

No. 17820

**SPAIN
and
NORWAY**

**Agreement concerning international road transport. Signed
at Oslo on 20 February 1979**

**Protocol drawn up pursuant to article 19 of the above-
mentioned Agreement (with annexes). Signed at Oslo
on 20 February 1979**

Authentic texts: Spanish and French.

Registered by Spain on 22 May 1979.

**ESPAGNE
et
NORVÈGE**

**Accord concernant les transports routiers internationaux.
Signé à Oslo le 20 février 1979**

**Protocole établi en vertu de l'article 19 de l'Accord susmen-
tionné (avec annexes). Signé à Oslo le 20 février 1979**

Textes authentiques : espagnol et français.

Enregistrés par l'Espagne le 22 mai 1979.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE KINGDOM OF SPAIN AND THE GOVERNMENT OF THE KINGDOM OF NORWAY CONCERNING INTERNATIONAL ROAD TRANSPORT

The Government of the Kingdom of Spain and the Government of the Kingdom of Norway,

Desiring to promote the transport of passengers and goods by road between the two countries and in transit through their territories, have agreed as follows:

Article 1. 1. Carriers whose head office is situated in Norway or Spain are authorized to undertake the transport of passengers or goods by means of vehicles registered in either of the two States, either between the territories of the two Contracting Parties or in transit through the territory of one of them, under the conditions laid down in this Agreement.

2. The internal transport of passengers or goods between two points situated in the territory of one Contracting Party by means of a vehicle registered in the other Contracting Party is forbidden.

I. PASSENGER TRANSPORT

Article 2. The transport of passengers between the two States, or in transit through their territories, by means of vehicles equipped for the transport of more than eight seated persons exclusive of the driver shall require prior authorization, with the exception of the transport operations specified in article 3 of this Agreement.

Article 3. 1. Prior authorization shall not be required in the case of:

- (a) Occasional closed-door tourist transport operations, i.e., when the vehicle carries the same group of passengers for the entire journey and returns to the country of origin without taking on or setting down passengers during the journey;
- (b) Occasional transport operations consisting of a laden outward journey and an unladen return journey.

2. Vehicles used for occasional transport operations under these conditions shall carry an inspection document drawn up by agreement between the two Contracting Parties.

Article 4. 1. Applications for authorizations for regular transport services, whether or not they are intended for the tourist trade, shall be submitted to the competent authority of the State in which the vehicle is registered, accompanied by the documents specified in the Protocol referred to in article 19 of this Agreement.

¹ Came into force provisionally on 22 March 1979, i.e., 30 days after the date of signature, and definitively on 27 May 1979, i.e., 30 days after the date of receipt of the last of the notifications (effected on 21 March and 27 April 1979) by which the Contracting Parties had informed each other through the diplomatic channel of the completion of the required constitutional or legislative formalities, in accordance with article 20.

2. Where the competent authority of the State of residence of the applicant intends to approve the application referred to in paragraph 1 of this article, it shall transmit a copy of the application to the competent authority of the other Contracting Party.

3. The competent authority of each Contracting Party shall issue authorizations for its own territory. The competent authorities of the Contracting Parties shall transmit to each other without delay all authorizations which have been issued.

4. The competent authorities shall, in principle, issue the said authorizations on the basis of reciprocity.

Article 5. Normally, applications for authorizations for the transport of passengers other than those referred to in articles (3) and (4) of this Agreement must be submitted by the carriers to the competent authority of the other Contracting Party through the competent authority of the country of registration of the vehicle, except in case of emergency. In such case, the competent authority of the other Contracting Party shall, without delay, inform the competent authority of the country of registration of the decision taken.

II. GOODS TRANSPORT

Article 6. 1. Prior authorization shall be required for all international transport of goods undertaken by the carrier on behalf of a third party or on his own account, beginning or ending in one of the Contracting States and effected by means of motor vehicles registered in the other Contracting State as well as for traffic in transit through the territory of one of the Contracting States consisting of motor vehicles registered in the other State.

2. The transport operations specified in the Protocol referred to in article 19 of this Agreement shall not, however, require authorization.

Article 7. Authorizations for transport operations shall be issued to enterprises by the competent authorities of the country of registration of the vehicles belonging to such enterprises, subject to quotas established annually by agreement between the Contracting Parties.

The competent authorities of the two States shall exchange the necessary blank forms for this purpose.

Article 8. The transport operations specified in the Protocol referred to in article 19 of this Agreement shall require authorization but shall not be subject to quota.

Article 9. 1. Authorizations shall conform to models drawn up by agreement between the competent authorities of the two Contracting Parties and shall be of two types:

- (a) Authorizations valid for one or several journeys and for a period not exceeding two months;
- (b) Long-term authorizations valid for an indefinite number of journeys and for a period of one year.

2. Authorizations shall be accompanied by a report form calling for particulars concerning the journey, which the recipient shall be required to

complete before each journey. This report form may be included in the authorization.

3. Transport authorizations shall entitle the carrier to take on a return load under the conditions specified in the Protocol annexed to this Agreement.

Article 10. Unless specially authorized by the competent authority of the Contracting Party concerned, carriers of either Contracting Party shall not engage in transport operations from the territory of the other Contracting Party to a third country.

Article 11. Authorizations together with reports on journeys shall be returned by the recipients to the competent issuing authority after use or on the expiry of their period of validity in the event of non-use.

Reports on journeys shall be stamped by customs.

III. GENERAL PROVISIONS

Article 12. 1. Authorizations and reports shall be kept on board the vehicles concerned and shall be produced at the request of inspection officials.

2. Declarations and reports on journeys shall be inspected by the customs in accordance with national regulations on entry into and exit from the State for which they are valid.

Article 13. Carriers and their employees shall be required to comply with the laws and regulations in force in the territories in which they operate; transport operations undertaken by them must be in accordance with the conditions specified in the authorization.

Article 14. 1. Each Contracting Party undertakes not to subject vehicles registered in the other State to weight and dimension conditions more restrictive than those imposed on vehicles registered in its own country.

2. Where the weight or dimensions of the vehicle or of its load exceed the limits permitted in the territory of the other Contracting Party, the vehicle shall be provided, if possible, with a special authorization issued by the competent authority of that Contracting Party.

3. If the said authorization restricts the vehicle to a particular route, the transport operation may be carried out only on that route.

Article 15. Carriers engaged in the transport operations referred to in this Agreement shall pay the taxes and duties prescribed in the territory of the other Contracting Party in respect of transport operations undertaken in that territory, in the manner specified by the Protocol referred to in article 19 of this Agreement.

Article 16. 1. The competent authorities of the Contracting Parties shall monitor compliance by carriers with the provisions of this Agreement and shall transmit to each other a list of violations noted and of proposed sanctions.

Apart from any economic sanctions provided for by law, the following sanctions may be applied:

- (a) A warning;
- (b) Suspension or revocation, wholly or in part, of the right to carry out the transport operations referred to in article 1 of this Agreement in the territory of the State in which the violation was committed.

2. The authorities applying sanctions shall notify accordingly the authority by which the sanctions were requested.

Article 17. 1. Each Contracting Party shall designate and shall notify to the other Party the authorities competent to take in its territory the measures referred to in this Agreement.

2. The designated authorities shall periodically exchange reports on authorizations issued and on transport operations carried out.

Article 18. 1. For the purpose of ensuring the proper application of the provisions of this Agreement, the two Contracting Parties shall establish a Mixed Commission.

2. The said Commission shall meet at the request of one of the competent authorities, alternately in the territory of each of them.

Article 19. 1. The procedures for the application of this Agreement shall be determined by a Protocol which shall enter into force at the same time as the said Agreement.

2. The Mixed Commission provided for in article 18 of this Agreement shall be competent to make any necessary amendments to the aforesaid Protocol.

Article 20. 1. The Contracting Parties shall notify each other through the diplomatic channel of the completion of the constitutional or legislative formalities required for the entry into force of this Agreement. The Agreement shall enter into force 30 days after the date on which the latter notification is received.

2. This Agreement shall take effect provisionally 30 days after the date of its signature.

3. This Agreement shall remain in force for a term of one year and shall be extended automatically from year to year unless it is denounced by notification given by one of the Contracting Parties three months before the expiry of the current calendar year.

DONE at Oslo on 20 February 1979, in duplicate, in the Spanish and French languages, both texts being equally authentic; in case of discrepancies between the two texts, the French text shall prevail.

For the Government
of the Kingdom of Spain:

[Signed]

LUIS VILLALBA OLAIZOLA
Spanish Ambassador to Norway

For the Government
of the Kingdom of Norway:

[Signed]

ARNFINN LUND
Under-Secretary of State
for Communications

[TRANSLATION — TRADUCTION]

PROTOCOL¹ DRAWN UP PURSUANT TO ARTICLE 19 OF THE AGREEMENT BETWEEN THE GOVERNMENT OF THE KINGDOM OF SPAIN AND THE GOVERNMENT OF THE KINGDOM OF NORWAY CONCERNING INTERNATIONAL ROAD TRANSPORT²

The following procedures have been agreed upon for the application of the Agreement concerning international road transport:

PASSENGER TRANSPORT

With reference to article 3:

1. The transport operations referred to in article 3 shall not be undertaken in Spanish territory at night. Nocturnal traffic is considered to be that undertaken between midnight and 5 a.m.

With reference to articles 4 and 5:

2. Applications for authorizations for the services referred to in article 4 must be accompanied by the documents required under the law in force in the two countries.

3. Applications for authorizations for the services referred to in article 5 must be sent to the competent authorities at least 21 days before the date on which the journey is scheduled to take place.

Applications must be accompanied by the following information:

- The name and address of the enterprise organizing the journey;
- The name and address of the carrier;
- The registration numbers of the vehicles to be used;
- The number of passengers to be carried;
- The date and frontier crossing points for entering and leaving the country as well as the sections of route to be covered laden or unladen;
- The route and the points at which passengers are to be taken on and set down;
- The names of overnight stopping places, including, if possible, hotel addresses;
- A description of the journey: shuttle or occasional transport.

4. Entry by an unladen vehicle to replace another of the same nationality which has broken down shall be covered by a document drawn up by agreement between the two Contracting Parties (annex 1).

GOODS TRANSPORT

With reference to articles 6 and 7:

5. Authorizations shall conform to the model annexed to this Protocol (annex 2).

¹ Came into force simultaneously with the main Agreement, i.e., provisionally on 22 March 1979, and definitively on 27 May 1979.

² See p. 391 of this volume.

6. Authorizations shall be numbered by the issuing authority. These authorizations shall include a report of the journey and shall be based on the model drawn up by each Contracting Party as annexed to this Protocol.

7. No authorization shall be required in the case of the following transport operations:

- The occasional transport of goods to and from airports when services are diverted;
- The transport of luggage by trailers attached to vehicles intended for passenger transport, and the transport of luggage by vehicles of any type to and from airports;
- Postal transport operations;
- The transport of damaged vehicles;
- The transport of refuse;
- The transport of animal carcasses for quartering;
- The transport of bees and fish fry;
- Funeral transport operations;
- The transport of live animals in special vehicles.

Special vehicles for the transport of live animals means vehicles built or specially and permanently equipped to transport live animals and approved as such by the competent authorities of the two countries;

- The transport of spare parts and stores intended for seagoing vessels and aircraft;
- The transport of goods of exceptional size or weight, provided that the carrier has obtained the special authorizations required by national regulations concerning road traffic;
- The transport of precious goods (e.g., precious metals) undertaken by special vehicles escorted by the police or other security forces;
- The transport of articles needed for medical care in emergencies, in particular in case of natural disasters;
- The transport of goods by motor vehicles whose total weight when loaded, including trailers, does not exceed 6 tons, or whose authorized payload, including trailers, does not exceed 3.5 tons;
- The unladen journey of a vehicle assigned to goods transport and intended to replace a vehicle which has broken down in the other country, and the continuation, by the first-named vehicle, of transport under the authorization issued for the disabled vehicle. Spain shall nevertheless require a statistical inspection document to be filled out by carriers crossing its frontiers;
- The transport of objets d'art and works of art intended for exhibitions, for fairs or for commercial purposes;
- The transport of articles and material intended exclusively for publicity or information purposes;
- The transport of equipment, properties and animals to and from theatrical, musical and cinematographic presentations, sports events, circuses and fairs, and for use in radio, cinematographic and television productions.

With reference to article 8:

8. The following transport operations shall require authorization but shall not be subject to quota:

- Cold-storage transport in vehicles specially equipped for this purpose;
- Transport in transit;
- Certain other specialized transport operations under conditions agreed upon between the competent authorities of the two countries.

9. Transport in transit shall be carried out without loading or unloading goods in the country of transit.

With reference to article 9:

10. For the present, the only authorizations to be issued shall be those referred to in article 9, paragraph 1 (a), of the Agreement, and they shall be valid for one journey only.

11. Return freight may be taken on in Spain only in the provinces traversed by the standard entry route and their adjoining provinces. However, on an experimental basis, a certain percentage of the authorizations of the quota may be used by Norwegian carriers to take on return freight throughout Spanish territory.

With reference to article 15:

12. For the purposes of this article, a harmonization régime shall be established.

UNLADEN ENTRY

13. A special authorization for unladen entry must be issued for a vehicle which enters the other State empty in order to take on goods. This authorization shall be issued according to the procedure established by agreement between the competent authorities.

However, the unladen entry of a vehicle in order to carry out a transport operation which does not require prior authorization or is not subject to the quota shall not require a special authorization for unladen entry.

Unladen transit journeys shall, moreover, be permitted.

COMPETENT AUTHORITIES

14. The competent authorities referred to in article 14 are:

In the case of Norway:

Vegdirektoratet
Grensevn 92
Oslo Dep.

In the case of Spain:

Dirección General de Transportes Terrestres
Sección de Transportes Internacionales
Ministerio de Transportes y Comunicaciones
Pza. San Juan de la Cruz, N^o 1
Madrid

The competent authorities referred to in all other articles are:

In the case of Norway:

Samferdserldepartementet
Myntgt 2
Oslo Dep.

In the case of Spain:

Dirección General de Transportes Terrestres
Sección de Transportes Internacionales
Ministerio de Transportes y Comunicaciones
Pza. San Juan de la Cruz, N^o 1
Madrid

DONE at Oslo on 20 February 1979, in duplicate, in the Spanish and French languages, both texts being equally authentic; in case of discrepancies between the two texts, the French text shall prevail.

For the Government
of the Kingdom of Spain:

[Signed]

LUIS VILLALBA OLAIZOLA
Spanish Ambassador to Norway

For the Government
of the Kingdom of Norway:

[Signed]

ARNFINN LUND
Under-Secretary of State
for Communications

ANNEX I

MINISTRY OF PUBLIC WORKS
DIRECTORATE OF LAND TRANSPORT

Co-ordination Section

Authorization No. 001567

DISABLED COACH REPLACEMENT

Replacing coach
(Registration No.)

Name and address of carrier

Unladen entry on

Over frontier crossing at

Destination

Laden exit scheduled for

Over frontier crossing at

Customs Stamp

Disabled coach
(Registration No.)

Name and address of carrier

Laden entry on

Over frontier crossing at

Place of breakdown

Unladen exit scheduled for

Over frontier crossing at

Customs Stamp

Copy for driver of (replacing coach) ¹ to be surrendered at exit frontier crossing.
(disabled coach)

N.B. The logbook for closed-door tourist transport and the authorization for other services must be kept on board the replacing coach on the return journey.

¹ Delete where non-applicable.

NOTICE

The replacing vehicle shall enter Spain on presentation of this authorization, filled out in duplicate.

The replacing vehicle shall depart from Spain laden with one of the two copies of this authorization and the inspection documents of the disabled vehicle (authorization, log book, waybill or declarations book).

The damaged vehicle shall depart from Spain unladen on presentation of the second copy of this authorization.

The two copies of this authorization shall be surrendered to customs upon departure from Spain.



ANNEX 2

Country issuing authorization

MINISTRY OF PUBLIC WORKS
DIRECTORATE OF LAND TRANSPORT

Authorization for one or more journeys
Number of round-trip journeys authorized: ONE

Authorization
S L No. 2015

INTERNATIONAL TRANSPORT OF GOODS BY ROAD

This authorization entitles
Carrier's name and address

to undertake the international transport of goods
between and
in transit through
by a single vehicle, articulated vehicle or convoy

This authorization is valid for two months from the date of issue

Restrictions, if any

This authorization entitles the carrier to take on a return load only in the Spanish provinces traversed by the standard entry route and their adjoining provinces

Issued at on

For the Directorate:

.....
Signature and seal of issuing agency
Country of registration of vehicle

Transport	{	ON OWN ACCOUNT		
		ON BEHALF OF A	OUTWARD	RETURN
		THIRD PARTY		

Dates of journey

Type and weight of goods transported

Where loaded PlaceCountry PlaceProvince

Where Unloaded PlaceProvince PlaceCountry

<i>Description of Vehicle</i>	<i>Truck or Trailer</i>	<i>Trailer or Semi- trailer</i>		
Registration No.				
Maximum capacity . . .			Customs Stamp	Customs Stamp
Total laden weight . . .				
Total unladen weight . .				

GENERAL SPECIFICATIONS

This authorization shall remain in the possession of the driver of the vehicle and must be produced at the request of the inspectors.

The authorization indicates the maximum number of journeys that may be made; it is not valid for national transport operations.

It is not transferable to third parties.

The carrier must comply with the legislative, regulatory and administrative provisions in force in Spanish territory, especially those relating to transport and traffic.

This authorization must be returned to the issuing authority within 15 days following its date of expiry.

The holder of the authorization shall fill it out before each transport operation.

Spanish Transport Tax. Under this heading, the amount of pesetas, according to the attached scale, shall be paid into the bank office attached to the customs office of entry, whether or not it is a branch of Banco de España, or into any of the branches of Banco de España in the Spanish provincial capitals on the vehicle's route. Persons failing to comply herewith shall be liable to a fine of 5,000 to 25,000 pesetas in addition to having their authorization automatically invalidated.