

No. 18190

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**GREECE
and
CYPRUS**

**Agreement on international road transport (with annex).
Signed at Athens on 1 February 1978**

Authentic text: Greek.

Registered by Greece on 13 December 1979.

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**GRÈCE
et
CHYPRE**

**Accord relatif aux transports routiers internationaux
(avec annexe). Signé à Athènes le 1^{er} février 1978**

Texte authentique : grec.

Enregistré par la Grèce le 13 décembre 1979.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE HELLENIC REPUBLIC AND THE GOVERNMENT OF THE REPUBLIC OF CYPRUS ON INTERNATIONAL ROAD TRANSPORT

The Government of the Hellenic Republic and the Government of the Republic of Cyprus, hereinafter called "the Parties", desiring to facilitate the international transport of passengers and goods by road between their two countries and through their territories on the basis of the principle of reciprocity and mutual interest, have agreed as follows:

Article 1. SCOPE OF APPLICATION

The provisions of this Agreement shall apply to international transport of passengers and goods performed with vehicles belonging to or used by carriers of either Party:

- (a) Between any point in the State of one Party and any point in the State of the other Party;
- (b) Through the State of the other Party;
- (c) Between any point in the State of the other Party and any point in the State of a third country, provided that such transport is not against the laws and regulations of the third country or the provisions of any agreement between the third country and either Party.

Article 2. DEFINITIONS

For the purposes of this Agreement:

1. The term "carrier" means any natural or artificial person that holds a lawful permit, either in the Hellenic Republic or in the Republic of Cyprus, in accordance with the relevant national laws and regulations, for the purpose of carrying on road transport of passengers and goods under a lease or for a consideration or for his or its own account.

2. The term "passenger vehicle" means any mechanically propelled road vehicle which:

- (a) Is manufactured or adapted for road use for the transport of passengers;
- (b) Has at least eight seats in addition to the driver's seat;
- (c) Is registered in the State of one of the Parties and belongs to or is used by or on behalf of a carrier having a lawful permit in the State in question for the transport of passengers; and
- (d) Is temporarily imported into the State of the other Party for the purpose of international road transport of passengers to, from or through that State.

¹ Came into force on 28 July 1979, i.e., 30 days after the date of the exchange of notifications by which the Parties informed each other (on 2 and 27 June 1979) of the completion of the required constitutional procedures, in accordance with article 14 (1).

3. The term “commercial vehicle” means any mechanically propelled road vehicle which:

- (a) Is manufactured or adapted for road use for the transport of goods;
- (b) Is registered in the State of one of the Parties; and
- (c) Is temporarily imported into the State of the other Party for the purpose of international road transport of goods, for the delivery or picking-up thereof, to and from any point in that State, or for the transport of goods through the State in question, or

any trailer or semi-trailer attached to any commercial vehicle which fulfils conditions (a) to (c).

4. “Competent authorities” shall be:

- (a) For the Hellenic Republic, the Ministry of Communications; and
- (b) For the Republic of Cyprus, the Ministry of Communications and Works.

PASSENGER TRANSPORT

Article 3. TRANSPORT SUBJECT TO PERMIT

Passenger transport, other than that referred to in article 4 of this Agreement, between the two Parties, through them or out of them to or from a third country shall require a permit from the competent authority of either Contracting Party.

Article 4. TRANSPORT EXEMPT FROM THE PERMIT REQUIREMENT

1. Carriers of either Party may use passenger vehicles in the State of the other Party for the following international transport of passengers without the permit provided for:

- (a) For service to or through the State of the other Party when the passenger vehicle enters or departs from that State without picking up or discharging passengers in the said State;
- (b) For service in which a group of passengers is transported to the State of the other Party for a temporary stay and the passenger vehicle leaves that State empty or for a service covered by the provisions of subparagraph (c);
- (c) For service in which the passenger vehicle is used for entry into the State of the other Party empty or for a service covered by the provisions of subparagraph (b) and transports to the State in which the carrier has the lawful permit of a group of passengers, each of whom:
 - (i) Has been transported to the State of the other Party by the carrier in question;
 - (ii) Has concluded, prior to such transport, an agreement for both trips in the State of the Contracting Party for which the carrier holds a lawful permit.

2. The replacement of a passenger vehicle that has broken down during the performance of any of the above services with another passenger vehicle shall likewise be permitted without permit.

TRANSPORT OF GOODS

Article 5. TRANSPORT SUBJECT TO PERMIT

1. Without prejudice to the provisions of article 6 of this Agreement, carriers of either Party must have a permit in order to be able to carry out the transport operations referred to in article 1 of this Agreement. Such permits shall be issued within the limits of the yearly quotas defined jointly by the competent authorities of the two Parties in accordance with the provisions of article 13 of this Agreement.

2. The permits shall be granted to the carriers of each Party by the competent authority of such Party.

3. Permits shall be used only by the carrier to whom they are granted and shall not be transferable.

4. Permits may be of two types:

(a) Permits valid for one trip (round trip and transit) unless otherwise specified in the permit;

(b) Permits for a specified period of time, valid for more than one trip.

5. The type or types of permits and any other matters of administrative procedure pertaining to the application of the system of permits shall be agreed upon between the competent authorities of the Parties in accordance with the provisions of article 13 of this Agreement.

6. Each competent authority shall provide the other, upon request, with a sufficient number of blank permits.

7. The transport of goods to and/or from a third country may be performed only by virtue of a special permit granted by the competent authority of either of the Contracting Parties.

Article 6. TRANSPORT EXEMPT FROM THE PERMIT REQUIREMENT

Certain categories of international transport, which shall be agreed upon between the competent authorities of the two Parties and shall be specified in the administrative memorandum referred to in article 13 of this Agreement, shall be exempt from the requirement to obtain the permit provided for in article 5 of this Agreement. The related list of exemptions may be readjusted by the competent authorities in accordance with the provisions of article 13 of this Agreement.

GENERAL PROVISIONS

Article 7. TAXATION

1. Without prejudice to the provisions of paragraph 3 of this article, commercial and passenger vehicles registered in the State of one Contracting Party and temporarily imported into the State of the other Contracting Party shall be exempt from taxes and charges imposed on the circulation and possession of vehicles and from charges or taxes on transport operations carried out in the State of the other Contracting Party as well as from other charges, as defined below in this Agreement.

2. The exemptions provided for in paragraph 1 of this article shall be granted in the State of each Contracting Party to the extent that the conditions defined by the customs regulations in force in such State for the temporary admission of such vehicles into that State without payment of import duties and taxes on importation are fulfilled.

3. The exemptions provided for in paragraph 1 of this article shall not apply to tolls.

Article 8. CUSTOMS PROVISIONS

1. Commercial road vehicles, including trailers, registered in the State of either Contracting Party and used in transport within the meaning of this Agreement shall carry customs documents for temporary admission (triptyque, carnet), as provided in the relevant international customs conventions, issued by the competent authorities of the Contracting Parties.

2. In so far as such international customs documents do not exist, the provisions of the internal legislation of the Contracting Party in question shall apply.

3. Fuel in the ordinary tanks of vehicles shall be exempt from customs duties and all other taxes and charges.

4. The temporary importation, by the crew of the vehicle, of their personal effects and of the repair tools customarily carried within the vehicle shall be permitted without the payment of customs duties and without any previous import licence.

5. Spare parts imported into the State of either Contracting Party for the repair of a vehicle engaged in transport within the field of application of this Agreement shall be imported under the temporary-import system, without the payment of import duties and taxes and free of prohibitions and restrictions on importation, on the basis of an appropriate document issued by the customs authorities.

Replaced parts shall be re-exported or destroyed under the supervision of the customs authorities.

Article 9. NATIONAL LEGISLATION

Unless otherwise provided in other Agreements or in this Agreement:

- (a) Carriers and vehicles of one Party, as defined in article 2 of this Agreement, and drivers, passengers and goods of such Party shall be subject, while in the State of the other Party, to the relevant laws and regulations in force in that State;
- (b) Neither Party shall impose upon passenger and commercial vehicles of the other Party prohibitions more restrictive than those which apply, on the basis of its national laws and regulations, to its own passenger and commercial vehicles.

Article 10. VIOLATIONS

In the event of any violation of the provisions of this Agreement by a carrier or driver of one Party in the State of the other Party, the competent authority

of the Party in whose State the violation was committed may, without prejudice to any other lawful sanction, request the competent authority of the other Party to:

- (a) Issue a warning to the carrier;
- (b) Issue such a warning together with a notice that any further violation will lead to the temporary or definitive exclusion of vehicles belonging to or used by that carrier from the performance of transport operations in the State of the Party where the violation was committed; or
- (c) Notify the carrier of such exclusion.

The competent authority to which such request is addressed shall act in accordance therewith and shall notify the competent authority of the other Party as quickly as possible of its actions.

Article 11. DOCUMENTS

Permits and any other documents required under this Agreement shall be carried in the vehicles to which they pertain and shall be shown whenever requested by any competent agent of either Party.

Article 12. PROHIBITION AGAINST INTERNAL TRANSPORT OPERATIONS (CABOTAGE)

Nothing in this Agreement may be construed as permitting a carrier of one Party to engage in the transport of passengers or goods between two points lying anywhere within the State of the other Party.

Article 13. ADMINISTRATIVE ARRANGEMENTS

1. The competent authorities of the two Parties shall co-operate with a view to taking all such administrative measures as are necessary for the application of the provisions of this Agreement. Such measures, contained in an administrative memorandum, may be reviewed by agreement between the competent authorities so as to correspond to the current needs of road transport.

2. At the request of either of the competent authorities, representatives of these authorities shall meet in a Joint Commission to examine the application of this Agreement and any other matter related hereto.

3. The Joint Commission may review the memorandum referred to in paragraph 1 of this article.

Article 14. APPLICATION AND DURATION OF VALIDITY

1. This Agreement shall enter into force 30 days after the date on which both Parties have given notice of the completion of their respective constitutional procedures.

2. The Agreement shall remain in force for a period of two years from the date of its entry into force and shall subsequently continue to be in force until six months after written notice of its termination is given by either Party to the other Party.

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

DONE at Athens on 1 February 1978 in two original copies, in the Greek language.

For the Government of the Hellenic Republic:

[Signed]

NIKOLAOS MENIDIATIS Director-General of the Ministry of Transportation

For the Government of the Republic of Cyprus:

[Signed]

PANAYIOTIS M. KAZAMIAS Director-General of the Ministry of Transportation and Works

..... Permit No.
..... Year of validity
for international road transport of goods

Type of transport:
(a) Under lease or for a consideration*
(b) For own account*

This permit grants to
.....
.....
(Title and address of carrier)

the right to carry out road transport of goods between
..... or through
with the freight vehicle described overleaf.

This permit is valid from to
Granted at
On

(Signature and seal of the granting competent authority) (Signature and seal of the issuing competent authority)

SPECIAL CONDITIONS

- 1. The permit is valid for the holder thereof and may not be transferred to a third party.
2. The permit must be kept in the vehicle during the transporting of goods and must be shown when checks are effected by the competent agents, whenever it is requested.
3. The permit must be returned to the issuing competent authority within 15 days of the termination of its validity.
4. The permit-holder is required to comply with the laws in force and in particular with the traffic regulations of the Republic.

* Delete inapplicable words.

5. This permit may be invalidated in case of violation, without prejudice to other lawful sanctions.

Motor-propelled road vehicle or combination of vehicles * Self-powered/Articulated/Tractor with trailer

Registration and traffic number
 Maximum gross weight
 Kerb weight
 Useful load

	<i>Outward trip</i>	<i>Return trip</i>
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Nature of cargo carried
Weight of cargo carried
Place of loading City
Country
Place of discharge City
Country

* Delete inapplicable words.