

No. 7924

**CZECHOSLOVAKIA
and
HUNGARY**

**Agreement concerning international road transport (with
Protocol). Signed at Budapest, on 17 October 1964**

Official texts: Czech and Hungarian.

Registered by Czechoslovakia on 16 September 1965.

**TCHÉCOSLOVAQUIE
et
HONGRIE**

**Accord relatif au transport routier international (avec
Protocole). Signé à Budapest, le 17 octobre 1964**

Textes officiels tchèque et hongrois.

Enregistré par la Tchécoslovaquie le 16 septembre 1965.

[TRANSLATION — TRADUCTION]

No. 7924. AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE CZECHOSLOVAK SOCIALIST REPUBLIC AND THE GOVERNMENT OF THE HUNGARIAN PEOPLE'S REPUBLIC CONCERNING INTERNATIONAL ROAD TRANSPORT. SIGNED AT BUDAPEST, ON 17 OCTOBER 1964

The Government of the Czechoslovak Socialist Republic and the Government of the Hungarian People's Republic,

Desiring to regulate the transport of passengers and goods by public road-transport vehicles between the two States and in transit through their territory, have concluded the following Agreement :

I. TRANSPORT OF PASSENGERS BY MOTOR COACH

Article 1

The transport of passengers by motor coach between the two States and in transit through their territory, with the exception of the transport operations defined in article 6, shall be subject to authorization.

Article 2

Applications for authorization shall be submitted not later than two months before the start of transport operations.

Article 3

1. Regular services between the two States or passing through their territory in transit shall be authorized, on a basis of reciprocity, by agreement between the competent authorities of the Contracting Parties.

2. The competent authority of each Contracting Party shall issue an authorization for that section of a route which passes through its territory.

3. The competent authorities of the Contracting Parties shall jointly fix the conditions for the issue of the authorization.

¹ Came into force on 19 March 1965, the date of the exchange of notes confirming the approval of the Agreement, in accordance with article 35 (1).

Article 4

1. An application for an authorization shall be submitted to the competent authority of the Contracting Party in whose territory the vehicle is registered.

2. The application must be accompanied by the necessary documentation (the proposed time-table, tariff and itinerary and information on the period of service and on the expected starting date of operations). The competent authorities of the Contracting Parties may request such further information as they deem necessary.

3. The competent authority of each Contracting Party shall transmit to the competent authority of the other Contracting Party the applications which it is prepared to approve, together with all prescribed information.

Article 5

A motor-coach transport operation in which the same passengers are not carried in the same vehicle on the return journey shall require an authorization which shall be issued on the basis of an application submitted to the competent authority of the Contracting Party in whose territory the vehicle is registered, and which shall then be transmitted to the competent authority of the other Contracting Party for approval.

Article 6

No authorization shall be required for occasional tourist transport operations, where the same passengers are carried in the same vehicle :

- (a) On circular tours which begin and end in the State in which the vehicle is registered ;
- (b) On journeys for which the starting point is at some place in the territory of the Contracting Party in which the vehicle is registered and the destination is in the territory of the other Contracting Party, on condition that the vehicle returns empty to the territory of the Contracting Party in which it is registered.

Article 7

1. For international motor-coach transport operations, a way-bill must be made out which shall contain at least the following particulars :

- (a) The name (firm) of the carrier ;
- (b) The home station of the motor-coach ;
- (c) The registration number of the motor-coach (trailer) ;
- (d) The name of the driver ;
- (e) The name of the conductor (courier) ;
- (f) The itinerary (indicating the more important stops) ;

- (g) The number of passengers carried ;
- (h) The date of the transport operation.

2. Each carrier shall use the way-bill adopted for use in his own enterprise and shall complete the individual entries in the language of his own country.

II. TRANSPORT OF GOODS

Article 8

All transport of goods between the Contracting Parties or in transit through their territory shall be subject to authorization, save in the cases enumerated in article 9.

Article 9

1. The following shall not be subject to authorization :

- (a) The transport of household goods on removal ;
- (b) The transport of human remains ;
- (c) The transport of goods and equipment for fairs and exhibitions ;
- (d) The transport of racehorses, racing cars and other sports equipment intended for sports events ;
- (e) The transport of stage scenery and properties ;
- (f) The transport of musical instruments and of articles and equipment for radio and television recording and cinematograph film-making.

2. The exceptions specified in sub-paragraphs (c)-(f) shall apply only if the goods, articles or animals carried are to be transported back to the territory of the Contracting Party in which the vehicle is registered or onwards to the territory of a third State.

Article 10

1. A separate authorization shall be issued for each journey and for each goods-carrying road vehicle or combination of vehicles.

2. An authorization shall be valid for one outward and one return journey.

Article 11

Authorizations shall be issued by the competent authorities of the Contracting Party in whose territory the vehicle is registered, within the limits of a quota to be agreed upon annually, on a basis of reciprocity, between the competent authorities of the two Contracting Parties.

Article 12

1. The competent authorities of the Contracting Parties shall exchange an agreed number of blank authorization forms corresponding to the agreed model.

2. Within one month after the end of each quarter, the said authorities shall exchange copies of the authorizations issued, and within one month after the end of the calendar year they shall return to each other all unused authorization forms.

Article 13

If the weight or dimensions of the vehicle used, or of the load carried, exceeds the maximum weight or dimensions permissible in the territory of the Contracting Parties, a special authorization by the competent authorities of the Contracting Parties shall be required for the transport operation.

Article 14

International transport by goods-carrying road vehicles shall require the use of a consignment note which shall contain at least the following particulars :

- (a) The date of the consignment note and the place at which it is made out ;
- (b) The name and address of the consignor ;
- (c) The name and address of the carrier ;
- (d) The place and date of taking over of the goods and the place designated for delivery ;
- (e) The name and address of the consignee ;
- (f) The description in common use of the goods and the method of packing ;
- (g) The number of packages and their special marks ;
- (h) The gross weight of the goods ;
- (i) The requisite instructions for customs and other formalities ;
- (j) The signature of the consignor ;
- (k) The signature of the consignee.

III. CUSTOMS PROVISIONS

Article 15

Each Contracting Party shall exempt goods-carrying road vehicles and motor coaches of the other Contracting Party which are temporarily imported into its territory from customs duties and taxes and from import prohibitions and restrictions. Such vehicles shall be admitted under cover of temporary importation papers and must be re-exported.

Article 16

The technical conditions applicable to vehicles and containers used for the international transport of goods by road under this Agreement shall be governed by the provisions of the TIR Convention signed at Geneva on 15 January 1959.¹

Article 17

1. Every goods-carrying road vehicle and container must be furnished with an official certificate attesting that the vehicle or container is fit for use in international transport. The model for this official document shall conform to the specimens reproduced in annexes 5 and 8 to the TIR Convention.

2. The use of vehicles and containers shall be authorized by the competent authorities of the country in which the owner or carrier is resident or established.

3. The certificate of roadworthiness shall be kept on the vehicle or affixed to the container.

Article 18

1. Provided that the conditions laid down in this Agreement are fulfilled, the load carried in road vehicles or containers sealed with a customs seal :

- (a) Shall be exempt from customs duties and customs bonds which are paid or deposited at frontier customs houses ;
- (b) Shall, as a general rule, be exempt from customs examination at frontier customs houses.

2. When irregularity is suspected, however, the customs authorities may carry out a customs examination of the load.

Article 19

If the load carried is to be cleared through customs, not at the customs house of entry, but at one of the inland customs offices, the customs house of entry may prescribe the itinerary to be followed to the competent inland customs office.

Article 20

1. The consignor must attach to the consignment an international customs declaration, or a copy of the consignment note, bearing his signature.

¹ United Nations, *Treaty Series*, Vol. 348, p. 13.

2. If the load consists of a number of separate items, the consignor must also attach to the consignment a bill of lading, or a consignment list, bearing his signature.

3. The international customs declaration or consignment note and, where applicable, the bill of lading or consignment list must be prepared in a sufficient number of copies for two copies to be supplied to the customs authorities of the State of entry. The customs authorities of the State of departure shall certify on the international customs declaration or on the copy of the consignment note that a customs examination has been carried out in the course of clearance for export.

Article 21

After a load has been transported into the territory of the other Contracting Party, the carrier shall produce it in full, and with the customs seal intact, for customs examination at the inland customs office which is competent having regard to the place of destination ; he shall produce transit consignments at the customs house of departure.

Article 22

1. In the event of the customs seal being broken or the load being destroyed or damaged accidentally *en route*, the carrier or his representative shall notify the nearest customs office of the occurrence, either directly or through the nearest public administrative authority, with a view to the preparation of a report ; such notification may be made in person or by telephone.

2. In the event of an accident necessitating transfer of the load to another vehicle, such transfer must be carried out in the presence of a representative of the competent customs office, who shall draw up a report on the proceedings.

3. If there is no vehicle or container available which meets the requirements of article 16 of this Agreement, the load may be transferred to a vehicle or container which is not furnished with a certificate of roadworthiness, provided that care is taken to ensure that the load can be identified.

4. In the event of imminent danger, the driver may take the necessary measures on his own initiative without awaiting intervention by the customs office referred to in paragraph 1 of this article. In such a case, however, the driver must furnish proof that he acted in the interests of the vehicle or of the load when he took the necessary measures to avert the danger.

Article 23

1. The driver and other members of the crew of the vehicle may import, free of customs duties, personal effects in a quantity commensurate with the length of their stay in the country of importation or transit.

2. Provisions for the journey and tobacco for personal consumption shall be exempt from customs duties.

Article 24

1. The fuel contained in the ordinary supply tanks of vehicles temporarily imported, and also fuel in a quantity not exceeding sixty litres imported in separate tanks, shall be exempt from customs duties and import taxes and shall not be subject to import prohibitions or restrictions.

2. The competent customs authorities of the Contracting Parties may, by agreement, fix a quantity other than that specified in paragraph 1 for the fuel imported in separate tanks.

Article 25

1. Component parts imported for the repair of a vehicle already admitted under cover of temporary importation papers shall be exempt from customs duties and import taxes and shall not be subject to import prohibitions or restrictions. The customs authorities may subject such temporarily imported parts to a temporary admission procedure on entry.

2. Replaced parts which are not re-exported shall be liable to customs duties and import taxes except where, in conformity with the regulations of the other Contracting Party, they are abandoned free of charge to the competent organization.

Article 26

The provisions of this Agreement shall not affect the right of the Contracting Parties to institute criminal proceedings, in accordance with their own laws, against persons who have committed a customs offence.

IV. GENERAL PROVISIONS

Article 27

The following shall not be permitted without a special authorization :

- (a) Transport between two places situated in the territory of the other Contracting Party ;
- (b) Transport from the territory of the other Contracting Party to the territory of a third State.

Article 28

The provision of technical assistance to vehicles engaged in transport operations under this Agreement and the supply of fuel and lubricants to such vehicles shall

be regulated by a separate agreement between the competent authorities of the Contracting Parties.

Article 29

Payments which are to be made on the basis of obligations arising out of the provisions of this Agreement shall be settled in accordance with the payments agreement in force between the two States.

Article 30

Transport authorizations issued under this Agreement and transport operations carried out in the territory of the other Contracting Party under cover of such authorizations shall be exempt, on a basis of reciprocity, from duties and taxes levied on road transport.

Article 31

Each Contracting Party shall inform the other Contracting Party which authorities are entitled to carry out the measures provided for in individual articles of this Agreement.

Article 32

In the interest of unimpeded application of this Agreement, the Contracting Parties shall maintain direct communication with each other through their competent authorities.

Article 33

If any provision of this Agreement is violated in the territory of either Contracting Party, the competent authority of the State in which the vehicle is registered shall, at the request of the competent authority of the other Contracting Party, apply appropriate penalties against the carrier and notify the competent authority of the other Contracting Party accordingly.

Article 34

In all cases not dealt with by the provisions of this Agreement, the domestic laws of the Contracting Parties shall apply.

Article 35

1. This Agreement is subject to approval by each of the Contracting Parties and shall enter into force on the date of the exchange of notes signifying such approval.

2. This Agreement shall remain in force for a term of one year from the date of its entry into force and shall be tacitly extended for successive terms of one year unless it is denounced by one of the Contracting Parties three months before the expiry of the current term.

IN WITNESS WHEREOF the plenipotentiaries have signed this Agreement.

DONE at Budapest on 17 October 1964 in two original copies, each in the Czech and Hungarian languages, both texts being equally authentic.

For the Government
of the Czechoslovak Socialist
Republic :

Jan DUFEK

For the Government
of the Hungarian People's Republic :

Kiss Dezső

PROTOCOL ON THE NEGOTIATIONS BETWEEN GOVERNMENT DELEGATIONS OF THE CZECHOSLOVAK SOCIALIST REPUBLIC AND THE HUNGARIAN PEOPLE'S REPUBLIC, HELD AT BUDAPEST FROM 12 TO 17 OCTOBER 1964. FOR THE PURPOSE OF CONCLUDING AN AGREEMENT CONCERNING INTERNATIONAL ROAD TRANSPORT BETWEEN THE TWO STATES

1. The following persons participated in the negotiations :

For the Czechoslovak Party:

Jan Dufek, Deputy Minister for Transport, head of the delegation ;
Josef Němeček, Counsellor to the Embassy of the Czechoslovak Socialist Republic at Budapest ;
Dr. Vítězslav Šeferna, Senior Legal Officer in the Ministry of Transport ;
Miroslav Majzlík, Chief Economist in the Ministry of Transport.

For the Hungarian Party:

Dezső Kiss, Deputy Minister for Transport and Postal Service, head of the delegation ;
József Pándi, Senior Head of Department in the Ministry of Transport and Postal Service ;
Dr. Albin Viktor, Senior Consultant in the Ministry of Transport and Postal Service ;
Imre Kamondy, Senior Consultant in the Ministry of Transport and Postal Service ;
János Hajdu, Senior Consultant in the Ministry of Foreign Trade ;

Dr. László Wentsky, Attaché in the Ministry of Foreign Affairs ;
Dr. Lajos Sármási, Senior Consultant in the Ministry of Finance ;
Dr. Sándor Tóth, Chief of Section at the National Financial and Customs Guard
Headquarters, Ministry of Finance ;
Miklós Pálinkás, Senior Consultant in the General Directorate of Motor Transport.

2. The delegations prepared the Agreement between the Government of the Czechoslovak Socialist Republic and the Government of the Hungarian Peoples' Republic concerning international road transport, and the heads of the delegations signed it.

3. The delegations agreed that articles 5, 8, 10, 11 and 12 of the Agreement shall not be applied until further notice. They also agreed that the authorization procedure governed by the said articles shall be discontinued as between the two Parties on 1 November 1964.

4. The delegations also agreed that the form of the consignment note and the manner of entering the individual items of information specified in article 14 of the Agreement shall be determined later by agreement between the competent authorities of the Contracting Parties.

5. The delegations agreed that the competent authorities of the Contracting Parties shall exchange, before 31 January of each year, the following information on the volume of transport operations carried out under the Agreement during the preceding year :

(a) *Regular transport of passengers*

The number of passengers carried ;
The number of passenger-kilometres covered.

(b) *Transport of goods*

The number of journeys between the two countries ;
The number of tons of goods carried between the two countries ;
The number of journeys through the territory of the other Contracting Party (in transit) ;
The number of tons of goods carried through the territory of the other Contracting Party (in transit).

6. The delegations agreed that the provisions of article 30 of the Agreement shall be applied retroactively from 1 January 1963. In that connexion the competent Czechoslovak authority shall transmit to the competent Hungarian authority, before 1 December 1964, a detailed statement of the taxes paid on Czechoslovak public road-transport vehicles in the territory of the Hungarian People's Republic between 1 January 1963 and 31 October 1964. Within two months after the receipt of the said statement, the competent Hungarian authority shall refund the taxes

collected between 1 January 1963 and 31 October 1964. On 1 November 1964, the competent authorities of the Contracting Parties shall reciprocally discontinue the collection of the duties and taxes referred to in article 30 of the Agreement.

7. The delegations agreed that the Ministry of Transport of the Czechoslovak Socialist Republic and the Ministry of Transport and Postal Service of the Hungarian People's Republic shall inform each other in writing, by 30 November 1964, which authorities are competent to apply the individual articles of the Agreement.

This Protocol was drawn up at Budapest on 17 October 1964 in duplicate in the Czech and Hungarian languages, both texts being equally authentic.

For the Czechoslovak delegation :

Jan DUFEK

For the Hungarian delegation :

Kiss Dezső