AGREEMENT[1] BETWEEN THE GOVERNMENT OF INDIA AND THE GOVERNMENT OF THE SOCIALIST REPUBLIC OF VIETNAM ON THE EXCHANGE OF LETTER POST ITEMS, PARCELS AND TELECOMMUNICATION SERVICES

Hanoi, 10 November 1976

The Government of the Republic of INDIA

AND

The Government of the Socialist Republic of VIETNAM,

DESIROUS of establishing postal and telecommunication relations with a view to developing communications between their peoples by the efficient operation of the postal and telecommunication services between the two countries,

WITH a view to contributing to the attainment of the noble aims of international collaboration between the two countries,

HAVE AGREED as follows :

CHAPTER I
LETTER POST ITEMS

Article 1
ACCEPTANCE AND GENERAL CONDITIONS

1. The Government of the Socialist Republic of Vietnam and the Government of the Republic of India have agreed to exchange on a direct and regular basis between the two countries or in transit through other countries, the following items of Letter Post articles,

Letters

Postcards

1. Came into force on 10 November 1976.

Printed Papers

Literature for the blind (Cecogramme)

Small Packets.

The postage rates for the conveyance of Letter-Post items and also the limit of weight and size, shall be fixed in accordance with international postal practice.

2. The Letter-Post items my be admitted as registered mail, with or without acknowledgement of receipt.

3. The Letter-Post items exchanged between the two countries may be despatched in closed bags or *a'decouvert* (in open transit) through one or more intermediary countries by surface or air.

4. Neither of the two Administrations shall send to the other by post any article the importation or transmission of which by post is prohibited in the countries of destination. Each Administration shall communicate to the other a list of the articles so prohibited. Any postal article which has been erroneoulsy given transmission, shall be returned to the country of origin, except in cases where the Administration of the country of destination is authorised by its laws or by its internal regulations to dispose of it otherwise. Explosives, inflammable or dangerous substances, obscene or immoral articles, however, shall not be returned to the country of origin.

Article 2

TRANSIT OF LETTER-POST ITEMS AND POSTAL PARCELS

1. Each Contracting Party agrees to forward always by the quickest routes which it uses for its own items, closed mails and *a'decouvert* letter-post and parcel post items which are passed to it by another administration for other countries subject to prior concurrence of the counrty of destination.

2. Each Contracting Party agrees to forward *a'decouvert* and closed mails originating from third countries and intended for the other Party subject to prior concurrence of the country of destination.

Article 3

EXCHANGE POST OFFICES

1. The Exchange Post Offices shall be :

   - for the Socialist Republic of Vietnam — HANOI
   - for the Republic of India — CALCUTTA

2. The Postal Administrations of both the countries shall inform each other in time of subsequent changes in exchange post offices or the establishment of additional ones.

Article 4

INFORMATION

The Postal Administrations of both countries may communicate to each other information relating to the list of countries entertaining postal relations with its country; routes and means of conveyance; the postal tariff; airmail surcharge etc. Any subsequent change in the above documents may be communicated to each other immediately.

Article 5

EMPTY BAGS

The Postal Administration of each country shall immediately return empty bags by the next post to the despatching offices. Each Postal Administration may make use of these bags for its own despatches to the other country.

Article 6

AIR MAIL

Each Contracting Party shall use its internal services to convey the terminal airmail of the other Party free of charge.

Article 7

OFFICIAL CORRESPONDENCE & FORMS

1. Correspondence and parcels relating to the postal and telecommunication services shall be exempted from all postal charges when exchanged between (i) the two Postal Administrations; (ii) between the post offices of the two countries and (iii) between post offices in the two countries and the two Postal Administrations. These shall bear on the front upper right corner the indication "Service des Postes" or "Postal Service".

2. The text, colours and dimensions of the forms and labels for use of the Postal Administrations of the two countries in their relations with the other shall conform to the international practice.

Article 8

LANGUAGE

In exchange of service correspondence, the Postal Administrations of both the countries shall use French or English Language.

Article 9

EXCHANGE OF POSTAGE STAMPS

The two Contracting Parties shall exchange newly issued postage stamps, sending five copies for each series.

Article 10

POSTAL CHARGES

1. The charges collected on postal matter exchanged directly between the Socialist Republic of Vietnam and the Republic of India or sent in transit through third countries shall belong totally to the Party that collects them; there shall be no payment on this account between the two Contracting Parties.

2. The charges of transiting surface mail, air transportation charges and terminal dues on the excess terminal mails exchanged between the two countries shall be calculated and settled in accordance with international postal practice. These charges shall be borne by the despatching country.

CHAPTER II

POSTAL PARCELS

Article 11

ADMISSION FOR EXCHANGE OF POSTAL PARCELS

The two Contracting Parties have agreed to exchange between their countries ordinary postal parcels with the weight step of 1kg, 3kgs, 5kgs and 10kgs.

The limit of size and the conditions of admission relating to the above postal parcels are those fixed in international practice.

Article 12

RATES OF POSTAL PARCELS

1. The outward and inward and transit land rates for each parcel will be fixed by each Contracting Party which will communicate the same to the other Party.

2. Supplementary charges will be fixed in conformity with the international practice.

Article 13

METHOD OF SENDING POSTAL PARCELS

Each postal parcel should be accompanied at the moment of

posting with a despatch note and the required number of customs declarations.

The sender should indicate on the reverse of the despatch not the way of treatment of the parcels in case they are undeliverable.

Article 14

PERIOD OF RETENTION OF POSTAL PARCELS

The Postal Administrations of both countries shall retain the postal parcels whose arrival has been notified to the addressee for a period of one month from the day following the day of despatch of notice.

Article 15

PROHIBITIONS

Neither of the two Contracting Parties shall send to the other by post any article the importation or transmission of which by post is prohibited in the latter country. Each Administration shall communicate to the other a list of the articles so prohibited. Any postal article which has been erroneously given transmission, shall be returned to the country of origin except in cases, where the Administration of the country of destination is authorised by its laws or by its internal regulations to dispose of it otherwise. Explosives, inflammable substances, obscene or immoral articles, however, shall not be returned to the country of origin. When their presence is detected by the Administration of the country of destination, they shall be destroyed on the spot.

CHAPTER III

LIABILITY

Article 16

PRINCIPLE AND EXTENT OF LIABILITY

1. The Postal Administrations of both countries shall be liable only for the loss of registered items as well as the loss, the theft or the damage of Postal Parcels. Their liability shall be as binding for items and parcels conveyed a' decouvert as for those forwarded in closed mails.

2. The sender shall be entitled on this account to an indemnity the amount of which shall not exceed 40 Francs per item.

3. The amount of indemnity for the loss, the theft or the damage of parcels shall be fixed in conformity with the international regulations.

4. If the loss occurs in course of conveyance without it being possible to establish in which country's territory or service it happened, the Administrations concerned shall bear the loss equally.

5. The Payment of indemnity shall be made as soon as possible and, at the latest, within a period of six months from the day following the day of inquiry.

6. The Administration which is liable or on behalf of which payment is made, shall be bound to reimburse to the Administration which paid the indemnity, and which is called the Paying Administration, an amount of indemnity actually paid to the rightful claimant. This payment shall be made within four months of despatch of the notice of payment. The Paying Administration may only claim reimbursement from the Administration which is liable within a period of one year from the date of despatch of notice that payment has been made to the rightful claimant.

CHAPTER IV
PROVISIONS RELATING to PAYMENT

Article 17
UNIT OF MONEY

The two Contracting Parties have agreed to use the gold franc with 100 centimes, weight 10/31 gr. titre 0,900 as unit of money for establishing postal account between the two countries.

Article 18
MODE OF PAYMENT

The settlement of Postal account between the two Contracting Parties shall be carried out through the Bank designated by each Contracting Party in accordance with money and the mode of payment agreed to between them.

CHAPTER V
OTHER PROVISIONS

Article 19
APPLICATION OF INTERNATIONAL POSTAL PRACTICE

1. International postal practice shall govern matters not expressly regulated by the provisions of the present Agreement.

Article 20

TEMPORARY SUSPENSION OF SERVICE

When, owing to exceptional circumstances, either of the Postal Administrations is obliged to suspend temporarily its services wholly or in part it shall announce the fact immediately, if need be, by telegram to the other Administration.

Article 21

TELECOMMUNICATION SERVICES

The two Contracting Parties agree to establish such telecommunication services as are necessary to meet mutual requirements of the two countries from time to time by mutual agreement. For purposes of the establishment of such services, the terms and conditions shall, in general, be in conformity with the international practice and shall be subject to mutual agreement by letters. For this purpose, the Director General of the Posts & Telecommunications, Office of the Socialist Republic of Vietnam shall be the telecommunication authority in the Socialist Republic of Vietnam and the Director General, Government of India, Overseas Communications Services, India, shall be the Telecommunication authority in India.

Article 22

The present Agreement shall come into force upon signature and shall continue to be in force until it is modified or terminated by mutual consent of the Contracting Parties through exchange of notice, or until one year after the date on which either of the Contracting Parties has notified the other about its intention to terminate it.

DONE in Hanoi on the 10 November 1976 in three copies each in Hindi, Vietnamese and in English, all the three texts being equally authentic.

Sd/-
For the Government of the
Republic of India

Sd/-
For the Government of the
Republic of Vietnam