

法規名稱：MEMORANDUM OF UNDERSTANDING BETWEEN THE POSTAL ADMINISTRATION OF THE REPUBLIC OF CHINA AND THE POSTAL ADMINISTRATION OF THE REPUBLIC OF INDONESIA CONCERNING INTERNATIONAL EXPRESS MAIL SERVICE (EMS) (A.D.1987.9.15)

簽訂日期：民國 76 年 09 月 15 日

生效日期：民國 76 年 09 月 15 日

Article 1

Purpose of the Memorandum

This Memorandum regulates the reciprocal exchange of International EMS (Express Mail Service) items between the Postal Administration of Republic of China and the Postal Administration of the Republic of Indonesia.

Article 2

Definitions

The terms used hereafter bear the following significance :

- 1.International EMS- The service established by this Memorandum.
- 2.Programmed Service - The International EMS service which allows the sender to send items to an addressee in accordance with a previously fixed schedule, on the basis of a contract.
This will operate from Indonesia to Republic of China and from Republic of China to Indonesia.
- 3.On-demand Service - The International EMS service which allows the sender to send items to an addressee without a previously fixed schedule and upon a contractual or noncontractual basis.
This will operate from Republic of China to Indonesia and from Indonesia to Republic of China.
- 4.Convention - The Universal Postal Convention adopted by the Congress of the Universal Postal Union from time to time and adopted by the countries signatory to this Memorandum.

Article 3

Programmed Service

- 1.Whenever possible each Administration offers a programmed service on a contractual basis to users who agree to use the ser-

vice on a previously fixed level of frequency for sending their items to a designated addressee.

2. Each Administration supplies the other with a list of localities to which the programmed service is available and with an approximate table of the delivery times for items in each locality.
3. Before the conclusion of any contract, the Administration of destination is consulted on the possibility of guaranteeing the service, by means of a form drawn up for that purpose.
4. When a contract for programmed service is concluded, the Administration of destination will receive from the Administration of origin the following information, at least ten days before the service comes into operation :
 - a. The contract number of the user concerned in each item.
 - b. The names and addresses of the sender and the addressee.
 - c. The days on which items are to be despatched.
 - d. Flights to be used.
 - e. Time of delivery of the items, determined during the preliminary enquiry.
 - f. The date fixed for the despatch of the first item
5. The Administration of destination is likewise informed within the same period, and by means of a similar notification, of any intended variation in the operation of an exchange, or the termination thereof.

Article 4

On - demand Service

1. Each Administration offers an on-demand service, operated on a contractual or non - contractual basis.
2. Each Administration supplies the other with a list of localities to which on - demand service items may be sent.
3. Each Administration supplies the other with an approximate schedule of delivery times for each locality where on-demand service is admitted. This schedule shall be based on the international time tables of flights used for despatch of the said

items, and shall take into account the time of arrival at the exchange office of destination.

4. Each Administration informs the other of all identifying marks or figures used for on - demand service.

Article 5

Summary of Services

1. On-demand service will be operated for letters and business papers from Republic of China to Indonesia.

2. Programmed and on-demand services will be operated for business papers and merchandise from Indonesia to Republic of China.

Article 6

Fees to be paid by the sender

Each Administration determines the fees to be paid by senders for despatch of their items and keeps them whole of the revenue obtained.

Article 7

Postage

The items shall be stamped or franked in accordance with the method admitted by the Administration of origin.

Article 8

Charges and fees to be paid by the addressee

Each Administration is authorised to collect from the addressee the customs charges and any other fees.

Article 9

Prohibited items

The prohibitions laid down in the Convention are applicable to EMS items, likewise the import and transit restrictions included in the List of Prohibited Articles published by the International Bureau of the Universal Postal Union.

Article 10

Admitted items ; customs clearance

1. Each Administration shall communicate to the other the necessary information on customs or other regulations as well as the prohibitions or restrictions governing entry of postal items, above all those containing valuables, into its service.
2. Each Administration arranges for expeditious customs clearance and makes every effort to forward each item by the fastest means.

Article 11

Size and weight limits

An international EMS item may not, as a rule, exceed 900 mm(3'0") length, width, and depth combined, and 600 mm(2'0") for the greatest single dimension, or in the form of a roll 1040 mm(3'5") length, plus twice the diameter and 900 mm(3'0'') for the greatest single dimension. The weight may not exceed 10 kg.

Article 12

Treatment of items wrongly accepted

1. When an item containing an article prohibited under articles 9 or 10 has been wrongly admitted to the post, the prohibited article is dealt with according to the legislation of the Administration establishing its presence.
2. When the weight or the dimensions of an item exceed the limits established under article 11, it is returned to the Administration of origin as an International EMS item if the regulations of the Administration of destination do not permit delivery.
3. When a wrongly admitted item is neither delivered to the addressee nor returned to origin, the Administration of origin is informed how the item has been dealt with and of the reasons justifying such treatment.

Article 13

Undeliverable items. Return to origin

1. After every reasonable effort to deliver and item has proved unsuccessful, the item is held at the disposal of the addressee for the period of retention provided for by the regulations at the Administration of destination.
2. An item refused by the addressee or any other undeliverable item is returned, at no charge, to the Administration of origin by International EMS.

Article 14

Items or bags arriving out of course and to be redirected

1. Each item or bag arriving out of course is redirected to its proper destination by the most direct route used by the Administration which has received the item or bag.
2. For each item or bag redirected to its proper destination by air, the redirecting Administration is authorized to collect from the other Administration the onward air conveyance dues applicable to airmail under the Convention.

Article 15

Enquiries

1. Each Administration is to reply as soon as possible to requests for information in respect of any item.
2. Regular requests for confirmation of delivery are not admitted as a rule.
3. Requests for information are accepted only within four months of the day following the date of posting.

Article 16

Remuneration in the case of imbalance

1. The Administration which receives a greater number of items than the total despatched has the right to claim from the other Administration a remuneration for handling and delivery expenses in respect of each surplus item received.
No imbalance charge will be payable if the difference in the

number of items exchanged during the year is less than one hundred.

2. The imbalance charge per item received in excess which shall be a contribution towards the additional costs incurred will be 10 gf. Any change in the rate is to be mutually agreed 3 months prior to the application of the change.

Article 17

Expenses for domestic air transport within the country of destination Expenses for domestic air transport within the country of destination are payable by the receiving country.

Article 18

Transit despatches

1. The Administrations may agree, by correspondence, to provide transit by air for despatches sent via their respective service.
They will advise one another of reforwarding and transit facilities.
2. In accordance with Paragraph 1 above, each Administration will undertake to provide transit for despatches addressed to or originating from another Administration with which EMS items are exchanged, and advise the approximate time required for carrying out this service.
3. For each despatch forwarded pursuant to this Article, the transit Administration is authorized to collect from the other Administration the onward air conveyance dues applicable to air mail under the Convention.

Article 19

Liability of Administration

Each Administration decides its own compensation policy in the case of loss, damage, theft or delay. Payment of compensation, if any, is to be the sole responsibility of the Administration of origin. Neither Administration may claim indemnification from the

he other Administration, unless previously agreed.

Article 20

Temporary suspension of service

Where justified by extraordinary circumstances, either Administration may temporarily suspend service. The other Administration must be informed immediately of such suspension and of the resumption if need be by telegram, telex, telephone or facsimile transmission.

Article 21

Application of the Convention

The Convention is applicable by analogy in all cases not expressly described in this Memorandum.

Article 22

Duration of Memorandum

The Memorandum will remain valid for six months after notice of termination is given by one or other of the contracting Administrations.

The Administrations can agree to extend this period to one year.

Article 23

Use of Mail Bags

Each Administration may use bags belonging to the other Administration for making up despatches to the other.

Article 24

Effective date

The present Memorandum becomes effective 15 September 1987 Signed in duplicate in Taipei on the 1st day of September, 1987 and in Jakarta on 24th day of August 1987

For the Postal Administration of the Republic of China,

[Signed]

(Charles C.Y.Wang)

Director General of Posts

For the Postal Administration of the Republic of Indonesia,

[Signed]

(DRADJAT SOEPAAT)

Deputy Director General (Posts and Giro)