

No. 11283

FRANCE
and
YUGOSLAVIA

Agreement concerning international road transport (with additional protocol). Signed at Belgrade on 17 October 1964

Agreement amending the above-mentioned Agreement. Signed at Paris on 21 December 1970

Authentic texts: French and Serbo-Croatian.

Registered by France on 9 August 1971.

FRANCE
et
YUGOSLAVIE

Accord relatif aux transports internationaux par route (avec protocole annexe). Signé à Belgrade le 17 octobre 1964

Avenant à l'Accord susmentionné. Signé à Paris le 21 décembre 1970

Textes authentiques: français et serbo-croate.

Enregistrés par la France le 9 août 1971.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE FRENCH REPUBLIC AND
THE SOCIALIST FEDERAL REPUBLIC OF YUGOSLAVIA
CONCERNING INTERNATIONAL ROAD TRANSPORT

The Government of the French Republic and the Government of the Socialist Republic of Yugoslavia,

Desiring to regulate the transport of passengers and goods by commercial motor vehicles between the two countries and in transit through their territory,

Have agreed as follows:

I. PASSENGER TRANSPORT

TRANSPORT FOR WHICH AN AUTHORIZATION IS REQUIRED

Article 1

An authorization shall be required for all passenger transport between the two countries or in transit through their territory carried out by means of vehicles with a seating capacity of more than eight persons, excluding the driver, with the exception of the transport operations mentioned in article 6.

Article 2

Except in urgent cases, applications for authorizations shall be submitted two months before the service is due to begin.

REGULAR SERVICES

Article 3

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

¹ Came into force on 1 July 1965, the date appointed by an exchange of letters between the Contracting Parties, in accordance with article 21.

Such services shall require special authorizations granted on a reciprocal basis, except as otherwise decided, by the competent authorities of each Contracting Party for the portion of the journey within its territory.

The competent authorities of the Contracting Parties shall jointly determine the conditions governing special authorizations, particularly with regard to their period of validity and the scale of charges to be applied.

Article 4

Applications for special authorizations 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 (proposed time-table, fares and itinerary, particulars of the length of time for which the service is to operate during the year and of the date on which it is proposed to begin the service). The competent authorities of the Contracting Parties may also request such further particulars as they deem appropriate.

The competent authorities of each Contracting Party shall transmit applications accepted by them to the competent authorities of the other Contracting Party, together with any documentation required. The service shall be finally approved when the competent authorities of the other Contracting Party have notified their consent.

OTHER SERVICES FOR WHICH AN AUTHORIZATION IS REQUIRED

Article 5

Shuttle services, organized tours allowing a break in the journey, and in general any service other than those mentioned in article 6 shall require authorizations 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 their approval.

TRANSPORT FOR WHICH AN AUTHORIZATION IS NOT REQUIRED

Article 6

Prior authorization as specified in article 1 above shall not be required for occasional tourist transport operations which fulfil all the following conditions:

(a) The transport operation is effected on a "closed door" basis, i.e. the

vehicle must carry the same group of passengers throughout the journey and must return to the starting-point without having picked up or set down any passengers on the way.

- (b) The transport operation must not take place at night and the daily stages must not exceed 500 kilometres.

A declaration, the details of which shall be agreed upon jointly by the administrative authorities of the two countries, shall be required for occasional transport operations fulfilling these conditions.

The declaration shall be made out by the carrier. It shall be carried on board the vehicle and shall be produced whenever required by inspection officials. It shall be stamped and retained by the customs authorities of the other country, in accordance with the instructions appearing on the document.

II. GOODS TRANSPORT

Article 7

An authorization shall be required for all goods transport between the two countries or in transit through their territory.

Article 8

Authorizations shall be of several types:

1. Single-journey authorizations, valid for one journey out and back only, to be completed within one month from the date of issue.
2. Temporary authorizations in the form of counterfoil books called way-bill books (*carnets de feuilles de route, karneti putnih lista*) valid for 10 or 20 journeys and for periods of up to three months.

There shall be three models for each of these types of authorization, corresponding to the categories of transport operation defined in article 10 below.

An authorization shall entitle the carrier to take on a return load on departure from the territory of the other Contracting Party on completion of one of the transport operations mentioned in article 7.

Authorizations and way-bills shall be stamped by the customs authorities on entry into and departure from the country in which they are valid; they shall be returned by the carrier to the authority which issued them.

Article 9

Each authority shall issue authorizations to its own nationals on

forms provided by the authority of the other country within annual quota limits to be agreed upon on a reciprocal basis.

The authorities of the two countries shall exchange the necessary signed blank forms for this purpose.

Article 10

The annual quotas mentioned in article 9 above shall include:

(a) Quotas valid for short-distance transport operations in the territory of either country, namely:

In French territory:

— Transport operations on routes lying entirely within a zone made up of all the short-distance zones of the following 11 departments: Alpes-Maritimes, Basses-Alpes, Hautes-Alpes, Savoie, Haute-Savoie, Ain, Jura, Doubs, Territoire-de-Belfort, Haut-Rhin, Bas-Rhin.

In Yugoslav territory:

— Transport operations on routes lying entirely within a zone extending south-east to the line: Karlobag, Bihac, Novska and Virovitica (and including all those places).

(b) Quotas valid for long-distance transport operations in the territory of both countries, i.e. those effected beyond the limits specified in subparagraph (a) above;

(c) Quotas valid for transport operations effected in transit through the territory of either country.

Article 11

Carriers domiciled in the territory of one Contracting Party shall not be authorized to carry goods from the territory of the other Contracting Party to a third country without the consent of the competent authorities of the other Contracting Party.

Article 12

Authorizations issued for the following transport operations shall not be charged against the quotas mentioned in article 10 above and shall be issued liberally by the two authorities:

(a) The removal of household effects by enterprises specially staffed and equipped for that purpose;

(b) The transport of articles intended for fairs, exhibitions and displays;

- (c) The transport of racehorses, racing-cars and other sports equipment to sporting events;
- (d) The transport of theatrical scenery and properties;
- (e) The transport of musical instruments and of equipment for radio recordings and cinematographic and television productions.

However, authorization shall not be waived for the transport operations mentioned in subparagraphs (b), (c), (d) and (e) unless the animals or articles are subsequently returned to the country in which the vehicle is registered.

III. GENERAL PROVISIONS

DOMESTIC TRANSPORT

Article 13

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

PROCEDURE FOR THE EXCHANGE OF DOCUMENTS

Article 14

The competent authorities of the Contracting Parties shall establish jointly procedures for the exchange of the documents required and of statistical data.

PENALTIES

Article 15

If the provisions of this Agreement are violated in the territory of one of the Contracting Parties, the competent authorities of the country in which the vehicle is registered shall, at the request of the competent authorities of the other Contracting Party, apply one of the following penalties:

- (a) A simple warning;
- (b) A warning that if the offence is repeated, the measure provided for in subparagraph (c) of this article will be applied;
- (c) Suspension or revocation of the right to carry out transport operations in the territory of the country where the offence occurred.

The authorities applying the penalty shall inform the requesting authorities of the action taken.

TRANSFERS

Article 16

Payments due in fulfilment of obligations arising from the provisions of this Agreement shall be made in accordance with the payments agreement in force between the two countries.

EXEMPTION FROM TAXES AND CHARGES

Article 17

Enterprises using vehicles registered in the State of one Contracting Party to carry out transport operations covered by this Agreement in the territory of the other Contracting Party shall enjoy the reductions in charges and taxes specified in the additional Protocol.

COMPETENT AUTHORITIES

Article 18

Each Contracting Party shall notify the other Contracting Party of the competent authorities authorized to deal with matters relating to the implementation of this Agreement.

MIXED COMMISSION

Article 19

At the request of either Contracting Party a mixed commission consisting of delegates of the two Governments shall be set up to deal with matters specified beforehand by the competent authorities of the two countries and with matters that have not been settled by direct agreement between those authorities.

The conclusions of the mixed commission shall be subject to approval by the two Governments.

NATIONAL LEGISLATION

Article 20

National legislation relating to customs, road traffic and police shall continue to apply.

ENTRY INTO FORCE AND VALIDITY

Article 21

This Agreement shall be validated in accordance with the procedures used in each of the two countries. Its date of entry into force shall be established by an exchange of letters between the Contracting Parties.

It shall be valid for one year from the date of its entry into force and shall be extended automatically from year to year unless denounced by either Contracting Party three months before the expiry of the current term.

DONE AT Belgrade, on 17 October 1964, in the French and Serbo-Croatian languages, both texts being authentic.

For the Government
of the French Republic:

[Signed]
J. ARTAUD-MACARI

For the Government
of the Socialist Federal
Republic of Yugoslavia:

[Signed]
A. KACJAN

ADDITIONAL PROTOCOL

TO THE AGREEMENT OF 17 OCTOBER 1964 BETWEEN FRANCE AND YUGOSLAVIA CONCERNING ROAD TRANSPORT BETWEEN THE TWO COUNTRIES

The following procedures shall be instituted for the purpose of implementing the Agreement:

I. In respect of article 8

(a) Single-journey authorizations and way-bill books shall be printed in French and Serbo-Croatian.

(b) The single-journey authorizations exchanged shall be numbered and shall bear the stamp of the authority providing them, and the latest date on which they may be issued.

(c) The three-month way-bill books exchanged shall be numbered; they shall bear on the cover the stamp of the authority providing them. The issuing

authority shall number each bill and its counterfoil (book number and way-bill number). If the number of journeys authorized is less than the number of bills in the book (10 or 20), the excess bills and their counterfoils shall be cancelled with a diagonal cross.

(d) The information to be provided on single-journey authorizations and on the covers of way-bill books shall be filled in by the issuing authority in conditions to be agreed upon by the representatives of the two authorities.

(e) The single-journey authorization or the three-month way-bill book shall be carried on board the vehicle throughout the journey in foreign territory. The way-bill, duly completed by the carrier, shall remain attached to its counterfoil.

(f) When the goods transport operation is carried out under a temporary authorization, the way-bill and the corresponding counterfoil shall be date-stamped by the customs authorities on both entry and exit.

II. *In respect of articles 8, 9 and 10*

(a) The annual number of journeys out and back which carriers from either country are permitted to make in the territory of the other country shall be established as follows:

- short-distance zone: 250 journeys
- long-distance zone: 150 journeys
- transit: 20 journeys

These journeys may, of course, be made only in so far as the countries through which they pass have authorized transit through their territory.

(b) The three-month way-bill books shall be used to meet needs of a permanent or regular nature.

(c) The two authorities shall exchange the necessary printed forms annually.

III. *In respect of article 14*

Every three months the two authorities shall send each other a statement of the single-journey authorizations and three-month books issued by them during the three-month period for goods transport operations and of the number of journeys actually made. The statement shall contain the following particulars for each zone (short-distance, long-distance) and for transit traffic:

- The numbers of the first and last single-journey authorizations of each category issued and the number of journeys authorized;
- The numbers of the first and last three-month books issued and the total number of journeys authorized;
- If applicable, the number of cancelled or unused authorizations or books;
- The number of journeys actually made.

Each year the two delegations shall return to each other single-journey authorizations whose validity has expired.

IV. *In respect of article 17*

The reductions provided for shall be determined on the following basis:

(a) In French territory, Yugoslav carriers shall be exempted from payment of the general tax instituted by article 17 of Act No. 56.780 of 4 August 1956 and from payment of 50 per cent of the surtax instituted by the same article;

(b) In Yugoslav territory, French carriers shall be exempted from payment of all taxes on transport operations carried out within the zone defined in article 10 (a) of the Agreement; for transport operations effected outside this zone, they shall pay a tax based on a rate corresponding to that levied in French territory and on the provisions of paragraph (a) above.

The two Parties have agreed that, as of the date of this Agreement, the rate meeting the conditions of paragraph (b) above shall be 190 dinars per day per metric ton or fraction of a ton of the portion of the total authorized load exceeding 6 metric tons.

In the event of a change in all or any of the factors used to determine this rate, the Mixed Commission provided for in article 19 of the Agreement shall meet to determine the new rate to be applied.

For the delegation of France:

[Signed]
J. ARTAUD-MACARI

For the delegation of Yugoslavia:

[Signed]
A. KACJAN

AGREEMENT¹ AMENDING THE AGREEMENT BETWEEN
THE FRENCH REPUBLIC AND THE SOCIALIST
FEDERAL REPUBLIC OF YUGOSLAVIA CONCERNING
INTERNATIONAL ROAD TRANSPORT²

Article 1

The Government of the French Republic and the Government of the Socialist Federal Republic of Yugoslavia have agreed to amend as follows the Road Transport Agreement between the French Republic and the Socialist Federal Republic of Yugoslavia signed at Belgrade on 17 October 1964:²

Article 8 shall be deleted.

Article 9 shall be replaced by the following provisions:

“(a) Authorizations shall be valid for one journey only. They shall be issued to enterprises by the competent authorities of the country in which the vehicles belonging to the said enterprises are registered, within quota limits established annually by agreement between the competent authorities of the two States; they shall entitle carriers to take on a return load of goods.

“(b) The competent authorities of each Contracting Party may impose on carriers subject to their authority an obligation to prepare a report on each journey made.

“These reports shall be stamped by the customs authorities.”

Article 10 shall be replaced by the following provisions:

“Authorizations shall be printed in the languages of the two Contracting Parties in conformity with models to be agreed upon jointly by the competent authorities of the two Contracting Parties.

“Those authorities shall send each other as many blank authorizations as are required to carry out the transport operations covered by this Agreement.”

Article 12 shall be replaced by the following provisions:

“Authorizations issued for the following transport operations shall not be charged against the quotas mentioned in article 9 above and shall be issued liberally by the two authorities:

¹ Came into force on 21 December 1970 by signature, in accordance with article 2.

² See p. 140 of this volume.

- “(a) Funeral transport operations using vehicles specially equipped for the purpose;
- “(b) The removal of household effects;
- “(c) The transport of articles intended for fairs or exhibitions;
- “(d) The transport of equipment, properties and animals to and from theatrical, musical and cinematographic presentations, sports events, circuses and fairs, and the transport of equipment, properties and animals for use in radio, cinematographic and television productions;
- “(e) Towing and breakdown operations and the transport of damaged vehicles.”

Article 17 shall be replaced by the following provisions:

“Enterprises carrying out transport operations covered by this Agreement shall pay the taxes levied in the territory of the other Contracting Party for transport operations carried out in that territory, in accordance with the conditions specified in the Additional Protocol to this Agreement.”

Article 2

This Agreement shall enter into force on a date to be agreed upon jointly by the two Governments.

DONE in Paris, on 21 December 1970, in the French and Serbo-Croatian languages, both texts being authentic.

For the Government
of the French Republic:

J. GABARRA

For the Government
of the Socialist Federal Republic
of Yugoslavia:

IVO VEJVODA