

No. 21128

**BELGO-LUXEMBOURG ECONOMIC UNION
and
TUNISIA**

**Agreement concerning the international transport of
persons and goods by road (with protocol). Signed at
Tunis on 7 July 1980**

Authentic text: French.

Registered by the Belgo-Luxembourg Economic Union on 29 June 1982.

**UNION ÉCONOMIQUE BELGO-LUXEMBOURGEOISE
et
TUNISIE**

**Accord relatif aux transports internationaux de personnes et
de marchandises par route (avec protocole). Signé à
Tunis le 7 juillet 1980**

Texte authentique: français.

Enregistré par l'Union économique belgo-luxembourgeoise le 29 juin 1982.

[TRANSLATION—TRADUCTION]

AGREEMENT¹ BETWEEN THE BELGO-LUXEMBOURG ECONOMIC UNION AND THE GOVERNMENT OF THE REPUBLIC OF TUNISIA CONCERNING THE INTERNATIONAL TRANSPORT OF PERSONS AND GOODS BY ROAD

The Government of the Kingdom of Belgium, acting both in its own name and, by virtue of existing agreements, in the name of the Government of the Grand Duchy of Luxembourg, and

The Government of the Republic of Tunisia,

Desiring to facilitate the international transport of persons and goods by road between Tunisia and the Belgo-Luxembourg Economic Union and in transit through their territories,

Have agreed as follows:

SPHERE OF APPLICATION

Article 1. The provisions of this Agreement shall apply to the transport by road of persons and goods to, from or through the territory of one of the Contracting Parties by motor vehicles registered in the territory of the other Contracting Party, with the exception of the transport operations referred to in articles 5 and 6 of this Agreement.

TRANSPORT OF PERSONS

Article 2. Regular schedule services between the territories of the Contracting Parties shall require authorization by the Contracting Parties. Applications for authorizations of this type shall be dealt with in accordance with a procedure established by joint agreement between the competent authorities of the Contracting Parties.

Article 3. Passenger transport operations, other than regular scheduled services, effected by the carriers of one of the Contracting Parties by means of buses registered in the territory of that Contracting Party to or from the other Contracting Party shall require prior authorization from the competent authority of the latter Contracting Party, except for the following:

- (a) The transport of the same persons in the same vehicle throughout a single journey beginning and ending in the country of registration of the vehicle, provided that no passengers are taken on or set down during the journey or at stops outside that country (closed-door tours);
- (b) The 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, provided that the vehicle leaves the latter territory unladen.

¹ Came into force on 15 December 1980 by the exchange of the instruments of ratification, which took place at Brussels, in accordance with article 15.

TRANSPORT OF GOODS

Article 4. The transport of goods between the territories of the Contracting Parties and in transit through their territories shall be subject to a quota system. An equal quota of authorizations shall be allocated annually to each of the Contracting Parties.

The application procedures, and the model and the number of authorizations allowed for the carriers of each country shall be established by joint agreement between the competent authorities of the Contracting Parties.

The authorizations shall be issued between the competent authorities of the country of the carrier, on behalf of the competent authorities of the other Contracting Party.

COMMON PROVISIONS

Article 5. Carriers of one of the Contracting Parties shall not be entitled to carry out transport operations between the territory of the other Contracting Party and the territory of a third country unless a special authorization has been granted by the competent authority of the other Contracting Party.

Article 6. 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 within the same territory.

Article 7. Where the weight or dimensions of vehicles exceed the limits permitted in the territory of the other Contracting Party, the vehicles must be provided with a special authorization issued by the competent authority of that Contracting Party.

Article 8. Carriers affecting the transport operations specified in this Agreement shall be exempt, in the case of transport operations effected in the territory of the other Contracting Party, from the taxes and duties levied in that territory in accordance with the conditions laid down in the Protocol referred to in article 14 of this Agreement.

Article 9. Each Contracting Party shall guarantee to transfer to the other Contracting Party the excess of income over expenditure deriving from operations conducted under this Agreement, in accordance with the regulations in force in each country.

Article 10. Authorizations issued under the provisions of this Agreement shall be carried on board the vehicle and be produced on demand to the authorities responsible for inspection.

Article 11. Carriers and vehicle crew of one Contracting Party shall, when travelling in the territory of the other Contracting Party, comply with the provisions of the laws and regulations concerning road traffic and transport and concerning working hours and maximum driving time in force in that territory.

Article 12. (1) The competent authorities of the Contracting Parties shall ensure that carriers comply with the provisions of this Agreement.

(2) Any carrier of one of the Contracting Parties who, in the territory of the other Contracting Party, is guilty of infringements of the provisions of this Agreement, may be liable, at the request of the competent authority of the

Contracting Party in whose territory the infringement has occurred, to one of the following measures to be taken by the competent authority of the other Contracting Party:

(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 put such a measure into effect shall so inform the competent authority of the other Contracting Party.

Article 13. To ensure the proper implementation of the provisions of this Agreement, the Contracting Parties shall establish an *ad hoc* mixed commission.

The said commission shall meet at the request of one of the Contracting Parties, alternately in the territory of each Contracting Party.

Article 14. The procedures for the application of this Agreement shall be determined by a Protocol which shall enter into force at the same time as the Agreement.

Article 15. The provisions of this Agreement shall enter into force as soon as the Contracting Parties have exchanged their instruments of ratification in accordance with their individual constitutional procedures.

This Agreement shall be concluded for a period of one year; it shall be extended from year to year by tacit agreement, unless denounced by one of the Contracting Parties six months before the expiry of the current period.

IN WITNESS WHEREOF, the undersigned, duly authorized for that purpose, have signed this Agreement.

DONE in duplicate at Tunis on 7 July 1980, in the French language, both texts being equally authentic.

For the Belgo-Luxembourg
Economic Union:
[Signed]
R. URBAIN

For the Government
of the Tunisian Republic:
[Signed]
S. JEMAA

PROTOCOL

Pursuant to article 14 of the Agreement between the Belgo-Luxembourg Economic Union and the Government of the Republic of Tunisia concerning the international transport of persons and goods by road, it is agreed as follows:

I. The competent authorities are:

For the Belgo-Luxembourg Economic Union:

1. Ministère des Communications
Administration des Transports
Cantersteen 12—1000 Brussels, Belgium
2. Ministère des Transports
Boulevard Royal 19-21
Luxembourg, Grand Duchy of Luxembourg

For Tunisia:

Ministère des Transports et Communications

Direction des Transports Terrestres
15, rue de Jordanie
Tunis, Tunisia

II. *Customs and fiscal arrangements*

1. (a) *Transport of persons*

Road vehicles duly registered in the territory of one of the Contracting Parties and imported temporarily into the territory of the other Contracting Party while transporting persons under this Agreement shall be exempt in the territory of the other Contracting Party from taxes and charges relating to the possession and operation of vehicles.

(b) *Transport of goods*

Road vehicles duly registered in the territory of one of the Contracting Parties and temporarily imported into the territory of the other Contracting Party while transporting goods under this Agreement shall be exempt in the territory of the other Contracting Party from taxes and charges relating to the possession and operation of vehicles and from any special taxes on the transport of goods with the exception of consumer taxes and charges.

2. The following shall also be admitted free of import duties and taxes:

- (a) Standard spare parts, accessories and equipment, imported with the said vehicles and re-exported with them;
- (b) Fuel imported with the said vehicles when it is contained in standard tanks permanently installed by the manufacturer in such a way as to allow direct use of the fuel;
- (c) Lubricants contained in the standard tanks of motor vehicles;
- (d) Spare parts imported for the repair of a specific vehicle already temporarily imported in accordance with the national legislations, and vehicles imported unladen and intended to replace vehicles already temporarily imported. The replaced parts shall be cleared through customs, re-exported or destroyed under customs supervision.

3. The temporary importation of trailers and semi-trailers shall take place in the conditions established in that respect by the national legislations.

Trailers and semi-trailers not registered in the territory of one of the Contracting Parties shall be identified in accordance with the provisions of the regulations in force in the territory of that Contracting Party.

DONE in duplicate at Tunis on 7 July 1980, in the French language, each text being equally authentic.

For the Belgo-Luxembourg
Economic Union:
[Signed]
R. URBAIN
Minister of Foreign Trade

For the Government
of the Republic of Tunisia:
[Signed]
S. JEMAA
Minister of Transport
and Communications