

No. 33397

AUSTRIA

and

UNION OF SOVIET SOCIALIST REPUBLICS

**Agreement on international road traffic (with protocol).
Signed at Vienna on 3 July 1973**

**Exchange of notes constituting an arrangement with regard
to the resumption of the implementation of the above-
mentioned Agreement and the amendment of articles 14
and 18 thereof. Moscow, 19 December 1978**

Authentic texts: German and Russian.

Registered by Austria on 5 December 1996.

Termination by Austria

Certified statement was registered by Austria on 5 December 1996

AUTRICHE

et

**UNION DES RÉPUBLIQUES
SOCIALISTES SOVIÉTIQUES**

**Accord sur la circulation routière internationale (avec proto-
cole). Signé à Vienne le 3 juillet 1973**

**Échange de notes constituant un arrangement visant à remet-
tre en application l'Accord susmentionné et à en modi-
fier les articles 14 et 18. Moscou, 19 décembre 1978**

Textes authentiques : allemand et russe.

Enregistrés par l'Autriche le 5 décembre 1996.

Abrogation de l'Autriche

La déclaration certifiée a été enregistrée par l'Autriche le 5 décembre 1996.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE FEDERAL GOVERNMENT OF AUSTRIA AND THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST REPUBLICS CONCERNING INTERNATIONAL ROAD TRANSPORT

The Federal Government of Austria and the Government of the Union of Soviet Socialist Republics,

Having regard to the favourable development of their bilateral trade and economic relations, and

Desiring to further develop road transport between the two countries and in transit through their territories, have decided to conclude this Agreement in the interests of their mutual advantage.

Article 1

In accordance with this Agreement, scheduled and occasional transport of passengers by coach, including tourists, transport of tourists in light vehicles and transport of goods by road transport vehicles between the two countries and in transit through their territories shall be effected on the highways open to international road transport.

I. TRANSPORT OF PASSENGERS

Article 2

(1) Scheduled transport of passengers by coach shall be organized by agreement between the competent bodies of the Contracting Parties.

(2) Written proposals for the organization of such transport shall be transmitted to each other by the competent bodies of the Contracting Parties in good time. These proposals must contain information concerning the name and address of the carrier (firm), routes to be taken, schedules, tariffs, stopping points at which the carrier will embark and disembark passengers, and also the intended period of the transport.

Article 3

(1) Occasional transport of passengers by coach between the two countries or in transit through their territories, with the exception of the transport envisaged in article 4 of this Agreement, shall require permits issued by the competent bodies of the Contracting Parties.

(2) Requests for permits to be issued for the occasional transport of passengers envisaged in paragraph (1) of this article shall be sent by the carrier to the competent body of the carrier's country, which shall transmit them to the competent body of the other Contracting Party.

¹ Came into force on 1 October 1973, i.e., 90 days after the date of signature, in accordance with article 27.

(3) For each occasional transport of passengers by coach, a separate permit shall be required authorizing one round-trip journey, unless otherwise specified in the permit.

Article 4

(1) No permit shall be required in the case of occasional transport of passengers by coach:

(a) When the same group is carried on the same coach throughout a round-trip journey which begins and ends in the territory of the Contracting Party in which the coach is registered;

(b) When the same group of passengers is carried on the same coach in one direction throughout a journey which begins in the territory of the Contracting Party in which the coach is registered and ends in the territory of the other Contracting Party, provided that the coach returns empty to the country in which it is registered.

(2) No permit shall be required when a defective coach is being replaced with another.

(3) The driver of a coach used for the transport referred to in paragraph (1) of this article must carry a list of passengers.

II. TRANSPORT OF GOODS

Article 5

(1) The transport of goods between the two countries or in transit through their territories, with the exception of the transport envisaged in article 6 of this Agreement, shall be effected by goods vehicles with or without trailers or semi-trailers, on the basis of permits issued by the competent bodies of the Contracting Parties.

(2) For each transport of goods effected by a goods vehicle with or without a trailer or semi-trailer, a separate permit shall be required authorizing one round-trip journey, unless otherwise specified in the permit.

(3) The competent bodies of the Contracting Parties shall send each other annually a mutually agreed number of permit forms for the transport of goods. These forms must bear the stamp and signature of the competent body which issued the permit.

Article 6

(1) No permit shall be required for the transportation of:

(a) Furniture removals;

(b) Samples, equipment and materials for fairs and exhibitions;

(c) Vehicles, animals and miscellaneous material and equipment intended for sports events;

(d) Stage scenery and theatrical properties, musical instruments, equipment and accessories for film, radio and television;

(e) Bodies of deceased persons;

(f) Mail;

(g) Damaged road transport vehicles.

(2) The exemptions envisaged in subparagraphs (b), (c) and (d) of paragraph (1) of this article shall apply only if the goods are to be returned to the country in which the road transport vehicle is registered or if the goods are to be transported to the territory of a third country.

Article 7

(1) When the dimensions or the weight of a road transport vehicle, laden or unladen, exceed the standards prescribed in the territory of the other Contracting Party and when dangerous goods are being carried, the carrier must obtain a special permit from the competent bodies of the other Contracting Party.

(2) If the special permit referred to in paragraph (1) of this article provides for the movement of a road transport vehicle by a particular route, the vehicle must follow that route.

Article 8

The transport of goods envisaged in this Agreement shall be recorded on way-bills conforming to generally recognized international models.

III. GENERAL PROVISIONS

Article 9

(1) The transport envisaged in this Agreement may be effected only by carriers which, in conformity with the internal legislation of their country, are permitted to effect international transport.

(2) Road transport vehicles effecting international transport must display the registration and nationality plates of their country.

Article 10

(1) A carrier shall not be permitted to transport passengers or goods between two points in the territory of the other Contracting Party.

(2) A carrier may effect transport from the territory of the other Contracting Party to the territory of a third country, or from the territory of a third country to the territory of the other Contracting Party, if it has obtained a special permit for that purpose from the competent body of the other Contracting Party.

Article 11

(1) The driver of a coach, light vehicle or other road transport vehicle must have the appropriate national or international driving permit and national registration documents for the road transport vehicle.

(2) The national or international driving permit must conform to the model established by the Convention on road traffic.¹

¹ United Nations, *Treaty Series*, vol. 125, p. 3.

Article 12

A carrier of one Contracting Party which, in accordance with this Agreement, is effecting transport in the territory of the other Contracting Party shall be subject to the traffic regulations and other legal provisions in force in that territory.

Article 13

Settlements and payments for transport operations effected under this Agreement shall be made in accordance with the payments agreements in force between the Contracting Parties on the day of payment.

Article 14

The transport of passengers and goods, and also road transport vehicles effecting such transport, coaches and light vehicles carrying tourists from one of the Contracting Parties shall be exempt in the territory of the other Contracting Party from taxes and duties connected with the issue of the permits provided for in this Agreement or with the use of roads, or with the ownership or use of road transport vehicles, and from turnover taxes on income and profit derived from the transport operations.

Article 15

Transport under this Agreement shall be effected only with compulsory civil liability insurance arranged in advance in respect of each road transport vehicle effecting such transport.

Article 16

In relation to border, customs and health inspection, the provisions of international agreements to which both Contracting Parties are party shall be applied, and questions not covered by these agreements shall be settled in accordance with the domestic law of each Contracting Party.

Article 17

Border, customs and health inspection shall give priority attention to seriously ill patients who are being transported, to passengers transported by scheduled coach services, and to animals and perishable goods being transported.

Article 18

(1) In the conduct of transport under this Agreement, the following items brought into the territory of the Contracting Parties shall be mutually exempt from customs duties and from permits:

- (a) Fuel in the tanks fitted on each model of road transport vehicle, which are linked technologically and structurally with the engine's feed system;
- (b) Lubricants in quantities necessary for use during the transport operation;
- (c) Spare parts intended for the repair of a damaged road transport vehicle effecting international transport.

(2) Unused spare parts shall be re-exported and replaced spare parts shall be taken out of the country, destroyed or surrendered in the manner prescribed in the territory of the Contracting Party concerned.

Article 19

The competent organs of the Contracting Parties shall agree on the system and the dates for the exchange of permit forms and for the return of used permits.

Article 20

The Contracting Parties shall take all possible steps to facilitate the practical conduct of the transport envisaged in this Agreement.

Article 21

Practical questions concerning the transport of passengers and goods envisaged in this Agreement shall be settled between the organizations and enterprises of the Contracting Parties within the limits of their competence and subject to internal legislation.

Article 22

(1) In the event of a violation of the provisions of this Agreement, the competent body of the carrier's country shall take the necessary measures to enforce the Agreement at the written request of the competent body of the country where the violation occurred.

(2) The competent body of the carrier's country shall inform the competent body of the other country of the measures taken.

Article 23

The competent bodies of the Contracting Parties shall remain in contact in order to discuss matters concerning the implementation of this Agreement and to exchange experience.

Article 24

The Contracting Parties shall settle all contentious matters which may arise in connection with the interpretation or application of this Agreement through consultations and negotiations.

Article 25

Questions not covered by this Agreement or by the international agreements to which both Contracting Parties are party shall be settled in accordance with the internal legislation of each Contracting Party.

Article 26

This Agreement shall not affect the rights and obligations of the Contracting Parties arising from other international treaties and agreements which they have concluded.

Article 27

This Agreement shall enter into force ninety days after its signature.

This Agreement is concluded for an indefinite period and shall remain in force for ninety days from the day on which one of the Contracting Parties informs the other Contracting Party, in writing and through the diplomatic channel, of its desire to terminate the Agreement.

IN WITNESS whereof the undersigned, being duly empowered by their Governments, have signed this Agreement.

DONE in duplicate at Vienna on 3 July 1973 in the German and Russian languages, both texts being equally authentic.

For the Federal Government
of Austria:

STARIBACHER

For the Government
of the Union of Soviet Socialist Republics:

E. TRUBITSYN

PROTOCOL ON THE TALKS CONCERNING THE CONCLUSION OF AN AGREEMENT BETWEEN THE FEDERAL GOVERNMENT OF AUSTRIA AND THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST REPUBLICS CONCERNING INTERNATIONAL ROAD TRANSPORT

As a result of the talks between delegations of the Federal Government of Austria and the Government of the Union of Soviet Socialist Republics, held in Vienna from 22 to 29 June 1973, the Agreement between the Federal Government of Austria and the Government of the Union of Soviet Socialist Republics concerning international road transport was signed on 3 July 1973.

With respect to the application of the Agreement, the delegations have agreed as follows:

(1) For the purposes of the Agreement, the competent bodies are as follows:

For Austria:

- With reference to article 2: the Federal Ministry of Transport;
- With reference to articles 3, 5, 10 and 19: the Federal Ministry of Trade, Industry and Crafts;
- With reference to articles 22 and 23: the Federal Ministry of Transport of Austria or, as appropriate, the Federal Ministry of Trade, Industry and Crafts.

Note: Matters concerning the scheduled transport of passengers are within the competence of the Federal Ministry of Transport, and those concerning the occasional transport of passengers, or any transport of goods are within the competence of the Federal Ministry of Trade, Industry and Crafts.

For the Union of Soviet Socialist Republics:

- With reference to articles 2, 3, 5, 10, 19, 22 and 23: the Ministry of Road Transport of the Russian Soviet Federal Socialist Republic (RSFSR);
- With reference to article 7: the Ministry of Road Transport of the RSFSR, the Ministry of Internal Affairs of the USSR and the transport authorities of the Union Republics.

(2) The term “road transport vehicle” in the Agreement shall mean:

- In the transport of goods, a goods vehicle or road towing vehicle with or without trailers, or a road towing vehicle with semi-trailer;
- In the transport of coach passengers, a road transport vehicle designed for carrying passengers and having no fewer than eight seats not including the driver’s seat, and also a trailer for carrying passengers and baggage.

(3) The Contracting Parties have agreed that the marking of nationality plates of road vehicles of each of the Contracting Parties must meet the requirements of annex 3 to the Convention on Road Traffic of 19 September 1949.

(4) The Agreement applies only to road transport vehicles registered in the countries of the Contracting Parties.

The provisions of the Agreement do not apply to transport by light vehicles owned by individuals, with the exception of transport of tourists in light vehicles referred to in a article 1 of the Agreement.

(5) The Austrian Party has indicated that in the territory of Austria a limited number of roads are open to international road transport (article 1 of the Agreement), the use of which is conditional on payment of a toll. As a rule, in the vicinity of these roads there are other roads running parallel to them whose use does not require any toll.

(6) The conditions for the exchange of permit forms and the manner in which they are to be used, as described in articles 3 and 5 of the Agreement, shall be agreed between the Federal Ministry of Trade, Industry and Crafts and the Ministry of Road Transport of the RSFSR.

(7) The Contracting Parties have agreed that the term “scheduled transport” for the purposes of the Agreement shall mean transport effected by road transport vehicles of the Parties according to a previously agreed schedule and route, where the initial and terminal points and any stopping points are designated; the term “occasional transport” shall mean all other transport.

(8) The transport of tourists by coach and light vehicles between the two countries and in transit through their territories shall be effected according to an agreement between the corresponding tourist organizations (firms) of the Contracting Parties.

(9) The Austrian Party has declared that the term “Convention on road traffic” in article 11 of the Agreement shall be understood to mean the Convention on Road Traffic signed at Geneva on 19 September 1949.

The Soviet Party has taken this declaration into consideration.

(10) The Parties have agreed that the exemption from payment of taxes and duties in accordance with the Agreement excludes the possibility of receiving any additional preferences under the internal legislation of each Contracting Party.

(11) The Austrian Party has indicated that, in accordance with Austrian legislation in force, payments for specific actions carried out by Austrian official bodies (veterinary, phyto-sanitary inspection, etc.) will be required of Soviet carriers in Austria, including payments for licensing permits for the opening of scheduled routes for passenger transport, either between the countries of the Contracting Parties or in transit through their territories.

The Soviet Party has taken this declaration into consideration and, having explained the current lack of any such legislative provisions in the USSR, has declared in turn that it reserves the right to levy analogous payments on carriers of the Austrian Party.

(12) The Parties have agreed that the document confirming possession of civil liability insurance (article 15 of the Agreement) shall be the international insurance card for road transport (“green card”).

(13) For the purposes of articles 16 and 17 of the Agreement, “health inspection” shall mean health, veterinary and phyto-sanitary inspection.

(14) The Parties have agreed that, for the purposes of article 20 of the Agreement, steps to facilitate the practical conduct of the transport operation shall be understood to include measures to strengthen cooperation between carriers of the two Parties to ensure that permit quotas decided by the competent bodies of the Contracting Parties are fully utilized.

This Protocol was drawn up in Vienna on 3 July 1973 in duplicate in the German and Russian languages, both texts being equally authentic.

For the Federal Government
of Austria:

STARIBACHER

For the Government
of the Union of Soviet Socialist Republics:

E. TRUBITSYN

EXCHANGE OF NOTES CONSTITUTING AN ARRANGEMENT¹
WITH REGARD TO THE RESUMPTION OF THE IMPLEMENTA-
TION OF THE AGREEMENT BETWEEN THE FEDERAL GOV-
ERNMENT OF AUSTRIA AND THE GOVERNMENT OF THE
UNION OF SOVIET SOCIALIST REPUBLICS CONCERNING
INTERNATIONAL ROAD TRANSPORT² AND THE AMEND-
MENT OF ARTICLES 14 AND 18 THEREOF

I

EMBASSY OF AUSTRIA

No. 1112/78

Note verbale

The Embassy of Austria presents its compliments to the Ministry of Foreign Affairs of the Union of Soviet Socialist Republics and has the honour, in connection with the talks held between an Austrian delegation and a Soviet delegation in October 1978 on issues relating to international road transport, to propose the following:

The Agreement of 3 July 1973 between the Federal Government of Austria and the Government of the Union of Soviet Socialist Republics concerning International Road Transport² shall enter into force again, with the exception of articles 14 and 18 thereof, which shall be replaced by the following provisions:

Article 14

1. The transport of passengers and goods, and also road transport vehicles effecting such transport, coaches and light vehicles carrying tourists from one of the Contracting Parties shall be exempt in the territory of the other Contracting Party from taxes and charges connected with the issue of the permits provided for in this Agreement or with the ownership or use of road transport vehicles, and from turnover taxes on income and profit derived from the transport operations.

2. The transport of passengers, and also road vehicles effecting such transport, coaches and light vehicles carrying tourists from one of the Contracting Parties shall be exempt in the territory of the other Contracting Party from taxes and charges connected with road use.

Article 18

1. In the conduct of transport under this Agreement, the following items brought into the territory of the Contracting Parties shall be mutually exempt from customs duties and from permits.

(a) Fuel in the tanks of coaches, light vehicles and trucks with or without trailers with a maximum total payload of 5 tons that are linked technologically and structurally with the engine's feed system;

¹ Came into force on 19 March 1979, in accordance with the provisions of the said notes.

² See p. 193 of this volume.

- (b) Lubricants in quantities necessary for use during the transport operation;
- (c) Spare parts intended for the repair of a damaged road transport vehicle effecting international transport.

2. Unused spare parts shall be re-exported, and replaced spare parts shall be taken out of the country, destroyed or surrendered in the manner prescribed in the territory of the Contracting Party concerned.

The Embassy of Austria has the honour to propose that this note verbale and the response from the Soviet Party should constitute an agreement between the Federal Government of Austria and the Government of the USSR, which will enter into force 90 days after the exchange of notes.

The Embassy of Austria takes this opportunity to convey to the Ministry of Foreign Affairs of the Union of Soviet Socialist Republics the renewed assurances of its highest consideration.

Moscow, 19 December 1978

L. S.

Ministry of Foreign Affairs
of the USSR
Moscow

II

THE MINISTRY OF FOREIGN AFFAIRS OF THE USSR

No. 72/3eo

The Ministry of Foreign Affairs of the Union of Soviet Socialist Republics presents its compliments to the Embassy of the Austrian Republic and has the honour to acknowledge receipt of the Embassy's note verbale No. 1112/78 of 19 December 1978.

[*See note I*]

The Ministry has the honour to announce that the Soviet party agrees that the note verbale from the Embassy of the Austrian Republic together with this response should constitute an agreement on the said question between the Government of the USSR and the Federal Government of Austria, which will enter into force 90 days after the exchange of notes.

The Ministry takes this opportunity to convey to the Embassy the renewed assurances of its highest consideration.

Moscow, 19 December 1978

L. S.

The Embassy of the Republic
of Austria
Moscow

TERMINATION BY AUSTRIA OF THE AGREEMENT OF 3 JULY 1973
WITH THE GOVERNMENT OF THE UNION OF SOVIET SO-
CIALIST REPUBLICS ON INTERNATIONAL ROAD TRAFFIC¹

Notification effected on:

31 March 1978

AUSTRIA

(With effect from 29 June 1978.)

¹ See p. 193 of this volume.