

**No. 21231**

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**FINLAND  
and  
LUXEMBOURG**

**Agreement concerning the international carriage of passengers and goods by road (with protocol). Signed at Helsinki on 15 February 1980**

*Authentic text: German.*

*Registered by Finland on 27 August 1982.*

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**FINLANDE  
et  
LUXEMBOURG**

**Accord relatif au transport routier international de passagers et de marchandises (avec protocole). Signé à Helsinki le 15 février 1980**

*Texte authentique : allemand.*

*Enregistré par la Finlande le 27 août 1982.*

## [TRANSLATION — TRADUCTION]

AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF THE REPUBLIC OF FINLAND AND THE GOVERNMENT OF THE GRAND DUCHY OF LUXEMBOURG CONCERNING THE INTERNATIONAL CARRIAGE OF PASSENGERS AND GOODS BY ROAD BETWEEN FINLAND AND LUXEMBOURG

The Government of the Republic of Finland and the Government of the Grand Duchy of Luxembourg, desiring further to promote, on the basis of reciprocity, the international carriage of passengers and goods by road between Luxembourg and Finland or in transit through their territories, have agreed as follows:

## PASSENGER TRANSPORT

*Article 1.* (1) Enterprises which are authorized by their own State to provide occasional transport services (excursions and travel by chartered bus) and which have their operating headquarters in the territory of one of the countries shall not require any additional authorization for journeys to or through the territory of the other country in the case of:

- (a) "Closed-door" round trips, namely, journeys by the same vehicle carrying the same group of passengers throughout the journey and returning them to the point of departure, or
- (b) Transport services in which the vehicle takes up passengers on the outward journey and returns empty.

Occasional transport operations, which are not exempt from authorization under the provisions of this article, shall in every case require authorization from the competent authority of the Contracting Party concerned.

(2) Shuttle services (holiday destination journeys) to or through the other country shall require authorization from the competent authority of the other Contracting Party.

*Article 2.* (1) In the case of regular international passenger transport operations, carriers shall require authorization from the competent authorities of the countries concerned.

(2) Timetables, fares and conditions of carriage or any changes therein, and termination of operations, shall require the prior consent of the competent authorizing authorities of both Parties.

## GOODS TRANSPORT

*Article 3.* The carriage of goods from or to one of the Contracting States or in transit through the territory of one of the Contracting States by motor vehicles

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<sup>1</sup> Came into force on 16 June 1982, i.e., the thirtieth day following the date (17 May 1982) on which the Contracting Parties notified each other, in writing, of the fulfilment of the domestic constitutional requirements, in accordance with article 14 (1).

registered in the other Contracting State shall require an authorization issued in advance.

Authorization shall not be required for:

- (a) The conveyance of postal items;
- (b) The transport of damaged vehicles;
- (c) The carriage of bees and fish fry;
- (d) Funeral transport;
- (e) The carriage of *objets d'art* and works of art intended for exhibitions or fairs or for commercial purposes;
- (f) The carriage of articles and equipment intended exclusively for advertising and information;
- (g) Furniture removal by enterprises employing trained workers and suitable equipment;
- (h) The carriage of properties, accessories and animals to or from theatrical, musical, cinematographic and sporting events, circuses or fairs, and to or from radio broadcasting recording sessions and cinematographic or television filming sessions;
- (i) Transport on own account;
- (j) Carriage by vehicles whose permissible maximum weight, including trailers, does not exceed 6 tons or whose permissible maximum load, including trailers, does not exceed 3.5 tons;
- (k) The carriage of goods needed for medical treatment in cases of emergency, especially in cases of natural disaster, and humanitarian relief supplies;
- (l) The movement of an unladen goods vehicle to replace a vehicle which has broken down abroad, and continuation of the transport operation by the replacement vehicle under the licence issued for the broken-down vehicle;
- (m) The movement of an unladen goods vehicle.

The competent authorities may agree on changes in and additions to the above list.

*Article 4.* (1) Authorizations under article 3 shall be issued for a specified period. The authorization must be carried on each journey and produced on demand to an inspecting officer.

(2) Authorizations shall be issued by the competent authorities of a Contracting State, in accordance with the laws in force, upon application to the competent authorities.

Blank authorization forms shall be forwarded in agreed quantities by the competent authority of one of the Contracting States with instructions to issue them, duly completed, for the carriers concerned.

(3) Authorizations shall be issued to Finnish carriers only on presentation of a Finnish permit to engage in the carriage of goods by motor vehicle.

Authorizations shall be issued to Luxembourg carriers only on presentation of a Luxembourg permit to engage in the carriage of goods by motor vehicle.

(4) An authorization may be used only by the carrier in whose name it is issued and shall not be transferable.

(5) A permit shall be valid for one motor vehicle or one combination of vehicles (articulated vehicle or road train), the official number plate of the drawing vehicle being the determinant of nationality.

(6) A permit shall be valid for one journey, outward and return, including transit through a Contracting State.

#### COMMON PROVISIONS

*Article 5.* (1) Carriers of one of the Contracting Parties shall not carry passengers or goods between two points in the territory of the other Contracting Party.

(2) Carriers of one of the Contracting Parties may engage in transport operations by motor vehicle, or by a combination of a drawing vehicle and a trailer, between the territory of the other Contracting Party and a third State only with special authorization from the competent authorities of the other Contracting Party.

*Article 6.* Vehicles which are registered in the territory of one of the Contracting States and are imported temporarily — in the course of the international carriage of passengers or goods — into the territory of the other Contracting State shall be exempted from the taxes and charges levied on the circulation or possession of vehicles in the territory of the last-mentioned Contracting State.

*Article 7.* Fuel contained in the ordinary supply tanks with which the vehicle was equipped by the maker shall be exempted from all duties, taxes and charges.

*Article 8.* Carriers shall be required to comply with the provisions of the traffic laws and motor vehicle laws in force in a Contracting State.

Other domestic legislation of the Contracting Parties shall not be affected by the provisions of this Agreement.

*Article 9.* The documents provided for in this Agreement shall be carried on all journeys in a Contracting State and shall be produced on demand to the competent authorities.

*Article 10.* (1) Carriers who violate the provisions of the Agreement in the territory of the other Contracting State may, at the request of the competent authorities of that State, be given an administrative warning by the authorities of their own State or may be temporarily or permanently excluded from international transport operations in the Contracting State in which the violation occurred.

(2) Authorities which have taken any of the aforementioned actions shall so inform the competent authority of the other Contracting State.

*Article 11.* (1) The competent authorities of the Contracting Parties shall settle all questions arising out of the application of this Agreement. A Joint Commission may be established for that purpose.

(2) Either Contracting Party may propose a meeting of the Joint Commission if the need arises.

*Article 12.* The arrangements for implementing this Agreement shall be regulated in a Protocol, which shall enter into force simultaneously with the Agreement. The Protocol may be amended or supplemented by agreement between the competent authorities.

*Article 13.* If the Contracting Parties become parties to multilateral agreements the relevant provisions of which are more liberal than those contained in this Agreement, those other provisions shall apply.

*Article 14.* (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) It 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 six months before the expiry of the period of validity.

DONE at Helsinki, on 15 February 1980, in duplicate in the German language.

For the Government of the Republic of Finland:

ERKKI PAJARI

For the Government of the Grand Duchy of Luxembourg:

F. KESSELER

**PROTOCOL RELATING TO THE NEGOTIATIONS AT HELSINKI, FROM 13 TO 15 FEBRUARY 1980, ON THE CONCLUSION OF AN AGREEMENT CONCERNING THE INTERNATIONAL CARRIAGE OF PASSENGERS AND GOODS BY ROAD BETWEEN FINLAND AND LUXEMBOURG, BETWEEN A FINNISH DELEGATION, COMPOSED OF:**

Messrs. Erkki Pajari	Ambassador, Ministry of Foreign Affairs, Chairman;
Pentti Pekonen	Director, Road Traffic Department, Ministry of Transport, Ministerial Director;
Iikka J. Autio	Chief, General Office, Road Transport Department, Ministry of Transport, Ministerial Director;
Heikki Lumme	Counsellor of Embassy, Ministry of Foreign Affairs;
Wolf von Harp	Senior Government Counsellor, Ministry of Transport;
Seppo Sava	Legal Adviser, Finnish Road Carriers' Association;
Jyrki Saarikivi	Translator, Ministry of Transport;

**AND A LUXEMBOURG DELEGATION, COMPOSED OF:**

Messrs. Fernand Kessler	Government Counsellor, Ministry of Transport;
Pierre Bastendorff	Inspecteur principal, Ministry of Transport;
Corneille Schmitz	Director, Road Transport Department, Ministry of Transport.

The negotiations were guided by the desire to intensify co-operation in the field of road transport between the two countries.

The two delegations addressed the issues of international carriage of goods in depth. The text of an Agreement was formulated, and in that connection it was decided as follows:

(1) The present Agreement applies to the international carriage of passengers and goods, and specifically to transport operations by carriers who have their headquarters in one of the two Contracting States and who are permitted to engage in the carriage of passengers or goods by motor vehicles registered in the other Contracting State.

(2) The terms used in the present Agreement correspond to those used in ECMT resolutions.

(3) The two delegations agreed that the development of goods traffic between the two States should first be observed and that the number of authorizations to be issued should be decided upon at a later date, when sufficient experience had become available.

(4) Authorizations issued under the Agreement shall be valid for a period of three months.

(5) Article 7 shall cover, *inter alia*, loads (e.g. goods in bulk or dangerous goods) which, in accordance with the law in force in one of the Contracting States, require a special authorization. If the weights and dimensions of a vehicle or a combination of a drawing vehicle and a trailer, whether laden or unladen, exceed the maximum permissible weights and dimensions in the territory of the other Contracting Party, a special authorization from the competent authority of that Contracting Party shall be required in addition to the authorization referred to in article 3 of the Agreement.

(6) With reference to article 1 of the Agreement, it is agreed that, in the case of occasional passenger transport operations, a declaration of the number of passengers obviates the need for a passenger list.

(7) Article 3 (1) shall also apply to passenger transport.

(8) Model authorization forms are attached to this Protocol as annexes 1 and 2.<sup>1</sup>

(9) The Contracting Parties shall inform each other, upon request, concerning the authorization they have issued.

(10) The competent authorities shall be the following:

In the case of Luxembourg:

Ministère des transports  
19-21, bd. Luxembourg, télex 3464 ecolu

In the case of Finland :

Within the Ministry of Transport,  
the Road Traffic Department;  
Eteläesplanadi 16, 00130 Helsinki 13

except in regard to paragraph 5 (dimensions and weights) of this Protocol:

Tie- ja vesirakennushallitus  
(Road and Waterways Administration)  
Eteläesplanadi 4, 00130 Helsinki 13, télex 124785 — tvht.

<sup>1</sup> The forms have not been communicated for publication.

DONE at Helsinki on 15 February 1980.

For the Finnish Delegation:

ERKKI PAJARI

For the Luxembourg Delegation:

F. KESSELER

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