

No. 19604

**SPAIN
and
ROMANIA**

**Agreement concerning the international transport of goods
and passengers by road. Signed at Madrid on 24 May
1979**

Authentic texts: Spanish, French and Romanian.

Registered by Spain on 25 February 1981.

**ESPAGNE
et
ROUMANIE**

**Accord concernant les transports routiers internationaux de
marchandises et de voyageurs. Signé à Madrid le
24 mai 1979**

Textes authentiques : espagnol, français et roumain.

Enregistré par l'Espagne le 25 février 1981.

[TRANSLATION — TRADUCTION]

**AGREEMENT¹ BETWEEN THE GOVERNMENT OF SPAIN AND
THE GOVERNMENT OF THE SOCIALIST REPUBLIC OF
ROMANIA CONCERNING THE INTERNATIONAL TRANS-
PORT OF GOODS AND PASSENGERS BY ROAD**

The Government of Spain and the Government of the Socialist Republic of Romania, desiring to develop and facilitate the international transport of goods and passengers 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 the Socialist Republic of Romania or in Spain are authorized to undertake the transport of passengers or goods either between the territories of the two States or in transit through the territory of one of them, by means of vehicles registered in either of the two States, under the conditions laid down in the Agreement.

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

3. The term "carrier" means any individual or body corporate entitled, either in the Socialist Republic of Romania or in Spain, to engage in the transport of passengers or goods by road for one's own account or for the account of a third party in accordance with the law in force in his or its own country.

4. The term "vehicle" means any mechanically propelled road vehicle constructed or adapted for the transport of more than eight seated persons excluding the driver or of goods and, where appropriate, of any trailer or semi-trailer.

A towing vehicle combined with a trailer or semi-trailer shall be regarded as a single vehicle provided that the two units are registered in the territory of the same State.

5. The term "authorization" means any licence or permit required in accordance with the regulations in force in the country of each Contracting Party.

I. PASSENGER TRANSPORT

Article 2. 1. All passenger transport between the two countries or in transit through their territories shall require prior authorization, with the exception of the transport operations referred to in article 3 of this Agreement.

2. A duly completed way-bill and list of passengers shall be kept on board the vehicle at all times.

Article 3. 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

¹ Came into force on 29 November 1979, i.e., 30 days after the date of receipt of the last of the notifications (effected on 11 September and 29 October 1979) by which the Contracting Parties informed each other of the completion of the required constitutional formalities, in accordance with article 21(1).

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.

Article 4. 1. A regular line is a service provided on a fixed route according to a frequency and time-tables and fares established and published in advance and authorized to take on and set down passengers at points of departure and arrival or at other established points.

2. The procedure for the issue of authorizations, the organization and conduct of passenger transport operations by motor buses on regular lines shall be established by agreement between the competent authorities of the Contracting Parties.

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 the authorizations which have been issued.

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

Article 5. Applications for authorizations for passenger transport operations other than those referred to in articles 3 and 4 of this Agreement must be submitted by carriers to the competent authority of the other Contracting Party, through the competent authority of the country of registration of the vehicle, except in cases of emergency. In such cases, the competent authority of the other Contracting Party shall, without delay, inform the competent authority of the country of registration or the carrier concerned of the decision taken.

II. GOODS TRANSPORT

Article 6. 1. All goods transport operations undertaken for one's own account or for the account of a third party, beginning or ending in one of the Contracting States and effected by means of a motor vehicle registered in the other Contracting State, as well as traffic in transit through the territory of one Contracting State consisting of motor vehicles registered in the other State, shall require prior authorization.

2. The competent authorities of the two Contracting Parties may agree to broaden certain goods transport operations or exempt them from the quota system.

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

For that purpose, the competent authorities shall exchange, by 1 December of the current year, the necessary blank forms for the following year, which shall be numbered, signed and stamped.

Article 8. 1. Transport authorizations, conforming to the models drawn up by agreement between the competent authorities of the two Contracting Parties, shall be of two types:

- (a) "Journey" authorizations valid for a single round-trip journey and for a period not exceeding two months;

(b) "Time" authorizations valid for an indefinite number of round-trip journeys and for a period of one year.

2. Each authorization may be used solely by the carrier in whose name it was issued. It may not be transferred to a third party.

3. Transport authorizations shall entitle the carrier to take on a return load under the conditions agreed upon by the competent authorities of the two Contracting Parties.

Article 9. A triangular transport operation means any transport operation between the territory of one Contracting Party and a third country which is undertaken by carriers of the other Contracting Party. In order to undertake such operations, interested carriers shall apply to the competent authority of the other Contracting Party for a special authorization, which may be granted to them if the vehicle crosses its country of registration in transit.

Article 10. Authorizations shall be returned by the recipients to the office by which they were issued, after use or on the expiry of their period of validity in the event of non-use.

Used authorizations shall be stamped by the customs authorities.

III. GENERAL PROVISIONS

Article 11. The authorizations and other documents required in accordance with this Agreement must be kept on board road vehicles of either Contracting Party engaging in transport in the territory of the other Contracting Party and must be produced at the request of the competent authorities of that Party.

Article 12. Carriers and their employees shall be required to comply with the national legislation of the two Contracting Parties, particularly with their regulations relating to transport and road traffic. Transport operations undertaken by them must be in accordance with the conditions specified in the authorization.

Article 13. 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 a vehicle or of its load exceed the limits permitted in the territory of the other Contracting State, the vehicle shall not be permitted to carry out the transport operation unless it is provided with a special authorization issued by the competent authority of that Contracting Party.

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

Article 14. The two Contracting Parties may agree to establish reciprocal tax exemptions based on a system of reciprocity for road transport operations.

Article 15. In cases of violation of the provisions of this Agreement, committed in the territory of one Contracting Party, the competent authority of the country of registration of the vehicle shall, at the request of the competent authority of the other Contracting Party, take the necessary action against the carrier, in accordance with the procedure agreed upon by the Mixed Commission.

Article 16. Vehicles registered in the territory of one Contracting Party and temporarily entering the territory of the other Contracting Party to effect a transport operation in accordance with this Agreement shall be subject to the following customs régime:

- (a) Vehicles shall be exempt from any customs duty in respect of the vehicle itself;
- (b) Fuel contained in the fuel tanks provided by the manufacturer shall be exempt from all taxes, duties and charges;
- (c) Spare parts imported temporarily into the territory of the other Contracting Party, for use in the event of a breakdown, shall be exempt from customs duty and any other import taxes and charges; spare parts that have been replaced shall be re-exported or destroyed under the supervision of customs officers of the other Contracting Party.

Article 17. Driving licences issued by the competent authority of one Contracting Party which are valid in its territory shall be recognized as valid in the territory of the other Contracting Party.

Article 18. Payments arising from the application of the provisions of this Agreement shall be made in accordance with the payments agreement in force between the two States.

Article 19. 1. To ensure the proper application of the provisions of this Agreement, the two Contracting Parties shall establish a Mixed Commission.

2. This Commission, which shall be formed by the competent authorities of the two Contracting Parties, shall meet at the request of one of the competent authorities alternately in the territory of each State.

Article 20. The competent authorities referred to in this Agreement are as follows:

For the Socialist Republic of Romania:

Direcția de Cooperare Economică Internațională și Comerț Exterior din
Ministerul Transporturilor și Telecomunicațiilor
Strada Dinicu Golescu No. 38
Bucharest

For Spain:

Dirección General de Transportes Terrestres
Sección de Transportes Internacionales
Ministerio de Transportes y Comunicaciones
Plaza de San Juan de la Cruz, 1
Madrid

Article 21. 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 of receipt of the last such notification.

2. This Agreement is concluded for a term of one year and shall be automatically renewed from year to year unless one of the Contracting Parties denounces

it by giving notice of denunciation three months before the expiry of the current calendar year.

DONE at Madrid on 24 May 1979 in two original copies in the Romanian, Spanish and French languages, all the texts being equally authentic. In case of disagreement, the French text shall prevail.

For the Government
of Spain:

[Signed]

MARCELINO OREJA AGUIRRE
Minister for Foreign Affairs

For the Government
of the Socialist Republic
of Romania:

[Signed]

CTEFAM ANDREI
Minister for Foreign Affairs
