

# TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

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A. TITEL

*Constitutie van de Postunie van de Staten van het Amerikaanse  
Werelddeel, Spanje en Portugal;  
(met Algemeen Reglement)  
Santiago de Chile, 26 november 1971*

B. TEKST

De tekst van de Constitutie (zoals bijgewerkt tot en met de wijziging van 1990) is geplaatst in *Trb.* 1992, 119 en die van het Algemeen Reglement (versie zoals in 1998 tot stand gekomen) is geplaatst in rubriek J van *Trb.* 2002, 228.

De tekst van de preambule tot en van artikel 1 van de Constitutie zijn gewijzigd door het in rubriek J van *Trb.* 1994, 48 afgedrukte (Vijfde) Aanvullend Protocol van 1993.

De tekst van de Constitutie is gewijzigd door het Zesde Aanvullende Protocol aangenomen op 12 september 2000 te Panama tijdens het Achtste Congres en wederom gewijzigd door het Zevende Aanvullende Protocol aangenomen op 16 augustus 2005 te Rio de Janeiro tijdens het Negentiende Congres. Tevens is het Algemeen Reglement door beide Congressen aangepast en zijn Resoluties aanvaard.<sup>1)</sup>

De geconsolideerde tekst van de Constitutie, met Algemeen Reglement, luidt sinds 1 januari 2006 als volgt:

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<sup>1)</sup> De tekst van het Zesde en Zevende Aanvullende Protocol en die van de Resoluties liggen, evenals van de Resoluties van het Congres van 1995 en 1998 te Mexico, respectievelijk Montevideo, ter inzage bij de Afdeling Verdragen van het Ministerie van Buitenlandse Zaken.

## **Constitution of the Postal Union of the Americas, Spain and Portugal**

### Preamble

The undersigned plenipotentiary representatives of the governments of member countries or territories of the Postal Union of the Americas, Spain and Portugal, hereinafter referred to as the Union,

shouldering their responsibility for guaranteeing high-quality universal domestic and international postal service;

taking into account the need for member countries or territories to ensure high-quality affordable postal services through service operators designated as universal postal service providers;

recognizing the pressing need for these operators to conduct business in all segments of the postal market as dynamic, efficient enterprises;

aware of the fact that, in order to achieve these objectives, it is imperative to establish and strengthen regulatory, technical and commercial agreements and commitments at the government and corporate levels;

adopt this Constitution, subject to ratification.

### CHAPTER I

#### GENERAL PROVISIONS

##### Article 1

###### *Union mission statement*

1. The Union's mission is to coalesce the common goals and objectives of its member countries or territories in both postal and non-postal matters with a view to the modernization of basic postal services through the implementation of individual, bilateral and joint projects ensuring domestic integration, continuing improvements in quality and the development and modernization of administrative, operating and legal procedures by:

a) promoting universal postal service and improving and stimulating the region-wide postal market by reforming postal sector structures in member countries or territories through the transformation and modernization of their organizational structures and the training of their human resources;

b) fostering efficient cooperation for postal development in its member countries or territories and facilitating the sharing of information and expertise on operational, regulatory and governmental matters;

c) improving quality of service, interoperability and network security through the promotion and application of information technology allowing for performance evaluations of postal services and improving the reliability of data exchanged by member countries or territories, in keeping with the demands of postal service users and customers;

d) ensuring the unification of their activities and strategies under the UPU World Postal Strategy and promoting joint action, coordination and communication with the UPU, Restricted Unions, other international organizations and other postal stakeholders.

#### Article 2

##### *Composition, postal territory and freedom of transit*

1. Member countries or territories adopting this Constitution shall form a single postal territory known as the Postal Union of the Americas, Spain and Portugal for reciprocal exchanges of postal items within the framework of both universal postal service and of other optional postal services under the same or more favorable conditions for their customers than those established by the Universal Postal Union.

2. To this end, freedom of transit shall be guaranteed throughout the PUASP area.

#### Article 3

##### *Relations with the Universal Postal Union and Other International Organizations*

1. The Union is independent of all other organizations and maintains relations with the Universal Postal Union and other Restricted Postal Unions under conditions of reciprocity. It may also maintain relations with other international organizations as necessitated by common interests.

2. It operates within the framework of Universal Postal Union directives, to which effect it maintains the status of a Restricted Union under Article 8 of the Universal Postal Union Constitution.

#### Article 4

##### *Members of the Union*

Union members consist of:

a) countries or territories with membership status as of the effective date of this Constitution;

b) countries or territories acquiring membership status under Article 10 below.

## Article 5

*Jurisdiction of the Union*

The Union's jurisdiction encompasses:

- a) the territorial area of member countries or territories;
- b) other areas which, while not Union members per se, are dependent on member countries or territories from a postal standpoint.

## Article 6

*Union Headquarters*

The headquarters of the Union and its permanent bodies are located in Montevideo, capital of the Eastern Republic of Uruguay.

## Article 7

*Official Language of the Union*

The official language of the Union is Spanish.

## Article 8

*Legal Capacity*

All member countries or territories shall grant the Union the legal capacity to properly discharge its functions and attain its purposes in accordance with their domestic legislation.

## Article 9

*Privileges and Immunities*

1. The Union will enjoy all necessary privileges and immunities for the accomplishment of its mission within the territorial area of each member country or territory.

2. Likewise, representatives of member countries or territories and postal administrations forming part of delegations to meetings of Union bodies or on official Union business will enjoy all necessary privileges and immunities for the pursuit of their activities.

3. PUASP General Secretariat staff members on official business will also enjoy these same privileges.

## CHAPTER II

ACCESSION OR ADMISSION TO AND WITHDRAWAL FROM  
THE UNION

## Article 10

*Accession or Admission to the Union*

1. Any American mainland or island nation or territory with membership status in the Universal Postal Union may accede to the Union provided it has no sovereignty dispute with any member country or territory.
2. Any sovereign American nation which is not a member of the Universal Postal Union may apply for admission to the Postal Union of the Americas, Spain and Portugal.
3. Instruments of accession or applications for admission to the Union must include a formal declaration of accession to the Constitution and other binding Union provisions.

## Article 11

*Withdrawal from the Union*

Any country or territory may withdraw from the Union by renouncing its membership status.

## CHAPTER III

## ORGANIZATION OF THE UNION

## Article 12

*Union Bodies*

1. The Union is composed of the following bodies:
  - a) the Congress;
  - b) the Conference;
  - c) the Consultative and Executive Council and its Management Committee;
  - d) the General Secretariat.
2. The Consultative and Executive Council and its Management Committee and the General Secretariat are permanent Union bodies.

## Article 13

*Congress*

1. The Congress is the Union's supreme body.
2. The Congress is an assembly of representatives of member countries or territories.

## Article 14

*Extraordinary Congresses*

Extraordinary Congresses may be held at the request of a minimum of three member countries or territories, with the concurrence of two thirds of Union members with voting rights.

## Article 15

*Conference*

The Conference of representatives of member countries or territories will meet as often as necessary on the occasion of Universal Postal Union Congresses to:

- a) examine proposals and matters of special interest to the Union or its member countries or territories;
- b) where applicable, determine the forms of joint action to be taken at the Congress in furtherance of the objectives of the Union per se and its member countries or territories.

## Article 16

*Consultative and Executive Council*

1. The Consultative and Executive Council will ensure the continuity of the Union's work in the interval between Congresses and will be required to perform studies and issue opinions on matters concerning or relating to postal activities. It will also supervise and monitor General Secretariat operations.
2. Consultative and Executive Council members will discharge their functions in the name and interests of the Union.

## Article 17

*General Secretariat*

1. The General Secretariat, operating under the supervision of the Consultative and Executive Council, is the Union's permanent working body for the implementation of its policies and for liaising with its members. It serves as Secretariat for the Congress, the Conference and the Consultative and Executive Council and its Management Committee and various working groups, to which it provides assistance for the performance of their functions.

2. The General Secretariat is based at Union headquarters and is directed by a Secretary General operating under the supervision of the Eastern Republic of Uruguay.

## CHAPTER IV

## UNION ACTS, RESOLUTIONS AND RECOMMENDATIONS

## Article 18

*Union Acts*

1. The Constitution is the Union's fundamental act defining its mission and containing its organic rules.

2. The General Regulations contain provisions for implementing the Constitution and governing Union operations and are binding on all member countries or territories.

3. Any reservations with respect to the Union Acts are set forth in Final Protocols appended thereto.

## Article 19

*Resolutions and Recommendations*

1. Provisions not contemplated in the General Regulations referring to the operation of the Union or Union bodies or to matters concerning or relating to postal activities will be drafted in the form of Resolutions binding on all Union members.

2. Provisions referring to the operation of postal services will be drafted in the form of Recommendations to be implemented by the postal administrations of member countries or territories insofar as possible.

3. Any reservations with respect to Resolutions passed by the Congress referring to the operation of postal services are set forth in Final Protocols appended thereto.

## CHAPTER V

### FINANCE

#### Article 20

##### *Union Expenses*

1. Each Congress will set ceilings for:
  - a) annual Union expenses;
  - b) expenses connected with the following Congress.

2. Union expenses will be jointly defrayed by all member countries or territories, which will be classified in different contribution categories specifically for this purpose. To this end, each member country or territory will choose the contribution category in which it wishes to be classified. The contribution categories are established in the General Regulations.

3. The government of a country or territory acceding to the Union will select the contribution category in which it wishes to be classified for purposes of the apportionment of Union expenses.

## CHAPTER VI

### ACCEPTANCE OF UNION ACTS AND RESOLUTIONS

#### Article 21

##### *Signature, Ratification and Other Forms of Approval of Union Acts and Resolutions*

1. The signature of Union Acts and Resolutions by the plenipotentiary representatives of member countries or territories will take place at the conclusion of the Congress.
2. The Constitution will be ratified by signatory countries or territories as quickly as possible.
3. The approval process for the General Regulations, Final Protocols and Resolutions will be governed by the constitutional rules of each signatory member country or territory.



4. Without prejudice to the provisions of paragraphs 2 and 3 above, signatory countries or territories may ratify or approve Union Acts and Resolutions on a provisional basis, with written notice to the PUASP General Secretariat.

5. The failure of any one member country or territory to ratify the Constitution or to approve other Acts and Resolutions will make them no less binding on those countries by which they have been ratified or approved.

#### Article 22

##### *Notices of Ratification and of Other Forms of Approval of Union Acts and Resolutions*

Instruments ratifying the Constitution and, where applicable, approving other Union Acts and Resolutions are to be deposited with the PUASP General Secretariat as quickly as possible, which will notify the other member countries or territories as to their deposit.

#### Article 23

##### *Accession to Union Acts and Resolutions*

1. Any member countries or territories which have not signed the Union Acts and other binding provisions adopted by the Congress must accede to them as quickly as possible.

2. Under the circumstances referred to in paragraph 1 above, corresponding instruments of accession are to be addressed to the General Secretariat, which will notify member countries or territories as to the deposit of such instruments.

### CHAPTER VII

#### AMENDMENT OF UNION ACTS, RESOLUTIONS AND RECOMMENDATIONS

#### Article 24

##### *Submission of Proposals*

1. Proposals amending Union Acts, Resolutions and Recommendations may be submitted:

- a) by the postal administration of any member country or territory;
- b) by the Consultative and Executive Council, as an outcome of studies or activities within its sphere of competence and with respect to matters affecting the organization and operation of the General Secretariat.

2. The proposals referred to in paragraph 1 above are to be submitted to the Congress.

#### Article 25

##### *Amendment of the Constitution. Ratification*

1. The adoption of proposals submitted to the Congress with regard to the Constitution is subject to their approval by a minimum of two thirds of Union member countries or territories.

2. Amendments adopted by a given Congress will be set forth in an Additional Protocol and will enter into effect on the same date as the Acts amended in the course of the Congress in question, except as otherwise resolved by that Congress.

3. Constitutional amendments will be ratified by member countries or territories as quickly as possible, with corresponding ratification instruments governed by the provisions of Articles 21 and 22 above.

#### Article 26

##### *Amendment of the General Regulations and of Resolutions and Recommendations*

The General Regulations, Resolutions and Recommendations may be amended by the Congress in accordance with applicable provisions of the General Regulations.

### CHAPTER VIII

#### SUBSIDIARY LEGISLATION AND REGULATIONS

#### Article 27

##### *Legislation and Regulations Supplementing the Provisions of Union Acts, Resolutions and Recommendations*

Postal service-related matters not contemplated in Union Acts, Resolutions or Recommendations adopted by the Congress will be governed by the following, listed in order of their precedence:

1. provisions of Universal Postal Union Acts;
2. agreements entered into by member countries or territories;

3. the domestic legislation of each member country or territory.

## CHAPTER IX

### SETTLEMENT OF DISPUTES

#### Article 28

##### *Arbitration*

Disputes arising between postal administrations of member countries or territories over the interpretation or enforcement of Union Acts and Resolutions will be settled by arbitration as prescribed by the General Regulations of the Universal Postal Union.

## CHAPTER X

### FINAL PROVISIONS

#### Article 29

##### *Effective Date and Duration of the Constitution*

The Constitution shall enter into force on July 1, 1972 and shall remain in effect indefinitely.

In witness whereof, the plenipotentiary representatives of the governments of member countries and territories have signed this Constitution in Santiago, capital of the Republic of Chile, on this twenty-sixth day of November, nineteen hundred seventy-one.

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### **General regulations of the Postal Union of the Americas, Spain and Portugal**

#### Preamble

The undersigned plenipotentiary representatives of the governments of member countries or territories of the Postal Union of the Americas, Spain and Portugal mutually agree to adopt these General Regulations pursuant to Article 18, paragraph 2, of the Constitution, to ensure its enforcement and to govern Union operations.

CHAPTER I  
GENERAL PROVISIONS

Article 101

*Accession or Admission to the Union. Procedure*

1. Governments of interested countries are to send notices of accession or applications for admission to the General Secretariat, which will notify the Union's other member countries or territories of their receipt.
2. Applications for admission to the Union must be approved by a minimum of two thirds of its member countries or territories.
3. Member countries or territories failing to respond within four months from the date of their notification of the receipt of an application for admission will be deemed to have given their approval.
4. The General Secretariat will inform the governments of all member countries or territories of the accession or admission of new members.
5. Applicant countries will be notified of the decision taken on their application and, if admitted, of the effective date of their admission and other relevant information.

Article 102

*Withdrawal from the Union. Procedure*

1. Any member country or territory may withdraw from the Union by denouncing the Constitution in a notice to such effect addressed to the General Secretariat which, in turn, will inform the governments of the other member countries or territories.
2. A withdrawal from the Union will become effective one year from the date of receipt by the General Secretariat of the notice of denunciation referred to in paragraph 1 above.
3. Member countries or territories withdrawing from the Union must continue to fulfill their obligations under the Union Acts until the effective date of their withdrawal.

## CHAPTER II

## ORGANIZATION AND OPERATION OF UNION BODIES

## Article 103

*Organization and Operation of Congresses*

1. Representatives of member countries or territories will assemble at Union Congresses approximately every four years.
2. Each Congress will designate the host country or territory for the following Congress, subject to a corresponding offer from the country or territory so designated. In cases of more than one offer, the host will be decided by secret ballot.
3. In the event the Congress cannot be held in the designated host country or territory, the General Secretariat will take necessary emergency action to find a country or territory willing to host the Congress, presenting the results of its efforts to the Consultative and Executive Council for a decision.
4. The General Secretariat will follow the same procedure established in paragraph 3 above in cases where, by the end of a given Congress, no country or territory has offered to host the following Congress.
5. In the event of the need to hold a Congress in the absence of a host government, the General Secretariat will make necessary arrangements to convene and conduct the Congress in the PUASP headquarters country with the consent of the Consultative and Executive Council and the government of the Eastern Republic of Uruguay, in which case the General Secretariat will discharge the functions of the host government.
6. The host government will set the final date and location for the Congress in agreement with the General Secretariat. In principle, the host government will send invitations to the governments of all member countries or territories one year in advance, either directly or via the General Secretariat.
7. The chairmanship of each Congress will go to the host country or territory for that Congress. The Consultative and Executive Council will designate the country to serve as chairman under the circumstances described in paragraph 5 above.
8. The postal administration of the country or territory hosting the Congress will suggest the name of an actively employed or retired postal official with a long history of attendance of Union Congresses to serve

as its Dean in consultation with the General Secretariat, with the Consultative and Executive Council confirming the appointment in due course. The Dean will temporarily preside over the first plenary session of the Congress until a permanent Chairman is appointed. The Dean will nominate candidates to serve as chairmen and vicechairmen of the Congress and its Committees. One Congress vicechairmanship will go to the country or territory having chaired the previous Congress.

9. The Dean will bring a motion before the first session of the Congress for the appointment of a General Committee consisting of the Congress Chairman, the two Vice Chairmen and the PUASP Secretary General.

10. The purposes of the Congress are:

- a) to amend and supplement Union Acts, Resolutions and Recommendations as necessary;
- b) to set priorities for Union activities during the ensuing period;
- c) to discuss all matters brought before it pertaining to the purposes of the Union.

11. Each member country or territory will arrange to be represented by one or more delegates or by the delegation of another country or territory. No delegation of any country or territory may represent more than one other country or territory.

12. Any member country or territory may formulate reservations to Union Acts and Resolutions adopted by the Congress with regard to postal or postal-related activities at the time of their signature.

13. The host government will inform the governments of all other countries or territories as to the Acts and Resolutions adopted by the Congress.

#### Article 104

##### *Delegations*

1. A delegation is defined as an individual or group of individuals designated by a member country or territory to represent it at the Congress. Delegations consisting of more than one delegate will need to appoint a head of delegation and, where applicable, a deputy head of delegation.

2. All members of delegations should be experts with an extensive knowledge of Union regulations and practices and specific postal-related responsibilities in member countries or territories.

3. Member countries or territories unable to attend a Congress may arrange to be represented by another delegation. Likewise, those present at the Congress but unable to attend a particular session may arrange to be represented by another delegation. The Congress Chairman is to be informed of the decision taken in either of these cases, bearing in mind that no member country or territory may represent more than one other country or territory.

#### Article 105

##### *Delegate Credentials*

1. All delegates must bear credentials signed by the Chief of State, Head of Government or Minister of Foreign Affairs of the country or territory in question.

2. Such credentials must be drawn up in due and proper form. Delegates whose credentials meet any of the following criteria will be considered plenipotentiary representatives:

- a) They confer full powers;
- b) They grant the delegate unlimited authority to represent his government;
- c) They grant the delegate the necessary authority to sign Union Acts.

All three cases implicitly include the authority to take part in deliberations and vote.

Delegates whose credentials fail to meet the criteria outlined in subparagraphs (a), (b) and (c) above will only be qualified to take part in deliberations and to vote.

3. All credentials are to be deposited with the authority specifically designated for this purpose at the opening session of the Congress.

4. Delegates failing to present their credentials may take part in deliberations and voting processes provided their names have been submitted by their government to the government of the country or territory hosting the Congress. The same applies to delegates whose credentials are found to contain some defect or irregularity. These delegates may no longer vote once the Congress has approved the Credentials Committee report attesting to their failure to present credentials or to the inadequacy of their credentials for voting purposes until such time as their status has been regularized.

5. Only original, duly conferred credentials and proxies are admissible. However, communications by telegram or any other written telecommunications media in response to requests for information with respect to delegate credentials are acceptable.

## Article 106

*Observers*

1. The following individuals may take part in deliberations by the Congress as observers, with the right to speak where authorized by the Congress Chairman, but without the right to vote:

- a) Representatives of nonmember countries specifically invited by the Consultative and Executive Council, under mutually agreed-on conditions;
- b) Representatives of the Universal Postal Union;
- c) Representatives of Restricted Postal Unions extending reciprocal invitations.

2. Representatives of international organizations or of any organization with an interest in the postal sector whose participation is considered important to the work of the Congress by the Consultative and Executive Council, the Management Committee and the General Secretariat may also be admitted as observers under mutually agreed-on conditions.

## Article 107

*Functions of the Congress Chairman and Vice Chairmen*

1. The Chairman will open meetings, lead debates, recognize speakers in the order in which they ask to speak, put matters on which there is no unanimous agreement to a vote, rule on procedural questions arising in the course of the deliberations and close the Congress.

2. The Chairman will co-sign Acts, Resolutions and Recommendations adopted by the Congress with the Secretary General.

3. In his absence, the Chairman will be replaced by the Vice Chairman from the country having chaired the previous Congress.

## Article 108

*Submission and Consideration of Proposals*

1. Proposals presented by the deadline established in Article 125, paragraph 1, below will serve as the basis for deliberations by the Congress. Proposals presented after this deadline must be backed by a minimum of two other member countries or territories and received at least three weeks prior to the opening of the Congress.



2. In principle, all proposals are to have a single objective and are to be limited strictly to any changes justified by such objective.

3. However, amendments may be introduced verbally or in writing at any time during the discussion of a particular issue.

4. In cases of multiple proposals with regard to a single issue, the Chairman will determine the order of their discussion beginning, in principle, with the proposal furthest from the original text or entailing the most radical change.

5. In cases of proposals which can be subdivided into several parts, each part may be discussed and voted on separately with the consent of their authors or the Congress.

6. Amendments accepted by the delegation presenting the original proposal will be promptly incorporated into the text of the proposal. Any other amendments will be handled according to the rule established in paragraph 4 above as regards the order of their discussion.

7. The procedure described in paragraph 6 above is also applicable in the event of the presentation of several amendments to a single proposal.

8. Any proposal withdrawn at a plenary session may be resubmitted by another delegation. Moreover, in the event of the approval and acceptance of an amendment to a proposal by the country or territory submitting the original proposal, another member country or territory may resubmit the original unmodified version of that same proposal.

#### Article 109

##### *Deliberations*

1. Speakers must confine themselves to the discussion topic, limiting their remarks to a maximum of five minutes, except as otherwise agreed by a simple majority of members present and entitled to vote. The Chairman has the authority to interrupt any speakers exceeding their allotted time.

2. Subject to consultation with the Congress and with the approval of a simple majority of members present, represented and entitled to vote, the Chairman may:

a) limit the number of speeches by a single delegation on a particular proposal or group of proposals;

b) limit the number of speeches by different delegations on a particular proposal or group of proposals to five in favor and five against the matter at issue;

c) declare the list of speakers closed after reading it aloud, subject to the right of the delegation presenting the proposal to respond to the remarks of other delegations.

#### Article 110

##### *Motions on Points of Order and Procedural Motions*

1. During the discussion of any issue and, where appropriate, even after the closure of corresponding deliberations, a delegation may submit a motion on a point of order for purposes of requesting:

- clarifications on the conduct of the debate;
- compliance with the Constitution or General Regulations;
- a change in the order of discussion of corresponding proposals as suggested by the Chairman.

Motions on points of order take precedence over all other matters, including the procedural motions referred to in paragraph 3 below.

2. The Chairman will promptly make requested clarifications or what he considers to be a proper decision with respect to a motion on a point of order. In the event of an objection, the Chairman's ruling will immediately be put to a vote.

3. In addition, a delegation may introduce a procedural motion in the course of the discussion of any issue proposing:

- a) that the session be suspended;
- b) that the session be adjourned;
- c) that the list of speakers be declared closed;
- d) that the debate on the discussion issue be postponed;
- e) that the debate on the matter under discussion be declared closed.

Procedural motions take precedence over all other proposals with the exception of the motions on points of order referred to in paragraph 1, in the order outlined above.

4. Motions for the suspension or adjournment of a session of the Congress will be put to a vote immediately, without any discussion.

5. In cases where a particular delegation moves to close the list of speakers or to postpone or close the debate on a particular discussion issue, only two speakers opposed to the procedural motion in question will be given the floor, whereupon the motion will be put to a vote.

6. The delegation introducing a motion on a point of order or a procedural motion may not deal with the substance of the matter at issue in its corresponding presentation. The author of a procedural motion may

withdraw such motion before it is put to a vote, and any withdrawn motion of this kind, amended or otherwise, may be reintroduced by another delegation.

#### Article 111

##### *Voting*

1. Issues on which there is no general agreement will be put to a vote which, to be valid, will require the presence or representation of two thirds of all member countries or territories with the right to vote.

2. In general, votes will be cast by the raising of placards displaying the name of the member country or territory in question. However, roll call votes will be taken at the request of any delegation or upon a ruling to such effect by the Chairman, proceeding in alphabetical order according to the name of each country or territory, drawing lots to determine the delegation casting the first vote.

3. Votes will be cast by secret ballot at the request of any delegation, seconded by another delegation, in which case the Chairman will take all necessary steps to ensure secrecy. Motions for secret ballots made in accordance with this paragraph will take precedence over motions for roll call votes.

4. Each member country or territory will be entitled to cast a single vote and to vote on behalf of another member country or territory as its proxy or representative.

#### Article 112

##### *Reports of Meetings*

1. Reports of all meetings will be drawn up in Spanish. They will summarize the general business discussed and proposals presented at each meeting and recap the deliberations conducted and results achieved.

2. Delegates may request that any statements they make at a given meeting be recorded in the report verbatim, provided the text of their statements is submitted to the General Secretariat within twenty-four hours from the conclusion of the meeting in question.

3. The General Secretariat will draw up reports of all meetings based on recordings of deliberations by the Congress and forward them to the delegations of member countries or territories present at the Congress for approval. The General Secretariat will take into consideration all

comments received within forty (40) days from the date of the distribution of such reports to interested member countries or territories.

4. Any delegation wishing to refer to a particular statement during the course of the Congress is to request a report on such statement from the General Secretariat based on recordings of corresponding deliberations.

#### Article 113

##### *Organization and Operation of Extraordinary Congresses*

1. An Extraordinary Congress of member countries or territories will be convened to deal with important matters urgently requiring action prior to the next regular Congress.

2. Member countries or territories calling for an Extraordinary Congress will simultaneously name the country or territory willing to serve as its host, to enable the General Secretariat to seek approval from the other member countries or territories.

3. The government of the member country or territory designated to host an Extraordinary Congress will send timely invitations to all member countries or territories at least six (6) months prior to the scheduled date of the Extraordinary Congress, either directly or via the General Secretariat.

4. Article 103, paragraphs 11 and 13, are applicable by analogy.

5. Any member country or territory may formulate reservations to Union Acts and Resolutions adopted by an Extraordinary Congress pertaining to postal service operations.

#### Article 114

##### *Organization and Operation of Conferences*

1. The Chairman of the Consultative and Executive Council will convene a Conference of representatives of member countries or territories in the city designated to host the UPU Congress through the intermediary of the General Secretariat to discuss proposals and matters of special importance to the Union for purposes of establishing appropriate procedures for taking joint action.

2. The Conference will meet as often as necessary during the course of the Universal Postal Union Congress. In the event of important matters to be discussed, the Consultative and Executive Council may con-

vene a meeting of the Conference prior to the scheduled date of the UPU Congress with the consent of a majority of member countries or territories entitled to vote.

3. The Chairman of the Consultative and Executive Council, who will also serve as Conference Chairman, will inform the CEC of the results of the work accomplished during the Congress in question and formulate related proposals.

4. The Conference will designate a member country or territory to replace the Conference Chairman in the event of his absence or his inability to attend a particular session.

5. All provisions of the General Regulations governing the conduct of meetings of the Congress are also applicable to the Conference.

#### Article 115

##### *Consultative and Executive Council*

1. The Consultative and Executive Council consists of representatives of all Union member countries and territories and will be chaired by the country hosting the Congress, which position is to be occupied by experts in the management of collegiate bodies possessing an in-depth knowledge of Union regulations and practices.

2. The organizational meeting for each new session of the CEC will be convened during the course of the Congress by the Congress Chairman and will include elections for a First and Second Vice Chairman. In the event the country or territory designated to chair the Council chooses to waive its right to do so, this position will go to the First Vice Chairman, in which case the Second Vice Chairman will become First Vice Chairman and a new Second Vice Chairman will be elected from among the other Council members.

3. Each member country or territory will appoint a representative to the Consultative and Executive Council.

4. The Council will hold annual meetings at Union headquarters convened by its Chairman through the intermediary of the General Secretariat. Under special circumstances, the Council may hold its annual meeting in another city of any member country or territory so long as there is no additional cost to the Union. The Secretary General will take part in deliberations at all Council meetings as a nonvoting member. The Council will issue Rules of Procedure governing its operation. Additionally, the Council will also be governed by the provisions of previous articles referring to the operation of the Congress, where compatible, whose

due and proper interpretation and enforcement will be the responsibility of the Chairman of the CEC or, where applicable, its Vice Chairmen.

5. Where necessary, the Chairman will call an extraordinary meeting of the Council at the request of any member, with the consent of two thirds of all CEC members with the right to vote, to be held within a period of two months.

6. Council members will discharge their duties without compensation. Operating expenses will be borne by the Union. Except in the case of meetings held in conjunction with Union Congresses, member countries or territories in the lowest contribution category unable to use their technical cooperation funds will be entitled to reimbursement of the cost of a single round-trip economy-class airfare or of the cost of travel by any other means up to the equivalent cost of round-trip economy-class air travel. This provision applies only to single-person delegations.

7. Observers

7.1. The Universal Postal Union may attend Council meetings as an observer.

7.2. The following individuals may be invited to attend Council meetings as observers under mutually agreed-on conditions:

- a) Representatives of international organizations or of any organization with an interest in the postal sector whose participation is considered important;
- b) Representatives of non-member countries whose participation in the work of the Consultative and Executive Council is deemed to be of interest.

8. The General Secretariat will consider the matter and send out the invitations referred to in paragraph 7.2 above under mutually agreed-on conditions in consultation with the Chairman of the CEC and the Management Committee.

9. Observers may speak where authorized by the Chairman of the CEC, but will not be entitled to vote.

10. The Consultative and Executive Council will direct Union operations, with the following specific functions:

- a) Maintain contact with member countries or territories, Universal Postal Union bodies, Restricted Postal Unions and any other national or international organization via the CEC Chairman;
- b) Take action and implement activities concerning or relating to postal service operations in Union member countries or territories;
- c) Manage and oversee General Secretariat operations and approve its Internal Regulations;

- d) Examine and, where applicable, approve the annual report on Union operations drawn up by the General Secretariat;
- e) Authorize the annual Union budget subject to the ceilings set by the Congress;
- f) Examine and, where applicable, approve the financial statements for the previous year's budget;
- g) Establish the salary system for General Secretariat personnel at the first Council meeting following an ordinary Congress;
- h) Approve and, where applicable, amend the PUASP General Secretariat Staff Regulations;
- i) Approve and, where applicable, amend the Union's Technical Cooperation Regulations;
- j) Examine and, where applicable, approve the General Secretariat's annual schedule of attendance of international postal meetings, as well as the number of officials scheduled to attend each such meeting, with the exception of necessary emergency travel in the interests of the Union. This same procedure will be followed in approving other necessary travel on behalf of the Union;
- k) Examine and, where applicable, authorize requests by the Secretary General for transfers between programs and between cost groups within a single program under the authorized budget for the year in progress;
  - l) Conduct studies or issue opinions on matters concerning or relating to postal activities or affecting the Union or its member countries or territories;
  - ll) <sup>1)</sup> Promote the establishment of postal schools in member countries or territories and, at their request, arrange for expert and consultancy services through the General Secretariat to assist with their organization, development and operation under technical cooperation programs;
  - m) Designate the country to host the next Congress under the circumstances described in Article 103, paragraphs 3 and 4, above subject to a vote in the case of more than one offer;
  - n) Make necessary arrangements to designate the country or territory to chair the Congress under the circumstances described in Article 103, paragraph 7, above;
  - ñ) <sup>1)</sup> Present the Congress with proposed amendments to Union Acts and with draft Resolutions and Recommendations emerging from studies entrusted to it or conducted at its own initiative;
  - o) Make decisions on requests for invitations to attend the Congress as observers under Article 106 of these Regulations;

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<sup>1)</sup> The English lettering scheme has been made to coincide with the Spanish version of the PUASP Acts for easy reference – hence the use of this letter of the Spanish alphabet.

p) Notify member countries or territories of the results of studies undertaken at its own initiative where action by the Congress is unnecessary, in any event informing the Congress of such studies in compliance with paragraph 10;

q) Establish rules for documents to be published and distributed by the General Secretariat free of charge or at cost;

r) Supervise the organization and conduct of any Unionsponsored courses through the intermediary of the General Secretariat;

s) Promote international cooperation to provide technical and economic assistance for developing countries or territories through any and all means at its disposal;

t) Conduct appellate reviews of appealable rulings by the Supervisory Authority on complaints lodged by General Secretariat personnel against decisions by the General Secretariat;

u) Hold elections to fill vacancies from among corresponding nominees under the circumstances described in Article 119, paragraph 7, below;

v) Discharge any and all other necessary functions for the due and proper attainment of its purposes.

11. The Consultative and Executive Council will present a comprehensive report on its activities in the interval between Congresses at least two months in advance of the next Congress.

#### Article 116

##### *Consultative and Executive Council Working Methods*

1. The Consultative and Executive Council will conduct its work based on Union policies and general objectives set by the Congress. It may prioritize and modify these objectives and add other objectives which prove necessary as a result of changing circumstances in the postal sector.

2. The Consultative and Executive Council will establish the ways and means of conducting its own operations.

3. The Consultative and Executive Council will appoint a Management Committee.

#### Article 117

##### *Management Committee*

###### 1. Purpose and functions

The Management Committee reports to the Consultative and Executive Council and keeps it up to date. It assists the Consultative and



Executive Council with the monitoring, examination and evaluation of Union activities, with the following specific functions:

- a) draw up reports on strategic plans and established priorities for submission to the CEC for approval;
- b) draw up reports on the General Secretariat's action plan and its implementation;
- c) draw up a report on the activity indicators proposed by the General Secretariat to evaluate the efficiency of its organizational structure and resources and resulting measurements;
- d) draw up a report on budget performance monitoring data;
- e) draw up a report on the financial statements and annual report to be presented by the General Secretariat;
- f) draw up reports on technical cooperation projects to be submitted for examination by the Management Committee;
- g) draw up reports on other advisory functions or proposals entrusted to it by the CEC;
- h) present the Council with a summary report on its operations and decisions and on the scope of its work program, which report is to be made available to member countries or territories by the General Secretariat at least thirty (30) days in advance of the CEC meeting, except in cases where the Management Committee and CEC meetings are held less than 30 days apart. The General Secretariat will provide PUASP member countries or territories with the agenda for CEC meetings two (2) weeks in advance and distribute summary proceedings of such meetings within 2 weeks from the date of their conclusion;
- i) All documents examined and drawn up by the Committee will be made available to member countries or territories at their request.

## 2. Composition

- a) The Management Committee will consist of seven (7) members: the Chairman of the Consultative and Executive Council, who will preside over the Management Committee, and representatives of six Union member countries or territories, to be elected by the CEC at its organizational meeting. Of the six members elected to fill seats on the Management Committee, the two countries getting the largest number of votes will serve as the First and Second Vice Chairmen of the CEC, respectively.
- b) The elected members of the Management Committee will hold their seats on the Committee until the next regular Congress unless one of the member countries or territories represented on the Management Committee should choose to resign voluntarily, in which case the member country or territory with the next largest number of votes will replace the outgoing member, assuming it is still interested in doing so.
- c) The Secretary General will attend Committee meetings with the right to speak, though without the right to vote.

3. Operation

- a) The Management Committee will meet at least twice a year, endeavoring to hold its meetings on equidistant dates.
- b) The presence of 5 (five) Committee members, either personally or through a representative, shall constitute a quorum.
- c) Management Committee members may be represented at a Committee meeting by proxy. No Committee member may represent more than one other member by proxy.
- d) Decisions will be adopted by a simple majority.
- e) Under no circumstances will the PUASP bear any costs incurred by Management Committee members in connection with the attendance of Committee meetings.
- f) The Management Committee may assign specific duties within the scope of its functions to certain Committee members at its organizational meeting to ensure its efficient operation.

CHAPTER III

PUASP GENERAL SECRETARIAT

Article 118

*Functions*

- 1. The PUASP General Secretariat has the following functions in furtherance of the interests of member countries or territories:
  - a) Assemble and distribute documents and information pertaining to Union postal activities, gather information from a wide variety of sources on postal service operations, the implementation of new services, new technology, trends and markets and regularly disseminate such information to its members and post it on the PUASP web site;
  - b) Serve as intermediary in accession, admission and withdrawal formalities;
  - c) Conduct studies or surveys as instructed by the Congress or the Consultative and Executive Council;
  - d) Without prejudice to the provisions of Article 124(b) of these General Regulations, request an outside audit of the Union's economic/financial position at the end of the budget implementation period, ensuring that corresponding costs are within the Union's established budget ceilings;
  - e) Serve as Secretariat for the Consultative and Executive Council as well as for its Management Committee and working groups and prepare reports in conjunction with the chairs of these same bodies, presenting their members with any documents scheduled to be discussed at least thirty (30) days in advance of the dates of corresponding meetings;

f) Provide information requested by member countries or territories, the UPU International Bureau, Restricted Unions or international organizations on matters concerning or relating to postal activities;

g) Participate and collaborate in multilateral technical cooperation plans and represent the Union in its dealings with international organizations or postal administrations regarded as potential sources of assistance for the improvement of postal services in member countries or territories;

h) Issue opinions on interpretations of the Constitution, the General Regulations and ensuing Resolutions and Recommendations at the request of any member country or territory. Such interpretations are to be disclosed to all other member countries or territories and will be subject to approval by the next Consultative and Executive Council meeting;

i) Issue an opinion on disputed matters at the request of the parties concerned;

j) Keep up-to-date records on the implementation of Recommendations adopted by the Congress and notify member countries or territories of any change in the progress of their implementation;

k) Keep the General Secretariat Library and Philatelic Section in order;

l) Prepare annual statements of Union expenditures;

ll) <sup>1)</sup> Draw up and distribute annual reports on its work in a timely fashion, subject to approval by the Consultative and Executive Council;

m) Establish the annual contributions payable by each member country or territory;

n) Implement technical assistance and cooperation programs for the conduct of Union-sponsored regional postal training activities and supervise and oversee postal training courses offered by the Union in accordance with guidelines mapped out by the Congress and the Consultative and Executive Council;

ñ) <sup>1)</sup> Conduct projects assigned to it by the Consultative and Executive Council;

o) Present the CEC with itemized balance sheets for the Union's Technical Cooperation, Project Development and Working Capital Funds;

p) Keep an up-to-date list of current Resolutions, Recommendations and Decisions by the Congress and the CEC and post them on the PUASP web site;

q) Administer and update the organization's web site as established by the CEC;

r) Establish a communications system with member countries or territories ensuring the regular dissemination of information on General Secretariat operations;

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<sup>1)</sup> The English lettering scheme has been made to coincide with the Spanish version of the PUASP Acts for easy reference – hence the use of this letter of the Spanish alphabet.

s) Furnish distance consulting services to member countries or territories on matters relating to the organization, implementation and monitoring of general postal service operations;

t) Implement and conduct distance training programs using the most economical state-of-the-art methods.

2. The General Secretariat has the following functions within the framework of Congresses, Conferences and other Union meetings:

a) Assist with the organization and conduct of Congresses, Conferences and other meetings called by the Union;

b) Send pertinent inquiries to all member countries or territories for purposes of the selection of a new host for the Union Congress under the circumstances described in Article 103, paragraph 3, and Article 113, paragraph 2, above, inform the Consultative and Executive Council of the results of its efforts, request CEC approval of one of the offers and advise all member governments of the country designated by the Consultative and Executive Council to host the Congress;

c) Distribute proposals submitted by postal administrations for consideration at Congresses, Conferences and other Union meetings in a timely fashion;

d) Serve as secretariat for the Conference;

e) Prepare a summary of the decisions taken at meetings of the Conference;

f) Draw up the agenda for Consultative and Executive Council meetings and a report on its studies and proposals for submission to the Congress;

g) Publish documents for Congresses, Conferences and other Union meetings.

3. The General Secretariat has the following functions with respect to Universal Postal Union Congresses:

a) Make arrangements with the host location for the provision of meeting rooms for the Conference and of necessary office space for administrative services;

b) Send notices of meetings of the Conference to member countries or territories with the approval of the Consultative and Executive Council Chairman;

c) Assist the postal administrations of member countries or territories in matters pertaining to the conduct of the Universal Postal Union Congress;

d) Take steps to form alliances with other Restricted Unions for mutual support and/or for developing strategies in furtherance of the interests and objectives of a majority of member countries or territories within the framework of standing UPU bodies and the Universal Postal Union Congress.

## Article 119

*PUASP Secretary General and Counselor*

1. The General Secretariat will be directed and managed by a Secretary General, assisted by a Counselor. Both officials will be elected at the Congress by secret ballot from among corresponding nominees. The Secretary General and Counselor will be elected for a single term and may be re-elected for an additional term. For purposes of this paragraph, "term" refers to the interval between two consecutive regular Congresses.

2. Candidates for the post of Secretary General or Counselor must meet the following requirements:

a) They must have extensive experience in the organization and operation of postal services acquired at the postal administration of a member country or territory and must be citizens of the country or territory presenting their candidacy; or

b) They must already hold the position of Secretary General or Counselor.

3. The following formalities will be observed in electing the Secretary General and Counselor:

a) Candidates for these positions must be nominated by the governments of member countries or territories, except for officials already serving in these posts, who may personally present their candidacies. Both positions may not be simultaneously held by citizens of the same member country or territory.

b) The governments of member countries or territories will formally present their candidates to the government of the PUASP headquarters country three months prior to the scheduled date of the Congress, accompanied by corresponding curricula vitae.

c) Any Secretary General or Counselor wishing to run for re-election will present his or her candidacy to the government of the PUASP headquarters country by this same deadline, accompanied by a curriculum vitae.

d) The headquarters country will forward the list of candidates and accompanying curricula vitae to the governments of all other member countries or territories at least one month prior to the scheduled date of the Congress and will disclose this same information to the General Secretariat.

e) The Secretary General and Counselor will be elected by secret ballot, by a simple majority of members present and entitled to vote.

4. In the event of a vacancy in the position of Secretary General, this post will be temporarily filled by the Counselor, who will simultaneously retain his own responsibilities.

5. In the event of a vacancy in the position of Counselor, the Secretary General will assume the duties of this official.

6. In the event of vacancies in both positions, the Supervisory Authority will temporarily assume responsibility for the direction and management of the General Secretariat.

7. Under any of the circumstances described in paragraphs 4 through 6 above, the General Secretariat will promptly invite member countries or territories to nominate candidates to fill the vacancy or vacancies in question. As an exception to the rule established in paragraph 1 above, the first meeting of the Consultative and Executive Council after the effective date of such vacancy or vacancies will hold an election to fill such vacancies from among corresponding nominees. The term of office of these elected officials will run up until the next meeting of the Congress, which interval will not be taken into account for purposes of their eventual re-election under paragraph 1 above.

8. The procedure established in the preceding paragraph will not apply to vacancies produced after the last regular meeting of the Consultative and Executive Council in the interval between two Congresses.

9. The Secretary General will have the following powers in addition to those expressly conferred on him by the Constitution and General Regulations:

a) Appoint and dismiss General Secretariat personnel in accordance with corresponding regulations approved by the Consultative and Executive Council;

b) Attend Congresses, Conferences, Consultative and Executive Council meetings and meetings of the CEC Management Committee, with the right to take part in deliberations, but without the right to vote;

c) Attend Universal Postal Union Congresses and meetings of UPU Councils as an observer and inform member countries or territories of any matters discussed at these Council meetings of importance to the PUASP;

d) Organize Conferences and meetings of representatives of member countries or territories attending Universal Postal Union Council meetings;

e) Negotiate loans, sign debt instruments and furnish guarantees for up to two twelfths of the annual budget, all of which are to be cosigned by the Secretary General and Counselor;

f) Open bank accounts;

g) Transfer items between headings and subheadings within the same cost group under a given budget program in keeping with official Union needs and consult with and secure approval from the Consultative and Executive Council Chairman for major budget transfers under Article 115, paragraph 10(k), of these General Regulations as required to cover

major emergency expenditures and subsequently submit such transfers for confirmation by a plenary session of the Consultative and Executive Council as provided in the aforesaid Article, together with any other expenditure entailing major changes in budget programs or in cost groupings under a given program.

10. In addition to assisting and replacing the Secretary General in his absence and assuming his duties, the Counselor has the following basic functions:

- a) Oversee administrative work;
- b) Frame Union budget proposals;
- c) Establish annual accounts;
- d) Work with the Secretary General on studies and technical cooperation activities.

11. Discharge the functions indicated in the Regulations for the General Secretariat.

#### Article 120

##### *General Secretariat Staff*

1. General Secretariat staff members will be classified in one of the following two categories:

- a) Professional service personnel;
- b) General service personnel.

2. The Congress or the Consultative and Executive Council will pass a Resolution establishing staffing levels for both professional and general services personnel on a motion from the Secretary General.

#### Article 121

##### *General Secretariat Staff Retirement and Pension Benefits*

1. Current and future resident and nonresident PUASP General Secretariat officials and employees elected or hired as of April 1, 1992 and thereafter no longer have pension benefits payable by the Union. However, upon their separation from service, they or their successors or assigns will be entitled to retirement pay in an amount equal to the sum of all contributions made by the employee and by the Union, plus compound interest at the real market rate earned by such funds.

2. General Secretariat staff pension rights recognized through March 31, 1992 and all corresponding past and present annuities payable under this concept will continue to be disbursed until such time as they may

lapse under a special PUASP annual budget program. In the event of inadequate program funding, these benefits will be paid from the Working Capital Fund.

Article 122

*Collaboration with the PUASP General Secretariat*

Member countries or territories may assign experts to the PUASP General Secretariat, at its request, for as much time as is deemed strictly necessary to assist with special jobs under clearly justified circumstances.

CHAPTER IV

SUPERVISORY AUTHORITY

Article 123

*Duties of the Government of the Headquarters Country*

To facilitate the operation of the General Secretariat and other Union bodies, the government of the Eastern Republic of Uruguay shall:

- a) Grant the privileges and immunities established under Article 9 of the Constitution;
- b) Advance necessary funding for General Secretariat operations;
- c) Take any and all other necessary measures to enable the General Secretariat to fulfill its responsibilities.

Article 124

*Functions of the Supervisory Authority*

As Supervisory Authority for the General Secretariat, the Eastern Republic of Uruguay is responsible for:

- a) Making appropriate comments to the Chairman of the CEC on any and all aspects of its operations;
- b) Conducting post-audits of all General Secretariat contracts, spending, transactions, payments, accounting entries, etc. and reporting its findings to the Chairman of the CEC;
- c) Issuing appealable rulings on complaints lodged by General Secretariat personnel against decisions by the General Secretariat;
- d) Taking all other necessary action to discharge its supervisory functions.



## CHAPTER V

AMENDMENT OF UNION ACTS, RESOLUTIONS AND  
RECOMMENDATIONS

## Article 125

*Proposals for the Amendment of Union Acts, Resolutions and  
Recommendations by the Congress. Procedure*

1. All proposals must be presented to the General Secretariat four (4) months prior to the opening session of the Congress.
2. The General Secretariat will publish and distribute proposals to member countries or territories at least three (3) months prior to the opening date of the Congress.
3. Proposals presented after the deadline indicated in paragraph 1 above will be considered if backed by at least two member countries or territories, with the exception of drafting proposals to be referred directly to the Drafting Committee, which must display a capital letter "R" as part of their heading.

## Article 126

*Conditions for the Approval of Proposals Pertaining to the General  
Regulations, Resolutions and Recommendations*

1. The adoption of proposals submitted to the Congress with respect to the General Regulations, Resolutions and Recommendations requires approval by a simple majority of member countries or territories present or represented and entitled to vote. At least two thirds of Union member countries or territories must be present or represented during the voting process.
2. The preceding rule does not apply to proposals seeking to amend provisions of the General Regulations pertaining to the operation of the Congress (Articles 103 through 113 inclusive) requiring a two thirds majority vote by member countries or territories present or represented at the Congress and entitled to vote, which will enter into effective immediately upon their approval.

CHAPTER VI  
UNION FINANCE

Article 127

*Union Budget*

1. Each Congress will pass a Resolution setting the budget ceiling for each year of the ensuing four-year period expressed in United States dollars based on the General Secretariat budget presentation by program and activity. Approved budgets are effective from January 1st through December 31st of each year.

2. The General Secretariat will present the Management Committee and the Consultative and Executive Council with an itemized budget for the following year, along with a statement of expenditures for the previous year and corresponding supporting documents for examination and approval, where applicable.

Article 128

*Working Capital Fund*

1. At the end of each fiscal year, the aggregate value of annual Union expenses to be jointly defrayed by member countries or territories will be increased by a percentage agreed on by each Congress, earmarked for the working capital fund.

2. This fund will be used by the General Secretariat to discharge budget obligations.

3. The percentage increase referred to in paragraph 1 above will not be made in the event the working capital fund at the end of a given fiscal year is greater than or equal to total budgeted expenditures for the following fiscal year.

Article 129

*Contributions by member countries or territories*

1. Member countries or territories will contribute to the defrayal of Union expenses according to their respective contribution category. The following contribution categories are hereby established:

- Twelve-unit category;
- Eleven-unit category;
- Ten-unit category;
- Nine-unit category;

- Eight-unit category;
- Seven-unit category;
- Six-unit category;
- Five-unit category;
- Four-unit category;
- Three-unit category;
- Two-unit category; and
- Single-unit category.

2. Member countries are classified in the following contribution categories:

- a) Twelve-unit category;
- b) Eleven-unit category;
- c) Ten-unit category;
- d) Nine-unit category;
- e) Eight-unit category: Canada, Spain and the United States of America;
- f) Seven-unit category: Brazil and Portugal;
- g) Six-unit category;
- h) Five-unit category;
- i) Four-unit category: Colombia and Chile;
- j) Three-unit category: Argentina, Mexico and Uruguay;
- k) Two-unit category: Panama and Venezuela;
- l) Single-unit category: Netherlands Antilles – Aruba, Bolivia, Costa Rica, Cuba, Ecuador, El Salvador, Guatemala, Haiti, Nicaragua, Peru, Paraguay, Dominican Republic, Republic of Honduras and Republic of Suriname.

3. The contribution categories of new countries joining the Union will be commensurate with the size of their postal service. The lowest possible initial contribution category is the two-unit category.

4. Member countries or territories may change their contribution category subject to notification of the General Secretariat prior to the opening of the Congress. Such notices will be reported to the Congress, with the new contribution category prevailing as of the effective date of the financial provisions approved by the Congress.

5. Member countries or territories may lower their contribution category by only one category at a time. Those member countries or territories who fail to disclose their desire to lower their contribution category prior to the opening of the Congress will remain in their current category.

6. However, under special circumstances such as natural disasters requiring the implementation of international relief programs, the Congress may approve the request of a member country or territory to tem-

porarily lower its contribution category where it can demonstrate its inability to maintain its contributions at the level corresponding to the category in which it is currently classified.

7. The Consultative and Executive Council will have the authority to make decisions on requests for reductions in contribution categories under the previous paragraph from member countries or territories other than those classified as least developed countries or territories in the interval between Congresses. Its decision will remain in effect for a maximum of two years or until the celebration of the next Congress, whichever comes first, which will decide whether to limit or extend the reduction period, where applicable.

8. Member countries or territories subject to a United Nations intervention will be exempt from paying their membership contributions for the duration of these special circumstances.

9. There are no restrictions on transfers to higher contribution categories.

#### Article 130

##### *Audits and Advances*

The postal administration of the PUASP headquarters country will audit General Secretariat expenses and the government of such country will make any necessary advances.

#### Article 131

##### *Financial Statements*

The General Secretariat will draw up annual statements of Union expenditures subject to auditing by the Supervisory Authority, as well as to outside auditing. Moreover, the Consultative and Executive Council, the Management Committee and the Congress may ask the General Secretariat to account for matters other than budgetary issues or to present preliminary reports.

#### Article 132

##### *Outside Auditing*

1. The Union's financial statements will be subject to an outside audit at the end of the budget year based on generally accepted principles of accounting and auditing.

2. The outside auditor's report will be presented to the Management Committee prior to its submission to the Consultative and Executive Council for discussion purposes.

3. The outside auditor will have the authority to make observations on the efficiency of financial procedures relating to the accounting system, internal financial controls and the administration and management system in general.

4. The outside auditor will be completely independent and solely responsible for the performance of all auditing work.

5. The Management Committee and the Consultative and Executive Council may ask the outside auditor to conduct specific types of audits and submit separate reports on its findings.

#### Article 133

##### *Payment of Contributions*

1. Member countries or territories will be promptly notified of the budget approved by the Consultative and Executive Council for purposes of the payment of their respective contributions thereunder, which payments are due by June 30th of each budget year. In cases where final expenditures fall short of authorized aggregate expenses, corresponding surpluses will be credited to the appropriate country and applied to the following budget.

2. Any and all payments in arrears after the date indicated in paragraph 1 above with respect to the budget per se and the working capital fund will accrue interest at the rate of 5% per annum, effective as of the aforesaid deadline.

#### Article 134

##### *Automatic sanctions*

1. Any member countries or territories in debt to the Union for:
  - a) nonpayment of their membership contributions for two fiscal years;or
  - b) noncompliance with payment deadlines under agreed-on payment plans, if any;
    - which have not taken either of the following measures:
      - a) settlement of their debt by paying off the outstanding balance or by making an irrevocable assignment to the Union of all or part of their own outstanding claims payable by other member countries or territories; or

b) acceptance of a payment plan proposed by the General Secretariat; will be subject to automatic sanctions.

2. In keeping with the previous paragraph, the member country or territory in question will automatically forfeit:

a) its right to vote at meetings of the Congress, the Consultative and Executive Council and the Management Committee, though retaining its right to take part in deliberations;

b) its right to nominate candidates for elective positions with the General Secretariat;

c) its right to use the Technical Cooperation Fund and the Project Development Fund;

d) its right to accrue Technical Cooperation Fund “aliquotas” during the years in question;

e) its right to reimbursement of airfare and subsistence allowances for the attendance of CEC meetings or UPU Congresses.

4. The General Secretariat will report any Union member subject to automatic sanctions at the opening session of the Congress and the CEC meeting.

5. Automatic sanctions imposed on a member country or territory will be officially lifted, effective immediately, upon payment in full of all outstanding mandatory contributions due the Union or upon its signature of a debt payment plan and payment of the first installment due thereunder.

## CHAPTER VII

### LANGUAGES ACCEPTED BY THE UNION

#### Article 135

##### *Languages*

1. Union documents will be furnished to postal administrations in Spanish. However, official correspondence from postal administrations of non-Spanish speaking member countries or territories may be drafted in their native language. From time to time, the Consultative and Executive Council may authorize French, English and Portuguese translations of publications of particular interest for the operation of postal services.

2. Deliberations at Congresses, Conferences and Council meetings may be conducted in French, English and Portuguese in addition to Spanish, with the choice of translation system left up to the General Secretariat and the meeting organizers.

3. The cost of interpretation services will be borne by the countries or territories requesting such services, with the exception of those in the lowest contribution category.

#### CHAPTER VIII

#### FINAL PROVISIONS

#### Article 136

##### *Effective Date and Duration of the General Regulations*

These General Regulations will enter into effect on January 1, 2006 and will remain in force until the effective date of the Acts of the next Union Congress.

In witness whereof, the plenipotentiary representatives of the governments of Union member countries have signed these General Regulations in Rio de Janeiro, Brazil, this sixteenth day of August, two thousand five.

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#### D. PARLEMENT

Zie *Trb.* 1995, 185 en de rubrieken J van *Trb.* 1995, 185, *Trb.* 1997, 287 en *Trb.* 2002, 228.

De wijzigingen van de Constitutie behoeven ingevolge artikel 91 van de Grondwet de goedkeuring van de Staten-Generaal, alvorens het Koninkrijk aan de Protocollen kan worden gebonden.

De wijzigingen van het Algemeen Reglement en de Resoluties, aangenomen tijdens het Achttiende Congres in 2000 en het Negentiende Congres in 2005, behoeven ingevolge artikel 7, onderdeel b, van de Rijkswet goedkeuring en bekendmaking verdragen niet de goedkeuring van de Staten-Generaal.

#### E. PARTIJGEGEVENS<sup>1)</sup>

Zie rubriek F van *Trb.* 1992, 119 en *Trb.* 1995, 185.

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<sup>1)</sup> Er zijn niet voldoende gegevens beschikbaar gesteld door de depositaris. Dit zijn de gegevens voor zover bekend bij de Afdeling Verdragen van het Ministerie van Buitenlandse Zaken.

## Constitutie met Reglement

Partij	Onder-tekening	Ratificatie	Type*	In werking	Opzeg-ging	Buiten werking
Argentinië	26-11-71		R	01-07-72		
Bolivia	26-11-71		R	01-07-72		
Brazilië	26-11-71		R	01-07-72		
Canada	26-11-71		R	01-07-72		
Chili	26-11-71		R	01-07-72		
Colombia	26-11-71		R	01-07-72		
Costa Rica		26-11-71	O	01-07-72		
Cuba	26-11-71		R	01-07-72		
Dominicaanse Republiek, de	26-11-71		R	01-07-72		
Ecuador	26-11-71		R	01-07-72		
El Salvador	26-11-71		R	01-07-72		
Guatemala	26-11-71		R	01-07-72		
Haïti		26-11-71	O	01-07-72		
Honduras		26-11-71	O	01-07-72		
Mexico	26-11-71		R	01-07-72		
<b>Nederlanden, het Koninkrijk der</b> – Nederland – Ned. Antillen – Aruba		18-01-93 18-01-93	T T	18-01-93 18-01-93		
Nicaragua		26-11-71	O	01-07-72		
Panama		26-11-71	O	01-07-72		
Paraguay	26-11-71		R	01-07-72		
Peru	26-11-71		R	01-07-72		
Portugal		1990	T	1990		
Spanje	26-11-71		R	01-07-72		
Suriname		1978	T	1978		



Partij	Onder-tekening	Ratificatie	Type*	In werking	Opzeg-ging	Buiten werking
Uruguay	26-11-71		R	01-07-72		
Venezuela		26-11-71	O	01-07-72		
Verenigde Staten van Amerika, de	26-11-71		R	01-07-72		

\* O=Ondertekening zonder voorbehoud of vereiste van ratificatie, R= Bekrchtiging, aanvaarding, goedkeuring of kennisgeving, T=Toetreding, VG=Voortgezette gebondenheid, NB=Niet bekend

#### G. INWERKINGTREDING

Zie *Trb.* 1992, 119, rubriek J van *Trb.* 1994, 48, *Trb.* 1995, 185 en de rubrieken J van *Trb.* 1997, 287 en *Trb.* 2002, 228.

Het Zevende Aanvullende Protocol en de wijzigingen van het Algemene Reglement, zoals aangenomen op 16 augustus 2005, zijn op 1 januari 2006 in werking getreden.

Wat betreft het Koninkrijk der Nederlanden, zullen de wijzigingen voor de Nederlandse Antillen en Aruba gelden.

#### J. VERWIJZINGEN

Zie voor verwijzingen en overige verdragsgegevens *Trb.* 1992, 119, *Trb.* 1994, 48, *Trb.* 1995, 185, *Trb.* 1997, 287 en *Trb.* 2002, 228.

#### Verwijzingen

Titel : Constitutie van de Wereldpostunie;  
Wenen, 10 juli 1964  
Laatste *Trb.* : *Trb.* 2006, 28

Titel : Aanvullend Protocol bij de Constitutie van de  
Wereldpostvereniging;  
Tokio, 14 november 1969  
Tekst : *Trb.* 1971, 5 (Frans)  
Laatste *Trb.* : *Trb.* 1981, 157

Titel : Tweede Aanvullend Protocol bij de Constitutie van de  
Wereldpostvereniging;  
Lausanne, 5 juli 1974  
Tekst : *Trb.* 1975, 91 (Frans)  
Laatste *Trb.* : *Trb.* 1981, 158

- Titel : Derde Aanvullend Protocol bij de Constitutie van de Wereldpostunie;  
Hamburg, 27 juli 1984
- Tekst : *Trb.* 1986, 24 (Frans)
- Laatste *Trb.* : *Trb.* 2006, 30
- Titel : Vierde Aanvullend Protocol bij de Constitutie van de Wereldpostunie;  
Washington, 14 december 1989
- Laatste *Trb.* : *Trb.* 2006, 31
- Titel : Vijfde Aanvullend Protocol bij de Constitutie van de Wereldpostunie;  
Seoul, 14 september 1994
- Laatste *Trb.* : *Trb.* 2006, 32
- Titel : Zesde aanvullend Protocol bij de Constitutie van de Wereldpostunie;  
Beijing, 15 september 1999
- Tekst : *Trb.* 2002, 205 (Frans)
- Laatste *Trb.* : *Trb.* 2005, 297
- Titel : Zevende aanvullend Protocol bij de Constitutie van de Wereldpostunie;
- Tekst : *Trb.* 2005, 298 (Frans)

Uitgegeven de *zeventiende* oktober 2007.

*De Minister van Buitenlandse Zaken,*

M. J. M. VERHAGEN