

No. 8352

**BELGIUM
and
SPAIN**

**Agreement concerning the road transport of passengers
and goods by commercial vehicle. Signed at Madrid,
on 19 July 1966**

Official texts : French, Dutch and Spanish.

Registered by Belgium on 1 October 1966.

**BELGIQUE
et
ESPAGNE**

**Accord sur le transport de voyageurs et de marchandises
par route, effectué au moyen de véhicules
commerciaux. Signé à Madrid, le 19 juillet 1966**

Textes officiels français, néerlandais et espagnol.

Enregistré par la Belgique le 1^{er} octobre 1966.

[TRANSLATION — TRADUCTION]

No. 8352. AGREEMENT¹ BETWEEN BELGIUM AND SPAIN CONCERNING THE ROAD TRANSPORT OF PASSENGERS AND GOODS BY COMMERCIAL VEHICLE. SIGNED AT MADRID, ON 19 JULY 1966

The Government of Belgium and the Government of Spain,
Desiring to regulate road transport by commercial vehicles between the two countries, as well as transit through their respective territories,
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 authorization shall be submitted at least one month 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.

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

Regular lines 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.

¹ Came into force on 1 October 1966, 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. Each application shall be accompanied by the necessary documentation (the proposed timetable, tariffs and route, stops and 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 the 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.

Occasional authorizations for the exit of unladen vehicles and for the entry of unladen breakdown vehicles shall be issued in a liberal manner. All other occasional applications for the entry of unladen vehicles shall be considered individually.

As a general rule, applications for the above-mentioned occasional authorizations shall be made through the competent authority of the country in which the vehicle is registered, except in urgent cases; in such cases, the competent authority of the other Contracting Party shall inform the competent authority of the country of registration forthwith of the decision taken on the application.

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, in accordance

with the recommendation on "Freedom of the Road", the vehicles carry the same passengers throughout a single journey, from the point of embarkation to their return to the same point.

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*".

Spanish carriers must be able to produce an international travel authorization issued by a regional director of land transport 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 specified in article 12 of this Agreement.

Article 8

The authorization shall be valid for one round-trip transport operation and for a period of two months.

Each authorization 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 authorization shall be personal and non-transferable.

Model authorization forms shall be decided upon by agreement.

Article 9

Authorization forms 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.

In the case of vehicles entering unladen, applications for authorization shall be submitted to the authorities of the country in which the vehicle is registered ; the said authorities shall transmit the applications to the authorities of the other Contracting Party, which shall consider them individually.

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, duly signed and stamped.

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 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 Spanish 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 ;
- (g) The transport of human remains by vehicles specially equipped for the purpose ;
- (h) The towing of disabled vehicles.

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.

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.

PENALTIES

Article 16

Without prejudice to the penal provisions in force in the country through which the vehicle is travelling, the authorization 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 Contracting Parties undertake to examine the possibility of concluding a convention concerning the tax treatment of motor vehicles employed in the transport of passengers and goods between and in transit through the territories of the two States.

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 authorizations are to be allocated ;

- To resolve all difficulties which may arise out of the application of the Agreement ;
- To make adjustments, if necessary, to the authorization forms ;
- To consider the use made by each country of the blank authorization 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 authorizations 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 1 October 1966 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 Benelux Economic Union on the one hand and Spain on the other hand, concerning the transport of passengers and goods by road.

IN WITNESS WHEREOF the plenipotentiaries have signed this Agreement.

DONE at Madrid, on 19 July 1966, in duplicate, in the French, Dutch and Spanish languages, both texts being equally authentic.

For the Belgian Government :
Baron BEYENS

For the Spanish Government :
F. CASTIELLA