

No. 13821

**DENMARK
and
NETHERLANDS**

**Agreement on the international transport of passengers and
goods by road. Signed at The Hague on 29 January
1974**

Authentic text: English.

Registered by Denmark on 27 March 1975.

**DANEMARK
et
PAYS-BAS**

**Accord relatif au transport routier international de voya-
geurs et de marchandises. Signé à La Haye le 29 jan-
vier 1974**

Texte authentique : anglais.

Enregistré par le Danemark le 27 mars 1975.

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE KINGDOM OF DENMARK AND THE GOVERNMENT OF THE KINGDOM OF THE NETHERLANDS ON THE INTERNATIONAL TRANSPORT OF PASSENGERS AND GOODS BY ROAD

The Government of the Kingdom of Denmark and the Government of the Kingdom of the Netherlands;

Desirous of promoting the development of transport of passengers and goods between their two countries in the interest of their economic relations;

Having decided to conclude an agreement with the object of consolidating existing facilities and creating additional facilities;

Have agreed as follows:

TRANSPORT OF PASSENGERS

Article 1. The Contracting Parties shall in accordance with the regulations of the European Economic Community concerned allow any carrier established in the territory of the other Contracting Party to carry out without any special licence the following forms of international occasional transport services into and through its territory.

(a) Closed-door circular tours.

(b) Services wherein the outward journey is laden and the return journey unladen.

(c) Services wherein the outward journey is unladen, provided that all passengers are picked up at the same point and that they:

(i) are covered, as a group, by contracts of carriage entered into before their arrival in the country where they are to be picked up; or

(ii) had been previously conveyed, by the same operator, in the course of a trip of the kind referred to under (b) above, to the country where they are to be picked up and then brought out of that country; or

(iii) had been invited to visit the country of the other Contracting Party, the transport costs being borne by the person inviting them. Such passengers must constitute a homogeneous group not made up solely for the purpose of the journey.

Article 2. Applications for licences for other forms of international occasional transport services shall be submitted to the competent authorities of the Contracting Party in whose territory the carrier is established, who transmit these applications to the competent authorities of the other Contracting Party with their remarks.

Article 3. Applications for licences for the international transport of passengers by shuttle services shall be examined by the competent authorities of the two Contracting Parties in accordance with the regulations of the European Economic Community concerned.

Article 4. Applications for licences for the international transport of passengers by regular services shall be examined by the competent authorities of the

¹ Came into force on 30 October 1974, i.e., 30 days after the date on which each of the two Contracting Parties had informed the other in writing that the measures necessary in its territory had been taken, in accordance with article 14(1).

two Contracting Parties in accordance with the regulations of the European Economic Community concerned.

Article 5. The provisions in the articles 1-4 apply to vehicles, registered or being used to carry more than nine persons, the driver included.

TRANSPORT OF GOODS

Article 6. Each of the Contracting Parties shall allow any carrier established in the territory of the other Contracting Party and holding a national licence for the international transport of goods, to carry out without any special licence transport of goods:

- (a) between any point in its territory and any point in the territory of the other Contracting Party,
- (b) from any point in a third country to any point in its territory,
- (c) in transit through its territory.

Article 7. Nothing in this Agreement shall be held to permit carriers established in the territory of one of the Contracting Parties to carry goods which are loaded at any point in the territory of the other Contracting Party to any other point in the same territory.

GENERAL PROVISIONS

Article 8. Except as otherwise provided in this Agreement, carriers established in the territory of one of the Contracting Parties have to comply with the laws in force in the territory of the other Contracting Party.

Article 9. 1. In the event of any infringement of the provisions of this Agreement or of the laws and regulations in force in the territory of one of the Contracting Parties by a carrier established in the territory of the other Contracting Party, the competent authority of the Contracting Party in whose territory the infringement occurred may without prejudice to the penal provisions in force in the two countries, decide to exclude the carrier either temporarily or permanently from performing carriage in the territory of that Contracting Party. Such decision shall not be taken without consulting the authorities of the other Contracting Party.

2. A decision as aforesaid shall be communicated to the competent authority of the other Contracting Party; that authority shall notify the carrier of the decision.

3. If no decision of exclusion is made, the competent authority of the Contracting Party in whose territory the infringement occurred may notify the competent authority of the other Contracting Party of the infringement, and that authority will take such steps as are provided by its national laws.

Article 10. 1. Vehicles of carriers established in the territory of one of the Contracting Parties when engaged in international transport under the provisions of this Agreement shall be exempted from taxes and charges levied on the circulation or possession of vehicles as well as from special taxes or charges on transport operations in the territory of the other Contracting Party.

2. The exemption shall not apply to tolls.

Article 11. 1. The fuel contained in the ordinary tanks of the vehicles mentioned in article 10 as well as the lubricants and spare parts destined for those

vehicles shall in the territory of the other Contracting Party be exempted from import duties and taxes without any prohibition or restriction.

2. Unused spare parts shall be re-exported and replaced parts re-exported, destroyed or abandoned in conformity with the regulations in force in the territory where the vehicle is operating.

Article 12. The competent authorities of the two Contracting Parties shall consult each other on all problems arising from the implementation of this Agreement.

Article 13. With respect to the Kingdom of the Netherlands this Agreement shall apply only to the territory of the Kingdom in Europe.

Article 14. 1. This agreement replaces the agreement of 13th November, 1957,¹ between the Kingdom of Denmark and the Kingdom of the Netherlands concerning international transport by road. It shall enter into force thirty days after the Contracting Parties have informed each other in writing that the measures necessary to give effect to the agreement in their respective territories have been taken.

2. After this Agreement has been in force for one year it may be denounced by any of the Contracting Parties at six months' notice.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto, have signed the present Agreement.

DONE at the Hague in two copies in the English language this 29th of January, 1974.

For the Government of the Kingdom of Denmark:

BIRGER KRONMANN

For the Government of the Kingdom of the Netherlands:

MAX VAN DER STOËL
