

Eighth Additional
Protocol
to the Constitution
of the Universal
Postal Union

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.

Contents

Article

I.	(art. 1 bis amended)	Definitions
II.	(art. 4 amended)	Exceptional relations
III.	(art. 8 amended)	Restricted Unions. Special Agreements
IV.	(art. 11 amended)	Accession or admission to the Union. Procedure
V.	(art. 22 amended)	Acts of the Union
VI.	(art. 25 amended)	Signature, authentication, ratification and other forms of approval of the Acts of the Union
VII.	(art. 29 amended)	Presentation of proposals
VIII.	(art. 32 amended)	Arbitration
IX.		Accession to the Additional Protocol and to the other Acts of the Union
X.		Entry into force and duration of the Additional Protocol to the Constitution of the Universal Postal Union

Article I

(Article 1 bis 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 ~~postal administrations~~ member country to ensure the transport of postal items passed on to ~~them~~ it in transit by for another ~~UPU postal administration~~ 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.
- 1.6bis 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.
- 1.6ter 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

~~Postal administrations which~~ Member countries whose designated operators provide a service with territories not included in the Union are bound to act as intermediaries for other ~~administrations~~ 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 ~~postal administrations~~ 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 ~~The postal administration of~~ A member country shall have the right to present, either to Congress or between Congresses, proposals concerning the Acts of the Union to which ~~its country~~ 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 ~~the postal administrations of~~ all member countries and all designated operators.

Article VIII
(Article 32 amended)
Arbitration

In the event of a dispute between two or more ~~postal administrations of~~ member countries concerning the interpretation of the Acts of the Union or the responsibility imposed on a ~~postal administration~~ 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.

First Additional
Protocol
to the General
Regulations

First Additional Protocol to the General Regulations

Contents

Article

- | | | |
|--------|--------------------|---|
| I. | (art. 101bis new) | Functions of Congress |
| II. | (art. 102 amended) | Composition, functioning and meetings of the Council of Administration (Const 17) |
| III. | (art. 103 amended) | Information on the activities of the Council of Administration |
| IV. | (art. 104 amended) | Composition, functioning and meetings of the Postal Operations Council (Const 18) |
| V. | (art. 105 amended) | Information on the activities of the Postal Operations Council |
| VI. | (art. 106 amended) | Composition, functioning and meetings of the Consultative Committee |
| VII. | (art. 107 amended) | Information on the activities of the Consultative Committee |
| VIII. | (art. 110 amended) | Languages used for documentation, for debates and for official correspondence |
| IX. | (art. 112 amended) | Duties of the Director General |
| X. | (art. 114 amended) | Secretariat of the Union's bodies (Const 14, 15, 17, 18) |
| XI. | (art. 116 amended) | Information. Opinions. Requests for interpretation and amendment of the Acts. Inquiries. Role in the settlement of accounts 20; Gen Regs 124, 125, 126) |
| XII. | (art. 118 amended) | Forms supplied by the International Bureau (Const 20) |
| XIII. | (art. 119 amended) | Acts of Restricted Unions and Special Agreements (Const 8) |
| XIV. | (art. 121 amended) | Biennial report on the work of the Union (Const 20; Gen Regs 102.6.17) |
| XV. | (art. 122 amended) | Procedure for submitting proposals to Congress (Const 29) |
| XVI. | (art. 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 |
| XVII. | (art. 124 amended) | Procedure for submitting proposals between Congresses (Const 29; Gen. Regs. 116) |
| XVIII. | (art. 125 amended) | Consideration of proposals between Congresses (Const 29; Gen Regs 116, 124) |
| XIX. | (art. 126 amended) | Notification of decisions adopted between Congresses (Const 29; Gen. Regs. 124, 125) |
| XX. | (art. 128 amended) | Fixing and regulation of the expenditure of the Union (Const 22) |
| XXI. | (art. 130 amended) | Contribution classes (Const 21; Gen Regs 115, 128) |
| XXII. | (art. 131 amended) | Payment for supplies from the International Bureau (Gen Regs 118) |
| XXIII. | (art. 132 amended) | Arbitration procedure (Const 32) |
| XXIV. | (art. 135 amended) | Entry into force and duration of the Additional Protocol to the General Regulations of the Universal Postal Union |

Article 1

(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 Congress 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 UPU 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 ~~postal administrations~~ 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 ~~postal administrations~~ 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 ~~postal administrations~~ 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 chairman-ships 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 Strategie Plan Strategy for presentation to Congress ~~developed by the Postal Operations Council with the support of the International Bureau; to review and approve annual revisions of the Plan approved by Congress on the basis of recommendations from the Postal Operations Council, and to consult with the Postal Operations Council on the development and annual updating of the Plan;~~
- 6.29bis 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;
- 6.30 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;
- 6.31 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;
- 6.32 to designate ~~the~~ those of its members that will serve as members of the Consultative Committee;
- 6.33 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 and the Chairman of the Strategic Planning Group 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, ~~except for meetings which take place during Congress shall be entitled to reimbursement of the cost of either 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 ticket.~~ borne by his administrations 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 ~~postal administration of 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 ~~that country~~ 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 ~~postal administrations of~~ 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 ~~of the Union, the~~ and their designated operators of member countries of the Union, 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 ~~of the Union, the~~ and their designated operators of member countries of the Union 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 ~~postal administrations~~ member countries participating in the Postal Operations Council shall be borne by ~~those administrations~~ 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 ~~and the Chairman of the Strategic Planning Group~~.

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 ~~and the Chairman of the Strategic Planning Group~~ 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 ~~postal administrations of~~ all member countries or their designated operators, including questions with major financial repercussions (charges, terminal dues, transit charges, airmail conveyance rates, parcel-post 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 ~~postal administrations~~ 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 ~~the postal administration of~~ a member country, any proposal which that ~~postal administration~~ 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 ~~postal administrations of~~ member countries;
- 9.7 to recommend, if necessary, and where appropriate after approval by the Council of Administration and consultation of all the ~~postal administrations~~ 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 ~~postal administrations~~ 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 examine in consultation with and with the approval of the Council of Administration, the draft Strategic Plan drawn up by the International Bureau for consideration by Congress; to revise each year the Plan approved by Congress with the assistance of the Strategic Planning Group and of the International Bureau as well as with the approval of~~

~~the Council of Administration~~ 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 ~~postal administrations~~ 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 ~~the new and developing countries~~ 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 ~~postal administration of a 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 ~~UPU Strategic Plan~~ 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, ~~as well as of changes made to the Strategic Plan.~~

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 ~~postal administrations of~~ any member ~~countries~~ 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 ~~of the Union, 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 postal administrations of the member countries of the Union, 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 stakeholders. 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 ~~international postal services~~ 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 member countries ~~of the Union~~, 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 ~~postal administrations of the member countries of the Union~~ 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 ~~postal administrations~~ 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 ~~Postal administrations~~ 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 ~~postal administrations of 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 ~~postal administrations~~ 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 ~~Postal Operations Council of Administration~~ and on the basis of directives issued by the ~~latter~~ Councils, the draft ~~Strategie Plan~~ Union Strategy to be submitted to Congress ~~and the draft annual revision;~~

- 2.9bis 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;
- 2.10 to ensure the representation of the Union;
- 2.11 to act as an intermediary in relations between:
- the ~~UPU~~ Union and the Restricted Unions;
 - the ~~UPU~~ Union and the United Nations;
 - the ~~UPU~~ Union and the international organizations whose activities are of interest to the Union;
 - the ~~UPU~~ Union and the international organizations or the associations or enterprises that the bodies of the Union wish to consult or associate with their work;
- 2.12 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;
- 2.13 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.

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

Article X

(Article 114 amended)

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

1 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 ~~postal administrations of the members~~ member countries of the body and their designated operators, to the ~~postal administrations of countries~~ member countries and their designated operators which, while not members of the body, cooperate in the studies undertaken, to the Restricted Unions and to ~~postal administrations of~~ 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 ~~postal administrations~~ 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 ~~postal administrations~~ member countries and their designated operators to obtain the views of other ~~postal administrations~~ 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)

1 The International Bureau shall be responsible for arranging the manufacture of international reply coupons and for supplying them, at cost, to ~~postal administrations~~ 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 ~~postal administrations~~ 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)

1 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 ~~postal administrations~~ 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 ~~postal administrations of~~ 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 ~~postal administrations~~ 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 ~~postal administrations~~ 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 ~~postal administrations~~ 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 ~~postal administration of a UPU~~ member country without the support of other ~~postal administrations of~~ 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 ~~postal administrations of~~ 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 ~~postal administration~~ member country between Congresses shall be supported by at least two other ~~postal administrations~~ 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 ~~postal administrations~~ 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 ~~postal administration of a~~ member country has sent a proposal to the International Bureau, the latter shall forward it to all ~~postal administrations of~~ 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 ~~postal administrations of~~ member countries all the observations it has received and invite each ~~postal administration of a~~ member country to vote for or against the proposal. ~~Postal administrations of m~~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 ~~postal administrations of~~ 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 ~~postal administrations~~ 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 ~~3% per annum for the first six months and of 6% per annum from the seventh~~ 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.

15bis 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 ~~more than 50~~ 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 change contribution class, on condition that the ~~this~~ change request is sent eommunicated 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, notification which shall be brought to the attention of Congress, 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)

1 Supplies provided by the International Bureau to ~~postal administrations~~ 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 ~~postal administrations~~ member countries party to the case shall select ~~a postal administration of~~ a member country not directly involved in the dispute. When several ~~postal administrations~~ 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 ~~postal administrations~~ 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 ~~postal administration~~ 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 ~~postal administration~~ member country, not involved in the dispute either, to settle the matter. Should they fail to agree on the choice, this ~~postal administration~~ member country shall be appointed by the International Bureau from among ~~postal administrations~~ 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 ~~postal administrations~~ member countries that are parties to that Agreement.

6bis 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)

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

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 resulting from that Congress.

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 signed ~~these General Regulations~~ this Additional Protocol 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.

Rules of Procedure of Congresses

Rules of Procedure of Congresses

Contents

Article

- 1 General provisions
- 2 Delegations
- 3 Delegates' credentials
- 4 Order of seating
- 5 De jure observers
- 6 Invitees
- 7 Doyen of Congress
- 8 Chairmanships and vice-chairmanships of Congress and Committees
- 9 Bureau of Congress
- 10 Membership of Committees
- 11 Working parties
- 12 Secretariat of Congress and of Committees
- 13 Languages of debates
- 14 Languages used for drafting Congress documents
- 15 Proposals
- 16 Consideration of proposals in Congress and in Committees
- 17 Debates
- 18 Motions on points of order and procedural motions
- 19 Quorum
- 20 Voting principle and procedure
- 21 Conditions of approval of proposals
- 22 Election of the members of the Council of Administration or the Postal Operations Council
- 23 Election of the Director General and the Deputy Director General of the International Bureau
- 24 Reports
- 25 Appeal against decisions taken by the Committees and by Congress
- 26 Approval by Congress of draft decisions (Acts, resolutions, etc.)
- 27 Assignment of studies to the Council of Administration and the Postal Operations Council
- 28 Reservations to Acts
- 29 Signature of Acts
- 30 Amendment of the Rules

Rules of Procedure of Congresses

Article 1

General provisions

The present Rules of Procedure (hereinafter referred to as "the Rules") have been drawn up pursuant to the Acts of the Union and are subordinate to them. In the event of a discrepancy between one of their provisions and a provision of the Acts, the latter shall prevail.

Article 2

Delegations

1 The term "delegation" shall denote the person or body of persons designated by a member country to take part in a Congress. The delegation shall consist of a Head of delegation and, if appropriate, his deputy, one or more delegates and, possibly, one or more attached officials (including experts, secretaries, etc.).

2 Heads of delegation, their deputies, and delegates shall be representatives of member countries within the meaning of article 14.2 of the Constitution if in possession of credentials which comply with the conditions laid down in article 3 of these Rules.

3 Attached officials shall be admitted to meetings, and shall have the right to participate in the proceedings, but they shall not normally have the right to vote. However, they may be authorized by the Head of their delegation to vote on behalf of their country at Committee meetings. Such authorizations shall be handed, in writing, to the Chairman of the Committee concerned, before the beginning of the meeting.

Article 3

Delegates' credentials

1 Delegates' credentials shall be signed by the Head of State, the Head of Government or the Minister for Foreign Affairs of the country concerned. They shall be drawn up in due and proper form. The credentials of delegates entitled to sign the Acts (plenipotentiaries) shall specify the scope of such signature (signature subject to ratification or approval, signature ad referendum, definitive signature). In the absence of such specific information, the signature shall be regarded as being subject to ratification or approval. Credentials authorizing the holder to sign the Acts shall implicitly include the right to speak and to vote. Delegates on whom the relevant authorities have conferred full powers without specifying their scope shall be authorized to speak, to vote and to sign the Acts unless the wording of the credentials is explicitly to the contrary.

2 Credentials shall be deposited at the opening of Congress with the authority designated for that purpose.

3 Delegates who are not in possession of credentials or who have not deposited their credentials may, provided their names have been communicated by their Government to the Government of the host country, take part in the debates and vote from the moment they participate in the work of Congress. The same shall apply to those whose credentials are found to be not

in order. Such delegates shall cease to be empowered to vote from the time Congress approves the last report of the Credentials Committee establishing that their credentials have not been received or are not in order until such time as the position is regularized. The last report shall be approved by Congress before any elections other than that of the Chairman of Congress and before approval of the draft Acts.

4 The credentials of a member country which arranges for the delegation of another member country to represent it at Congress (proxy) shall be in the same form as those mentioned in paragraph 1.

5 Credentials and proxies sent by telegram shall not be admissible. However, telegrams sent in reply to requests for information relating to credentials shall be accepted.

6 A delegation which, after it has deposited its credentials, is prevented from attending one or more meetings, may arrange to be represented by the delegation of another member country, provided that notice in writing is given to the Chairman of the meeting concerned. However, a delegation may represent only a single country other than its own.

7 The delegates of member countries which are not parties to an Agreement may take part in the debates of Congress concerning that Agreement, without the right to vote.

Article 4

Order of seating

1 At Congress and Committee meetings, delegations shall be seated in the French alphabetical order of the member countries represented.

2 The Chairman of the Council of Administration shall draw lots, in due course, for the name of the country to be placed foremost before the rostrum at Congress and Committee meetings.

Article 5

De jure observers

1 Representatives of the United Nations shall be admitted as observers to attend and take part in the debates of Congress.

2 Restricted Unions shall be admitted as observers to Congress and its Committees.

3 The League of Arab States and the African Union (AU) shall be admitted as observers to Congress and its Committees.

4 Members of the Consultative Committee shall be admitted as observers to Congress and its Committees.

5 The observers referred to in paragraphs 1 to 4 shall not be entitled to vote, but may take the floor with the permission of the Chairman of the meeting.

6 In exceptional circumstances, the right of observers referred to in paragraph 4 to participate in certain meetings, or parts of meetings, may be restricted if the confidentiality of the subject dealt with so requires. They shall be so informed as quickly as possible. This restriction may be decided on a case-by-case basis by any body concerned or its Chairman. Such decisions shall be reviewed by the Bureau of Congress, which shall have the authority to confirm or reverse such decisions by a simple majority vote.

Article 6

Invitees

1 Representatives of UN specialized agencies and intergovernmental organizations shall be designated by the Council of Administration to attend specified meetings of Congress and its Committees when questions of interest to these organizations are discussed.

2 Representatives of any international body, any association or enterprise or any qualified person duly designated by the Council of Administration shall be admitted to specified meetings of Congress or its Committees.

3 The invitees referred to in paragraphs 1 and 2 shall not be entitled to vote but may take the floor with the permission of the Chairman of the meeting.

Article 7

Doyen of Congress

1 ~~The postal administration of the host~~ member country of Congress shall suggest the person to be appointed as Doyen of Congress in agreement with the International Bureau. The Council of Administration shall approve this appointment in due course.

2 At the opening of the first plenary meeting of each Congress, the Doyen shall act as Chairman until Congress has elected one. He shall also exercise the functions assigned to him under the present Rules.

Article 8

Chairmanships and vice-chairmanships of Congress and Committees

1 At its first plenary meeting, Congress shall elect, on the proposal of the Doyen, the Chairman of Congress and then approve, on the proposal of the Council of Administration, the appointment of the member countries which are to assume the vice-chairmanships of Congress and the chairmanships and vice-chairmanships of the Committees. These posts will be assigned taking as much account as possible of the equitable geographical distribution of the member countries.

2 The Chairmen shall open and close the meetings over which they preside, direct the debates, give speakers the floor, put proposals to the vote and announce what majority is required for their adoption, announce decisions and, subject to the approval of Congress, interpret such decisions if necessary.

3 The Chairmen shall see that the present Rules are observed and that order is maintained at meetings.

4 Any delegation may appeal to Congress or the Committee against a decision taken by the Chairman on the basis of a provision or interpretation of the Rules. The Chairman's decision shall nevertheless hold good unless rescinded by a majority of the members present and voting.

5 Should the member country appointed to the chairmanship be no longer able to exercise this function, one of the Vice-Chairmen shall be appointed by Congress or the Committee to replace it.

Article 9

Bureau of Congress

1 The Bureau shall be the central body responsible for directing the work of Congress. It shall consist of the Chairman and Vice-Chairmen of Congress and the Chairmen of the Committees. It shall meet periodically to review the progress of the work of Congress and its Committees

and to make recommendations designed to facilitate such progress. It shall assist the Chairman in drawing up the agenda of each plenary meeting and in coordinating the work of the Committees. It shall make recommendations relating to the closing of Congress.

2 The Secretary General of Congress and the Assistant Secretary General, mentioned in article 12.1, shall attend the meetings of the Bureau.

Article 10

Membership of Committees

1 The member countries represented in Congress shall, as of right, be members of the Committees responsible for studying proposals relating to the Constitution, the General Regulations and the Convention.

2 Member countries represented in Congress which are parties to one or more of the optional Agreements shall, as of right, be members of the Committee and/or Committees responsible for the revision of these Agreements. The right to vote of members of the Committee or Committees shall be confined to the Agreement or Agreements to which they are parties.

3 Delegations which are not members of Committees dealing with the Agreements may attend meetings of those Committees and take part in the debates without the right to vote.

Article 11

Working parties

1 Congress and each Committee may set up working parties to study special questions.

Article 12

Secretariat of Congress and of Committees

1 The Director General and the Deputy Director General of the International Bureau shall act as Secretary General and Assistant Secretary General of Congress, respectively.

2 The Secretary General and the Assistant Secretary General shall attend the meetings of Congress and of the Bureau of Congress and take part in the debates without the right to vote. They may also attend, under the same conditions, Committee meetings or be represented thereat by a senior official of the International Bureau.

3 The work of the Secretariat of Congress, the Bureau of Congress and the Committees shall be performed by the staff of the International Bureau in conjunction with the ~~postal administration~~ of the host member country.

4 Senior officials of the International Bureau shall act as Secretaries of Congress, of the Bureau of Congress and of the Committees. They shall assist the Chairman during meetings and shall be responsible for writing the reports.

5 The Secretaries of Congress and of the Committees shall be assisted by Assistant Secretaries.

Article 13

Languages of debates

1 Subject to paragraph 2, French, English, Spanish and Russian may be used for debates, by means of a system of simultaneous or consecutive interpretation.

2 The debates of the Drafting Committee shall be held in French.

3 Other languages may also be used for the debates mentioned in paragraph 1. The language of the host country shall have priority in this connection. Delegations using other languages shall arrange for simultaneous interpretation into one of the languages mentioned in paragraph 1, either by means of the simultaneous interpretation system, when the necessary technical alterations can be made, or by special interpreters.

4 The cost of installing and maintaining the technical equipment shall be borne by the Union.

5 The cost of the interpretation services shall be divided among the member countries using the same language in proportion to their contributions to the expenses of the Union.

Article 14

Languages used for drafting Congress documents

1 Documents prepared during Congress including draft decisions submitted to Congress for approval shall be published in French by the Secretariat of Congress.

2 To this end, documents produced by delegations of member countries shall be submitted in French, either direct or through the intermediary of the translation services attached to the Congress Secretariat.

3 The above services, organized at their own expense by the language groups set up in accordance with the relevant provisions of the General Regulations, may also translate Congress documents into their respective languages.

Article 15

Proposals

1 All questions brought before Congress shall be the subject of proposals.

2 All proposals published by the International Bureau before Congress shall be regarded as being submitted to Congress.

3 Two months before Congress opens, no proposal shall be considered except those amending earlier proposals.

4 The following shall be regarded as amendments: any proposal which, without altering the substance of the original proposal, involves a deletion from, addition to or revision of a part of the original proposal. No proposed change shall be regarded as an amendment if it is inconsistent with the meaning or intent of the original proposal. In case of doubt, Congress or the Committee shall decide the matter.

5 Amendments submitted at Congress to proposals already made shall be handed in to the Secretariat in writing, in French, before noon on the day but one before the day on which they will be discussed, so that they can be distributed to delegates the same day. This time limit shall not apply to amendments arising directly from the debates in Congress or in a Committee. In the latter case, if so requested, the author of the amendment shall submit a written version in French, or in case of difficulty, in any other language used for debates. The Chairman concerned shall read it out or have it read out.

6 The procedure laid down in paragraph 5 shall also apply to the submission of proposals that are not designed to amend the text of the Acts (draft resolutions, draft recommendations, draft formal opinions, etc.) where these proposals result from the work of Congress.

7 Any proposal or amendment shall give the final form of the text which is to be inserted in the Acts of the Union, subject, of course to revision by the Drafting Committee.

Article 16

Consideration of proposals in Congress and in Committees

1 Drafting proposals (the number of which shall be followed by the letter R) shall be assigned to the Drafting Committee either direct, if the International Bureau has no doubt as to their nature (a list of such proposals shall be drawn up for the Drafting Committee by the International Bureau), or, if the International Bureau is in doubt as to their nature, after the other Committees have confirmed that they are purely of a drafting nature (a list of such proposals shall likewise be drawn up for the Committees concerned). If, however, such proposals are linked with other proposals of substance to be considered by Congress or by other Committees, the Drafting Committee shall postpone consideration of them until after Congress or the other Committees have taken a decision on the corresponding proposals of substance. Proposals whose numbers are not followed by the letter R but which, in the opinion of the International Bureau, are of a drafting nature, shall be referred direct to the Committees concerned with the corresponding proposals of substance. When these Committees begin work, they shall decide which of the proposals shall be assigned direct to the Drafting Committee. A list of these proposals shall be drawn up by the International Bureau for the Committees concerned.

2 If the same question is the subject of several proposals, the Chairman shall decide the order in which they are to be discussed, starting as a rule with the proposal which departs most from the basic text and entails the most significant change in relation to the status quo.

3 If a proposal can be subdivided into several parts, each part may, if the originator of the proposal or the assembly so agrees, be considered and voted upon separately.

4 Any proposal withdrawn in Congress or in Committee by its originator may be resubmitted by the delegation of another member country. Similarly, if an amendment to a proposal is accepted by the originator of the proposal, another delegation may resubmit the original, unamended proposal.

5 Any amendment to a proposal which is accepted by the delegation submitting the proposal shall be immediately included in the text thereof. If the originator of the original proposal does not accept an amendment, the Chairman shall decide whether the amendment or the proposal shall be voted upon first, starting with whichever departs furthest from the meaning or intent of the basic text and entails the most significant change in relation to the status quo.

6 The procedure described in paragraph 5 shall also apply where more than one amendment to a proposal is submitted.

7 The Chairman of Congress and the Chairmen of Committees shall arrange for the text of the proposals, amendments or decisions adopted to be passed to the Drafting Committee, in writing, after each meeting.

Article 17

Debates

1 Delegates may not take the floor until they have been given permission to do so by the Chairman of the meeting. They shall be urged to speak slowly and distinctly. The Chairman shall afford delegates the possibility of freely and fully expressing their views on the subject discussed, so long as that is compatible with the normal course of the debate.

2 Unless a majority of the members present and voting decides otherwise, speeches shall not exceed five minutes. The Chairman shall be authorized to interrupt any speaker who exceeds the said authorized time. He may also ask the delegate not to depart from the subject.

3 During a debate, the Chairman may, with the agreement of the majority of the members present and voting, declare the list of speakers closed after reading it out. When the list is exhausted, he shall declare the debate closed, although even after the closing of the list he may

grant the originator of the proposal under discussion the right to reply to any of the speeches delivered.

4 The Chairman may also, with the agreement of the majority of the members present and voting, limit the number of speeches by any one delegation on a proposal or a certain group of proposals; but the originator of the proposal shall be given the opportunity of introducing it and speaking subsequently if he asks to do so in order to make new points in reply to the speeches of other delegations, so that he may, if he wishes, be the last speaker.

5 With the agreement of the majority of the members present and voting, the Chairman may limit the number of speeches on a proposal or a certain group of proposals; but this limit may not be less than five for and five against the proposal under discussion.

Article 18

Motions on points of order and procedural motions

1 During the discussion of any question and even, where appropriate, after the closure of the debate, a delegation may submit a motion on a point of order for the purpose of requesting:

- clarification on the conduct of the debates;
- observance of the Rules of Procedure;
- a change in the order of discussion of proposals suggested by the Chairman.

The motion on a point of order shall take precedence over all questions, including the procedural motions set forth in paragraph 3.

2 The Chairman shall immediately give the desired clarifications or take the decision which he considers advisable on the subject of the motion on a point of order. In the event of an objection, the Chairman's decision shall be put to the vote forthwith.

3 In addition, during discussion of a question, a delegation may introduce a procedural motion with a view to proposing:

- a the suspension of the meeting;
- b the closure of the meeting;
- c the adjournment of the debate on the question under discussion;
- d the closure of the debate on the question under discussion.

Procedural motions shall take precedence, in the order set out above, over all other proposals except the motions on points of order referred to in paragraph 1.

4 Motions for the suspension or closure of the meeting shall not be discussed, but shall be put to the vote immediately.

5 When a delegation proposes adjournment or closure of the debate on a question under discussion, only two speakers against the adjournment or the closure of the debate may speak, after which the motion shall be put to the vote.

6 The delegation which submits a motion on a point of order or a procedural motion may not, in its submission, deal with the substance of the question under discussion. The proposer of a procedural motion may withdraw it before it has been put to the vote, and any motion of this kind, whether amended or not, which is withdrawn may be reintroduced by another delegation.

Article 19

Quorum

1 Subject to paragraphs 2 and 3, the quorum necessary for the opening of the meetings and for voting shall be half the member countries represented in Congress and having the right to vote.

2 For votes on amending the Constitution and the General Regulations, the quorum required shall be two thirds of the Union member countries having the right to vote.

3 In the case of the Agreements, the quorum required for the opening of the meetings and for voting shall be half the member countries represented at Congress which are parties to the Agreement concerned and have the right to vote.

4 Delegations which are present but do not take part in a given vote, or which state that they do not wish to take part therein, shall not be considered absent for the purpose of establishing the quorums required under paragraphs 1, 2 and 3.

Article 20

Voting principle and procedure

1 Questions which cannot be settled by common consent shall be decided by vote.

2 Votes shall be taken by the traditional system or by the electronic voting system. They shall normally be taken by the electronic system when that system is available to the assembly. However, in the case of a secret ballot, the traditional system may be used if one delegation, supported by a majority of the delegations present and voting, so requests.

3 For the traditional system, the methods of voting shall be as follows:

- a by show of hands. If there is doubt about the result of such a vote, the Chairman, if he so wishes or if a delegation so requests, may arrange for an immediate roll-call vote on the same question;
- b by roll-call, at the request of a delegation or if so decided by the Chairman; the roll shall be called according to the French alphabetical order of the countries represented, beginning with the country whose name is drawn by lot by the Chairman; the result of the vote, together with a list of the countries grouped according to the way they voted, shall be included in the report of the meeting;
- c by secret ballot, using ballot papers, if requested by two delegations; in this case, the Chairman of the meeting shall appoint three tellers, having regard to equitable geographical representation and the level of economic development of the member countries, and make the necessary arrangements for the holding of a secret ballot.

4 For the electronic system, the methods of voting shall be as follows:

- a non-recorded vote: it replaces a vote by show of hands;
- b recorded vote: it replaces a roll-call vote; however, the names of the countries shall not be called unless one delegation, supported by a majority of the delegations present and voting, so requests;
- c secret ballot: it replaces the secret ballot by ballot papers.

5 Regardless of the system of voting used, the secret ballot shall take precedence over any other voting procedure.

6 Once the voting has begun, no delegation may interrupt it, except to raise a point of order relating to the way in which the vote is being taken.

7 After the vote, the Chairman may permit delegates to explain why they voted as they did.

Article 21

Conditions of approval of proposals

- 1 To be adopted, proposals involving amendments to the Acts must:
 - a in the case of the Constitution, be approved by at least two thirds of the member countries of the Union having the right to vote;
 - b in the case of the General Regulations, be approved by a majority of the member countries represented in Congress and having the right to vote;
 - c in the case of the Convention, be approved by a majority of the member countries present and voting which have the right to vote;
 - d in the case of the Agreements, be approved by a majority of the member countries present and voting which are parties to the Agreements and have the right to vote.
- 2 Procedural matters which cannot be settled by common consent shall be decided by a majority of the member countries present and voting which have the right to vote. The same shall apply to decisions not concerning changes in the Acts, unless Congress decides otherwise by a majority of the member countries present and voting which have the right to vote.
- 3 Subject to paragraph 5, "member countries present and voting" shall mean member countries which have the right to vote voting "for" or "against", abstentions being disregarded in counting the votes required to constitute a majority, and similarly blank or null and void ballot papers in the case of a secret ballot.
- 4 In the event of a tie, a proposal shall be regarded as rejected.
- 5 When the number of abstentions and blank or null and void ballot papers exceeds half the number of votes cast (for, against and abstentions), consideration of the matter shall be deferred until a subsequent meeting, at which abstentions and blank or null and void ballot papers shall be disregarded.

Article 22

Election of the members of the Council of Administration or the Postal Operations Council

- 1 In order to decide between countries which have obtained the same number of votes in elections of members of the Council of Administration or the Postal Operations Council, the Chairman shall draw lots.

Article 23

Election of the Director General and the Deputy Director General of the International Bureau

- 1 The elections of the Director General of the International Bureau and of the Deputy Director General shall take place by secret ballot successively at one or more meetings held on the same day. The candidate who obtains a majority of the votes cast by the member countries present and voting shall be elected. As many ballots shall be held as are necessary for a candidate to obtain this majority.
- 2 "Member countries present and voting" shall mean member countries voting for one of the candidates whose applications have been announced in due and proper form, abstentions and blank or null and void ballot papers being ignored in counting the votes required to constitute a majority.
- 3 If the number of abstentions and blank or null and void ballot papers exceeds half the number of votes cast in accordance with paragraph 2, the election shall be deferred to a later meeting, at which abstentions and blank or null and void ballot papers shall no longer be taken into account.

4 The candidate who obtains the least number of votes in any one ballot shall be eliminated.

5 In the event of a tie, an additional ballot, and if necessary a second additional ballot, shall be held in an attempt to decide between the tying candidates, the vote relating only to these candidates. If the result is inconclusive, the election shall be decided by drawing lots. The lots shall be drawn by the Chairman.

5bis The candidates for Director General and Deputy Director General of the International Bureau may, at their request, be represented at the counting of the votes.

Article 24

Reports

1 The reports of the plenary meetings of Congress shall record the course of the meetings, briefly summarize speeches, and mention proposals and the outcome of the debates.

2 The debates of Committee meetings shall be the subject of reports to Congress. As a general rule, Working Parties shall prepare a report for the body that set them up.

3 Each delegate, however, shall be entitled to ask for any statement made by him to be included in the reports either verbatim or in summary form, provided the French or English text is handed to the Secretariat not later than two hours after the end of the meeting.

4 Delegates shall be allowed a period of twenty-four hours, from the moment when the draft reports are distributed, in which to make their comments to the Secretariat, which, if necessary, shall act as an intermediary between the party concerned and the Chairman of the meeting in question.

5 As a general rule and subject to the provisions of paragraph 4, at the beginning of each meeting of Congress, the Chairman shall submit the report of a previous meeting for approval. The same shall apply in regard to Committee reports. The reports of the last meetings which it has not been possible to approve in Congress or in a Committee shall be approved by the respective Chairmen of the meetings. The International Bureau shall also take account of any comments received from delegates of member countries within forty days of the dispatch of the reports to them.

6 The International Bureau shall be authorized to correct in the reports of meetings of Congress and Committees any clerical errors which were not brought to light when the minutes were approved in accordance with paragraph 5.

Article 25

Appeal against decisions taken by the Committees and by Congress

1 Any delegation may appeal against a decision concerning proposals (Acts, resolutions, etc.) which have been approved or rejected in Committee. Notice of the appeal must be given to the Chairman of Congress, in writing, within 48 hours from the adjournment of the Committee meeting at which the proposal was approved or rejected. The appeal shall be considered during the next plenary meeting.

2 When a proposal has been adopted or rejected by Congress, it can be reconsidered by the same Congress only if the appeal has been supported by at least 10 delegations. Such an appeal must be approved by a two-thirds majority of the members present and voting which have the right to vote. This possibility shall be limited to proposals submitted direct to plenary meetings, it being understood that a single question cannot give rise to more than one appeal.

Article 26

Approval by Congress of draft decisions (Acts, resolutions, etc.)

1 As a general rule, each draft Act submitted by the Drafting Committee shall be studied article by article. The Chairman may, with the agreement of the majority, use a faster procedure, for instance chapter by chapter. Each Act can only be regarded as adopted after an overall favourable vote. Article 21.1, shall apply to such a vote.

2 The International Bureau shall be authorized to correct in the final Acts any clerical errors which have not come to light during the study of the draft Acts, the numbering of articles and paragraphs and references.

3 The drafts of decisions other than those amending the Acts, submitted by the Drafting Committee, shall as a general rule be considered en bloc. The provisions of paragraph 2 shall also apply to the drafts of these decisions.

Article 27

Assignment of studies to the Council of Administration and the Postal Operations Council

1 On the recommendation of its Bureau, Congress shall assign studies to the Council of Administration and the Postal Operations Council, in accordance with the respective compositions and responsibilities of these two bodies as they are set forth in articles 102 and 104 of the General Regulations.

Article 28

Reservations to Acts

1 Reservations must be submitted in the form of a proposal to the Secretariat in writing in one of the working languages of the International Bureau (proposals concerning the Final Protocol) as soon as possible after adoption of the proposal concerning the article to which the reservation refers.

2 To enable it to distribute proposals concerning reservations to all member countries before adoption of the Final Protocol by Congress, the Congress Secretariat shall set a deadline for the submission of reservations and notify member countries of it.

3 Reservations to the Acts of the Union submitted after the deadline set by the Secretariat shall not be considered by the Secretariat or by Congress.

Article 29

Signature of Acts

1 Acts finally approved by Congress shall be submitted to the plenipotentiaries for signature.

Article 30

Amendment of the Rules

1 Each Congress may amend the Rules of Procedure. In order to be accepted for discussion, proposals to amend the present Rules, unless submitted by a UPU body empowered to put forward proposals, shall be supported in Congress by at least 10 delegations.

2 To be adopted, proposals for amendments to the present Rules must be approved by at least two thirds of the member countries represented in Congress and having the right to vote.

Universal Postal Convention and Final Protocol

Universal Postal Convention

Table of contents

Part I

Rules applicable in common throughout the international postal service

Sole chapter

General provisions

Article

- 1 Definitions
- 2 Designation of the entity or entities responsible for fulfilling the obligations arising from adherence to the Convention
- 3 Universal postal service
- 4 Freedom of transit
- 5 Ownership of postal items. Withdrawal from the post. Alteration or correction of address. Redirection. Return to sender of undeliverable items
- 6 Charges
- 7 Exemption from postal charges
- 8 Postage stamps
- 9 Postal security
- 10 ~~Environment~~ Sustainable development
- 11 Violations

Part II

Rules applicable to letter post and postal parcels

Chapter 1

Provision of services

- 12 Basic services
- 13 Supplementary services

- 14 Electronic mail, EMS, integrated logistics and new services
- 15 Items not admitted. Prohibitions
- 16 Admissible radioactive materials and ~~biological materials~~ infectious substances
- 17 Inquiries
- 18 Customs control. Customs duty and other fees
- 19 Exchange of closed mails with military units
- 20 Quality of service standards and targets

Chapter 2

Liability

- 21 Liability of ~~postal administrations~~ designated operators. Indemnities
- 22 Non-liability of ~~postal administrations~~ member countries and designated operators
- 23 Sender's liability
- 24 Payment of indemnity
- 25 Possible recovery of the indemnity from the sender or the addressee
- ~~26 Reciprocity applicable to reservations concerning liability~~

Chapter 3

Provisions specific to letter post

- 27 Posting abroad of letter-post items

Part III

Remuneration

Chapter 1

Provisions specific to letter post

- 28 Terminal dues. General provisions
- 29 Terminal dues. Provisions applicable to ~~exchanges~~ mail flows between designated operators of countries in the target system
- 30 Terminal dues. Provisions applicable to flows to, from and between designated operators of countries in the transitional system
- 31 Quality of Service Fund
- 32 Transit charges

Chapter 2

Other provisions

- 33 Basic rates and provisions concerning air conveyance dues
- 34 Parcel post land and sea rates
- 35 Authority of the Postal Operations Council to fix charges and rates

Part IV

Final provisions

- 36 Conditions of approval of proposals concerning the Convention and the Regulations
- 37 Reservations at Congress
- 38 Entry into force and duration of the Convention

Final Protocol to the Universal Postal Convention

Article

- I. Ownership of postal items. Withdrawal from the post. Alteration or correction of address
- II. Charges
- III. Exception to the exemption of literature for the blind from postal charges
- IV. Basic services
- V. Small packets (deleted)
- VI. Advice of delivery
- VII. International business reply service (IBRS)
- VIII. Prohibitions (letter post)
- IX. Prohibitions (postal parcels)
- IXbis. Admissible radioactive materials and biological materials
- X. Articles subject to customs duty
- XI. Inquiries
- XII. Presentation-to-Customs charge
- XIII. Posting abroad of letter-post items
- XIV. Exceptional inward land rates
- XV. Special tariffs