



## **APPU EC Meeting 2016 Acts of the Union Update**

Siva Somasundram  
General Manager  
International Regulatory Affairs  
Australia Post

1

### **Agenda**

- AUPG mandate and overview
- Convention Outcomes
- Regulations Outcomes
- Definitions Outcomes
- Permanent Convention

2

# AUPG Overview

APPU Executive Council Meeting

- Australia provided an update on the work of the AUPG at the APPU regional meeting held in Kolkata, India in February 2016.
- The AUPG's mandate from the Doha Congress was essentially three fold:
  - ☐ Review and revise the UPU Convention from a technical perspective
  - ☐ Review and revise the UPU Regulations from a technical perspective
  - ☐ Review and revise the definitions of the UPU Acts from a technical perspective
- What does a technical review and revision entail?
  - ☐ Identification and addressing of inconsistencies and anomalies in the rules
  - ☐ Simplification of the rules
  - ☐ Minimum substantive change and when substantive change is required, identification of the required change for the consideration and decision of UPU member countries
- The work of the AUPG in this cycle has been progressed through three main forums:
  - ☐ The overarching project group itself chaired by Australia
  - ☐ An Ad Hoc Group of Experts, chaired by Australia, tasked with progressing the mandate of the AUPG in respect of the revision of the Convention and the Regulations
  - ☐ A second Ad Hoc Group on Definitions, chaired by France, tasked with progressing our work on the definitions used in the Acts.

3

Asian-Pacific Postal Union

## AUPG Outcomes - Convention

APPU Executive Council Meeting

- Over the years the structure and content of the Convention has been reviewed and revised as postal services have evolved.
  - ☐ As a result, the articles of the Convention have been adapted and modified repeatedly, and on an individual basis resulting in inconsistencies and obsolete provisions.
  - ☐ The AUPG was given a mandate at the Doha Congress through resolution C24/2012 to review and update the Convention with a view to addressing such problems.
- The work of the AUPG and the Ad Hoc Group of Experts on the revision of the Convention finally resulted in two documents presented and endorsed by the CA at its meeting in October 2015.

4

Asian-Pacific Postal Union

APPU Executive Council Meeting	<h2>AUPG Outcomes - Convention</h2>
	<ul style="list-style-type: none"><li>• Firstly, we have the draft recast of the Convention originally contained in document CA C1 AUPG 2015.2 – Doc 2. Annex 1 and now being tabled for the consideration of Congress as Annex 1 to Istanbul Congress – Doc 15 “Recast of the Convention and its Regulations”<ul style="list-style-type: none"><li>❑ It is important to note that the draft recast of the Convention presented has been extensively reviewed and worked on in both the AUPG and the Ad Hoc Group of Experts on the Convention over the last three years.</li><li>❑ It was also the subject of a wider process of consultations and comment by all UPU member countries in July in 2015.</li><li>❑ The CA at its October 2015 meeting approved the draft recast of the Convention for submission to the Istanbul Congress as the basis for the consideration of proposals to amend the Convention to be decided upon at that Congress.</li></ul></li></ul>

APPU Executive Council Meeting	<h2>AUPG Outcomes - Convention</h2>
	<ul style="list-style-type: none"><li>• A copy of the draft recast of the Convention was circulated to all UPU member countries by way of a letter dated 30 November 2015 from the UPU Director General (Reference 3518 (DREM.GRA.CC) 1155)</li><li>• The key thing to note is that it is this draft recast of the Convention that should be used by member countries as the reference text in preparing Convention proposals for the 2016 Istanbul Congress (see letter dated 29 February 2016 from the UPU Director General (Reference 2150 (DREM.GRA) 1022)</li><li>• The Istanbul Congress will be asked to first approve the draft recast of the Convention before considering CA and member proposals to amend it (see Congress Proposal of a General Nature 01 – “General Revision of the Universal Postal Convention”)</li></ul>

APPU Executive Council Meeting	<h2 style="text-align: center;">AUPG Outcomes - Convention</h2>
7	<ul style="list-style-type: none"> <li>• A second outcome of the AUPG's work on the Convention is a number of proposals to amend the Convention to iron out inconsistencies, anomalies and to achieve a general cleaning up <ul style="list-style-type: none"> <li>❑ These proposals are set out in Annexes 1 to 8 of document CA C1 2015.1 – Doc 4d</li> <li>❑ Important to emphasise that these proposals were the subject of detailed discussions and review both in the Ad Hoc Group of Experts on the Convention, the AUPG and the CA</li> <li>❑ The proposals were approved by the CA at its meeting in October 2015 for onward submission for final approval at the Istanbul Congress</li> <li>❑ They will now appear as formal Congress proposals for our approval at Congress (see documents for Congress)</li> </ul> </li> </ul>
	Asian-Pacific Postal Union

APPU Executive Council Meeting	<h2 style="text-align: center;">AUPG Outcomes - Regulations</h2>
8	<ul style="list-style-type: none"> <li>• Mandate of the AUPG in this area under Congress resolution C 24/2012 has been, amongst other things: <ul style="list-style-type: none"> <li>❑ To reorganize the Letter Post Regulations and the Parcel Post Regulations to present in a single volume, the common rules applicable to these two services</li> <li>❑ At the same time preserving a logical structure so that information on the operation of the international postal service is provided in clear and concise language.</li> </ul> </li> <li>• The outcome of the AUPG's work is the draft recast of the Letter Post Regulations and Parcel Post Regulations set out in document CA C1 AUPG 2015.2 Doc 3, Annex 1, Attachment 2. It is also found as Annex 2 to Istanbul Congress-Doc 15 "Recast of the Convention and its Regulations".</li> <li>• The draft recast of the Regulations is a single body of rules consisting of three volumes. The first volume sets out the provisions of the Regulations that are common to both letter post and parcel post and is entitled Rules in Common. Provisions that are clearly specific either to letter post or parcel post services are separated into two other volumes entitled Letter Post Regulations and Parcel Post Regulations respectively.</li> <li>• Important to note that the draft recast of the Regulations presented has been extensively reviewed and worked on in both the AUPG and the Ad Hoc Group of Experts on the Convention over the last two years. Also the subject of a wider process of consultations and comment by all UPU member countries in July 2015 .</li> <li>• The draft recast of the Regulations was approved by the CA at its meeting in October 2015 and will be used as the reference text in preparing country proposals for changes to the Regulations to be considered at the first POC meeting after the 2016 Istanbul Congress.</li> </ul>
	Asian-Pacific Postal Union



## AUPG Outcomes - Regulations

APPU Executive Council Meeting

- During the course of this work on the Regulations, the AUPG has also identified a number of provisions in the Regulations that contain differences between the approach taken to parcels and letter post for no obvious reasons. It is the view of the AUPG and the Ad Hoc Group of Experts that these provisions should be the subject of further study by the POC with a view to enacting amendments to help clarify and align them better.
- In this context, the CA also approved a draft resolution for the consideration of the POC calling upon the POC to approve the draft recast of the Regulations and to take further action in respect of the outstanding matters identified by the AUPG in respect of the Regulations (see Annex 1 of document CA C1 2015.1 Doc 4c)

9

Asian-Pacific Postal Union

## AUPG Outcomes - Definitions

APPU Executive Council Meeting

- Much of the AUPG's work over the last three years on the definitions of the Acts has been progressed through the Ad Hoc Group on Definitions chaired by France.
- The Ad Hoc Group and the AUPG have thoroughly reviewed the definitions in the Acts as well as member country proposals in that regard.
- The outcome of that work culminated in the proposals contained in Annexes 9 and 10 of document CA C1 2015.1 – Doc 4d
- The proposals were approved by the CA at its meeting in October 2015 for onward transmission for the consideration of the Istanbul Congress.
  - They will now appear as formal Congress proposals (see documents for Congress)

10

Asian-Pacific Postal Union

APPU Executive Council Meeting	<h2>Permanent Convention</h2>	
	<ul style="list-style-type: none"> <li>• The Doha Congress instructed the Council of Administration (see C28/2012) to:               <ul style="list-style-type: none"> <li>– further study the draft provisions and the impact of establishing a permanent Convention;</li> <li>– ensure that all interested member countries have the opportunity to take part in the aforementioned study;</li> <li>– submit proposals to amend the relevant Acts of the Union to the 26th Congress.</li> </ul> </li> <li>• AUPG reported to CA C 1 in November 2014 that members were undecided concerning the benefits of a permanent Convention</li> <li>• CA C 1 was asked to decide what next steps should be taken</li> <li>• CA C 1 reiterated the mandate of the Doha Congress and requested AUPG to continue the work on proposals to establish a permanent Convention</li> </ul>	
11	Asian-Pacific Postal Union	

APPU Executive Council Meeting	<h2>Permanent Convention</h2>	
	<ul style="list-style-type: none"> <li>• The AUPG studied three separate but inter-related proposals on how the Convention could be made permanent</li> <li>• IB proposal in document 2015.2-Doc 4a.Rev 1               <ul style="list-style-type: none"> <li>– Convention would be made permanent</li> <li>– Amendments appear in Final Protocol, similar to Constitution and General Regulations</li> <li>– No special arrangements for any articles; amendment when Congress decides</li> </ul> </li> <li>• Japan proposal in document 2015.2-Doc 4a.Add 1               <ul style="list-style-type: none"> <li>– Convention would be made permanent</li> <li>– Amendments to permanent Convention appear in Final Protocol, similar to Constitution and General Regulations</li> <li>– Time-dependent articles appear in a separate Annex to be renewed at each Congress</li> </ul> </li> <li>• IB legal proposal in document 2016.1-Doc 3a               <ul style="list-style-type: none"> <li>– Convention would be made permanent</li> <li>– Amendments to permanent Convention appear in Final Protocol, similar to Constitution and General Regulations</li> <li>– Time-dependent articles appear in Letter Post and Parcel Post Regulations</li> </ul> </li> </ul>	
12	Asian-Pacific Postal Union	

## Permanent Convention

APPU Executive Council Meeting

- The advantages and disadvantages of all three proposals were extensively discussed and debated in the AUPG.
- The AUPG recommended:
  - Go forward with proposals to Congress for permanent Convention; future amendments in Additional Protocols (IB proposal in document 2015.2-Doc 4a.Rev 1, annexes reproduced in 2016.1-Doc 3a.Add 1.Annexes 1-5)
  - Proposal of a general nature requesting further study in the next cycle to resolve the issues concerning time-dependent provisions (2016.1-Doc 3a.Add 1.Annex 6)
- These recommendations were endorsed by the CA at its meeting in February 2016 and are now the subject of Congress proposals for our consideration at Istanbul (see documents for Congress)

13

Asian-Pacific Postal Union

APPU Executive Council Meeting

• **Thank You**

14

Asian-Pacific Postal Union

## **Report of the Acts of the Union Project Group**

APPU member countries held a session on Tuesday afternoon to review and discuss the outcomes of the work of the UPU's Acts of the Union Project Group. The session was chaired by Australia.

The session took note of the technical mandate given to the AUPG by the Doha Congress to review and revise the UPU Acts and in particular that this technical mandate was focused on identifying and addressing inconsistencies and anomalies in the rules and simplifying the rules with minimum substantive changes to the rights and obligations of UPU member countries.

The session was informed that the work of the AUPG over the last four years in respect of the UPU Convention had resulted in two key outcomes presented and endorsed by the UPU Council of Administration at its meeting in October 2015. The first was the draft recast of the UPU Convention which is to be considered and approved by Congress as Annex 1 to Istanbul Congress Document 15. It was noted that it is this draft recast of the UPU Convention that should be used by member countries as the reference text in preparing Convention proposals for the Istanbul Congress. The second outcome were a set of proposals to amend the UPU Convention to iron out identified inconsistencies, anomalies and to achieve a general cleaning up. It was noted that these proposals had been endorsed by the Council of Administration and will now appear as formal Congress proposals for approval at Congress.

In respect of the UPU Regulations, the session was informed of the draft recast of the Regulations that the AUPG had also produced and which had been endorsed by the CA for approval by Congress. It was noted that the draft recast of the Regulations had been extensively reviewed and worked on by the AUPG and had been the subject of a wide process of consultation and comment by all UPU member countries. Again, the session was informed that the draft recast of the Regulations should be used by member countries in preparing country proposals for changes to the Regulations to be considered in the first POC or Postal Business Commission meeting after the 2016 Istanbul Congress.

Finally the session also took note of the proposals developed by the AUPG and endorsed by the CA for consideration of Congress to make the UPU Convention permanent. Member countries were informed that the proposals if adopted by Congress would make the UPU Convention a permanent instrument with any future amendments effected through an Additional Protocol process such as is currently in place for the UPU Constitution and its General Regulations.