

**No. 21229**

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**FINLAND  
and  
FEDERAL REPUBLIC OF GERMANY**

**Agreement concerning the international carriage of passengers and goods by road (with protocol). Signed at Bonn on 11 September 1981**

*Authentic texts: Finnish and German.  
Registered by Finland on 27 August 1982.*

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**FINLANDE  
et  
RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE**

**Accord relatif au transport routier international de passagers et de marchandises (avec protocole). Signé à Bonn le 11 septembre 1981**

*Textes authentiques : finnois et allemand.  
Enregistré par la Finlande le 27 août 1982.*

[TRANSLATION — TRADUCTION]

AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF FINLAND AND  
THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GER-  
MANY CONCERNING THE INTERNATIONAL CARRIAGE OF  
PASSENGERS AND GOODS BY ROAD

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The Government of the Republic of Finland and the Government of the Federal Republic of Germany,

Desiring to regulate the international carriage of passengers and goods by road between the two countries and in transit through their territories,

Have agreed as follows:

SECTION I

*Article 1.* This Agreement shall, within the framework of the law in force in the two States, govern the international carriage of passengers and goods by road between the Republic of Finland and the Federal Republic of Germany and in transit through their territories by vehicles registered in one of the two States.

SECTION II. PASSENGER TRANSPORT

*Article 2.* 1. For the purposes of this Agreement, the term “carriage of passengers by road” means the carriage of passengers by motor bus for hire or reward.

2. The term “motor bus” means any motor vehicle which, in construction and equipment, is adapted to and intended for the carriage of more than nine persons, including the driver.

*Article 3.* In the case of regular international services, including regular transit services, carriers shall require an authorization from the competent authorities of the two States. Authorizations shall be issued by agreement between the competent authorities of the two States.

*Article 4.* 1. Shuttle services operated by German carriers shall require authorization from the competent Finnish authority for the Finnish section of the route. Shuttle services operated by Finnish carriers shall require authorization from the competent German authority for the German section of the route.

2. The provisions of paragraph 1 shall apply *mutatis mutandis* to transit services.

*Article 5.* 1. Carriers shall require an authorization for occasional services to or through the territory of the other State.

2. Authorizations under paragraph 1 shall be issued, in the case of German carriers, by the competent Finnish authority, and, in the case of Finnish carriers, by the competent German authority. The competent German authority shall deliver Fin-

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<sup>1</sup> Came into force on 10 June 1982, i.e., the thirtieth day following the date (11 May 1982) on which the Contracting Parties notified each other, in writing, of the fulfilment of the domestic constitutional requirements, in accordance with article 21.

nish authorizations to German carriers, and the competent Finnish authority shall deliver German authorizations to Finnish carriers.

3. Authorization shall not be required for:

- (a) Journeys by the same vehicle carrying the same group of passengers throughout the journey and returning them to the point of departure without taking up or setting down passengers *en route*;
- (b) Journeys on which passengers are brought into and set down in the territory of the other State and the vehicle returns empty;
- (c) Journeys by empty vehicles, if provided for in multilateral conventions to which the two States are parties.

4. In the case of transport services under paragraph 3, the carrier shall be in possession throughout the journey of a surveillance document and shall produce it on demand to competent inspecting officers.

### SECTION III. GOODS TRANSPORT

*Article 6.* The term “motor vehicle” means any self-propelled road vehicle constructed or equipped for the carriage of goods or for drawing any other vehicle constructed or equipped for the carriage of goods.

*Article 7.* 1. Motor vehicles registered in the Federal Republic of Germany or in the Republic of Finland shall require in order to engage in the carriage of goods for hire or reward in the territory of the other State an authorization from the competent authority of that State.

2. The Mixed Commission established under article 18 shall, on a basis of reciprocity, agree on a quota of authorizations, to be available in equal numbers to each Contracting Party.

3. An authorization shall not be required for trailers or semi-trailers constructed or equipped for the carriage of goods, irrespective of the State in which they are registered.

*Article 8.* 1. An authorization shall entitle the holder to engage in the carriage of goods by road for hire or reward:

- (a) Between the State in which the motor vehicle is registered and the other State (two-way transport);
- (b) Through the territory of the other State (transit).

2. An authorization shall not entitle the holder to engage in the carriage of goods by motor vehicles registered in one of the States between two places in the territory of the other State (internal transport).

3. The competent authorities of the Contracting Parties may expand or restrict the scope of an authorization. Any such change shall be noted on the authorization document.

*Article 9.* 1. No authorization shall be requested for:

- (a) The carriage of goods by motorcycle or private car;
- (b) The transport of human remains or ashes of deceased persons;
- (c) The transport of damaged or broken-down vehicles;
- (d) The carriage of live animals, other than animals for slaughter;

- (e) The carriage of properties and accessories to or from theatrical, musical, cinematographic and sporting events, circuses, fairs or festivals and to or from radio broadcasting recording sessions and cinematographic or television filming sessions;
- (f) The carriage of mail;
- (g) Carriage by vehicles whose permissible maximum weight, including the total weight of trailers, does not exceed 6 tons or whose permissible maximum load, including the maximum load of trailers, does not exceed 3.5 tons;
- (h) The carriage of *objets d'art* and works of art;
- (i) The occasional carriage of articles and materials exclusively for advertising and information, such as goods for fairs and exhibitions;
- (j) The carriage of medical supplies and equipment for emergency relief (especially in cases of natural disaster).

2. The competent authorities of the Contracting Parties may agree on amendments to paragraph 1.

*Article 10.* Authorizations not chargeable against the quota under article 7, paragraph 2, shall be issued for furniture removal by motor vehicles specially equipped or used exclusively for that purpose.

*Article 11.* 1. Authorizations shall be issued only to carriers who, under the laws and other provisions of the State in which the motor vehicle is registered, may engage in the international carriage of goods by road.

2. The authorization shall be issued to the carrier for a specified motor vehicle.

3. The authorization may not be transferred by the carrier either to another vehicle or to another carrier.

*Article 12.* Authorizations may be issued as:

- Period authorizations: Valid for any number of journeys within a period of not less than two months and not more than one calendar year;
- Journey authorizations: Valid for one journey, outward and return, within a period of three months.

*Article 13.* Every consignment of goods carried for hire or reward shall be accompanied by an international consignment note.

*Article 14.* 1. An authorization under article 7 shall not be required for the carriage of goods for own account.

2. Every consignment for own account shall be accompanied by documents showing that the goods are being transported for own account.

#### SECTION IV. COMMON PROVISIONS

*Article 15.* The documents required under this Agreement shall be carried on all journeys and shall be produced on demand to the surveillance authorities.

*Article 16.* Carriers and crews of vehicles of one of the States shall be required, while in the territory of the other State, to comply with the laws and regulations in force in that territory.

*Article 17.* 1. In case of violations by a carrier or vehicle crew of the laws or other provisions in force in the other State or of the provisions of this Agreement, the competent authority of the State in which the vehicle is registered shall, at the request of the competent authority of the State in which the violation was committed, take one of the following actions:

- (a) The issue of a warning to the carrier concerned to comply with the provisions in force;
- (b) Cessation of the issue of authorizations to the carrier concerned or cancellation of any authorization already issued for such time as he has excluded from transport operations by the competent authority of the other State.
  2. The competent authorities shall inform each other of the actions taken.
  3. The provisions of this article shall apply without prejudice to any lawful actions which may be taken by the courts or enforcement authorities of the State in whose territory the violation was committed.

*Article 18.* Representatives of the two States shall constitute a Mixed Commission to ensure the due implementation of this Agreement and its adaptation to the development of traffic. The Mixed Commission shall meet at the request of the competent authorities of either Contracting Party.

*Article 19.* 1. The Contracting Parties shall regulate the implementation of this Agreement in a Protocol, which shall be signed along with this Agreement and shall enter into force simultaneously with it.

2. The Mixed Commission provided for in article 18 shall be empowered to amend the Protocol in order to adapt it to the development of passenger and goods road traffic.

*Article 20.* In conformity with the Quadripartite Agreement of 3 September 1971,<sup>1</sup> this Agreement shall be extended to Berlin (West) in accordance with established procedures, provided that the Government of the Federal Republic of Germany has not made a contrary declaration to the Government of the Republic of Finland within three months from the date of entry into force of this Agreement.

*Article 21.* 1. This Agreement shall enter into force on the thirtieth day following the date on which the Contracting Parties notify each other in writing that the domestic constitutional requirements for the entry into force of the Agreement have been fulfilled.

2. This Agreement shall remain in force for a period of one year from the date of its entry into force. It shall thereafter continue in force for successive periods of one year, unless one of the Contracting Parties gives notice of termination in writing three months before the expiry of the period of validity.

<sup>1</sup> United Nations, *Treaty Series*, vol. 880, p. 115.

DONE at Bonn on 11 September 1981, in duplicate in the Finnish and German languages, both texts being equally authentic.

For the Government of the Republic of Finland:

HEIKKI KALHA

For the Government of the Federal Republic of Germany:

LAUTENSCHLAGER

**PROTOCOL UNDER ARTICLE 19 OF THE AGREEMENT BETWEEN THE GOVERNMENT OF FINLAND AND THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY CONCERNING THE INTERNATIONAL CARRIAGE OF PASSENGERS AND GOODS BY ROAD**

For the purpose of the application of the Agreement concerning the international carriage of passengers and goods by road, the following provisions have been agreed upon:

*Competent Authorities*

1. Competent authorities for the purposes of the Agreement shall be:

(a) In the case of the Republic of Finland, except for the issue of a special permit for traffic of large weight and dimensions:

Ministry of Transport  
Road Traffic Department  
Eteläesplanadi 16  
00130 Helsinki, Finland

For the issue of a special permit for traffic of large weight and dimensions:

Tie- ja vesirakennushallitus  
Eteläesplanadi 4  
00130 Helsinki, Finland

(b) In the case of the Federal Republic of Germany:

Under articles 3 and 4	The competent <i>Land</i> authorities and the Federal Minister of Transport, Bonn
Under articles 5, 7, paragraph 1, 8, 9, 17 and 18	The Federal Minister of Transport, Bonn
Under article 15	The Federal Institute for Long-distance Goods Transport, the customs administration, the police, the Federal Frontier Guard, the trade inspection boards
Under paragraph 8 of the Protocol	The Ministry of Economic Affairs and Transport, 2300 Kiel
For the issue of a special permit for traffic of large weight and dimensions	The Road Traffic Authorities in whose district the frontier crossing point is situated

*Ad article 3*

2. Applications for the establishment of regular international services or regular transit services shall be submitted, in the required number of copies, to the competent authority of the applicant's own State. If the competent authority of that State has no objection to the application, the Federal Minister of Transport of the Federal Republic of Germany or the Ministry of Transport of the Republic of Finland, as the case may be, shall forward the application, together with a statement of its views, to the competent authority of the other State.

3. Timetables, fares and conditions of carriage, and any changes therein, shall require the prior consent of the competent authorizing authorities of both Parties.

*Ad article 4*

4. Applications for the issue of an authorization for the Finnish section of the route shall be submitted by the German carrier to the Ministry of Transport of the Republic of Finland. The Ministry shall forward the authorization to the German carrier; the Federal Minister of Transport of the Federal Republic of Germany shall receive a copy.

5. Applications for the issue of an authorization for the German section of the route shall be submitted by the Finnish carrier to the competent German authorizing authority. The competent authority shall be the *Land* authority in whose territory the shuttle service terminates, or, in the case of shuttle services in transit through the Federal Republic of Germany, the authority in whose territory the first frontier crossing point upon entry is situated. The competent authority shall forward the authorization to the Finnish carrier; the Ministry of Transport of the Republic of Finland shall receive a copy.

*Ad article 5*

6. For the purpose of occasional services, the two Ministries of Transport shall make blank authorization forms available to each other free of cost.

*Ad article 7*

7. The quota shall be established on the basis of journey authorizations for each calendar year.

*Ad article 11*

8. Authorizations under articles 7 and 10 shall be issued:

- To German carriers for vehicles registered in the Federal Republic of Germany, through the Federal Minister of Transport or the authorities designated by him;
- To Finnish carriers for vehicles registered in the Republic of Finland, through the Road Traffic Department of the Ministry of Transport of the Republic of Finland.

9. The two Ministries of Transport shall make an adequate number of blank authorization forms available to each other free of cost.

*Ad articles 5 and 11*

10. The design of the authorization forms shall be determined by the Mixed Commission established under article 18.

*Ad Article 21*

11. Upon the entry into force of the Agreement, the Administrative Arrangement of 25 September 1962 between the Federal Minister of Transport of the Federal Republic of Germany and the Minister of Transport and Public Works of the Republic of Finland concerning the international carriage of passengers and goods by road, and the subsequent arrangements amending that arrangement, shall cease to have effect.<sup>1</sup>

DONE at Bonn on 11 September 1981, in duplicate in the Finnish and German languages, both texts being equally authentic.

For the Government of the Republic of Finland:

HEIKKI KALHA

For the Government of the Federal Republic of Germany:

LAUTENSCHLAGER

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<sup>1</sup> The Administrative Arrangement of 25 September 1962 and the subsequent amendments thereto do not fall within the meaning of Article 102 of the Charter (information provided by the Government of Finland).