

No. 20270

**FEDERAL REPUBLIC OF GERMANY
and
ISRAEL**

**Agreement on the international carriage of goods by road
(with protocol). Signed at Bonn on 5 September 1979**

Authentic texts: German, Hebrew and English.

Authentic texts of the annex to the Protocol: German and Hebrew.

Registered by the Federal Republic of Germany on 31 July 1981.

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
ISRAËL**

**Accord relatif au transport international de marchandises
par route (avec protocole). Signé à Bonn le 5 septembre
1979**

Textes authentiques : allemand, hébreu et anglais.

Textes authentiques de l'annexe au protocole : allemand et hébreu.

Enregistré par la République fédérale d'Allemagne le 31 juillet 1981.

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FEDERAL
REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE
STATE OF ISRAEL ON THE INTERNATIONAL CARRIAGE OF
GOODS BY ROAD

The Government of the Federal Republic of Germany and the Government of the State of Israel,

Desirous to regulate the international carriage of goods by road between and in transit through the two countries,

Have agreed as follows:

Article 1. (1) Within the existing laws and regulations of the two countries this Agreement shall regulate the carriage of goods by road between the Federal Republic of Germany and the State of Israel, in transit through the two countries, and to or from third countries.

(2) The provisions of the present Agreement shall not affect the rights and obligations of the Contracting Parties emanating from already concluded international Conventions, international Agreements, and international Arrangements.

Article 2. (1) For the purpose of this Agreement the term “vehicle” shall mean:

- a) Any mechanically propelled road vehicle constructed or adapted for:
 - Carrying goods;
 - Towing any other vehicle constructed or adapted for the carriage of goods.
- b) Any trailer or semi-trailer constructed for the carriage of goods.
- c) Any vehicle joined or coupled, comprising the vehicles defined above.

(2) For the purpose of this Agreement the term “motor vehicle” shall mean any vehicle within the meaning of paragraph 1 under a) and c).

Article 3. (1) Motor vehicles registered in one of the two countries shall require for the transport of goods by road for hire or reward to or through the other country a permit issued by the other country. No permit is required for trailers or semi-trailers.

(2) The members of the Joint Committee formed pursuant to Article 15 shall, on the basis of reciprocity, agree upon a quota of permits, and each Contracting Party shall have the same number of such permits at its disposal.

Article 4. A permit shall not be required for the following:

- a) Carriage of goods with motor-cycles or in passenger cars;
- b) Transport of corpses or the ashes of deceased persons;
- c) Carriage of damaged vehicles;
- d) Carriage of live animals, excluding animals for slaughter;

¹ Came into force on 5 October 1979, one month after the date of signature, in accordance with article 18.

- e) Carriage of equipment and accessories to or from theatrical, musical, film or sporting events, circuses, exhibitions or fairs, or to and from the making of radio or television broadcasts or films;
- f) Carriage of art-objects and works of art;
- g) Occasional carriage of air freight to and from airports in cases where air services are rerouted;
- h) Carriage of luggage in trailers drawn by motor vehicles in which passengers are carried in accordance with regulations, and the carriage of luggage by vehicles of any description to and from airports;
- i) Carriage of damaged aircraft or aircraft which force-landed;
- j) Occasional carriage of objects or material exclusively for publicity or educational purposes, e.g. goods intended for fairs and exhibitions;
- k) Carriage of goods in motor vehicles, the maximum permissible weight of which including the maximum weight of any trailer does not exceed 6 tons or the permissible payload of which including any trailer does not exceed 3,5 tons;
- l) Carriage of articles required for medical care in emergency relief (in particular in cases of natural disaster).

Article 5. Without counting against the quota pursuant to Article 2, para. 2, permits may be issued for the carriage of personal and household effects (removals) in vehicles which are especially equipped for or exclusively serve these transport operations.

Article 6. (1) The permit shall entitle the holder to engage in the carriage of goods by road

- a) Between the country in which the motor vehicle is registered and the other country (bilateral transport);
- b) Through the other country (transit);
- c) Between the other country and a third country (transport to and from third countries) provided that the country in which the vehicle is registered is traversed on the normal traffic route.

(2) The permit shall not entitle the holder to transport goods with vehicles registered in one country between two points located in the other country (inland transport). Furthermore, it shall not entitle the holder to engage in transport operations to or from third countries, if the country in which the vehicle is registered is not traversed on the normal traffic route.

Article 7. (1) Permits shall only be issued to such carriers who according to the laws and regulations of the country in which the vehicle is registered are entitled to engage in the international carriage of goods by road in motor vehicles.

(2) The permit shall be issued to the carrier for a specific motor vehicle. The term "motor vehicle" shall mean a motor vehicle including any trailer or semi-trailer attached thereto.

(3) The carrier shall neither transfer the permit to another motor vehicle nor to another carrier.

Article 8. Permits shall be issued as

- a) Journey permits;
- b) Period permits.

Article 9. The competent authorities of the Contracting Parties shall issue the permits for the vehicles registered in the other country.

Article 10. The competent authorities shall provide each other with an adequate supply of blank permits.

Article 11. No permit shall be required for international own account operations. For every transport operation on own account a transport document shall be issued.

Article 12. The documents required pursuant to the provisions of the present Agreement (e.g. permit, transport document) shall be carried by the driving personnel on all journeys in the other country and shall be produced on demand to the competent authorities.

Article 13. Carriers and drivers of vehicles of one country shall, when in the territory of the other country, comply with the laws and regulations in force in that territory.

Article 14. (1) In the event of serious or repeated infringements of the laws and regulations in force in the other country or of the provisions of the present Agreement by a carrier or the driving personnel the competent authorities of the country in which the vehicle is registered shall, at the request of the competent authority of the country in which the infringement occurred, take one of the following measures:

a) Remind the carrier concerned to comply with the provisions in force;
b) Stop the issue of the permits to the carrier concerned or withdraw a permit already issued for the period for which the competent authority of the other country has excluded him from participation in transport.

(2) The competent authorities shall inform each other on the measures taken.

(3) 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 country in whose territory the infringement occurred.

Article 15. Representatives of the competent authorities of both countries shall form a Joint Committee in order to ensure the orderly implementation of the present Agreement and its adaptation to the development in traffic. The Joint Committee shall meet at the request of either competent authority.

Article 16. (1) The Contracting Parties shall lay down detailed rules for the application of the present Agreement in a Protocol which shall form an integral part of, enter into force at the same time as, and be signed together with, the Agreement.

(2) The Joint Committee formed pursuant to Article 15 shall be entitled to amend this Protocol so as to conform to the current development of transport of goods by road.

Article 17. This Agreement shall also apply to Land Berlin, provided that the Government of the Federal Republic of Germany does not make a contrary declaration to the Government of the State of Israel within three months of the date of entry into force of this Agreement.

Article 18. This Agreement shall enter into force one month after the date of signature. It shall continue in force unless terminated by either Contracting Party giving three months' notice thereof in writing to the other Contracting Party.

DONE at Bonn on September 5th, 1979 in duplicate each in the German, Hebrew and English languages, all texts being authentic. In case of divergent interpretations of the German and Hebrew texts, the English text shall prevail.

For the Government
of the Federal Republic of Germany:

[Signed — Signé]¹

For the Government
of the State of Israel:

[Signed — Signé]²

PROTOCOL DRAWN UP UNDER ARTICLE 16 OF THE AGREEMENT
BETWEEN THE GOVERNMENT OF THE FEDERAL REPUBLIC OF
GERMANY AND THE GOVERNMENT OF THE STATE OF ISRAEL ON
THE INTERNATIONAL CARRIAGE OF GOODS BY ROAD

The following detailed rules have been agreed for the implementation of the Agreement:

1. For the purposes of this Agreement, the competent authorities shall be:
 - (a) In the State of Israel, the Ministry of Transport—The Controller of Road Traffic—or any authority appointed by that Ministry;
 - (b) In the Federal Republic of Germany, the Federal Minister of Transport or any authority appointed by that Minister.

2. In relation to Article 3, para. 2:

A quota of 800 journey permits per annum shall be granted by each Contracting Party, one quarter of which to be period permits, the conversion factor shall be 1/18.

3. In relation to Article 5:

Any restrictions on the use of permits shall be entered on the permits.

4. In relation to Article 7, para. 1:

It is understood that under the laws of the State of Israel any licensed carrier is entitled to engage in the international carriage of goods by road.

5. In relation to Article 8:

Journey permits shall be valid for one journey (outward and return) and shall have a maximum period of validity not exceeding three months. Period permits shall be valid for any number of journeys within a period of not less than three months and not more than one calendar year.

6. In relation to Article 9:

The permits shall be granted

- To German carriers for vehicles registered in the Federal Republic of Germany by the Federal Minister of Transport or the authorities appointed by that Minister;
- To Israeli carriers for vehicles registered in Israel by the Controller of Road Traffic in the Israel Ministry of Transport.

¹ Signed by Peter Hermes — Signé par Peter Hermes.

² Signed by Yohanan Meroz — Signé par Yohanan Meroz.

7. In relation to Article 10:

Models of the permits¹ are annexed to this Protocol.

8. In relation to Article 11:

The transport document shall contain the following particulars:

- a) Registration number of the vehicle used, its maximum permissible weight and unladen weight;
- b) The points at which the goods were loaded and unloaded;
- c) The nature and weight of the goods carried;
- d) Space for a customs stamp.

9. In relation to Article 15:

Without prejudice to the generality of the provisions of Article 15 the Joint Committee shall determine the quota from time to time in view of the prevailing development in traffic.

10. The Contracting Parties agree upon the following arrangement:

- (a) A special quota of 400 journey permits is determined entitling Italian carriers to transport Israeli semi-trailers/trailers with consignments from Israel, by motor vehicles registered in Italy, from the Italian ports to and in transit through the Federal Republic of Germany and to haul any laden semi-trailer/trailer on return journeys to Italy. The permits shall be granted by the Federal Minister of Transport of the Federal Republic of Germany and handed out by the Ministry of Transport of the Republic of Italy or the authorities appointed by that Ministry to Italian carriers proposed by the Israeli Contracting Party or its authorized agent.
- (b) This arrangement shall be subject to the reservation that a special quota covering the same number of journey permits is agreed upon between the Israeli Contracting Party and the Government of the Republic of Italy; these permits shall entitle German carriers to transport Israeli semi-trailers/trailers with consignments from Israel, by motor vehicles registered in the Federal Republic of Germany, from the Italian ports to and in transit through the Federal Republic of Germany, and to haul any laden semi-trailer/trailer on outward journeys to Italy. The permits shall be granted by the Ministry of Transport of the Republic of Italy and handed out by the Federal Minister of Transport of the Federal Republic of Germany or the authorities appointed by that Minister to German carriers proposed by the Israeli Contracting Party or its authorized agent.
- (c) The Israeli Contracting Party will work towards the transport operations of the Israeli semi-trailers/trailers being carried out in equal shares by German and Italian carriers.
- (d) Notwithstanding the entry into force provided for in Article 16, para. 1, of the Agreement the present provision (para. 10 of the present Protocol) shall enter into force on the date on which the arrangement mentioned under (b) above between the Israeli Contracting Party and the Government of the Republic of Italy comes into force. The Government of the State of Israel shall notify the entry into force of the arrangement to the Government of the Federal Republic of Germany.
- (e) This arrangement shall be valid provisionally for a period of three years from the date of its coming into force.

¹ See pp. 223 and 224 of this volume.

DONE at Bonn on September 5th, 1979 in duplicate, each in the German, Hebrew, and English languages, all texts being authentic. In case of divergent interpretations of the German and Hebrew texts, the English text shall prevail.

For the Government
of the Federal Republic of Germany:

[*Signed — Signé*]¹

For the Government
of the State of Israel:

[*Signed — Signé*]²

¹ Signed by Peter Hermes — Signé par Peter Hermes.

² Signed by Yohanan Meroz — Signé par Yohanan Meroz.

[TRANSLATION — TRADUCTION]

FEDERAL REPUBLIC OF GERMANY

<p style="font-size: 1.2em; margin: 0;">D</p> <p style="margin: 0;">The Federal Minister of Transport</p>

Number of journeys permitted (outward and return)	<table border="1" style="width: 80%; margin: auto;"> <tr><td style="text-align: center; padding: 5px;">one</td></tr> <tr><td style="text-align: center; padding: 5px;">unlimited*</td></tr> </table>	one	unlimited*
one			
unlimited*			
* Delete where not applicable.			

Permit No.
for the international carriage of goods.

This permit authorizes
.....
(Name and company together with full address of carrier)

to engage in the international carriage of goods
between and
in transit through
with a single vehicle or a combination of vehicles coupled together.

This permit is valid from
to

Restrictions if any

Issued at on

Signature and stamp of office issuing the permit-
State in which vehicle is registered

.....

Annex
(to paragraph 7 of the Protocol)

STATE OF ISRAEL

IL	Ministry of Transport
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Number of journeys permitted (outward and return)	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="text-align: center;">one</td></tr> <tr><td style="text-align: center;">unlimited*</td></tr> </table>	one	unlimited*
one			
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Restrictions if any

Issued at on

Signature and stamp of office issuing the permit-
State in which vehicle is registered

.....

GENERAL REGULATIONS

This permit is to be carried in the vehicle and produced to the competent control authorities on request.

Only the indicated number of journeys may be made with this permit. It is not valid for domestic carriage.

It is not transferable.

In the territory of each member State, the carrier must comply with the legislation and administrative regulations in force there, particularly with respect to the carrying trade and road traffic.

This permit is to be returned to the issuing office within 15 days after the expiry of its validity.
