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**ESTONIAN POST LTD**  
**STANDARD TERMS AND CONDITIONS FOR EMS SERVICE**

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## 1. GENERAL PROVISIONS

These standard EMS terms and conditions (Express Mail Service) include the general and service conditions (hereinafter standard terms) for the delivery of EMS international express mail service (hereinafter EMS service), in which the procedure for providing EMS services by Estonian Post Ltd. (hereinafter the Post) are specified.

These standard terms regulate the mutual rights and obligations of the Post and the user of the EMS service upon using the EMS service.

The standard terms are established based on the legislation of the Republic of Estonia and the multilateral standard agreement of the EMS Cooperative of the Universal Postal Union and the Universal Postal Convention.

If amendments are made to the legislation and any provision of the standard terms becomes partially or totally invalid, the remaining standard terms will remain in force.

All the pricelists related to the delivery of EMS deliveries are available at post offices and on the Estonian Post website [www.post.ee](http://www.post.ee).

The standard terms for providing universal postal service by Estonian Post Ltd. apply to EMS service in the part referred to in these standard terms, taking into account that the special conditions for EMS service specified in these standard terms will prevail.

## 2. DEFINITIONS

Concepts used in the standard terms are defined as follows:

**Delivery** is a process that involves collecting, sorting, transporting and customs clearing of EMS deliveries and delivering them to the addressee.

**EMS (Express Mail Service)** – the fastest international express mail service that takes place by physical means, which has priority over other postal deliveries between postal administrations providing EMS services.

**EMS address card** (hereinafter address card) – a self-copying, multi-part document that is attached to the EMS delivery with the sender's name and address, telephone number and information characterizing the delivery and the basis for the acceptance of the EMS delivery from the sender and delivery to the addressee.

**The EMS service** – can be used to quickly send various documents and goods from Estonia to foreign countries according to the conditions specified in the standard terms.

**EMS Estonia** – the Post's name for the EMS service in Estonia. Estonian Post has the sole right to provide services under the trademark of EMS international express mail.

**EMS logo** – for the identification of EMS service and consists of the following elements:

- orange wing;
- blue letters "EMS";
- three horizontal orange lines.

The logo also has the name of the national EMS



service.

**EMS operator** – the postal administrations assigned provider of postal service that provides international express mail service according to the multilateral standard agreement of the UPU EMS Cooperative or bilateral agreements concluded with other EMS operators.

**EMS delivery** – an international document or package delivery that

- 1) is forwarded at the first opportunity from Estonia to foreign countries;
- 2) is delivered to the addressee or its representative against a signature;
- 3) is delivered to the addressee by courier by fast and reliable means

**EMS service users** – EMS services are intended for clients that are legal or physical persons.

**Additional service** – a service that supplements an EMS service or provides it with added value, and for which an additional fee is charged.

**Post office box – a mailbox** rented by the Post on the basis of the contract, to which physical or legal persons can direct the arrival of letters and notices on postal deliveries addressed to them based on a box number.

**Mailbox** – a device in the possession of the addressee used for delivering notices if the delivery attempt for the EMS delivery is unsuccessful.

**A postal institution** is Post's sorting centre, post office or postal point.

**A postal point** is an accessibility point for limited types of services subordinated to a post office.

**Notice of the arrival of a postal delivery** – a notice delivered to the addressee about the type of delivery and the place of its issue.

**Postal secrecy** – the information related to the contents of an EMS delivery and the postal business of a specific person.

**Postal worker** (including **Courier**) – an employee of the Post and a person providing postal services or fulfilling assignments on behalf of the Post.

**Post office** – a permanent place of activity of the Post, where the provision of postal services covered by the permit for universal postal service and the provision of additional services in a specified service area is guaranteed.

**Addressee** – a person to whom or to whose address the EMS delivery is to be delivered according to the will of the sender.

**A sender** is a person who gives the EMS delivery to the Post for delivery and who is responsible for the contents of the EMS delivery.

**SDR** – the unit of currency of the IMF (International Monetary Fund).

**Sorting Centre** – a structural unit of the Post, where the sorting and distribution of domestic and international postal deliveries according to post offices and foreign postal brokering institutions takes place. The Sorting Centre is located at Pallasti 28, 19028 Tallinn.

### **3. FEE FOR EMS SERVICE**

- 3.1. Payments for EMS service and additional services are made according to the price list established by the Post.
- 3.2. The user of the EMS service can pay for an EMS service with cash or by non-cash settlement (contractual client), including card or mobile payment, depending on the technical possibilities of the post office.
- 3.3. The user of the EMS service will pay for the EMS service upon the transfer of the EMS delivery and the Post will issue a proof-of-payment document. A client that has concluded an EMS service contract will pay for EMS services according to the service contract.
- 3.4. If at the moment it receives a delivery, the addressee wishes to transfer a new EMS delivery to the Post, which the Post can accept at the given moment, then the fee for pickup/courier service call will not apply.
- 3.5. The management of the Post has the right to establish and change the fees. EMS service pricelist is available on the Estonian Post website at [www.post.ee](http://www.post.ee) and at all post offices.
- 3.6. The Post will notify the public of changes in the fees for EMS services through the Post website at least thirty (30) days before the changes in the fees come into force. The Post will notify contractual clients of changes in the pricelist in writing not later than 30 calendar days before the changes come into force according to the corresponding general terms of the contract.

### **4. CONTENTS OF EMS DELIVERIES**

- 4.1. The requirements are determined in the Post's Standard Terms for the Universal Postal Service, see [www.post.ee](http://www.post.ee), except in respect to the delivery of valuable articles.
- 4.2. EMS deliveries may not contain items are not prohibited from being sent from Estonia to the destination country. More information about items that are prohibited in destination countries is available from postal institutions or the Estonian Post Client Service Centre at [info@post.ee](mailto:info@post.ee) or by phone at 661 6616.

### **5. PACKAGING REQUIREMENTS**

- 5.1. The requirements are determined in the Post's Standard Terms for the Universal Postal Service, which are available on the Estonian Post website [www.post.ee](http://www.post.ee).
- 5.2. Special cardboard envelopes with EMS logos or other packaging intended for forwarding letter deliveries are used for sending EMS document deliveries. An EMS self-adhesive multi-part address card is glued to the EMS delivery.
- 5.3. Cardboard boxes, strong packing paper, dense plastic packaging, wooden boxes, etc. are used to pack EMS deliveries.

### **6. ADDRESSING REQUIREMENTS**

- 6.1. The requirements are determined in the Post's Standard Terms for the Universal Postal Service, which are available on the Estonian Post website [www.post.ee](http://www.post.ee).
- 6.2. A special, multi-part address card with an EMS ESTONIA logo and bar code that is filled out by the sender is glued to the address side of the EMS delivery upon its acceptance of an EMS delivery. The sender fills out enters the value of the contents of the EMS package and a postal customs declaration depending on the destination country (for delivery outside the economic territory of the European Union).
- 6.3. To facilitate the delivery, it is necessary to note the addressee's name and telephone number on the EMS delivery address card.

### **7. CONDITIONS FOR THE ACCEPTANCE OF COURIER SERVICE CALLS AT THE SENDER'S RESIDENCE OR LOCATION**

- 7.1. EMS deliveries are accepted for delivery to all destination countries where the postal administration or provider of postal services has concluded an agreement with Estonian Post for the provision of EMS services.
- 7.2. In general, EMS deliveries are accepted by postal institutions, and upon agreement with the user of the EMS service, at the sender's location for an extra fee.

- 7.3. Couriers accept deliveries for delivery on workdays and at postal institutions on days of operation.
- 7.4. The order for a courier service call is forwarded to the Post by phone, fax or electronically. The order for a courier service call must include the following information:
- Type of name
  - Sender's name
  - Address
  - Contact phone
  - Type, quantity, dimensions, and weight (if possible) of the delivery
  - Means of payment
- 7.5. Upon the acceptance of an EMS delivery, it must have a properly filled-out EMS address card, the information on the address card allows the progress of the EMS delivery to be tracked and the date of its delivery to the addressee to be ascertained.
- 7.6. When accepting the EMS delivery, the postal worker will check to make sure the addressing requirements of the shipping documents are fulfilled.
- 7.7. The Post has the right to determine the quantity of EMS deliveries to be accepted at once for forwarding at the postal institution.
- 7.8. If the client wishes to send more than 50 EMS deliveries at once, the acceptance of the deliveries must be agreed upon in advance with the postal institution of the point of departure. The Post has the right to refuse to accept EMS deliveries if it can be foreseen that it is not possible to forward the deliveries according to the standard terms.
- 7.9. Upon the acceptance of an EMS delivery, if the postal worker has a reasoned suspicion, he/she has the right to demand that the delivery be opened and to be convinced in the presence of the sender that prohibited items or substances are not being forwarded for delivery.
- 7.10. The Post has the right to refuse to accept EMS deliveries that do not correspond to the requirements specified in these standard terms. Also to refuse to accept EMS deliveries that contain prohibited items or items that due to their characteristics (shape etc.) or packaging may damage the recipient or postal workers dealing with the delivery, to soil or damage other postal deliveries or the assets of the Post and/or third parties.
- 7.11. EMS deliveries are accepted with properly filled-out address cards. The address card consists of 5 copies and each copy has an indication of whom it is intended for:
- 1<sup>st</sup> copy (*A l'administration de destination*) remains with the delivery, for the addressee;
  - 2<sup>nd</sup> copy (*preuve de distribution*) is for postal institution of the destination of delivering the delivery;
  - 3<sup>rd</sup> copy remains with the brokering office;
  - 4<sup>th</sup> copy remains with the EMS service;
  - 5<sup>th</sup> copy is for the sender (instructions for the sender on the back).
- 7.12. The EMS delivery transfer to the Post is weighed by the postal worker to check that the weight on the address card is correct. If the weight indicated by the sender is less than the actual weight, the Post has the right to submit an invoice to the sender for the unpaid part according to the actual weight. If the EMS delivery weight exceeds the maximum weight, the Post has the right to refuse to forward the delivery.

## **8. DELIVERY OF EMS DELIVERIES**

- 8.1. The delivery of EMS deliveries in the destination country takes place according to the deadlines established for EMS service in the destination country. Detailed information is located on the Estonian Post website at [www.post.ee](http://www.post.ee) and in the post offices.
- 8.2. EMS deliveries that arrive from foreign countries are delivered in Estonia to the address indicated on the delivery, one delivery attempt is made. If the delivery attempt fails, a notice about the arrival of an EMS delivery is left in the addressee's mailbox (post office box) and the delivery is delivered at the postal institution or a new delivery attempt is made for an additional fee by the courier.
- 8.3. EMS deliveries that are addressed to physical persons are considered to be delivered when it is delivered to the addressee or his/her legal or authorized representative against a signature.
- 8.4. EMS deliveries that are addressed to legal persons are considered to be delivered when they are delivered to the legal representative of the addressee or to a person authorized in writing by the legal representative against a signature. Based on prior agreement, EMS deliveries addressed to legal persons can be delivered via a reception desk or office located on the first floor of a building to the person authorized to receive mail, upon the presentation of written letter of authorization, or if there is no reception desk or office, to a worker present on the business premises of the legal person or to a person the constantly provides services to the legal person based on another contract.
- 8.5. EMS deliveries that arrive at the address of a legal person which are addressed to a physical person will be delivered to the representative of the legal person if it is not possible to deliver the EMS delivery to the addressee that is a physical person. The delivery will be delivered to the physical person by the legal person.
- 8.6. Upon the delivery of the EMS delivery, the person that accepts the delivery must present an identity document and one that proves the right of representation.
- 8.7. The person that has accepted an EMS delivery confirms the delivery with his/her signature on the address card, by indicating:
  - His/her first and family name;
  - Date and time of the delivery;
- 8.8. An EMS delivery with damaged packaging or a weight difference is delivered after the postal worker has drawn up a legal instrument. EMS deliveries with damaged packaging or weight differences are opened by the addressee in the presence of the courier. Upon the receipt of the delivery, the recipient will decide whether to accept it, reject it, to return it to the sender or to submit a claim to the Post.
- 8.9. EMS deliveries will be delivered to the addressee by courier during workdays and at post offices during all days of operation.
- 8.10. If an addressee that is a legal person does not work on Saturdays, then the delivery will be delivered on Monday or on the first workday after the holiday.
- 8.11. Calling the addressee in advance differs by country. In Estonia, an addressee that is a physical person and has a phone number is notified of the arrival of an EMS delivery in advance by phone. An addressee that is a legal person and has a phone is notified in advance by phone if import taxes have been charged on the delivery.
- 8.12. If the delivery attempt is unsuccessful, the time of the delivery attempt is noted on the address card and a written notice is left for the recipient. The notice includes the name of the postal institution making the delivery, address, the hours of operation, phone number and storage deadline. If after receiving the notice, the addressee would like to have the delivery delivered, an additional fee will apply for a second delivery attempt according to the pricelist.
- 8.13. The addressee does not have the right to open the EMS delivery before confirming its acceptance with his/her signature except in cases when the EMS delivery is accompanied by legal instrument drawn up by the postal institution regarding damage to or a weight difference of the delivery.

## **9. DOCUMENTS, BASED ON WHICH EMS DELIVERIES WILL BE DELIVERED**

- 9.1. The requirements are determined in the Post's Standard Terms for the Universal Postal Service, which are available on the Estonian Post website [www.post.ee](http://www.post.ee).

## **10. STORAGE DEADLINES FOR EMS DELIVERIES**

### 10.1. EMS deliveries will be stored:

- 10.1.1. if the delivery attempt fails;
- 10.1.2. based on a written application by the addressee.

- 10.2. EMS deliveries, except for deliveries to be picked up on demand and under customs supervision, will be held in the delivering post office for the addressee for **15 calendar days** from the day they arrive in the post office. The storage period is calculated from the day after the day the notice regarding the arrival of the delivery is delivered to the addressee.
- 10.3. Deliveries addressed for pickup on demand or under customs supervision will be held in the post office for the addressee for thirty calendar days from the day their arrival date.
- 10.4. Upon the expiration of the deadlines specified in clauses 4.3.1 or 4.3.2, the delivery will be returned to the sender.
- 10.5. The storage of EMS deliveries differs by country. In Estonia, upon written agreement with the addressee, the Post may extend the storage time for EMS deliveries for up to 2 (two) months from the day it arrives at the delivering postal institution. The recipient will pay the Post a storage fee to the postal institution storing the EMS packages.
- 10.6. Upon the extension of the storage period, the recipient will pay a storage fee as of 16<sup>th</sup> day after the arrival of the EMS delivery at the postal institution until the delivery of the delivery. The fee for storing deliveries is included in the Post's pricelist.
- 10.7. Undelivered EMS deliveries will be returned to the sender after the expiration of the storage period.
- 10.8. Information regarding the storage periods in specific destination countries is available on the Estonian Post website at [www.post.ee](http://www.post.ee) and at postal institutions.

## **11. HANDLING OF EMS DELIVERIES UNDELIVERED DUE TO THE IMPOSSIBILITY OF DELIVERY**

- 11.1. An EMS delivery will be returned to the sender if its delivery is impossible. The impossibility of delivery is a situation in which:
  - 11.1.1. the EMS delivery cannot be forwarded to the addressee because his/her postal address is missing or is imprecise, illegible, and due to other similar reasons;
  - 11.1.2. the addressee of the EMS delivery does not pick up the EMS delivery during the period determined by the Post at the postal institution or refuses to accept the delivery;
  - 11.1.3. the addressee of the EMS delivery does not live or is not located at the address indicated on the delivery or information of his/her residence or location is missing.
- 11.2. If the recipient is not ascertained, the EMS delivery that is not delivered due to the impossibility of delivery is returned to the sender without storing it.

## **12. OWNERSHIP OF EMS DELIVERIES. RIGHTS OF SENDERS AND ADDRESSEES**

- 12.1. Until delivery to the addressee, the EMS delivery belongs to the sender, except in cases when the delivery is confiscated pursuant to legislation.
- 12.2. The recipient of an EMS delivery has the right to refuse a delivery that has arrived in his/her name without opening it, by making the corresponding notation on the address card, and confirming this with his/her signature and date. If the recipient refuses to make this notation, the postal worker will make the corresponding notation, confirming this with his/her signature and notation made by the postal worker will be equated with a refusal of the recipient to accept an EMS delivery.

## **13. PROCEDURE FOR OPENING EMS DELIVERIES**

- 13.1. The requirements are determined in the Post's Standard Terms for the Universal Postal Service, which are available on the Estonian Post website [www.post.ee](http://www.post.ee).

## **14. PROPRIETARY LIABILITY**

- 14.1. The Post is liable for damage that is caused:

14.1.1. The Post will compensate the client for the unfounded delay in the delivery of deliveries according to the difference between the air mail and EMS fees of the corresponding weight category type of ordinary postal delivery (letter delivery or parcel post).

14.1.2. In the case of the loss, looting or damage to the contents of an EMS delivery, the sender and the recipient have the right to receive compensation according to the actual cost of the contents, although not more than **30 SDR** if the delivery contains documents, and if the delivery contains others goods, not more than **130 SDR**. The limits on compensation are fixed by a multilateral standard contract of the EMS Cooperative of the Universal Postal Union.

14.2. The Post is relieved of liability in the cases specified by the Universal Postal Convention.

14.3. The Post is not liable for the deficiencies of the contents of a delivery, if the cover or seal is undamaged and the weight of the delivery corresponds to the weight fixed upon acceptance, the recipient has accepted the delivery and has not presented any claims upon the acceptance.

14.4. The Post is not liable for the decisions made by customs upon the control of deliveries that are subject to customs inspection.

14.5. The Post is not liable if the delivery is destroyed or damaged due to the fault of the client, including due to insufficient packaging or the characteristics of the contents of the delivery.

14.6. The Post is not liable for the loss of the items in the delivery, if the delivery contains items that are prohibited by Universal Postal Convention in the given deliveries, including coins, banknotes, bearer securities, traveller's checks, processed and unprocessed platinum, gold or silver, precious stones, jewels, and other valuable articles.

14.7. The Post has not propriety liability if the delivery is confiscated or destroyed pursuant to procedures specified by legislation.

14.8. The payment of compensation will take place in Estonian kroons.

14.9. Loss of revenues and indirect losses are not subject to compensation.

#### **15. EXEMPTING THE POST FROM LIABILITY, PROVIDING INFORMATION AND POSTAL SECRECY**

15.1. The requirements are determined in the Post's Standard Terms for the Universal Postal Service, which are available on the Estonian Post website [www.post.ee](http://www.post.ee).

#### **16. FORCE MAJEURE**

16.1. The requirements are determined in the Post's Standard Terms for the Universal Postal Service, which are available on the Estonian Post website [www.post.ee](http://www.post.ee).

16.2. If the loss or damage to the contents of an EMS delivery is caused by *force majeure*, in which case compensation is not paid, the sender has the right to have the paid fees refunded.

#### **17. LIABILITY OF THE SENDER**

17.1. The requirements are determined in the Post's Standard Terms for the Universal Postal Service, which are available on the Estonian Post website [www.post.ee](http://www.post.ee).

#### **18. RESOLUTION OF COMPLAINTS AND PETITIONS**

18.1. The requirements are determined in the Post's Standard Terms for the Universal Postal Service, which are available on the Estonian Post website [www.post.ee](http://www.post.ee).

18.2. The sender can submit an inquiry regarding an EMS delivery within 4 months as of the date the delivery is transferred to the Post.

18.3. The final decision will be made within 1 month of the date the inquiry was submitted.

#### **19. RIGHT TO APPEAL TO THE COMMUNICATIONS BOARD OR COURT**

19.1. The requirements are determined in the Post's Standard Terms for the Universal Postal Service, which are available on the Estonian Post website [www.post.ee](http://www.post.ee).

## **20. PROCEDURE FOR HANDLING AND USING PERSONAL DATA**

20.1. The requirements are determined in the Post's Standard Terms for the Universal Postal Service, which are available on the Estonian Post website [www.post.ee](http://www.post.ee).

## **21. TERMS AND CONDITIONS FOR EMS SERVICE**

### **21.1. EMS service parameters**

#### **EMS document deliveries and EMS package deliveries**

|                    |   |
|--------------------|---|
| Maximum weight     | 30 kg                                     |
| Maximum dimensions | 1,500 mm; length + circumference 3,000 mm |

In the case of outgoing EMS deliveries, the maximum weight and dimensions of the destination countries will apply. Document deliveries will be packed by the Post in special envelopes bearing the EMS logo. Items that are easily broken or valuable items are not accepted for forwarding by EMS delivery.

### **21.2. Quality standards for EMS service**

- The EMS delivery is forwarded by the first means of transportation and delivered in the destination country in a short time as possible (except those subject to customs). Based on the time of transfer to the Post, the schedule of the means of transportation, and the delivery standards in the destination country, the delivery time for EMS deliveries on average is 3-5 workdays, which may be shorter or longer by destination country based on the local standards. If customs formalities are conducted, 1 workday will be added to the delivery time. Information on the delivery times for specific countries can be found on the Estonian Post website at [www.post.ee](http://www.post.ee) or at postal institutions.
- The following quality standards for EMS service apply in Estonia:

#### **Arrival of EMS deliveries at the Tallinn Airport on workdays**

00:00-14:00 – delivery in Tallinn on the same day, in the republic on the next day.

14:01-17:00 – delivery in Tallinn and the republic on the next day.

17:01-23:59 – delivery in Tallinn on the next workday, in the republic on the workday after the next workday.

EMS deliveries arriving on Friday will be delivered in the republic on Monday.

#### **Arrival of EMS deliveries at the Tallinn Airport on Saturdays**

00:00-11:00 - delivery in Tallinn on the same day, in the republic on Monday.

11:01-23:59 – delivery on Monday.

#### **Arrival of EMS deliveries at the Tallinn Airport on Sundays**

00:00-16:00 – delivery on Monday.

16:01-23:59 – delivery on Tallinn on Monday, in the republic on Tuesday.

- EMS deliveries are not delivered on state holidays. Delivery of EMS deliveries to small islands takes place according to the connections between the mainland and the islands.
- In the case of deliveries subject to customs control, the delivery time is extended by 24 hours.
- In the case of EMS deliveries that have a high customs value that need to have import customs declarations formalized by the recipient, the delivery time for the deliveries are extended by the time it takes for customs clearance.
- If, during customs clearance, the representative of the recipient is the Post, then the customs declaration is usually formalized within 40 hours of the delivery arriving. If the documents necessary for customs clearance (pro forma invoice or goods invoice, proof of origin, etc.) are missing, the time necessary for customs clearance will be calculated from the time the documents are delivered to the Post.

### 21.3. Additional EMS services

- **Storage** – written agreement with the Post extending the storage deadline for EMS deliveries for up to 2 (two) months as of the arrival date at the delivering postal institution.
- **Pickup** – transfer of deliveries to postal institutions at most once a day from senders that have concluded an EMS service contract.
- **Courier service call** – pick-up of deliveries by couriers and transfer from the sender to the postal institutions.
- **Second delivery attempt** – in case of an unsuccessful delivery attempt, a second delivery attempt ordered by the client.
- **Filling out the address card** – filling out of an address card by a postal worker.
- **Searching for an address card from the archives** – search for an address card that is more than a month old from the archives based on a written application.
- **Service to execute customs formalities (deliveries outside the European Union)** – upon the import of an EMS delivery.

The service pricelist is located on the Estonian Post website at [www.post.ee](http://www.post.ee).