

No. 9048

AUSTRIA
and
CZECHOSLOVAKIA

Agreement between the Federal Ministry of Commerce and Industry of the Republic of Austria and the Ministry of Transport of the Czechoslovak Socialist Republic concerning non-scheduled international passenger transport by motor-coach and the international transport of goods by road. Signed at Vienna, on 19 October 1967

Official texts : German and Czech.

Registered by Austria on 3 April 1968.

AUTRICHE
et
TCHÉCOSLOVAQUIE

Arrangement entre le Ministère fédéral du commerce et de l'industrie de la République d'Autriche et le Ministère des transports de la République socialiste tchécoslovaque concernant le transport international de passagers par autobus n'assurant pas des services réguliers et le transport international de marchandises par route. Signé à Vienne, le 19 octobre 1967

Textes officiels allemand et tchèque.

Enregistré par l'Autriche le 3 avril 1968.

[TRANSLATION — TRADUCTION]

No. 9048. AGREEMENT ¹BETWEEN THE FEDERAL MINISTRY OF COMMERCE AND INDUSTRY OF THE REPUBLIC OF AUSTRIA AND THE MINISTRY OF TRANSPORT OF THE CZECHOSLOVAK SOCIALIST REPUBLIC CONCERNING NON-SCHEDULED INTERNATIONAL PASSENGER TRANSPORT BY MOTOR-COACH AND THE INTERNATIONAL TRANSPORT OF GOODS BY ROAD. SIGNED AT VIENNA, ON 19 OCTOBER 1967

The Federal Ministry of Commerce and Industry of the Republic of Austria and the Ministry of Transport of the Czechoslovak Socialist Republic, desiring to regulate non-scheduled international passenger transport by motor-coach and the international transport of goods by road between the two States, have agreed as follows :

SECTION I

NON-SCHEDULED PASSENGER TRANSPORT BY MOTOR-COACH

Article 1

No authorization shall be required for non-scheduled passenger transport by motor-coach, 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 (transport in a closed vehicle) ;
- (b) On journeys for which the starting point is in the territory of the State in which the vehicle is registered and the destination is in the territory of the other State, on condition that the vehicle returns empty to the State in which the journey began.

Article 2

1. Other non-scheduled passenger transport operations by motor-coach not referred to in article 1 shall require an authorization from the competent authorities.

¹ Came into force on 1 January 1968, in accordance with article 17 (1).

2. Authorizations granted to an enterprise shall be issued by the competent authorities of the State in which the vehicle is registered, within the limits of quotas agreed upon by 30 November of each year for the following year.

3. Authorizations shall be issued to the enterprises of each State by the competent authorities of that State through the use of forms furnished by the competent authorities of the other State. To that end, the competent authorities of the two States shall exchange the necessary authorization forms.

Article 3

The conveyance of passengers between two places in the territory of the other State shall be prohibited.

Article 4

1. For transport operations conforming to the provisions of article 1 of this Agreement a document shall be carried which must contain at least the following particulars :

- (a) The name (firm name) and head office of the enterprise ;
- (b) The registration number of the motor-coach ;
- (c) The given name and surname of the driver ;
- (d) The itinerary (indicating the frontier crossing points and the principal places traversed) ;
- (e) A list of the passengers' names ;
- (f) The starting point and terminus of the journey.

2. The model for the said document shall be agreed upon separately.

SECTION II

TRANSPORT OF GOODS BY ROAD

Article 5

1. For international goods transport operations by road between the two States effected by motor vehicle and for transit operations and transport operations to and from third countries, enterprises shall require an authorization.

2. For journeys made by empty vehicles no authorization shall be necessary.

Article 6

Authorizations for the following transport operations shall be issued without limit and without being charged against the quotas :

- (a) The occasional transport of goods to and from airports when air services are diverted ;
- (b) The transport of baggage in vehicles of any kind to and from airports ;
- (c) The transport of mail ;
- (d) The transport of damaged vehicles ;
- (e) The transport of refuse and sewage ;
- (f) The transport of animal carcasses ;
- (g) The transport of bees and fish fry ;
- (h) The transport of human remains ;
- (i) The transport of household goods on removal ;
- (j) The transport of goods and equipment for fairs and exhibitions ;
- (k) The transport of racehorses, racing cars and other sports equipment intended for sports events ;
- (l) The transport of stage scenery and properties ;
- (m) The transport of musical instruments and of articles and equipment for radio and television recording and cinematograph film-making.

The exceptions specified in sub-paragraphs (j), (k), (l) and (m) shall apply only if the goods carried are to be transported back to the territory of the State in which the vehicle is registered or are to be transported to the territory of a third country.

Article 7

1. Authorizations shall be valid only for the enterprise concerned and shall entitle it to carry out transport operations using a motor vehicle or a truck-trailer combination.

2. Authorizations shall be issued for an unlimited period of time ; they may also be granted for single journeys.

3. Authorizations shall entitle the holders to carry out transport operations between the two States in both directions and transit operations in both directions. They shall also entitle the holders to carry out transport operations in which goods are carried between a third country and the other State and in which the vehicle passes through the territory of the State in which it is registered.

4. Authorizations shall be carried on journeys in the territory of the other State and shall be produced at the request of the inspecting authorities.

Article 8

1. Authorizations shall be issued by the competent authorities of the State in which the vehicle is registered, within the limits of quotas agreed upon by 30 November of each year for the following year.

2. Authorizations shall be issued to the enterprises of each State by the competent authorities of that State through the use of forms furnished by the competent authorities of the other State. To that end, the competent authorities of the two States shall exchange the necessary authorization forms.

Article 9

1. Where use is made of motor vehicles whose dimensions and weight are greater than is permissible under the regulations of the other State, application for a special authorization shall be made to the competent authorities of the other State.

2. Where dangerous goods are to be transported and a special authorization is required for the purpose under the national regulations of one of the two States, application for such authorization shall be made to the competent authorities of the other State.

Article 10

1. The transport of goods between two places in the territory of the other State shall be prohibited.

2. The transport of goods between the other State and a third country by a route which does not pass through the territory of the State in which the vehicle is registered shall be permitted only on the basis of a special authorization granted by the competent authorities of the other State.

SECTION III

GENERAL PROVISIONS

Article 11

Transport operations under the terms of this Agreement may be carried out in the territory of the other State only by enterprises which, under the national regulations in force, are entitled to engage in such activities.

Article 12

Authorizations over and above the quotas agreed upon pursuant to articles 2 and 8 of this Agreement shall be granted in accordance with the national regulations in force.

Article 13

The national regulations of the two States, particularly those relating to customs, road traffic and motor vehicles and also the regulations governing the procedure for collecting duties and other taxes, shall not be affected by this Agreement.

Article 14

The competent authorities of the two States shall reach agreement on the exchange of statistical information and documentation concerning transport operations carried out under the terms of this Agreement.

Article 15

The competent authorities of the two States shall ensure that the provisions of this Agreement are respected by holders of authorizations and shall exchange reports on the findings made and on any proposed penalties. Such penalties may consist in the temporary or permanent suspension of the issue of further authorizations to enterprises responsible for violations of the said provisions. After being consulted by the authority of the other country, the authority which issued the authorization shall apply the proposed penalty in accordance with its own legislation.

Article 16

Representatives of the Contracting Parties shall meet at least once a year to consider all questions arising out of the application of this Agreement and shall at all times maintain direct contact with each other.

Article 17

1. This Agreement shall enter into force on 1 January 1968.
2. This Agreement is concluded for an indefinite period of time. It may be denounced in writing by either of the two Contracting Parties not later than three months before the end of any calendar year with effect at the end of the year ; subject to the same period of notice, proposals may also be made for amendments to the Agreement.

3. This Agreement has been drawn up in the German and Czech languages ; both texts are authentic.

DONE at Vienna, on 19 October 1967.

For the Federal Ministry of Commerce and Industry
of the Republic of Austria :

Dr. Walther HABEL

For the Ministry of Transport of the Czechoslovak
Socialist Republic :

DYKAST
