

No. 31253

**SWEDEN
and
LATVIA**

Agreement on international transport of passengers and goods by road (with additional protocol). Signed at Stockholm on 25 January 1993

Authentic texts: Swedish, Latvian and English.

Registered by Sweden on 3 October 1994.

**SUÈDE
et
LETTONIE**

Accord relatif au transport routier international de passagers et de marchandises (avec protocole additionnel). Signé à Stockholm le 25 janvier 1993

Textes authentiques : suédois, lettonien et anglais.

Enregistré par la Suède le 3 octobre 1994.

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE KINGDOM OF SWEDEN AND THE GOVERNMENT OF THE REPUBLIC OF LATVIA ON INTERNATIONAL TRANSPORT OF PASSENGERS AND GOODS BY ROAD

The Government of the Kingdom of Sweden and the Government of the Republic of Latvia desirous of promoting, in the interest of their economic relations, the development of transport of passengers and goods by road between the two countries and in transit across their territories, have agreed as follows:

I. Scope

Article 1

The provisions of this Agreement shall apply to the international carriage of passengers and goods by road for hire or reward or on own account between the territory of the Kingdom of Sweden and the territory of the Republic of Latvia and in transit through either country.

II. Definitions

Article 2

For the purpose of this Agreement:

1. the term “carrier” shall mean a natural or legal person, who is established in either of the Contracting Parties and legally admitted in the country of establishment to carry out international transport of goods or passengers by road for hire or reward or on own account in accordance with the relevant national laws and regulations;

2. the term “vehicle” shall mean a motor vehicle or a combination of vehicles of which at least the motor vehicle is registered in either Contracting Party and which is used exclusively for the carriage of passengers and goods by road;

3. the term “passenger motor vehicle” shall mean any power driven vehicle having more than 9 seats, including the driver’s seat;

4. the term “regular services” shall mean services which provide for the transport of passengers of specified frequency along routes, whereby passengers may be taken up or set down at predetermined stopping points.

III. Passenger Transport

Article 3

All passenger transport operations for hire or reward by passenger motor vehicles to, from or within the two Contracting Parties or in transit through their territories are subject to the licensing regime except those specified in Article 6.

Article 4

1. Regular services between the two countries or in transit through their territories shall be approved jointly by the competent authorities of the Contracting Parties.

2. Each competent authority shall issue an authorisation for the portion of the itinerary which is performed in its territory.

3. The competent authorities shall jointly determine the conditions of the authorisation, namely its duration, the frequency of the transport operations, the time tables and the scale of tariffs to be applied, as well as any other detail necessary for the smooth and efficient operation of the regular service.

4. The application for an authorisation shall be addressed to the competent authority of the country of registration of the vehicle, which has the right to accept it or not. In case the application does not raise objection, this competent authority shall communicate it to the competent authority of the other Contracting Party.

5. The application shall be furnished with documents containing the necessary details

¹ Came into force on 8 April 1993, i.e., 30 days after the Contracting Parties had informed each other (on 2 and 9 March 1993) of the completion of the constitutional requirements, in accordance with article 15(1).

(proposed time tables, tariffs and route, period during which the service is to be operated during the year and the date intended to begin the service). The competent authorities may require such details as they deem appropriate.

Article 5

Any non-regular service, not covered by Article 6, is subject to licensing. Applications for licences shall be submitted to the competent authority of the Contracting Party in whose territory the carrier is established, which transmits these applications to the competent authority of the other Contracting Party with its remarks.

Article 6

No licence shall be required when the same persons are carried by the same motor passenger vehicle either:

a) on a round trip beginning and intended to end in the country of registration of the vehicle, or

b) on a journey starting at a place in the country of registration of the vehicle and ending at a destination in the territory of the other Contracting Party, provided that, save where otherwise authorized, the vehicle returns empty to the country of registration, or

c) on a transit service of occasional character.

IV. Goods Transport

Article 7

Carriers of one Contracting Party, who in accordance with their national legislation have the right to perform international transport of goods, may perform such transport between the territories of the two Contracting Parties and in transit across these territories, except if otherwise agreed upon by the Joint Committee mentioned in Article 13.

V. General Provisions

Article 8

1. A carrier domiciled in the territory of a Contracting Party shall not undertake the transport of passengers or goods between two points in the territory of the other Contract-

ing Party, unless a licence for that purpose is granted by that other Contracting Party.

2. The undertaking of a transport operation by a carrier of one of the two Contracting Parties from the territory of the other to any third country or vice-versa is prohibited, unless a licence for that purpose is granted by that other Contracting Party.

Article 9

1. As regards the weights and dimensions of the vehicles, each Contracting Party undertakes not to impose on vehicles registered in the territory of the other Contracting Party conditions which are more restrictive than those imposed on vehicles registered within its own territory.

2. Weights and dimensions of a vehicle must be in accordance with the official registration of the vehicle.

3. Carriers of either of the Contracting Parties shall be bound to comply with the laws and regulations of the other Contracting Party as regards the weight and the dimensions of vehicles on entering the territory of that Party.

4. A special licence is required if the weights and/or dimensions of a vehicle registered in either Contracting Party exceed the permissible maximum weights and/or dimensions in the territory of the other Contracting Party. The carrier has to obtain such a licence from the competent authority of that Contracting Party before entering its territory.

Article 10

1. Vehicles registered in the territory of one Contracting Party, which are temporarily imported into the territory of the other Contracting Party, shall be exempted from all taxes, fees, and other charges levied on the circulation and possession of vehicles in that territory.

2. The exemptions under this Article shall not apply to road tolls and value added taxes nor to customs and excise duties on fuel consumption of motor vehicles, except the fuel being in the normal fuel-tanks of the entering vehicles.

3. Spare parts for the repair of vehicles already imported shall be admitted temporarily without payment of import duties and other taxes and free of import prohibitions and restrictions. Replaced parts shall be cleared, re-exported or destroyed under customs control and supervision.

Article 11

Unless otherwise regulated by the provisions of this Agreement or by those of international conventions to which the two countries are parties, carriers and the crews of their vehicles must, when operating in the territory of the other Contracting Party, comply with the laws and regulations in force in that country.

Article 12

1. If a carrier of one Contracting Party, when in the territory of the other infringes any provision of this Agreement, the competent authorities of the Contracting Party in whose territory the infringement was committed may, without prejudice to any lawful sanction applicable in its own territory, inform the other Contracting Party of the circumstances of the infringement.

2. In case of any infringement referred to in Paragraph 1 of this Article the competent authority of the Contracting Party in whose territory the infringement occurred, may request the competent authority of the other Contracting Party:

a) to issue a warning to the carrier concerned with a notification that any subsequent infringement may lead to a refusal of entry of vehicles in the territory of the Contracting Party where the infringement occurred, for such a period as may be specified by the competent authority of this Contracting Party, or

b) to notify the carrier that the entry of vehicles in the territory of the other Contracting Party has been prohibited temporarily or definitely.

3. The competent authority, receiving any such request from the competent authority of

the other Contracting Party, shall comply therewith and shall as soon as possible inform the other competent authority on the action taken.

Article 13

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 establish a Joint Committee.

3. The Joint Committee shall meet at the request of either Contracting Party and shall comprise representatives of the competent authorities of both the administrations and road transport industry of both countries.

4. The Contracting Parties have agreed on certain provisions for the application of this Agreement in an Additional Protocol.

Article 14

1. Any modification of the present Agreement agreed upon by the Contracting Parties shall come into force on the date on which the Contracting Parties have informed each other in writing of the completion of their respective constitutional requirements.

2. Any modification of the Protocol to this Agreement shall be agreed upon by the above mentioned Joint Committee and shall enter into force on a date to be determined by it.

Article 15

1. This Agreement shall enter into force thirty days after the Contracting Parties have informed each other in writing that the constitutional requirements necessary to give effect to the Agreement in their respective countries have been complied with.

2. The Agreement shall remain in force unless one of the Contracting Parties gives the other Contracting Party six months written notice of its intention to terminate it.

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

DONE in duplicate at Stockholm on 25 January 1993 in the English, Swedish and

Latvian languages, all duplicates being equally authentic and in the case of a controversial point the text in the English language is the decisive one.

MATS ODELL

For the Government
of the Kingdom of Sweden

ANDRIS GUTMANIS

For the Government
of the Republic of Latvia

Additional protocol to the Agreement between the Government of the Kingdom of Sweden and the Government of the Republic of Latvia on International Transport of Passengers and Goods by Road

1. For the purpose of this Agreement the competent authorities are for the Swedish side

a) according to Articles 5, 7, 8 and 12
National Board of Customs
Traffic Division
Box 2267
S-103 17 Stockholm
Phone: +46 8 789 7300,
Fax: +46 8 789 8060

b) according to Articles 4 and 9
National Road Administration
S-781 87 Borlänge
Phone: +46 243 75000,
Fax: +46 243 120 54

c) according to Articles 13 and 14 the Government of the Kingdom of Sweden
Mailing address via:
Ministry of Transport and Communications

S-103 33 STOCKHOLM
Phone: +46 8 763 1000,
Fax: +46 8 11 89 43

for the Latvian side

a) according to Articles 4, 5, 7 and 8
Ministry of Transport
Road Transport Department
Brivibas Street 58,
LV-1743 RIGA
Phone: (0132) 21 26 62, 28 86 67, Fax:
(0132) 21 71 80

b) according to article 9
Ministry of Transport
Road Traffic Safety Department
Blieku Street 9,
LV-1104 RIGA
Phone: (0132) 37 10 86,
Fax: (0132) 37 69 04

c) according to articles 12, 13, and 14
Ministry of Transport
Brivibas Street 58,
LV-1743 RIGA
Phone: (0132) 32 51 43, 28 86 67, Fax:
(0132) 21 71 80

2. In relation to Article 7 the Contracting Parties have agreed that

a system involving requirements for permits is to be applied as from the entry into force of the Agreement for transit transports in accordance with Article 7. Permits are to be mutually exchanged between the competent authorities.

The application of the system is to be reviewed by the Joint Committee in order to reach a final solution on this issue.

3. In relation to Article 10 the Contracting Parties have agreed that

a) the term "taxes, fees and other charges levied on the circulation or the possession of vehicles" shall include

– with regard to Sweden, the vehicle tax (fordonsskatt)

b) the term "excise duties on fuel consumption of motor vehicles" shall include

– with regard to Sweden, the kilometer tax (kilometerskatt)

c) as the tax legislation system is being worked out in Latvia the Latvian side undertakes to inform the Swedish side on the introduction of the respective taxes well in advance.

d) the Swedish side undertakes to inform the Latvian side on the introduction of new types of taxes well in advance.

Done in duplicate at Stockholm on 25 January 1993 in the English, Swedish and Latvian languages, all duplicates being equal-

ly authentic and in case of a controversial point the text in the English language is the decisive one.

MATS ODELL

For the Government
of the Kingdom of Sweden

ANDRIS GUTMANIS

For the Government
of the Republic of Latvia
