

法規名稱：AGREEMENT ON THE INTERNATIONAL EXPRES MAIL SERVICE BETWEEN THE POSTAL ADMINISTRATION OF TAIWAN, REPUBLIC OF CHINA AND EMS GARANTPOST OF THE RUSSIAN FEDERATIVE REPUBLIC (AD.1992.06.27)

簽訂日期：民國 81 年 06 月 27 日

生效日期：民國 81 年 07 月 01 日

#### ARTICLE 1

##### OBJECT OF THE AGREEMENT

In accordance with the provisions of Article 6 of the Universal Postal Convention (Hamburg. July 27th, 1984) the Postal Administration of TAIWAN, REPUBLIC OF CHINA and EMS GARANTPOST of the RUSSIAN FEDERATIVE REPUBLIC herein after called the "Administrations" have concluded the present agreement and established exchange of the International Express Mail (EMS) items on the basis of reciprocity and on the terms specified hereunder.

#### ARTICLE 2

##### SERVICE DEFINITIONS

1. The EMS service shall be the quickest postal service. It shall provide acceptance, dispatch and delivery of the items in the shortest possible time mutually agreed by the AdministrationsI
2. The Agreement shall regulate exchange of the following EMS items:
  - acceptance of EMS items on the basis of an agreement with the customers specifying the timetable Of posting, routes of conveyance, frequency, etc.;
  - acceptance of on-demand EMS items, i.e. without the previous arrangement and programmed frequency.
3. The EMS service in TAIWAN, REPUBLIC OF CHINA and in the RUSSIAN FEDERATIVE REPUBLIC is offered to enterprises, offices, organizations, firms, foreign representations and private Persons .

#### ARTICLE 3

##### THE EMS NETWORK

The EMS service shall be offered in both directions between of

TAIWAN, REPUBLIC OF CHINA and the RUSSIAN FEDERATIVE REPUBLIC.  
Should the service be extended the Administrations shall inform each other of the names of the cities between which the service is to be Provided,

#### ARTICLE 4

##### ADMITTED ARTICLES

1. In both directions it is permitted to send all items.
2. The prohibitions laid down in the UPU Convention in force applicable to EMS items likewise the import, export and transit restrictions published by the contracting parties in the list of the Prohibited Objects issued by the International Bureau of the UPU.

#### ARTICLE 5

##### WEIGHT AND SIZE LIMITS

1. The weight of the item should not exceed 20 kg.
2. The maximum weight of a bag containing EMS items should not exceed 30 kg.
3. The size of EMS items should not exceed 1.50 m for any one dimension and 3 m for the sum of the length and the greatest circumference measured in the direction other than the length.

#### ARTICLE 6

##### FORWARDING

EMS items shall be sent by the most rapid prearranged means of transport agreed by the Administrations, throughout the entire route from the time of posting to delivery to the addressee.

#### ARTICLE 7

##### CHARGE S

Each Administration shall fix and retain the charges collection for EMS items.

#### ARTICLE 8

##### COMPENSATION IN THE EVENT OF IMBALANCE IN EXCHANGE

1. In the event one Administration receives from the other Administration greater number of EMS items that it sends itself, it shall be entitled to claim compensation for imbalance in



- exchange from the sending Administration.
2. The Administrations shall set the imbalance rates per item according to the service costs. During the first year the rate of 9 SDR per item shall apply.
  3. The imbalance rate can be changed as follows :
    - a) Each Administration can change the imbalance rate in accordance with the operation costs;
    - b) any change in the imbalance rate should be:
      - notified to the Administration at least 3 months in advance;
      - remain in force for at least one year.

#### ARTICLE 9

##### INTERNAL AIR CONVEYANCE DUES

Each Administration which provides air conveyance of items within its country shall be entitled to reimbursement of internal air conveyance dues at rates established in the provisions of the convention which govern internal air conveyance dues.

#### ARTICLE 10

##### CUSTOMS CLEARANCE

Customs clearance of EMS items shall be in accordance with the legislation currently in force in the contracting countries of the origin of destination.

#### ARTICLE 11

##### LIABILITIES

Each Administration shall be liable to their customers for loss damage, theft or delay in delivery of EMS items.

#### ARTICLE 12

##### UNDELIVERABLE ITEMS

An item refused by the addressee of an undeliverable item shall be returned to the Administration of origin by the EMS. No compensation rate shall be charged by the Administrations for return of undeliverable EMS items.

#### ARTICLE 13

##### INQUIRIES

1. Each Administration shall carry out investigations in respect



to EMS items and shall reply within seven days.

2. Inquiries shall be accepted only within a period of four months of the day following the date of posting.

#### ARTICLE 14

##### EMS ITEMS OR BAGS ARRIVING OUT OF COURSE TO BE REDIRECTED

Each Administration shall redirect and EMS items or bag to its proper destination by the quickest routes. No compensation rate shall be charged by the Administrations for redirection of misssent items or bags.

#### ARTICLE 15

##### REPLIES TO REQUESTS

Each Administration shall reply to requests of information in respect to EMS items in the shortest possible time. Replies should be sent by telex, fax, telegraph or EMS.

#### ARTICLE 16

##### MODIFICATIONS AND ADDITIONS

This Agreement and its Detailed Regulations may be modified or supplemented by agreement of the contracting parties given in writing.

#### ARTICLE 17

##### SUSPENSION OF SERVICE

Where justified by extraordinary circumstances each Administration may suspend the EMS service entirely or temporarily. Each Administration shall immediately be informed of such suspensions by telex, fax or telegraph.

#### ARTICLE 18

##### DETAILED REGULATIONS

The Detailed Regulations form an integral part of the Agreement. Modifications or additions may be introduced to them by mutual consent.

#### ARTICLE 19

##### APPLICATION OF THE UNIVERSAL

##### POSTAL CONVENTION

The Universal Postal Convention and its Detailed Regulations shall be applicable, by analogy, in all cases not expressly gover-



ned by the present Agreement and its Detailed Regulations.

ARTICLE 20

ENTRY INTO FORCE

1. This Agreement shall enter into force on July 1, 1992. The Agreement shall cease to be in force one month after either party notifies the other of the termination.
2. The Agreement is done in duplicate in the English and the Russian languages with both texts being equally authentic.

Done in Moscow on March, 1992.

FOR THE EMS GARANTPOST

OF THE RUSSIAN FEDERATIVE

REPUBLIC

(Signed)

G. KOLMOCOROV

GENERAL DIRECTOR

FOR THE POSTAL ADMINISTRATION

OF TAIWAN, REPUBLIC OF CHINA

(Signed)

Chieh-Kwei Hsu

Director General

JUN. 27, 1992