

No. 22875

**NETHERLANDS
and
IRELAND**

**Agreement on the international carriage of goods by road
(with protocol). Signed at Dublin on 30 May 1983**

Authentic text: English.

Registered by the Netherlands on 23 April 1984.

**PAYS-BAS
et
IRLANDE**

**Accord relatif au transport routier international de mar-
chandises (avec protocole). Signé à Dublin le 30 mai
1983**

Texte authentique : anglais.

Enregistré par les Pays-Bas le 23 avril 1984.

AGREEMENT¹ BETWEEN THE KINGDOM OF THE NETHERLANDS AND IRELAND ON THE INTERNATIONAL CARRIAGE OF GOODS BY ROAD

The Government of the Kingdom of the Netherlands and the Government of Ireland,

Desirous of promoting in the interest of their economic relations the development of transport of goods by road between their two countries and in transit across their territories;

Having decided to conclude an Agreement with the object of consolidating existing facilities and creating additional facilities,

Have agreed as follows:

Article 1. DEFINITIONS

For the purposes of this Agreement:

(a) The term “carrier” shall mean a person (including a legal person) who, in either the Kingdom of the Netherlands or Ireland, carries goods by road for hire or reward or on his own account in accordance with the relevant national laws and regulations;

(b) The term “vehicle” shall mean any mechanically propelled road vehicle, which is constructed or adapted for the transport of goods including any accompanying trailer or semi-trailer.

Article 2. SCOPE

The provisions of this Agreement shall apply to the international carriage of goods by road for hire or reward or on own account between the Kingdom of the Netherlands and Ireland, in transit through either country and to or from third countries.

Article 3. TRANSPORT OPERATIONS

Each of the Contracting Parties shall allow any carrier established in the territory of the other Contracting Party to carry out without any special licence transport of goods:

- a. Between any point in its territory and any point outside that territory;
- b. In transit through its territory.

Article 4. PROHIBITION OF CABOTAGE

Nothing in this Agreement shall be held to permit a carrier of one country to pick up goods at any point in the other country for delivery at any other point in that country.

¹ Came into force on 29 January 1984, i.e., the thirtieth day following the date of receipt of the last of the notifications by which the Contracting Parties informed each other (on 9 and 30 December 1983), through diplomatic channels, of the completion of the necessary measures, in accordance with article 14 (1).

Article 5. ABNORMAL WEIGHTS AND DIMENSIONS

If the weights or dimensions of a vehicle or combination of vehicles registered in the territory of one of the Contracting Parties when engaged in international transport under the provisions of this Agreement exceed the permissible maximum in the territory of the other Contracting Party a special permit is required.

Article 6. COMPLIANCE WITH NATIONAL LAW

Carriers of either country and the crews of their vehicles must, when in the other country, comply with the laws and regulations in force in that country.

Article 7. INFRINGEMENTS

In the event of any infringement of the provisions of this Agreement by a carrier, established in the territory of one of the Contracting Parties, the Contracting Party in whose territory the infringement occurred may notify the other Contracting Party which will take such steps as may be provided by its national laws.

Article 8. VEHICLE EXCISE DUTIES

1. Vehicles which

(a) Are registered and currently taxed in one country; and

(b) Are temporarily imported into the other country,

shall be exempted from the taxes and charges levied on the circulation or possession of vehicles in the latter country as well as from special taxes or charges on transport operations in the territory of the other Contracting Party.

2. This exemption shall not extend to tolls or to taxes and charges on motor fuel.

3. This exemption shall also apply to vehicles allowed to be brought into circulation and exempted from the obligation to be registered and/or taxed in either country.

4. Neither Contracting Party shall, however, be required by paragraphs 1 or 3 to grant this exemption in respect of vehicles which are owned by persons resident in its territory.

Article 9. FUEL IN TANKS OF VEHICLES

The fuel contained in the normal tanks of the vehicles mentioned in Article 1, as well as the lubricants contained in the vehicles for the purpose of their operation exclusively, shall be exempted from import duties and any other taxes and payments in the territory of the other Contracting Party.

Article 10. IMPLEMENTATION

1. The competent authorities of the two Contracting Parties shall regulate all questions regarding the implementation and the application of this Agreement.

2. For this purpose the Contracting Parties may establish a Joint Committee.

3. The Joint Committee shall meet at the request of either Contracting Party.

Article 11. EXCHANGE OF INFORMATION

Each competent authority shall provide the other with any relevant information which can be made available concerning the manner in which transport covered by this Agreement has developed.

Article 12. PROTOCOL

The Contracting Parties shall lay down detailed rules for the implementation of this Agreement in a Protocol signed at the same time as the Agreement. The Joint Committee established in accordance with the provisions of Article 10 shall have power to modify the said Protocol. Any modification agreed upon by the Joint Committee shall enter into force on a date to be determined by exchange of diplomatic notes.

Article 13. APPLICATION FOR THE NETHERLANDS

With respect to the Kingdom of the Netherlands, this Agreement shall apply only to the territory of the Kingdom in Europe.

Article 14. ENTRY INTO FORCE AND DURATION

1. Each Contracting Party shall notify the other through diplomatic channels when the measures necessary for giving effect to this Agreement in their country have been taken. The Agreement shall enter into force on the thirtieth day after the date of receipt of the later of these notifications.

2. The Agreement shall remain in force for a period of one year after its entry into force. Thereafter, it shall continue in force from year to year unless it is terminated by either Contracting Party giving six months' written notice thereof to the other Contracting Party.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto, have signed this Agreement.

DONE in duplicate at Dublin this day of 30 May 1983 in the English language.

For the Government
of the Kingdom of the Netherlands:

H. A. H. SCHOUTEN

For the Government
of Ireland:

JIM MITCHELL

PROTOCOL DRAWN UP UNDER ARTICLE 12 OF THE AGREEMENT BETWEEN THE KINGDOM OF THE NETHERLANDS AND IRELAND ON THE INTERNATIONAL CARRIAGE OF GOODS BY ROAD

The following detailed rules have been agreed for the implementation of the Agreement:

1. For the purposes of this Agreement, the competent authorities shall be:
 - (a) In the Kingdom of the Netherlands, the Ministry of Transport and Public Works or any authority appointed by it;
 - (b) In Ireland, the Minister for Transport or any authority appointed by him.

In relation to Article 5

2. When applying Article 5 on abnormal weights and dimensions the Irish authorities shall grant the special permits for special transport operations only.

3. The appropriate authorities for the purposes of this Article shall be:

(a) In the Netherlands:

Rijksdienst voor het Wegverkeer,
Fruitweg 262,
2525 KJ Den Haag.

(b) In Ireland:

The local authority in whose area the journey is to be made (before the journey is made, seven days' notice thereof, accompanied by a copy of the application for a permit, shall be given to the Commissioner of the *Gárda Síochána*, Dublin).

IN WITNESS WHEREOF the undersigned, being duly authorized thereto, have signed this Protocol.

DONE in duplicate at Dublin this day of 30 May 1983 in the English language.

For the Government
of the Kingdom of the Netherlands:
H. A. H. SCHOUTEN

For the Government
of Ireland:
JIM MITCHELL