

AGREEMENT
BETWEEN THE CZECH REPUBLIC AND THE REPUBLIC OF MACEDONIA
ON THE INTERNATIONAL ROAD TRANSPORT

The Czech Republic and the Republic of Macedonia, hereinafter referred to as "Contracting Parties", desiring to promote the mutually advantageous development of commercial and economic relations and to facilitate and regulate the international road transport of passengers and goods between, and in transit through their countries, as well as the road transport to/from third countries, have agreed as follows:

Article 1

Scope

(1) The provisions of this Agreement shall apply to the international road transport of passengers and goods between the Czech Republic and the Republic of Macedonia, involving transit through their territories carried out by the carriers of both Contracting Parties who are entitled to it according to laws and regulations in force at the territory of the respective country, by means of vehicles registered in that country.

(2) This Agreement does not affect the rights and obligations arising from the other international treaties of the Contracting Party.

Article 2

Definitions

For the purposes of this Agreement

- a) **„Transport“** means a complex of activities intended to provide the carriage of passengers or goods by vehicles as well as the movement of the vehicles themselves, be it on motorways, highways, local and special roads accessible to public.
- b) **„Carriage“** means a part of transport by which the transfer of passengers or goods is directly performed.
- c) **„Carrier“** means any legal person established on the territory of either of the Contracting Parties and is authorized in the country of establishment to carry out international transport of passengers and/or goods by road for hire or reward or on its own account in accordance with the relevant laws and regulations in force on the territory of a Contracting Party.
- d) **„Vehicle“** means a road motor vehicle or a combination of a road motor vehicle with a trailer, intended for the carriage of passengers and/or goods by road, which is at the disposal of the carrier as its own property or through a hiring or leasing contract. A road motor vehicle shall be registered in the country of establishment of the carrier.
- e) **„Bus“** means a road motor vehicle which was specifically built and designed for the carriage of persons and has, in addition to the driver's seat, more than eight seating places.
- f) **„Regular passenger service“** means a regular service which carries passengers over a route approved in advance, according to a timetable approved in advance, and according to fares and tariff conditions published in advance. Passengers are picked up and set down at the departure and arrival places as well as at stopping points on the route, approved in advance.
- g) **„Line“** means a series of transport links along the transport route defined by the point of departure and the point of destination and by other stops, on which the transport service is regularly provided, according to a valid authorization and approved timetable.
- h) **„Special regular service“** means a regular passenger service which is intended only for specified categories of passengers, having characteristics of the regular passenger service in accordance with this Agreement.

i) „**Shuttle service**“ means a service which carries previously formed groups of passengers by means of repeated outward and return journeys, from the same area of departure to the same area of destination. Those groups of passengers which have been carried to the area of destination shall be later carried back to the area of departure. The first return journey and the last outward journey in a series of shuttles shall be made unladen.

j) „**Occasional passenger service**“ means a service falling neither within the definition of a regular passenger service or special regular service nor within the definition of a shuttle service.

k) „**Cabotage**“ means carriage of passengers or goods between any two points on the territory of the Contracting Party performed by a carrier established on the territory of the other Contracting Party.

l) „**The Competent Authority**“ for the implementation of this Agreement is

- in the Czech Republic: the Ministry of Transport,
- in the Republic of Macedonia: the Ministry of Transport and Communications.

PASSENGER TRANSPORT

Article 3

Regular services

(1) Any regular passenger service operated by buses between the territories of the Contracting Parties as well as in transit through their territories shall be authorized by the Competent Authorities of the Contracting Parties on the basis of laws and regulations in force at the territory of each Contracting Party and on the basis of the agreement of the Competent Authorities of both Contracting Parties. The Competent Authority of each Contracting Party shall issue an authorization for the section of the regular passenger service on the territory of the Contracting Party.

(2) The authorization application is to be presented to the Competent Authority of the Contracting Party on whose territory the applicant is established and where his vehicles are registered.

(3) The application according to paragraph 2 shall include:

- a) the name of the carrier as well as his place of establishment with full address;
- b) the type of transport;
- c) the required authorization validity period;
- d) the period of operation and the number of journeys (e.g. daily, weekly);
- e) the timetable;
- f) the length of route for the outward and return journey;
- g) an appropriate map with marked route of the line and passenger boarding and exit points as well as border crossings;
- h) the driving and rest periods of drivers;
- i) the proposal of fares, tariff and transport conditions.

(4) The Competent Authority of the Contracting Party shall transmit the application with all the prescribed data and with its opinion to the Competent Authority of the other Contracting Party.

(5) The granted authorization shall be valid for a maximum period of five years and its validity may be extended at the request of the carrier.

(6) In accordance with national law the administrative fees shall be levied for issuance and alteration of the authorization.

(7) For changes in line itinerary, stopping points and timetables, a preliminary consent of the competent authorities of the Contracting Parties shall be required.

Article 4

Shuttle services

(1) Each and every shuttle service operated by buses between the Contracting Parties is subject to a system of permits issued by the Competent Authority of the other Contracting Party. The Contracting Parties will agree on the exchange of a particular number of undetermined permits.

(2) It is possible to change the composition of the group of passengers within the scope of the bilateral and transit shuttle journeys by up to 20% of the number of passengers in the group. On the return journey, for the purpose of identifying the modification to the group, the carrier shall have either a journey form pursuant to the Agreement on the international occasional carriage of passengers by coach and bus (Interbus Agreement), or its copy made for the outward journey and also a new journey form pursuant to the Agreement on the international occasional carriage of passengers by coach and bus (Interbus Agreement) made for the return journey.

(3) Permits transmitted by the other Contracting party shall be issued to carriers either by the Competent Authority of the country where they are established, or by a body designated by the given authority.

(4) Permits of every calendar year are valid until January 31 of the following year including.

(5) The Joint Committee established according to Article 12 of this Agreement shall agree in particular on various details of the permit system and control documents.

Article 5

Occasional services

The occasional passenger services operated by buses between the territories of the Contracting Parties or in transit through their territories shall be governed by the Agreement on the international occasional carriage of passengers by coach and bus (Interbus Agreement).

Article 6

Local excursions

(1) Within the framework of the occasional passenger service operated by buses or coaches between the territories of the Contracting Parties, a carrier established in the territory of the Contracting Party may carry out local excursions on the territory of the other Contracting Party.

(2) Such local excursions shall be intended only for those passengers previously brought to the other Contracting Party by the same carrier and shall be carried out with the vehicle from the same carrier or group of carriers. It is not obligatory that all passengers brought to the Contracting Party take part in the local excursion but it is not permissible for other passengers to take part in the local excursion.

(3) The Joint Committee established according to Article 12 of this Agreement shall agree in particular on various details of local excursions operations and control documents.

GOODS TRANSPORT

Article 7

Permit system

Goods transport between the territories of the Contracting Parties, as well as by transit through these territories, or between the territory of the other Contracting Party and a third country, is not subject to a system of permits, i. e. this transport is completely liberalised.

GENERAL PROVISIONS

Article 8

Masses and dimensions

(1) Regarding masses and dimensions of vehicles, each Contracting Party commits itself to not imposing conditions more restrictive than those imposed on the vehicles registered in its own country upon those vehicles registered in the territory of the other Contracting Party.

(2) If the masses or dimensions of a vehicle performing the carriage exceed the permissible maximum in the territory of the other Contracting Party, a special authorization must be obtained from the Competent Authority of that Contracting Party before the carriage is undertaken.

Article 9

Cabotage

The cabotage is allowed only with a special permit issued by the Competent Authority of the other Contracting Party.

Article 10

Financial provisions

(1) Vehicles that are registered in the territory of a Contracting Party and perform transport by road in or through the territory of the other Contracting Party according to this Agreement shall, on the basis of reciprocity principle, be exempt from all taxes and charges levied on the circulation or possession of vehicles as well as from all taxes and administrative fees levied on transport operations on the territory of the other Contracting Party, with the exceptions mentioned in paragraph 2 of this Article.

(2) The exemptions referred to in paragraph 1 shall not apply to:

- a) taxes included in the price of motor fuel;
- b) charges which apply equally to vehicles registered in territories of both Contracting Parties for the use of particular sections and categories of roads, bridges, tunnels or ferries;
- c) administrative fees connected with carriage performed under Article 8, paragraph 2 and Article 9;
- d) the tax included in the price for a vehicle repair, when the repair is carried out in the territory of the other Contracting Party.

(3) The motor fuel contained in the standard tanks fixed by the manufacturers of vehicles intended for the propulsion of that vehicle and its auxiliary equipment, if any, as well as lubricants shall be exempt from the customs duty, taxes and charges levied on the importation.

(4) Spare parts imported temporarily into the territory of the other Contracting Party, intended for the repair of a vehicle performing transport operation within the framework of this Agreement, shall be exempt from the customs duty, taxes and charges levied

on the importation. The parts which were replaced shall be re-exported or destroyed under the control of the custom authorities and in accordance with national legislation.

Article 11

Obligations of carriers and penalties

(1) Apart from being subject to this Agreement, carriers of either country and the crew members of their vehicles shall in addition, when on the territory of the other Contracting Party, comply with the laws and regulations in force in that country and with relevant international agreements binding the Contracting Parties.

(2) All authorizations, permits, control documents and other necessary papers required according to this Agreement, as well as all papers required according to international agreements, treaties or national laws and regulations must be kept in the vehicle to which they relate and be presented at the request of any authority of either Contracting Party authorized to demand them.

(3) The permit or the authorization may be used only by the carrier to whom it has been issued and may not be transferred to another. A holder of the authorization of the international regular passenger service may use additional vehicles to deal with temporary and exceptional situations; in such cases, the holder of the authorization shall ensure that the original authorization of international regular passenger service, a copy of the contract between the holder of the authorization and the carrier providing additional vehicles, and a copy of any document proving that the carrier providing the additional vehicles is authorized to operate international regular passenger service, are carried in the vehicle.

(4) In the case of a serious infringement or repeated infringements of the provisions of this Agreement as well as other laws and regulations in force in the territory of the other Contracting Party committed by a carrier or by a crew member of his vehicle, the Competent Authority of the Contracting Party where the vehicle is registered at the request of the Competent Authority of the Contracting Party in which the infringement has been committed may decide

- a) to withdraw permits for transport operations on the territory of the other Contracting Party from the carrier's disposal or to withdraw an authorization of regular passenger

service between or through the territories of the Contracting Parties from the carrier's disposal, and/or

- b) not to present permits for transport operations on the territory of the other Contracting Party for the next period to the carrier or not to grant the carrier's authorization application for regular passenger service between or through the territories of the Contracting Parties.

(5) Having taken one of the measures mentioned in paragraph 5, the Competent Authority shall inform the Competent Authority of the other Contracting Party.

(6) The provisions of this Article do not exclude the sanctions which can be imposed by courts or other authorities of the Contracting Party on the territory of which the national laws or regulations were violated.

Article 12

Co-operation and Joint Committee

(1) The Competent Authorities of the Contracting Parties shall take the necessary steps to ensure the satisfactory implementation of this Agreement and to the mutual exchange of information of any change in national laws and regulations affecting the application hereof. The Competent Authorities shall provide each other mutual assistance for the purpose of implementation of this Agreement.

(2) The Competent Authorities of the Contracting Parties shall establish a Joint Committee in order to ensure the settlement of the current questions which may arise in connection with the interpretation and application of this Agreement.

(3) The Joint Committee shall meet at the request of either Contracting Party and shall comprise representatives of the Contracting Parties who may also invite representatives of the road transport industry to attend. The Joint Committee shall meet alternately on the territory of each Contracting Party. The host country shall chair the meeting. A protocol from the meeting shall be drawn up and signed by a representative of the delegation of each Contracting Party.

Article 13

Final provisions

(1) This Agreement shall enter into force on the date of the receipt of the last written notification in which the Contracting Parties notify each other that their internal legal procedures necessary for its entry into force have been completed.

(2) As soon as this Agreement enters into force, the Agreement between the Government of the Czechoslovak Socialist Republic and the Government of the Federal People's Republic of Yugoslavia on International Road Transport signed on 22 October 1962 in Prague, as amended by the Agreement between the Government of the Czechoslovak Socialist Republic and the Government of the Socialist Federal Republic of Yugoslavia on the changes and supplementaries of the Agreement between the Government of the Czechoslovak Socialist Republic and the Government of the Federal People's Republic of Yugoslavia on International Road Transport, concluded on 22 October 1962 in Prague, signed on 15 May 1980 in Prague, shall be terminated in respect of the Czech Republic and the Republic of Macedonia.

(3) This Agreement is concluded for an indeterminate period. It may be denounced in writing by each Contracting Party. In this case, this Agreement will expire in twelve months after the delivery of notice of termination to the other Contracting Party.

Done at Skopje on 17th April 2012 in two originals, both in Czech, Macedonian and English languages, all the texts being authentic. In case of different interpretation of the provisions of this Agreement, the priority will be given to the English text.

For the Czech Republic

Pavel Dobeš m. p.

Minister of Transport

For the Republic of Macedonia

Mile Janakieski m. p.

Minister of Transport and Communications