

No. 23619

**IRELAND
and
LUXEMBOURG**

**Arrangement on the international carriage of goods by road
(with protocol). Signed at Luxembourg on 8 June 1983**

Authentic text: English.

Registered by Ireland on 18 November 1985.

**IRLANDE
et
LUXEMBOURG**

**Accord relatif au transport routier international de mar-
chandises (avec protocole). Signé à Luxembourg
le 8 juin 1983**

Texte authentique : anglais.

Enregistré par l'Irlande le 18 novembre 1985.

ARRANGEMENT¹ BETWEEN THE MINISTER FOR TRANSPORT OF IRELAND AND THE MINISTER OF TRANSPORT OF THE GRAND DUCHY OF LUXEMBOURG ON THE INTERNATIONAL CARRIAGE OF GOODS BY ROAD

The Minister for Transport of Ireland and the Minister of Transport of the Grand Duchy of Luxembourg, hereinafter called the Contracting Parties,

Desiring to facilitate the international carriage of goods by road between and in transit through their countries,

Have arranged as follows:

Article 1. DEFINITIONS

For the purposes of this Arrangement:

(a) The term “carrier” shall mean a person (including a legal person) who, in either Ireland or Luxembourg, 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 and registered in either country, including any accompanying trailer or semi-trailer.

Article 2. SCOPE

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

Article 3. EXEMPTION FROM LICENSING REQUIREMENTS

A carrier of one country will be permitted, without being required to obtain a licence for that purpose in accordance with the laws of the other country, to import an empty or laden goods vehicle temporarily into the territory of that other country for the purpose of the carriage of goods, including return loads:

- (a) Between any point in the territory of one country and any point in the territory of the other country;
- (b) In transit across the territory of that other country; and
- (c) Between any point in the territory of that other country and any point in a third country provided that such carriage does not contravene the provisions of any road haulage agreement for the time being in force between either country and that third country.

Article 4. PROHIBITION OF CABOTAGE

Nothing in this Arrangement 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 3 May 1984, i.e., the thirtieth day following the date of receipt (on 14 December 1983 and on 3 April 1984) of the last of the notifications by which the Contracting Parties had informed each other that the necessary measures had been taken, in accordance with article 11 (1).

Article 5. 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 and in particular with those concerning transport, road traffic and Customs.

Article 6. INFRINGEMENTS

1. In the event of serious or repeated infringement of the provisions of this Arrangement by a carrier of one country while in the other country, the competent authority of the country in which the infringement or infringements occurred may decide

(a) To issue a warning to the carrier;

(b) To issue such a warning together with a notification that any subsequent infringement may lead to the temporary or permanent exclusion of vehicles owned or operated by that carrier from the country in which the infringement occurred;

(c) To issue a notification of such exclusion;

and that competent authority may request the competent authority of the other country to convey its decision to the carrier.

2. The competent authority of the country receiving any such request shall as soon as reasonably practicable comply therewith and shall inform the competent authority of the other country of the action taken.

3. The provisions of this Article shall be without prejudice to any lawful sanctions which may be applied by the courts or by the competent authority of the country in which the infringement occurred.

Article 7. ABNORMAL WEIGHTS AND DIMENSIONS

If the weights or dimensions of a vehicle performing the transport operation exceed the permissible maximum in the other country, special authorisation must be obtained from the appropriate authority in that country before the carriage is undertaken.

Article 8. FISCAL PROVISIONS

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.

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

3. This exemption shall also apply to vehicles allowed to be brought into circulation and exempted from the obligation to be registered and 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.

5. The fuel contained in the normal tanks of a vehicle shall be admitted exempt from taxes and duties.

Article 9. JOINT COMMITTEE

1. Representatives of the competent authorities shall form a Joint Committee to ensure the satisfactory implementation of the Arrangement and its adaptation to developments in traffic. The Joint Committee shall meet at the request of either competent authority.

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

Article 10. PROTOCOL

The Contracting Parties shall lay down detailed rules for the implementation of this Arrangement in a Protocol signed at the same time as the Arrangement. The Joint Committee established in accordance with the provisions of Article 9 shall have power to modify the said Protocol.

Article 11. 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 Arrangement in their country have been taken. The Arrangement shall enter into force on the thirtieth day after the date of receipt of the later of these notifications.

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

DONE at Luxembourg, on June 8th, 1983 in duplicate, in the English language.

For the Minister of Transport
of the Grand Duchy of Luxembourg:

{Signed — Signé}¹

For the Minister for Transport
of Ireland:

{Signed — Signé}²

¹ Signed by Fernand Kessler — Signé par Fernand Kessler.

² Signed by Kevin Rush — Signé par Kevin Rush.

PROTOCOL DRAWN UP UNDER ARTICLE 10 OF THE ARRANGEMENT
BETWEEN THE MINISTER FOR TRANSPORT OF IRELAND AND THE
MINISTER OF TRANSPORT OF THE GRAND DUCHY OF LUXEM-
BOURG ON THE INTERNATIONAL CARRIAGE OF GOODS BY ROAD

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

1. For the purposes of this Arrangement the competent authorities shall be:
 - (a) In Ireland, the Minister for Transport, Kildare Street, Dublin 2, or any authority appointed by him;
 - (b) In the Grand Duchy of Luxembourg, the Minister of Transport, 19-21 Boulevard Royal, 2910 - Luxembourg, B.P. 590, or any authority appointed by him.

In relation to Article 7

2. The appropriate authorities for the purposes of this Article shall be:
 - (a) 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 Garda Siochana, Dublin);
 - (b) In the Grand Duchy of Luxembourg, the Ministry of Transport, 19-21 Boulevard Royal, 2910 Luxembourg, B.P. 590.

DONE at Luxembourg, on June 8th, 1983 in duplicate, in the English language.

For the Minister of Transport
of the Grand Duchy of Luxembourg:

[Signed — Signé]¹

For the Minister for Transport
of Ireland:

[Signed — Signé]²

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