

No. 2844

NORWAY, DENMARK AND SWEDEN

**Agreement on road transport. Signed at Oslo, on 2 March
1955**

Official texts: Norwegian, Danish and Swedish.

Registered by Norway on 1 June 1955.

NORVÈGE, DANEMARK ET SUÈDE

Accord sur le transport routier. Signé à Oslo, le 2 mars 1955

Textes officiels norvégien, danois et suédois.

Enregistré par la Norvège le 1^{er} juin 1955.

[TRANSLATION — TRADUCTION]

No. 2844. AGREEMENT¹ BETWEEN NORWAY, DENMARK
AND SWEDEN CONCERNING ROAD TRANSPORT.
SIGNED AT OSLO, ON 2 MARCH 1955

The undersigned, having been duly authorized by their respective Governments, have concluded the following agreement.

Article 1

DEFINITIONS

For the purposes of this Agreement :

The term "carrier" means an individual who, or a body corporate which, with or without monetary consideration, on his or its own account or on behalf of a third party, transports persons or goods by motor bus or coach or motor lorry;

The term "motor bus" or "motor coach" means, in the case of a motor vehicle registered in Norway or Sweden and operated in either of those countries, a vehicle equipped to carry nine or more persons in addition to the driver, and, in the case of a motor vehicle operated in Denmark, or a motor vehicle registered in Denmark and operated in Norway or Sweden, a vehicle equipped or used to carry seven or more persons in addition to the driver;

The term "motor lorry" means a motor vehicle registered as a motor lorry or used for the transport of goods other than the personal effects of passengers travelling in the vehicle;

The term "scheduled bus services" means regular passenger transport services operated between specified points in accordance with time-tables and fares determined in advance and licensed to pick up or set down passengers at points other than the point of departure;

The term "motor coach services" means :

(a) The transport of a single group of persons in one and the same motor coach throughout an entire journey beginning and ending in the same State;

(b) The occasional transport of groups of persons by motor coach from one contracting State to a seaport or an aerodrome in another contracting State, on condition that the coach returns empty to the home State;

¹ Came into force on 1 June 1955, in accordance with article 12.

(c) The occasional transport by motor coach of crews of ships or aircraft from one contracting State to a seaport or aerodrome in another contracting State, it being understood that the crews of other ships or aircraft may be carried on the return journey from the latter State to the State of departure.

Article 2

TRANSPORT SERVICES COVERED BY THE AGREEMENT

This Agreement shall apply to the transport services referred to in articles 3 to 6, provided they are operated by a carrier resident in one contracting State and involve entering or passing through another contracting State.

The Agreement shall also include transport services provided by a State or commune or other public body but shall not include postal services between the contracting States.

Article 3

SCHEDULED BUS SERVICES

(1) Before a scheduled bus service to or through another contracting State can be established, a permit must be obtained from the competent authority of that State.

(2) Application for such permits, together with the proposed time-tables, schedules of fares and other conditions of carriage, shall be made to the competent authority of the carrier's home State and shall, if it is approved, be transmitted together with the opinion of that authority to the competent authority of the other State.

(3) The competent authority of the State to or through which the scheduled bus service is to be provided shall, if the permit is granted, specify the conditions under which the service may operate.

(4) Applications for permission to alter the time-tables, schedules of fares or other conditions of carriage shall be made and dealt with as provided in paragraphs (1) to (3).

(5) A permit for a scheduled bus service shall include the right to transport luggage accompanying passengers.

Article 4

MOTOR COACH SERVICES

(1) Coach services to or through Denmark may be provided by Norwegian or Swedish carriers only by virtue of a permit issued in accordance with Danish

law on behalf of the competent Danish authority by the competent Norwegian or Swedish authority, as the case may be.

(2) A Danish carrier providing motor coach services to or through Norway or Sweden must be in possession of a permit issued by the competent Danish authority on behalf of the competent Norwegian or Swedish authority, as the case may be.

(3) A Norwegian carrier providing motor coach services to or through Sweden or a Swedish carrier providing such services to or through Norway shall not require a special permit for that portion of the journey which is outside the home State but shall, on entering and leaving the other State, furnish the particulars referred to in article 7, paragraph II.

(4) A permit for a motor coach service shall include the right to transport luggage accompanying passengers.

(5) The question how far a carrier shall be entitled to provide services in the home State in connexion with a service to one of the other States shall be determined in accordance with the laws of the home State.

Article 5

PASSENGER TRANSPORT OTHERWISE THAN IN CONNEXION WITH SCHEDULED BUS OR MOTOR COACH SERVICES

In the case of bus or coach services not coming under article 3 or 4 (cf. art. 1), a permit from the competent authority of the contracting State or States to or through which the services are provided shall be required in each particular instance; but a permit shall not be required from a State through which the bus or coach merely passes in transit provided the carrier has a valid permit issued by the authority of the home State in accordance with the regulations concerning motor coach services in article 4.

Application for a permit shall be made to the competent authority of the carrier's home State and shall, if it is approved, be transmitted together with the opinion of that authority to the competent authority of the other State. The latter's decision on the application shall be submitted to the competent authority of the applicant's State.

A permit for such services shall include the right to transport luggage accompanying the passengers.

Article 6

TRANSPORT OF GOODS

I. (a) The occasional transport of goods by motor lorry to, from or through Denmark by a Norwegian or Swedish carrier shall require a special permit issued as provided in article 4, paragraph (1).

(b) The occasional transport of goods by motor lorry to, from or through Norway or Sweden by a Danish carrier shall require a permit from the competent Danish authority as provided in article 4, paragraph (2).

(c) No permit shall be required, however, for the transport of :

- (1) household goods in course of removal;
- (2) goods forming part of a fair or an exhibition;
- (3) stage sets;
- (4) equipment and the like for radio recording or filming;
- (5) race horses and racing cars or sports equipment for use in connexion with specific sporting events;
- (6) corpses;
- (7) samples in limited quantities;
- (8) newspapers and periodicals;
- (9) service vehicles carrying tools and spare parts for the repair or re-conditioning of machinery originally supplied by the undertaking owning such vehicles.

II. A Norwegian carrier engaged in the occasional transport of goods to, from or through Sweden or a Swedish carrier engaged in such transport to, from or through Norway shall not require a special permit for that portion of the journey which is outside the home State, but he shall, when entering and leaving the other State, furnish on request the particulars referred to in articles 7, paragraph II.

III. A permit for the transport of goods from the carrier's home State to or through another contracting State shall, subject to the limitation prescribed in paragraph I, sub-paragraphs (a) and (b) of this article, also confer the right in the State to which the goods are transported (country of destination) to pick up, at the place of destination or at a place in the country of destination situated along the direct route back, goods for transport to the carrier's home country but not to any place outside that country; goods may be picked up in the

country of destination even at places not situated along the direct route back, for transport to the country of origin, but not to a third State, provided that arrangements to do so were made before the motor lorry entered the country of destination. In no case may a carrier outside his own country merely transport goods between two points situated within either of the other contracting States.

When proceeding with an empty motor lorry from the carrier's home State to one of the other contracting States, the driver of the lorry shall produce evidence at the frontier control point that arrangements have been made for a specified consignment of goods to be picked up in the State to which the lorry is proceeding for transport to the carrier's State.

When returning with an empty lorry from the country of destination, the carrier may pick up goods in another contracting State only if they consist of a specific consignment which, under an arrangement made before the entry of the lorry into the latter State, is to be transported direct to the carrier's country.

IV. In the case of a permit for the regular transport of goods, the provisions of article 3 shall apply *mutatis mutandis*.

Article 7

SUPERVISION

I. It is the duty of the frontier control authorities of the contracting States to check the motor vehicles registered in the home State upon departure from that State and to ensure that the carrier has the necessary permit for travel to or through another contracting State.

If the carrier does not have such a permit, the competent frontier control authority shall either refuse to allow the motor vehicle to proceed to the other State or forthwith inform the frontier control authority of that State that the carrier does not have the necessary permit for travel in that State, and the driver of the vehicle shall at the same time be informed that the vehicle may not lawfully proceed to the other State.

The authorities of the State to or through which motor vehicles registered in another contracting State are travelling shall have the right to verify whether the provisions of this Agreement are being complied with.

II. A motor vehicle registered in Sweden and travelling from Sweden to Norway or a motor vehicle registered in Norway and travelling from Norway to Sweden shall not be subject to a check by the frontier control authorities upon

departure from the home country, but upon the entry of a motor vehicle registered in the other State the frontier control authorities shall be entitled to demand the following particulars :

1. the carrier's name and address;
2. the registration number, the net weight and gross weight of the vehicle, the nature of the load and the number and nationality of the passengers;
3. the points between which and the route along which the vehicle is to proceed and the type of transport service that is to be provided (whether the same passengers will be carried throughout the journey, whether passengers or goods are to be picked up, etc);
4. any transport arrangement made as provided in article 6, paragraph III.

III. If in Norway or Sweden a system is introduced or applied under which a permit from the authorities of the State in which a motor vehicle is registered is required for the entry of the vehicle into the other State and the frontier control authorities of the issuing State have verified upon the departure of the vehicle from that State that such a permit was issued, the frontier control authorities of the other State shall not require the particulars mentioned under II above upon the entry of the vehicle as a condition for its admittance.

IV. Where a permit has been granted by the authorities of one State for travel in another State, the permit shall be produced to the control authorities on request.

V. The authorities of the State introducing or discontinuing such a system of permits shall so inform the other State.

Article 8

GENERAL PROVISIONS CONCERNING THE ISSUANCE OF PERMITS

- (1) A permit shall be issued to a particular individual or body corporate and be non-transferable.
- (2) A permit may be issued for an indefinite or a fixed period.
- (3) The permit or a certified copy thereof (which may be a photostat) shall at all times accompany the vehicle and be produced upon entry into and departure from the home country or at the request of the competent authorities of the other country.
- (4) The permit shall give particulars of :
 - (a) the registration number of the vehicle;
 - (b) the type of transport;
 - (c) any conditions or regulations that have been prescribed.

(5) The permit shall expressly inform the carrier that he must familiarize himself with the regulations in force in the other States concerned with regard to the weight and dimensions of motor vehicles and that any exemption which may be necessary in this regard with respect to the particular motor vehicle to be used must be obtained beforehand.

Article 9

EXCHANGE OF INFORMATION CONCERNING PERMITS ISSUED

The contracting States shall exchange quarterly reports concerning the permits issued, showing the number of each permit, the name and address of the carrier, the period of validity of the permit, the registration number of the vehicle and the type of transport.

Article 10

AUTHORITIES

The permits referred to in this Agreement shall, until further notice, be issued :

- (1) in the case of Denmark, by the Ministry of Public Works;
- (2) in the case of Norway, by the Ministry of Communications;
- (3) in the case of Sweden, by the State Motor Vehicle Board.

Article 11

FINAL PROVISIONS

The carrier shall comply scrupulously with the laws and regulations in force in the contracting States.

If the provisions of this Agreement or of a permit issued thereunder are contravened by the carrier, the permit may, irrespective of whether such contravention is subject to criminal proceedings, be suspended or revoked by the authority by whom it was issued. Such action shall be taken where the authority on whose behalf the permit was issued so requests after consultation with the issuing authority.

Article 12

ENTRY INTO FORCE

This Agreement shall come into force ninety days after signature.

Article 13

TERMINATION

Any of the contracting States may terminate the Agreement by giving written notice, which must be in the hands of the Norwegian Ministry of Foreign Affairs not later than 30 September of any calendar year. The Norwegian Ministry of Foreign Affairs shall forthwith inform the other contracting States of the termination. The termination shall apply only to the State by which it was notified and shall take effect as from 1 January of the following year.

IN WITNESS WHEREOF, the respective plenipotentiaries have signed this Agreement and have thereto affixed their seals.

DONE at Oslo, on 2 March 1955, in one copy in the Norwegian, Danish and Swedish languages, all texts being equally authentic. The original shall be deposited in the archives of the Norwegian Ministry of Foreign Affairs, and certified copies shall be sent by the Ministry to each of the contracting States.

For Norway :
Halvard LANGE

For Denmark :
M. A. WASSARD

For Sweden :
H. W. AHLMANN