

No. 22432

**FINLAND
and
MOROCCO**

**Agreement on international road transport (with protocol).
Signed at Rabat on 26 October 1979**

Authentic texts of the Agreement: Finnish, Arabic and French.

Authentic texts of the Protocol: Arabic and French.

Registered by Finland on 1 November 1983.

**FINLANDE
et
MAROC**

**Accord concernant les transports routiers internationaux
(avec protocole). Signé à Rabat le 26 octobre 1979**

Textes authentiques de l'Accord : finnois, arabe et français.

Textes authentiques du Protocole : arabe et français.

Enregistré par la Finlande le 1^{er} novembre 1983.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE REPUBLIC OF FINLAND AND THE GOVERNMENT OF THE KINGDOM OF MOROCCO ON INTERNATIONAL ROAD TRANSPORT

The Government of the Republic of Finland and the Government of the Kingdom of Morocco, desiring to promote road transport of passengers and goods between the two States and in transit across their territories, have agreed as follows:

Article 1. Carriers established in Finland or in Morocco are authorized to undertake the transport of passengers or goods by means of vehicles registered in either of those States, either between the territories of the two Contracting Parties or in transit through the territory of one of them, under the conditions laid down in this Agreement.

I. PASSENGER TRANSPORT

Article 2. All passenger transport by public carriers between the two States, or in transit through their territories, shall be subject to the system of prior authorization, with the exception of the transport operations specified in article 3 of this Agreement.

Article 3. 1. The following operations shall not be subject to the system of prior authorization, and shall require only a declaration:

- Occasional closed-door transport, i.e., when the vehicle carries the same group of passengers for the entire journey and returns to its point of departure without taking on or setting down passengers during the journey;
- Occasional tourist transport consisting of a laden outward journey and an unladen return journey, although passengers may be set down during the journey.

2. The model declaration referred to in paragraph 1 shall be established by agreement between the competent authorities of the two States.

Article 4. 1. Regular passenger transport shall be organized by agreement between the competent authorities of the Contracting Parties.

2. To that end, the said authorities shall transmit to each other the proposals for such services which are submitted to them by the carriers. These proposals must contain the following information:

- (a) Name of the carrier;
- (b) Operating period and frequency;
- (c) Proposed rates;
- (d) Outline of the route;

¹ Came into force on 21 March 1983, i.e., the thirtieth day following the date on which the Parties had informed each other (on 19 February 1983) of the completion of the required procedures, in accordance with article 24 (1).

(e) Any other special operating conditions that may be laid down.

3. After approval by the competent authorities of the Contracting Parties of the proposals referred to in paragraph 2 of this article, each shall transmit to the other an authorization valid for the route in the territory of its country.

4. The competent authorities shall, in principle, issue authorizations on the basis of reciprocity.

Article 5. Applications for authorization for passenger transport which do not meet the conditions mentioned in articles 3 and 4 of this Agreement shall be submitted by the carrier to the competent authorities of the country of registration of the vehicle.

II. GOODS TRANSPORT

Article 6. Except for the cases referred to in article 9 below, the transport of goods between the two States, or in transit through their territories, shall be subject to the system of prior authorization.

Article 7. 1. Authorizations shall be of two types:

- (a) Journey authorizations, valid for one or more journeys and for a period not exceeding three months;
- (b) Time authorizations, valid for an indefinite number of journeys and for a period of one year.

2. Authorizations shall entitle the carrier to take on a return load of goods.

Article 8. The competent authorities of the country in which the vehicles are registered shall issue the authorizations on behalf of the other Contracting Party, within the limits of annual quotas set by mutual agreement.

Article 9. 1. The competent authorities shall, however, grant unrestricted authorizations for the following:

- (a) Funeral transport by means of special vehicles;
- (b) The removal of household effects;
- (c) The transport of equipment, properties and animals to and from theatrical, musical, cinematographic and sports events, circuses and fairs, and for use in radio, cinematographic and television productions;
- (d) The transport of damaged vehicles.

The above listing may be amended by agreement between the competent authorities.

2. The authorizations mentioned above shall be valid for breakdown and towing vehicles.

III. GENERAL PROVISIONS

Article 10. 1. Authorizations shall be printed in the languages of the two Contracting Parties, in accordance with models drawn up by agreement between the competent authorities of the two countries.

2. Those authorities shall transmit to each other the blank authorizations necessary for the implementation of this Agreement.

Article 11. Carriers established in the territory of one Contracting Party may not undertake transport operations between two points situated in the territory of the other Contracting Party.

Article 12. Carriers established in the territory of one Contracting Party may not undertake transport operations between the territory of the other Contracting Party and a third country without special authorization issued by the latter Contracting Party.

Article 13. Where the weight or dimensions of a vehicle or of its load exceed the limits permitted in the territory of the other Contracting Party, the latter shall provide the vehicle with a special authorization.

The said authorization may restrict the vehicle to a particular route.

Article 14. 1. The competent authorities shall issue without charge the authorizations provided for by this Agreement, and may impose on carriers the obligation to draw up a report for each journey undertaken.

2. The authorizations and declarations provided for by this Agreement shall be kept on board the vehicles concerned and shall be produced at the request of inspection officials.

3. The declarations and reports shall be stamped by the customs on entry into and exit from the territory of the Contracting Party for which they are valid.

Article 15. Carriers engaged in the transport operations referred to in this Agreement shall pay the taxes and duties prescribed in the territory of the other Contracting Party in respect of transport operations undertaken in that territory on the terms established in the protocol referred to in article 23 of this Agreement.

Article 16. Vehicle crew members may temporarily import their personal effects and the tools necessary for their vehicle, duty-free and without an import permit for the period of their stay in the territory of the other Contracting Party.

Article 17. 1. Fuel contained in the tanks intended by the manufacturer for the vehicle in question shall be admitted free of duties and charges.

2. Spare parts intended for the repair of a vehicle undertaking a transport operation under this Agreement shall be exempt from custom duties and taxes and from import restrictions.

3. Unused or replaced spare parts shall be re-exported or destroyed under the supervision of the customs authorities of the other Contracting Party.

Article 18. Carriers and their employees shall be required to comply with the provisions of this Agreement and with the laws and regulations relating to transport and road traffic in force in the territory of each Contracting Party.

Article 19. The provisions of the national laws and regulations of the two Contracting Parties shall apply to all matters not regulated either by this Agreement or by an international convention to which both States are parties.

Article 20. 1. In the case of a violation of the provisions of this Agreement committed by a carrier in the territory of one Contracting Party, the competent authorities of the country in which the vehicle is registered shall be

required, at the request of the competent authorities of the other Contracting Party, to apply to it one of the following measures:

(a) A warning;

(b) Suspension or revocation, wholly or in part, of the right to carry out transport operations in the territory of the State in which the violation was committed.

2. The provisions of this Agreement shall not affect the legal sanctions which may be applied by the courts or the executive authorities of the Contracting Party whose laws or regulations were infringed.

3. The authorities applying the said measures shall notify accordingly the authorities which requested them.

Article 21. The Contracting Parties shall designate the authorities competent to oversee the implementation of the measures referred to in this Agreement and to exchange all the necessary statistical and other information.

Article 22. 1. For the purpose of ensuring the proper application of the provisions of this Agreement, the two Contracting Parties shall establish a Mixed Commission.

2. The said Commission shall meet at the request of one Contracting Party.

Article 23. The Contracting Parties shall determine the procedures for the application of this Agreement in a protocol to be signed at the same time as the Agreement.

The Mixed Commission provided for in article 22 of this Agreement shall be competent to make any necessary amendments to the said protocol.

Article 24. 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 procedures relating to the entry into force of this Agreement in their territories.

2. The Agreement shall remain in force for a period of one year from the date of its entry into force. It shall be extended automatically from year to year unless written denunciation is sent by one Contracting Party to the other three months before the expiry of its validity.

DONE at Rabat on 4 Dhu'l-hijjah A.H. 1399 (26 October A.D. 1979), in two original copies in the Finnish, Arabic and French languages, the three texts being equally authentic. In case of disputes, however, the French text shall prevail.

For the Government of the Republic
of Finland:

ERKKI PAJARI

For the Government of the Kingdom of Morocco:

MOHAND NACEUR

PROTOCOL DRAWN UP PURSUANT TO ARTICLE 23 OF THE AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF FINLAND AND THE GOVERNMENT OF THE KINGDOM OF MOROCCO ON INTERNATIONAL ROAD TRANSPORT

In accordance with the provisions of article 23 of the Agreement between the Government of the Republic of Finland and the Government of the Kingdom of Morocco, the Finnish delegation and the Moroccan delegation have agreed as follows:

I. The term "vehicle" shall mean a mechanically propelled road vehicle and, as the case may be, any trailer or semi-trailer which is used for transport.

II. *Passenger transport*

1. The applications for authorizations mentioned in article 5 must be sent to the competent authorities at least 21 days before the date on which the journey is to take place.

They must include the following information:

—The name and address of the organizer of the journey;

—The name and address of the carrier;

—The registration number(s) of the vehicle(s) to be used;

—The number of passengers to be carried;

—The date and frontier crossing point for entering and leaving the territory as well as the sections of route to be covered laden or unladen.

2. The competent authorities of each Contracting Party shall place at the disposal of the authorities of the other Contracting Party the necessary blank authorizations, in mutually agreed quantities.

3. The competent authorities of each Contracting Party shall send to the authorities of the other Contracting Party a copy of the authorizations that they issue.

4. The declarations must include the following information:

—The name and address of the organizer of the journey;

—The name and address of the carrier;

—The registration number(s) of the vehicle(s) to be used;

—The number of passengers;

—The date of the journey;

—The route of the journey.

III. *Goods transport*

1. In the application of the provisions of article 7, paragraph 2, of the Agreement, there shall be no discrimination between domestic carriers and carriers of the other Party with regard to the loading of return freight.

2. Moreover, with reference to article 14, the journey authorizations and the time authorizations shall be accompanied by a report which must be returned with the authorization to the issuing authority.

The report shall include the following information:

- The registration number of the vehicle undertaking the transport operation;
- The carrying capacity and total laden weight of the vehicle;
- The sites at which the goods are to be loaded and unloaded;
- The nature and weight of the transported goods;
- The customs stamp at the entry and exit of the vehicle.

3. *Quota.* For the first year of application of the Agreement, the annual number of round-trip journeys which the carriers of one of the States are permitted to undertake in the territory of the other State shall be fixed at 400.

Each time authorization shall be considered equivalent to 15 journeys.

IV. *General provisions*

1. The authorizations and declarations shall conform to the models adopted by common agreement in the Mixed Commission.

2. Authorizations shall bear, on the upper left-hand side, the letters "SF" for those valid in Finnish territory and the letters "MA" for those valid in the territory of the Kingdom of Morocco.

3. Authorizations shall be numbered and stamped by the issuing authority. They shall be returned to that authority by the carrier within the period stipulated in the said authorizations.

4. The competent authorities are:

For the Republic of Finland:

Department of Road Transport
Ministry of Communications
E. Esplanadi 16
00130 Helsinki 13 Finland

For the Kingdom of Morocco:

Director of Road Transport
Ministry of Transport
P.O.B. 717
Rabat-Agdal, Morocco

5. Requests for special authorizations as provided for in article 13 must be submitted:

By Finnish carriers, to:

Director of Road Transport
Ministry of Transport
P.O.B. 717
Rabat-Agdal, Morocco

By Moroccan carriers, to:

Highway Administration
E. Esplanadi 4
00130 Helsinki 13 Finland

6. (a) The competent authorities shall, within three months after the end of each calendar year, transmit to each other the statistics on the transport operations regulated by the Agreement.

(b) For the purpose of administering the goods-transport quota, a statement shall be drawn up, including:

—The numbers of the first and last journey authorizations issued and the number of journeys authorized;

—The numbers of the first- and last-time authorizations;

—The number of journeys undertaken.

7. The carriers covered by the Agreement shall be subject, in respect of taxes and duties, to the provisions of the taxation agreement between the two countries.

8. Spare parts imported with the vehicles shall normally be admitted under the temporary admission system.

The Contracting Parties may require that those parts be covered by a temporary import permit.

Commonly used parts accompanying the vehicles may be exempt from security or deposit requirements.

DONE at Rabat, on 4 Dhu'lhijjah A.H. 1399 (26 October A.D. 1979), in two original copies in the French and Arabic languages, both texts being equally authentic. In case of disputes, however, the French text shall prevail.

For the Government of the Republic
of Finland:

ERKKI PAJARI

For the Government of the Kingdom of Morocco:

MOHAND NACEUR