

No. 32705

**FRANCE
and
ESTONIA**

**Agreement concerning the international carriage of goods
by road (with protocol). Signed at Annecy, France, on
26 May 1994**

Authentic texts: French and Estonian.

Registered by France on 11 March 1996.

**FRANCE
et
ESTONIE**

**Accord concernant les transports routiers internationaux de
marchandises (avec protocole). Signé à Annecy (France)
le 26 mai 1994**

Textes authentiques : français et estonien.

Enregistré par la France le 11 mars 1996.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FRENCH
REPUBLIC AND THE GOVERNMENT OF THE REPUBLIC OF
ESTONIA CONCERNING THE INTERNATIONAL CARRIAGE
OF GOODS BY ROAD

The Government of the French Republic and
The Government of the Republic of Estonia,

Hereinafter referred to as “the Contracting Parties”, desiring to promote the transport of goods between two States and in transit through their respective territories,

Have agreed as follows:

Article 1

The provisions of this Agreement shall be applicable to the international carriage of goods, that is, the carriage of goods for hire or reward or on own account from or to either of the Contracting States in vehicles registered in the other Contracting State, or traffic in transit through the territory of either of the Contracting States by motor vehicles registered in the other Contracting State.

Article 2

Carriers of one Contracting Party shall not be authorized to engage in domestic transport in the territory of the other Contracting Party.

Article 3

The transport of goods as referred to in article 1 of this Agreement, together with unladen vehicle movements, shall be subject to the issuance of a permit in advance.

Article 4

Carriers of either State may, under the permits referred to in articles 5, 7, 8, 9 and 10 of this Agreement, carry goods between the territory of the other State and a third State, provided the goods in question are carried in transit through the country in which the carrying vehicle is registered.

However, such transport operations shall be permitted even in cases where the goods are not carried in transit through the country in which the carrying vehicle is registered if a special permit has been issued in advance by the competent authorities of the other Contracting Party.

Article 5

1. Transport permits shall be issued to carriers by the competent authorities of the State in which the vehicles carrying the goods are registered, and, where

¹ Came into force on 2 November 1994, the date of receipt of the last of the notifications by which the Parties informed each other of the completion of the required procedures, in accordance with article 20.

applicable, within the limits of quotas to be agreed upon annually by the Contracting Parties.

2. To that end, the competent authorities of the two States shall exchange the necessary documents.

Article 6

In the following cases, a permit of the kind referred to in article 3 of this Agreement shall not be required:

(a) The transport of goods by motor vehicles having a total laden weight (including trailers) of not more than 6 tons, or having an authorized carrying capacity (including trailers) of not more than 3.5 tons;

(b) The transport of objects and works of art to fairs, exhibitions or demonstrations;

(c) The occasional transport of objects and materials that are to be used exclusively for advertising or information purposes;

(d) The removal of households by carriers having specialized personnel and equipment at their disposal;

(e) The transport of equipment, properties and animals to or from theatrical, musical, cinematographic and sporting events, circuses, fairs or festivals and to or from radio broadcasting sessions and cinematographic or television filming sessions;

(f) The transport of baggage by trailers towed by passenger transport vehicles;

(g) The transport of postal items;

(h) The entry of breakdown and towing vehicles, and the transport of damaged vehicles;

(i) The transport of human remains.

Article 7

Permits shall be of two types:

(a) Journey permits, valid for one journey and for a period of three months;

(b) Time permits, valid for an unspecified number of journeys and for a period of one calendar year;

The conditions for the use of these permits shall be drawn up by the two Contracting Parties and set out in the protocol attached to this Agreement.

Article 8

Permits shall be printed in the languages of both Contracting Parties in accordance with the models drawn up by agreement between their competent authorities.

Article 9

1. Permits shall be personal and non-transferable.

2. The competent authorities shall issue the permits provided for under this Agreement reciprocally and free of charge.

3. Permits must be carried on board the vehicles and be produced whenever required by inspection officials.

Article 10

Where the weight or dimensions of a vehicle or load exceed the limits permitted in the territory of the other Contracting Party, the vehicle must be provided with a special permit issued by the competent authority of that other Contracting Party.

Article 11

1. Carriers engaging in transport operations under this Agreement shall be subject to the taxes and charges payable in the territory of the other Contracting Party in respect of carriage within the latter territory.

2. However, the two Contracting Parties may grant reductions in or exemptions from such taxes and charges, as specified in the Protocol referred to in article 18 of this Agreement.

Article 12

Vehicle crew members may import free of duty and without an import permit their personal effects and such equipment as they may require for their work during the length of their stay in the importing country. They may also re-export such items.

Article 13

Spare parts imported temporarily for the repair of road vehicles engaged in international transport operations shall be exempt from import duties and charges in the territory of the Contracting Party concerned.

Such imported items shall be subject to the domestic legislation in force in the territory of the Contracting Party concerned. Parts which have been replaced shall be re-exported or destroyed under customs supervision.

Article 14

Permit holders and their employees shall be required to comply in the territories of the Contracting Parties with the applicable regulations in force, in particular those concerning transport, road traffic, customs and police.

Article 15

The domestic legislation of each Contracting Party shall apply to all matters not regulated by this Agreement or by the international conventions to which the Contracting Parties are signatories.

Article 16

If the provisions of this Agreement are violated in the territory of one of the Contracting Parties, the competent authorities of the State in which the vehicle is registered shall, at the request of the competent authorities of the other Contracting Party, impose either of the following penalties:

(a) Caution;

(b) Withdrawal, temporarily or permanently, partially or totally, of the right to carry out the transport operations referred to in article 1 of this Agreement in the territory of the State in which the violation was committed.

The authorities applying the penalty shall so inform the requesting authorities.

Article 17

1. Representatives of the two authorities shall if necessary form a Joint Commission to ensure the satisfactory implementation of the Agreement and its adaptation to developments in traffic, and to exchange all necessary statistical or other information.

2. The Joint Commission shall, at the request of either of the Contracting Parties, meet alternately in the territory of each of the Contracting Parties.

Article 18

1. 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.

2. The Joint Commission established under article 17 of this Agreement shall have the power to modify the said Protocol as necessary.

Article 19

The provisions of this Agreement shall apply without prejudice to the present and future regulations and obligations deriving from the Treaty of Rome establishing the European Community.¹

Article 20

Each Party shall notify the other when the formalities required for the entry into force of this Agreement have been completed. The Agreement shall take effect on the date of the receipt of the final such notification.

Either of the Contracting Parties may terminate this agreement through the diplomatic channel by giving a minimum of three months' advance notice.

DONE at Annecy on 26 May 1994, in duplicate in the French and Estonian languages, both texts being equally authentic.

For the Government
of the French Republic:

BERNARD BOSSON

For the Government
of the Republic of Estonia:

ANDI MEISTER

¹United Nations, *Treaty Series*, vol. 298, p. 3 (English translation); vol. 294, p. 3 (authentic French text); vol. 295, p. 2 (authentic German text); vol. 296, p. 2 (authentic Italian text); vol. 297, p. 2 (authentic Dutch text); vol. 1376, p. 138 (authentic Danish text); vol. 1377, p. 6 (authentic English text); vol. 1378, p. 6 (authentic Irish text); vol. 1383, p. 146 (authentic Greek text); vol. 1452, p. 306 (authentic Portuguese text) and vol. 1453, p. 332 (authentic Spanish text).

PROTOCOL ESTABLISHED PURSUANT TO ARTICLE 18 OF THE AGREEMENT BETWEEN THE GOVERNMENT OF THE FRENCH REPUBLIC AND THE GOVERNMENT OF THE REPUBLIC OF ESTONIA CONCERNING THE INTERNATIONAL CARRIAGE OF GOODS BY ROAD

For the purpose of applying the said Agreement, the French and Estonian delegations have agreed as follows:

With respect to articles 7, 8 and 9

Permits issued under the general quota shall be intended for the following types of outward and return journeys:

- Bilateral carriage of goods between the territories of the two Parties;
- Carriage of goods in transit through the territory of one of the Contracting Parties;
- Carriage of goods from or to a third country, provided that the goods are carried in transit through the country in which the carrying vehicle is registered.

Special permits authorizing transport operations to or from third countries without requiring the goods to be carried in transit through the country in which the carrying vehicle is registered shall be issued under a special quota.

(a) Permits valid in Estonian territory shall bear the letters “EW” in the upper left-hand corner; those valid in French territory, the letter “F”;

(b) Permits shall be numbered and shall bear the stamp and signature of the issuing authority;

(c) Permits shall be filled in by the administrative authorities that issue them;

(d) The journey record accompanying the permit shall be filled in by the driver prior to each journey made under that permit.

With respect to article 10

Applications for special permits shall be submitted:

(a) In the case of French carriers, to:

Eesti Vabariigi Teede — ja Sideministeerium
Viru 9
EE 100 TALLINN

(b) In the case of Estonian carriers:

To the Prefecture of the department in which the point of entry into French territory is located, or to the Prefecture of the department in which the loading point is located.

With respect to article 11

Estonian carriers which engage in transport operations in France shall be exempt from the special tax on certain road vehicles (commonly known as the “per-axle tax”) instituted by article 16 of Act No. 67-1114 of 21 December 1967.

In Estonia, no tax is levied on road vehicles at the present time.

The Parties to this Agreement shall immediately advise each other of any changes in their respective legislation with a view to determining what new terms of reciprocity should be adopted.

With respect to articles 16 and 17

The competent authorities for the application of the Agreement shall be:

On the French side:

Ministère de l'Équipement, du Logement et des Transports
Direction des Transports Terrestres
Grande Arche — Paroi Sud
92055 Paris la Défense Cédex 04

On the Estonian side:

Eesti Vabariigi Teede — ja Sideministeerium
Viru 9
EE 100 TALLINN

Quota:

For 1994, the number of outward and return journeys which carriers of one country will be allowed to make in the territory of the other country or in transit through that country shall be 500. The special quota (third country with no transit through the country of registration) shall be 100 outward and return journeys.

DONE at Annecy on 26 May 1994, in duplicate in the French and Estonian languages, both texts being equally authentic.

For the Government
of the French Republic:

BERNARD BOSSON

For the Government
of the Republic of Estonia:

ANDI MEISTER
