

REVIEW OF GOVERNING DOCUMENTATION AND ARCHIVING PROJECT: FULLY ANNOTATED ACTS**(Document prepared by the Reform Consultant)**

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| 1. Subject Completion of preparatory work for review of Acts of the Union (governing documentation) – updating Reform WG on full annotation of Constitution and General Regulations | References/ Paragraphs §§ 1 – 4 Appendices 1 – 4 |
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1. Introduction

1.1 Appendix 1 of EC 2023 Doc 13.3 identifies that the preparation of documentation (archiving) for the Acts of the Union has end-of-July timings for two activities viz.,

| Line | Span of Review | Action |
|------|-------------------|---|
| 6A | Acts of the Union | 1.3A Cascading / harmonization of annotations |
| 9 | | 1.6 Sign-off as ready for C 2 / 2022 action |

1.2 This document (EC 2023 Doc 13.3 Add 1) provides a brief report that key milestones in the review of governing documentation have been reached i.e., the completion of fully annotated versions of the 1985 APPU Constitution and the 1995 APPU General Regulations. The significance of the milestone is that it enables the actual review of the Acts of the Union to commence. Accordingly, the two items in the table in paragraph 1.1 above have been achieved.

1.3 As an early (“for information only”) release¹ of the annotated versions of the Constitution and General Regulations, as well as their current complementary Additional Protocols, documentation is attached as follows.

- **Appendix 1** – Constitution (signed at Bangkok, 1985) (at pages 4 to 21)
- **Appendix 2** – Second Additional Protocol to the Constitution (signed at Tehran, 2000) (at pages 22 to 30)
- **Appendix 3** – General Regulations (signed at Singapore, 1995) (at pages 31 to 54)
- **Appendix 4** – Additional Protocol to the General Regulations (signed at Tehran, 2000) (at pages 55 to 68)

2. Comments on documentation

2.1 The style and content of the annotated versions is generally based on the UPU Acts e.g., highlighting new text **in bold** (in this case being text added by the 2000 Tehran Congress), numbering of annotations, confining annotations to the main documents (Constitution and General Regulations) and not inserting them in the Additional Protocols.

2.2 Using the UPU Acts as a guide should make it easier for APPU members to work with the documentation. In this regard, the material in Appendices 1 to 4 is regarded as being for **general use** where the purpose is knowing what is contained in the current Acts of the Union.

2.3 As the result of the process that experts have had to work through to annotate the APPU material (and the range of outputs from that work), the specialist team has also created

¹ A separate process / communication will be used for a more detailed explanation / distribution of the annotated Acts, including assignment of responsibility for remaining or ongoing work, as well as how feedback can be provided.

documentation for **specialist use (SU)**. The specialist use material is described below (and will be available through the APPU website).

- **SU1** – Constitution (signed at Bangkok, 1985) – working document that shows additions and deletions made by the 2000 Tehran Congress, and annotations that relate to the key changes made at the Tehran Congress
- **SU 2** – Constitution (signed at Bangkok, 1985) – working document that shows additions and deletions made by the 2000 Tehran Congress, and annotations that relate to the key changes made at all APPU Congresses
- **SU 3** – Second Additional Protocol to the Constitution (signed at Tehran, 2000) - working document that shows additions and deletions made by the 2000 Tehran Congress
- **SU 4** – General Regulations (signed at Singapore, 1995) – working document that shows additions and deletions made by the 2000 Tehran Congress, and annotations that relate to the key changes made at the Tehran Congress
- **SU 5** – General Regulations (signed at Singapore, 1995) – working document that shows additions and deletions made by the 2000 Tehran Congress, and annotations that relate to the key changes made at all APPU Congresses
- **SU 6** – Additional Protocol to the General Regulations (signed at Tehran, 2000) - working document that shows additions and deletions made by the 2000 Tehran Congress

2.4 The particular benefit of the specialist use material is that it shows where text has been deleted. In many respects, deleted material can be just as important as new (added) material.

2.5 Documents SU 1 to SU 6 are regarded as being reference resource for the Bureau (acquiring institutional knowledge of the Union’s legal base, and future management of the Union’s governing documentation) and individuals in member-countries who may be involved in the review of the governing documentation (legal correctness and history of the APPU Acts).

3. Extent of work undertaken

3.1 The specialist team that has created the material in Appendices 1 to 4 for the Constitution and General Regulations (in respect of the 2000 APPU Tehran Congress), has followed the same process and produced the same outputs for each of the preceding eight APPU Congresses (thus drafting upwards of 50 documents designed to meet current and historical information needs). Indeed, the only way in which the 2000 Tehran Congress Acts could be fully annotated was by starting at the 1961 Manila Conference and working systematically through the subsequent Congresses to build the story through identifying, noting, researching and recording all changes.

3.2 The documentation for the other eight Congresses will be released once a final proof-reading process has been completed.

4. Purpose of undertaking the annotation work

4.1 In the 2017 APPU Tehran Congress cycle, it was agreed that the Reform Working Group (WG) should make a review of the Union’s governing documentation. At the time, it was envisaged that the review could be completed by the next Congress (i.e., originally scheduled for 2021, but deferred to 2022). However, it quickly became apparent that there were a number of issues in the Constitution and General Regulations. Initial work to resolve issues simply led to more questions arising rather than answers being obtained. It was decided that the only way to be confident in a set of Acts that were fully understood and documented was to start at the beginning (1961) and review every change made through to the 2000 Congress.

4.2 Other factors relevant to the purpose of undertaking the annotation work include the following.

| Focus | Description of Focus | The Issue (focus) in a Few Words | What the WG Has Achieved |
|--|---|--|--|
| Availability of documents | The Union did not have a complete set of Acts (for each Congress) in one location. Indeed, to produce a complete set of Acts, the specialist team had to search through library shelves to find copies and then reproduce them in an editable form. | Complete set non-existent | Complete set now exists |
| Standardised presentation of material | There was no standard (original) format for the Acts of a Congress. Few versions highlighted changes made at a Congress, some were produced with the text completely in upper case, only one Congress (1965) had any annotations. | No standards in evidence | Documentation standards set and have been adhered to |
| Institutional knowledge of the Acts | Apart from the specialist team, there was no-one identified in the Union who had significant institutional knowledge of the Acts. This particular observation reinforced the need to create a resource for the Union that covered the evolution of the Acts, explained the main changes to provisions from 1961 to 2000, and which could then be used as the basis for undertaking the review of this area of the Union's governing documentation. | One exception aside, the Union does not have access to an expert on the Acts | Base resource has been created for Union to develop knowledge and manage documentation efficiently |
| Credibility of intended review process | The process of engaging with member governments in the review of the Acts places an obligation on the Union for levels of knowledge, presentation and general professionalism to be evident in the base material being reviewed. Taking into account that the review will involve matters where there will be disagreement on certain points, it is important for there to be a researched and documented base for current provisions and access to information relevant to issues (but which may not be covered in annotations). | Starting position badly lacking in credibility | Credible starting position for review now exists. |

CONSTITUTION OF THE ASIAN-PACIFIC POSTAL UNION
SIGNED AT
BANGKOK, THAILAND
4 DECEMBER 1985

.....
(Amended by 1995 Singapore Additional Protocol)
(Amended by 2000 Tehran Second Additional Protocol)

Note: This document is the final version of the Constitution amended by the Second Additional Protocol (Tehran 2000), including annotations from this and previous Congresses. It is described in the page headers as

“Constitution amended by the Second Additional Protocol (2000)”

This means that it identifies text added by the Tehran Congress and includes the new annotations to the text from the Tehran Congress and those from previous Congresses.

CONSTITUTION OF THE ASIAN-PACIFIC POSTAL UNION

(amended by 1995 Singapore and 2000 Tehran Additional Protocols)

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CONSTITUTION OF THE ASIAN-PACIFIC POSTAL UNION

(amended by 1995 Singapore and 2000 Tehran Additional Protocols)

The undersigned representatives, duly authorised by their respective governments:

- considering the importance of the common problems which face the postal administrations in the Asian and Pacific area;
- convinced of the necessity of instituting and developing **the maximum** degree of co-operation between them; and
- in the exercise of the rights granted them by the Constitution of the Universal Postal Union;

have agreed to adopt, under reservation of ratification, acceptance or approval by their respective governments, this Constitution.

Section I Organic provisions

Chapter I General provisions

Article 1 Constitution and purpose of the Union

1 The countries between which the present Constitution is adopted form, under the name of “Asian-Pacific Postal Union”, hereafter referred to as “the Union”, a single postal territory.

2 The purpose of the Union is to extend, facilitate and improve postal relations between member-countries and to promote co-operation in the field of postal services.

■ Commentary

1.1 1981 Yogyakarta Congress: The 1981 Yogyakarta Congress changed the name of the Union from “Asian-Oceanic” to “Asian-Pacific”. The term “Pacific” was a more accurate and more widely-used description of the area historically referred to as “Oceania”. Further, the 1981 Congress considered that countries in the Pacific area would identify the Union as being more representative of them due to the name change.

Article 2 Members of the Union

Member-countries of the Union are:

- a) Countries which have membership status at the date on which this Constitution comes into force.
- b) Countries admitted to membership in accordance with Article 6.

■ Commentary

2 1970 Kyoto Congress: Article inserted by the 1970 Kyoto Congress to provide a necessary definition of the entities that are members of the Union.

Article 3 Official language

English **shall be** the official language of the Union.

■ Commentary

3 2000 Tehran Congress: The 2000 Tehran Congress amended the text of Article 3 to state that “English shall be the official language of the Union” (prior to the 2000 Congress the text was “English is the official language of the Union”). The reason for the change was to emphasise a decision (regarding English) as opposed to simply stating a fact.

Article 4 Special agreements

Member-countries of the Union, or their postal administrations if the legislation of those countries so permits, may conclude special agreements concerning the international postal service, on condition that they do not introduce provisions less favourable to the public than those laid down in the Acts of the Union.

Article 5

Exchange of postal officials

Postal administrations of member-countries may conclude agreements to effect an exchange or a unilateral dispatch of postal officials to carry out studies regarding the development and improvement of postal services. Each postal administration shall extend to such officials from another postal administration all co-operation and facilities necessary.

■ Commentary

5 1965 Manila Congress: A project formulating the conditions under which the member-countries of the AOPU may exchange their postal officials was adopted at the 1964 Vienna Meeting of the Union and implemented beginning with the year 1965. Up to the 1970 Kyoto Congress, the exchange had been effected between China, Korea, the Philippines and Thailand.

The 1968 Bangkok Meeting of the Executive Committee adopted certain principles to govern the exchange of postal officials among member-countries beginning with the year 1969 and instructed the Central Office to publish a brochure on the exchange.

Korea suggested at the 1969 Tokyo Meeting of the Committee that a study be made regarding the possible inclusion of the cost of transportation of officials under the Exchange Program in the contributions of the sending Administration to the AOPU expenses. Japan, on the other hand, advised its participation in the exchange beginning 1970 by communicating its own plan concerning the reception of postal officials from the other countries of the Restricted Union in Japan under certain conditions and procedures.

While not directly related to the exchange of postal officials, it is noteworthy to mention that, at the time of the 1965 AOPU Congress, the 4 AOPU member-countries then agreed to submit a project to the UPU for the establishment of a regional postal training centre at Bangkok with application to be made to the UN Special Fund. The project subsequently received final approval from the UNDP. The "Asian and Oceanic Postal Training School" organised the first course for middle-grade postal staff in 1970 not only from China, Korea, the Philippines and Thailand but also from other countries in the region.

Chapter II

Accession to or withdrawal from the Union

Article 6

Accession to the Union

1. Any sovereign country which is a member of the Universal Postal Union, and whose entire territory is situated in Asia, Australasia, Melanesia, Micronesia or Polynesia may accede to the Asian-Pacific Postal Union. For the purpose of the Article the term "Asia" shall refer to countries in Asia east of and including Iran.

2. Accession to the Union shall entail a formal declaration of accession to the Acts of the Union. It shall be addressed by the government of the country concerned to the Director of the **Bureau** who shall notify the accession **after consulting with** the member-countries on the application for admission.

3. Accession to membership shall be notified by the Director of the **Bureau** to the governments of the other member-countries. It shall take effect from the date of such notification.

4. Any country which has the required qualifications but which cannot comply with any provision of Chapter V of the General Regulations may apply for membership to the Union with reservations.

5. Application for membership, in accordance with paragraph 4, shall be addressed by the government of the country concerned to the Director of the **Bureau**, who shall consult the member-countries on the application for admission.

6. The country concerned is admitted if its request is approved by the majority of member-countries.

7. Member-countries failing to reply to the consultation within four months from the date of notification are considered as abstaining.

■ Commentary

Preamble

Constitution, Article 6 was previously Convention, Article 3 (in the 1981 Yogyakarta Acts).

The original text of Article 3 (as drafted at the 1961 Manila Postal Conference) focused on adherence as the process for becoming a member of the APPU. There were five elements to this process.

There was a change in the character of Article 3 at the 1981 Yogyakarta Congress. "Adherence" was replaced with "accession" and geographical precision was introduced (regarding the eligibility of those who may accede to the Union). The 1981 text comprised six elements.

With the creation of the Constitution as a Permanent Act binding, in full, on all members, the 1985 Bangkok Congress retained a possibility for membership where a country could not comply with any provision in the Convention. As a result, the 1985 text comprised seven elements.

Details of the seven elements for accession to the Union

Element 1

1961 Manila Postal Conference: The 1961 Manila Postal Conference drafted and approved the initial text of the conditions and processes for countries adhering to the Union. There were three main principles for adherence, i.e.

- Requests for adherence were submitted through diplomatic channels
- Approvals of requests for adherence required a majority in favour of two-thirds of the member-countries of the Union
- There was a time limit of four months for member-countries to reply to requests for adherence

The text of the original Convention, Article 3, was as follows.

"Adherence to the Union

1. Any sovereign country in Asia and Oceania which is a member of the Universal Postal Union or any territory in that area whose Postal Administration is a member of the Universal Postal Union may request adherence as a member of the Asian-Oceanic Postal Union.
2. The request for adherence is transmitted through diplomatic channels to the Government of the Republic of the Philippines and by the latter to the member-countries of the Union.
3. The country concerned is considered as adhering to the Union if its request is approved by at least two-thirds of the member-countries of the Union.
4. Member-countries of the Union failing to reply within four months are considered as abstaining.
5. Adherence to the Union is made known by the Government of the Republic of the Philippines to the Governments of all the member-countries of the Union."

1981 Yogyakarta Congress: The 1981 Yogyakarta Congress changed the main procedure for becoming a member of the Union from adherence to accession. "Adherence" involved a process of consultation with members on whether to admit a country requesting membership. "Accession", on the other hand, meant countries that met the geographical definition set out in paragraph 1 of this Article, would automatically attain membership on application. The 1981 Yogyakarta Congress made its decision based on proposals from a Working Party via the Executive Council. Key among the reasons for the change was to bring the AOPU regulations more into line with those applying in the UPU.

1995 Singapore Congress: The 1995 Singapore Congress changed the original principle (Manila Postal Conference 1961) for communicating interest in membership of the Union (i.e., through diplomatic channels to the government of the country in which the Central Office was situated) to submission of interest by the government of the country concerned directly to the Central Office. The change brought this procedure into line with that applying in the UPU (i.e., where the formal declaration is submitted by the government of the country concerned to the Director General of the International Bureau).

Note: In bringing the communication procedure into line with that applying in the UPU, the 1995 Singapore Congress may have erred in the manner in which the alignment (of the APPU with the UPU) was done. The text taken from the UPU Constitution (Article 11, paragraph 3) related to two methods of joining the UPU viz.,

- (i) accession in the case of UN members (as covered in paragraph 1 of UPU Constitution Article 11); and
- (ii) application for admission in the case of sovereign countries which are not UN members (as covered in paragraph 2 of UPU Constitution Article 11)

Paragraph 3 of UPU Constitution Article 11 then specifies that declarations of accession or applications for admission are sent to the Director General of the International Bureau who shall notify declarations of accession to member-countries, or consult with member-countries on applications for admission. In the case of the APPU, the structure of its “accession Article” is different i.e., it only covers eligible UPU member-countries making declarations of accession to the Acts of the (APP) Union. There is no scope for non-UN member-countries to join the APPU. Accordingly, the full coverage of paragraph 3 of UPU Constitution Article 11, does not seem to be correct. In particular, the wording “... or consult the member-countries on the application for admission” is out of context simply because there is no prior reference in APPU Constitution Article 6 to applications for admission. (As an aside, it is mentioned that paragraphs 4 to 7 of Article 6 do relate to applications for membership; however, that is a self-contained situation within the overall drafting of Article 6 and is not regarded as being linked to paragraph 2 as amended by the 1995 Singapore Congress.) (See also annotation in **Element 1** from **2000 Tehran Congress** regarding further amendment of paragraph 2 by that Congress.)

1995 Singapore Congress: The 1995 Singapore Congress change to the communication channel resulted in amendments to paragraphs 2 and 5 of Article 6. A further communication channel change was made by the 1995 Singapore Congress regarding the process for notifying new members joining the Union i.e., whereas such information had been communicated by the government of the country in which the Central Office was located to the governments of the other member-countries, this was changed to the Director of the Central Office communicating with the governments of the other member-countries. Paragraph 3 of Article 6 was amended accordingly.

2000 Tehran Congress: The 2000 Tehran Congress amended paragraph 2 of Article 6 by adding the words “... after consulting with ...” in place of the previous wording “... or consult ...”. This appears to be the result of the Drafting Committee’s review of the Acts i.e., the report of the Drafting Committee (Tehran Congress Doc 27) commented that the change reflected “editorial amendment and clarification”. (The proper context for assessing the 2000 Tehran Congress amendment to paragraph 2 might be the comments relating to the original amendment made by the 1995 Singapore Congress.)

Element 2

1965 Manila Congress : To facilitate the admission of new members, especially the small countries, the 1965 Manila Congress added a further principle to the original 1961 text i.e.,

“6. Any country which has the required qualifications but which cannot comply with any provision of the Convention may apply for membership to the Union subject to the conditions which may be acceptable to all member-countries.”

Element 3

Meetings of the Executive Committee (1968-1969): The 1968 Bangkok meeting of the Executive Committee examined paragraph 1 of the 1961 text in relation to defining the geographical limits of Asia and Oceania and the eligibility of some countries to become members of the AOPU. The matter was further discussed at the 1969 Tokyo Meeting of the Executive Committee. There was agreement on the Central Office continuing to consult member-countries of the Union on the matter. At that time, it was the consensus that:

“participation of the following countries in the activities of the AOPU or as members thereof would be acceptable:

| | | | |
|----|-------------|-----|----------------|
| 1. | Afghanistan | 9. | Malaysia |
| 2. | Bhutan | 10. | Maldiv Islands |
| 3. | Burma | 11. | Nauru |
| 4. | Cambodia | 12. | Nepal |
| 5. | Ceylon | 13. | New Zealand |
| 6. | India | 14. | Pakistan |
| 7. | Indonesia | 15. | Singapore |
| 8. | Iran | 16. | South Viet-Nam |

The same is also true of the following groups of territories:

1. The whole of territories represented by the French Office of Posts and Telecommunications or New Caledonia, New Hebrides, French Polynesia, Wallis and Futuna.
2. The Portuguese Provinces in East Africa, Asia and Oceania or Macao and Portuguese Timor.
3. The overseas territories for the international relations of which the government of the United Kingdom of Great Britain and Northern Ireland is responsible or Brunei, Hong Kong, Fiji, Central and Southern Line Islands, Gilbert and Ellice Islands, New Hebrides, Pitcairn Islands, Solomon Islands and Tonga.
4. The whole of the territories of the United States of America or the Trust Territories of the Pacific Islands (Guam, Samoa, Caroline Islands, Marianas Islands and Marshall Islands)."

Editorial Note: Text quoted is an extract from the 1970 AOPU Kyoto Convention which documented, as annotations, various comments and decisions made at preceding meetings of the Executive Committee.

1981 Yogyakarta Congress: The 1981 Yogyakarta Congress approved a more precise definition of the area covered by the Union. This definition also included an eligibility criterion (as highlighted in bold) i.e. "Any sovereign country which is a member of the Universal Postal Union, and **whose entire territory is located in Asia, Australasia, Melanesia, Micronesia or Polynesia** may accede to the Asian-Pacific Postal Union. For the purpose of this Article the term "Asia" shall refer to countries in Asia east of and including Iran."

The full background to the geographical definition and the eligibility criterion is documented in 1981 Congress Doc 8.

Element 4

1970 Kyoto Congress: The wording of paragraph 1 of the 1961 text was amended by the 1970 Kyoto Congress to align, as appropriate, with the same provision in the UPU Constitution (1964 Vienna). The amended AOPU wording was "Any member-country of the Universal Postal Union in Asia and Oceania may request adherence as a member of the Asian-Oceanic Postal Union."

1981 Yogyakarta Congress: The 1981 Yogyakarta Congress inserted paragraph 3 as the method used by the Central Office to inform the Union of new member-countries joining.

Element 5

1970 Kyoto Congress: The 1970 Kyoto Congress added a second sentence to paragraph 5 of the 1961 text to specify when membership becomes effective. The wording used aligned with the same provision in the UPU Constitution (Article 11, paragraph 5). The amended paragraph 5 was:

"5. Adherence to the Union is made known by the government of the Republic of the Philippines to the governments of all the member-countries of the Union. It takes effect from the date on which the condition prescribed in paragraph 3 is fulfilled."

(**Note:** this additional provision was subsequently deleted by the 1981 Yogyakarta Congress when it introduced the process of automatic accession.)

1981 Yogyakarta Congress: The 1981 Yogyakarta Congress retained, in principle, a mechanism for countries, who might not be able to comply with any provision of the Convention, to still be able to join the Union. Whereas the process prior to the 1981 Congress (i.e., as set out in paragraph 6 of the 1975 Melbourne Acts) was one where such countries "may apply for membership subject to the conditions which may be acceptable to all member-countries", this was re-worded in paragraph 4 of the 1981 Yogyakarta Acts as "may accede to the Convention subject to the conditions which may be acceptable to all member-countries".

Element 6

1981 Yogyakarta Congress: The 1981 Yogyakarta Congress retained the principle of paragraph 4 of the 1961 text, ("Member-countries of the Union failing to reply within four months are considered as abstaining") in an amended, re-numbered paragraph 5 ("Member-countries of the Union failing to reply within four months **from the date of notification** are considered as abstaining."). (Although the original Executive Council proposal regarding accession to the Union deleted paragraph 4, Congress wished to retain an option for new members who might not be able to meet all conditions in the Convention.)

Additional note regarding the 1981 Yogyakarta Congress deliberations

The 1981 text for "Accession to the Union" was based on a proposal from the Executive Council (proposal 1003.3). This proposal sought to replace the 1961 text with paragraphs 1 to 3 of the 1981 text. However, the 1981 Congress decided to retain a method for countries to join who might not be able to comply with any provision of the Convention. Accordingly, the 1981 text was a combination of detailed examination and review prior to submission to Congress (i.e., paragraphs 1 to 3), and drafting during Congress sessions (i.e., paragraphs 4 and 5).

Element 7

1985 Bangkok Congress: The 1981 Yogyakarta Acts provided for countries that could not comply with any provision of the Convention to accede to the Convention subject to the conditions which may be acceptable to all member-countries. The establishment of the Constitution as a Permanent Act by the 1985 Bangkok Congress required new members to comply with all provisions (of the Constitution). However, new members who could not comply with any provision of the restructured Bangkok Convention could apply for membership with reservations. Hence, paragraph 4 of Article 6 was redrafted to provide this possibility. Supporting the amendment to paragraph 4 were two new paragraphs introduced by the 1985 Bangkok Congress viz,

- paragraph 5 specifying the process to be followed where a potential new member could not comply with any provision in the Convention; and
- paragraph 6 specifying the majority approval required to admit countries that cannot comply with any provision in the Convention.

1995 Singapore Congress: The 1995 Singapore Congress restructured the Convention to become Chapter V of the General Regulations (and the Convention Detailed Regulations to become the International Postal Service Rules). Whereas a country that could not comply with any part of the Convention or its Detailed Regulations could apply for membership with reservations prior to 1995, the restructure of the Convention and its Detailed Regulations required application for membership with reservations to be prescribed in a different manner. This was achieved by permitting reservations to Chapter V of the General Regulations (with the 1995 Singapore Congress amending paragraph 4 of Article 6 accordingly). Following the restructure of the Acts by the 1985 Bangkok Congress, the only parts of the Acts that were not binding on all members were the Convention and its Detailed Regulations. A country that could not comply with any part of the Convention or its Detailed Regulations could apply for membership with reservations. The 1995 Singapore Congress further restructured the Acts of the Union whereby the provisions of the Convention and its Detailed Regulations were incorporated into Chapter V of the General Regulations. As a result of this change it was necessary to amend the reference to that part of the Acts for which reservations could be taken (i.e. reservations to Chapter V of the General Regulations).

Article 7**Withdrawal from the Union**

1. Any member-country has the right to withdraw from the Union by means of a notice of its renunciation of the Acts of the Union given by the government of the country concerned to the Director of the **Bureau** and by him to the governments of the other member-countries accordingly.
2. Withdrawal from the Union becomes effective at the expiry of one year from the date of receipt of the notification from the withdrawing country by the Director of the **Bureau**.

■ Commentary

7.1 1995 Singapore Congress: Consistent with changes made to Article 6 by the 1995 Singapore Congress regarding the communication channel for notifying new membership (as described under Element 1 of Article 6 Commentary), the Director of the Central Office takes the place of the government of the country where the Central Office is situated for the process involving members withdrawing from the Union.

Chapter III Organisation of the Union

Article 8 Organs of the Union

The following are established as the organs of the Union: Congress, the Executive Council **and the Bureau**. The purposes and functions of these organs are prescribed in this chapter and in the General Regulations.

■ Commentary

8 1965 Manila Congress: The First Congress of the Asian-Oceanic Postal Union was held in Manila from December 6 to 17, 1965, with the Philippine Administration as host. The organisation of the Executive Committee, which had been suspended for the duration of the effectivity of the 1961 AOPU Convention owing to the limited membership of the AOPU at that time, was first realised at Bangkok from December 4 to 10, 1968, when the Restricted Union saw an increase in its membership from four (4) to six (6) countries. The Committee met for the second time in Tokyo on September 25 and 26, 1969, with the Union having seven (7) members. The Central Office in Manila was established on April 1, 1962.

8 1975 Melbourne Congress: The 1975 Melbourne Congress changed the name of the Executive Committee to Executive Council. It was considered that “Executive Council” was a more suitable term in view of the increased membership of the body.

8 1975 Melbourne Congress: The 1975 Melbourne Congress adopted the Asian and Oceanic Postal Training School as an organ of the Union.

8 1985 Bangkok Congress: The corresponding Article from the 1981 Yogyakarta Acts (i.e., Convention, Article 7) provided scope for other organs to exist through the inclusion of the wording “The following are established as organs of the Union: The Congress, the Executive Council, the Asian-Pacific Postal Training Centre, the Central Office and such other organs as may be necessary”. The 1985 Bangkok Congress removed the scope for other organs to exist when it deleted the text “... and such other organs as may be necessary”. The reason for the change is not clear. It appears to have been regarded as an editorial change when the Executive Council Working Group reported to the 1983 Executive Council meeting (reference EC 1983 Doc 12 Attachment A). On the other hand, proposal 1007.1 presented to the 1985 Bangkok Congress (and subsequently withdrawn) sought to only list the existing organs in the Constitution on the basis that, if other organs are necessary, then they should firstly be discussed and agreed by Congress, and then listed in the Article. However, this argument was not recorded in the Congress Minutes because the Working Group proposal had presented an identical text albeit without supporting reasons.

8 2000 Tehran Congress: The 2000 Tehran Congress approved the merger of two organs (the Central Office and the Asian-Pacific Postal Training Centre) into a new organ, the “Bureau”.

Article 9 Congress

Congress, being the supreme organ of the Union, is composed of representatives of member-countries.

■ Commentary

9 1965 Manila Congress: The stipulation that Congress is the supreme organ of the Union was made by the First AOPU Congress in order to denote the power and composing elements of the Union similar to Article 14, Section 2, of the UPU Constitution (1964 Vienna edition).

Article 10

Extraordinary Congresses

An Extraordinary Congress may be held at the request or with the consent of at least two-thirds of the member-countries. **Unless it is unavoidable, this session should be held in conjunction with the Executive Council meeting.**

■ Commentary

10 2000 Tehran Congress: The 2000 Tehran Congress added the second sentence of Article 10 to provide guidance to the Union on timing for the convening of an Extraordinary Congress.

Article 11

Executive Council

To ensure the continuity of the work of the Union in the intervals between Congresses, the Executive Council meets, in principle once each year, unless the majority of member-countries decides otherwise.

■ Commentary

11 1975 Melbourne Congress: The words “in principle” were added to provide flexibility for the holding of Executive Council meetings each year. Such flexibility enables meetings to be held at greater or lesser frequency depending on circumstances.

Article 12

Bureau

1. The **Bureau** serves as a medium of liaison, information, inquiry **and training** for the member-countries of the Union.
2. **The Bureau is composed of the administrative section and the training section.**
3. The host country of the **Bureau** shall be determined by Congress, or in exceptional circumstances, by the Executive Council. In principle, that country shall remain as the host of the **Bureau** for at least five years.

■ Commentary

12.1 2000 Tehran Congress: The merger of the Central Office and the Asian-Pacific Postal Training Centre is reflected in a new text where the former functions of the Central Office (reference Article 12, paragraph 1 of the 1985 Bangkok Constitution, as amended at the 1995 Singapore Congress) and the Asian-Pacific Training Centre (reference Article 13 of the same document), are now combined in a single provision. **Note:** the full texts of the former Articles have not been transferred to Article 12, paragraph 1. Other elements are annotated elsewhere as appropriate.

12.2 2000 Tehran Congress: This paragraph was inserted by the 2000 Tehran Congress to clearly define the organisational composition of the Bureau.

12.3 1970 Kyoto Congress: The 1970 Kyoto Congress amended this paragraph of the Article to allow for alternative arrangements for the location of the Central Office in the future.

12.3 1981 Yogyakarta Congress: The 1981 Yogyakarta Congress decided to no longer specify the location of the Central Office as Manila and, thus, recognise that the location of the Central Office is flexible depending on the decision of Congress or the Executive Council. Such a change thus enabled the location of the Central Office to rotate among the membership. To ensure any rotation was economic and administratively manageable, the 1981 Congress further specified, in principle, that the host of the Central Office should operate in that role for a minimum of five years.

Chapter IV Finances of the Union

Article 13 Expenditure of the Union

The annual expenditure of the Union shall be separate for the administrative section and for the training section. Each Congress of the Union decides on the maximum amount for the annual expenditure **for the administrative section** on the basis of the recommendation made by the Director of the **Bureau**. **The expenditure for the administrative section** is shared by all the member-countries of the Union. The contribution units of each member-country shall be determined on the basis of that member-country's Universal Postal Union contribution class, as prescribed in the General Regulations of the Asian-Pacific Postal Union. **The annual expenditure for the training section is covered in principle by participating countries in direct proportion to their use of the training course and by voluntary contributions of the other countries or organisations or the administrative section.**

13 2000 Tehran Congress: The 2000 Tehran Congress approved a single Article (13) covering the principles for the expenditure of the Union. The text of Article 13 was drawn from the 1995 Congress Acts as follows:

- (i) For the administrative section – Article 14 of the 1985 Bangkok Constitution, as amended at the 1995 Singapore Congress; and
- (ii) For the training section – Article 111, paragraph 12 of the 1995 Singapore General Regulations.

Note: the text at the end of the third sentence (“ ... or the administrative section.”) was previously (1985 Bangkok Constitution, as amended at the 1995 Singapore Congress) “ ... or the Union”. With the merger of the Central Office and the Asian-Pacific Postal Training Centre, the identification of “Union” has been clarified to mean the administrative section. Further, the possibility of the administrative section being a source of funds for the Training Centre originated at the 1985 Bangkok Congress. This was the result of a study conducted by the Executive Council following the 1981 Yogyakarta Congress on the future of the Training Centre (Congress 1985 Doc 28 refers). The 1985 Bangkok Congress agreed that the “APPU should display greater commitment to the Centre and act as a ‘donor of last resort’”. (See also Commentary on Article 106, paragraph 9 of the 1995 Singapore General Regulations, as amended by the 2000 Tehran Additional Protocol (the specific reference being headed “Additional note regarding Article 106, paragraph 9”).)

Section II Acts of the Union

Chapter I General provisions

Article 14 Acts of the Union

1. The Constitution is the basic Act of the Union. It contains the organic rules of the Union.
2. The General Regulations embody those provisions which ensure the application of the Constitution and the working of the Union and those provisions which concern the international postal service between the member-countries. They shall be binding on all member-countries.
3. The Additional Protocols of the Constitution and those of the General Regulations are the Acts of the Union.
4. The Final Protocol annexed to the General Regulations as their integral parts contain the reservations to the General Regulations.

■ Commentary

14 1985 Bangkok Congress: As part of the restructuring of the Acts, the 1985 Bangkok Congress inserted a new Article that defined the Acts of the Union. This was based on the practice followed in the UPU for defining its Acts in the UPU Constitution.

14.2 1995 Singapore Congress: As detailed under Element 7 regarding paragraph 4 of Article 6, the restructuring of the Acts by the 1995 Singapore Congress resulted in the General Regulations comprising two distinct parts i.e., provisions concerning the application of the Constitution, and provisions concerning the international postal service between member-countries. Paragraph 2 of this Article was amended by the 1995 Singapore Congress to reflect this change.

14.3 1995 Singapore Congress: For completeness and the avoidance of doubt, the 1995 Singapore Congress clarified that the Additional Protocols of the Constitution and of the General Regulations form part of the Acts of the Union.

14.4 1995 Singapore Congress: With the transfer of the provisions concerning the international postal service between member-countries from the Convention and its Detailed Regulations to Chapter V of the General Regulations, the 1995 Singapore Congress amended paragraph 4 of the Article to reflect the Final Protocol now being annexed to the General Regulations (where previously it had been annexed to the Convention and its Detailed Regulations).

Chapter II Acceptance of the Acts of the Union

Article 15 Signature, ratification and other forms of approval of the Acts of the Union

1. Signature of the Acts of the Union by plenipotentiaries shall take place at the end of Congress. **The plenipotentiary delegates having proxy powers of those who are not attending the Congress should also sign the Acts of the Union on their behalf subject to ratification, acceptance or approval by such proxied countries. Credentials for the proxy government must be issued by the government being represented in the form and manner that would apply if those member-countries were acting on their own behalf.**

2. The Constitution and the Additional Protocols thereto and the other Acts of the Union shall be ratified, accepted or approved as soon as possible by the signatory countries in accordance with their constitutional regulations.

3. When a country does not ratify, accept or approve the Acts of the Union which it has signed, the Constitution and other Acts shall be no less valid for the other countries that have ratified, accepted or approved them.

■ **Commentary**

15 1965 Manila Congress: The adoption of this Article by the 1965 AOPU Congress is made in order to conform to Article 25 of the UPU Constitution adopted at Vienna in 1964.

15.1 2000 Tehran Congress: The 2000 Tehran Congress added the second and third sentences of this paragraph to reduce the risk of amendments to the Constitution not being achieved (i.e., where the majority required is two-thirds of the membership).

15.2 1995 Singapore Congress: Prior to 1995, this Article had not referred to Additional Protocols as part of the Acts of the Union for ratification, acceptance or approval. The 1995 Singapore Congress addressed this gap with the amendment of paragraph 2.

Article 16

Notification of ratification and other forms of approval of the Acts of the Union.

The instrument of ratification, acceptance or approval of the Constitution and the Additional Protocols thereto, and such instruments of the other Acts of the Union shall be deposited as soon as possible with the Director of the **Bureau who** shall notify the governments of the other member-countries of these deposits.

■ **Commentary**

16 1965 Manila Congress: The adoption of this Article by the 1965 AOPU Congress was made in order to conform to Article 25 of the UPU Constitution adopted at Vienna in 1964.

16 1995 Singapore Congress: The 1995 Singapore Congress amended this Article to include:

- (i) Additional Protocols as part of the Acts of the Union as detailed in the annotation for paragraph 2 of Article 15 (**15.2 1995 Singapore Congress**); and
- (ii) the Director of the Central Office undertaking the function previously performed by the government of the country in which the Central Office is situated as detailed under Element 1 of Article 6 Commentary.

Article 17

Accession to the Acts of the Union.

1. Member-countries which have not signed the Constitution and the Additional Protocols thereto, and the other Acts of the Union may accede to them at any time.

2. Formal declarations of accession shall be sent to the Director of the **Bureau**, who shall notify the governments of the member-countries of these deposits.

■ **Commentary**

17.1 1970 Kyoto Congress: The 1970 Kyoto Congress inserted this Article to safeguard the continued membership of the Union by a country that was unable to sign the Convention at the conclusion of the Congress.

17.1 1995 Singapore Congress: The 1995 Singapore Congress amended paragraph 1 of this Article to bring it into line with the description of the Acts of the Union set out in paragraph 2 of Article 15.

17.2 1995 Singapore Congress: The 1995 Singapore Congress amended paragraph 2 of this Article to reflect the Director of the Central Office undertaking the function previously performed by the government of the country in which the Central Office was situated as detailed under Element 1 of Article 6 Commentary.

Chapter III

Amendments of the Acts of the Union

Article 18

Presentation of Proposals

1. The postal administration of a member-country has the right to present to Congress proposals concerning the Acts of the Union.
2. However, proposals concerning the provisions of Chapter V of the General Regulations may be submitted between Congresses.

■ Commentary

18.1 1995 Singapore Congress: The 1995 Singapore Congress amended this Article by establishing Congress as the body that deals with proposals concerning the Acts of the Union. (Prior to the 1995 Singapore Congress, paragraph 1 of the Article had dealt with presentation of proposals to Congress or between Congresses.)

18.2 1995 Singapore Congress: The 1995 Singapore Congress changed paragraph 2 of this Article to complement paragraph 1 in terms of the presentation of proposals between Congresses i.e., where such proposals only relate to Chapter V of the General Regulations.

Article 19

Amendment of the Constitution

1. To be adopted, proposals submitted to Congress and relating to this Constitution must be approved by at least two-thirds of the member-countries of the Union.
2. Amendments of the Constitution adopted by a Congress shall form the subject of an **Additional Protocol** of the Constitution and shall enter into force from the date set forth in **such** Protocol. They shall be ratified, accepted or approved as soon as possible by member-countries and the instruments of such ratification, acceptance or approval shall be dealt with in accordance with the procedure laid down in Article 16.

■ Commentary

19.1 1985 Bangkok Congress: Prior to the 1985 Bangkok Congress, the majority required for the approval of proposals amending the Acts of the Union was contained in Convention Article 14 (1981 Yogyakarta Acts). With the restructuring of the Acts by the 1985 Bangkok Congress, the majority required for approval of proposals amending the Acts of the Union was assigned to three Articles as follows.

Proposals amending the Constitution: Constitution Article 20, paragraph 1 (effectively the first sentence of Article 14, paragraph 1 of the 1981 Convention).

Proposals amending the General Regulations: General Regulations Article 118 (effectively, but not entirely, the second sentence of Article 14, paragraph 1 of the 1981 Convention).

Proposals amending the Convention: Convention Article 6, paragraphs 1 and 2 (effectively the second sentence of Article 14, paragraph 1 of the 1981 Convention).

19.2 1995 Singapore Congress: The 1995 Singapore Congress clarified that amendments made in an Additional Protocol of the Constitution enter into force on the date specified in the Additional Protocol. The previous practice had been for amendments to the Constitution to come into force on the date when the Acts of a Congress came into force. However, because the 1985 Bangkok Congress created the Constitution as a Permanent Act, it is in force indefinitely and does not provide an Additional Protocol with a default date for coming into force.

Article 20

Amendment of the General Regulations

1. The General Regulations define the conditions to be fulfilled for the approval of proposals which concern them.

2. Amendments of the General Regulations adopted by a Congress shall form the subject of an Additional Protocol of the General Regulations and shall enter into force from the date set forth in **such** Protocol. They shall be ratified, accepted or approved as soon as possible by member-countries and the instruments of such ratification, acceptance or approval shall be dealt with in accordance with the procedure laid down in Article 16.

■ Commentary

20.2 1995 Singapore Congress: The 1995 Singapore Congress established the General Regulations as a Permanent Act. paragraph 2 of this Article recognises that, as such, amendments to the General Regulations need to be documented in an Additional Protocol. Further, because the General Regulations (as a Permanent Act in force indefinitely) do not provide a “coming into force date” for amendments, the 1995 Singapore Congress clarified that the coming into force timing is specified in the Additional Protocol itself.

Chapter IV

Universal Postal Congresses

Article 21

Co-operation in Universal Postal Congresses

Member-countries of the Union shall co-operate, as far as possible, in the Universal Postal Congresses, in so far as the proposals or matters to be considered are of common interest to them.

■ Commentary

21 1965 Manila Congress: Collaboration between members at UPU was one of the early benefits realised from the forming of the Union. An Annotation appeared in the 1965 Acts under the corresponding Article (i.e., 1965 Manila Convention Article 18 corresponding with 1985 Bangkok Constitution Article 22 (now Article 21)) stating as follows:

“The close collaboration among the AOPU member-countries during the period of Congresses of the Universal Postal Union, which first manifested itself at the 1964 Vienna Congress, was again shown at the 1969 Tokyo Congress.”

Chapter V
Settlement of disputes

Article 22
Arbitration

Questions in dispute between two or more postal administrations of member-countries shall be decided in the manner prescribed in the General Regulations of the Universal Postal Union.

Section III
Final provisions

Article 23
Effective date and duration of the Constitution

This Constitution shall enter into force on 1 July 1987 and shall remain in force for an indefinite period.

■ **Commentary**

24 1985 Bangkok Congress: With the creation of the Constitution as a Permanent Act, it remains in force for an indefinite period (and does not have an expiry timing in the manner of the preceding Convention).

In testimony whereof, the undersigned, being duly authorised representatives of their respective governments, have signed one copy of this Constitution, which shall be deposited in the archives of the government of the member-country in which the Central Office is situated, and of which a duplicate shall be transmitted to each member-country by that government.

Done at Bangkok, 4 December 1985

ASIAN-PACIFIC POSTAL UNION
SECOND ADDITIONAL PROTOCOL TO THE CONSTITUTION
SIGNED AT
TEHRAN
18 SEPTEMBER 2000

Note: This document is the final version of the Second Additional Protocol to the Constitution (Tehran 2000) and is described in the page headers as

“Second Additional Protocol to the Constitution (2000)”

This means that it identifies text added by the Tehran Congress.

SECOND ADDITIONAL PROTOCOL TO THE CONSTITUTION OF THE ASIAN-PACIFIC POSTAL UNION

The plenipotentiaries of the governments of the member-countries of the Asian-Pacific Postal Union, met in Congress at Singapore, in view of Article 20, paragraph 2, of the Constitution of the Asian-Pacific Postal Union done at Bangkok on 4 December 1985, have adopted, subject to ratification, acceptance or approval, the following amendments to the Constitution of the Asian-Pacific Postal Union.

Article I (Preamble amended)

The undersigned representatives, duly authorised by their respective governments:

- considering the importance of the common problems which face the postal administrations in the Asian and Pacific area;
- convinced of the necessity of instituting and developing **the maximum** degree of co-operation between them; and
- in the exercise of the rights granted them by the Constitution of the Universal Postal Union; have agreed to adopt, under reservation of ratification, acceptance or approval by their respective governments, this Constitution.

Article II (Article 3 amended)

Official Language

English **shall be** the official language of the Union.

Article III (Article 6 amended)

Accession to the Union

1. Any sovereign country which is a member of the Universal Postal Union, and whose entire territory is situated in Asia, Australasia, Melanesia, Micronesia or Polynesia may accede to the Asian-Pacific Postal Union. For the purpose of this Article the term "Asia" shall refer to countries in Asia east of and including Iran.
2. Accession to the Union shall entail a formal declaration of accession to the Acts of the Union. It shall be addressed by the government of the country concerned to the Director of the **Bureau**, who shall notify the accession **after consulting with** the member-countries on the application for admission.
3. Accession to membership shall be notified by the Director of the **Bureau** to the governments of the other member-countries. It shall take effect from the date of such notification.
4. Any country which has the required qualifications but which cannot comply with any provision of Chapter V of the General Regulations may apply for membership to the Union with reservations.
5. Application for membership, in accordance with paragraph 4, shall be addressed by the government of the country concerned to the Director of the **Bureau**, who shall consult the member-countries on the application for admission.
6. The country concerned is admitted if its request is approved by the majority of member-countries.

7. Member-countries failing to reply to the consultation within four months from the date of notification are considered as abstaining.

Article IV (Article 7 amended)
Withdrawal from the Union

1. Any member-country has the right to withdraw from the Union by means of a notice of its renunciation of the Acts of the Union given by the government of the country concerned to the Director of the **Bureau** and by him to the governments of the other member-countries accordingly.
2. Withdrawal from the Union becomes effective at the expiry of one year from the date of receipt of the notification from the withdrawing country by the Director of the **Bureau**.

Article V (Article 8 amended)
Organs of the Union

The following are established as the organs of the Union: Congress, the Executive Council **and** the **Bureau**. The purposes and functions of these organs are prescribed in this chapter and in the General Regulations.

Article VI (Article 10 amended)
Extraordinary Congress

An Extraordinary Congress may be held at the request or with the consent of at least two-thirds of the member-countries. **Unless it is unavoidable, this session should be held in conjunction with the Executive Council meeting.**

Article VII (Article 12 amended)
Bureau

1. The **Bureau** serves as a medium of liaison, information, inquiry **and training** for the member-countries of the Union.
2. **The Bureau is composed of the administrative section and the training section.**
3. The host country of the **Bureau** shall be determined by Congress, or in exceptional circumstances, by the Executive Council. In principle, that country shall remain as the host of the **Bureau** for at least five years.

Article VIII (Article 13 amended)
Asian-Pacific Postal Training Centre

Deleted

Article IX (Article 14 amended)
Expenditure of the Union

Article 14 is renumbered as Article 13.

The annual expenditure of the Union shall be separate for the administrative section and for the training section. Each Congress of the Union decides on the maximum amount for the annual expenditure **for the administrative section** on the basis of the recommendation made by the Director of the **Bureau**. **The expenditure for the administrative section** is shared by all the member-countries of the Union. The contribution units of each member-country shall be determined on the basis of that member-country's Universal Postal Union contribution class, as prescribed in the General Regulations of the Asian-Pacific Postal Union. **The annual expenditure for the training section is covered in principle by participating countries in direct proportion to their use of the training course and by voluntary contributions of the other countries or organisations or the administrative section.**

Article X (Article 15 amended)
Acts of the Union

Article 15 is renumbered as Article 14

Article XI (Article 16 amended)
Signature, ratification and other forms of approval of the Acts of the Union

Article 16 is renumbered as Article 15

1. Signature of the Acts of the Union by plenipotentiaries shall take place at the end of Congress. **The plenipotentiary delegates having proxy powers of those who are not attending the Congress should also sign the Acts of the Union on their behalf subject to ratification, approval by such proxied countries. Credentials for the proxy government must be issued by the government being represented in the form and manner that would apply if that member-country were acting on its own behalf.**
2. The Constitution and the Additional Protocols thereto and the other Acts of the Union shall be ratified, accepted or approved as soon as possible by the signatory countries in accordance with their constitutional regulations.
3. When a country does not ratify, accept or approve the Acts of the Union which it has signed, the Constitution and other Acts shall be no less valid for the other countries that have ratified, accepted or approved them.

Article XII (Article 17 amended)

Notification of ratification and other forms of approval of the Acts of the Union

Article 17 is renumbered as Article 16

The instruments of ratification, acceptance or approval of the Constitution and the Additional Protocols thereto, and such instruments of the other Acts of the Union shall be deposited as soon as possible with the Director of the **Bureau** who shall notify the governments of the other member-countries of these deposits.

Article XIII (Article 18 amended)

Accession to the Acts of the Union

Article 18 is renumbered as Article 17

1. Member-countries which have not signed the Constitution and the Additional Protocols thereto and the other Acts of the Union may accede to them at any time.
2. Formal declarations of accession shall be sent to the Director of the **Bureau**, who shall notify the governments of the member-countries of these deposits.

Article XIV (Article 19 amended)

Presentation of Proposals

Article 19 is renumbered as Article 18

Article XV (Article 20 amended)

Amendment of the Constitution

Article 20 is renumbered as Article 19

1. To be adopted, proposals submitted to Congress and relating to this Constitution must be approved by at least two-thirds of the member-countries of the Union.
2. Amendments of the Constitution adopted by a Congress shall form the subject of an Additional Protocol of the Constitution and shall enter into force from the date set forth in **such** Protocol. They shall be ratified, accepted or approved as soon as possible by member-countries and the instruments of such ratification, acceptance or approval shall be dealt with in accordance with the procedure laid down in Article **16**.

Article XVI (Article 21 amended)
Amendment of the General Regulations

Article 21 is renumbered as Article 20

1. The General Regulations define the conditions to be fulfilled for the approval of proposals which concern them.
2. Amendments of the General Regulations adopted by a Congress shall form the subject of an Additional Protocol of the General Regulations and shall enter into force from the date set forth in **such** Protocol. They shall be ratified, accepted or approved as soon as possible by member-countries and the instruments of such ratification, acceptance or approval shall be dealt with in accordance with the procedure laid down in Article **16**.

Article XVII (Article 22 amended)
Co-operation in Universal Postal Congresses

Article 22 is renumbered as Article 21

Article XVIII (Article 23 Amended)
Arbitration

Article 23 is renumbered as Article 22

Article XIX (Article 24 amended)
Effective date and duration of the Constitution

Article 24 is renumbered as Article 23

Article XX

Entry into force and duration of the Second Additional Protocol to the Constitution of the Asian-Pacific Postal Union

This Second Additional Protocol shall come into force on 1 July 2002 and shall remain in force for an indefinite period.

In witness whereof the plenipotentiaries of the governments of the member-countries have drawn up this Second Additional Protocol, which shall have the same force and the same validity as if its provisions were inserted in the text of the Constitution itself, and have signed it in a single original which shall be deposited with the government of a member-country designated by the Congress. A copy thereof shall be delivered to each member-country by that government.

Done at Tehran, September 18, 2000

Australia:

China:

Bangladesh:

Bhutan:

Brunei Darussalam:

Fiji:

Cambodia:

(not signed)

India:

Iran:

Indonesia:

Japan:

Korea:

Malaysia:

Pakistan:

Maldives:

Papua New Guinea:

Nauru:

Philippines:

Nepal:

Singapore:

New Zealand:

Thailand:

Vietnam:

GENERAL REGULATIONS OF THE ASIAN-PACIFIC POSTAL UNION
SIGNED AT
SINGAPORE
12 SEPTEMBER 1995

.....

(Amended by 2000 Tehran Additional Protocol)

Note: This document is the final version of the General Regulations amended by the Additional Protocol (Tehran 2000), including annotations from this and previous Congresses. It is described in the page headers as

“General Regulations amended by Additional Protocol (2000)”

This means that it identifies text added by the Tehran Congress and includes the new annotations to the text from the Tehran Congress and those from previous Congresses.

GENERAL REGULATIONS OF THE ASIAN-PACIFIC POSTAL UNION

(amended by 2000 Tehran Additional Protocol)

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GENERAL REGULATIONS OF THE ASIAN-PACIFIC POSTAL UNION

(amended by 2000 Tehran Additional Protocol)

Preamble

The undersigned representatives, duly authorised by their respective governments, having regard to Article **14**, paragraph 2, of the Constitution of the Asian-Pacific Postal Union have, by common consent, and subject to Article **15**, paragraph 2, of the Constitution, drawn up in these General Regulations the following provisions securing the application of the Constitution and the functioning of the Union as well as those concerning the international postal service between the member-countries.

■ Commentary

1995 Singapore Congress: The further restructuring of the Acts by the 1995 Singapore Congress resulted in the General Regulations comprising two distinct parts i.e., provisions concerning the application of the Constitution, and provisions concerning the international postal service between member-countries. The addition of the text “as well as those concerning the international postal service between the member-countries” reflects this aspect of the restructuring.

Regarding the international postal service between the member-countries, it should be noted that this has two elements.

- (i) Principles for the international postal service between member-countries: this was set out in the 1990 Rotorua Convention. It has been transferred to Chapter V of the 1995 Singapore General Regulations.
- (ii) Rules for the operation of the international postal service between member-countries: this was set out in the Detailed Regulations of the 1990 Rotorua Convention. Pursuant to Article 106, paragraph 9 b) of the 1995 Singapore General Regulations, this area is now administered by the Executive Council (and the provisions of the former Detailed Regulations of the Convention are not recorded in the Acts of the Union).

Chapter I General provisions

Article 101

Language used for the publication of documents, for official correspondence and for the deliberations of meetings

1. English shall be used for the publication of documents of the **Bureau** and for official correspondence between the **Bureau** and the member-countries.
2. English shall be used in the deliberations of meetings of the organs of the Union. However, subject to arrangement for interpretation into English, other languages are admissible.
3. The costs of the interpretation mentioned in paragraph 2 shall be borne by the **delegations** using the alternative language. However, when French is concerned, the host country of the meetings shall furnish, as far as possible, any convenient means of interpretation to the delegations using this language.

■ Commentary

101 1970 Kyoto Congress: 1970 Kyoto Congress introduced this Article to facilitate the participation of non-English-speaking countries in meetings of the Union with an additional recognition of French as an alternative language. In part, the intent of the new Article was to ease the way for non-English-speaking potential members to accede to the AOPU.

101.1 1981 Yogyakarta Congress: The 1981 Yogyakarta Congress made the matter of language comprehensive and clear by including the requirement for documents and correspondence in this Article (previously, it had only referred to the language for the deliberations of meetings).

Article 102

Languages other than English

Member-countries whose language is not English may provide for a translation at their own expense, **subject to provisions in Article 101, paragraph 3.**

102 2000 Tehran Congress: The 2000 Tehran Congress added the text “ ... subject to provisions in Article 101, paragraph 3.” The purpose of the amendment is to ensure the exception in Article 101, paragraph 3 regarding the use of French is not lost sight of.

Article 103

Special agreements

The conclusion of special agreements in accordance with Article 4 of the Constitution shall be notified through the intermediary of the **Bureau** to member-countries or their postal administrations, as the case may be.

Article 104

Resolutions of the Congress

1. **Member-countries shall take such action considered appropriate to implement resolutions of the Congress and shall undertake to inform the Bureau from time to time of action so taken and progress to date.**
2. **The Bureau shall compile a status report of action taken by member-countries to implement resolutions of the Congress and shall provide the report to the Executive Council for its consideration.**

104 2000 Tehran Congress: The 2000 Tehran Congress sought to bring greater precision and purpose to Article 104 of the General Regulations. Whereas the text of the 1995 Singapore General Regulations had read as:

“The Postal Administrations of member-countries shall inform the Central Office of the Union of the measures they may have taken to effect the resolutions and recommendations of the Congress.”,

the 2000 Tehran Congress took a more action-oriented approach in its re-drafting.

Chapter II

Functioning of the Union’s bodies

Article 105

Organisation and convening of Congresses and Extraordinary Congresses

1. The representatives of the member-countries of the Union meet in Congress not later than two years after the holding of each Universal Postal Congress in order to revise the Acts of the Union, if necessary, and to consider, as necessary, other postal problems of common interest to the member-countries.
2. Each country is represented in Congress by one or more delegates duly authorised for that purpose by their respective governments. A country may arrange for its representation in Congress by another country, provided that a delegation represents and votes for only one country other than its own.
3. Each country has only one vote.
4. In principle, each Congress designates the country in which the next Congress is to be held. If that designation proves inapplicable or inoperative, it falls to the Executive Council to designate the country where Congress is to meet, after consultation with that country. **In the event where the venue of the next Congress is not decided or where the host country eventually shows its inability to hold the Congress, its meeting would then be held in the country where the Bureau is situated.**
5. After consultation with the **Bureau**, the host government fixes the date and place of the Congress. In principle, six months before that date, invitations are issued to the government of each member-country of the Union by the **Bureau** on behalf of the host government. However, should the host government so desire, it may issue the invitations.
6. Observers may be invited to attend meetings of the Union in an advisory capacity without the right to vote, provided they represent the United Nations or one of its specialised agencies or any

other international organisation having an interest in the work of the Union. Other observers may also be invited to attend provided that they represent other restricted postal unions, or postal administrations of member-countries of the Universal Postal Union, or postal administrations of countries which are non-members of the Universal Postal Union and of non-self governing territories and other areas in Asia and the Pacific. At the request of the Congress or the Executive Council, the invitation is made by the **Bureau**. However, should the government of the host country so desire, it may issue the invitations.

7. For the organisation of its work and conduct of its debates, Congress shall apply the Rules of Procedure of Congresses.

8. The place and date of assembly of an Extraordinary Congress is fixed by the Executive Council in agreement with the member-countries initiating the Congress.

9. The provisions of paragraphs 2, 3, 6 and 7 of this Article apply to Extraordinary Congresses **as well**.

■ Commentary

105.1 1965 Manila Congress: While authority vests in the Congress to fix the place of convocation of the next one, the 1965 AOPU Congress decided that the date should be established by the government of the convoking country but not later than two years after the holding of each Universal Postal Congress.

105.4 1970 Kyoto Congress: The 1970 Kyoto Congress amended this paragraph to provide for the Executive Committee to designate the country to host the next Congress in certain circumstances.

105.4 2000 Tehran Congress: The 2000 Tehran Congress added the second sentence in this paragraph to provide an alternative venue for a Congress if the designated host finds itself unable to undertake the requirements.

105.5 1970 Kyoto Congress: The 1970 Kyoto Congress added a new paragraph (i.e., paragraph 5 of Convention Article 8 in the 1981 Yogyakarta Acts) to separately specify a modified channel for issuing invitations to attend a Congress. These changes brought the text into line with UPU General Regulations (1969 Tokyo Congress), Article 101, paragraphs 4 and 5.

105.5 1981 Yogyakarta Congress: The 1981 Yogyakarta Congress amended the procedure for issuing invitations to Congress by making the Central Office the prime party for this process. This was seen as making it easier for a host government if they did not have diplomatic channels with all members. (For consistency, the same provision was approved for inclusion in paragraph 7 of Article 8 of the Yogyakarta Convention (being paragraph 6 of Article 105 of the 1985 Bangkok General Regulations).)

105.6 1970 Kyoto Congress: The 1970 Kyoto Congress clarified that invitations are extended to “member countries” in this paragraph. The prior text (1965 Manila Convention) could have been interpreted as invitations being extended to postal administrations.

105.6 1981 Yogyakarta Congress: The 1981 Yogyakarta Congress added two categories of observers as follows.

- (i) “any other international organisation having an interest in the work of the Union” – this recognised actual practice i.e., organisations such as ESCAP, UNDP, AOPTS had been invited to Congresses as observers, but they were not specialised agencies of the United Nations (and, thus, they were not covered in the Convention).
- (ii) “other restricted postal unions” – this was aimed at strengthening cooperation between the Union and other restricted unions.

105.6 1985 Bangkok Congress: The 1985 Bangkok Congress added the text “... or postal administrations of countries which are non-members of the Universal Postal Union and of non-self governing territories and other areas in Asia and the Pacific.”

105.7 1985 Bangkok Congress: The 1985 Bangkok Congress adopted a permanent set of Rules of Procedure and reflected this in the new paragraph. Prior to the 1985 Bangkok Congress the practice (as set out in Article 16 of the 1981 Yogyakarta Convention) had been for each Congress to apply the Rules of Procedure drawn up by the previous Congress (with the opportunity given for amendments to be made, if required).

Article 106

Composition, functioning and meetings of the Executive Council

1. The Executive Council comprises all the member-countries of the Union, with a quorum of the majority.
2. The Chairman of each Congress convenes the first meeting of the Council **immediately** after the holding of that Congress **at the same venue**. At the meeting, the Council elects from among its members a Chairman and a Vice-Chairman, who hold office until the conclusion of the next Congress. In the normal course **the** chairmanship shall devolve by right on the host country of Congress but the latter may waive the right if it so wishes.
3. The annual meetings of the Executive Council following the first meeting are convened by its Chairman.
4. Each Executive Council meeting shall designate the country in which the next Executive Council meeting is to be held. When an Executive Council meeting has to be convened without a host country, the meeting shall be convened where the **Bureau** is situated. **In that event, the host will be the Bureau itself and not the postal administration of the country where the Bureau is situated. The expenditure of such meetings shall be borne by the Bureau from its own budget by raising the contribution share of each country.**
5. Between ordinary sessions, the Council may be convened as a general rule at the place where the **Bureau** is situated, by the Chairman at the request of a two-thirds majority of the member-countries of the Union.
6. After consultation with the Chairman of the Executive Council, the host country fixes the date and place of the Executive Council meeting. Invitations to such meeting are issued to each member-country and observers by the Chairman of the Executive Council or, if the Chairman so desires, by the **Bureau**. However, should the host country so desire, it may issue the invitations **directly to member administrations and also circulate through diplomatic channels**.
7. The working expenditure of the Council is borne by the Union. The services of a Council member are gratuitous.
8. Member-countries shall be represented at meetings of the Council by qualified postal officials.
9. The functions of the Council are:
 - (a) to perform any duty assigned to it by a resolution of the Congress;
 - (b) to lay down the international postal service rules which shall provide for details necessary for the operation of the international postal service between the member-countries;
 - (c) to maintain contacts with postal administrations of the member countries of the Union with a view to improving the postal service;
 - (d) to prescribe rules for the administration of the **Bureau** and to supervise the activities of the **Bureau**;
 - (e) to review and approve the annual budget and accounts of the **administrative section** prepared by the **Bureau** in the intervals between Congresses;
 - (f) to make useful contacts with the various organs of the Universal Postal Union, with the restricted unions or with other specialised agencies of the United Nations with special interests in the area, and, if necessary, to appoint representatives to conferences of such organisations;

- (g) to conclude agreements on behalf of the Union with the Universal Postal Union, and other restricted unions and international organisations with regard to such matters as technical co-operation, with the concurrence of at least two-thirds of the members of the Union. The Council may authorise the Director of the **Bureau** to execute such agreements;
- (h) to assemble, prior to each Universal Postal Congress, in accordance with the provisions of Article 115 paragraph 2; **and**
- (i) to take necessary steps, with the agreement of the majority of the members of the Union, provisionally to carry out such other administrative acts which are not covered by the Acts of the Union and cannot await the next Congress for settlement.
10. The Council draws up the Rules of Procedure necessary for its work.
11. When necessary, consultations and decisions of the Council may be made by correspondence.
12. The Director of the **Bureau** assumes the task of Secretary-General of the Council.
13. The Council sends to the postal administrations of the member-countries of the Union, for information, a summary report at the end of each meeting of the Council.
14. The Council submits a report to each Congress on the whole of its activities.
15. The representative of each of the members of the Council shall be entitled to the reimbursement of the cost of an economy class return ticket for travel by air, sea or land by means of a deduction from the contribution of that country to the annual expenditure of the Union.

■ Commentary

106 1985 Bangkok Congress: In its review of the 1981 Yogyakarta Convention, the Executive Council recommended that paragraph 8 (appointment of sub-committees or working groups to assist with Executive Council work) of Yogyakarta Convention Article 10 be deleted and placed in the EC Rules of Procedure. The 1985 Bangkok Congress approved this change.

106.1 1965 Manila Congress: Considering that membership in the Union may be increased during the period that its Convention is in force, the 1965 AOPU Congress decided to stipulate a majority instead of a number of the members to comprise a quorum in the Executive Committee.

106.2 1965 Manila Congress: Unlike the Congress which calls for invitations to be extended by the government of the convoking country through diplomatic channels, the President of the Congress or the Chairman of the Executive Committee convenes the meeting of said Committee and each Administration decides on its participation therein.

106.2 1985 Bangkok Congress: The 1985 Bangkok Congress added the words "In the normal course the Chairmanship shall devolve by right on the host country of Congress" to recognise the fact that this had become the common practice. However, to enable the host country to opt out of the role, the 1985 Bangkok Congress also included the text "... but the latter may waive the right if it so wishes."

106.2 2000 Tehran Congress: The 2000 Tehran Congress introduced greater precision into this paragraph by specifying (in the first sentence) that the first meeting of an Executive Council (in the inter-Congresses cycle) shall be immediately after the Congress and at the same venue as the Congress.

106.4 1965 Manila Congress: It is generally held that meetings of the Executive Committee should take place in Manila where the Central Office is situated. However, the member-countries may also agree to hold the same at another place upon invitation of one of them, as in the case of the 1968 meeting held at Bangkok with the Administration of Thailand acting as host. The 1969 meeting was held in Tokyo not only with the Administration of Japan acting as host but also because of the 16th Universal Postal Congress which followed in the same place.

106.4 1970 Kyoto Congress: In this paragraph, the original provision for the place where an Executive Committee meets was not as precise as it could have been in terms of being either the place where the Central Office was located, or another place. The 1970 Kyoto Congress amended the paragraph to make the options and selection process clearer by prescribing that an alternative venue (to the location of the Central Office) could be decided by the majority of members.

106.4 1981 Yogyakarta Congress: The 1981 Yogyakarta Congress reversed the process for deciding on the location of Executive Council meetings. Whereas, prior to the 1981 Congress, the first option was expressed as the place where the Central Office was located, unless the majority of members decided otherwise, the 1981 Congress placed the emphasis on the location being in a member country as the first option. In the event that there was no host member country, then the fallback position was to host the meeting in the country where the Central Office was located.

106.4 2000 Tehran Congress: The 2000 Tehran Congress introduced greater precision into this paragraph by specifying (in the third sentence) that meetings held in the host country of the Bureau (because a host country could not be secured) are for the Bureau to organise and fund (albeit with the costs being levied on members).

106.6 1981 Yogyakarta Congress: The 1981 Yogyakarta Congress noted that there was no provision specifying who should issue invitations for Executive Council meetings. Accordingly, such a provision was inserted. The latter is consistent with the process specified for issuing invitations for Congresses.

106.6 2000 Tehran Congress: The 2000 Tehran Congress added the text “ ... directly to member administrations and also circulate through diplomatic channels.” The purpose of the change is to maximise participation in meetings of the Executive Council.

106.7 1970 Kyoto Congress: The 1970 Kyoto Congress deleted the second sentence of paragraph 7 (“Member-countries meet the travelling and accommodation expenses of their representatives.”) acknowledging that the financial burden of travel costs was a barrier to many member-countries’ participation in Executive Committee meetings. The principle, thus adopted, was for the travelling costs to be met from the expenses of the Union. This principle was inserted by the 1970 Kyoto Congress in Article 103, paragraph 6 of the Detailed Regulations of the Convention (1970 Acts).

106.9 a) 1975 Melbourne Congress: The 1975 Melbourne Congress introduced sub-paragraph a) to reflect the model followed in the UPU for its Executive Council.

106.9 b) 1995 Singapore Congress: The 1995 Singapore Congress abolished the 1990 Rotorua Convention and its Detailed Regulations. The Convention (which contained the principles for the international postal service between member-countries) transferred to Chapter V of the 1995 Singapore General Regulations. The provisions in the Detailed Regulations (which contained the rules applicable to the operation of the international postal service between member-countries) were delegated to the Executive Council to administer. In Article 106 9 b), the 1995 Singapore Congress established the role of the Executive Council for laying down the rules of the international postal service between member-countries.

106.9 f) 1975 Melbourne Congress: The 1975 Melbourne Congress added the words “with the restricted unions” for completeness.

106.9 g) 1981 Yogyakarta Congress: The 1981 Yogyakarta Congress delegated authority to the Executive Council to conclude certain agreements with other restricted unions. The purpose of this delegation of authority was to avoid lengthy delays in finalising such agreements if the only power to do so was vested in Congress.

106.9 g) 1985 Bangkok Congress: The 1985 Bangkok Congress extended the authority of the Executive Council to conclude agreements with the UPU and International Organisations. It also gave the Executive Council scope to authorise the Director of the Central Office to execute such agreements.

106.9 i) 1975 Melbourne Congress: New provision added by the 1975 Melbourne Congress to generally support and improve the working methods of the Union.

Additional note regarding Article 106, paragraph 9

The 1985 Bangkok Congress introduced the possibility of the Union making a contribution to the costs of the Training Centre on an annual basis. This was the result of a study conducted by the Executive Council following the 1981 Yogyakarta Congress on the future of the Training Centre (Congress 1985 Doc 28 refers). The 1985 Bangkok Congress agreed that the “APPU should display greater commitment to the Centre and act as a ‘donor of last resort’”. Accordingly, a new provision was inserted at paragraph 9 i) of Article 106 of the 1985 Bangkok General Regulations specifying that the functions of the Executive Council included “...to decide whether the Union’s budget for any particular year should include a contribution to the Asian-Pacific Postal Training Centre and, if so, indicate the amount of contribution.” This was subsequently renumbered as paragraph 9 j) by the 1995 Singapore Congress.

The 2000 Tehran Congress deleted the training centre funding provision from Article 106. No documentation has been located to explain why it was deleted. It appears to have resulted from the work of the APPU Steering Committee that had been responsible for the merger / formation of the Bureau and the re-casting of the Acts of the Union. It is noted that when the 1985 Bangkok Congress originally inserted the provision in Article 106 (as a demonstration of the Union’s commitment to support the work of the training centre), a corresponding reference was inserted in Article 111, paragraph 12 of the 1985 Bangkok General Regulations identifying the Union as a potential donor of funds to the training centre. The intent of

Article 111, paragraph 12 of the General Regulations was subsequently transferred to Article 13 of the Constitution by the 2000 Tehran Congress. However, the enabling provision has been removed from the General Regulations with the deletion of sub-paragraph 9 (j) of Article 106.

106.10 1965 Manila Congress: A standing Rules of Procedure was first adopted by the Committee during its 1968 Bangkok Meeting.

106.15 1970 Kyoto Congress: The 1970 Kyoto Congress introduced this paragraph acknowledging the financial burden of travel costs was a barrier to many member-countries' participation in Executive Committee meetings. Thus, the Congress adopted the principle that travelling costs would be met from the expenses of the Union.

106.15 1975 Melbourne Congress: The 1971 AOPU EC identified that an accounting procedure was required for reimbursing members' travel costs to attend Executive Committee meetings (Resolution 1971 / 10 refers). The additional wording outlining the deduction method (i.e., "by means of a deduction from the contribution of that country to the annual expenditure of the Union") is the result of the work undertaken on this matter.

Article 107

Bureau

1. The **Bureau** is composed of a Director and such other staff as the Union may require.
2. The Director of the **Bureau** attends the meetings of the Union and takes part in the discussions without the right to vote.
3. The **Bureau** provides the secretariat for meetings of the Union, jointly with the postal administration of the country where each meeting is held.
4. The Director of the **Bureau** is chosen, from among qualified postal officials, by the Executive Council, **or in Congress year by Congress**. The tenure of office is fixed by the body which selects the Director.
5. The **Bureau** is under the general supervision of the Executive Council and its financial accounts are audited by the competent authority of the country where the **Bureau** is situated.

■ Commentary

107 1965 Manila Congress: During the 1965 AOPU Congress, Postmaster General Enrico Palomar of the Philippines, who had been elected Acting Director of the AOPU Central Office at the 1961 Manila Postal Conference, was re-elected Director of the same office until the next Congress of the Restricted Union. The positions of First Secretary and Second Secretary on part-time basis and one full-time Clerk, which had been created as a result of the 1962 Baguio Meeting, were maintained during the effective period of the 1965 AOPU Convention. For reasons of economy, these positions were filled by Philippine nationals.

107.1 1995 Singapore Congress: The 1995 Singapore Congress abolished the position of Assistant Director in the Central Office.

107.4 2000 Tehran Congress: The 2000 Tehran Congress changed the order of the parties authorised to appoint the Director of the Bureau from the 1995 Singapore General Regulations format of "Congress or the Executive Council" to "the Executive Council or, in Congress year, by Congress". The clear inference is that the authority to appoint the Director had switched to the Executive Council. The proposal to make this change came from the APPU Steering Committee. In attempting to piece together the reasoning for this significant change, documentation from the period around the 2000 Tehran Congress offered the following information.

The relocation of the Central Office and its merger with the APPTC, required the Union to make decisions on rules and practices for the Director role. For the first time, the role would be decided through an election process. The term of appointment focused more on the training side of the role. At its fifth meeting in June 2000, the APPU Steering Committee agreed that a three-year term was “more appropriate ... in view of the expanded role of the Director to include training”. As a result of this shortening of the intended duration to three years, the Steering Committee changed a proposed amendment to the General Regulations to:

“The Director of the **Bureau** is chosen, from among qualified postal officials, by the Executive Council, **or in Congress year by Congress.**”

Thus, the current wording of this paragraph of the General Regulations came into use to provide greater control over the management of the training which, in turn, recognised that the EC met annually (whereas the Congress did not). As it transpired, the EC appointed the Director on only one occasion i.e., 2001 (to take effect on 1 July 2002).

In 2001, the term of appointment continued to be an issue. Doc 19 prepared for the 2001 EC meeting set the term at 1.5 years (from July 2002 to December 2003 to coincide with the end of the 2003 financial year). From 1 January 2004, the term was set at two years. EC 2001 Doc 19 also commented that “there shall be no limit to the number of terms a Director may serve”.

The 2001 EC meeting made a further change to the term. It decided that the term shall be 3.5 years (from July 2002 to December 2005). The Minutes of the 2001 EC meeting covered the term for the period beyond December 2005 in the statement “the term of office or the appointment of his successors shall depend on the decision of the APPU Congress”.

In preparing for the 2005 APPU Congress, the 2004 EC meeting agreed “that the next Director should be appointed for a two-year probation period with the possibility of an extension until the next APPU Congress in 2009 or 2010”. It is noted that such an arrangement (i.e., a probation period followed by an extension of the incumbent, or by the election of a successor), would require the EC to act in a selection role (as provided for in the amended version of Article 107).

The 2005 Congress rejected the EC proposal for the two-year probation period. Instead, it appointed the Director for a four-year period until the next Congress (which, at that stage had been agreed as taking place in 2009). The 2005 Congress also established a set of principles and procedures for the election of the Director.

Since 2005, Directors have been appointed to serve for a period up to the end of the year in which the next APPU Congress is anticipated to take place, thus making the function of appointment solely that of Congress.

Article 108

Organisation and Staff of the **Bureau**

1. The direction of the **Bureau** is entrusted to a Director assisted, if necessary, by qualified officials who have served at least five years in the postal service and who possess a working knowledge of French or any of the languages in Asia, in addition to English. **These positions are in addition to the training and administrative staff of the Bureau.** The representation of the member-countries of the Union is taken into consideration in the selection of these officials. The Director appoints them, subject to the confirmation of the Executive Council, from among those who are recommended by their respective postal administrations, on condition that they satisfy the needs of the **Bureau** on the technical aspect.

2. The Director of the **Bureau** is its legal representative in all the functions performed by the **Bureau** pursuant to the Acts of the Union and to the decisions of Congresses of the Union.

3. Unless otherwise decided by the Executive Council, the Director represents the Union in international conferences regarding the postal service where representation of the Union is required.

■ Commentary

108.1 2000 Tehran Congress: The 2000 Tehran Congress added the words “These positions are in addition to the training and administrative staff of the Bureau.” It appears this was a change that came through the Drafting Committee as an editorial amendment. On that point, it does provide clarity regarding the differentiation between what are commonly referred to as international staff and local staff.

108.3 1965 Manila Congress: For reasons of economy, the representatives of Thailand (which was a member of the UPU Executive Council and Consultative Council for Postal Studies in the period up to the 1970 AOPU Congress), also represented the AOPU as its Observers at the meetings of these UPU bodies.

Article 109

Functions of the **Bureau**

1. The **Bureau** draws up the tentative agenda and makes other preparations for meetings of the Union.
2. **The Bureau** communicates with the postal administrations of member-countries of the Universal Postal Union in Asia and the Pacific which have not acceded to the Union on the advisability of their recommending to their governments to apply for accession, through diplomatic channels, as members of the Union.
3. **The Bureau** should at all times be ready to furnish the Executive Council and the postal administrations of the Union with any necessary information on questions relating to the postal service.
4. **The Bureau** makes up an annual report on the activities of the Union, which is sent to the postal administration of each member-country. This report is to be approved by Congress, or by the Executive Council when the former does not convene. In the event of the Congress or the Executive Council not being convened within a period of five months of the year following that covered by the report, approval by each member-country of the Union shall be obtained by correspondence. Member-countries failing to reply within 40 days shall be regarded as having approved the report.
5. **The Bureau** keeps an up-to-date collection of the postage stamps issued by the member-countries.
6. **The Bureau provides training facilities and advisory services in the training section to Improve postal services within Asia and the Pacific. This training section shall be administered by a Governing Board whose composition, purpose and functions are prescribed in Article 111.**

■ Commentary

109 1965 Manila Congress: Regulations for Operation of the Central Office were initially adopted at the 1963 Manila Business Meeting of the Union and were subsequently readopted at the First AOPU Congress. A supplement to the Regulations was further undertaken at the 1969 Tokyo Meeting of the Executive Committee.

109.4 1981 Yogyakarta Congress: To speed up the approval of the Union's Annual Report, the 1981 Yogyakarta Congress introduced a correspondence option for completing the process.

109.6 2000 Tehran Congress: For editorial alignment with other elements of the formation of the Bureau, the 2000 Tehran Congress transferred Article 13 of the 1985 Constitution, as amended by the 1995 Singapore Congress, to paragraph 6 of Article 109. There is no change to coverage of the provision.

Article 110

Publications of the **Bureau**

1. The **Bureau** of the Union furnishes gratuitously to the postal administration of each member-country and to the International Bureau of the Universal Postal Union at Berne, Switzerland, the documents which it publishes, allowing each administration the number of copies which corresponds to the number of units which it contributes. Additional copies of documents requested by postal administrations are paid for by them at cost.
2. The **Bureau** prepares and distributes among the postal administrations of the member-countries a schedule of all the proposals which it receives in accordance with Article 115 paragraph 1 of these General Regulations in order that such proposals may be studied by the said countries.

Article 111

Governing Board of the **training section of the Bureau**

1. The responsibility for administering the **training section** shall be entrusted to a Governing Board which shall meet at least once each year. The meetings shall be held in **the country where the Executive Council will hold its meetings and precede these meetings**, unless decided otherwise.
2. In the discharge of its responsibilities to Congress, the functions of the Governing Board are:
 - a) to determine rules for the administration of the **training section**;
 - b) to direct the general training policy of the **training section**;
 - c) to approve and supervise the budget of the **training section**;
 - d) to appoint the teaching staff of the **training section**; and
 - e) to establish the scales of salaries and conditions of service for the **training section's** teaching and administrative staff.
3. The Governing Board comprises the head of the host administration of the **Bureau** as Chairman, the Chairman of the Executive Council and a representative of the postal administrations of member-countries which make a contribution to the activities of the **training section** in cash, or in kind or by way of fellowships, **self-funding** or supplied experts of not less than 10,000 Dollars (United States) per annum, as full members with the right to vote. The Director of the **Bureau**, the Director-General of the International Bureau of the Universal Postal Union or his representative, a representative of the Economic and Social Commission for Asia and the Pacific and a representative of the United Nations Development Programme, may attend meetings of the Governing Board as observers. Any member-country of the Union not a member of the Governing Board may attend meetings of the Governing Board as an observer. The Board may decide to invite other observers as appropriate.
4. Member-countries referred to in paragraph 3 above shall not be entitled to be represented on the Governing Board if no assistance to the extent indicated is forthcoming for two years in succession.
5. Meetings of the Governing Board are convened by its Chairman.
6. If a request is received from two-thirds of the members of the Board, the Chairman shall convene an extraordinary session of the Governing Board, as a general rule, **in the host country of the Bureau**.

7. When necessary, consultations and decisions of the Governing Board may be made by correspondence.
8. The Director of the **Bureau** shall assume the task of Secretary of the Board.
9. The Governing Board shall submit a report to each Congress on its activities since the preceding Congress and its projected activities. The report should, for information, also contain details of past and proposed financial arrangements.
10. To ensure the smooth running of the **training section**, between successive Governing Board meetings, the Governing Board may establish a Local Executive Committee to which it may assign any necessary functions.

■ Commentary

111 1975 Melbourne Congress: The 1975 Melbourne Congress inserted a new Article setting out the structure, operation and financing of the Asian and Oceanic Postal Training School. This is the consequence of the Union adopting the Training School as an organ of the Union (as specified in Convention, Article 7, 1975 Acts).

111 2000 Tehran Congress: Consequent upon the formation of the Bureau, the name of the Asian-Pacific Postal Training Centre changes in the Acts of the Union to “training section of the Bureau”.

111.1 1981 Yogyakarta Congress: The 1981 Yogyakarta Congress noted that the requirement for the Governing Board to meet annually did not provide sufficient flexibility if more than one meeting in a given year was found to be necessary. Accordingly, the frequency was redefined to be “at least once a year”.

111.1 2000 Tehran Congress: The 2000 Tehran Congress amended the second sentence of Article 111, paragraph 1 from “The meetings shall be held in Bangkok unless decided otherwise” to “The meetings shall be held in the country where the Executive Council will hold its meetings and precede these meetings, unless decided otherwise.” The change appears to have been sponsored by the APPU Steering Committee. No reasons were given, but it is likely the change is simply to reflect ongoing practice.

111.2 d) 1981 Yogyakarta Congress: The 1981 Yogyakarta Congress authorised the Governing Board to also appoint managerial staff. This was introduced to specifically cover the situation of the Director of Studies i.e., when the Article was originally drafted the focus was only on appointing teaching staff, whereas it should have also covered managerial staff e.g., the Director of Studies. (Subsequently, the 2000 Tehran Congress deleted the reference to managerial staff because the appointment to the management position was transferred to Article 108 of the General Regulations.)

111.3 1981 Yogyakarta Congress: The 1981 Yogyakarta Congress added the United Nations Development Program as an observer at meetings of the Governing Board. This recognised its active participation in the work of the Training Centre and the perceived value it could bring in the future.

111.3 1985 Bangkok Congress: The 1985 Bangkok Congress considered that the specification for membership of the Governing Board was no longer adequate. This was particularly so for countries which contributed larger amounts of money to the Training Centre. Accordingly, Governing Board membership was extended to donors meeting the stated threshold. (A point of confusion had been the term “participating country”. In particular, it was commonly thought that it (i.e., participating country) only referred to the four countries that initially contributed the largest amounts of cash (i.e., Indonesia, Korea, Philippines and Thailand). The 1985 Bangkok Congress retained a reference to participating countries (Constitution Article 13) but clarified / recognised the “financial participation” of other members that might not avail themselves of the training services provided.

111.3 2000 Tehran Congress: The 2000 Tehran Congress added the “self-funding” category of financial contributor to those who may be eligible for Governing Board membership. The change appears to have been sponsored by the APPU Steering Committee. No reasons were given.

111.3 2000 Tehran Congress: For editorial alignment consequent upon the merging of the Central Office and the Asian-Pacific Postal Training Centre, the 2000 Tehran Congress transferred the following paragraphs of Article 111 of the 1995 Singapore General Regulations to the 2000 Tehran Acts as set out below.

| Transferred from 1995 Article 111 Paragraph | To 2000 Tehran Acts |
|---|--|
| 4 | Constitution Article 13 |
| 5 | General Regulations Article 111, paragraph 4 |
| 12 | Constitution Article 13 |
| 13 | General Regulations Article 117, paragraph 6 |
| 14 | General Regulations Article 117, paragraph 7 |
| 15 | General Regulations Article 117, paragraph 8 |
| 16 | General Regulations Article 117, paragraph 9 |

111.4 1985 Bangkok Congress: In conjunction with the redefinition of a Governing Board member, the 1985 Bangkok Congress introduced a provision that required regular funding to retain Governing Board member status.

Chapter III

Procedure for submission and consideration of proposals

Article 112

Introduction of proposals to Congresses

- Proposals to be presented to Congress must reach the **Bureau** at least three months before the commencement of the Congress. Nevertheless, proposals which reach the **Bureau** within three months preceding the commencement of the Congress may also be considered at the discretion of Congress.
- The procedure prescribed in paragraph 1 shall not apply to amendments to proposals already made.
- The **Bureau** publishes the proposals and distributes them, as early as possible, among the postal administrations of the member-countries.

■ Commentary

112.2 1981 Yogyakarta Congress: The 1981 Yogyakarta Congress clarified that the three-month deadline for submitting proposals to Congress (as set out in paragraph 1), did not apply to amendments to proposals already submitted.

Article 113

Reservations

- Reservations to the provisions of Chapter V of the General Regulations shall be inserted in the Final Protocols to the General Regulations on the basis of a proposal approved by Congress.
- Article 112, relating to the introduction of proposals to Congress shall not apply to proposals concerning reservations.
- To be adopted, reservations submitted to Congress shall be approved by a majority of the member-countries present and voting.
- Any **member-countries** benefiting from a reservation may, at any time, waive the application of that reservation. The waiver shall be notified to member-countries through the **Bureau**.

■ Commentary

113 1981 Yogyakarta Congress: The 1981 Yogyakarta Congress inserted a new Article dealing with reservations. Prior to the 1981 Congress, reservations had been covered in paragraph 6 of Article 3 (1975 Convention) on “Adherence to the Union”. However, a study undertaken by the Executive Council had concluded that Article 3 should only deal with membership procedures (adherence / accession to the Union), and that the matter of reservations should be covered in a separate Article. (The Executive Council view on the structure of the APPU Acts in this area was consistent with how the UPU set out membership procedures and reservations.)

Article 114

Proposals to amend the General Regulations submitted between Congresses

1. Each proposal to amend the provisions of Chapter V of the General Regulations and their Final Protocols submitted by a postal administration between Congresses shall be sent to other postal administrations through the intermediary of the **Bureau**.
2. Every proposal shall be subject to the following procedure: a period of two months shall be allowed to postal administrations of member-countries for consideration of the proposal notified by a **Bureau** circular, and for forwarding their observations, if any, to the **Bureau**. Amendments shall not be admissible. The replies shall be collected by the **Bureau** and communicated to postal administrations with an invitation to vote for or against the proposal. Those which have not sent their vote within a period of two months shall be considered as abstaining. The aforementioned periods shall be reckoned from the dates of the **Bureau** circulars.
3. Amendments made to the provisions of Chapter V of the General Regulations and their Final Protocols shall be sanctioned by the notification of the Director of the **Bureau** to the governments of member-countries.

■ Commentary

114 1985 Bangkok Congress: New Article introduced by the 1985 Bangkok Congress to specify the procedures for dealing with proposals to amend the Acts submitted between Congresses.

114.1 1995 Singapore Congress: Consequent upon the transfer of the 1990 Rotorua Convention and its Detailed Regulations to Chapter V of the 1995 General Regulations, the 1995 Singapore Congress more precisely defined the submission of proposals amending the General Regulations.

114.3 1995 Singapore Congress: As detailed under Element 1 of Article 6 Commentary (1985 Constitution, as amended by the 1995 Singapore Congress Additional Protocol), the Director of the Central Office undertakes the function previously performed by the government of the country in which the Central Office is situated.

Article 115

Proposals submitted to Universal Postal Congresses

1. The postal administrations of all member-countries shall make known to the other member-countries and to the **Bureau**, at the same time as they advise the International Bureau of the Universal Postal Union, the proposals which they submit to Universal Postal Congresses. Notwithstanding the provisions of Article 3 of the Constitution, these proposals may be prepared in French.
2. Member-countries may assemble, prior to and during each Universal Postal Congress, in order to exchange and harmonise their views on the proposals and other important matters to be discussed there.

■ Commentary

115.1 1975 Melbourne Congress: The 1975 Melbourne Congress decided that it was not necessary for the Central Office to send Union members copies of proposals submitted by them. Accordingly, the prior requirement to do this was deleted.

115.2 1965 Manila Congress: On the eve of the Vienna (1964) and Tokyo (1969) UPU Congresses, the representatives of the AOPU member-countries met at the place where the Congress was held and harmonised their views to be taken up at the Congress. The bids of the countries within the Restricted Union for seats in the UPU Executive Council and CCPS were also reinforced by the support of the other AOPU members.

115.2 1981 Yogyakarta Congress: The 1981 Yogyakarta Congress introduced an optional approach to member-countries assembling prior to UPU Congresses. Prior to the 1981 Yogyakarta Congress the text of paragraph 3 required a meeting to take place.

Chapter IV

Finance

Article 116

Contribution Classes

1. For the apportionment of the expenses of the **administrative section**, the member-countries are divided into four groups. Those contributing to the expenses of the Universal Postal Union as members of the over 50, 50, 40, 35, 25 and 20 unit classes contribute 5 units; those contributing as members of the 15, 10, and 5 unit classes contribute 3 units; those contributing as members of the 3 and 1 unit classes contribute 2 units; and those contributing as members of the half-unit class contribute 1 unit. However, a member-country may contribute more units.

2. Countries which accede to the Union as well as those which withdraw from the Union share in the expenditure of the **administrative section** for the entire year during which their accession or withdrawal becomes effective.

■ Commentary

116 2000 Tehran Congress: The 2000 Tehran Congress replaced the word "Union" with "administrative section" in this Article.

116.1 1965 Manila Congress: The ratio of 7:3:1 provided for in the 1961 AOPU Convention for the division of the expenses of the Union was changed to 5:3:2 in the 1965 Convention, thereby reducing the possible ceiling amount of contributions made by the big countries while increasing those of the small countries.

116.1 1975 Melbourne Congress: The 1975 Melbourne Congress modified the relationship between the UPU and AOPU contribution class systems to take account of changes to the UPU system at the 1974 UPU Lausanne Congress. There was no financial impact on AOPU members as a result of the amendment to paragraph 1.

116.1 1985 Bangkok Congress: Consequent upon the 1984 UPU Hamburg Congress increasing the number of UPU contribution classes (including the introduction of a half-unit class for LDC members), the APPU created an additional contribution class of 1 unit for LDC members.

116.2 1970 Kyoto Congress: The 1970 Kyoto Congress amended this paragraph to clarify the financial obligations of member-countries that withdraw from the Union.

Article 117

Budget and Accounts of the Union

1. The expenditure of the **administrative section** shall not exceed the sum of **80,000** US dollars per annum.
2. The **Bureau** shall prepare, at least two months before the end of each calendar year, an estimate of the budget **of the administrative section** for the following year covering the period from 1 January to 31 December, containing detailed data of its estimated expenditure and receipts as compared with the figures of the preceding budget and the previous final account. It shall submit this budget estimate to the Executive Council, or to Congress when it convenes, for approval. Pending such approval, the **Bureau** shall function within the limits of the budgetary figures of the preceding year.
3. The **Bureau** shall prepare, during the first quarter of each year, a report **of the administrative section** to which shall be attached a detailed final account of the preceding year and all documents regarding receipts and expenditure. This report shall be submitted to the Executive Council or to Congress for approval and for distribution to the postal administrations of the Union.
4. The expenditure of the **administrative section** shall be in accordance with the budget approved by the Executive Council or by Congress. **The expenditure of the training section shall be in accordance with the budget approved by the Governing Board.**
5. The limits laid down in paragraph 1 may be exceeded to enable the recruitment of personnel or otherwise to provide for the efficient operation of the **administrative section**, if a majority of the member-countries of the Union agrees.
6. Member-countries shall pay their contributions to the Union's annual expenditure **for the administrative section** in advance on the basis of the budget laid down by Congress or by the Executive Council. These contributions shall be paid not later than the first day of the financial year to which the budget refers. **Contributions for the training section shall be paid by 31 January of the year to which they pertain. For contributions for the administrative section, after that date, the sums due shall be chargeable with interest in favour of the Union at the rate of 3 percent per annum for the first six months and of 6 percent per annum from the seventh month.**
7. To cover shortfalls in Union financing, **reserve funds** shall be established **for the budget of the administrative section and that of the training section separately**, the amount of which shall be fixed by the Executive Council. **These funds** shall be maintained primarily from budget surpluses. **They** may also be used to balance the **respective** budgets or to reduce the amount of member-countries' contributions.
8. **As regards temporary financing shortfalls of the training section, the host country of the Bureau will advance to the Governing Board the funds necessary to ensure the continuation of the training function of the Bureau, provided that it is guaranteed reimbursement by the countries concerned. The funds shall not exceed the budget limit of the training section.**
9. **Where funds are advanced by the host country of the Bureau, the postal administration of each country concerned shall reimburse the host country, through the Governing Board, the sum advanced on its behalf by virtue of the preceding paragraph. Such reimbursement shall be made as soon as possible and not later than one calendar year following the assessment agreed by the Governing Board.**

■ Commentary

117.1 1965 Manila Congress: Upon the effective date of the 1965 AOPU Convention on July 1, 1966, the maximum amount of the yearly budget of the Union was established at 26,000 gold francs. An additional amount of 7,000 gold francs per year was established as an extraordinary expenditure owing to the 1968 and 1969 meetings of the Executive Committee and the holding in 1970 of the Second AOPU Congress.

117.1 1970 Kyoto Congress: The 1970 Kyoto Congress amended paragraph 1 of this Article to remove the distinction between ordinary and extraordinary expenses. This aligned with the decision of the 1969 UPU Tokyo Congress to establish a single budget for expenses.

117.1 1975 Melbourne Congress: The 1975 Melbourne Congress changed the denomination of the expenditure ceiling from gold francs to United States dollars. This recognised that the UPU had changed the denomination of its expenditure ceiling from gold francs (to Swiss francs), and it followed that the AOPU should take a similar measure (albeit using United States dollars as the new denomination).

117.1 1981 Yogyakarta Congress: The 1981 Yogyakarta Congress increased the budget ceiling for annual expenditure from US\$40,000 to US\$65,000. This was calculated using a 10% annual inflationary index.

117.1 1985 Bangkok Congress: The 1985 Bangkok Congress increased the budget ceiling for annual expenditure from US\$65,000 to US\$70,000.

117.1 1990 Rotorua Congress: The 1990 Rotorua Congress increased the budget ceiling for annual expenditure from US\$70,000 to US\$85,000.

117.1 1995 Singapore Congress: The 1995 Singapore Congress increased the budget ceiling for annual expenditure from US\$85,000 to US\$110,000.

117.1 2000 Tehran Congress: The 2000 Tehran Congress decreased the budget ceiling for annual expenditure from US\$110,000 to US\$80,000.

117.4 2000 Tehran Congress: The 2000 Tehran Congress introduced a new provision in the second sentence of this paragraph identifying that the Governing Board approves the budget of the training section.

117.5 1981 Yogyakarta Congress: Following a study undertaken by the Executive Council, the 1981 Yogyakarta Congress introduced scope for the annual budget ceiling to be exceeded where it was necessary to recruit personnel to meet specific needs of the Union.

117.6 1975 Melbourne Congress: The 1975 Melbourne Congress introduced a provision for interest to be charged on contributions not received by the due date. The reason was to align the Union's process with normal business practice.

117.6 1981 Yogyakarta Congress: In line with the UPU, which had moved to a system of self-financing following the 1979 UPU Rio de Janeiro Congress, the APPU also adopted a new system whereby member contributions were required to be paid by the first day of the year to which they related. (Previously, members could have up to 31 December of the operational year to pay their annual contribution, during which time the host administration of the Central Office would advance funds to cover the costs of the year's operation.) The charging of interest on overdue amounts was also in line with measures introduced by the UPU.

117.6 2000 Tehran Congress: The 2000 Tehran Congress amended this paragraph of Article 117 through the transfer of text from 1995 Article 111, paragraph 13. In this regard, prior to the Bangkok Congress the funding method for the Training Centre had been for all funds to be advanced by Thailand for an operational year. Members sending participants to the Training Centre would be billed for their usage during the operational year and be required to pay by 31 December (of the completed operational year). The 1985 Bangkok Congress changed this to a self-funding arrangement whereby participating countries would be billed in advance for estimated usage. Payment was required by 31 January (of the operational year in progress).

117.7 1981 Yogyakarta Congress: The 1981 Yogyakarta Congress decided that a reserve fund should be established to meet unexpected shortfalls in funding or unforeseen costs. This was an integral part of the self-financing system referenced in paragraph 6 of this Article. The reference to the training section in paragraph 7 reflects the transfer of text from 1995 Article 111, paragraph 14 by the 2000 Tehran Congress.

117.8 2000 Tehran Congress: The 2000 Tehran Congress added this paragraph of Article 117 through the transfer of text from 1995 Article 111, paragraph 15. The retention of the provision reflected the fact that the 1985 Bangkok Congress anticipated the possibility of funding shortfalls still occurring despite the arrangements now prescribed in paragraphs 6 and 7 of Article 117. Accordingly, the 1985 Bangkok Congress approved the host country of the Centre advancing funds provided it was guaranteed repayment by the country on whose behalf funds had been provided in the first place.

117.9 2000 Tehran Congress: The 2000 Tehran Congress added this paragraph through the transfer of text from 1995 Article 111, paragraph 16. It is linked to the contingency arrangement for advancing funds (as set out in paragraph 8) and contains the process and timing for the repayment of such funds established by the 1985 Bangkok Congress.

Chapter V

Provisions concerning the international postal service between the member-countries

■ Commentary

Chapter V 1995 Singapore Congress: Consequent upon the decision by the 1995 Singapore Congress to transfer the principles for the international postal service between the member-countries from the Convention to the General Regulations, the provisions in Chapter V of the General Regulations are, in principle, the provisions that were contained in the 1990 Rotorua Convention. Annotations to the individual Articles in Chapter V provide additional comment as appropriate.

Article 118

Transit Charges

As a general principle, no charge is collected for the territorial, fluvial or maritime transit of mail exchanged between member-countries of the Union. However, where member-countries find themselves unable to grant gratuitous transit, a charge may be made. This charge may be lower than that authorised or prescribed by the Universal Postal Convention.

■ Commentary

118 1965 Manila Congress (Annotation 1 in 1990 Convention) : At the 1962 Baguio Meeting, the observation was made that this Article (being Article 21 in the 1961 Manila Convention) and the corresponding provisions in the Detailed Regulations (being Article 109 in the 1961 Manila Detailed Regulations) are inoperative in the sense that none of the member-countries at that time was a transit office for another.

It was also opined at the 1968 Bangkok Meeting that this Article (being Article 21 in the 1965 Manila Convention) was drafted in terms that effectively made it an optional provision, for after stating a general principle it went on to permit exceptions to that principle for member-countries which found themselves unable – for whatever reason – to accept the obligation implied in the opening statement. Moreover, Article 3, paragraph 6, of the Convention (1965 Manila Congress) provided a remedy from the restrictions imposed for membership in the Union.

118 1995 Singapore Congress: Article 118 is the former Article 1 of the 1990 Rotorua Convention. It is unchanged.

Article 119

Letter Post

For the purpose of these General Regulations, the term “letter-post items” refers to such items as defined in the Acts of the Universal Postal Union.

■ Commentary

119 1965 Manila Congress (Annotation 2 in 1990 Convention): The categories of mail articles exchanged among the member-countries of the Restricted Union follow the same classification as those in the Acts of the Universal Postal Union. The provisions for their acceptance, treatment and delivery are also governed by the latter, unless otherwise specified in the AOPU Convention.

119 1970 Kyoto Congress (Annotation 2.1 in 1990 Convention): The 1970 Kyoto Congress amended this Article to align it with changes to classification and terminology made at the 1969 UPU Tokyo Congress.

119 1975 Melbourne Congress (Annotation 2.2 in 1990 Convention): The 1975 Melbourne Congress removed the restriction for small packet items to be freely exchanged between AOPU members provided they did not weigh more than 500 grams. This change was consistent, in principle, with a decision at the 1974 UPU Lausanne Congress where the unconditional exchange of small packets weighing up to 1 kilogram was approved.

119 1995 Singapore Congress: Article 119 is the former Article 2 of the 1990 Rotorua Convention. Two changes were made by the 1995 Singapore Congress.

- (i) The 1990 Rotorua Convention listed the categories of letter post items, whereas the 1995 Singapore General Regulations make a broader reference. There is no material change to the coverage provided.
- (ii) The 1990 Rotorua Convention made specific reference to the limited exchange of perishable biological substances, radioactive materials and special delivery articles. This was deleted by the 1995 Singapore Congress. Article 122, paragraph 2 of the Singapore General Regulations now provides the coverage in question.

Article 120

Postage Rates

In the relations of the postal administrations of the Union, reduced postage rates shall apply to letters and postcards exchanged between them by surface. These rates may be fixed at a figure between their domestic rates and 85% of their international rates. Exceptionally, reduced rates may be applied to other letter-post categories and to airmail items.

■ Commentary

120 1965 Manila Congress (Annotation 3 in 1990 Convention): It had been agreed at the 1962 Baguio Meeting that a common rate be adopted for articles of correspondence exchanged by surface means among the member-countries of the Restricted Union, which rate was later decided to be 60% of their international rates.

120 1965 Manila Congress (Annotation 3 in 1990 Convention): The 1965 AOPU Convention granted the option for any member-country to adopt a lower airmail rate for articles of correspondence sent to other countries in the Restricted Union.

120 1975 Melbourne Congress (Annotation 3 in 1990 Convention): The 1975 Melbourne Congress increased the price that could be charged for mail exchanged between AOPU members from a maximum of 60% of their international rates, to 75%. The change was to reduce the losses that members might make from having to provide discounted pricing.

120 1981 Yogyakarta Congress (Annotation 3 in 1990 Convention): The 1981 Yogyakarta Congress recognised that the original cooperative intention of the Union to promote communication among its members (through reduced postage rates) was not being uniformly applied. Further, some members had significant commercial difficulties in meeting the principles set out in the Convention. The 1981 Congress limited the scope of reduced rates to surface letters and postcards, as well as increasing the price that might be charged to 85% of international rates (previously 75%). Notwithstanding the limitation introduced into this Article, the 1981 Yogyakarta Congress retained an option for members to set reduced prices for other categories of mail.

120 1995 Singapore Congress: Article 120 is the former Article 3 of the 1990 Rotorua Convention. It is unchanged.

Article 121

Exemption from postal charges on letter-post Items relating to the postal service

1. Official correspondence exchanged between the following is exempt from all postal charges:
 - a) the organs of the Union and postal administrations;
 - b) the organs of the Union and organs of the Universal Postal Union; and
 - c) the organs of the Union and other Restricted Postal Unions.
2. The above exemption does not extend to airmail correspondence originating from the organs of the Union.

■ **Commentary**

121 1970 Kyoto Congress (Annotation 4 in 1990 Convention): The 1970 Kyoto Congress amended the original text to align it with changes made to the corresponding UPU provision at the 1969 UPU Tokyo Congress.

121 1981 Yogyakarta Congress (Annotation 4 in 1990 Convention): The 1981 Yogyakarta Congress brought the exemption from postage for official correspondence into line with similar provisions in the UPU i.e., whereas the originating point in the APPU had been the Central Office, it was extended to include the organs of the Union as possible originating points.

121 1995 Singapore Congress: Article 121 is the former Article 4 of the 1990 Rotorua Convention. It is unchanged.

Article 122 - Application of the Acts of the Universal Postal Union

1. The provisions of these General Regulations and the international service rules which shall be laid down by the Executive Council, regulate all matters and services relative to letter-post items exchanged between the member-countries of the Union.

2. All matters in connection with the exchange of letter-post items among the member-countries of the Union which are not provided for in these General Regulations and the international service rules which shall be laid down by the Executive Council are subject to the provisions of the Acts of the Universal Postal Union.

■ **Commentary**

122 1995 Singapore Congress: Article 122 is the former Article 5 of the 1990 Rotorua Convention. In both paragraphs 1 and 2 the 1995 Singapore Congress added a reference to the role of the Executive Council in laying down the international service rules for the operation of international postal services between the member-countries of the Union. (The parent provision for the Executive Council role in this regard is in Article 106, paragraph 9 b) of the 1995 Singapore General Regulations.)

Chapter VI

Final provisions

Article 123

Conditions of approval of proposals concerning the General Regulations

1. To become effective, proposals submitted to Congress relating to these General Regulations shall be approved by a majority of the member-countries represented at Congress.

2. Member-countries may submit proposals to amend provisions of Chapter V of these General Regulations between Congresses. To become effective, those proposals must be approved by the unanimity of votes. However, where they pertain to an interpretation of the provisions of this chapter, they must be approved by a majority of the votes, provided that such interpretation is not subject to the arbitration provided for in Article 22 of the Constitution.

■ **Commentary**

123 1985 Bangkok Congress (Annotation 118 1985 Bangkok General Regulations): Prior to the 1985 Bangkok Congress, the majority required for the approval of proposals amending the Acts of the Union was contained in Convention Article 14 (1981 Yogyakarta Acts). With the restructuring of the Acts by the 1985 Bangkok Congress, the majority required for approval of proposals amending the Acts of the Union was assigned to three Articles as follows.

Proposals amending the Constitution: Constitution Article 20, paragraph 1 (effectively the first sentence of Article 14, paragraph 1 of the 1981 Convention).

Proposals amending the General Regulations: General Regulations Article 118 (effectively, but not entirely, the second sentence of Article 14, paragraph 1 of the 1981 Convention).

Proposals amending the Convention: Convention Article 6, paragraphs 1 and 2 (effectively the second sentence of Article 14, paragraph 1 of the 1981 Convention).

123.2 1995 Singapore Congress: Article 123 is the former Article 6 of the 1990 Rotorua Convention. The 1995 Singapore Congress adapted paragraph 2 by deleting the lower majority required for changes to the former Detailed Regulations (on the basis that the Detailed Regulations no longer exist as such).

Article 124

Denunciation of the Asian-Pacific Postal Convention

Ratification, acceptance, or approval of the General Regulations shall carry denunciation of the Asian-Pacific Postal Convention done at Rotorua, 6 December 1990, for parties to the Convention. Such denunciation shall take effect for each party to the General Regulations on the date of entry into force of the General Regulations for each such party.

■ Commentary

124 1995 Singapore Congress: The 1995 Singapore Congress introduced a new article (Article 124) to ensure the simultaneous discontinuation of the 1990 Rotorua Convention and its Detailed Regulations with the coming into force of the 1995 Singapore General Regulations. In this regard, Article 124 provides seamless continuity for those provisions of the former Convention and its Detailed Regulations that the 1995 Singapore Congress carried forward.

Article 125

Effective date and duration of the General Regulations

These General Regulations shall enter into force on 1 July 1997 and shall remain in force for an indefinite period.

125 1995 Singapore Congress: With the creation of the General Regulations as a Permanent Act, it remains in force for an indefinite period (and does not have an expiry timing in the manner of the preceding General Regulations).

In testimony whereof, the undersigned, being duly authorised representatives of their respective governments, have signed one copy of these General Regulations, which shall be deposited in the archives of the government of the member-country in which the Central Office is situated, and of which a duplicate shall be transmitted to each member-country by that government.

Done at Singapore, 12 September 1995

ADDITIONAL PROTOCOL TO THE GENERAL REGULATIONS

OF THE ASIAN-PACIFIC POSTAL UNION

SIGNED AT

TEHRAN

18 SEPTEMBER 2000

Note: this document is the final version of the Additional Protocol to the General Regulations (Tehran 2000) and is described in the page headers as

“Additional Protocol to the General Regulations (2000)”

This means that it identifies text added by the Tehran Congress.

ADDITIONAL PROTOCOL TO THE GENERAL REGULATIONS OF THE ASIAN-PACIFIC POSTAL UNION

The plenipotentiaries of the governments of the member-countries of the Asian-Pacific Postal Union, met in Congress at Tehran, in view of Article 21, paragraph 2, of the Constitution of the Asian-Pacific Postal Union done at Bangkok on 4 December 1985, have adopted, subject to ratification, acceptance or approval, the following amendments to the General Regulations of the Asian-Pacific Postal Union.

Article I (Preamble amended)

The undersigned representatives, duly authorised by their respective governments, having regard to Article 14, paragraph 2, of the Constitution of the Asian-Pacific Postal Union have, by common consent, and subject to Article 15, paragraph 2, of the Constitution, drawn up in these General Regulations the following provisions securing the application of the Constitution and the functioning of the Union as well as those concerning the international postal service between the member-countries.

Article II (Article 101 amended)

Language used for the publication of documents, for official correspondence and for the deliberations of meetings

1. English shall be used for the publication of documents of the **Bureau** and for official correspondence between the **Bureau** and the member-countries.
2. English shall be used in the deliberations of meetings of the organs of the Union. However, subject to arrangements for interpretation into English, other languages are admissible.
3. The costs of the interpretation mentioned in paragraph 2 shall be borne by the delegations using the alternative language. However, when French is concerned, the host country of the meetings shall furnish, as far as possible, any convenient means of interpretation to the delegations using this language.

Article III (Article 102 amended)

Languages other than English

Member-countries whose language is not English may provide for a translation at their own expense, **subject to provisions in Article 101, paragraph 3.**

Article IV (Article 103 amended)

Special Agreements

The conclusion of special agreements in accordance with Article 4 of the Constitution shall be notified through the intermediary of the **Bureau** to member-countries or their postal administrations, as the case may be.

Article V (Article 104 amended)
Resolutions of the Congress

1. **Member-countries shall take such action considered appropriate to implement resolutions of the Congress and shall undertake to inform the Bureau from time to time of action so taken and progress to date.**
2. **The Bureau shall compile a status report of action taken by member-countries to implement resolutions of the Congress and shall provide the report to the Executive Council for its consideration.**

Article VI (Article 105 amended)
Organisation and convening of Congresses and Extraordinary Congresses

1. The representatives of the member-countries of the Union meet in Congress not later than two years after the holding of each Universal Postal Congress in order to revise the Acts of the Union, if necessary, and to consider, as necessary, other postal problems of common interest to the member-countries.
2. Each country is represented in Congress by one or more delegates duly authorised for that purpose by their respective governments. A country may arrange for its representation in Congress by another country, provided that a delegation represents and votes for only one country other than its own.
3. Each country has only one vote.
4. In principle, each Congress designates the country in which the next Congress is to be held. If that designation proves inapplicable or inoperative, it falls to the Executive Council to designate the country where Congress is to meet, after consultation with that country. **In the event where the venue of the next Congress is not decided or where the host country eventually shows its inability to hold the Congress, its meeting would then be held in the country where the Bureau is situated.**
5. After consultation with the **Bureau**, the host government fixes the date and place of the Congress. In principle, six months before that date, invitations are issued to the government of each member-country of the Union by the **Bureau** on behalf of the host government. However, should the host government so desire, it may issue the invitations.
6. Observers may be invited to attend meetings of the Union in an advisory capacity without the right to vote, provided they represent the United Nations or one of its specialised agencies or any other international organisation having an interest in the work of the Union. Other observers may also be invited to attend provided that they represent other restricted postal unions, or postal administrations of member-countries of the Universal Postal Union, or postal administrations of countries which are non-members of the Universal Postal Union and of non-self governing territories and other areas in Asia and the Pacific. At the request of the Congress or the Executive Council, the invitation is made by the **Bureau**. However, should the government of the host country so desire, it may issue the invitations.
7. For the organisation of its work and conduct of its debates, Congress shall apply the Rules of Procedure of Congresses.

8. The place and date of assembly of an Extraordinary Congress is fixed by the Executive Council in agreement with the member-countries initiating the Congress.

9. The provisions of paragraphs 2, 3, 6 and 7 of this Article apply to Extraordinary Congresses **as well**.

Article VII (Article 106 amended)

Composition, functioning and meetings of the Executive Council

1. The Executive Council comprises all the member-countries of the Union, with a quorum of the majority.

2. The Chairman of each Congress convenes the first meeting of the Council **immediately** after the holding of that Congress **at the same venue**. At the meeting, the Council elects from among its members a Chairman and a Vice-Chairman, who hold office until the conclusion of the next Congress. In the normal course the chairmanship shall devolve by right on the host country of Congress but the latter may waive the right if it so wishes.

3. The annual meetings of the Executive Council following the first meeting are convened by its Chairman.

4. Each Executive Council meeting shall designate the country in which the next Executive Council meeting is to be held. When an Executive Council meeting has to be convened without a host country, the meeting shall be convened where the **Bureau** is situated. **In that event, the host will be the Bureau itself and not the postal administration of the country where the Bureau is situated. The expenditure of such meetings will be borne by the Bureau from its own budget by raising the contribution share of each country.**

5. Between ordinary sessions, the Council may be convened as a general rule at the place where the **Bureau** is situated, by the Chairman at the request of a two-thirds majority of the member-countries of the Union.

6. After consultation with the Chairman of the Executive Council, the host country fixes the date and place of the Executive Council meeting. Invitations to such meetings are issued to each member-country and observers by the Chairman of the Executive Council or, if the Chairman so desires, by the **Bureau**. However, should the host country so desire, it may issue the invitations **directly to member administrations and also circulate through diplomatic channels**.

7. The working expenditure of the Council is borne by the Union. The services of a Council member are gratuitous.

8. Member-countries shall be represented at meetings of the Council by qualified postal officials.

9. The functions of the Council are:
- (j) to perform any duty assigned to it by a resolution of the Congress;
 - (k) to lay down the international postal service rules which shall provide for details necessary for the operation of the international postal service between the member-countries;
 - (l) to maintain contacts with postal administrations of the member countries of the Union with a view to improving the postal service;
 - (m) to prescribe rules for the administration of the **Bureau** and to supervise the activities of the **Bureau**;
 - (n) to review and approve the annual budget and accounts of the **administrative section** prepared by the **Bureau** in the intervals between Congresses;
 - (o) to make useful contacts with the various organs of the Universal Postal Union, with the Restricted Unions or with other specialised agencies of the United Nations with special interests in the area, and, if necessary, to appoint representatives to conferences of such organisations;
 - (p) to conclude agreements on behalf of the Union with the Universal Postal Union, and other Restricted Unions and international organisations with regard to such matters as technical co-operation, with the concurrence of at least two-thirds of the members of the Union. The Council may authorise the Director of the **Bureau** to execute such agreements;
 - (h) to assemble, prior to each Universal Postal Congress, in accordance with the provisions of Article 115, paragraph 2; **and**
 - (i) to take necessary steps, with the agreement of the majority of the members of the Union, provisionally to carry out such other administrative acts which are not covered by the Acts of the Union and cannot await the next Congress for settlement.
10. The Council draws up the Rules of Procedure necessary for its work.
11. When necessary, consultations and decisions of the Council may be made by correspondence.
12. The Director of the **Bureau** assumes the task of Secretary-General of the Council.
13. The Council sends to the postal administrations of the member-countries of the Union, for information, a summary report at the end of each meeting of the Council.
14. The Council submits a report to each Congress on the whole of its activities
15. The representative of each of the members of the Council shall be entitled to the reimbursement of the cost of an economy class return ticket for travel by air, sea or land by means of a deduction from the contribution of that country to the annual expenditure of the Union.

Article VIII (Article 107 amended)

Bureau

1. The **Bureau** is composed of a Director and such other staff as the Union may require.
2. The Director of the **Bureau** attends the meetings of the Union and takes part in the discussions without the right to vote.
3. The **Bureau** provides the secretariat for meetings of the Union, jointly with the postal administration of the country where each meeting is held.

4. The Director of the **Bureau** is chosen, from among qualified postal officials, by the Executive Council, **or in Congress year by Congress**. The tenure of office is fixed by the body which selects the Director.
5. The **Bureau** is under the general supervision of the Executive Council and its financial accounts are audited by the competent authority of the country where the **Bureau** is situated.

Article IX (Article 108 amended)

Organisation and Staff of the **Bureau**

1. The direction of the **Bureau** is entrusted to a Director assisted, if necessary, by qualified officials who have served at least five years in the postal service and who possess a working knowledge of French or any of the languages in Asia, in addition to English. **These positions are in addition to the training and administrative staff of the Bureau**. The representation of the member-countries of the Union is taken into consideration in the selection of these officials. The Director appoints them, subject to the confirmation of the Executive Council, from among those who are recommended by their respective postal administrations, on condition that they satisfy the needs of the **Bureau** on the technical aspect.
2. The Director of the **Bureau** is its legal representative in all the functions performed by the **Bureau** pursuant to the Acts of the Union and to the decisions of Congresses of the Union.
3. Unless otherwise decided by the Executive Council, the Director represents the Union in international conferences regarding the postal service where representation of the Union is required.

Article X (Article 109 amended)

Functions of the **Bureau**

1. The **Bureau** draws up the tentative agenda and makes other preparations for meetings of the Union.
2. **The Bureau** communicates with the postal administrations of member-countries of the Universal Postal Union in Asia and the Pacific which have not acceded to the Union on the advisability of their recommending to their governments to apply for accession, through diplomatic channels, as members of the Union.
3. **The Bureau** should at all times be ready to furnish the Executive Council and the postal administrations of the Union with any necessary information on questions relating to the postal service.
4. **The Bureau** makes up an annual report on the activities of the Union, which is sent to the postal administration of each member-country. This report is to be approved by Congress, or by the Executive Council when the former does not convene. In the event of the Congress or the Executive Council not being convened within a period of five months of the year following that covered by the report, approval by each member-country of the Union shall be obtained by correspondence. Member-countries failing to reply within 40 days shall be regarded as having approved the report.
5. **The Bureau** keeps an up-to-date collection of the postage stamps issued by the member-countries.

6. The Bureau provides training facilities and advisory services in the training section to improve postal services within Asia and the Pacific. This training section shall be administered by a Governing Board whose composition, purpose and functions are prescribed in Article 111.

Article XI (Article 110 amended)

Publications of the **Bureau**

1. The **Bureau** of the Union furnishes gratuitously to the postal administration of each member-country and to the International Bureau of the Universal Postal Union at Berne, Switzerland, the documents which it publishes, allowing each administration the number of copies which corresponds to the number of units which it contributes. Additional copies of documents requested by postal administrations are paid for by them at cost.

2. The **Bureau** prepares and distributes among the postal administrations of the member-countries a schedule of all the proposals which it receives in accordance with Article 115, paragraph 1, of these General Regulations in order that such proposals may be studied by the said countries.

Article XII (Article 111 amended)

Governing Board of the **training section of the Bureau**

1. The responsibility for administering the **training section** shall be entrusted to a Governing Board which shall meet at least once each year. The meetings shall be held in **the country where the Executive Council will hold its meetings and precede these meetings**, unless decided otherwise.

2. In the discharge of its responsibilities to Congress, the functions of the Governing Board are:

- a) to determine rules for the administration of the **training section**;
- b) to direct the general training policy of the **training section**;
- c) to approve and supervise the budget of the **training section**;
- d) to appoint the teaching staff of the **training section**; and
- e) to establish the scales of salaries and conditions of service for the **training section's** teaching and administrative staff.

3. The Governing Board comprises the head of the host administration of the **Bureau** as Chairman, the Chairman of the Executive Council and a representative of the postal administration of member-countries which make a contribution to the activities of the **training section** in cash, or in kind or by way of fellowships or supplied experts of not less than 10,000 dollars (United States) per annum, as full members with the right to vote. The Director of the **Bureau**, the Director-General of the International Bureau of the Universal Postal Union or his representative, a representative of the Economic and Social Commission for Asia and the Pacific and a representative of the United Nations Development Programme, may attend meetings of the Governing Board as observers. Any member-country of the Union not a member of the Governing Board may attend meetings of the Governing Board as an observer. The Board may decide to invite other observers as appropriate.

4. Member-countries referred to in paragraph 3 above shall not be entitled to be represented on the Governing Board if no assistance to the extent indicated is forthcoming for two years in succession.

5. Meetings of the Governing Board are convened by its Chairman.

6. If a request is received from two-thirds of the members of the Board, the Chairman shall convene an extraordinary session of the Governing Board, as a general rule, **in the host country of the Bureau**.
7. When necessary, consultations and decisions of the Governing Board may be made by correspondence.
8. The Director of the **Bureau** shall assume the task of Secretary of the Board.
9. The Governing Board shall submit a report to each Congress on its activities since the preceding Congress and its projected activities. The report should, for information, also contain details of past and proposed financial arrangements.
10. To ensure the smooth running of the **training section**, between successive Governing Board meetings, the Governing Board may establish a Local Executive Committee to which it may assign any necessary functions.

Article XIII (Article 112 amended)

Introduction of proposals to Congresses

1. Proposals to be presented to Congress must reach the **Bureau** at least three months before the commencement of the Congress. Nevertheless, proposals which reach the **Bureau** within three months preceding the commencement of the Congress may also be considered at the discretion of Congress.
2. The procedure prescribed in paragraph 1 shall not apply to amendments to proposals already made.
3. The **Bureau** publishes the proposals and distributes them, as early as possible, among the postal administrations of the member-countries.

Article XIV (Article 113 amended)

Reservations

1. Reservations to the provisions of Chapter V of the General Regulations shall be inserted in the Final Protocols to the General Regulations on the basis of a proposal approved by Congress.
2. Article 112, relating to the introduction of proposals to Congress shall not apply to proposals concerning reservations.
3. To be adopted, reservations submitted to Congress shall be approved by a majority of the member-countries present and voting.
4. Any **member-countries** benefiting from a reservation may, at any time, waive the application of that reservation. The waiver shall be notified to member-countries through the **Bureau**.

Article XV (Article 114 amended)

Proposals to amend the General Regulations submitted between Congresses

1. Each proposal to amend the provisions of Chapter V of the General Regulations and their Final Protocols submitted by a postal administration between Congresses shall be sent to other postal administrations through the intermediary of the **Bureau**.
2. Every proposal shall be subject to the following procedure: a period of two months shall be allowed to postal administrations of member-countries for consideration of the proposal notified by a **Bureau** circular, and for forwarding their observations, if any, to the **Bureau**. Amendments shall not be admissible. The replies shall be collected by the **Bureau** and communicated to postal administrations with an invitation to vote for or against the proposal. Those which have not sent their vote within a period of two months shall be considered as abstaining. The aforementioned periods shall be reckoned from the dates of the **Bureau** circulars.
3. Amendments made to the provisions of Chapter V of the General Regulations and their Final Protocols shall be sanctioned by the notification of the Director of the **Bureau** to the governments of member-countries.

Article XVI (Article 115 amended)

Proposals submitted to Universal Postal Congresses

1. The postal administrations of all member-countries shall make known to the other member-countries and to the **Bureau**, at the same time as they advise the International Bureau of the Universal Postal Union, the proposals which they submit to Universal Postal Congresses. Notwithstanding the provisions of Article 3 of the Constitution, these proposals may be prepared in French.
2. Member-countries may assemble, prior to and during each Universal Postal Congress, in order to exchange and harmonise their views on the proposals and other important matters to be discussed there.

Article XVII (Article 116 amended)

Contribution classes

1. For the apportionment of the expenses of the **administrative section**, the member-countries are divided into four groups. Those contributing to the expenses of the Universal Postal Union as members of the over 50, 50, 40, 35, 25 and 20 unit classes contribute 5 units; those contributing as members of the 15, 10, and 5 unit classes contribute 3 units; those contributing as members of the 3 and 1 unit classes contribute 2 units; and those contributing as members of the half-unit class contribute 1 unit. However, a member-country may contribute more units.
2. Countries which accede to the Union as well as those which withdraw from the Union share in the expenditure of the **administrative section** for the entire year during which their accession or withdrawal becomes effective.

Article XVIII (Article 117 amended)

Budget and Accounts of the Union

1. The expenditure of the **administrative section** shall not exceed the sum of **80,000** US dollars per annum.
2. The **Bureau** shall prepare, at least two months before the end of each calendar year, an estimate of the budget **of the administrative section** for the following year covering the period from 1 January to 31 December, containing detailed data of its estimated expenditure and receipts as compared with the figures of the preceding budget and the previous final account. It shall submit this budget estimate to the Executive Council, or to Congress when it convenes, for approval. Pending such approval, the **Bureau** shall function within the limits of the budgetary figures of the preceding year.
3. The **Bureau** shall prepare, during the first quarter of each year, a report **of the administrative section** to which shall be attached a detailed final account of the preceding year and all documents regarding receipts and expenditure. This report shall be submitted to the Executive Council or to Congress for approval and for distribution to the postal administrations of the Union.
4. The expenditure of the **administrative section** shall be in accordance with the budget approved by the Executive Council or by Congress. **The expenditure of the training section shall be in accordance with the budget approved by the Governing Board.**
5. The limits laid down in paragraph 1 may be exceeded to enable the recruitment of personnel or otherwise to provide for the efficient operation of the **administrative section**, if a majority of the member-countries of the Union agrees.
6. Member-countries shall pay their contributions to the Union's annual expenditure **for the administrative section** in advance on the basis of the budget laid down by Congress or by the Executive Council. These contributions shall be paid not later than the first day of the financial year to which the budget refers. **Contributions for the training section shall be paid by 31 January of the year to which they pertain. For contributions for the administrative section**, after that date, the sums due shall be chargeable with interest in favour of the Union at the rate of 3 percent per annum for the first six months and of 6 percent per annum from the seventh month.
7. To cover shortfalls in Union financing, **reserve funds** shall be established **for the budget of administrative section and that of the training section separately**, the amount of which shall be fixed by the Executive Council. This fund shall be maintained primarily from budget surpluses. **They** may also be used to balance the **respective** budgets or to reduce the amount of member-countries' contributions.
8. **As regards temporary financing shortfalls of the training section, the host country of the Bureau will advance to the Governing Board the funds necessary to ensure the continuation of the training function of the Bureau, provided that it is guaranteed reimbursement by the countries concerned. The funds shall not exceed the budget limit of the training section.**
9. **Where funds are advanced by the host country of the Bureau, the postal administration of each country concerned shall reimburse the host country, through the Governing Board, the sum advanced on its behalf by virtue of the preceding paragraph. Such reimbursement shall be made as soon as possible and not later than one calendar year following the assessment agreed by the Governing Board.**

Article XIX (Article 123 amended)

Conditions of approval of proposals concerning the General Regulations

1. To become effective, proposals submitted to Congress relating to these General Regulations shall be approved by a majority of the member-countries represented at Congress.
2. Member-countries may submit proposals to amend provisions of Chapter V of these General Regulations between Congresses. To become effective, those proposals must be approved by the unanimity of votes. However, where they pertain to an interpretation of the provisions of this Chapter, they must be approved by a majority of the votes, provided that such interpretation is not subject to the arbitration provided for in Article **22** of the Constitution.

Article XX

Entry into force and duration of the Additional Protocol to the General Regulations of the Asian-Pacific Postal Union

This Additional Protocol shall come into force on 1 July 2002 and shall remain in force for an indefinite period.

In witness whereof the plenipotentiaries of the governments of the member-countries have drawn up this Additional Protocol, which shall have the same force and the same validity as if its provisions were inserted in the text of the General Regulations themselves, and have signed it in a single original which shall be deposited with the government of a member-country designated by the Congress. A copy thereof shall be delivered to each member-country by that government.

Done at Tehran, 18 September 2000

Australia:

China:

Bangladesh:

Bhutan:

Brunei Darussalam:

Fiji:

Cambodia:

(not signed)

India:

Iran:

Indonesia:

Japan:

Korea:

Malaysia:

Pakistan:

Maldives:

Papua New Guinea:

Nauru:

Philippines:

Nepal:

Singapore:

New Zealand:

Thailand:

Vietnam: