

**No. 11290**

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**FRANCE  
and  
BELGIUM**

**Agreement on the transport of goods by road (with annexed protocol). Signed at Brussels on 15 February 1971**

*Authentic text: French.*

*Registered by France on 9 August 1971.*

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**FRANCE  
et  
BELGIQUE**

**Accord sur les transports routiers de marchandises (avec protocole annexé). Signé à Bruxelles le 15 février 1971**

*Texte authentique: français.*

*Enregistré par la France le 9 août 1971.*

[TRANSLATION — TRADUCTION]

## AGREEMENT<sup>1</sup> BETWEEN FRANCE AND BELGIUM ON THE TRANSPORT OF GOODS BY ROAD

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The Government of the French Republic and the Government of the Kingdom of Belgium, desiring to develop the transport of passengers and goods by road between France and Belgium by means of commercial vehicles, and in transit through their respective territory, have agreed as follows:

### *Article 1*

This Agreement shall apply to international goods traffic, that is to say, to transport operations between France and Belgium or vice versa carried out by means of motor vehicles registered in one of the Contracting Countries, and to traffic in transit through the territory of one of the Contracting Countries by a motor vehicle registered in the other Contracting Country.

It shall not apply to:

- Internal transport operations performed by a carrier of one country in the territory of the other country, which are and shall remain subject to the provisions of the national regulations;
- Transport operations between the territory of one of the Contracting Countries and a third country by carriers of the other Contracting Country, unless such transport operations are normally carried out in transit through the country of registration of the vehicle.

### *Article 2*

The transport operations referred to in the first paragraph of article 1 shall require prior authorization.

Notwithstanding, authorization shall not be required for:

- (a) Transport operations across the frontier carried out within a zone extending 25 km. in a straight line on each side of the frontier, provided

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<sup>1</sup> Came into force on 15 April 1971, the date agreed upon by the two Governments after completion of the requisite constitutional procedures, in accordance with article 14.

- that the total distance over which the goods are carried does not exceed 50 km. in a straight line;
- (b) The occasional transport of goods to and from airports, in the event of rerouting of air services;
  - (c) The transport of luggage by trailers attached to vehicles intended for passenger transport, and the transport of luggage by all types of vehicle to and from airports;
  - (d) Postal transport operations;
  - (e) The entry of breakdown and towing vehicles, and the transport of damaged vehicles;
  - (f) The transport of refuse;
  - (g) The transport of animal carcasses for flaying;
  - (h) The transport of bees and fish fry;
  - (i) Funeral transport operations.

Moreover, authorization shall not be required for the transport of goods:

By means of vehicles constructed exclusively for the transport of passengers;

By means of vehicles having a carrying capacity of less than 500 kg..

### Article 3

Transport authorizations shall be issued to carriers by the competent authorities of the country of registration of the vehicles by means of which the transport operations are carried out, and, where applicable, within the limits of the quotas agreed upon annually by the Contracting Parties.

### Article 4

1. The quotas referred to in article 3 shall distinguish between:

(a) Quotas applicable to transport operations carried out by Belgian carriers to or from the short-distance zone in French territory, as defined in the Protocol annexed to his Agreement;

(b) Quotas applicable to transport operations carried out by Belgian carriers to or from the long-distance zone in French territory, that is to say, to transport operations carried out beyond the short-distance zone defined in paragraph (a) above;

(c) Quotas applicable to transport operations carried out on account

of other persons by French carriers to or from all Belgian territory beyond the 25 km. frontier zone;

(d) Quotas applicable to transport operations carried out by Belgian carriers in transit through France.

2. The following shall require authorization, but shall not be subject to quota:

(a) Transport operations from one of the two countries to the frontier zone of the other country extending for a distance of 25 km. in a straight line from the common frontier;

(b) The transport of goods by means of motor vehicles whose total laden weight (including trailers) does not exceed six tons;

(c) The transport of *objets d'art* and works of art intended for exhibitions or for commercial purposes;

(d) The occasional transport of articles and material intended exclusively for publicity or information purposes;

(e) Furniture removals carried out by enterprises employing specialized staff and equipment;

(f) 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.

#### Article 5

The authorizations, which shall conform to the models annexed to the directive of 13 May 1965 of the Council of Ministers of the European Economic Community concerning the standardization of certain rules relating to authorizations for the road transport of goods between member States, shall be of two types:

(a) Long-term authorizations, which shall be valid for an indefinite number of journeys and for a period of one year;

(b) Short-term authorizations, which shall be valid for one or several journeys and for a period of two months.

#### Article 6

Transport authorizations shall be accompanied by a log-book or a way-bill. These documents, after being duly completed by the holder of the authorization or his agent, shall be stamped by the customs authorities.

*Article 7*

Authorizations shall be personal and non-transferable. They shall be returned to the issuing authority after use or upon expiry of their period of validity if unused.

No fee of any kind may be charged in respect of the issue of an authorization.

*Article 8*

Holders of authorizations and their personnel shall be required to comply with the regulations in force in the territory traversed in respect of transport operations, road traffic, the customs authorities and the police; the transport operations they carry out shall conform to the description in the authorization; the latter shall be carried on board the vehicle and shall be produced whenever required by inspection officials.

*Article 9*

The two administrations shall send each other at regular intervals a statement of the authorizations issued; they shall exchange the statistical information obtained from the authorizations issued.

*Article 10*

The two administrations shall ensure that holders of authorizations comply with the provisions of the Agreement and shall send each other a list of the violations noted and the penalties proposed.

Such penalties may include the temporary or permanent suspension of the issue of further authorizations to the contravening enterprise.

The administration which issued the authorization shall, after having been consulted by the administration of the country visited, pronounce the suspension of issue if such penalty is requested of it.

*Article 11*

Enterprises engaged in transport operations covered by this Agreement shall, in respect of transport operations carried out in the territory of the other Contracting Party, pay the taxes levied in that territory, under the conditions established in the Protocol referred to in article 13 of this Agreement.

*Article 12*

The two Contracting Parties shall establish a Mixed Commission for the purpose of ensuring the proper implementation of the provisions of this Agreement.

The said Commission shall meet at the request of either Contracting Party, alternately in the territory of each Contracting Party.

*Article 13*

The Contracting Parties shall determine the procedures for the application of this Agreement in a Protocol signed at the same time as the Agreement. The Mixed Commission established under article 12 of this Agreement shall be competent to make any necessary amendment to the said Protocol. Any amendment shall be confirmed by an exchange of diplomatic notes.

*Article 14*

This Agreement, which renders void and supersedes the previous Agreement of 21 March 1952<sup>1</sup> and the fiscal measures previously established by the Contracting Parties in respect of vehicles used for the transport of goods, shall enter into force on a date agreed upon by the two Governments after the completion of the requisite constitutional procedures.

Either Contracting Party may denounce this Agreement on notice of not less than ninety days.

IN WITNESS WHEREOF, the undersigned, duly authorized for that purpose, have signed this Agreement.

DONE at Brussels on 15 February 1971 in duplicate in the French language.

For the Government  
of the French Republic:

[Signed]  
G. DE JUNIAC

For the Government  
of the Kingdom of Belgium:

[Signed]  
P. HARMEL

<sup>1</sup> United Nations, *Treaty Series*, vol. 137, p. 249, and p. 352 of this volume.

PROTOCOL ANNEXED TO THE AGREEMENT BETWEEN FRANCE AND  
BELGIUM ON THE TRANSPORT OF GOODS BY ROAD

For the purpose of applying the Agreement between France and Belgium on the Transport of Goods by Road, signed this day, the following procedures have been established:

1. *With respect to articles 3 and 4*

(1) The short-distance zone in French territory shall comprise the territory situated to the north of a line passing through the outer limits of the following départements: Eure, Yvelines, Essonne, Seine-et-Marne, Yonne, Côte-d'Or and Jura.

(2) The annual number of (outward and return) journeys which carriers of one country shall be permitted to make in the territory of the other country shall be agreed upon each year by the Contracting Parties.

For each short-term authorization a fixed number of journeys shall be deducted from the quota, as follows:

- 30 for the long-distance zone,
- 50 for the short-distance zone.

(3) The transport authorizations shall entitle the carrier to take on a return load of goods.

2. *With respect to articles 5, 6 and 7*

(a) Each Government shall arrange for the printing and numbering of the transport authorizations to be used in its territory and shall send them to the authorities of the other country responsible for issuing them to carriers.

(b) Short-term and long-term authorizations shall be accompanied by a log book containing:

- The registration number of the vehicle carrying out the transport operation;
- The carrying capacity and total laden weight of the vehicle;
- The places of loading and unloading of the goods;
- The type of goods transported;
- The weight of the goods transported;
- The date stamp of the customs authorities upon entry and exit of the vehicle.

The transport authorizations and log-books or way-bills shall be returned by the holders to the issuing authority after use or upon expiry of their period of validity if unused.

3. *With respect to article 9*

The two administrations shall send each other every year a statement of the authorizations issued by them during the preceding year.

The statement shall contain the following information for each category:

- The numbers of the first and last long-term authorizations issued;
- The numbers of the first and last short-term authorizations issued, and the number of journeys authorized;
- The number of journeys actually carried out;
- Where applicable, the number of authorizations cancelled or unused.

4. *With respect to article 11*

From the date of signature of the Agreement and unless denounced at any time by one of the Contracting Parties on three months' notice:

- (1) Vehicles registered in France and used for the transport of goods or articles, together with their trailers, shall be exempt in Belgium from the road tax on motor vehicles throughout their stay in Belgian territory;
- (2) Vehicles registered in Belgium and used for the transport of any goods or articles, together with their trailers, shall be exempt in France from the special tax on the use of road infrastructure throughout their stay in French territory.

5. *With respect to articles 3, 9, 10, 12*

For the purposes of the Agreement, the competent authorities are:

In Belgium:

The officials representing the Ministry of Communications;

In France:

- The Chef du Service régional de l'Équipement de la Région parisienne (Contrôle des transports routiers), 32 avenue Claude-Vellefaux, Paris-10<sup>e</sup>, for the issue of authorizations;
- The officials representing the Land Transport Department of the Ministry of Transport, for all other matters.

DONE at Brussels on 15 February 1971 in duplicate in the French language.

For the Government  
of the French Republic:

[Signed]  
G. DE JUNIAC

For the Government  
of the Kingdom of Belgium:

[Signed]  
P. HARMEL