

**No. 23131**

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**AUSTRIA  
and  
CYPRUS**

**Agreement on international road transport. Signed at Vienna  
on 28 September 1983**

*Authentic text: English.*

*Registered by Austria on 8 November 1984.*

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**AUTRICHE  
et  
CHYPRE**

**Accord relatif aux transports internationaux par route. Signé  
à Vienne le 28 septembre 1983**

*Texte authentique : anglais.*

*Enregistré par l'Autriche le 8 novembre 1984.*

## AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF THE REPUBLIC OF AUSTRIA AND THE GOVERNMENT OF THE REPUBLIC OF CYPRUS ON INTERNATIONAL ROAD TRANSPORT

The Government of the Republic of Austria and the Government of the Republic of Cyprus

Desiring to facilitate international road transport between their two States, in transit through their territories, and to and from third countries;

Have agreed as follows:

### GENERAL PROVISIONS

#### *Article 1. DEFINITIONS*

For the purposes of this Agreement:

a) The term “carrier” shall mean any person (including a legal person) who, in either the Republic of Austria or the Republic of Cyprus is authorized in accordance with the relevant national laws and regulations to engage in the carriage of passengers or goods by road for hire or reward or on his own account,

b) The term “passenger vehicle” shall mean any mechanically propelled road vehicle which:

- i) Is constructed or adapted for use and is used on the roads for the carriage of passengers;
- ii) Has more than eight seats in addition to that of the driver;
- iii) Is registered in the territory of one Contracting Party;
- iv) Is temporarily imported into the territory of the other Contracting Party for the purpose of the international carriage of passengers to, from, in transit through that territory, and to and from third countries.

c) The term “goods vehicle” shall mean in this Agreement any mechanically propelled road vehicle which is:

- i) Constructed or adapted for use and is used on the roads for the carriage of goods;
- ii) Registered in the territory of one Contracting Party; and
- iii) Temporarily imported into the territory of the other Contracting Party for the purpose of the international carriage of goods for delivery at or collection from any point in that territory or in transit through that territory, and to and from third countries; or any trailer or semi-trailer for coupling to such goods vehicle.

d) The term “territory” in relation to Cyprus shall mean the territory of the Republic of Cyprus. Points of entry will be ports recognised under the laws of the Republic of Cyprus.

#### *Article 2. COMPETENT AUTHORITIES*

The competent authorities shall be:

- a) In the Republic of Austria the Federal Minister of Transport;

<sup>1</sup> Came into force on 1 November 1984, i.e., the first day of the third month following the date of the last of the notifications by which the Parties had informed each other (on 8 June and 1 August 1984) of the completion of the required constitutional procedures, in accordance with article 13 (1).

- b) In the Republic of Cyprus the Department of Inland Transport, Ministry of Communications and Works.

### *Article 3. COMPLIANCE WITH LAWS AND REGULATIONS*

(1) Carriers authorized in the territory of one Contracting Party must ensure that vehicles used for transport operations carried out under the provisions of this Agreement are in such a state and are so used as to comply with the laws and regulations in force in the territory of the other Contracting Party, in particular provisions relating to road safety and the operation of motor vehicles.

(2) The Contracting Parties agree to inform each other of changes or amendments of the existing laws and regulations in the field of road safety and operation of motor vehicles.

### *Article 4. INFRINGEMENTS*

(1) In the event of any infringement of the provisions of this Agreement by a carrier, or by a driver of a passenger vehicle or a goods vehicle, the competent authority of the Contracting Party in whose territory the infringement occurred, may (without prejudice to any lawful sanctions which may be applied by the courts or enforcement authorities of that Contracting Party) notify the infringement to the competent authority of the other Contracting Party which may take any steps provided by its national laws.

(2) The competent authority receiving any such notification shall, as soon as reasonably practicable, inform the competent authority of the other Contracting Party of the action taken.

## PASSENGER TRANSPORT

### *Article 5. OCCASIONAL PASSENGER TRANSPORT OPERATIONS*

A carrier of one Contracting Party shall be permitted to use a passenger vehicle in the territory of the other Contracting Party for the following international passenger transport operations without being required to be licensed for that purpose in accordance with the laws of that other Contracting Party:

a) “Closed-door tours”: that is, services whereby the same vehicle is used to carry the same group of passengers throughout the journey and to bring them back to the place of departure;

b) “Inward services”: that is, services which make the outward journey laden and the return journey unladen;

c) “Outward services”: that is, services characterized by the fact that the outward journey is made unladen and all the passengers are taken up in the same place and the passengers:

- i) Constitute groups on the territory of a third country formed under contracts of carriage made before their arrival on the territory of the other Contracting Party and are carried into the territory of the Contracting Party in which the vehicle is registered; or
- ii) Were previously brought by the same carrier into the territory of the other Contracting Party where they are taken up again and are carried into the territory of the Contracting Party in which the vehicle is registered; or
- iii) Have been invited to travel to the territory of the other Contracting Party, the cost of transport being borne by the person issuing the invitation. Such passengers must

constitute a homogeneous group which has not been formed solely with a view to undertaking that particular journey;

d) Services which take passengers:

- i) From a third country to the territory of the other Contracting Party;
- ii) Through the territory of the other Contracting Party to a third country; and
- iii) From the territory of the other Contracting Party to a third country.

#### *Article 6. REGULAR PASSENGER TRANSPORT OPERATIONS*

Such part of any international passenger transport operation, other than one of those referred to in Article 5 of this Agreement, which is performed by a carrier of one Contracting Party in the territory of the other Contracting Party shall be subject to licensing in accordance with the national laws and regulations in force in that territory.

### GOODS TRANSPORT

#### *Article 7. REQUIREMENTS AS TO PERMITS*

(1) Except as provided in Article 8 of this Agreement a carrier of one Contracting Party shall require a permit. Such permits shall be delivered by the competent authority referred to in Article 2 of this Agreement:

- a) To carriers authorized in the Republic of Austria by the Federal Minister of Transport or by any other authority in Austria entrusted with that function;
- b) To carriers authorized in the Republic of Cyprus by the competent authority in Cyprus or by any other authority in Cyprus entrusted with that function.

(2) A permit shall authorize one return journey.

(3) The form and number of permits shall be agreed between the competent authorities of the Contracting Parties.

(4) The competent authorities of the Contracting Parties shall send each other an adequate number of valid blank permits.

#### *Article 8. EXEMPTIONS FROM REQUIREMENTS AS TO PERMITS*

No permits under Article 7 of this Agreement will be required for:

- a) Carriage of goods in any trailer or semi-trailer operated by or on behalf of a carrier of one country and not drawn by a towing vehicle registered in that country;
- b) Carriage of goods to and from airports in cases where air services are rerouted;
- c) Carriage of luggage in trailers drawn by passenger vehicles, and the carriage of luggage by vehicles of any description to and from airports;
- d) Carriage of damaged vehicles;
- e) Funeral transport;
- f) Carriage of works of art and antiques;
- g) Occasional carriage of goods exclusively for publicity or educational purposes;
- h) Carriage of properties, equipment or animals to or from theatrical, musical, cinematographic or circus performances or sporting events, exhibitions or fairs, or to or from the making of radio or television broadcasts or films;

- i*) Carriage of goods for fairs or exhibitions;
- j*) Carriage of animal carcasses for disposal (other than those intended for human consumption);
- k*) Household removals carried out by undertakings using specialized personnel and equipment;
- l*) Carriage of mails;
- m*) Carriage of refuse and sewage;
- n*) Carriage of bees and fish fry;
- o*) Transport of precious goods (e.g. precious metals) in special vehicles accompanied by the police or other personnel;
- p*) Transport of medical supplies and equipment needed for emergencies, notably in the event of natural disaster;
- q*) Transport of goods in motor vehicles whose permitted gross laden weight, including trailers, does not exceed 3.5 tons;
- r*) Unladen run of a relief vehicle used for transporting goods sent to replace a vehicle which has broken down in another country, and continuation of the haul by the relief vehicle under cover of the permit issued for the vehicle which has broken down;
- s*) Unladen runs by goods vehicles;
- t*) Transport of spare parts and provisions for ocean-going ships in cases where ships are rerouted;
- u*) Transport of goods of abnormal dimensions or weight provided that the carrier is specially licensed as required under domestic regulations concerning road traffic.

#### *Article 9. OPERATIONS SUBJECT TO PERMIT REQUIREMENTS*

The permits shall entitle the holder to engage in the carriage of goods by road:

- a*) Between the country in which the motor vehicle is registered and the other country (bilateral transport);
- b*) Through the other country (transit);
- c*) Between the other country and a third country according to the procedure as specified in Article 12.

#### *Article 10. EXCLUSION OF CABOTAGE*

Nothing in this Agreement shall be held to permit a carrier of one Contracting Party to carry goods between any two points in the territory of the other Contracting Party.

#### *Article 11. TAXATION*

(1) Goods vehicles which are registered in the territory of one Contracting Party shall be exempted from the taxes and charges levied on the circulation or possession of vehicles.

(2) The exemption referred to in paragraph (1) of this Article shall not apply to taxes or charges on fuel consumption or to tolls (special charges for the use of particular bridges, tunnels, ferries or sections of road).

(3) The exemption referred to in paragraph (1) of this Article shall be granted in the territory of each Contracting Party as long as the conditions laid down in the Customs

regulations in force in that territory for the temporary admission, without payment of import duties and import taxes, of vehicles covered by that paragraph are fulfilled.

## FINAL PROVISIONS

### *Article 12. REVIEW OF OPERATION*

(1) At the request of one competent authority the other shall provide any relevant information which can reasonably be made available concerning the manner in which traffic covered by this Agreement has developed.

(2) In order to ensure the orderly implementation of the present Agreement and its adaptation to the development in traffic representatives of the competent authorities shall meet upon request of either Contracting Party within a reasonable period of time and in a place to be agreed upon.

### *Article 13. ENTRY INTO FORCE AND DURATION*

(1) Each Contracting Party shall notify the other of the completion of the procedures required by its law to bring the Agreement into force. The Agreement shall enter into force on the first day of the third month following the date 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 unless it is terminated by one Contracting Party giving six months' notice thereof in writing to the other Contracting Party.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto by their respective Governments, have signed this Agreement.

DONE at Vienna on 28th of September 1983 in two originals in the English language.

For the Government of the Republic of Austria:

LAUSECKER

For the Government of the Republic of Cyprus:

MAVRELLIS

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