

No. 21115

**FINLAND
and
SWITZERLAND**

**Agreement on international road transport (with protocol).
Signed at Helsinki on 16 January 1980**

*Authentic texts: Finnish and French.
Registered by Finland on 24 June 1982.*

**FINLANDE
et
SUISSE**

**Accord relatif aux transports internationaux par route (avec
protocole). Signé à Helsinki le 16 janvier 1980**

*Textes authentiques: finnois et français.
Enregistré par la Finlande le 24 juin 1982.*

[TRANSLATION—TRADUCTION]

**AGREEMENT¹ BETWEEN THE GOVERNMENT OF FINLAND
AND THE SWISS FEDERAL COUNCIL ON INTERNATIONAL
ROAD TRANSPORT**

The Government of Finland and the Swiss Federal Council,

Desiring to facilitate the transport of persons and goods by road between the two countries and in transit through their territory,

Have agreed as follows:

Article 1. SPHERE OF APPLICATION

The provisions of this Agreement shall apply to the transport of persons and goods to or from the territory of one Contracting Party, and to all transport in transit through that territory, using vehicles registered in the territory of the other Contracting Party.

Article 2. DEFINITIONS

1. The term “carrier” shall mean a natural or juridical person who, in either Finland or Switzerland, has the right to transport persons or goods by road in accordance with the legal provisions in force in his country.

2. The term “vehicle” shall mean any mechanically propelled road vehicle and, where applicable, its trailer or semi-trailer which are used for the transport of:

- (a) More than eight persons seated, excluding the driver;
- (b) Goods.

Article 3. TRANSPORT OF PERSONS

1. No authorization shall be required for the transport of persons in the following cases:

- (a) Transport of the same persons by the same vehicle throughout a journey for which the point of departure and point of arrival are situated in the country of registration of the vehicle, during which no person is taken on or set down on the way or at stops outside that country (closed-door tour); or
- (b) Transport of a group of persons from a point situated in the country of registration of the vehicle to a point situated in the territory of the other Contracting Party, where the vehicle departs unladen from that territory; or
- (c) Transport of persons, other than those mentioned in (a), in transit through the territory of the other Contracting Party, provided that such transport operations do not take place on a regular basis.

2. The transport of persons other than those referred to in paragraph 1 shall require authorization in accordance with the national law of the Contracting Parties.

¹ Came into force on 28 May 1981, i.e., the thirtieth day after the date (28 April 1981) on which the Contracting Parties notified each other of the completion of the constitutional requirements, in accordance with article 13 (1).

3. In the case of unladen transit, the carrier shall be required to prove that his vehicle is empty while crossing the territory of the other Contracting Party.

Article 4. TRANSPORT OF GOODS

1. Subject to authorization, a carrier of one Contracting Party shall be permitted to import either an unladen or a laden vehicle temporarily into the territory of the other Contracting Party for the purpose of the transport of goods:

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

2. Authorizations shall not be required for:

- (a) The transport of goods by motor vehicles whose total permissible laden weight, including that of trailers, does not exceed 6 tons or whose permissible carrying capacity, including that of trailers, does not exceed 3.5 tons;
- (b) Transport carried out on a private basis (not for payment, where goods are transported by the manufacturers or dealers using their own vehicles);
- (c) Postal transport operations;
- (d) The transport of air freight when air services are diverted;
- (e) The removal of household effects;
- (f) The transport of articles intended for fairs and exhibitions;
- (g) The transport of objets d'art and works of art;
- (h) The transport of equipment, properties and animals to and from theatrical, musical, cinematographic and sporting events, circuses or fairs and for use in radio, cinematographic and television productions;
- (i) The transport of live animals (except livestock for slaughter);
- (j) Funeral transport operations;
- (k) The transport of supplies for disaster relief;
- (l) The unladen entry of
 - Replacement vehicles;
 - Vehicles intended for the transport of damaged vehicles;
 - Towing and breakdown vehicles and the transport of damaged vehicles.

Article 5. COMPLIANCE WITH NATIONAL LEGISLATION

In all matters not regulated by this Agreement, carriers and vehicle drivers of vehicles of one Contracting Party shall, when travelling in the territory of the other Contracting Party, comply with the provisions of the laws and regulations of the latter Contracting Party.

Article 6. CABOTAGE AND TRANSPORT INVOLVING THIRD COUNTRIES

1. No provision of this Agreement shall give a carrier of one Contracting Party the right to take on persons or goods within the territory of the other Contracting Party in order to set them down or deliver them within the same territory.

2. A carrier of one Contracting Party shall not have the right to take on persons or goods:

- (a) Within the territory of a third country in order to set them down or deliver them within the territory of the other Contracting Party; or
- (b) Within the territory of the other Contracting Party in order to set them down or deliver them to a third country, unless he has a special written authorization issued by the competent authority of the other Contracting Party for the transport operation in question to be effected.

Article 7. WEIGHT AND DIMENSIONS OF VEHICLES

With respect to the weight and dimensions of road vehicles, each Contracting Party shall undertake not to apply to vehicles registered in the other Contracting Party conditions that are more restrictive than those applicable to vehicles registered in its own territory.

Article 8. INFRINGEMENTS

1. The competent authorities of the Contracting Parties shall ensure that carriers comply with the provisions of this Agreement.

2. Carriers and vehicle drivers who, in the territory of the other Contracting Party, are guilty of infringements of the provisions of this Agreement or of the laws and regulations concerning road transport and road traffic in force in that territory may, at the request of the competent authorities of that country, be liable to the following measures to be taken by the authorities of the country of registration:

- (a) Caution;
- (b) Temporary, partial or total prohibition from effecting transport operations in the territory of the Contracting Party in which the infringement has occurred.

3. The authority which has adopted such a measure shall so inform the competent authority of the other Contracting Party.

4. This shall not preclude sanctions that may be imposed under national legislation by the courts or the competent authorities of the Contracting Party in whose territory such infringements have occurred.

Article 9. COMPETENT AUTHORITIES

The Contracting Parties shall notify each other of the authorities responsible for the application of this Agreement. These authorities shall communicate directly with each other.

Article 10. APPLICATION PROCEDURES

The competent authorities of the Contracting Parties shall agree on procedures for the application of this Agreement in a Protocol and an Additional Protocol drawn up at the same time as this Agreement.

Article 11. MIXED COMMISSION

The competent authority of one of the Contracting Parties may request a meeting of a Mixed Commission composed of representatives of the two Contracting Parties to deal with questions arising in connection with the application of this Agreement. This Commission shall be competent to amend the Additional Protocol referred to in article 10. The said Commission shall meet alternately in the territory of each Contracting Party.

Article 12. APPLICATIONS TO THE PRINCIPALITY OF LIECHTENSTEIN

In accordance with the request of the Principality of Liechtenstein, the Agreement shall apply to the carriers of that country for as long as it remains bound by a customs union treaty with the Swiss Federation.

Article 13. ENTRY INTO FORCE AND DURATION OF VALIDITY

1. This Agreement shall enter into force on the thirtieth day after the Contracting Parties have notified each other in writing that they have followed the constitutional procedures relating to the conclusion and entry into force of this Agreement in their territories.

2. The Agreement shall remain in force for an indefinite period. Either Contracting Party may denounce it at the end of a calendar year by giving at least three months' written notice to that effect.

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

DONE at Helsinki on 16 January 1980 in two original copies in the Finnish and French languages, both texts being equally authentic.

For the Government of Finland:
MATTI TUOVINEN

For the Swiss Federal Council:
HANS MÜLLER

PROTOCOL

Pursuant to article 10 of the Agreement between the Government of Finland and the Swiss Federal Council on international road transport, signed at Helsinki on 16 January 1980, it is agreed as follows:

Article 1. TAXATION

Subject to reciprocity, vehicles registered in the territory of one Contracting Party and temporarily imported into the territory of the other Contracting Party shall be exempt from all taxes and charges currently levied on the transport, operation and possession of vehicles in that territory.

This shall not preclude the levying of concession fees and, where applicable, tolls for roads, bridges and tunnels and administrative fees for the waiver of road traffic legislation.

Article 2. CUSTOMS ARRANGEMENTS

Fuel and lubricants contained in the standard tanks of temporarily imported vehicles shall be admitted free of duties and charges and without import prohibitions or restrictions.

Spare parts imported for the repair of a specific vehicle already temporarily imported shall be admitted temporarily free of import duties and taxes and without import prohibitions or restrictions.

The Contracting Parties may require that such parts be covered by a temporary import licence. The replaced parts shall be cleared through customs, re-exported or destroyed under customs supervision.

DONE at Helsinki on 16 January 1980, in two original copies in the Finnish and French languages, both texts being equally authentic.

For the Government of Finland:
MATTI TUOVINEN

For the Swiss Federal Council:
HANS MÜLLER
