

No. 7039

NETHERLANDS
and
ITALY

Agreement concerning road transport. Signed at The Hague, on 8 December 1959

Official text: French.

Registered by the Netherlands on 2 January 1964.

PAYS-BAS
et
ITALIE

Accord relatif aux transports routiers. Signé à La Haye, le 8 décembre 1959

Texte officiel français.

Enregistré par les Pays-Bas le 2 janvier 1964.

[TRANSLATION — TRADUCTION]

No. 7039. AGREEMENT¹ CONCERNING ROAD TRANSPORT BETWEEN THE KINGDOM OF THE NETHERLANDS AND THE ITALIAN REPUBLIC. SIGNED AT THE HAGUE, ON 8 DECEMBER 1959

The Government of the Kingdom of the Netherlands and the Government of the Italian Republic,

Desiring to promote the development of road transport operations by their nationals within the framework of their economic and cultural relations,

Guided by the Geneva Agreements on the lifting of restrictions on the freedom of the road prepared under the auspices of the United Nations Economic Commission for Europe and published on 16 November 1950 in document E/ECE/TRANS/SCI/98,

Having decided to conclude an agreement for the purpose of extending existing facilities,

Have agreed as follows :

PASSENGER TRANSPORT

Article 1

Each Contracting Party grants to road carriers domiciled in the territory of the other Contracting Party the right to engage in the following road passenger transport operations, without any authorization or prior formality :

(a) the international carriage of parties of passengers in one and the same vehicle during journeys

from a seaport or airport in the country of domicile to a place other than a seaport or airport in the other country; or

from a place other than a seaport or airport in the country of domicile to a seaport or airport in the other country; or

from a place other than a seaport or airport in the country of domicile to another such place in the other country;

provided, however, that, failing special authorization to the contrary, the vehicle shall return empty to the country domicile,

(b) transport in transit through its territory when no passengers are picked up or set down there.

¹ Came into force on 1 March 1961, in accordance with article 12.

Article 2

The competent authorities of each Contracting Party shall apply the authorization procedure liberally to nationals of the other Contracting Party in international road passenger transport operations not covered by this Agreement, including

(a) inward journeys in its territory by empty motor-coaches owned by nationals of the other Contracting Party for the purpose of picking up tourists travelling to the territory of the other Contracting Party;

(b) shuttle services for periods of at least one week.

Article 3

For the purposes of this Agreement, the term "shuttle service" shall be deemed to mean an international passenger transport service organized for conveying, from a single starting point to a single holiday resort or place of tourist interest, passengers previously made up into parties according to the intended length of stay and bringing each party back to the starting point by a later trip upon the expiry of that period.

All passengers who made an outward trip together must make the return trip together.

The first return trip and the last outward trip of a series of shuttle journeys shall be made empty.

Only outward and return trips are included in shuttle services.

Article 4

Requests for extension of the rights resulting from article 2 and article 3 shall be given sympathetic consideration.

Article 5

International scheduled services shall be subject to the issue of licenses in conformity with the statutory provisions of each Contracting Party, without prejudice to the terms of article 1, paragraph (b).

GOODS TRANSPORT

Article 6

Each Contracting Party grants to carriers domiciled in the territory of the other Contracting Party the right to engage, without any authorization or prior formality, in road goods transport operations between the territories of the Contracting Parties, including transport in transit, subject to the provision of article 8.

Article 7

Goods may not be transported between two points in the territory of one of the Contracting Parties using vehicles and trailers of enterprises of the other Contracting Party.

Article 8

An empty vehicle or trailer owned by an enterprise domiciled in the territory of one of the Contracting Parties may enter the territory of the other Contracting Party only if, on entry into the latter territory, the enterprise produces a document certifying that the journey is being made for specific transport operations covered by a prior agreement. The document may take the form of a declaration by the importer or exporter, a qualified public agency or the consignor. Such declaration must specify the place of delivery, the name of the consignor, the name of the consignee and the nature and quantity of the goods.

Article 9

The Contracting Parties undertake to compile international traffic statistics, following a model to be determined by agreement, with a view to the periodic exchange of information concerning the road goods traffic between the two countries.

GENERAL PROVISIONS

Article 10

In the event of any breach of the rules of this Agreement or the national regulations in force in each Contracting Party, the offending enterprises may be temporarily or permanently forbidden to engage in road transport operations between the two countries.

Article 11

This Agreement shall apply only to the European territories of the Contracting Parties.

Article 12

This Agreement shall enter into force on the first day of the month following the date on which each Contracting Party informs the other that the Agreement is applicable in accordance with its own domestic provisions.

After one year, it may be denounced by either Contracting Party. The denunciation shall take effect six months after notice is given to the other Contracting Party.

IN WITNESS WHEREOF, the undersigned, being duly authorized for the purpose, have signed this Agreement.

DONE at The Hague, on 8 December 1959, in duplicate in the French language.

For the Government
of the Kingdom of the Netherlands :
(Signed) J. DE QUAY

For the Government
of the Italian Republic :
(Signed) GIUSTINIANI
