

法規名稱：MEMORANDUM OF UNDERSTANDING BETWEEN THE REPUBLIC OF CHINA & PARAGUAY
CONCERNING ACCELERATED INTERNATIONAL COURIER/SPEEDPOST SERVICE (A.D.1986.3.3)

簽訂日期：民國 75 年 03 月 03 日

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Article 1

Purpose of the Memorandum

This Memorandum regulates the reciprocal exchange of International EMS (Express Mail Service) items between contracting Administrations.

Article 2

Definitions

The terms used hereafter bear the following significance:

- 1 International EMS (Speedpost / Accelerated International Courier) - 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.
- 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 non-contractual basis

Article 3

Programmed Service

- 1 Each administration offers a programmed service on a contractual basis to users who agree to use the service on a previously fixed level of frequency for sending their items to a designated addressee.
- 2 Each administration supplies the other administration with a list of localities to which the service is available and with an approximate table of delivery times for items in each locality, based on international timetable of air and rail services.



- 3 When a Contract for programmed service is concluded, each administration shall provide the other administration the following information, at least 10 days before the service comes into operation:
- a) The contract number of the user concerned in each despatch.
 - b) The names and addressees 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 .
- 4 Similar notices shall also be given to the receiving administration before a service is altered or terminated.

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 EMS 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 timetables of air and rail services 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 the identifying marks or figures used for on-demand service.

Article 5

Fees to be Paid by the Sender

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

Prohibited Items



Article 6

Postage

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

Article 7

Expenses 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 8

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 Objects published by the International Bureau of the Universal Postal Union.

Customs Clearance

Article 9

Admitted Items;

- 1 From the Republic of China to Paraguay or from Paraguay to the Republic of China, regular and on-demand service will operate for business papers and merchandise .
- 2 Each administration shall communicate the other administration the necessary information on customs or other regulations as well as the prohibitions or restrictions governing entry of items , above all those containing valuable ,into its service.
- 3 Each administration arranges for expeditious customs clearance and makes every effort to forward each item by the fastest means available.

Article 10

Size & Weight Limits

An EMS item:



- a May not exceed 1.05 metres for any one dimension nor 2 metres for the sum of the length and the girth;
- b may not exceed 20 kilograms in weight.

Article 11

Treatment of Items

Wrongly Accepted

- 1 When an item containing an article prohibited under Article 8 or 9 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 10, it is returned to the administration of origin as an International EMS item if the regulations of the administration or 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 12

Undeliverable Items :

Return to Origin

- 1 After every reasonable effort to deliver an 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 13

Items or Bags Arriving out of Course and to be Redirected

Each item or bag arriving out of course is redirected at no charge to its proper destination by the most direct route used by

the Administration which has received the item or bag.

Article 14

Enquiries

- 1 Each administration is to reply as soon as possible to request for information in respect of any item .
- 2 Regular requests for confirmation for 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 15

Remuneration in the Case of Imbalance

- 1 At the end of each year 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. The imbalance charge may be reviewed annually and each administration agrees to give the other three months notice of any change. The administration can agree to calculate the remuneration on the basis of the total number of items.
- 2 No imbalance charge shall be collected if the difference in the number of items exchanged is less than one hundred.

Article 16

Expenses for Domestic Air Transport within the Country of Destination

Expenses for domestic Air transport within the country of destination may be claimed where necessary in accordance with the disposition of the Convention if applicable.

Article 17

Transit Despatches

- 1 The administrations will agree to provide transit by air for despatches sent via their respective services. They will advi-

se 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.

Article 18

Liability of Administrations

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 other administration, unless previously agreed.

Article 19

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 or telephone.

Article 20

Application of the Convention

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

Article 21

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 22

Effective Date

The present Memorandum becomes effective on May 1,1986.

For the Postal Administration of Paraguay

[Signed]

For the Postal Admini-
stration of the
Republic of China

[Signed]

Charles C.Y.Wang
Director General of
Posts
Taipei

Date: March 3, 1986