

No. 9231

DENMARK
and
ROMANIA

Agreement concerning the international transport of goods by road (with annex and exchange of letters). Signed at Bucharest, on 29 August 1967

Official text: French.

Registered by Denmark on 12 September 1968.

DANEMARK
et
ROUMANIE

Accord concernant les transports internationaux routiers de marchandises (avec annexe et échange de lettres). Signé à Bucarest, le 29 août 1967

Texte officiel français.

Enregistré par le Danemark le 12 septembre 1968.

[TRANSLATION — TRADUCTION]

No. 9231. AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE KINGDOM OF DENMARK AND THE GOVERNMENT OF THE SOCIALIST REPUBLIC OF ROMANIA CONCERNING THE INTERNATIONAL TRANSPORT OF GOODS BY ROAD. DONE AT BUCHAREST, ON 29 AUGUST 1967

The Government of the Kingdom of Denmark and the Government of the Socialist Republic of Romania, desiring to regulate the transport of goods by road between the two countries and in transit through their respective territories,

Have agreed as follows :

TRANSPORT REQUIRING AUTHORIZATION

Article 1

Transport enterprises which are constituted and have their head offices in the territory of one Contracting Party may carry out goods transport operations by means of road vehicles between the territories of the two Contracting Parties or in transit through the territory of the other Contracting Party, in accordance with the conditions laid down in this Agreement.

Article 2

All transport of goods by road between or in transit through the territories of the two Contracting Parties, with the exception of the transport operations specified in article 6 of this Agreement, shall require a permit.

The competent authorities of the Contracting Parties shall transmit to each other, by 1 December of each year, the transport permits which they require for the following year.

If the number of permits transmitted should prove insufficient, additional permits shall be granted.

Article 3

The blank permit forms which the competent authorities of the Contracting Parties shall transmit to each other shall be issued to the transport enterprises

¹ Came into force on 10 April 1968, the date of the reciprocal communication of its approval by the two Governments, in accordance with article 19.

specified in article 1 of this Agreement by the competent authorities of the country of registration of the road vehicle.

Permits shall be of two types :

- (a) "Time permits", valid for a period not exceeding one year;
- (b) "Journey permits", valid for one transport operation and for a limited period.

Permits shall be non-transferable.

The transport permit shall confer the right to use a road vehicle with or without a trailer.

The carrier may take on a return load originating in the territory of the other Contracting Party and destined for the country in which the road vehicle is registered.

Article 4

The transport permit, a specimen of which is set out in annex 1 to this Agreement, must be carried in the road vehicles of each Contracting Party in the territory of the other Contracting Party and shall be produced at the request of the competent authorities of the latter Party.

Article 5

Transport enterprises of one Contracting Party may not carry out goods transport operations between two points within the territory of the other Contracting Party, i.e. transport operations beginning and ending in that territory.

Transport enterprises may not carry out goods transport operations between the territory of the other Contracting Party and that of a third State unless they have obtained the consent of the competent authorities of the other Contracting Party.

TRANSPORT NOT REQUIRING AUTHORIZATION

Article 6

The following shall be exempt from authorization :

(a) Transport operations on own account. However, except in the case of transit operations, such transport operations may be carried out only if they are provided for in commercial contracts;

(b) The transport of human remains by specially equipped road vehicles in accordance with health regulations;

(c) The removal of household effects;

- (d) The transport of articles intended for fairs or exhibitions;
- (e) The transport of animals, vehicles or sports requisites intended for sporting events;
- (f) The transport of stage scenery and stage properties;
- (g) The transport of musical instruments and equipment for radio, cinema or television recordings;
- (h) Break-down services for vehicles.

The transport operations referred to in sub-paragraphs (d), (e), (f) and (g) shall be exempt from transport authorization only if the animals or articles are returned to the country where the vehicle is registered.

FUEL AND SPARE PARTS

Article 7

The fuel contained in the tanks of road vehicles as provided for by the manufacturer for the type of road vehicle in question shall be exempt from customs duties and all other charges.

The same exemption shall apply to spare parts temporarily imported for necessary repairs to road vehicles imported previously and temporarily into the territory of the other Contracting Party.

Replaced parts shall be re-exported or destroyed under the supervision of the customs authorities.

PROCEDURE FOR THE EXCHANGE OF DOCUMENTS

Article 8

The competent authorities of the Contracting Parties shall by mutual agreement establish the procedures for the exchange of documents.

CUSTOMS

Article 9

The transport of goods by road vehicles shall be carried out on the basis of a consignment note.

Article 10

The international transport of goods by road in pursuance of this Agreement shall be subject to the provisions of the Customs Convention on the international transport of goods under cover of TIR carnets (TIR Convention, concluded at Geneva on 15 January 1959).¹

¹ United Nations, *Treaty Series*, Vol. 348, p. 13; Vol. 481, p. 598 (Amendment 1), and Vol. 566, p. 356 (Amendment 2).

PENALTIES

Article 11

In the event of an infringement of the provisions of this Agreement committed in the territory of one Contracting Party, the competent authorities of the country in which the road vehicle is registered shall, at the request of the competent authorities of the other Contracting Party, impose on the offender one of the following penalties :

- (a) A simple warning;
- (b) A warning that repetition of the infringement will entail application of the measure provided for in paragraph (c) of this article;
- (c) Suspension or revocation of the right to carry out transport operations in the territory of the country in which the infringement occurred.

The authorities imposing a penalty shall so inform the requesting authorities.

EXEMPTION FROM TAXES

Article 12

Goods transport operations carried out in pursuance of this Agreement shall be exempt, on a basis of reciprocity, in the territory of both Contracting Parties from all charges and taxes, whatever their nature, for the use of roads.

This exemption shall apply to charges for the issue of transport permits and to other charges or taxes relating to the execution of transport operations in the territory of the other Contracting Party.

If either of the Contracting Parties considers that new laws or regulations introduced in the territory of the other Contracting Party affect the terms on which the said Party accepted the present article, that Party may request the revision of the contents of this article by negotiation.

COMPETENT AUTHORITIES

Article 13

The Contracting Parties shall communicate to one another the names of the competent authorities for the purpose of the application of this Agreement. These authorities shall maintain direct contact with each other.

CERTIFICATE OF REGISTRATION AND DRIVING PERMIT

Article 14

The drivers of road vehicles shall be in possession of national or international driving permits and national certificates of registration for the road vehicles in question.

VISAS

Article 15

The road vehicle crews of each Contracting Party shall be in possession of a passport with a visa issued by the competent authorities of the other Contracting Party, valid either for one trip, or for an unlimited number of trips for a period of not less than three months and not more than one year.

NATIONAL LEGISLATION

Article 16

Save as otherwise provided in this Agreement, the national legislation of the two Contracting Parties shall remain applicable.

Article 17

Where penalties are imposed in the territory of one Contracting Party on the crew of a road vehicle of the other Contracting Party, the competent authorities of the latter shall be notified thereof.

Article 18

Any differences which may arise concerning the interpretation or application of this Agreement and which are not settled directly by the competent authorities of the Contracting Parties referred to in article 13 of this Agreement, shall be submitted to the respective Governments through the diplomatic channel.

ENTRY INTO FORCE AND VALIDITY

Article 19

This Agreement shall be submitted for approval by the two Governments and shall enter into force on the date on which they notify each other that it has been put into effect.

The Agreement shall remain in force for a term of one year from the date of its entry into force and shall be extended automatically from year to year, unless denounced by one of the Contracting Parties not less than three months before the expiry of the current term.

DONE at Bucharest on 29 August 1967, in duplicate in the French language.

For the Government
of the Kingdom of Denmark :

S. SANDAGER JEPPESEN

For the Government
of the Socialist Republic of Romania :

STERE

ANNEX I

KINGDOM OF DENMARK
MINISTRY OF PUBLIC WORKS

Permit No.

For the international transport of goods by road

To and through Denmark from to 19

By means of Romanian truck registration No.

Make

Maximum carrying capacity..... total weight.....

.....

owner (proprietor) of the motor vehicle

.....

address

EXCHANGE OF LETTERS

I

Bucharest, 29 August 1967

Sir,

I have the honour to refer to the Agreement concluded today between the Government of the Kingdom of Denmark and the Government of the Socialist Republic of Romania concerning the international transport of goods by road, the first and second paragraphs of article 12 of which are worded as follows :

“Goods transport operations carried out in pursuance of this Agreement shall be exempt, on a basis of reciprocity, in the territory of both Contracting Parties from all charges and taxes, whatever their nature, for the use of roads.

“This exemption shall apply to charges for the issue of transport permits and to other charges or taxes relating to the execution of transport operations in the territory of the other Contracting Party.”

The Parties to the Agreement having agreed that exemption under this provision applies only to charges and taxes levied specifically for the use of roads, but not to customs duties or to ordinary consumer taxes (even if these, like, for

example, a portion of the Danish tax on gasoline, are intended for road purposes), I should be glad if you would confirm that the authorities of the Socialist Republic of Romania are in agreement with the foregoing.

Accept, Sir, the assurances of my highest consideration.

S. SANDAGER JEPPESEN

II

Bucharest, 29 August 1967

Sir,

I have the honour to acknowledge receipt of your letter of today's date, reading as follows :

[*See letter I*]

In reply, I have the honour to confirm that the authorities of the Socialist Republic of Romania are in agreement with the foregoing.

Accept, Sir, etc.

STERE