

No. 8187

**DENMARK
and
BELGIUM**

**Agreement concerning the road transport of passengers
and goods by commercial vehicles (with annexes).
Signed at Copenhagen, on 4 February 1966**

Official text of the Agreement : French.

Official texts of the annexes : Danish, French and Dutch.

Registered by Denmark on 21 April 1966.

**DANEMARK
et
BELGIQUE**

**Accord sur le transport de voyageurs et de marchandises par
route, effectué au moyen de véhicules commerciaux
(avec annexes). Signé à Copenhague, le 4 février 1966**

Texte officiel de l'Accord : français.

Textes officiels des annexes : danois, français et néerlandais.

Enregistré par le Danemark le 21 avril 1966.

[TRANSLATION — TRADUCTION]

No. 8187. AGREEMENT¹ BETWEEN THE KINGDOM OF DENMARK AND THE KINGDOM OF BELGIUM CONCERNING THE ROAD TRANSPORT OF PASSENGERS AND GOODS BY COMMERCIAL VEHICLES. SIGNED AT COPENHAGEN, ON 4 FEBRUARY 1966

Desiring to regulate road transport by commercial vehicles between the two countries, as well as transit through their respective territories,

The Government of the Kingdom of Denmark and the Government of the Kingdom of Belgium have agreed as follows :

I. PASSENGER TRANSPORT

TRANSPORT REQUIRING AUTHORIZATION

Article 1

All passenger transport between the two countries or in transit through their territory shall require authorization, with the exception of the transport defined in article 6.

Article 2

Applications for authorizations shall be submitted two months before the service is inaugurated.

REGULAR LINES

Article 3

Regular lines between the two countries or in transit through their territory shall be approved by agreement between the competent authorities of the two Contracting Parties.

They shall require an authorization (licence), issued on the basis of reciprocity, unless otherwise decided, by the competent authorities of each Contracting Party for the section of the line situated in its territory.

The competent authorities of the Contracting Parties shall establish, by agreement, the conditions for the authorization, in particular as regards the duration, frequency, time-table and route and the tariffs to be applied.

¹ Came into force on 4 February 1966, the date of signature, in accordance with article 21.

Article 4

Applications for authorization shall be submitted to the competent authorities of the country in which the vehicle is registered.

The application shall be accompanied by the necessary documentation (the proposed time-table, tariffs and route, information on the period of service during the year and on the expected date of inauguration of the service). In addition, the competent authorities of the Contracting Parties may request such other information as they deem appropriate.

The competent authorities of each Contracting Party shall transmit to the competent authorities of the other Contracting Party the applications which they have approved, together with all prescribed documents and a copy of the authorization covering the section of the route situated in their territory.

All authorizations shall be subject to the prior approval of the transit countries.

OTHER SERVICES REQUIRING AUTHORIZATION

Article 5

Shuttle services and interrupted closed-door tours shall require an authorization, which shall be issued on the basis of an application submitted to the competent authorities of the country in which the vehicle is registered and transmitted to the competent authorities of the other Contracting Party for approval.

All authorizations shall be subject to the prior approval of the transit countries.

TRANSPORT NOT REQUIRING AUTHORIZATION

Article 6

Carriers having their head offices in either country and authorized to operate tourist or occasional transport services in that country may, without further authorization, provide transport service in the territory of the other State, or in transit through that territory, provided that the following conditions of the agreement on "Freedom of the Road" are fulfilled :

- (a) The vehicle must carry the same passengers throughout a single journey, from the point of embarkation to its return to the same point, or
- (b) In the case of passenger transport from a seaport or airport in one country to a seaport or airport in another country, the vehicle must return empty to its point of departure (head office).

Belgian carriers must be able to produce the authorization issued to them in their own country.

This document shall be, for motor coaches, the “ *Permis de circulation* ” or (in Dutch) “ *Bewijs van deugdelijkheid* ”, bearing a registration number preceded by the letter C, and for hired cars the “ *Certificat de visite* ” or (in Dutch) “ *Schouwingsbewijs* ”.

Danish carriers must be able to produce an international travel authorization issued by the Ministry of Public Works in their own country.

Carriers of both countries shall be required to comply with the control measures in force in each country.

II. GOODS TRANSPORT

TRANSPORT REQUIRING AUTHORIZATION

Article 7

All transport of goods between the two countries or in transit through their territory shall require authorization, save in the cases referred to in article 12 of this agreement.

Article 8

There shall be two types of authorization :

- (a) A “ fixed-term permit ”, valid for not more than one year ;
- (b) A “ round-trip permit ”, valid for one or more transport operations and for a limited period.

Each permit may be used for only one vehicle. It must be carried in the vehicle throughout the section of the route in foreign territory and be produced to the authorities responsible for control at their request.

The term “ vehicle ” shall mean a single vehicle or a series of vehicles coupled together.

The permit holder shall be required to complete the report attached to the permit before each transport operation.

The permit shall be personal and non-transferable.

The permit forms to be used are shown in annexes 1 and 2 to this Agreement.

Article 9

Authorizations shall be issued by the competent authorities of the country in which the vehicle is registered, subject to a quota to be agreed annually between the competent authorities of the two Contracting Parties on the basis of reciprocity.

Article 10

The competent authorities of each Contracting Party shall provide the competent authorities of the other Contracting Party with a specified number of blank authorization forms.

The Contracting Parties undertake to compile and to exchange statistics concerning :

- (a) The authorizations issued ;
- (b) The transport operations effected.

Article 11

Carriers domiciled in the territory of one Contracting Party may not carry out transport operations from the territory of the other Contracting Party to a third country, or vice versa, without special authorization by the competent authorities of the latter Contracting Party.

TRANSPORT NOT REQUIRING AUTHORIZATION

Article 12

No authorization shall be required :

1. In Danish territory, for

- (a) The transport of human remains by vehicles specially equipped for the purpose ;
- (b) The transport of articles by vehicles designed exclusively for the transport of persons ;
- (c) The transport of articles by vehicles with a carrying capacity of less than 500 kilogrammes ;
- (d) The towing of disabled vehicles ;
- (e) The removal of household effects by vehicles specially equipped for the purpose ;
- (f) The transport of articles intended for fairs, exhibitions or displays ;
- (g) The transport of racehorses, racing automobiles or other sports accessories intended for sporting events ;
- (h) The transport of stage scenery and accessories ;
- (i) The transport of musical instruments and equipment for making radio recordings and cinematographic or television films.

However, the transport operations referred to in sub-paragraphs (f) to (i) shall be subject to the quota system if the animals or articles in question are not subsequently returned to the country in which the vehicle is registered.

2. In Belgian territory, for

- (a) The transport of human remains by vehicles specially equipped for the purpose ;

- (b) The transport of articles by vehicles designed exclusively for the transport of persons ;
- (c) The transport of articles by vehicles with a carrying capacity of less than 500 kilogrammes ;
- (d) The towing of disabled vehicles ;
- (e) Transport on own account.

Article 13

The quota system shall not apply :

1. In Danish territory, to
 - (a) Transport on own account ;
 - (b) Transport in transit.
2. In Belgian territory, to
 - (a) The removal of household effects by vehicles specially equipped for the purpose ;
 - (b) The transport of articles intended for fairs, exhibitions or displays ;
 - (c) The transport of racehorses, racing automobiles or other sports accessories intended for sporting events ;
 - (d) The transport of stage scenery and accessories ;
 - (e) The transport of musical instruments and equipment for making radio recordings and cinematographic or television films ;
 - (f) Transport in transit.

However, the transport operations referred to in sub-paragraphs (b) to (e) shall be subject to the quota system if the animals or articles in question are not subsequently returned to the country in which the vehicle is registered.

III. GENERAL PROVISIONS

INLAND TRANSPORT

Article 14

Carriers domiciled in the territory of one Contracting Party shall not be authorized to engage in the transport of passengers or goods between two points in the territory of the other Contracting Party.

PROCEDURE FOR THE EXCHANGE OF DOCUMENTS

Article 15

The competent authorities of the Contracting Parties shall agree on the procedure for exchanging the necessary documents and statistical data. There shall be no charge for the issue of authorizations.

PENALTIES

Article 16

Without prejudice to the penal provisions in force in the country through which the vehicle is travelling, the permit may be suspended or revoked in the event of a serious violation of the provisions of this Agreement. In other cases the offending carrier shall receive a caution.

EXEMPTION FROM TAXES AND DUTIES

Article 17

The duties and taxes levied in connexion with passenger or goods transport shall be the subject of a special convention.

COMPETENT AUTHORITIES

Article 18

Each Contracting Party shall inform the other Contracting Party which authorities are competent to settle matters relating to the application of this Agreement.

MIXED COMMISSION

Article 19

The competent delegates of the Contracting Parties shall meet, when required, as a Mixed Commission for the purpose of ensuring the proper application of this Agreement and in order particularly ;

- To consider possible amendments to the annexes to the Agreement ;
- To decide how the permits are to be allocated ;
- To resolve all difficulties which may arise out of the operation of the Agreement ;
- To make adjustments, if necessary, to the permit forms ;
- To consider the use made by each country of the blank permit forms provided by the other country ;
- To decide on the information to be exchanged between the two countries for statistical purposes ;
- To avoid transport runs by empty vehicles, for reasons of economy, by arranging for co-operation between the professional organizations of carriers of the two countries ;

- To consider the action taken by each country with regard to infringements committed by its nationals in the territory of the other country and reported by the latter ;
- To consider, if necessary, applications for permits to organize passenger transport services.

The findings of the Mixed Commission shall be subject, if necessary, to the approval of the Government of each Contracting Party.

NATIONAL LEGISLATION

Article 20

National legislation concerning customs, road traffic, transport conditions and police shall remain unaffected.

ENTRY INTO FORCE AND VALIDITY

Article 21

This Agreement shall enter into force on the date of its signature for a term of one year.

It shall be extended automatically from year to year unless denounced by one of the Contracting Parties three months before the expiry of its term.

However, this Agreement shall be reviewed when negotiations are initiated between the Kingdom of Denmark on the one hand and the Benelux Economic Union on the other hand, concerning the transport of passengers and goods by road.

IN WITNESS WHEREOF the plenipotentiaries have signed this Agreement.

DONE at Copenhagen, on 4 February 1966.

For the Government of the Kingdom of Denmark :

Per HÆKKERUP

For the Government of the Kingdom of Belgium :

A. HOLVOET

ANNEX 1

KINGDOM OF DENMARK
MINISTRY OF PUBLIC WORKS

FIXED-TERM PERMIT

Permit No.....

for the international transport of goods by road.

This permit authorizes

.....
(Name and full address of carrier or firm)

to engage in international goods transport operations

between and

in transit through

using a single vehicle or a series of coupled vehicles.

This permit is valid from to

Restrictions (if any):

Issued at : on

GENERAL PROVISIONS

This permit must be carried in the vehicle and be produced to the authorities responsible for control at their request.

It entitles the holder to engage only in international goods transport operations. It is not valid for domestic transport.

It may not be transferred to a third person.

The carrier is required to comply, in the territory of each member State, with the laws, regulations and administrative rules in force in that State, particularly those pertaining to transport and traffic.

ANNEX 2

KINGDOM OF DENMARK
MINISTRY OF PUBLIC WORKS

ROUND-TRIP PERMIT

Number of round trips authorized.....

Permit No.

for the international transport of goods by road.

This permit authorizes

.....
(Name and full address of carrier or firm)

to engage in international goods transport operations
 between and
 in transit through
 using a single vehicle or series of coupled vehicles.
 This permit is valid from to
 Restrictions (if any):
 Issued at: on

GENERAL PROVISIONS

This permit, accompanied by the report mentioned below, must be carried in the vehicle and be produced to the authorities responsible for control at their request.

It entitles the holder to make only the specified number of journeys. It is not valid for domestic transport.

It may not be transferred to a third person.

The carrier is required to comply, in the territory of each member State, with the laws, regulations and administrative rules in force in that State, particularly those pertaining to transport and traffic.

This permit must be returned to the issuing authority within fifteen days after its expiry.

Before each transport operation the permit holder is required to complete the transport report provided for in the bilateral agreements.

The report must be sent in with this permit.