**Agreement**

**between the Government of Republic of Armenia and**

**the Government of the Republic of Poland**

**on the international road transport**

The Government of the Republic of Armenia and the Government of the Republic of Poland, hereinafter referred to as Contracting Parties,

Taking into consideration the need for establishment and development of road transport linkage between them,

Have agreed as follows:

**Scope of application**

**Article 1**

1. The present Agreement applies to international road transport of passengers and goods between the Republic of Armenia and the Republic of Poland, in transit through their territories and between the territory of a third country and the territory of the other Contracting Party and back, by means of vehicles registered in one of the Contracting Parties.

2. The operators of one Contracting Party shall not be entitled to perform transport of passengers and goods between two points located on the territory of the other Contracting Party, unless they obtain an authorisation for the cabotage transport according to the internal regulations of that other Contracting Party.

**Article 2**

For the purpose of this Agreement:

1. “Operator” means any natural person, any legal person or trading partnership without legal personality, residing or seated either in the Republic of Armenia or in the Republic of Poland, exercising international road transport according to the internal regulations of the country.
2. “Vehicle” means a motor vehicle registered in the territory of one of the Contracting Parties, which by virtue of its construction is intended for the carriage of goods or passengers by road. This term also covers the vehicles combination consisting of a motor vehicle coupled to a semi-trailer or trailer.
3. “Bus” means a motor vehicle, which by virtue of its construction is suitable for carriage more than nine persons, including the driver.
4. “Regular road transport of passengers” means carriage of passengers by bus along specified routes according to a timetable and set fares previously established and published.
5. “Shuttle road transport of passengers” means a repeated journeys of organised groups of passengers outward and return, between a single place of departure and a single place of destination, provided that following additional conditions are fulfilled:
   1. each group consisting of the passengers who made the outward journey, shall be carried back to the place of departure,
   2. the first return journey and the last outward journey in the series of shuttles shall be made unladen.

Place of departure and destination means respectively the place where the journey begins or the place where the journey ends, as well as the surrounding localities within a radius of 50 km.

1. “Occasional road transport of passengers” means a carriage other than that defined in points 4 and 5.

**Transport of passengers**

**Article 3**

1. The regular, shuttle and occasional transport of passengers by bus are subject to a system of permits, save for the transport services set forth in Article 4, which are exempted from permits.

2. Permits for regular transport of passengers are issued, by joint agreement, by the competent authorities of the Contracting Parties, for a part of carriage, which is performed on the territories of their States.

**Article 4**

1. The occasional transport of passengers by bus is exempted from any permits system provided that:
   1. the same bus is used to carry the same group of passengers throughout the journey and to carry them back to the place of departure, or
   2. the outward journey is made laden and the return journey unladen,
   3. the outward journey to the place of destination is made unladen and the group of passengers, previously brought by the same operator on the basis laid down in point 2 above, is taken up and carried back to the place of departure.
2. The bus driver performing shuttle and occasional transport is required to hold a document including the passengers list in the format sets forth by Joint Committee.

**Transport of goods**

**Article 5**

1. Transport of goods shall be performed under the system of permits, save for categories of transport set forth in the Article 6 paragraph 1 and categories of runs set forth in the Article 6 paragraph 2, which are exempted from any permit requirement.
2. Each carriage and each vehicle should obtain relevant individual permit. Permit authorizes to make one outward and return run. Runs of unladen goods vehicles also require permits, save for runs set forth in the Article 6 paragraph 2.
3. In case the transport is performed using vehicle combinations in which a motor vehicle and semi-trailer or trailer are registered in different States, the provisions of this Agreement apply to the whole vehicles combination if the motor vehicle is registered in one of the Contracting Parties.
4. The competent authorities of the Contracting Parties exchange an agreed number of blank permit forms every year.
5. The permits are valid for one calendar year.

**Article 6**

1. The following categories of transport are exempted from permit requirement:

1. displaced property,
2. materials and accessories, including works of art intended for fairs, exhibitions or non-commercial events,
3. living animals,
4. means of transport, livestock, equipment, accessories and property for sport events,
5. theatrical decorations and sets, musical instruments, materials and accessories used only for publicity and information purposes, and those intended for radio recording, or film or television productions or circus performance,
6. mortal remains, corpse or ashes,
7. undertaken for humanitarian, medical aid and emergency relief, or natural disasters,
8. undertaken by vehicles of less than 3.5 t payload or less than 6.0 t. total laden weight.

2. The following categories of runs are exempted from permit requirement:

1. unladen runs of goods vehicles sent to replace a vehicle which has broken down and to pick up goods from such vehicle, on the territory of the Contracting Party or a third State,
2. runs of the road assistance vehicles.
3. The Joint Committee may initiative the exemption of categories of transport other than set forth in paragraphs 1 and categories of runs other than set forth in paragraphs 2, from the permit requirement. This exemption shall not infringe the internal regulations of the Contracting Parties.

**Article 7**

1. The transport operations non-normative vehicle or combination of vehicles which axle loads with or without load are greater than the limit set for the road, or the dimensions, or the real weight with or without a load are greater than the permissible limit on the territory of Contracting Party, the carrier is obliged to obtain a special authorisation issued by the competent authorities of the other Contracting Party.

1. The special authorisation referred to in paragraph 1, is limited to a specific vehicle travelling route in accordance with the terms of the authorization.
2. The special authorisation referred to in paragraph 1, is exempt from the requirement permit.

**Article 8**

The transport of dangerous goods performed under the provisions of internal regulations or provisions of international agreements, to which the two Parties are Contracting Parties, do not require separate permit.

**Common provisions**

**Article 9**

The permits and other documents required under this Agreement, as well as under internal regulations of the Contracting Parties should be kept in vehicles and produced at the request of control authorities.

**Article 10**

The transport of passengers and goods covered by the terms of this Agreement is executed subject to the internal regulations concerning the duties, taxes and any other charges of each of the Contracting Parties.

**Article 11**

1. The equipment and stock required to operate vehicles, including fuel containment in the standard tanks permanently fixed in the vehicle by the manufacturer, as well as lubricants shall be exempted from all import duties, taxes and other charges on the territory of the host Contracting Party under its appropriate internal regulations, provided that they are not ceded and/or sold on the territory of this Contracting Party.

2. The spare parts temporarily imported for the repair of a damaged vehicle, or which has been damaged on the territory of one Contracting Party, shall be exempted from all import duties, taxes and other charges, under the appropriate internal regulations of the host Contracting Party.

3. The spare parts not used and replaced should be re-exported from the territory of the other Contracting Party.

**Article 12**

1. The competent authorities of the Contracting Parties shall establish a Joint Committee to provide for implementation of the provisions of this Agreement and for taking decisions on issues which need common settlement.
2. The Joint Committee shall convene as needed, alternately on the territories of the Contracting Parties.
3. The Joint Committee shall make the Executive Protocol to this Agreement, which shall set forth :
   1. procedures and conditions for issuing permits,
   2. categories of permits as well as conditions and ways of using them,
   3. competent authorities of the Contracting Parties responsible for implementation of the relevant provisions of this Agreement,
   4. other issues related to applications of this Agreement.

**Article 13**

1. In the event of infringement of the provisions of this Agreement committed by an operator of the Contracting Party on the territory of the other Contracting Party, competent authorities of that other Contracting Party shall notify thereof the competent authorities of the Contracting Party concerned, where the vehicle is registered.
2. The competent authorities of the Contracting Party on the territory of which the infringement was committed may request the competent authorities of the other Contracting Party to:
   1. issue a warning to the operator who committed the infringement,
   2. temporarily, partially or in the whole suspend the licence of the operator to perform road transport activity in the Contracting Party on whose territory the infringement occurred.

3. The competent authorities of the Contracting Parties shall notify each other on the measures taken under the provisions of the paragraph 2.

**Article 14**

The operators of one Contracting Party, as well as crews of vehicle, operating on the territory of the other Contracting Party, have to comply with internal regulations of that other Contracting Party, in particular with regard to traffic and road transport regulations.

**Article 15**

Any other issues within the scope of international road transport not regulated under this Agreement or international agreements, to which the two Parties are Contracting Parties, shall be settled under relevant internal regulations of each of the Contracting Parties.

**Article 16**

The Contracting Parties, by mutual consent, can make the modifications and supplements in this Agreement, which shall be made in the form of protocols. Such protocols shall enter into force in accordance with paragraph 1 of Article 17 and shall constitute an integral part of this Agreement.

**Article 17**

1. This Agreement shall enter into force thirty days from the day of receipt by diplomatic channels of the last notification on fulfilment of relevant internal procedures provided by the national legislation of the Contracting Parties.
2. This Agreement is concluded for an indefinite period of time. Each Contracting Parties may, at any time, terminate this Agreement through notification by diplomatic channels on its intention. In this case this Agreement shall be terminated six months from the day of notification to the other Parties.

Done in Warsaw on 25 June 2013, in two original copies each in Armenian, Polish and English languages, all texts are equally authentic. In case of discrepancies in interpretation, the English text shall prevail.

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***The Agreement has entered into force on 30 November 2013.***

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