

法規名稱：AGREEMENT BETWEEN POSTAL ADMINISTRATION OF TAIWAN, ROC AND THE POSTAL ADMINISTRATION OF HUNGARY CONCERNING THE SERVICE EMS AND THE REGULATIONS AGREEMENT ON EMS ITEMS (AD.1997.06.12)

簽訂日期：民國 86 年 06 月 02 日

生效日期：民國 86 年 04 月 01 日

Article 1

Definition

The EMS service shall be the quickest postal service by physical means. It shall consist of the collection, dispatch and delivery in a very short space of time of correspondence, documents or goods.

Article 2

International EMS within the meaning of the present agreement
Contracting administrations may operate the following types of EMS:

- programmed items;
- on-demand items.

Article 3

Programmed items

Programmed items shall be accepted on the basis of a contract between the administration of posting and the sender. This contract shall lay down the timetable for posting and conveying EMS items as well as their frequency.

Article 4

On-demand items

On-demand items shall be accepted without any contractual arrangement and without any previously laid down frequency.

Article 5

Goods

EMS items may contain goods.

Article 6

Customs clearance

Each administration shall make all arrangements necessary for the fastest possible customs clearance of EMS items.

Article 7

Limits of weight and size

EMS items shall be admitted up to a maximum weight of 20 kg. They may not exceed 1,50 metres for any one dimension or 3 metres for the sum of the length and the greatest circumference measured in a direction other than the length. Administrations may adopt other limits of weight and size.

Article 8

Charges

The charges shall be set by the administration of posting of the EMS items. Besides the charges paid by the sender, no other charges will be collected neither from the sender, nor from the addressee.

Article 9

Prohibited articles

The prohibitions provided for in the UPU Convention shall apply to EMS items as shall the restrictions on importation and transit given in the List of Prohibited Articles published by the International Bureau of the Universal Postal Union. Valuable articles as defined in the Universal Postal Convention shall not be admitted and the articles which are excluded from the air transport.

Article 10

Forwarding

EMS items shall be sent by the fastest pre-arranged means of transport from the time of posting/or from the time they are coll-

ected from the sender/ to delivery . Administrations shall consult one another on this.

Article 11

Compensation in the event of imbalance in exchanges

Terminal dues as defined in the Universal Postal Convention shall not apply to EMS items. Each administration shall set, in the event of imbalance in exchanges, a unit rate of compensation per item corresponding to the costs. Compensation shall be collected if the number of excess items /the imbalance/ is 100 or more.

Article 12

Liability

Each Administration shall decide its own policy in the case of loss, theft, damage or delay. Neither of the Administrations has right to collect any compensation from the other. The payment of compensation, if any , shall be the sole responsibility of the Administration of origin.

Article 13

Undeliverable items

An item refused by the addressee or an undeliverable item shall be returned to the sender by EMS at no extra charge.

Article 14

Reforwarding of mis-sent items or bags

Every mis-sent EMS item or bag shall be reforwarded to its proper destination by the most direct means used for the EMS by the administration which received it.

Article 15

Inquiries

Each administration shall reply as soon as possible to requests for information in respect of EMS items. The reply shall normally be sent by the same means as that used for the corresponding

request for information/ie, by telex, telephone, EMS, electronic mail, etc/. Inquiries may be accepted only within a period of four months from the day after that on which the item was posted.

Article 16

Temporary suspension of service

Where justified by extraordinary circumstances, an administration may temporarily suspend the service. The other administration shall be informed immediately of such suspension and of the resumption of the service, if need be by telegram, telex, electronic mail or telephone.

Article 17

Application of the Universal Postal Convention

The Universal Postal Convention and its Detailed Regulations shall be applicable by analogy in all cases not expressly governed by this Agreement and its Regulations.

Article 18

Entry into force

This Agreement shall enter into force on 1st April 1997.

If either Administration notifies the other on the termination of the Agreement, the Agreement will remain valid for 12 months after the notice of termination.

The Agreement and the Regulations determine the detailed prescriptions concerning the EMS service.

The modifications and amendments to the Agreement will demand the written consent of the two Administrations.

The Agreement is made in two copies in English.

in Budapest on 12 March 1997

in Taipei on 2 June 1997

[Signed]

For the Postal Administration
of the Republic of China

[Signed]

For the Postal Administration
of the Hungarian Republic

Chen Chiung-ling

/L'aszl'o Koz'ak/

Deputy Director General

REGULATIONS CONCERNING EMS ITEMS

Article 101

Communications and information to be sent to the International Bureau

Administrations shall notify the International Bureau of:

- a.the name of the service in their country;
- b.the types of service available;
- c.whether goods are accepted;
- d.the maximum limits of weight and size;
- e.the charges set;
- f.the countries with which they exchange EMS item;
- g.the places in their country in which the service is operated;
- h.the offices of exchange to which the mails may be sent and the area served by those offices;
- i.the latest times of acceptance of an item at their offices of exchange for it to be delivered:
 - the same day,
 - the following day,
 - the next day but one;
- j.the time taken for customs clearance of items;
 - subject to customs duty,
 - not liable to customs duty;
- k.acceptance of advice of delivery or equivalent service;
- l.the amount requested per additional item in the event of imbalance in exchanges.

Article 102

Introduction of the programmed items service

- 1.Before the conclusion of any contract, the administration of destination shall be consulted on the possibility of providing the service. The administration of origin shall obtain for the



administration of destination the following information, at least 10 days before the service comes into operation:

- a.the names and addresses of the sender and of the addressee;
- b.the days on which items are to be dispatched and the conditions of transport;
- c.the date set for the dispatch of the first item.

2.The administrations concerned shall be notified of any variation in the operation of an exchange or the termination thereof

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Article 103

Special address labels

It is recommended that the logo and the 13-character item identifier adopted by the CCPS be printed on the label, and that provision be made on the label for the following data fields at least, if at all possible:

Data field	Description
1	Logo, name of the administration of origin and national name of the service
2	13-character EMS alphanumeric identifier in bar-code form
3	13-character EMS alphanumeric identifier in block characters
4	Date of posting
5	Time of posting
8	Sender's name and address
9	Sender's postcode
12	Addressee's name and address
14	Addressee's postcode
20	Dispatch charge
21	Description of contents
22	Gift
23	Sample of merchandise



- 24 Value of contents
- 25 Weight in kg
- 27 Name in block characters of the person taking delivery of the item
- 28 Signature
- 29 Date of delivery
- 30 Time of delivery

Article 104

General conditions of dispatch

- 1 The items shall be placed in blue and orange EMS bags.
- 2 Each bag shall bear a blue and orange label clearly showing the office of exchange of destination.
- 3 A special document or a CN31 form to which the indication EMS has been added shall be sent with each mail.
- 4 Each item or EMS direct bag shall be entered separately on the form.

Article 105

Delivery bill

- 1 A CN38 or CN37 delivery bill, depending on whether it is an airmail or surface consignment, shall be sent with each mail.
- 2 The CN38 or CN37 delivery bill shall show clearly that the mail contains EMS items.

Article 106

Checking of mails

On receipt of an EMS mail, the administration of destination shall check whether the mail is in conformity with the particulars recorded on the CN38 or CN37 delivery bill.

Article 107

Notification of irregularities

The administration of origin shall be notified at once by telex, telephone, electronic mail or telegram of any missing, mis-sent

or damaged bag or item. The irregularity shall be confirmed in writing.

Article 108

Return of items

Each administration which returns an item shall give the reason for non-delivery on the item, either written by hand, by means of a stamped impression or by a label.

Article 109

Accounting and settlement of accounts

The procedure for accounting and settlement of accounts for the payment of an indemnity in the event of imbalance in exchanges shall be as follows:

- a. each administration shall prepare, at a frequency agreed on in advance, a recapitulation of the items received;
- b. the administration of destination shall inform the dispatching administration of the number of items received. Discrepancies shall be cleared up by correspondence;
- c. the liquidation account shall be prepared annually. The annual period shall begin on a mutually agreed date;
- d. the creditor administration shall prepare a detailed account, showing:
 - the total number of items received,
 - the total number of items dispatched,
 - the imbalance,
 - the charge payable per item,
 - the total amount payable in respect of compensation;
- e. the accounts shall be prepared within six months of the last day of the period concerned.