisale ovaj Protokol mogu mu pristupiti u svako vrijeme.

2 Države članice, ugovornice Akata obnovljenih na Kongresu, koje ih nisu potpisale, treba tim Aktima da pristupe što je moguće prije.

3 Instrumenti pristupanja koji se odnose na slučajeve predviđene stavovima 1 i 2, upućuju se Generalnom direktoru Međunarodnog biroa. On o tome obavještava vlade država članica.

Član 10

Početak primjene i važenje Dodatnog protokola uz Ustav

Svjetskog poštanskog saveza

Ovaj Dodatni protokol počće da se primjenjuje 1. januara 2010. godine i ostaće na snazi neograničeno vrijeme.

Punomoćnici vlada država članica su sačinili ovaj Dodatni protokol, koji ima istu pravosnažnost i istu zakonitost kao da su njegove odredbe unijete u sam tekst Ustava, i oni su ga potpisali u jednom primjerku, koji se deponuje kod Generalnog direktora Međunarodnog biroa. Međunarodni biro Svjetskog poštanskog saveza dostaviće po jedan njegov prepis svakoj ugovornoj strani.

Usvojeno u Ženevi, 12. avgusta 2008. godine.

Član 3

Ovaj zakon stupa na snagu osmog dana od dana objavljivanja u „Službenom listu Crne Gore – Međunarodni ugovori”.

SU-SK Broj 01-885/5

Podgorica, 16. decembra 2010. Godine

SKUPŠTINA CRNE GORE 24. SAZIVA

PREDŠEDNIK,



Ranko Krivokapić, s.r.

Na osnovu člana 95 tačka 3 Ustava Crne Gore donosim

U K A Z
O PROGLAŠENJU ZAKONA O POTVRĐIVANJU
PRVOG DODATNOG PROTOKOLA UZ OPŠTI PRAVILNIK
SVJETSKOG POŠTANSKOG SAVEZA - ŽENEVA 2008.

Proglašavam **Zakon o potvrđivanju Prvog dodatnog protokola uz Opšti pravilnik Svjetskog poštanskog saveza - Ženeva 2008.**, koji je donijela Skupština Crne Gore 24. saziva, na sedmoj sjednici drugog redovnog zasijedanja u 2010. godini, dana 16. decembra 2010. godine.

Broj: 01- 2621/2
Podgorica, 22.12.2010. godine

Predsjednik Crne Gore
Filip Vujanović, s.r.

Na osnovu člana 82 stav 1 tač. 2 i 17 i člana 91 stav 1 Ustava Crne Gore, Skupština Crne Gore 24. saziva, na sedmoj šednici drugog redovnog zasijedanja u 2010. godini, dana 16. decembra 2010. godine, donijela je

Z A K O N
O POTVRĐIVANJU PRVOG DODATNOG PROTOKOLA UZ
OPŠTI PRAVILNIK
SVJETSKOG POŠTANSKOG SAVEZA - ŽENEVA 2008.

Član 1

Potvrđuje se Prvi dodatni protokol uz Opšti pravilnik Svjetskog poštanskog saveza, usvojen na Kongresu Svjetskog poštanskog saveza u Ženevi, 12. avgusta 2008. godine, u originalu na francuskom, engleskom, španskom i arapskom jeziku.

Član 2

Tekst protokola iz člana 1 ovog zakona, u originalu na engleskom i u prevodu na crnogorski jezik glasi:

First Additional Protocol to the General Regulations

The plenipotentiaries of the governments of the member countries of the Universal Postal Union, met in Congress at Geneva, in view of article 22.2 of the Constitution of the Universal Postal Union concluded at Vienna on 10 July 1964, have, by common consent and subject to article 25.4 of the Constitution, adopted the following amendments to the General Regulations.

Article I

(Article 101bis)

Functions of Congress

1 On the basis of proposals by member countries, the Council of Administration and the Postal Operations Council, Congress shall:

1.1 determine the general policies for achieving the object and purpose of the Union set out in the Preamble and article 1 of the Constitution;

1.2 consider and adopt, where appropriate, proposals for amendments to the Constitution, General Regulations, Convention and Agreements submitted by member countries and the Councils, in accordance with article 29 of the Constitution and article 122 of the General Regulations;

1.3 set the date for the entry into force of the Acts;

1.4 adopt its Rules of Procedure and the amendments to those Rules;

1.5 consider the comprehensive reports on the work of the Council of Administration, the Postal Operations Council and the Consultative Committee, covering the period from the previous Congress, presented by these respective bodies in accordance with articles 103,105 and 107 of the General Regulations;

- 1.6 adopt the Union's strategic plan;
- 1.7 fix the maximum amount of the Union's expenditure in accordance with article 21 of the Constitution;
- 1.8 elect the member countries to sit on the Council of Administration and the Postal Operations Council;
- 1.9 elect the Director General and Deputy Director General;
- 1.10 set in a resolution the ceiling of the costs to be borne by the Union for the production of documents in Chinese, German, Portuguese and Russian.

2 Congress, as the supreme body of the Union, shall deal with such other questions concerning postal services.

Article II

(Article 102 amended)

Composition, functioning and meetings of the Council of Administration (Const 17)

1 The Council of Administration shall consist of forty-one members who shall exercise their functions during the period between two successive Congresses.

2 The chairmanship shall devolve by right on the host member country of Congress. If that member country waives this right, it shall become a de jure member and, as a result, the geographical group to which it belongs shall have at its disposal an additional seat, to which the restrictive provisions of paragraph 3 shall not apply. In that case, the Council of Administration shall elect to the chairmanship one of the member countries belonging to the geographical group of the host member country.

3 The forty other members of the Council of Administration shall be elected by Congress on the basis of an equitable geographical distribution. At least a half of the membership shall be renewed at each Congress; no member may be chosen by three successive Congresses.

4 Each member of the Council of Administration shall appoint its representative, who shall be competent in postal matters.

5 The office of member of the Council of Administration shall be unpaid. The operational expenses of this Council shall be borne by the Union.

6 The Council of Administration shall have the following functions:

6.1 to supervise the activities of the Union between Congresses, ensuring compliance with the decisions of Congress, studying questions with respect to governmental policies on postal issues, and taking account of international regulatory developments such as those relating to trade in services and to competition;

6.2 to consider and approve, within the framework of its competence, any action considered necessary to safeguard and enhance the quality of and to modernize the international postal service;

6.3 to promote, coordinate and supervise all forms of postal technical assistance within the framework of international technical cooperation;

6.4 to consider and approve the biennial Programme and Budget and the accounts of the Union;

6.5 to authorize the ceiling of expenditure to be exceeded, if circumstances so require, in accordance with article 128.3 to 5;

6.6 to lay down the Financial Regulations of the Union;

6.7 to lay down the rules governing the Reserve Fund;

6.8 to lay down the rules governing the Special Fund;

6.9 to lay down the rules governing the Special Activities Fund;

6.10 to lay down the rules governing the Voluntary Fund;

6.11 to provide control over the activities of the International Bureau;

6.12 to authorize election of a lower contribution class, if it is so requested, in accordance with the conditions set out in article 130.6;

6.13 to authorize a change of geographical group if it is so requested by a member country, taking into account the views expressed by the member countries which are members of the geographical groups concerned;

6.14 to lay down the Staff Regulations and the conditions of service of the elected officials;
6.15 to create or abolish International Bureau posts taking into account the restrictions imposed by the expenditure ceiling fixed;

6.16 to lay down the Regulations of the Social Fund;

6.17 to approve the biennial report on the work of the Union and the biennial Financial Operating Reports prepared by the International Bureau and where appropriate to furnish observations on them;

6.18 to decide on the contacts to be established with member countries in order to carry out its functions;

6.19 after consulting the Postal Operations Council, to decide on the contacts to be established with the organizations which are not de jure observers, to consider and approve the reports by the International Bureau on UPU relations with other international bodies and to take the decisions which it considers appropriate on the conduct of such relations and the action to be taken on them; to designate in due course, after consulting the Postal Operations Council and the Secretary General, the international organizations, associations, enterprises and qualified persons to be invited to be represented at specific meetings of Congress and its Committees when this is in the interest of the Union or the work of Congress and to instruct the Director General to issue the necessary invitations;

6.20 to establish principles, as may be considered necessary, for the Postal operations Council to take into account in its study of questions with major financial repercussions (charges, terminal dues, transit charges, basic airmail conveyance rates and the posting abroad of letter-post items), to follow closely the study of these questions, and to review and approve, for conformity with the aforementioned principles, Postal Operations Council proposals relating to these questions;

6.21 to study, at the request of Congress, the Postal Operations Council or member countries, administrative, legislative and legal problems concerning the Union or the international postal service; it shall be for the Council of Administration to decide, in the above-mentioned fields, whether it is expedient to undertake the studies requested by member countries between Congresses;

6.22 to formulate proposals which shall be submitted for the approval either of Congress or of postal administrations member countries in accordance with article 125;

6.23 to approve, within the framework of its competence, the recommendations of the Postal Operations Council for the adoption, if necessary, of regulations or of a new procedure until such time as Congress takes a decision in the matter;

6.24 to consider the annual report prepared by the Postal Operations Council and any proposals submitted by the Council;

6.25 to submit subjects for study to the Postal Operations Council for examination in accordance with article 104, paragraph 9.16;

6.26 to designate the member country where the next Congress is to be held in the case provided for in article 101, paragraph 4;

6.27 to determine in due course and after consulting the Postal Operations Council, the number of Committees required to carry out the work of Congress and to specify their functions;

6.28 to designate, after consulting the Postal Operations Council and subject to the approval of Congress, the member countries prepared:

- to assume the vice-chairmanships of Congress and the chairmanships and vice-chairmanships of the Committees, taking as much account as possible of the equitable geographical distribution of the member countries; and

- to sit on the restricted Committees of Congress;

6.29 to review and approve, in consultation with the Postal Operations Council, the draft Strategy for presentation to Congress;

6.30 to approve the four-yearly report, prepared by the International Bureau in consultation with the POC, on the performance of member countries in respect of the execution of the Union Strategy approved by the preceding Congress, for submission to the following Congress;

6.31 to establish the framework for the organization of the Consultative Committee and concur in the organization of the Consultative Committee in accordance with the provisions of article 106;

6.32 to establish criteria for membership of the Consultative Committee and to approve or reject applications for membership in accordance with those criteria, ensuring that action on the applications is accomplished through an expedited process between meetings of the Council of Administration;

6.33 to designate those of its members that will serve as members of the Consultative Committee;

6.34 to receive and discuss reports and recommendations from the Consultative Committee and to consider recommendations from the Consultative Committee for submission to Congress.

7 At its first meeting, which shall be convened by the Chairman of Congress, the Council of Administration shall elect four Vice-Chairmen from among its members and draw up its Rules of Procedure.

8 On convocation by its Chairman, the Council of Administration shall meet in principle once a year, at Union headquarters.

9 The Chairman, the Vice-Chairmen and the Committee Chairmen of the Council of Administration shall form the Management Committee. This Committee shall prepare and direct the work of each session of the Council of Administration. It shall approve, on behalf of the Council of Administration, the biennial report prepared by the International Bureau on the work of the Union and it shall take on any other task which the Council of Administration decides to assign to it or the need for which arises in the course of the strategic planning process.

10 The travel expenses of the representative of each of the members of the Council of Administration participating in its meetings, shall be borne by his member country. However, the representative of each of the member countries classified as developing or least developed countries according to the lists established by the United Nations shall, except for meetings which take place during Congress, be entitled to reimbursement of the price of an economy class return air ticket or first class return rail ticket, or expenses incurred for travel by any other means, subject to the condition that the amount does not exceed the price of the economy class return air ticket. The same entitlement shall be granted to each member of its Committees, Working Parties or other bodies when these meet outside Congress and the sessions of the Council.

11 The Chairman of the Postal Operations Council shall represent that body at meetings of the Council of Administration on the agenda of which there are questions of interest to the body which he directs.

12 The Chairman of the Consultative Committee shall represent it at meetings of the Council of Administration when the agenda contains questions of interest to the Consultative Committee.

13 To ensure effective liaison between the work of the two bodies, the Postal Operations Council may designate representatives to attend Council of Administration meetings as observers.

14 The member country in which the Council of Administration meets shall be invited to take part in the meetings in the capacity of observer, if it is not a member of the Council of Administration.

15 The Council of Administration may invite any international body, any representative of an association or enterprise, or any qualified person whom it wishes to associate with its work to its meetings, without the right to vote. It may also invite, under the same conditions, one or more member countries concerned with questions on its agenda.

16 If they so request, the following observers may participate in the plenary sessions and Committee meetings of the Council of Administration, without the right to vote:

16.1 members of the Postal Operations Council;

16.2 members of the Consultative Committee;

16.3 intergovernmental organizations interested in the work of the Council of Administration;

16.4 other member countries of the Union.

17 For logistical reasons, the Council of Administration may limit the number of attendees per observer participating. It may also limit their right to speak during the debates.

18 The members of the Council of Administration shall take an active part in its work. Observers may, at their request, be allowed to cooperate in the studies undertaken, subject to such conditions as the Council may establish to ensure the efficiency and effectiveness of its work. They may also be invited to chair Working Parties and Project Teams when their experience

or expertise justifies it. The participation of observers shall be carried out without additional expense for the Union.

19 In exceptional circumstances, observers may be excluded from a meeting or a portion of a meeting or may have their right to receive documents restricted if the confidentiality of the subject of the meeting or document so requires. This restriction may be decided on a case-by-case basis by any body concerned or its Chair. The case-by-case situations shall be reported to the Council of Administration and to the Postal Operations Council when matters of interest to the Postal Operations Council are concerned. If it considers this necessary, the Council of Administration may subsequently review restrictions, in consultation with the Postal Operations Council where appropriate.

Article III

(Article 103 amended)

Information on the activities of the Council of Administration

1 After each session, the Council of Administration shall inform the member countries and their designated operators, the Restricted Unions and the members of the Consultative Committee about its activities by sending them, inter alia, a summary record and its resolutions and decisions.

2 The Council of Administration shall make to Congress a comprehensive report on its work and send it to the member countries, their designated operators and the members of the Consultative Committee at least two months before the opening of Congress.

Article IV

(Article 104 amended)

Composition, functioning and meetings of the Postal Operations Council (Const 18)

1 The Postal Operations Council shall consist of forty members who shall exercise their functions during the period between successive Congresses.

2 The members of the Postal Operations Council shall be elected by Congress on the basis of qualified geographical distribution. Twenty-four seats shall be reserved for developing member countries and sixteen seats for developed member countries. At least one third of the members shall be renewed at each Congress.

3 Each member of the Postal Operations Council shall appoint its representative, who shall have responsibilities for delivering services mentioned in the Acts of the Union.

4 The operational expenses of the Postal Operations Council shall be borne by the Union. Its members shall not receive any payment. Travelling and living expenses incurred by representatives of member countries participating in the Postal Operations Council shall be borne by these member countries. However, the representative of each of the member countries considered to be disadvantaged according to the lists established by the United Nations shall, except for meetings which take place during Congress, be entitled to reimbursement of the price of an economy class return air ticket or first class return rail ticket, or expenses incurred for travel by any other means, subject to the condition that the amount does not exceed the price of the economy class return air ticket.

5 At its first meeting, which shall be convened and opened by the Chairman of Congress, the Postal Operations Council shall choose from among its members a Chairman, a Vice-Chairman, the Committee Chairmen.

6 The Postal Operations Council shall draw up its Rules of Procedure.

7 In principle, the Postal Operations Council shall meet every year at Union headquarters. The date and place of the meeting shall be fixed by its Chairman in agreement with the Chairman of the Council of Administration and the Director General of the International Bureau.

8 The Chairman, the Vice-Chairman and the Committee Chairmen of the Postal Operations Council shall form the Management Committee. This Committee shall prepare and direct the work of each meeting of the Postal Operations Council and take on all the tasks which the latter decides to assign to it or the need for which arises in the course of the strategic planning process.

9 The functions of the Postal Operations Council shall be the following:

9.1 to conduct the study of the most important operational, commercial, technical, economic and technical cooperation problems which are of interest to all member countries or their designated operators, including questions with major financial repercussions (charges, terminal dues, transit charges, airmail conveyance rates, parcelpost rates, and the posting abroad of letter-post items), and to prepare information, opinions and recommendations for action on them;

9.2 to revise the Regulations of the Union within six months following the end of the Congress unless the latter decides otherwise; in case of urgent necessity, the Postal Operations Council may also amend the said Regulations at other sessions; in both cases, the Operations Council shall be subject to Council of Administration guidance on matters of fundamental policy and principle;

9.3 to coordinate practical measures for the development and improvement of international postal services;

9.4 to take, subject to Council of Administration approval within the framework of the latter's competence, any action considered necessary to safeguard and enhance the quality of and to modernize the international postal service;

9.5 to formulate proposals which shall be submitted for the approval either of Congress or of member countries in accordance with article 125; the approval of the Council of Administration is required when these proposals concern questions within the latter's competence;

9.6 to examine, at the request of a member country, any proposal which that member country forwards to the International Bureau under article 124, to prepare observations on it and to instruct the International Bureau to annex these observations to the proposal before submitting it for approval to the member countries;

9.7 to recommend, if necessary, and where appropriate after approval by the Council of Administration and consultation of all the member countries, the adoption of regulations or of a new procedure until such time as Congress takes a decision in the matter;

9.8 to prepare and issue, in the form of recommendations to member countries and their designated operators, standards for technological, operational and other processes within its competence where uniformity of practice is essential; it shall similarly issue, as required, amendments to standards it has already set;

9.9 to provide input to the Council of Administration for the development of the draft Strategy to be submitted to Congress;

9.10 to approve those parts of the biennial report on the work of the Union prepared by the International Bureau which concern the responsibilities and functions of the Postal Operations Council;

9.11 to decide on the contacts to be established with member countries and their designated operators in order to carry out its functions;

9.12 to study teaching and vocational training problems of interest to member countries and their designated operators as well as to the new and developing countries;

9.13 to take the necessary steps to study and publicize the experiments and progress made by certain member countries and their designated operators in the technical, operational, economic and vocational training fields of interest to the postal services;

9.14 to study the present position and needs of the postal services in the new and developing countries and to prepare appropriate recommendations on ways and means of improving the postal services in those countries;

9.15 to take, in consultation with the Council of Administration, appropriate steps in the sphere of technical cooperation with all member countries of the Union and their designated operators and in particular with the new and developing countries and their designated operators;

9.16 to examine any other questions submitted to it by a member of the Postal Operations Council, by the Council of Administration or by any member country or designated operator;

9.17 to receive and discuss reports as well as recommendations from the Consultative Committee and, when matters of interest to the Postal Operations Council are involved, to examine and comment on recommendations from the Consultative Committee for submission to Congress;

9.18 to designate those of its members that will serve as members of the Consultative Committee.

10 On the basis of the Union Strategy adopted by Congress and, in particular the part relating to the strategies of the Permanent Bodies of the Union, the Postal Operations Council shall, at its first session after Congress, prepare a draft basic work programme, containing a number of tactics aimed at implementing strategies. This basic work programme, which shall include a limited number of projects on topical subjects of common interest, shall be revised annually in the light of new realities and priorities.

11 In order to ensure effective liaison between the work of the two bodies, the Council of Administration may designate representatives to attend Postal Operations Council meetings as observers.

12 If they so request, the following observers may participate in the plenary sessions and Committee meetings of the Postal Operations Council, without the right to vote:

12.1 members of the Council of Administration;

12.2 members of the Consultative Committee;

12.3 intergovernmental organizations interested in the work of the Postal Operations Council;

12.4 other member countries of the Union.

13 For logistical reasons, the Postal Operations Council may limit the number of attendees per observer participating. It may also limit their right to speak during the debates.

14 The members of the Postal Operations Council shall take an active part in its work. Observers may, at their request, be allowed to cooperate in the studies undertaken, subject to such conditions as the Council may establish to ensure the efficiency and effectiveness of its work. They may also be invited to chair Working Parties and Project Teams when their experience or expertise justifies it. The participation of observers shall be carried out without additional expense for the Union.

15 In exceptional circumstances observers may be excluded from a meeting or a portion of a meeting or may have their right to receive documents restricted if the confidentiality of the subject of the meeting or document so requires. This restriction may be decided on a case-by-case basis by any body concerned or its Chair. The case-by-case situations shall be reported to the Council of Administration and to the Postal Operations Council. If it considers this necessary, the Council of Administration may, in consultation with the Postal Operations Council, subsequently review restrictions where appropriate.

16 The Chairman of the Consultative Committee shall represent that organization at meetings of the Postal Operations Council when the agenda contains questions of interest to the Consultative Committee.

17 The Postal Operations Council may invite the following to take part in its meetings without the right to vote:

17.1 any international body or any qualified person whom it wishes to associate with its work;

17.2 any member country not belonging to the Postal Operations Council;

17.3 any association or enterprise that it wishes to consult with respect to its work.

Article V

(Article 105 amended)

Information on the activities of the Postal Operations Council

1 After each session, the Postal Operations Council shall inform the member countries, their designated operators, the Restricted Unions and the members of the Consultative Committee about its activities by sending them, inter alia, a summary record and its resolutions and decisions.

2 The Postal Operations Council shall prepare for the Council of Administration an annual report on its work.

3 The Postal Operations Council shall make to Congress a comprehensive report on its work and send it to the member countries, their designated operators and the members of the Consultative Committee at least two months before the opening of Congress.

Article VI

(Article 106 amended)

Composition, functioning and meetings of the Consultative Committee

1 The aim of the Consultative Committee shall be to represent the interests of the wider international postal sector, and to provide a framework for effective dialogue between stake-holders. It shall consist of non-governmental organizations representing customers, delivery service providers, organizations of workers, suppliers of goods and services to the postal services sector and like organizations of individuals and companies which have an interest in supporting the mission and objectives of the Union. Where such organizations are registered, they must be registered in a member country of the Union. The Council of Administration and the Postal Operations Council shall designate the members of their respective Councils as members of the Consultative Committee. Apart from members designated by the Council of Administration and the Postal Operation Council, membership in the Consultative Committee shall be determined through a process of application and acceptance established by the Council of Administration, carried out in accordance with article 102.6.31.

2 Each member of the Consultative Committee shall appoint its own representative.

3 The operational costs of the Consultative Committee shall be shared by the Union and members of the Committee as determined by the Council of Administration.

4 The members of the Consultative Committee shall not receive remuneration or any other compensation.

5 The Consultative Committee shall reorganize itself after each Congress in accordance with the framework established by the Council of Administration. The Chairman of the Council of Administration shall preside at the organizational meeting of the Consultative Committee, which shall elect its Chairman at that meeting.

6 The Consultative Committee shall determine its internal organization and shall draw up its own rules of procedure, taking into account the general principles of the Union and subject to the concurrence of the Council of Administration after having consulted the Postal Operations Council.

7 The Consultative Committee shall meet twice annually. In principle, the meetings will be held at Union headquarters at the same time as meetings of the Council of Administration and the Postal Operations Council. The date and location of each meeting shall be fixed by the Chairman of the Consultative Committee in agreement with the Chairmen of the Council of Administration and the Postal Operations Council and the Director General of the International Bureau.

8 The Consultative Committee shall establish its own programme within the framework of the following functions:

8.1 to examine documents and reports of the Council of Administration and the Postal Operations Council. In exceptional circumstances, the right to receive certain texts and documents may be restricted if the confidentiality of the subject of the meeting or document so requires. This restriction may be decided on a case-by-case basis by any body concerned or its Chairman. The case-by-case situations shall be reported to the Council of Administration, and to the Postal Operations Council when matters of interest to the Postal Operations Council are concerned. If it considers this necessary, the Council of Administration may subsequently review restrictions, in consultation with the Postal Operations Council, where appropriate;

8.2 to conduct studies of and debate issues of importance to the Consultative Committee's members;

8.3 to consider issues affecting the postal services sector and issue reports on such issues;

8.4 to provide input to the work of the Council of Administration and the Postal Operations Council, including submitting reports and recommendations and giving opinions at the request of the two Councils;

8.5 to make recommendations to Congress, subject to the approval of the Council of Administration and, when matters of interest to the Postal Operations Council are involved, subject to examination and comment by the Postal Operations Council.

9 The Chairman of the Council of Administration and the Chairman of the Postal Operations Council shall represent those bodies at meetings of the Consultative Committee when the agenda of such meetings contains questions of interest to those bodies.

10 In order to ensure effective liaison with the bodies of the Union, the Consultative Committee may designate representatives to attend meetings of Congress, the Council of Administration, and the Postal Operations Council, and their respective Committees, as observers without the right to vote.

11 If they so request, members of the Consultative Committee may attend plenary sessions and Committee meetings of the Council of Administration and the Postal Operations Council in accordance with articles 102.16 and 104.12. They may also participate in the work of project teams and working groups under terms established under articles 102.18 and 104.14. Members of the Consultative Committee may attend Congress as observers without the right to vote.

12 If they so request, the following observers may participate in the sessions of the Consultative Committee, without the right to vote:

12.1 members of the Postal Operations Council and the Council of Administration;

12.2 intergovernmental organizations interested in the work of the Consultative Committee;

12.3 Restricted Unions;

12.4 other member countries of the Union.

13 For logistical reasons, the Consultative Committee may limit the number of attendees per observer participating. It may also limit their right to speak during the debates.

14 In exceptional circumstances observers may be excluded from a meeting or a portion of a meeting or may have their right to receive documents restricted if the confidentiality of the subject of the meeting or document so requires. This restriction may be decided on a case-by-case basis by any body concerned or its Chair. The case-by-case situations shall be reported to the Council of Administration and to the Postal Operations Council when matters of interest to the Postal Operations Council are concerned. If it considers this necessary, the Council of Administration may subsequently review restrictions, in consultation with the Postal Operations Council where appropriate.

15 The International Bureau, under the responsibility of the Director General, shall provide the secretariat for the Consultative Committee.

Article VII

(Article 107 amended)

Information on the activities of the Consultative Committee

1 After each session, the Consultative Committee shall inform the Council of Administration and the Postal Operations Council of its activities by sending to the Chairmen of those bodies, inter alia, a summary record of its meetings and its recommendations and views.

2 The Consultative Committee shall make to the Council of Administration an annual activity report, with a copy to the Postal Operations Council. This report shall be included in the documentation of the Council of Administration that is provided to Union member countries, to their designated operators and to the Restricted Unions, in accordance with article 103.

3 The Consultative Committee shall make to Congress a comprehensive report on its work and send it to the member countries and their designated operators at least two months before the opening of Congress.

Article VIII

(Article 110 amended)

Languages used for documentation, for debates and for official correspondence

1 For the documentation of the Union, the French, English, Arabic and Spanish languages shall be used. The Chinese, German, Portuguese and Russian languages shall also be used provided that only the most important basic documentation is produced in these languages. Other languages may also be used on condition that the member countries which have made the request shall bear all of the costs involved.

2 The member country or countries which have requested a language other than the official language constitute a language group.

3 Documentation shall be published by the International Bureau in the official language and in the languages of the duly constituted language groups, either directly or through the intermediary of the regional offices of those groups in conformity with the procedures agreed with the International Bureau. Publication in the different languages shall be effected in accordance with a common standard.

4 Documentation published directly by the International Bureau shall, as far as possible, be distributed simultaneously in the different languages requested.

5 Correspondence between the member countries or their designated operators and the International Bureau and between the latter and outside entities may be exchanged in any language for which the International Bureau has available a translation service.

6 The costs of translation into any language, including those resulting from the application of paragraph 5, shall be borne by the language group which has asked for that language. The member countries using the official language shall pay, in respect of the translation of non-official documents, a lump-sum contribution, the amount of which per contribution unit shall be the same as that borne by the member countries using the other International Bureau working language. All other costs involved in the supply of documents shall be borne by the Union. The ceiling of the costs to be borne by the Union for the production of documents in Chinese, German, Portuguese and Russian shall be fixed by a Congress resolution.

7 The costs to be borne by a language group shall be divided among the members of that group in proportion to their contributions to the expenses of the Union. These costs may be divided among the members of the language group according to another system, provided that the member countries concerned agree to it and inform the International Bureau of their decision through the intermediary of the spokesman of the group.

8 The International Bureau shall give effect to any change in the choice of language requested by a member country after a period which shall not exceed two years.

9 For the discussions at meetings of the Union's bodies, the French, English, Spanish and Russian languages shall be admissible, by means of a system of interpretation - with or without electronic equipment - the choice being left to the judgment of the organizers of the meeting after consultation with the Director General of the International Bureau and the member countries concerned.

10 Other languages shall likewise be admissible for the discussions and meetings mentioned in paragraph 9.

11 Delegations using other languages shall arrange for simultaneous interpretation into one of the languages mentioned in paragraph 9, either by the system indicated in the same paragraph, when the necessary technical modifications can be made, or by individual interpreters.

12 The costs of the interpretation services shall be shared among the member countries using the same language in proportion to their contributions to the expenses of the Union. However, the costs of installing and maintaining the technical equipment shall be borne by the Union.

13 Member countries and/or their designated operators may come to an understanding about the language to be used for official correspondence in their relations with one another. In the absence of such an understanding the language to be used shall be French

Article IX

(Article 112 amended)

Duties of the Director General

1 The Director General shall organize, administer and direct the International Bureau, of which he is the legal representative. He shall be empowered to classify posts in grades G 1 to D 2 and to appoint and promote officials in those grades. For appointments in grades P 1 to D 2, he shall consider the professional qualifications of the candidates recommended by the member countries of which the candidates are nationals or in which they exercise their professional activities, taking into account equitable geographical distribution with respect to continents and

languages. D 2 posts shall as far as possible be filled by candidates from different regions and from regions other than those from which the Director General and Deputy Director General originate, bearing in mind the paramount consideration of the efficiency of the International Bureau. In the case of posts requiring special qualifications, the Director General may seek applications from outside. He shall also consider, for the appointment of a new official, that, in principle, persons occupying grade D 2, D 1 and P 5 posts must be nationals of different member countries of the Union. For the promotion of an official of the International Bureau to grades D 2, D 1 and P 5, he shall not be bound to apply that principle. Moreover, the requirements of equitable geographical and language distribution shall rank behind merit in the recruitment process. The Director General shall inform the Council of Administration once a year of appointments and promotions in grades P 4 to D 2.

2 The Director General shall have the following duties:

2.1 to act as depositary of the Acts of the Union and as intermediary in the procedure of accession and admission to and withdrawal from the Union;

2.2 to notify the decisions taken by Congress to all the Governments of member countries;

2.3 to notify all member countries and their designated operators of the Regulations drawn up or revised by the Postal Operations Council;

2.4 to prepare the draft annual budget of the Union at the lowest possible level consistent with the requirements of the Union and to submit it in due course to the Council of Administration for consideration; to communicate the budget to the member countries of the Union after approval by the Council of Administration and to execute it;

2.5 to execute the specific activities requested by the bodies of the Union and those assigned to him by the Acts;

2.6 to take action to achieve the objectives set by the bodies of the Union, within the framework of the established policy and the funds available;

2.7 to submit suggestions and proposals to the Council of Administration or to the Postal Operations Council;

2.8 following the close of Congress, to submit proposals to the Postal Operations Council concerning changes to the Regulations required as a result of Congress decisions, in accordance with the Rules of Procedure of the Postal Operations Council;

2.9 to prepare, for the Council of Administration and on the basis of directives issued by the Councils, the draft Union Strategy to be submitted to Congress;

2.10 to prepare, for approval by the Council of Administration, a four-yearly report on the member countries' performance in respect of the UPU Strategy approved by the preceding Congress, which will be submitted to the following Congress;

2.11 to ensure the representation of the Union;

2.12 to act as an intermediary in relations between:

- the Union and the Restricted Unions;

- the Union and the United Nations;

- the Union and the international organizations whose activities are of interest to the Union;

- the Union and the international organizations or the associations or enterprises that the bodies of the Union wish to consult or associate with their work;

2.13 to assume the duties of Secretary General of the bodies of the Union and supervise in this capacity and taking into account the special provisions of these General Regulations, in particular:

- the preparation and organization of the work of the Union's bodies;

- the preparation, production and distribution of documents, reports and minutes;

- the functioning of the secretariat at meetings of the Union's bodies;

2.14 to attend the meetings of the bodies of the Union and take part in the discussions without the right to vote, with the possibility of being represented.

Article X

(Article 114 amended)

Secretariat of the Union's bodies (Const 14, 15, 17, 18)

The secretariat of the Union's bodies shall be provided by the International Bureau under the responsibility of the Director General. It shall send all the documents published on the occasion of each session to the member countries of the body and their designated operators, to member countries and their designated operators which, while not members of the body, cooperate in the studies undertaken, to the Restricted Unions and to other member countries and designated operators which ask for them.

Article XI

(Article 116 amended)

Information. Opinions. Requests for interpretation and amendment of the Acts. Inquiries. Role in the settlement of accounts (Const 20; Gen Regs 124, 125, 126)

1 The International Bureau shall be at all times at the disposal of the Council of Administration, the Postal Operations Council and member countries and their designated operators for the purpose of supplying them with any necessary information on questions relating to the service.

2 In particular it shall collect, collate, publish and distribute all kinds of information of interest to the international postal service, give an opinion, at the request of the parties involved, on questions in dispute, act on requests for interpretation and amendment of the Acts of the Union and, in general, carry out such studies and editorial or documentary work as are assigned to it by those Acts or as may be referred to it in the interest of the Union.

3 It shall also conduct inquiries requested by member countries and their designated operators to obtain the views of other member countries and their designated operators on a particular question. The result of an inquiry shall not have the status of a vote and shall not be formally binding.

4 It may act as a clearing house in the settlement of accounts of all kinds relating to the postal service.

Article XII

(Article 118 amended)

Forms supplied by the International Bureau (Const 20)

The International Bureau shall be responsible for arranging the manufacture of international reply coupons and for supplying them, at cost, to member countries and their designated operators ordering them.

Article XIII

(Article 119 amended)

Acts of Restricted Unions and Special Agreements (Const 8)

1 Two copies of the Acts of Restricted Unions and of Special Agreements concluded under article 8 of the Constitution shall be sent to the International Bureau by the offices of such Unions, or failing that, by one of the contracting parties.

2 The International Bureau shall see that the Acts of Restricted Unions and Special Agreements do not include conditions less favourable to the public than those which are provided for in the Acts of the Union and shall inform member countries and their designated operators of the existence of such Unions and Agreements. The International Bureau shall notify the Council of Administration of any irregularity discovered through applying this provision.

Article XIV

(Article 121 amended)

Biennial report on the work of the Union (Const 20; Gen Regs 102.6.17)

The International Bureau shall make a biennial report on the work of the Union, which shall be sent, after approval by the Council of Administration, to member countries and their designated operators, the Restricted Unions and the United Nations.

Article XV

(Article 122 amended)

Procedure for submitting proposals to Congress (Const 29)

1 Subject to the exceptions provided for in paragraphs 2 and 5, the following procedure shall govern the submission of proposals of all kinds to Congress by member countries:

a proposals which reach the International Bureau at least six months before the date fixed for Congress shall be accepted;

b no drafting proposal shall be accepted during the period of six months preceding the date fixed for Congress;

c proposals of substance which reach the International Bureau in the interval between six and four months before the date fixed for Congress shall not be accepted unless they are supported by at least two member countries;

d proposals of substance which reach the International Bureau in the interval between four and two months preceding the date fixed for Congress shall not be accepted unless they are supported by at least eight member countries; proposals which arrive after that time shall no longer be accepted;

e declarations of support shall reach the International Bureau within the same period as the proposals to which they refer.

2 Proposals concerning the Constitution or the General Regulations shall reach the International Bureau not later than six months before the opening of Congress; any received after that date but before the opening of Congress shall not be considered unless Congress so decides by a majority of two thirds of the countries represented at Congress and unless the conditions laid down in paragraph 1 are fulfilled.

3 Every proposal must, as a rule, have only one aim and contain only the changes justified by that aim. Similarly, each proposal liable to lead to costs for the Union shall be accompanied by an indication of its financial impact - prepared by the member country submitting the proposal, in conjunction with the International Bureau - so that the financial resources needed for its implementation can be determined.

4 Drafting proposals shall be headed "Drafting proposal" by the member countries which submit them and shall be published by the International Bureau under a number followed by the letter R. Proposals which do not bear this indication but which, in the opinion of the International Bureau, deal only with drafting points shall be published with an appropriate annotation; the International Bureau shall draw up a list of these proposals for Congress.

5 The procedure prescribed in paragraphs 1 and 4 shall not apply either to proposals concerning the Rules of Procedure of Congresses or to amendments to proposals already made.

Article XVI

(Article 123 amended)

Procedure for submitting proposals to the Postal Operations Council concerning the preparation of new Regulations in the light of decisions taken by Congress

1 The Regulations of the Universal Postal Convention and the Postal Payment Services Agreement shall be drawn up by the Postal Operations Council in the light of the decisions taken by Congress.

2 Proposals that are consequential on proposed amendments to the Convention or Postal Payment Services Agreement shall be submitted to the International Bureau simultaneously with

the Congress proposals to which they relate. They may be submitted by a single member country without the support of other member countries. Such proposals shall be distributed to all member countries no later than one month prior to Congress.

3 Other proposals concerning the Regulations for consideration by the Postal Operations Council in its preparation of the new Regulations within the six months following Congress shall be submitted to the International Bureau at least two months prior to Congress.

4 Proposals concerning changes to the Regulations required as a result of Congress decisions that are submitted by member countries must reach the International Bureau no later than two months before the opening of the Postal Operations Council. Such proposals shall be distributed to all member countries and their designated operators no later than one month prior to the opening of the Postal Operations Council.

Article XVII

(Article 124 amended)

Procedure for submitting proposals between Congresses (Const 29; Gen Regs 116)

1 To be eligible for consideration every proposal concerning the Convention or the Agreements submitted by a member country between Congresses shall be supported by at least two other member countries. Such proposals shall lapse if the International Bureau does not receive, at the same time, the necessary number of declarations of support.

2 These proposals shall be sent to other member countries through the intermediary of the International Bureau.

3 Proposals concerning the Regulations shall not require support but shall not be considered by the Postal Operations Council unless the latter agrees to the urgent necessity.

Article XVIII

(Article 125 amended)

Consideration of proposals between Congresses (Const 29; Gen Regs 116, 124)

1 Every proposal concerning the Convention, the Agreements and their Final Protocols shall be subject to the following procedure: where a member country has sent a proposal to the International Bureau, the latter shall forward it to all member countries for examination. They shall be allowed a period of two months in which to examine the proposal and forward any observations to the International Bureau. Amendments shall not be admissible. Once these two months have elapsed, the International Bureau shall forward to member countries all the observations it has received and invite each member country to vote for or against the proposal. Member countries that have not sent in their vote within a period of two months shall be considered to have abstained. The aforementioned periods shall be reckoned from the dates of the International Bureau circulars.

2 Proposals for amending the Regulations shall be dealt with by the Postal Operations Council.

3 If the proposal relates to an Agreement or its Final Protocol, only the member countries which are parties to that Agreement may take part in the procedure described in paragraph 1.

Article XIX

(Article 126 amended)

Notification of decisions adopted between Congresses (Const 29; Gen Regs 124, 125)

1 Amendments made to the Convention, the Agreements and the Final Protocols to those Acts shall be sanctioned by notification thereof to the Governments of member countries by the Director General of the International Bureau.

2 Amendments made to the Regulations and their Final Protocols by the Postal Operations Council shall be communicated to member countries and their designated operators by the International Bureau. The same shall apply to the interpretations referred to in article 36.3.2 of the Convention and in the corresponding provisions of the Agreements.

Article XX

(Article 128 amended)

Fixing and regulation of the expenditure of the Union (Const 22)

1 Subject to the provisions of paragraphs 2 to 6, the annual expenditure relating to the activities of bodies of the Union may not exceed the following sums for 2009 and subsequent years: 37,000,000 Swiss francs for the years 2009 and 2010, and 37,235,000 Swiss francs for the years 2011 and 2012. The basic limit for 2012 shall also apply to the following years in case the Congress scheduled for 2012 is postponed.

2 The expenditure relating to the convening of the next Congress (travelling expenses of the secretariat, transport charges, cost of installing simultaneous interpretation equipment, cost of reproducing documents during the Congress, etc.) shall not exceed the limit of 2,900,000 Swiss francs.

3 The Council of Administration shall be authorized to exceed the limits laid down in paragraphs 1 and 2 to take account of increases in salary scales, pension contributions or allowances, including post adjustments, approved by the United Nations for application to its staff working in Geneva.

4 The Council of Administration shall also be authorized to adjust, each year, the amount of expenditure other than that relating to staff on the basis of the Swiss consumer price index.

5 Notwithstanding paragraph 1, the Council of Administration, or in case of extreme urgency, the Director General, may authorize the prescribed limits to be exceeded to meet the cost of major and unforeseen repairs to the International Bureau building, provided however that the amount of the increase does not exceed 125,000 Swiss francs per annum.

6 If the credits authorized in paragraphs 1 and 2 prove inadequate to ensure the smooth running of the Union, these limits may only be exceeded with the approval of the majority of the member countries of the Union. Any consultation shall include a complete description of the facts justifying such a request.

7 Countries which accede to the Union or are admitted to the status of members of the Union as well as those which leave the Union shall pay their contributions for the whole of the year during which their admission or withdrawal becomes effective.

8 Member countries shall pay their contributions to the Union's annual expenditure in advance on the basis of the budget laid down by the Council of Administration. These contributions shall be paid not later than the first day of the financial year to which the budget refers. After that date, the sums due shall be chargeable with interest in favour of the Union at the rate of 6% per annum from the fourth month.

9 Where the arrears of mandatory contributions, not including interest, owed to the Union by a member country are equal to or more than the amount of the contributions of that member country for the preceding two financial years, such member country may irrevocably assign to the Union all or part of the credits owed it by other member countries, in accordance with the arrangements laid down by the Council of Administration. The conditions of this assignment of credit shall be determined by agreement reached between the member country, its debtors/creditors and the Union.

10 A member country which, for legal or other reasons, cannot make such assignment shall undertake to conclude a schedule for the amortization of its arrears.

11 Other than in exceptional circumstances, recovery of arrears of mandatory contributions owed to the Union may not extend over more than ten years.

12 In exceptional circumstances, the Council of Administration may release a member country from all or part of the interest owed if that country has paid the full capital amount of its debts in arrears.

13 A member country may also be released, within the framework of an amortization schedule approved by the Council of Administration for its accounts in arrears, from all or part of the interest accumulated or to accrue; such release shall, however, be subject to the full and punctual execution of the amortization schedule within an agreed period of ten years at most.

14 To cover shortfalls in Union financing, a Reserve Fund shall be established the amount of which shall be fixed by the Council of Administration. This Fund shall be maintained primarily from

budget surpluses. It may also be used to balance the budget or to reduce the amount of member countries' contributions.

15 As regards temporary financing shortfalls, the Government of the Swiss Confederation shall make the necessary short-term advances, on conditions which are to be fixed by mutual agreement. That Government shall supervise, without charge, book-keeping and accounting of the International Bureau within the limits of the credits fixed by Congress.

16 The provisions under paragraphs 9, 10, 11, 12 and 13 apply by analogy to the translation costs billed by the International Bureau to member countries belonging to the language groups.

Article XXI

(Article 130 amended)

Contribution classes (Const 21; Gen Regs 115, 128)

1 Member countries shall contribute to defraying Union expenses according to the contribution class to which they belong. These classes shall be the following:

class of 50 units;
class of 45 units;
class of 40 units;
class of 35 units;
class of 30 units;
class of 25 units;

class of 20 units;
class of 15 units;
class of 10 units;
class of 5 units;
class of 3 units;
class of 1 unit;

class of 0.5 unit, reserved for the least advanced countries as listed by the United Nations and for other countries designated by the Council of Administration.

2 Notwithstanding the contribution classes listed in paragraph 1, any member country may elect to contribute a higher number of units than that corresponding to the contribution class to which it belongs, for a minimum term equivalent to the period between Congresses. The announcement of a change shall be made at the latest at Congress. At the end of the period between Congresses, the member country shall return automatically to its original number of contribution units unless it decides to maintain its contribution of a higher number of units. The payment of additional contributions shall increase the expenditure accordingly.

3 Member countries shall be included in one of the above-mentioned contribution classes upon their admission or accession to the Union in accordance with the procedure laid down in article 21.4, of the Constitution.

4 Member countries may subsequently be placed in a lower contribution class, on condition that the change request is sent to the International Bureau at least two months before the opening of Congress. Congress shall give a non-binding opinion on these requests for a change in contribution class. The country shall be free to decide whether to follow the opinion of Congress. The final decision of the country shall be transmitted to the International Bureau Secretariat before the end of Congress. This change request shall take effect on the date of the entry into force of the financial provisions drawn up by Congress. Member countries that have not made known their wish to change contribution class within the required time shall remain in the class to which they belonged up to that time.

5 Member countries may not insist on being lowered more than one class at a time.

6 Nevertheless, in exceptional circumstances such as natural disasters necessitating international aid programmes, the Council of Administration may authorize a temporary reduction in contribution class once between two Congresses when so requested by a member country if the said member establishes that it can no longer maintain its contribution at the class originally chosen. In the same circumstances, the Council of Administration may also authorize a temporary

reduction for the non-least developed countries already in the class of 1 unit by placing them in the class of 0.5 unit.

7 The temporary reduction in contribution class in application of paragraph 6 may be authorized by the Council of Administration for a maximum period of two years or up to the next Congress, whichever is earlier. On expiry of the specified period, the country concerned shall automatically revert to its original contribution class.

8 Notwithstanding paragraphs 4 and 5, changes to a higher class shall not be subject to any restriction.

Article XXII

(Article 131 amended)

Payment for supplies from the International Bureau (Gen Regs 118)

Supplies provided by the International Bureau to member countries and their designated operators against payment shall be paid for in the shortest possible time and at the latest within six months from the first day of the month following that in which the account is sent by the Bureau. After that period the sums due shall be chargeable with interest in favour of the Union at the rate of 5% per annum reckoned from the date of expiry of that period.

Article XXIII

(Article 132 amended)

Arbitration procedure (Const 32)

1 If a dispute has to be settled by arbitration, each of the member countries party to the case shall a member country not directly involved in the dispute. When several member countries make common cause, they shall count only as a single member country for the purposes of this provision.

2 If one of the member countries party to the case does not act on a proposal for arbitration within a period of six months from the date of its sending, the International Bureau, if so requested, shall itself call upon the defaulting member country to appoint an arbitrator or shall itself appoint one ex officio.

3 The parties to the case may agree to appoint a single arbitrator which may be the International Bureau.

4 The decision of the arbitrators shall be taken by a majority of votes.

5 In the event of a tie the arbitrators shall select another member country, not involved in the dispute either, to settle the matter. Should they fail to agree on the choice, this member country shall be appointed by the International Bureau from among member countries not proposed by the arbitrators.

6 If the dispute concerns one of the Agreements, the arbitrators may be appointed only from among the member countries that are parties to that Agreement.

7 If a dispute has to be settled by arbitration between designated operators, the operators concerned shall ask their member countries to act in accordance with the procedure provided for in paragraphs 1 to 6.

Article XXIV

(Article 135 amended)

Amendment, entry into force and duration of the General Regulations

The amendments adopted by a Congress shall be the subject of an additional protocol and, unless that Congress decides otherwise, shall come into effect at the same time as the other Acts renewed in the course of the same Congress.

These General Regulations shall come into force on 1 January 2006 and shall remain in force for an indefinite period.

Article XXV

Accession to the Additional Protocol

Member countries which have not signed the present Protocol may accede to it at any time. The relevant instruments of accession shall be deposited with Director General of the International Bureau, who shall notify the governments of the member countries of their deposit.

Article XXVI

Entry into force and duration of the Additional Protocol to the General Regulations

This Additional Protocol shall come into force on 1 January 2010 and shall remain in force for an indefinite period.

In witness whereof the plenipotentiaries of the governments of the member countries have drawn up this Additional Protocol, which shall have the same force and the same validity as if its provisions were inserted in the text of the General Regulations itself, and they have signed it in a single original which shall be deposited with the Director General of the International Bureau. A copy thereof shall be delivered to each party by the International Bureau of the Universal Postal Union.

Done at Geneva, 12 August 2008.

PRVI DODATNI PROTOKOL

UZ OPŠTI PRAVILNIK SVJETSKOG POŠTANSKOG SAVEZA

Punomoćnici vlada država članica Svjetskog poštanskog saveza, okupljeni na Kongresu u Ženevi, na osnovu člana 30 stav 3 Ustava Svjetskog poštanskog saveza, zaključenog u Beču 10. jula 1964. godine, usvojili su, sporazumno i u skladu sa članom 25 stav 4 pomenutog Ustava, sledeće izmjene Opšteg pravilnika.

Član 1

(Izmijenjen član 101bis)

Funkcije Kongresa

1 Na osnovu predloga država članica, Administrativnog savjeta i Poštanskog operativnog vijeća, Kongres će:

1.1 odrediti opštu poslovnu politiku postojanja svrhe Saveza i dostizanje cilja, datih u Preambuli i članu 1 Ustava;

1.2 razmatrati i, ako su odgovarajući, usvajati predloge amandmana na Ustav, Opšti pravilnik, Konvenciju i Sporazume, koje predlože države članice i Savjet i Vijeće, a u skladu sa članom 29 Ustava i sa članom 122 Opšteg pravilnika;

1.3 određivati datum za stupanje ovih Akata na snagu;

1.4 usvajati svoj Pravilnik i amandmane na taj Pravilnik;

1.5 razmatrati sveobuhvatne izvještaje o radu i aktivnostima Administrativnog savjeta, Poštanskog operativnog vijeća i Konsultativnog komiteta, za period od prethodnog Kongresa, koje podnose ovi organi u skladu sa članom 103, 105 i 107 Opšteg pravilnika;

1.6 usvajati strateški plan Saveza;

1.7 utvrđivati maksimalni iznos rashoda Saveza, u skladu sa članom 21 Ustava;

1.8 birati države članice koje će biti članovi Administrativnog savjeta i Poštanskog operativnog vijeća;

1.9 birati Generalnog direktora i Zamjenika generalnog direktora;

1.10 rezolucijom odrediti gornji limit troškova koje Savez može snositi za izradu dokumenata na kineskom, njemačkom, portugalskom i ruskom jeziku.

2 Kongres, kao najviši organ Saveza, bavi se i drugim pitanjima koja se tiču poštanskih usluga.

Član 2

(Izmijenjen član 102)

Sastav, funcionisanje i zasijedanje Administrativnog savjeta

1 Administrativni savjet se sastoji od četrdeset i jednog člana, koji vrše svoju dužnost u periodu između dva uzastopna Kongresa.

2 Predsjedničko mjesto pripada po pravu državi domaćinu Kongresa. Ako ta država odustane od toga, ona postaje po pravu član Savjeta i na taj način geografska zona kojoj ona pripada raspolaže jednim mjestom više, na koje se ne primjenjuju ograničenja iz stava 3. U tom slučaju, Administrativni savjet bira na predsjedničko mjesto jednog od članova iste geografske zone kojoj pripada država domaćin.

3 Ostalih četrdeset članova Administrativnog savjeta bira Kongres na osnovu pravične geografske raspodjele. Na svakom Kongresu mijenja se najmanje polovina članova; nijedna država članica ne može biti izabrana uzastopno na tri Kongresa.

4 Svaki član Administrativnog savjeta određuje svog predstavnika, koji treba da bude stručan za oblast poštanskih usluga.

5 Funkcije člana Administrativnog savjeta obavljaju se besplatno. Troškovi rada Savjeta padaju na teret Saveza.

6 Administrativni savjet ima sledeće nadležnosti:

6.1 nadzire cjelokupan rad Saveza u vremenu između Kongresa, vodeći računa o odlukama Kongresa, proučavajući pitanja politike vlada u poštanskoj oblasti i vodeći računa o razvoju međunarodne regulative, kao što je ona koja se odnosi na razmjenu usluga i na konkurenciju;

6.2 razmatra i usvaja, u okviru svojih nadležnosti, svaku akciju koju smatra neophodnom radi očuvanja i poboljšanja kvaliteta međunarodnih poštanskih usluga i njihove modernizacije;

6.3 unapređuje, usaglašava i nadgleda sve oblike poštanske tehničke pomoći u okviru međunarodne tehničke saradnje;

6.4 razmatra i usvaja dvogodišnji Program i Budžet, kao i račune Saveza;

6.5 dozvoljava prekoračenje gornje granice rashoda, ako okolnosti to zahtjevaju, u skladu sa članom 128.3 do 5.

6.6 donosi Finansijski pravilnik Saveza;

6.7 donosi pravila kojima se reguliše Rezervni fond;

6.8 donosi pravila kojima se reguliše Specijalni fond;

6.9 donosi pravila kojima se reguliše Fond za posebne aktivnosti;

6.10 donosi pravila kojima se reguliše Dobrovoljni fond;

6.11 obezbjeđuje kontrolu rada Međunarodnog biroa;

6.12 odobrava izbor nižeg razreda doprinosa, ako je zatraženo, u skladu sa uslovima predviđenim u članu 130.6;

6.13 odobrava promjenu geografske zone, ako to neka država članica traži, vodeći računa o mišljenjima država koje su iz iste geografske zone;

6.14 donosi Statut osoblja i uslove rada izabranih funkcionera;

6.15 otvara ili ukida radna mjesta u Međunarodnom birou, vodeći računa o ograničenjima uslovljenim utvrđenom gornjom granicom rashoda;

6.16 donosi Pravilnik Socijalnog fonda;

6.17 odobrava dvogodišnje izvještaje Međunarodnog biroa o radu Saveza i o finansijskom poslovanju i, ako treba, daje komentare u vezi sa njima;

6.18 odlučuje o kontaktima koje treba uspostaviti sa državama članicama, radi izvršenja svojih funkcija;

6.19 posle konsultovanja sa Poštanskim operativnim vijećem, odlučuje o kontaktima sa organizacijama koje nisu punopravni posmatrači, razmatra i odobrava izvještaje Međunarodnog biroa o odnosima Saveza sa drugim međunarodnim organizacijama i donosi odluke koje smatra opravdanim o vođenju ovih odnosa i o koracima koje treba preduzeti u vezi sa njima; blagovremeno imenuje, nakon konsultovanja sa Poštanskim operativnim vijećem i sa Generalnim sekretarom, međunarodne organizacije, udruženja, preduzeća i kvalifikovane osobe, koje treba pozvati da budu zastupljene na posebnim sjednicama Kongresa i njegovih komisija, kada je to u interesu Saveza, ili može koristiti radu Kongresa, i zadužuje Generalnog direktora Međunarodnog biroa da pošalje potrebne pozive;

6.20 donosi, ako to smatra korisnim, načela o kojima Poštansko operativno vijeće treba da vodi računa kad proučava pitanja koja imaju značajne finansijske posledice (poštarina, terminalni troškovi, tranzitni troškovi, osnovna stopa vazdušnog prevoza pošte i prijem pismonosnih pošiljaka u inostranstvu), pažljivo prati proučavanje ovih pitanja i razmatra i usvaja, u cilju obezbijedenja usklađenosti sa navedenim načelima, predloge Poštanskog operativnog vijeća o ovim pitanjima;

6.21 na zahtjev Kongresa, Poštanskog operativnog vijeća ili država članica proučava probleme upravnog, zakonodavnog i pravnog karaktera od interesa za Savez ili međunarodnu poštansku službu; Administrativni savjet odlučuje da li je opravdano izraditi studiju u navedenim oblastima, a na zahtjev država članica između Kongresa;

6.22 sastavlja predlog koji će se podnositi na usvajanje ili Kongresu ili državama članicama u skladu sa članom 125;

6.23 odobrava, u okviru svojih nadležnosti, preporuke Poštanskog operativnog vijeća koje se odnose na usvajanje, ako je potrebno, pravila ili novih postupaka, dok Kongres ne odluči po tom pitanju;

6.24 razmatra godišnji izvještaj koji sačinjava Poštansko operativno vijeće i, prema slučaju, predloge koje on podnosi;

6.25 podnosi studijske teme na razmatranje Poštanskom operativnom vijeću, u skladu sa članom 104 stav 9.16;

6.26 određuje zemlju u kojoj treba da se održi naredni Kongres, u slučaju predviđenom u članu 101 stav 4;

6.27 utvrđuje blagovremeno, i posle konsultovanja sa Poštanskim operativnim vijećem, broj komisija potrebnih za uspješan rad Kongresa i određuje njihove nadležnosti;

6.28 određuje, posle konsultovanja sa Poštanskim operativnim vijećem, i uz rezervu da to prihvati Kongres, države članice koje bi mogle:

- da vrše funkcije zamjenika predsjednika Kongresa i predsjednika i zamjenika predsjednika komisija, vodeći, što je moguće više, računa o pravičnoj geografskoj zastupljenosti država članica;
- da uđu u sastav užih komisija Kongresa;

6.29 razmatra i odobrava, u saradnji sa Poštanskim operativnim vijećem, nacrt Strategije za podnošenje Kongresu;

6.30 da usvaja četvorogodišnji izvještaj koji se podnosi narednom Kongresu, a koji je sačinio Međunarodni biro uz konsultacije sa Poštanskim operativnim vijećem, o učinku država članica u sprovođenju Strategije Saveza, koju je odobrio prethodni Kongres;

6.31 utvrđuje organizacioni okvir Konsultativnog komiteta i odobrava organizovanje Konsultativnog komiteta, saglasno odredbama člana 106;

6.32 utvrđuje kriterijume za članstvo u Konsultativnom komitetu i odobrava ili odbacuje zahtjeve za prijem prema ovim kriterijumima, brinući se o tome da se zahtjevi razmatraju prema ubrzanom proceduri, između sastanaka Administrativnog savjeta;

6.33 određuje one svoje članove koji će biti i članovi konsultativnog komiteta;

6.34 dobija i razmatra izvještaje i preporuke Konsultativnog komiteta, i razmatra preporuke Konsultativnog komiteta, prije nego što ih podnese Kongresu.

7 Na svom prvom sastanku, koji saziva predsjednik Kongresa, Administrativni savjet bira među svojim članovima četiri zamjenika predsjednika i donosi svoj Poslovnik.

8 Na poziv svog predsjednika, Administrativni savjet se sastaje u načelu jedanput godišnje, u sjedištu Saveza.

9 Predsjednik, zamjenici predsjednika, predsjednici komisija Administrativnog savjeta, kao i predsjednik Grupe za strateško planiranje čine Upravni odbor. Ovaj Odbor priprema i upravlja radom svake sjednice Administrativnog savjeta. On odobrava, u ime Administrativnog savjeta, godišnji izvještaj o radu Saveza koji sačinjava Međunarodni biro i izvršava sve druge zadatke koje Administrativni savjet odluči da mu povjeri ili za kojima se ukaže potreba u toku procesa strateškog planiranja.

10 Putne troškove predstavnika svih država koje su članovi Administrativnog savjeta i prisustvuju sastancima snosi država članica. Međutim, predstavnici svake države članice koja je klasifikovana kao zemlja u razvoju ili nerazvijena, shodno listi koju su utvrdile Ujedinjene Nacije, osim za sastanke koji se održavaju tokom trajanja Kongresa, će moći da naplate putne troškove u cijeni povratne avionske karte u ekonomskoj klasi, ili povratne željezničke karte u prvoj klasi, kao i troškove putovanja drugim prevoznim sredstvom, pod uslovom da taj iznos ne premašuje cijenu povratne avionske karte u ekonomskoj klasi. Isto pravo se daje i svakom članu odbora Administrativnog savjeta, Radnih grupa ili drugih tijela, kada se njihovi sastanci održavaju van Kongresa i sjednica Administrativnog savjeta.

11 Predsjednik Poštanskog operativnog vijeća predstavlja taj organ na zasjedanjima Administrativnog savjeta, na čijem dnevnom redu se nalaze pitanja od interesa za organ kojim on upravlja.

12 Predsjednik Konsultativnog komiteta predstavlja ovaj Komitet na sastancima Administrativnog savjeta, onda kada dnevni red obuhvata pitanja od interesa za Konsultativni komitet.

13 Da bi se obezbijedila uspješna veza između rada dva organa, Poštansko operativno vijeće može da imenuje predsjednike da prisustvuju sastancima Administrativnog savjeta u svojstvu posmatrača.

14 Država članica u kojoj se sastaje Administrativni savjet pozvana je da učestvuje na sastancima u svojstvu posmatrača, ako nije članica Administrativnog savjeta.

15 Administrativni savjet može pozvati na svoje sastanke, bez prava glasa, svaku međunarodnu organizaciju, svakog predstavnika udruženja ili preduzeća ili svako kvalifikovano lice čiju saradnju želi. On može pozvati, pod istim uslovima, jednu ili više država članica zainteresovanih za pitanja koja su na njegovom dnevnom redu.

16 Dolje navedeni posmatrači mogu, na svoj zahtjev, da učestvuju na plenarnim sjednicama i sastancima komisija i Administrativnog savjeta, bez prava glasa:

16.1 članovi Poštanskog operativnog vijeća;

16.2 članovi Konsultativnog komiteta;

16.3 međuvladine organizacije koje se interesuju za rad Administrativnog savjeta;

16.4 ostale države članice Saveza.

17 Iz logističkih razloga, Administrativni savjet može da ograniči broj učesnika po posmatračkom mjestu. On takođe može da ograniči njihovo pravo na diskusiju tokom debata.

18 Članovi Administrativnog savjeta učestvuju aktivno u njegovom radu. Posmatračima se može, na njihov zahtjev, dozvoliti da sarađuju na preduzetim studijama, poštujući uslove koje Savjet može da ustanovi da bi obezbijedio učinak i efikasnost svoga rada. Oni mogu takođe da budu pozvani da presjedavaju radnim grupama, projektnim timovima, kada njihovo znanje ili iskustvo to opravdavaju. Učešće posmatrača koji nisu članovi Administrativnog savjeta ne stvaraju dopunske troškove za Savez.

19 U izuzetnim okolnostima, posmatrači mogu biti isključeni sa sastanka, ili sa dijela sastanka. Na isti način, može biti ograničeno njihovo pravo da dobijaju izvjesne dokumente, kada povjerljivost predmeta sastanka ili dokument to zahtjevaju; odluku o ovakvom ograničenju, za svaki pojedinačan slučaj, može da donese svaki nadležni organ ili njegov predsjednik; ovi različiti slučajevi se prijavljuju Administrativnom savjetu i Poštanskom operativnom vijeću, ako je riječ o pitanjima od posebnog značaja za ovaj organ. Takođe, Administrativni savjet može, ako procijeni da je neophodno, da ponovo razmotri ova ograničenja, konsultujući se sa Poštanskim operativnim vijećem, kada je to potrebno.

Član 3

(Izmijenjen član 103)

Obavještenje o radu Administrativnog savjeta

1 Poslije svakog zasijedanja, Administrativni savjet obavještava države članice i njihove ovlašćene operatore, Uže saveze i članove Konsultativnog komiteta o svom radu, šaljući im analitički izvještaj kao i svoje rezolucije i odluke.

2 Administrativni savjet podnosi Kongresu izvještaj o svom ukupnom radu i dostavlja ga državama članicama i njihovim ovlašćenim operatorima i članovima Konsultativnog komiteta najmanje dva mjeseca prije otvaranja Kongresa.

Član 4

(Izmijenjen član 104)

Sastav, funkcionisanje i zasijedanje Poštanskog operativnog vijeća (Ustav 18)

1. Poštansko operativno vijeće se sastoji od četrdeset članova, koji vrše svoju dužnost u periodu između dva uzastopna Kongresa.
2. Članove Poštanskog operativnog vijeća bira Kongres na osnovu posebne geografske raspodjele. Dvadeset četiri mjesta pripadaju državama članicama u razvoju, a šesnaest razvijenim državama članicama. Najmanje trećina članova se mijenja na svakom Kongresu.
3. Svaki član Poštanskog operativnog vijeća određuje svog predstavnika koji na sebe preuzima odgovornosti navedene u Aktima Saveza u pogledu pružanja usluga.
4. Troškovi rada Poštanskog operativnog vijeća padaju ne teret Saveza. Njegovi članovi ne primaju nikakvu naknadu. Troškovi putovanja i boravka predstavnika država članica koji učestvuju u radu Poštanskog operativnog vijeća padaju na teret tih država članica. Međutim, predstavnik svake države članice koja se, prema spisku Ujedinjenih Nacija, smatra ekonomski slabom, ima pravo, osim za sastanke koji se održavaju za vrijeme Kongresa, na naknadu cijene povratne avionske karte ekonomske klase ili vozne karte prvog razreda, ili troškove putovanja bilo kojim drugim prevoznim sredstvom, pod uslovom da taj iznos ne bude viši od cijene povratne avionske karte ekonomske klase.
5. Na svom prvom sastanku, koji saziva i otvara predsjednik Kongresa, Poštansko operativno vijeće, između svojih članova bira predsjednika, zamjenika predsjednika, predsjednike komisija.
6. Poštansko operativno vijeće donosi svoj Poslovnik.

7. U načelu, Poštansko operativno vijeće se sastaje svake godine, u sjedištu Saveza. Datum i mjesto sastanka utvrđuje njegov predsjednik, u dogovoru sa predsjednikom Administrativnog savjeta i Generalnim direktorom Međunarodnog biroa.
8. Predsjednik, zamjenik predsjednika, predsjednici komisija Poštanskog operativnog vijeća čine Upravni odbor. Ovaj Odbor priprema i upravlja radom svake sjednice Poštanskog operativnog vijeća i ispunjava sve zadatke koje mu ovaj povjeri, ili za kojima se ukaže potreba u toku procesa strateškog planiranja.
9. Nadležnosti Poštanskog operativnog vijeća su sledeće:
 - 9.1. vodi studije najvažnijih eksploatacionih, komercijalnih, tehničkih, ekonomskih problema i problema tehničke saradnje, koji su od interesa za sve države članice i njihove ovlašćene operatore, kao što su pitanja koja imaju značajne finansijske posledice (poštarina, terminalni troškovi, tranzitni troškovi, osnovna stopa vazdušnog prevoza pošte, poštarine za poštanske pakete i prijem pismonosnih pošiljaka za inostranstvo), sačinjava informacije i mišljenja po ovim pitanjima i preporučuje mjere koje treba preduzeti;
 - 9.2. vrši reviziju pravilnika Saveza u roku od šest mjeseci posle završetka Kongresa, ukoliko Kongres ne odluči drugačije; u slučaju hitne potrebe, Poštansko operativno vijeće može isto tako da izmijeni ove pravilnike i na drugim zasjedanjima; u oba slučaja, Poštansko operativno vijeće je podređeno direktivama Administrativnog savjeta, u pogledu politike i osnovnih načela;
 - 9.3. usklađuje praktične mjere za razvoj i poboljšanje međunarodnih poštanskih usluga;
 - 9.4. preduzima, uz uslov da Administrativni savjet to usvoji u okviru svojih nadležnosti, svaku akciju koju smatra potrebnom za očuvanje i unaprijeđenje kvaliteta međunarodnih poštanskih usluga i njihove modernizacije;
 - 9.5. sačinjava predloge koji će se podnijeti na usvajanje ili Kongresu ili državama članicama, u skladu sa članom 125; usvajanje od strane Administrativnog savjeta je neophodno kada se ovi predlozi odnose na pitanja iz njegove nadležnosti;
 - 9.6. razmatra, na zahtjev jedne države članice, svaki predlog koji ova država članica dostavi Međunarodnom birou prema članu 124, o tome sačinjava komentare i zadužuje Biro da ih priključi ovom predlogu prije nego što ga podnese na usvajanje državama članicama;
 - 9.7. preporučuje, ako je potrebno, i eventualno posle usvajanja od strane Administrativnog savjeta i konsultovanja sa svim državama članicama i, usvajanje pravila ili novog postupka, dok Kongres ne odluči po tom pitanju;
 - 9.8. sastavlja i podnosi, u obliku preporuka državama članicama i njihovim ovlašćenim operatorima, tehničke i eksploatacione standarde kao i standarde iz drugih oblasti u okviru svoje nadležnosti, gdje je jedinstvena praksa neophodna; isto tako sprovodi u slučaju potrebe izmjene standarda koje je već utvrdio;
 - 9.9. obezbjeđuje ulazne podatke za Administrativni savjet za sačinjavanje nacрта Strategije koja će se podnijeti na Kongresu;
 - 9.10. usvaja godišnji izvještaj Međunarodnog biroa o aktivnostima Saveza u djelovima koji se tiču odgovornosti i rada Poštanskog operativnog vijeća;
 - 9.11. odlučuje o kontaktima sa državama članicama i njihovim ovlašćenim operatorima u cilju obavljanja svojih funkcija;
 - 9.12. proučava probleme stručne nastave i obuke od interesa za države članice i njihove ovlašćene operatore, kao i za nove države i države u razvoju;
 - 9.13. preduzima potrebne mjere u cilju proučavanja i objavljivanja iskustava i dostignuća nekih država članica i njihovih ovlašćenih operatora u oblastima tehnike, eksploatacije, ekonomije i stručne obuke od interesa za poštanske usluge;

- 9.14. proučava postojeće stanje i potrebe poštanskih usluga u novim zemljama i zemljama u razvoju i priprema odgovarajuće preporuke o načinima i sredstvima poboljšanja poštanskih službi u tim zemljama;
- 9.15. preuzima, u dogovoru sa Administrativnim savjetom, odgovarajuće mjere u oblasti tehničke saradnje sa svim državama članicama Saveza i njihovim ovlašćenim operatorima, a naročito sa novim državama i državama u razvoju i njihovim ovlašćenim operatorima;
- 9.16. razmatra sva ostala pitanja koja mu podnese neki član Poštanskog operativnog vijeća, Administrativni savjet ili bilo koja država članica ili ovlašćeni operator;
- 9.17. provjerava i razmatra izvještaje i preporuke Konsultativnog komiteta, i, kada je riječ o pitanjima od značaja za Poštansko operativno vijeće, proučava i komentariše preporuke Konsultativnog komiteta prije nego što ih podnese Kongresu;
- 9.18. imenuje one od svojih članova koji će biti u sastavu Konsultativnog komiteta.
10. Na osnovu Strategije Saveza koja je usvojena na Kongresu, a posebno dijela koji se odnosi na strategiju stalnih organa Saveza, Poštansko operativno vijeće sačinjava, na svojoj prvoj sjednici poslije Kongresa, osnovni program rada koji sadrži izvjestan broj taktika za realizaciju strategija. Ovaj osnovni program, koji obuhvata ograničeni broj radova na teme od zajedničke aktuelnosti i interesa, revidira se svake godine, zavisno od aktuelnosti i novih prioriteta.
11. U cilju obezbijedenja uspješne veze između djelatnosti dva organa, Administrativni savjet može da imenuje predstavnike da prisustvuju sastancima Poštanskog operativnog vijeća u svojstvu posmatrača.
12. Dolje navedeni posmatrači mogu, na svoj zahtjev, i bez prava glasa, da učestvuju na plenarnim sjednicama i sastancima Komisija Poštanskog operativnog vijeća:
 - 12.1. članovi Administrativnog savjeta;
 - 12.2. članovi Konsultativnog komiteta;
 - 12.3. međuvladine organizacije koje se interesuju za rad Poštanskog operativnog vijeća;
 - 12.4. ostale države članice Saveza.
13. Iz logističkih razloga, Poštansko operativno vijeće može da ograniči broj učesnika po posmatračkom mjestu. Ono takođe može da ograniči njihovo pravo na diskusiju tokom debata.
14. Članovi Poštanskog operativnog vijeća aktivno učestvuju u njegovom radu. Posmatračima se može, na njihov zahtjev, dozvoliti da sarađuju na preduzetim studijama, poštujući uslove koje Vijeće može da ustanovi da bi obezbijedio učinak i efikasnost svoga rada. Oni mogu takođe da budu pozvani da presjedavaju radnim grupama i projektnim timovima kada njihovo znanje ili iskustvo to opravdavaju. Učešće posmatrača ne proizvodi dopunske troškove za Savez.
15. U izuzetnim okolnostima, posmatrači mogu biti isključeni sa sastanka ili sa dijela sastanka. Na isti način može biti ograničeno njihovo pravo da dobijaju izvjesne dokumente, kada povjerljivost predmeta sastanka ili dokument to zahtjevaju; odluku o ovakvom ograničenju, za svaki pojedinačan slučaj, može da donese svaki nadležni organ ili njegov predsjednik; ovi različiti slučajevi se prijavljuju Administrativnom savjetu i Poštanskom operativnom vijeću, ako je riječ o pitanjima od posebnog značaja za ovaj organ. Takođe, Administrativni savjet može, ako procijeni da je neophodno, da ponovo razmotri ova ograničenja, konsultujući se sa Poštanskim operativnim vijećem, kada je to potrebno.
16. Predsjednik Konsultativnog komiteta predstavlja ovaj Komitet na sastancima Poštanskog operativnog vijeća, onda kada dnevni red obuhvata pitanja od značaja za Konsultativni komitet.
17. Poštansko operativno vijeće može da pozove na svoje sastanke, bez prava glasa:

- 17.1. svaku međunarodnu organizaciju ili kvalifikovano lice čiju saradnju želi;
- 17.2. svaku državu članicu koja nije u Poštanskom operativnom vijeću;
- 17.3. svako udruženje ili preduzeće koje želi da konstultuje o pitanjima koja se odnose na njegove aktivnosti.

Član 5

(Izmijenjen član 105)

Obavještenje o radu Poštanskog operativnog vijeća

1. Poslije svakog zasijedanja, Poštansko operativno vijeće obavještava države članice, njihove ovlašćene operatore, Uže saveze i članove Konsultativnog komiteta o svom radu, dostavljajući im analitički izvještaj, kao i svoje rezolucije i odluke.
2. Poštansko operativno vijeće sačinjava za Administrativni savjet godišnji izvještaj o svom radu.
3. Poštansko operativno vijeće sačinjava za Kongres izvještaj o svome ukupnom radu i dostavlja ga državama članicama, njihovim ovlašćenim operatorima i članovima Konsultativnog komiteta najkasnije dva mjeseca prije otvaranja Kongresa.

Član 6

(Izmijenjen član 106)

Sastav, funkcionisanje i zasijedanje Konsultativnog komiteta

1. Cilj Konsultativnog komiteta je da predstavlja interese međunarodnog poštanskog sektora u širokom smislu te riječi i da odredi okvir za efikasni dijalog između zainteresovanih strana. On obuhvata nevladine organizacije koje predstavljaju korisnike, davaoce usluga distribucije, udruženja radnika, davaoce dobara i usluga koji rade za sektor poštanskih usluga i slične organizacije formirane od strane privatnih lica, kao i preduzeća koja su zainteresovana za podržavanje misije i ciljeva Saveza. Ove organizacije moraju biti registrovane unutar države članice Saveza. Administrativni savjet i Poštansko operativno vijeće određuju svaki svoje članove koji će zasijedati kao članovi Konsultativnog komiteta. Pored članova koje određuje Administrativni savjet i Poštansko operativno vijeće, o prijemu u Konsultativni savjet se odlučuje nakon postupka podnošenja zahtjeva za prijem i odobrenja prijema, koga utvrđuje Administrativni savjet, a koji se sprovodi saglasno članu 102 tačka 6.31.
2. Svaki član Konsultativnog komiteta određuje svog predstavnika.
3. Troškovi rada Konsultativnog komiteta se dijele između Saveza i članova Komiteta, prema modalitetima koje određuje Administrativni savjet.
4. Članovi Konsultativnog komiteta ne primaju nikakvu platu ili naknadu.
5. Konsultativni komitet se reorganizuje poslije svakog Kongresa, prema smjernicama koje utvrđuje Administrativni savjet. Predsjednik Administrativnog savjeta predstavlja na organizacionom sastanku Konsultativnog komiteta, tokom koga se bira predsjednik ovog Komiteta.
6. Konsultativni komitet određuje svoju unutrašnju organizaciju i utvrđuje svoj pravilnik, uzimajući u obzir opšte principe Saveza i uz rezervu odobrenja od strane Administrativnog savjeta, a nakon konsultovanja sa Poštanskim operativnim vijećem.
7. Konsultativni komitet se sastaje dva puta godišnje. Po pravilu, sastanci se održavaju u sjedištu Saveza, u vrijeme zasijedanja Administrativnog savjeta i Poštanskog operativnog vijeća. Datum i mjesto svakog sastanka određuje predsjednik Konsultativnog komiteta, u dogovoru sa predsjednicima Administrativnog savjeta i Poštanskog operativnog vijeća i Generalnog direktora Međunarodnog biroa.
8. Konsultativni komitet utvrđuje svoj program u okviru sledećih nadležnosti:
 - 8.1. proučava dokumente i odgovarajuće izvještaje Administrativnog savjeta i Poštanskog operativnog vijeća; u izuzetnim okolnostima, može mu biti ograničeno pravo da dobija

- izvjesne dokumente, kada povjerljivost predmeta sastanka ili dokument to zahtjevaju; odluku o ovakvom ograničenju, za svaki pojedinačan slučaj, može da donese svaki nadležni organ ili njegov predsjednik; ovi različiti slučajevi se prijavljuju Administrativnom savjetu i Poštanskom operativnom vijeću, ako je riječ o pitanjima od posebnog značaja za ovaj organ. Takođe, Administrativni savjet može, ako procijeni da je neophodno, da ponovo razmotri ova ograničenja, konsultujući se sa Poštanskim operativnim vijećem, kada je to potrebno;
- 8.2. vodi studije i diskutuje o pitanjima od značaja za članove Konsultativnog komiteta;
 - 8.3. proučava pitanja koja se odnose na sektor poštanskih usluga i podnosi izvještaje o ovim pitanjima;
 - 8.4. doprinosi radu Administrativnog savjeta i Poštanskog operativnog vijeća, uključujući podnošenje izvještaja i preporuka, i iznošenje svoga gledišta na zahtjev Savjeta i Vijeća;
 - 8.5. podnosi preporuke Kongresu, uz rezervu odobrenja od strane Administrativnog savjeta a, kada je riječ o pitanjima od interesa za Poštansko operativno vijeće, na osnovu proučavanja i mišljenja tog Vijeća.
9. Predsjednik Administrativnog savjeta i predsjednik Poštanskog operativnog vijeća predstavljaju ove organe na sastancima Konsultativnog komiteta, onda kada dnevni red ovih sastanaka sadrži pitanja od značaja za ove organe.
10. Da bi obezbijedio efikasnu vezu sa organima Saveza, Konsultativni komitet može da odredi predstavnike koji će učestvovati na sastancima Kongresa, Administrativnog savjeta i Poštanskog operativnog vijeća, kao i sastancima svake od njihovih komisija, u svojstvu posmatrača, bez prava glasa.
11. Članovi Konsultativnog komiteta, na svoj zahtjev, mogu prisustvovati plenarnim sjednicama i sastancima komisija Administrativnog savjeta i Poštanskog operativnog vijeća, saglasno članovima 102 tačka 16 i 104 tačka 12. Oni takođe mogu učestvovati u radu projektnih timova i radnih grupa, u smislu članova 102 tačka 18 i 104 tačka 14. Članovi Konsultativnog komiteta mogu prisustvovati Kongresu u svojstvu posmatrača bez prava glasa.
12. Dolje navedeni posmatrači mogu, na svoj zahtjev, bez prava glasa, da učestvuju na sjednicama Konsultativnog komiteta:
- 12.1. članovi Administrativnog savjeta i Poštanskog operativnog vijeća;
 - 12.2. međuvladine organizacije koje se interesuju za rad Konsultativnog komiteta;
 - 12.3. Uži savezi;
 - 12.4. ostali članovi Saveza.
13. Iz logističkih razloga, Konsultativni komitet može da ograniči broj učesnika po posmatračkom mjestu. On takođe može da ograniči njihovo pravo na diskusiju tokom debata.
14. U izuzetnim okolnostima, posmatrači mogu biti isključeni sa sastanka, ili sa dijela sastanka. Na isti način može biti ograničeno njihovo pravo da dobijaju izvjesne dokumente, kada povjerljivost predmeta sastanka ili dokument to zahtjevaju; odluku o ovakvom ograničenju, za svaki pojedinačni slučaj, može da donese svaki nadležni organ ili njegov predsjednik; ovi slučajevi se prijavljuju Administrativnom savjetu, kao i Poštanskom operativnom vijeću, ako je riječ o pitanjima od posebnog značaja za ovaj organ. Takođe, Administrativni savjet može, ako procijeni da je neophodno, da ponovo razmotri ova ograničenja, konsultujući se sa Poštanskim operativnim vijećem, kada je to potrebno.
15. Međunarodni biro, pod nadležnošću Generalnog direktora, predstavlja i Sekterarijat Konsultativnog komiteta.

Član 7

(Izmijenjen član 107)

Obavještenje o aktivnostima Konsultativnog komiteta

1. Poslije svakog zasijedanja, Konsultativni komitet obavještava Administrativni savjet i Poštansko operativno vijeće o svom radu, upućujući predsjednicima ovih organa, između ostalih, analitički izvještaj sa svojih sastanaka, kao i svoje preporuke i mišljenja.
2. Konsultativni komitet podnosi Administrativnom savjetu izvještaj o godišnjem radu i jedan primjerak izvještaja dostavlja Poštanskom operativnom vijeću. Ovaj izvještaj je uključen u

dokumentaciju Administrativnog savjeta, koja se dostavlja državama članicama, njihovim ovlaštenim operatorima i Užim savezima, saglasno članu 103.

3. Konsultativni komitet sačinjava izvještaj Kongresu o svom ukupnom radu i dostavlja ga državama članicama i njihovim ovlaštenim operatorima, najmanje dva mjeseca prije početka rada Kongresa.

Član 8

(Izmijenjen član 110)

Jezici koji se koriste za dokumentaciju, diskusije i službenu prepisku

1. Za dokumentaciju Saveza koriste se francuski, engleski, arapski i španski jezik. Koriste se takođe njemački, kineski, portugalski i ruski jezik, pod uslovom da se samo najznačajnija osnovna dokumentacija izrađuje na ovim jezicima. I drugi jezici se koriste, pod uslovom da države članice koje to traže snose sve troškove.
2. Država ili države članice, koje traže neki drugi jezik koji nije zvanični jezik, obrazuju jezičku grupu.
3. Međunarodni biro objavljuje dokumentaciju na zvaničnom jeziku i na jezicima obrazovanih jezičkih grupa, neposredno ili posredovanjem regionalnih biroa ovih grupa, u skladu sa postupcima koji su dogovoreni sa Međunarodnim biroom. Objavljivanje na raznim jezicima vrši se po istom uzorku.
4. Dokumentacija koju Međunarodni biro objavljuje neposredno, dostavlja se istovremeno na različitim traženim jezicima, koliko je to moguće.
5. Prepiska između država članica ili njihovih ovlašćenih operatora i Međunarodnog biroa i između Međunarodnog biroa i trećih lica može se vršiti na svakom jeziku za koji Međunarodni biro raspolaže prevodilačkom službom.
6. Troškovi prevođenja na bilo koji jezik, računajući tu i one koji nastaju primjenom stava 5, padaju na teret jezičke grupe koja je tražila taj jezik. Države članice koje koriste službeni jezik plaćaju, na ime prevođenja neslužbenih dokumenata, paušalni doprinos, čiji je iznos po jedinici doprinosa jednak onom koji snose države članice koje koriste drugi radni jezik Međunarodnog biroa. Svi drugi troškovi isporuke dokumenata padaju na teret Saveza. Visina troškova koje snosi Savez za izradu dokumenata na njemačkom, kineskom, portugalskom i ruskom jeziku utvrđena je rezolucijom Kongresa.
7. Troškovi koji padaju na teret jedne jezičke grupe dijele se između članova te grupe srazmjerno njihovom doprinosu troškovima Saveza. Ovi troškovi mogu da se dijele između jezičke grupe prema nekom drugom ključu, pod uslovom da se zainteresovane države članice o tome slože i da obavijeste Međunarodni biro o svojoj odluci preko predstavnika grupe.
8. Međunarodni biro postupa prema svakom zahtjevu za promjenu jezika neke države članice u roku koji ne može biti duži od dvije godine.
9. Za diskusije na sastancima organa Saveza dozvoljeni su francuski, engleski, španski i ruski jezik, primjenom sistema za prevođenje – sa ili bez elektronske opreme – čiji se izbor stavlja na procijenu organizatora sastanka, posle konsultovanja sa Generalnim direktorom Međunarodnog biroa i zainteresovanim državama članicama.
10. Drugi jezici su takođe dozvoljeni za diskusije i sastanke navedene u stavu 9.
11. Delegacije koje koriste druge jezike obezbjeđuju simultano prevođenje na jedan od jezika navedenih u stavu 9, bilo preko sistema navedenog u istom stavu, kada se mogu izvršiti potrebne tehničke izmjene, bilo preko posebnih prevodilaca.
12. Troškovi prevodilačkih usluga dijele se između država članica koje koriste isti jezik srazmjerno njihovom doprinosu troškovima Saveza. Međutim, troškove montaže i održavanja tehničke opreme snosi Savez.

13. Države članice i/ili njihovi ovlašćeni operatori se mogu sporazumjeti o tome koji će se jezik koristiti za službenu prepisku u njihovim međusobnim odnosima. Ako takav sporazum ne postoji, koristiće se francuski jezik.

Član 9

(Izmijenjen član 112)

Funkcije Generalnog direktora

1. Generalni direktor organizuje, upravlja i rukovodi Međunarodnim biroom, čiji je zakoniti predstavnik. On je ovlašćen da klasifikuje radna mjesta od stepena G1 do D2 i da imenuje i unapređuje funkcionere na te stepene. Kod imenovanja na stepene P1 do D2, on je dužan da uzme u obzir profesionalne kvalifikacije kandidata, koje su preporučile države članice čiji su oni državljani, ili u kojima obavljaju svoje profesionalne aktivnosti, vodeći računa o pravičnoj geografskoj, kontinentalnoj i jezičkoj zastupljenosti. Radna mjesta stepena D2 treba koliko je moguće, da budu popunjena kandidatima koji potiču iz različitih regiona i iz regiona iz kojih ne potiču generalni direktor i zamjenik generalnog direktora, vodeći računa o tome da je efikasnost Međunarodnog biroa najbitnija. U slučaju radnog mjesta za koje su potrebne posebne kvalifikacije, generalni direktor može da traži kandidata spolja. On takođe vodi računa, prilikom imenovanja novog funkcionera, da u načelu lica koja zauzimaju mjesta stepena D2, D1 i P5 potiču iz različitih država članica Saveza. Prilikom unaprijeđenja funkcionera Međunarodnog biroa na stepene D2, D1 i P5, nije obavezan da primjenjuje isti princip. Osim toga, u postupku odabira, zahtjevi pravične geografske i jezičke zastupljenosti dolaze posle ocjene vrijednosti kandidata. Generalni direktor obavještava Administrativni savjet jednom godišnje o imenovanjima i unapređenjima u stepene P4 do D2.
2. Generalni direktor ima sledeće nadležnosti:
 - 2.1. služi kao depozitar Akata Saveza i kao posrednik u postupku pristupanja i prijema u Savez, kao i istupanja iz Saveza;
 - 2.2. saopštava odluke donijete na Kongresu svim Vladama država članica;
 - 2.3. saopštava svim državama članicama i njihovim ovlašćenim operatorima Pravilnike koje je donijelo ili izmijenilo Poštansko operativno vijeće;
 - 2.4. priprema nacrt godišnjeg budžeta Saveza na što je moguće nižem nivou, u skladu sa potrebama Saveza, i blagovremeno ga podnosi na razmatranje Administrativnom savjetu; saopštava budžet državama članicama Saveza pošto ga je odobrio Administrativni savjet i izvršava ga;
 - 2.5. izvršava specifične aktivnosti koje traže organi Saveza i one koje su mu određene Aktima;
 - 2.6. preuzima inicijative radi realizacije ciljeva koje su odredili organi Saveza, u okviru utvrđene politike i raspoloživosti fondova;
 - 2.7. podnosi sugestije i predloge Administrativnom savjetu ili Poštanskom operativnom vijeću;
 - 2.8. nakon završetka rada Kongresa, podnosi Poštanskom operativnom vijeću predloge koji se odnose na potrebne izmjene u Pravilnicima na osnovu odluka Kongresa, a saglasno Poslovniku Poštanskog operativnog vijeća;
 - 2.9. priprema za Administrativni savjet, i na osnovu direktiva dobijenih od toga Savjeta, nacrt Strategije Saveza za podnošenje Kongresu;
 - 2.10. da za odobrenje i usvajanje u Administrativnom savjetu, pripremi četvorogodišnji izvještaj o učinku država članica u sprovođenju Strategije Saveza, koju je odobrio prethodni Kongres i koji će se podnijeti na narednom Kongresu;
 - 2.11. obezbjeđuje predstavljanje Saveza;
 - 2.12. posreduje u odnosima između:
 - Saveza i Užih saveza;
 - Saveza i Ujedinjenih nacija;

- Saveza i međunarodnih organizacija čije su djelatnosti od interesa za Savez;
 - Saveza i međunarodnih organizacija, udruženja ili preduzeća koje organi Saveza žele da konsultuju ili da sa njima sarađuju;
- 2.13. vrši dužnost generalnog sekretara organa Saveza i u tom svojstvu, vodeći računa o posebnim odredbama ovog Pravilnika, stara se o:
- pripremi i organizaciji rada organa Saveza;
 - pripremi, izradi i distribuciji dokumenata, izvještaja i zapisnika;
 - radu sekretarijata u toku sastanaka organa Saveza;
- 2.14. prisustvuje sastancima organa Saveza i učestvuje u diskusijama bez prava glasa, s mogućnošću da to svoje pravo prisustva prenese na neko drugo lice.

Član 10

(Izmijenjen član 114)

Sekretarijat organa Saveza

Međunarodni biro obavlja poslove sekretarijata organa Saveza, a za njegov rad odgovara Generalni direktor. Sekretarijat dostavlja sva objavljena dokumenta sa svakog zasjedanja državama članicama organa i njihovim ovlašćenim operatorima, državama članicama i njihovim ovlašćenim operatorima, koje, iako nisu članice tog organa, sarađuju na preduzetim studijama, Užim savezima i drugim državama članicama i njihovim ovlašćenim operatorima koje to zatraže.

Član 11

(Izmijenjen član 116)

Obavještenja. Mišljenja. Zahtjevi za tumačenje i izmjenu Akata. Ankete.
Posredovanje u likvidaciji računa (Ustav 20; Opšti propisi 124, 125, 126)

1. Međunarodni biro u svako doba stoji na raspolaganju Administrativnom savjetu, Poštanskom operativnom vijeću i državama članicama i njihovim ovlašćenim operatorima, da im pruži svako korisno obavještenje o pitanjima koja se odnose na usluge.
2. Posebno, on je zadužen da prikuplja, usklađuje, objavljuje i dostavlja sva obavještenja od interesa za međunarodne poštanske usluge, da daje mišljenje na zahtjev stranaka u sporu o spornim pitanjima, da postupa prema zahtjevima za tumačenje i izmjenu Akata Saveza i, uopšte, da sprovodi studije i da obavlja poslove redakcijskog ili dokumentacionog karaktera koje mu navedena Akta nalažu ili koji se mogu od njega tražiti u interesu Saveza.
3. Isto tako, sprovodi ankete koje traže države članice i njihovi ovlašćeni operatori da bi pribavio mišljenje drugih država članica i njihovih ovlašćenih operatora o nekom određenom pitanju. Ishod ankete nema karakter glasanja i formalno ne obavezuje.
4. Može da posreduje, kao služba za kompenzaciju, u likvidaciji svih vrsta računa iz poštanske usluge.

Član 12

(Izmijenjen član 118)

Obrasci koje dostavlja Međunarodni biro (Ustav 20)

Međunarodni biro je dužan da se stara o izradi međunarodnih kupona za odgovor i da njima snabdijeva, po cijeni koštanja, države članice i njihove ovlašćene operatore koji su ih naručili.

Član 13

(Izmijenjen član 119)

Akta Užih saveza i posebni Sporazumi

1. Biroi Užih saveza ili, ako ovi ne postoje, jedna od strana ugovornica, dostavljaju Međunarodnom birou po dva primjerka Akata Užih saveza i posebnih Sporazuma, zaključenih primjenom člana 8 Ustava.
2. Međunarodni biro vodi računa o tome da Akta Užih saveza i posebni Sporazumi ne sadrže nepovoljnije uslove za korisnike od uslova koji su predviđeni Aktima Saveza i obavještava države članice i njihove ovlašćene operatore o postojanju takvih saveza i Sporazuma. Međunarodni biro ukazuje Administrativnom savjetu na svaku nepravilnost utvrđenu primjenom ove odredbe.

Član 14

(Izmijenjen član 121)

Dvogodišnji izvještaj o radu Saveza

Međunarodni biro sastavlja dvogodišnji izvještaj o radu Saveza koji, pošto ga usvoji Administrativni savjet, dostavlja državama članicama i njihovim ovlašćenim operatorima, Užim savezima i Ujedinjenim Nacijama.

Član 15

(Izmijenjen član 122)

Postupak za podnošenje predloga Kongresu

1. Pod rezervom izuzetaka predviđenih u stavovima 2 i 5, postupak za podnošenje svih vrsta predloga koje države članice dostavljaju Kongresu sastoji se u sledećem:
 - a) primaju se predlozi koji stignu Međunarodnom birou najmanje šest mjeseci prije utvrđenog datuma za Kongres;
 - b) ne prima se nikakav predlog redakcione prirode u periodu od šest mjeseci koji prethodi utvrđenom datumu za Kongres;
 - c) suštinski predlozi, koji stignu Međunarodnom birou u periodu između šest i četiri mjeseca prije utvrđenog datuma za Kongres, primaju se samo ako ih podrže najmanje dvije države članice;
 - d) suštinski predlozi, koji stignu Međunarodnom birou u periodu između četiri i dva mjeseca prije utvrđenog datuma za Kongres, primaju se samo ako ih podrži najmanje osam država članica; predlozi koji stignu posle toga vremena više se ne prihvataju;
 - e) izjave o podržavanju moraju stići Međunarodnom birou u istom roku u kome i predlozi na koje se odnose.
2. Predlozi koji se odnose na Ustav ili Opšti pravilnik moraju se dostaviti Međunarodnom birou najmanje šest mjeseci prije otvaranja Kongresa; predlozi koji stignu posle ovog datuma, ali prije otvaranja Kongresa, mogu se razmatrati samo ako Kongres tako odluči dvotrećinskom većinom država zastupljenih na Kongresu i ako su poštovani uslovi predviđeni u stavu 1.
3. Svaki predlog mora, po pravilu, imati samo jedan cilj i sadržavati samo izmjene koje taj cilj opravdava. Slično tome, svaki predlog koji može dovesti do većih troškova po Savez, mora da sadrži i naznaku finansijskog uticaja koju priprema država članica koja podnosi predlog, zajedno sa Međunarodnim biroom, tako da mogu da se utvrde finansijska sredstva koja su potrebna za implementaciju takvog predloga.
4. Nacrti predloga treba da sadrže naslov „Nacrt predloga“ one države članice koja ih podnosi i Međunarodni biro ih objavljuje pod brojem koji se nalazi posle slova R. Predlozi koji ne nose ovu oznaku, ali koji se, po mišljenju Međunarodnog biroa, bave samo nacrtom, objavljuju se uz odgovarajuću naznaku; Međunarodni biro tada sačinjava spisak ovih predloga za Kongres.

5. Postupak propisan u stavovima 1. i 4. ne primjenjuje se na predloge koji se tiču Poslovnika Kongresa, niti na amandmane već podnijetih predloga.

Član 16

(Izmijenjen član 123)

Postupak kojim se Poštanskom operativnom vijeću podnose predlozi za pripremu novih pravilnika, saglasno odlukama donijetim na Kongresu

1. Pravilnike Svjetske poštanske konvencije i Sporazuma poštanskih novčanih usluga donosi Poštansko operativno vijeće, saglasno odlukama koje je donio Kongres.
2. Predlozi koji proizilaze na osnovu amandmana na Konvenciju ili na Sporazum o poštanskim novčanim uslugama moraju biti podnijeti Međunarodnom birou istovremeno kada se Kongresu podnose predlozi na koje se ovi prvi odnose. Predloge može podnijeti jedna država članica Svjetskog poštanskog saveza, bez podrške drugih država članica. Ove predloge treba poslati svim državama članicama, najkasnije mjesec dana prije Kongresa.
3. Ostali predlozi koji se odnose na pravilnike koje treba da pregleda Poštansko operativno vijeće kako bi, tokom šest mjeseci posle Kongresa, pripremio nove pravilnike, moraju biti podnijeti Međunarodnom birou najmanje dva mjeseca prije Kongresa.
4. Predlozi koji se odnose na izmjene koje treba unijeti u pravilnike na osnovu odluka Kongresa, a koje su podnele države članice, moraju stići u Međunarodni biro najkasnije dva mjeseca prije početka rada Poštanskog operativnog vijeća. Ove predloge treba dostaviti svim državama članicama i njihovim ovlaštenim operatorima, najkasnije mjesec dana nakon početka rada Poštanskog operativnog vijeća.

Član 17

(Izmijenjen član 124)

Postupak za podnošenje predloga između dva Kongresa

1. Da bi se uzeo u razmatranje, svaki predlog koji se odnosi na Konvenciju ili Sporazume, koji je podnijela neka država članica između dva Kongresa, mora imati podršku najmanje dvije druge države članice. Ovi predlozi se ne uzimaju u postupak ako Međunarodni biro u isto vrijeme ne dobije potreban broj izjava o podržavanju.
2. Ovi predlozi se upućuju drugim državama članicama posredstvom Međunarodnog biroa.
3. Za predloge koji se odnose na Pravilnike ne traži se podrška, ali ih Poštansko operativno vijeće razmatra samo ako ocijeni da su hitno potrebni.

Član 18

(Izmijenjen član 125)

Razmatranje predloga između dva Kongresa

1. Na svaki predlog koji se odnosi na Konvenciju, Sporazume i njihove Završne protokole primjenjuje se sledeći postupak: kada država članica pošalje predlog Međunarodnom birou, Međunarodni biro prosljeđuje ovaj predlog na uvid svim državama članicama. Njima se ostavlja rok od dva mjeseca da razmotre predlog i da Međunarodnom birou dostave svoje primjedbe, ako ih ima. Amandmani nisu dozvoljeni. Po isteku roka od dva mjeseca, Međunarodni biro prosljeđuje državama članicama sva mišljenja koja je prikupio i poziva sve države članice koje imaju pravo glasa, da se izjasne za predlog ili protiv njega. Za države članice koje se ne izjasne u roku od dva mjeseca, smatra se da su se uzdržale. Pomenuti rokovi računaju se od datuma objave cirkulara Međunarodnog biroa.
2. Poštansko operativno vijeće se bavi predlozima za izmjene Pravilnika.
3. Ako se predlog odnosi na neki Sporazum ili njegov Završni protokol, samo države članice koje su ugovornice takvog Sporazuma mogu uzeti učešća u postupku navedenom u stavu 1.

Član 19

(Izmijenjen član 126)

Saopštavanje odluka usvojenih između dva Kongresa

1. Izmjene unijete u Konvenciju, Sporazume i Završne protokole ovih Akata potvrđuje Generalni direktor Međunarodnog biroa obavještanjem Vlada država članica.
2. Izmjene koje Poštansko operativno vijeće unese u Pravilnike i njihove Završne protokole Međunarodni biro saopštava državama članicama i njihovim ovlaštenim operatorima. Isti postupak se primjenjuje i na tumačenja predviđena u članu 36.3.2. Konvencije i u odgovarajućim odredbama Sporazuma.

Član 20

(Izmijenjen član 128)

Utvrđivanje i plaćanje troškova Saveza

1. Uz rezervu stavova 2 do 6, godišnji troškovi za rad organa Saveza ne smiju preći dolje navedene iznose za 2009. i naredne godine: 37.000.000 švajcarskih franaka za godine 2009. i 2010. Osnovna granica za 2012. godinu važiće i za kasnije godine, u slučaju odlaganja Kongresa predviđenog za 2012. godinu
2. Troškovi sazivanja sledećeg Kongresa (premještanje sekretarijata, troškovi prevoza, troškovi montaže uređaja za simultano prevođenje, troškovi izrade dokumentacije za vrijeme Kongresa, itd.) ne smiju preći iznos od 2.900.000 švajcarskih franaka.
3. Administrativni savjet je ovlašćen da prekorači iznose utvrđene u stavovima 1 i 2 zbog povećanja skala plata, doprinosa na ime penzija ili naknada, uključujući tu i naknade za radna mjesta, koje su odobrile Ujedinjene Nacije radi primjene na njihovo osoblje na radu u Ženevi.
4. Administrativni savjet je, takođe, ovlašćen da svake godine prilagođava iznose za druge izdatke, osim izdataka na osoblje, u zavisnosti od kretanja indeksa potrošačke korpe u Švajcarskoj.
5. Bez obzira na stav 1, Administrativni savjet može, a u slučaju neodložno hitne potrebe i generalni direktor, odobriti prekoračenje utvrđenih granica izdataka, radi plaćanja važnih i nepredviđenih opravki zgrade Međunarodnog biroa, pod uslovom da taj iznos ne prelazi 125.000 švajcarskih franaka godišnje.
6. Ukoliko se krediti predviđeni u stavovima 1 i 2 pokažu nedovoljni za obezbjeđenje dobrog funkcionisanja Saveza, ove granice mogu da budu prekoračene samo uz odobrenje većine država članica Saveza. Svaka konsultacija mora da sadrži potpuni izvještaj o činjenicama koje opravdavaju takav zahtjev.
7. Države koje pristupaju Savezu ili se primaju u svojstvo članica Saveza, kao i one koje istupaju iz Saveza, moraju da podmire svoj doprinos za cijelu godinu u toku koje njihov prijem ili napuštanje postaje izvršno.
8. Države članice plaćaju unaprijed svoj doprinos godišnjim izdacima Saveza na osnovu budžeta koji utvrdi Administrativni savjet. Ovi doprinosi treba da budu uplaćeni najkasnije prvog dana finansijske godine na koju se budžet odnosi. Poslije tog roka, na dugovane iznose plaća se kamata u korist Saveza, po stopi od 6% godišnje, počev od četvrtog mjeseca.
9. Ako su stara dugovanja obaveznih doprinosa jedne države članice Savezu, bez kamata, jednaka ili veća od sume doprinosa te države članice za dvije prethodne finansijske godine, ova država članica može neopozivo da prepusti Savezu cio iznos ili dio svojih potraživanja od drugih država članica, prema postupku koji utvrdi Administrativni savjet. Uslovi cesije potraživanja se utvrđuju na osnovu sporazuma koji se zaključi između države članice, njenih dužnika/povjerilaca i Saveza.

10. Države članice koje iz pravnih ili drugih razloga nisu u mogućnosti da izvrše takvu cesiju, obavezuju se da zaključe amortizacioni plan svojih starih dugovanja.
11. Osim u izuzetnim okolnostima, plaćanje obaveznih starih dugovanja doprinosa Savezu ne može da traje duže od deset godina.
12. U izuzetnim slučajevima, Administrativni savjet može da oslobodi neku državu članicu cjeline ili dijela dugujuće kamate, ako ta država isplati u potpunosti glavnice svojih starih dugovanja.
13. Država članica se takođe može, u okviru amortizacionog plana starih dugovanja koji je usvojio Administrativni savjet, osloboditi cjeline ili dijela akumulirane kamate ili kamate u toku; ovo oslobađanje je ipak uslovljeno potpunim i urednim izvršenjem amortizacionog plana u dogovorenom roku, najduže za deset godina.
14. Da bi se prebrodio nedostatak sredstava u blagajni Saveza, obrazuje se Rezervni fond, čiju visinu utvrđuje Administrativni savjet. Ovaj fond se popunjava, na prvom mjestu, budžetskim viškovima. On može služiti i za uravnoteženje budžeta ili za smanjivanje iznosa doprinosa država članica.
15. U slučaju prolaznih nedostataka sredstava u blagajni, Vlada Švajcarske konfederacije daje potrebne kratkoročne avanse, pod uslovima koji će se sporazumno utvrditi. Ta Vlada, bez naknade, nadzire vođenje finansijskih računa i knjigovodstvo Međunarodnog biroa, u granicama kredita koje je utvrdio Kongres.
16. Odredbe iz stavova 9, 10, 11, 12 i 13 se analogno primjenjuju i na troškove prevođenja koje Međunarodni biro ispostavi državama članicama koje pripadaju jezičkim grupama.

Član 21

(Izmijenjen član 130)

Razredi doprinosa

1. Države članice učestvuju u pokrivanju troškova Saveza, prema razredu doprinosa kojem pripadaju. Ovi razredi su sledeći:
 - razred od 50 jedinica;
 - razred od 45 jedinica;
 - razred od 40 jedinica;
 - razred od 35 jedinica;
 - razred od 30 jedinica;
 - razred od 25 jedinica;
 - razred od 20 jedinica;
 - razred od 15 jedinica;
 - razred od 10 jedinica;
 - razred od 5 jedinica;
 - razred od 3 jedinice;
 - razred od 1 jedinice;
 - razred od 0,5 jedinice, predviđen za najmanje razvijene zemlje, navedene u listi zemalja Ujedinjenih nacija, i za druge zemlje koje označi Administrativni savjet.
2. Pored razreda doprinosa navedenih u stavu 1, svaka država članica može izabrati da plaća broj jedinica doprinosa veći nego što odgovara razredu doprinosa kome ona pripada, a na minimalni vremenski period koji je jednak periodu između dva Kongresa. Obavještenje o promjeni se najkasnije dostavlja na Kongresu. Po isteku perioda između dva Kongresa,

država članica se automatski vraća u svoj originalni broj jedinica doprinosa, osim ukoliko ne odluči da održi svoj doprinos na većem broju jedinica. Uplata dodatnih doprinosa će shodno tome, povećati rashode.

3. Države članice su uvrštene u jedan od navedenih razreda doprinosa u trenutku njihovog prijema ili pristupanja Savezu, na osnovu postupka predviđenog u članu 21 stav 4 Ustava.
4. Države članice mogu kasnije da budu svrstane u niži razred doprinosa, pod uslovom da pošalju zahtjev za promjenom Međunarodnom birou najmanje dva mjeseca prije otvaranja Kongresa. Kongres daje neobavezujuće mišljenje o tom zahtjevu za promjenom razreda doprinosa. Država je slobodna da odluči da li će slijediti mišljenje Kongresa. Konačna odluka države se šalje Sekretarijatu Međunarodnog biroa, prije završetka Kongresa. Ovaj zahtjev za promjenom, stupa na snagu kada i finansijske odredbe koje Kongres donese. Države članice koje nisu saopštile svoju želju da promijene razred doprinosa u propisanom roku, zadržavaju se u razredu doprinosa kome su pripadale do tada.
5. Države članice ne mogu zahtjevati da budu razvrstane u niži razred za više od jednog razreda odjedanput.
6. Međutim, u izuzetnim okolnostima, kao što su prirodne katastrofe, kada je neophodna međunarodna pomoć, Administrativni savjet može odobriti privremeni prelazak za jedan niži razred doprinosa, samo jednom između dva Kongresa, na zahtjev države članice, ako ona podnese dokaz da više ne može da zadrži razred doprinosa koji je prvobitno izabrala. Pod istim okolnostima, Administrativni savjet može odobriti i privremeni prelazak u niži razred država članica koje ne pripadaju kategoriji najmanje razvijenih država i koje su već razvrstane u razred od jedne jedinice, tako što će ih razvrstati u razred od 0,5 jedinica.
7. Primjenom stava 6 Administrativni savjet može odobriti privremeno razvrstavanje u niži razred doprinosa najviše za period od dvije godine, ili do idućeg Kongresa, ako se on održava prije kraja tog perioda. Po isteku utvrđenog perioda, država o kojoj se radi automatski ponovo stupa u svoj prvobitni razred doprinosa.
8. Protivno stavovima 4 i 5, za prelazak u viši razred doprinosa ne postoje nikakva ograničenja.

Član 22

(Izmijenjen član 131)

Plaćanje isporuka Međunarodnog biroa

Isporuke koje Međunarodni biro vrši državama članicama i njihovim ovlašćenim operatorima uz naknadu, moraju se platiti u što je moguće kraćem roku, a najkasnije za šest mjeseci računajući od prvog dana u mjesecu koji dolazi posle mjeseca u kome je Međunarodni biro poslao račun. Po isteku tog roka, na dugovane iznose zaračunava se kamata u korist Saveza u iznosu od 5% godišnje, a računajući od dana isteka navedenog roka.

Član 23

(Izmijenjen član 132)

Arbitražni postupak

1. U slučaju spora koji treba riješiti arbitražnom presudom, svaka od država članica u sporu bira jednu državu članicu koja nije neposredno zainteresovana u sporu. Kada više država članica vode zajednički spor, one se, u pogledu primjene ove odredbe, smatraju kao jedna država članica.
2. Kada jedna država članica u sporu ne odgovori na predlog o arbitraži u roku od šest mjeseci, Međunarodni biro, ako mu se za to podnese zahtjev, zatražiće sa svoje strane, od države članice koja to nije učinila, da odredi arbitra, ili će ga sam odrediti po službenoj dužnosti.
3. Stranke u sporu mogu se sporazumjeti da odrede samo jednog arbitra koji može biti Međunarodni biro.
4. Arbitri donose odluku većinom glasova.

5. U slučaju jednakog broja glasova, da bi se spor riješio, arbitri biraju drugu državu članicu isto tako nezainteresovanu u sporu. Ako se ne postigne saglasnost u izboru, ovu državu članicu određuje Međunarodni biro, između država članica koje arbitri nisu predložili.
6. Ako je riječ o sporu koji se odnosi na jedan od Sporazuma, arbitri se mogu odrediti samo između država članica koje su stranke potpisnice tog Sporazuma.
7. Ako spor treba da se riješi arbitražom između ovlašćenih operatora, operatori koji su u pitanju treba da zatraže od svojih država članica da postupaju u skladu sa procedurom koja je propisana stavovima od 1 do 6.

Član 24

(Izmijenjen član 135)

Amandmani, stupanje na snagu i važenje Opšteg pravilnika

Amandmani koje je usvojio Kongres, predmet su dodatnog protokola i ako Kongres ne odluči drugačije, oni stupaju na snagu u isto vrijeme kada i Akti koje je donio isti taj Kongres.

Opšti pravilnik stupa na snagu 1 januara 2006. godine i ostaje na snazi neograničeno.

Član 25

Pristupanje Dodatnom protokolu

Države članice koje nisu potpisale postojeći Protokol mogu da pristupe istom u bilo koje vrijeme. Odgovarajući instrumenti pristupanja se deponuju kod Generalnog direktora Međunarodnog biroa, koji o tome obavještava vlade država članica.

Član 26

Stupanje na snagu i važenje Dodatnog protokola uz Opšti pravilnik

Ovaj Dodatni protokol počće da se primjenjuje 1. januara 2010. godine i ostaće na snazi neograničeno.

Punomoćnici vlada država članica su sačinili ovaj Dodatni protokol, koji ima istu pravosnažnost i istu zakonitost kao da su njegove odredbe unijete u sam tekst Opšteg pravilnika, i oni su ga potpisali u jednom primjerku, koji se deponuje kod Generalnog direktora Međunarodnog biroa. Međunarodni biro Svjetskog poštanskog saveza dostaviće po jedan njegov prepis svakoj ugovornoj strani.

Usvojeno u Ženevi, 12. avgusta 2008. godine

Član 3

Ovaj zakon stupa na snagu osmog dana od dana objavljivanja u „Službenom listu Crne Gore – Međunarodni ugovori”.

SKUPŠTINA CRNE GORE 24. SAZIVA

PREDŠEDNIK,
Ranko Krivokapić, s.r.

85.

Na osnovu člana 95 tačka 3 Ustava Crne Gore donosim

U K A Z
O PROGLAŠENJU ZAKONA O
POTVRĐIVANJU SPORAZUMA O POŠTANSKIM NOVČANIM
USLUGAMA - ŽENEVA 2008.

Proglašavam **Zakon o potvrđivanju Sporazuma o poštanskim novčanim uslugama - Ženeva 2008.**, koji je donijela Skupština Crne Gore 24. saziva, na sedmoj sjednici drugog redovnog zasijedanja u 2010. godini, dana 16. decembra 2010. godine.

Broj: 01- 2622/2
Podgorica, 22.12.2010. godine

Predsjednik Crne Gore
Filip Vujanović, s.r.

Na osnovu člana 82 stav 1 tač. 2 i 17 i člana 91 stav 1 Ustava Crne Gore, Skupština Crne Gore 24. saziva, na sedmoj šednici drugog redovnog zasijedanja u 2010. godini, dana 16. decembra 2010. godine, donijela je

Z A K O N

O POTVRĐIVANJU SPORAZUMA O POŠTANSKIM NOVČANIM USLUGAMA - ŽENEVA 2008.

Član 1

Potvrđuje se Sporazum o poštanskim novčanim uslugama, usvojen na Kongresu Svjetskog poštanskog saveza u Ženevi, 12. avgusta 2008. godine, u originalu na francuskom, engleskom, španskom i arapskom jeziku.

Član 2

Tekst Sporazuma iz člana 1 ovog zakona, u originalu na engleskom i u prevodu na crnogorski jezik glasi:

Postal Payment Services Agreement

The undersigned, plenipotentiaries of the Governments of the member countries of the Union, in provision with article 22.4 of the Constitution of the Universal Postal Union concluded at Vienna on 10 July 1964, have, by common consent and subject to article 25.4 of the Constitution, drawn up the following Agreement, which is in line with the principles of the Constitution to implement a secure and accessible payment service adapted to the greatest number of users on the basis of systems enabling the interoperability of designated operators' networks.

Part I

Common principles applying to the postal payment services

Chapter I

General provisions

Article 1

Scope of the Agreement

1 Each signatory member country shall ensure on a best effort basis that at least one of the following postal payment services is provided on its territory:

1.1 Money order in cash: the sender hands over funds at the service access point of the designated operator and asks for the full amount to be paid to the payee in cash, with no deductions.

1.2 Outpayment money order: the sender gives instructions for his account held by the designated operator to be debited and asks for the payee to be paid the full amount in cash, with no deductions.

1.3 Inpayment money order: the sender hands over funds at the service access point of the designated operator and asks for them to be paid into the payee's account, with no deductions.

1.4 Postal transfer: the sender gives instructions for his account held by the designated operator to be debited and asks for the payee's account with the paying designated operator to be credited with the equivalent amount, with no deductions.

2 The Regulations shall define the procedures for executing the present Agreement.

Article 2

Definitions

1 Competent authority - any national authority of a supervisory member country which, by virtue of the powers conferred on it by the law or regulations, supervises the activities of the designated operator or of the persons referred to in this article. The competent authority may contact the administrative or legal authorities engaged in combating money laundering and terrorist financing, and in particular the national financial intelligence unit and the oversight authorities.

2 Instalment - partial advance payment made by the issuing designated operator to the paying designated operator to ease the cash situation of the paying designated operator's postal payment services.

3 Money laundering - the conversion or transfer of funds in the knowledge that these funds are derived from a criminal activity or participation in such activity, with the aim of hiding or disguising the illegal origins of the funds or of helping any person having participated in such activity to escape the legal consequences of his action; money laundering shall be considered as such when the activities producing funds to be laundered are liable to prosecution in the territory of another member country or a third country.

4 Ring-fencing - the compulsory separation of users' funds from those of the designated operator which prevents the use of users' funds for purposes other than the execution of postal payment service operations.

5 Clearing house - within the framework of multilateral exchanges, a clearing house handles mutual debts and claims arising from services provided by one operator to another. Its role is to put to account exchanges between operators that are settled through a settlement bank, and to take the necessary steps in the event of settlement irregularities.

6 Clearing - a system enabling the number of payments to be made to be kept to a minimum by drawing up a periodic debit and credit balance for the parties involved. Clearing involves two stages: determining the bilateral balances and, by adding these balances, calculating the overall position of each entity with regard to the entire community in order to carry out only one settlement based on the debtor or creditor position of the entity in question.

7 Concentration account - an aggregation of funds from various sources combined into one account.

8 Liaison account - giro account opened reciprocally by designated operators as part of bilateral relations, by means of which mutual debts and credits are settled.

9 Criminal activity - any type of participation in, or perpetration of, a crime or misdemeanour, as defined by the national legislation.

10 Security deposit - amount deposited, in the form of cash or securities, to guarantee payments between designated operators.

11 Payee - natural or legal person designated by the sender as the beneficiary of the money order or postal giro transfer.

12 Third currency - intermediate currency used in cases of non-convertibility between two currencies or for clearing/settlement of accounts.

13 Due diligence in relation to users - general obligation on the part of designated operators, comprising the following duties:

- identifying users;
- obtaining information on the purpose of the order;
- monitoring postal payment orders;
- checking that the information concerning users is up to date;
- reporting suspicious transactions to the competent authorities.

14 Electronic data relating to postal payment orders - data transmitted by electronic means, from one designated operator to another, relating to the execution of postal payment orders, inquiries, alteration or correction of addresses or reimbursement, these data are either entered by designated operators, or generated automatically by their information system, and indicate a change in the status of the postal payment order or the order request.

15 Personal data - personal identification data referring to the sender or the payee, which may be used only for the purpose for which they were collected.

16 Postal data - data needed for the routing and tracking of a postal payment service order, as well as for the centralized clearing system and for statistical purposes.

17 Electronic data interchange (EDI) - computer-to-computer exchange of data concerning operations, by means of networks and standard formats compatible with the Union system.

18 Sender - natural or legal person that gives the designated operator the order to execute a postal payment service in accordance with the Acts of the Union.

19 Terrorist financing - covers the financing of acts of terrorism, of terrorists and of terrorist organizations.

20 Users' funds - sums delivered by the sender to the issuing designated operator in cash, or debited to the sender's account written up in the books of the issuing designated operator, or by any other secure method of electronic banking, placed at the disposal of the issuing designated operator or any other financial operator by the sender, to be paid to a payee specified by the sender in accordance with the present Agreement and its Regulations.

21 Currency of issue - currency of the country of destination or third currency authorized by the destination country in which the postal payment order is issued.

22 Issuing designated operator - designated operator which transmits a postal payment order to the paying designated operator, in accordance with the Acts of the Union.

23 Paying designated operator - designated operator responsible for executing the postal payment order in the destination country, in accordance with the Acts of the Union.

24 Validity period - period of time during which the postal payment order may be executed or cancelled.

25 Service access point - physical or virtual place where the user may deposit or receive a postal payment order.

26 Remuneration - sum owed by the issuing designated operator to the paying designated operator for payment to the payee.

27 Revocability - the ability of the sender to recall his postal payment order (money order or transfer) up to the moment of payment, or at the end of the validity period if payment has not been made.

28 Counterparty risk - risk that one of the parties to a contract will default, leading to loss or liquidity risk.

29 Liquidity risk - risk that a settlement system participant or a counterpart is temporarily unable to fulfil an obligation in its entirety at the required time.

30 Reporting of suspicious transaction - obligation of the designated operator, based on the national legislation and Union resolutions, to provide its competent national authorities with information on suspicious transactions.

31 Track and trace - system that enables the progress of postal payment order to be monitored and its location and status to be identified at any time.

32 Price - amount paid by the sender to the issuing designated operator for a postal payment service.

33 Suspicious transaction - single or repeated postal payment order or request for reimbursement related to a postal payment order linked to a money-laundering or terrorist financing offence.

34 User - natural or legal person, sender or payee, that uses the postal payment services in accordance with the present Agreement.

Article 3

Designation of the operator

1 Member countries shall notify the International Bureau, within six months of the end of Congress, of the name and address of the governmental body responsible for overseeing postal payment services. Within six months of the end of Congress, member countries shall also provide the International Bureau with the name and address of the operator(s) officially designated to operate the postal payment services by means of its (their) network and to fulfil the obligations arising from the Acts of the Union on its (their) territory. Between Congresses, changes concerning the governmental bodies and the officially designated operators shall be notified to the International Bureau as soon as possible.

2 Designated operators shall provide the postal payment services in accordance with the present Agreement.

Article 4

Functions of member countries

1 Member countries shall take the necessary steps towards ensuring the continuity of the postal payment services in the event of default by their designated operator(s), without prejudice to the liability of that (those) operator(s) towards other designated operators by virtue of the Acts of the Union.

2 In the event of default of its designated operator, a member country shall inform, through the International Bureau the other member countries party to the Agreement:

2.1 of the suspension of its international postal payment services, from the date indicated and until further notice;

2.2 of the measures taken to re-establish its services under the responsibility of any new designated operator.

Article 5

Operational functions

1 The designated operators shall be responsible for the execution of postal payment services vis-à-vis other operators, and users.

2 They shall be accountable for risks such as operational risks, liquidity risks, and counterparty risks, in accordance with the national legislation.

3 In order to implement the postal payment services whose provision is entrusted to them by their respective member country, designated operators shall conclude bilateral or multilateral agreements with the designated operators of their choice.

Article 6

Ownership of postal payment services funds

1 Any sum of money, delivered in cash or debited to an account for the execution of a postal payment service order, shall belong to the sender until such time as it is paid to the payee or credited to the payee's account.

2 During the validity period of the postal payment order, the sender may recall it up until its payment to the payee or until it is credited to the payee's account.

Article 7

Prevention of money laundering, terrorist funding and financial crime

1 Designated operators shall take all necessary steps to fulfil their obligations stemming from national and international legislation aimed at combating money laundering, terrorist funding and financial crime.

2 They should inform their country's competent authorities of suspicious transactions, in accordance with national laws and regulations.

3 The Regulations shall set out the detailed obligations of designated operators in respect of user identification, due diligence and the procedures for implementing regulations against money laundering, terrorist funding and financial crime.

Article 8

Confidentiality

1 Designated operators shall ensure the confidentiality of, and the use of, personal data in accordance with national legislation and, where applicable, international obligations, and the Regulations. The provision of this article shall not restrict the provision of personal data on the request based on each member country's national laws.

2 The data required to execute the postal payment service order shall be confidential.

3 For statistical purposes, and possibly also for the purpose of quality of service measurement and centralized clearing, designated operators shall be required to provide the International Bureau of the Universal Postal Union with postal data at least once a year. The International Bureau shall treat all individual postal data in confidence.

Article 9

Technological neutrality

1 The exchange of data necessary for the provision of the services defined in this Agreement shall be governed by the principle of technological neutrality, which means that the provision of these services does not depend on the use of a particular technology.

2 The procedures for executing postal payment orders, including the conditions for depositing, entering, dispatching, paying and reimbursing orders and for processing inquiries, and the time limit for making the funds available to the payee, may vary according to the technology used for transmitting the order.

3 Postal payment services may be provided on the basis of a combination of different technologies.

Chapter II

General principles and quality of service

Article 10

General principles

1 Accessibility via the network

1.1 The postal payment services shall be provided by the designated operators via their network(s) and/or via any other partner network in order to ensure accessibility to these services for the greatest number.

1.2 All users shall have access to postal payment services regardless of any contractual or commercial relationship existing with the designated operator.

2 Separation of funds

2.1 Users' funds shall be ring-fenced. These funds and the flows that they generate shall be separate from operators' other funds and flows, particularly their own funds.

2.2 Settlements relating to remuneration between designated operators are separate from settlements relating to users' funds.

3 Currency of issues and currency of payment in respect of postal payment orders

3.1 The amount of the postal payment order shall be expressed and paid in the currency of the destination country or in any other currency authorized by the destination country.

4 Non-repudiability

4.1 The transmission of electronic postal payment orders shall be subject to the principle of non-repudiability, in the sense that the issuing designated operator shall not question the existence of these orders and the paying designated operator shall not deny receipt of the orders, in so far as the message conforms to the applicable technical standards.

4.2 The non-repudiability of electronic postal payment orders shall be ensured by technological means, regardless of the system used by the designated operators.

5 Execution of postal payment orders

5.1 The postal payment order transmitted between designated operators must be executed, subject to the provisions of the present Agreement and the national legislation.

5.2 In the designated operators' network, the sum delivered to the issuing designated operator by the sender shall be the same as the sum paid to the payee by the paying designated operator.

5.3 Payment to the payee shall not be conditional on receipt by the paying designated operator of the corresponding funds from the sender. It shall be made subject to the fulfilment by the issuing designated operator of its obligations towards the paying designated operator regarding instalments or the provision of a liaison account.

6 Setting of rates

6.1 The issuing designated operator shall set the price of postal payment services.

6.2 Charges may be added to this price for any optional or supplementary service required by the sender.

7 Exemption from charges

7.1 The provisions of the Universal Postal Convention concerning exemption from postal charges on postal items intended for prisoners of war and civil internees may apply to the postal payment service items for this category of payee.

8 Remuneration of the paying designated operator

8.1 The paying designated operator shall be remunerated by the issuing designated operator for the execution of postal payment orders.

9 Intervals for settlement between designated operators

9.1 The frequency of settlement between designated operators of funds paid or credited to a payee on behalf of a sender may be different from that in respect of the settlement of remuneration between designated operators. Sums paid or credited shall be settled at least once a month.

10 Obligation to inform users

10.1 Users shall be entitled to the following information, which shall be published and made available to all senders: conditions covering the provision of postal payment services, prices, charges, exchange rates and arrangements, conditions of implementation of liability, and the addresses of information and inquiry services.

10.2 Access to this information shall be provided free of charge.

Article 11

Quality of service

1 Designated operators may decide to identify postal payment services by means of a collective brand.

Chapter III

Principles for electronic data interchange

Article 12

Interoperability

1 Networks

1.1 In order to exchange the data needed to execute postal payment services between all designated operators, and to monitor quality of service, designated operators shall use the Universal Postal Union electronic data (EDI) exchange system or any other system ensuring the interoperability of the postal payment services in accordance with this Agreement.

Article 13

Ensuring the security of electronic exchanges

- 1 Designated operators shall be responsible for the proper functioning of their equipment.
- 2 The electronic transmission of data shall be made secure in order to ensure the authenticity and integrity of the data transmitted.
- 3 Designated operators shall make transactions secure, in accordance with international standards.

Article 14

Track and trace

- 1 The systems used by designated operators shall permit the monitoring of the processing of the order and its revocation by the sender, until such time as the corresponding amount is paid to the payee or credited to the payee's account, or, if appropriate, reimbursed to the sender.

Part II

Rules governing the postal payment services

Chapter I

Processing of postal payment orders

Article 15

Deposit, entry and transmission of postal payment orders

- 1 The conditions for depositing, entering and transmitting postal payment orders are set out in the Regulations.
- 2 The period of validity for postal payment orders may not be extended and is set in the Regulations.

Article 16

Checking and release of funds

- 1 After confirming the payee's identity in accordance with national legislation and the accuracy of the information he has provided, the designated operator shall make the payment in cash. For an inpayment order or a transfer, this payment shall be credited to the payee's account.
- 2 The time limits for release of the funds shall be established in the bilateral and multilateral agreements between designated operators.

Article 17

Maximum amount

- 1 Designated operators shall inform the International Bureau of the Universal Postal Union of the maximum amounts for sending or receipt set according to their national legislation.

Article 18

Reimbursement

1 Extent of reimbursement

1.1 Reimbursement within the framework of the postal payment services shall cover the full amount of the postal payment order in the currency of the issuing country. The amount to be reimbursed shall be equal to the amount paid by the sender or to the amount charged to his account. The price of the postal payment service shall be added to the amount reimbursed in the event of an error made by a designated operator.

Chapter II Inquiries and Liability

Article 19

Inquiries

1 Inquiries shall be entertained within a period of six months from the day after that on which the postal payment order was accepted.

2 Designated operators, subject to their national legislation, shall have the right to collect from customers charges on inquiries in regard to postal payment service orders.

Article 20

Liability of designated operators with regard to users

1 Treatment of funds

1.1 The issuing designated operator shall be accountable to the sender for the sums handed over at the counter or debited to the sender's account until the postal payment service order has been duly paid or the payee's account credited, or until the funds have been reimbursed to the sender in the form of cash or as a credit to his account.

Article 21

Obligations and liability of designated operators to each other

1 Each designated operator shall be liable for its own errors.

2 The conditions and the extent of liability are set out in the Regulations.

Article 22

Non-liability of designated operators

1 Designated operators shall not be liable:

1.1 in cases of delay in the execution of the service;

1.2 when they cannot account for the execution of a postal payment order owing to the destruction of postal payment service data by force majeure, unless proof of their liability is otherwise produced;

1.3 when the damage has been caused by the fault or negligence of the sender, particularly concerning his responsibility to provide correct information in support of his postal payment order, including the fact that the funds remitted are from a legitimate source and that the postal payment order is for a legitimate purpose;

1.4 if the funds remitted are seized;

1.5 in the case of prisoner-of-war or civilian internee funds;

1.6 when the user has made no inquiry within the period set in the Regulations;

1.7 when the time allowed for recourse in respect of postal payment services in the issuing country has expired.

Article 23

Reservations regarding liability

1 No reservations may be made to the provisions regarding liability prescribed in articles 20 to 22, other than in case of a bilateral agreement.

Chapter III

Financial relations

Article 24

Accounting and financial rules

1 Accounting rules

1.1 Designated operators shall comply with the accounting rules defined in the Regulations.

2 Preparation of monthly and general accounts

2.1 The paying designated operator shall prepare for each issuing designated operator a monthly account showing the sums paid for postal payment service orders. The monthly accounts shall be incorporated, at the same intervals, in a general offset account including cash advances and giving rise to a balance.

3 Instalment

3.1 In case of an imbalance in exchanges between designated operators, an instalment shall be paid by the issuing designated operator to the paying designated operator, at least once a month, at the beginning of the settlement period. In cases where increasing the frequency of settlement of exchanges reduces the period to less than a week, operators can agree to waive this instalment.

4 Concentration account

4.1 In principle, each designated operator shall have one concentration account for users' funds. These funds shall be used solely for settling orders paid to the payees or for reimbursing non-executed orders to senders.

4.2 Any instalments paid by the issuing designated operator shall be credited to the concentration account for the paying designated operator. These instalments shall be used exclusively for payments to payees.

5 Security deposit

5.1 The payment of a security deposit may be required in accordance with the conditions provided for in the Regulations.

Article 25

Settlement and clearing

1 Centralized settlement

1.1 Settlements between designated operators may pass through a central clearing house, in accordance with the procedures set out in the Regulations and shall be carried out from the designated operators' concentration accounts.

2 Bilateral settlement

2.1 Billing on the basis of the general account balance

2.1.1 In general, designated operators that are not members of a centralized clearing system shall settle accounts on the basis of the balance of the general account.

2.2 Liaison account

2.2.1 Where designated operators have a giro institution, they may each open a liaison account by means of which shall be settled their mutual debts and claims resulting from postal payment services.

2.2.2 Where the paying designated operator does not have a giro system, the liaison account may be opened with another financial institution.

2.3 Currency of settlement

2.3.1 Settlements shall be carried out in the currency of the destination country or in a third currency agreed between the designated operators.

Part III
Transitional and final provisions

Article 26

Reservations at Congress

1 Any reservation which is incompatible with the object and purpose of the Union shall not be permitted.

2 As a general rule, any member country whose views are not shared by other member countries should endeavour, as far as possible, to conform to the opinion of the majority. Reservations shall be made only in cases of absolute necessity, and shall be duly justified.

3 Any reservation to an article of the present Agreement shall be submitted to Congress as a Congress proposal written in one of the working languages of the International Bureau and in accordance with the relevant provisions of the Rules of Procedure of Congresses.

4 To become effective, proposals concerning reservations must be approved by whatever majority is required for amendment of the article to which the reservation relates.

5 In principle, reservations shall be applied on a reciprocal basis between the reserving member country and the other member countries.

6 Reservations to the present Agreement shall be inserted in its Final Protocol on the basis of proposals approved by Congress.

Article 27

Final provisions

1 The Convention shall be applicable, where appropriate, by analogy, in all cases not expressly governed by this Agreement.

2 Article 4 of the Constitution shall not apply to this Agreement.

3 Conditions for approval of proposals concerning this Agreement and the Regulations

3.1 To become effective, proposals submitted to Congress relating to this Agreement must be approved by a majority of the member countries present and voting which are parties to the Agreement. At least half of these member countries represented at Congress and having the right to vote shall be present at the time of voting.

3.2 To become effective, proposals relating to the Regulations of the present Agreement must be approved by a majority of the members of the Postal Operations Council which are parties to the Agreement and have the right to vote.

3.3 To become effective, proposals introduced between two Congresses relating to this Agreement must obtain:

3.3.1 two thirds of the votes, with at least one half of the member countries which are parties to the Agreement and have the right to vote having taken part in the vote, if they involve the addition of new provisions;

3.3.2 a majority of the votes, with at least one half of the member countries which are parties to the Agreement and have the right to vote having taken part in the vote, if they involve amendments to the provisions of this Agreement;

3.3.3 a majority of the votes, if they involve interpretation of the provisions of this Agreement.

3.4 Notwithstanding the provisions under 3.3.1, any member country whose national legislation is as yet incompatible with the proposed addition may, within 90 days from the date of notification of the latter, make a written declaration to the Director General of the International Bureau stating that it is unable to accept this addition.

Article 28

Entry into force and duration of the Postal Payment Services Agreement

1 This Agreement shall come into force on 1 January 2010 and shall remain in operation until the entry into force of the Acts of the next Congress.

In witness whereof, the plenipotentiaries of the governments of the contracting countries have signed this Agreement in a single original which shall be deposited with the Director General of the International Bureau. A copy thereof shall be delivered to each party by the International Bureau of the Universal Postal Union.

Done at Geneva, 12 August 2008.