

No. 24646

**FINLAND
and
TUNISIA**

**Agreement concerning international road transport (with
protocol of 14 December 1984 concerning its applica-
tion). Signed at Helsinki on 28 February 1985**

Authentic text: French.

Registered by Finland on 13 March 1987.

**FINLANDE
et
TUNISIE**

**Accord concernant les transports routiers internationaux
(avec protocole du 14 décembre 1984 établi en vue de son
application). Signé à Helsinki le 28 février 1985**

Texte authentique : français.

Enregistré par la Finlande le 13 mars 1987.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE REPUBLIC OF FINLAND AND THE GOVERNMENT OF THE REPUBLIC OF TUNISIA CONCERNING INTERNATIONAL ROAD TRANSPORT

The Government of the Republic of Finland and the Government of the Republic of Tunisia, desiring to facilitate international road transport between the two countries and in transit through their territories, have agreed as follows:

Article 1

Carriers established in Finland or in Tunisia are authorized to undertake the transport of passengers or goods by means of vehicles registered in either of the two countries, or chartered by those carriers, 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

1. With the exception of transport specified in paragraph 2 of this article, passenger transport shall not be subject to the system of authorization of the other Contracting Party.

2. All scheduled passenger transport between the territories of the two Contracting Parties or in transit through their territories shall be subject to the system of prior authorization.

II. GOODS TRANSPORT

Article 3

With the exception of transport specified in article 4, transport of goods between the two countries, or in transit through their territories, shall be subject to the system of authorization.

Article 4

The following shall not be subject to the system of authorization:

- (a) The transport of damaged vehicles or the movement of unloaded breakdown vehicles for that purpose or of replacements for such damaged vehicles;
- (b) The transport of *objets d'art* or antiques;
- (c) The transport of objects and materials intended exclusively for publicity or information;

¹ Came into force on 17 January 1986, i.e., the thirtieth day following the exchange of the instruments of ratification, which took place on 18 December 1985, in accordance with article 16 (1).

- (d) The transport of equipment, properties and animals to and from theatrical, musical, cinematographic and sports events or circuses, and for use in radio, cinematographic and television productions;
- (e) The transport of objects for fairs and exhibitions;
- (f) Funeral transport;
- (g) The removal of household effects;
- (h) The transport of perishable goods at controlled temperatures, by special vehicles;
- (i) The transport of medical equipment and supplies in the event of disasters;
- (j) The transport of other articles by agreement between the competent authorities.

Article 5

1. The transport authorization confers the right to carry out a journey (one entry and one departure) in the territory of the other Contracting Party or to travel across its territory.

2. The authorization may be used only by the carrier on behalf of the authorized person.

3. The competent authorities of the two Contracting Parties shall decide on the model authorizations by mutual agreement.

Article 6

1. The competent authorities of the two Contracting Parties shall determine the quota of authorizations on a reciprocal basis by mutual agreement.

2. The competent authorities of one of the Contracting Parties shall issue authorizations on behalf of the competent authorities of the other Contracting Party.

3. At the request of one of the Contracting Parties, the other Contracting Party may issue authorizations over and above the agreed quota.

III. GENERAL PROVISIONS

Article 7

Where the weight or dimensions of vehicles or combinations of vehicles exceed the limits permitted in the territory of the other Contracting Party, the vehicles shall be provided with a special authorization issued by the competent authority of that Contracting Party.

Article 8

1. Carriers of one of the Contracting Parties shall not be authorized to undertake passenger or goods transport between two points situated in the territory of the other Contracting Party.

2. Carriers of one of the Contracting Parties may not undertake transport operations between the territory of the other Contracting Party and the territory of a third country without special authorization issued by that Contracting Party.

Article 9

Authorizations must be carried on board the vehicles during all journeys in the territory of the other Contracting Party and must be produced on demand to the authorities responsible for inspection.

Article 10

1. The vehicles of carriers established in the territory of one of the Contracting Parties, when carrying out international transport operations, in conformity with the provisions of this Agreement, shall be exempt from all charges and taxes on the movement and possession of vehicles and from all transport charges and taxes.

2. Fuel contained in the tanks intended by the manufacturer for the vehicles in question shall be admitted free of duties and charges.

3. Spare parts imported for the repair of vehicles undertaking transport operations under this Agreement shall, in accordance with customs regulations, be temporarily admitted free of customs duties and other entry charges.

4. Replaced or unused parts must be re-exported or destroyed under the supervision of the customs authorities of the other Contracting Party.

Article 11

Each Contracting Party guarantees to the other Contracting Party that it will allow the transfer in foreign currency of the excess of income over expenses deriving from the operations carried out under this Agreement in accordance with the regulations in force in each of the two countries.

Article 12

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 13

Carriers and drivers of vehicles of one Contracting Party shall be required to comply with the laws and regulations relating to traffic and road transport in force in the territory of the other Contracting Party, when travelling in its territory.

Article 14

1. The competent authorities of the Contracting Parties shall ensure that carriers comply with the provisions of this Agreement.

2. Any carrier of one of the Contracting Parties who, in the territory of the other Contracting Party, infringes the provisions of this Agreement, may be subject, at the request of the Party in whose territory the infringement has occurred, to one of the following measures to be taken by the competent authority of the other Contracting Party:

(a) A warning;

(b) Temporary, partial or total withdrawal of the right to carry out transport operations in the territory of the Contracting Party in which the infringement has occurred.

3. The authority which has applied such a measure shall so inform the competent authority of the other Contracting Party.

4. The provisions of this article 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 have been infringed.

Article 15

The competent authorities of the two Contracting Parties shall maintain the contacts required between them for implementing this Agreement.

Article 16

1. This Agreement shall enter into force on the thirtieth day after the Contracting Parties have exchanged their instruments of ratification in accordance with their individual constitutional procedures.

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 six months before the expiry of its validity.

DONE at Helsinki, on 28 February 1985, in two original copies in the French language, both copies being equally authentic.

For the Government of the Republic of Finland:

ARHI PALOSUO

For the Government of the Republic of Tunisia:

MONCEF GHARIANI

PROTOCOL FOR THE APPLICATION OF THE AGREEMENT CONCLUDED
BETWEEN THE GOVERNMENT OF THE REPUBLIC OF FINLAND
AND THE GOVERNMENT OF THE REPUBLIC OF TUNISIA ON
INTERNATIONAL ROAD TRANSPORT

It is agreed that:

I. *With regard to article 2, paragraph 2*

The competent authorities shall transmit to each other the proposals for the organization of 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;
- (e) Any special operating conditions that may be laid down.

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

Requests for authorization must be sent to the competent authorities at least 60 days before the planned date of the journey.

II. *With regard to article 5*

1. Authorizations for the transport of goods shall conform to annexes 1 and 2.¹

2. Authorizations valid in Finnish territory shall bear the letters "SF" on the upper left-hand side; those valid in Tunisian territory shall bear the letters "TN".

III. *With regard to article 6*

For the first year of application of the Agreement, the annual number of authorizations that the carriers of one of the countries may use in the territory of the other country shall be fixed at 300.

IV. *With regard to article 7*

Requests for special authorizations must be submitted to:

(a) For Finnish carriers:

The Ministry of Supply, Highway Administration
Avenue Habib Cherita, Cité Jardin
Tunis, Tunisia
Telex T.B.H. 12,428.

b) For Tunisian carriers:

Tie-ja vesirakennushallitus
Opastinsilta 11-12
SF-00250 Helsinki, Finland
Telex 124589 tvh sf.

¹ Annexes 1 and 2 are not an integral part of the Agreement. (Information supplied by the Government of Finland.)

V. *With regard to articles 5, 6, 8, 13, 14 and 15*

The competent authorities are:

a) For the Republic of Finland:

Ministry of Communications
Department of Road Transport
Eteläesplanadi 16
SF-00130 Helsinki, Finland
Telex 125472 limin sf.

b) For the Republic of Tunisia:

Ministry of Transport and Communications
Department of Road Transport
19, Rue Mohamed El Agrebi
Tunis 1002, Tunisia
Telex trater 13352

DONE at Tunis on 14 December 1984 in two original copies in the French language, both texts being equally authentic.

For the Government of the Republic of Finland:

ARHI PALOSUO

For the Government of the Republic of Tunisia:

NACEUR BEN GHANEM