

No. 17822

**FINLAND
and
YUGOSLAVIA**

**Agreement on international road transport. Signed at
Belgrade on 7 December 1976**

Authentic text: English.

Registered by Finland on 23 May 1979.

**FINLANDE
et
YUGOSLAVIE**

**Accord relatif au transport routier international. Signé à
Belgrade le 7 décembre 1976**

Texte authentique : anglais.

Enregistré par la Finlande le 23 mai 1979.

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE REPUBLIC OF FINLAND AND THE GOVERNMENT OF THE SOCIALIST FEDERAL REPUBLIC OF YUGOSLAVIA ON INTERNATIONAL ROAD TRANSPORT

The Government of the Republic of Finland and the Government of the Socialist Federal Republic of Yugoslavia,

Desiring to facilitate international road transport between their two countries and in transit through their territories,

Have agreed as follows:

Article 1. DEFINITIONS

For the purposes of this Agreement:

a) The term "carrier" shall mean any physical or legal person who, in either the Republic of Finland or the Socialist Federal Republic of Yugoslavia, is authorized to carry and carries passengers or goods by road for hire or reward or on his own account, in accordance with the relevant national laws and regulations; references to a carrier of a Contracting Party shall be construed accordingly.

b) The term "passenger vehicle" shall mean any motor-driven road vehicle which:

- Is designed or adapted for use and used on the roads for the carriage of passengers;
- Has at least nine seats in addition to that of the driver;
- Is registered in the territory of one Contracting Party and owned and operated by or on behalf of any carrier authorized in that territory to carry passengers; and
- Is temporarily imported into the territory of the other Contracting Party for the purpose of the international carriage of passengers to, from or in transit through that territory.

c) The term "goods vehicle" shall mean any motor-driven road vehicle which is:

- Designed or adapted for use and used on the roads for the carriage of goods;
- Registered in the territory of one Contracting Party; and
- Temporarily imported into the territory of the other Contracting Party for the purpose of the international carriage of goods for delivery at or collection from any point in that territory or in transit through that territory.

The term "goods vehicle" also covers any trailer or semitrailer pulled by the goods vehicle which fulfils the conditions provided for by section c of this article.

Article 2. COMPETENT AUTHORITIES

The Contracting Parties shall notify each other in writing of the competent authorities for the purposes of this Agreement in their respective territories.

¹ Came into force on 25 October 1978, i.e., 30 days after the Contracting Parties had informed each other (on 20 July and 25 September 1978) in writing of the completion of the necessary constitutional requirements, in accordance with article 15 (1).

PASSENGER TRANSPORT

Article 3. OPERATIONS EXEMPT FROM LICENSING REQUIREMENTS

A carrier of one Contracting Party shall not require a licence provided for by the regulations of the other Contracting Party in cases of the following operations:

1. "Closed-door-tours", that is when using the same vehicle in the course of the entire operation for carrying the same group of passengers, the operation commencing and ending in the country on the territory of which the vehicle is registered;
2. In services when a group of passengers is carried by a carrier of one Contracting Party to the territory of the other Contracting Party the passenger vehicle involved leaving that territory empty; and
3. In services when a passenger vehicle of a carrier of one Contracting Party enters the territory of the other Contracting Party empty for the purpose of picking up passengers, whereby at least one of the following conditions shall be fulfilled:
 - a) That the passengers to be picked up are grouped according to an agreement on carriage concluded prior to their journey to the country in which they are to be picked up; or
 - b) That the passengers to be picked up have been carried to the country of picking up by the same carrier as made the operations provided for by section 2; or
 - c) In cases when the passengers from the country of one Contracting Party have been invited to the territory of the other Contracting Party, whereby the travel expenses shall be charged to the person or organization that had made the invitation; in such cases the passengers to be carried form a homogeneous group which has not been formed solely for the purpose of using the carriage operation involved.

When performing the operations under 1 to 3, the vehicle involved shall be provided with a way-bill carnet which is to be shown at a request of the competent authorities.

The way-bill carnet shall be issued by the competent authority or authorized organizations of the country in which the passenger vehicle is registered.

The contents and the features of the way-bill carnet shall be decided upon in mutual agreement between the competent authorities of the two Contracting Parties.

Article 4. OTHER PASSENGER TRANSPORT OPERATIONS

All other kinds of passenger transport operations, except those as referred to in article 3 of this Agreement, shall be subject to licencing regime in accordance with the national laws and regulations of that other Contracting Party on the territory of which the operations are performed.

GOODS TRANSPORT

Article 5

A carrier authorized to carry goods according to the laws and regulations of one Contracting Party shall be permitted to perform transport operations, provided he possesses the adequate licence:

- a) Between any point in the territory of one Contracting Party and any point in the territory of the other Contracting Party; and
- b) In transit across the territory of that other Contracting Party.

Article 6. PERMITS

1. Except as provided in article 7 of this Agreement, a carrier authorized in the territory of one Contracting Party shall require a permit in order to perform transport operations referred to in article 5.

2. In order to obtain a permit, a carrier shall apply to the competent authority of the Contracting Party by which he is authorized.

3. The competent authority shall issue permits from the quota established mutually with the competent authority of the other Contracting Party for the current year. The competent authorities will exchange the agreed number of blank permit forms for the purpose of distribution to their relevant carriers.

4. A permit shall not be transferable.

5. A permit shall be valid for use of one motor vehicle with or without a trailer or semi-trailer.

6. Permits may be of two types:

- a) Permits for operations as referred to in article 5, section *a* (bilateral transport operations); such permits authorize a carrier to collect a return load;
- b) Permits for operations as referred to in article 5, section *b* (transit permits).

Both types of permits are single permits and will be valid for one journey only (outward and return), with validity term of up to 6 months from the date of issue.

Article 7. OPERATIONS EXEMPT FROM LICENCING RÉGIME

The permits referred to in article 6 of this Agreement shall not be required for:

- a) Carriage of goods to and from the airports in cases of aircraft crashes or other aircraft emergencies or in cases of forced aircraft landing due to flight rerouting;
- b) Carriage of a damaged motor vehicle and/or its trailer;
- c) Funeral transport;
- d) Carriage of articles or objects of art for the purposes of fairs or exhibitions;
- e) Carriage of household effects by suitable special vehicles;
- f) Carriage of properties, equipment or animals to or from theatrical, musical, cinematographic or circus performances or sporting events, or to or from the making of radio or television broadcasts or films; and
- g) Carriage of medicaments, medical equipment and stores that are being given as support for humanitarian reasons.

Transport operations under *d* and *f* may be effected without a permit only in cases when articles involved are being exported from the country into which they had been temporarily imported.

TAXATION

Article 8

1. Vehicles which are registered in the territory of one Contracting Party shall be exempted from all the taxes and charges levied on the circulation or possession of vehicles in the territory of the other Contracting Party.

2. The provisions of section 1 of this article shall in no way affect the payment of taxes or charges on fuel consumption or of tolls according to the national regulations of the Contracting Party on the territory of which the transport operation is performed.

3. Apart from the obligations provided for by section 2 of this article, a carrier authorized in the country of one Contracting Party shall be obliged to pay road users charges on the territory of the other Contracting Party, according to the national regulations of that other Party in cases of transit transport operations.

4. Bilateral transport operations between the two Contracting Parties are exempted from payment of road users charges.

5. All passenger transport operations by passenger vehicles are exempted from payment of road users charges.

Article 9

No import of fuel shall be permitted into the territory of one Contracting Party by a vehicle registered in the territory of the other Contracting Party except for the quantity contained in the normal supply tank(s) of the vehicle, as has (have) originally been mounted to the vehicle by its manufacturer.

OTHER PROVISIONS

Article 10

If the weights and dimensions of a vehicle or combination of vehicles, whether laden or unladen, registered in the territory of one Contracting Party exceed the maximum weights and dimensions laid down under the laws or regulations of the other Contracting Party, a special permission in writing, in addition to any permit required under article 6, shall be obtained from the competent authority of that other Contracting Party.

Article 11

1. Nothing in this Agreement shall be held to permit a carrier authorized in the territory of one Contracting Party to pick up passengers or goods at a point in the territory of the other Contracting Party for setting down or delivery at any other point in that territory.

2. A carrier of one Contracting Party may not pick up passengers or goods in the territory of:

- a) The other Contracting Party for setting down or delivery in a third country; or
- b) A third country for setting down or delivery in the territory of the other Contracting Party.

3. Transport operations referred to in section 2 may be executed but only after a special authorization has been obtained from the competent authority of the Contracting Party in the territory of which the operation is performed.

Article 12

Permits issued in accordance with the provisions of this Agreement must be carried on the vehicle and produced on demand to any person who is duly authorized in the territory of either Contracting Party to demand them.

Article 13

1. Subject to the provisions of this Agreement a carrier authorized in the territory of one Contracting Party shall, when in the territory of the other Contracting Party, comply with the laws and regulations in force in that territory concerning road transport and road traffic.

2. In the event of a carrier of one Contracting Party failing to comply with the provisions of the preceding section, the competent authority of the other Contracting Party may notify the competent authority of the Contracting Party in which the carrier is authorized and may request that authority either:

- a) To issue a warning to that carrier;
- b) To issue such a warning together with a notification that any subsequent infringement will lead to the temporary or permanent exclusion of vehicles owned or operated by that carrier from the territory of the Contracting Party in which the infringement occurred; or
- c) To issue a notification of such exclusion.

3. The competent authority receiving any such request shall comply therewith and shall as soon as possible inform the competent authority of the other Contracting Party of the action taken.

4. The provisions of this article shall be without prejudice to any lawful sanctions which may be applied by the courts or enforcement authorities of the Contracting Party whose laws or regulations have not been complied with.

Article 14

1. The competent authorities shall regulate all questions regarding the implementation and application of this Agreement.

2. For this purpose Contracting Parties may establish a Joint Committee.

3. The Joint Committee shall meet at the request of either competent authority.

Article 15

1. This Agreement shall enter into force thirty days after the Contracting Parties have informed each other in writing that the constitutional requirements necessary to give effect to the Agreement in their respective territories have been complied with.

2. This Agreement shall remain in force for a period of one year after its entry into force. Thereafter it shall continue in force unless it is terminated by one Contracting Party giving six months' notice thereof in writing to the other Contracting Party.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto by their respective Governments, have signed this Agreement.

DONE at Beograd this 7th December 1976, in duplicate in the English language, both texts being equally authoritative.

For the Government of the Republic of Finland:

EEVA-KRISTIINA FORSMAN

For the Government of the Socialist Federal Republic of Yugoslavia:

KETI ČOMOVSKA