

No. 45135*

**Latvia
and
Albania**

Agreement between the Government of the Republic of Latvia and the Council of Ministers of the Republic of Albania on international transport by road. Riga, 28 March 2006

Entry into force: *provisionally on 28 March 2006 by signature and definitively on 20 January 2006 by notification, in accordance with article 16*

Authentic texts: *Albanian, English and Latvian*

Registration with the Secretariat of the United Nations: *Latvia, 21 July 2008*

**Lettonie
et
Albanie**

Accord entre le Gouvernement de la République de Lettonie et le Conseil des Ministres de la République d'Albanie relatif au transport routier international. Riga, 28 mars 2006

Entrée en vigueur : *provisoirement le 28 mars 2006 par signature et définitivement le 20 janvier 2006 par notification, conformément à l'article 16*

Textes authentiques : *albanais, anglais et letton*

Enregistrement auprès du Secrétariat des Nations Unies : *Lettonie, 21 juillet 2008*

* *The texts reproduced below are the original texts of the agreement as submitted. For ease of reference, they were sequentially paginated. The relevant Treaty Series volume will be published in due course.*

Les textes reproduit ci-dessous sont les textes authentiques de l'accord tel que soumises pour l'enregistrement. Pour référence, ils ont été présentés sous forme de la pagination consécutive. Le volume correspondant du Recueil des Traités sera disponible en temps utile.

[ENGLISH TEXT – TEXTE ANGLAIS]

The Government of the Republic of Latvia and the Council of the Ministers of the Republic of Albania (hereinafter called "the Contracting Parties") desiring to promote transport of passengers and goods by motor vehicles between and in transit through the territories of both countries, have agreed as follows:

I: General Provisions

Article 1: Definitions

1. The term "home country" means the territory of the Contracting Parties in which a vehicle is registered.
2. The term "host country" means the territory of a Contracting Party in which a vehicle is being used in transport operations but other than the vehicle's country of registration.
3. The term "carrier" means any physical or legal person, established in the territories of the Contracting Parties, and authorized in accordance with the relevant national laws and regulations to engage in the international carriage of passengers or goods by road.
4. The term "vehicle" means:
 - a) in the carriage of passengers - any power driven road vehicle which is adapted for carriage of passengers, has more than nine seats, including the driver's seat and is registered in the territory of one of the Contracting Parties;
 - b) in the carriage of goods - any power driven road vehicle, which is registered in the territory of either Contracting Party and adapted and normally used for goods transport. For the purposes of this Agreement the term "vehicle" also applies to any trailer or semi-trailer, coupled to any motor vehicle disregarding the place of registration of trailer or semi trailer as well as to any combination of road vehicles.
5. The term "regular service" means passenger transport along routes and according to schedules agreed in advance and whereby passengers may be taken up or set down at predetermined stops. These regular services shall be established on reciprocity basis. Each competent authority shall issue the permits for the section of the itinerary operated in its territory.
6. The term "Shuttle services" means services whereby, by means of repeated outward and return journeys, groups of passengers assembled in advance are carried from a single place of departure to a single place of destination. Each group, consisting of the passengers who made the outward journey, is carried back to the place of departure on a later journey.
7. The term "occasional service" means a service falling neither within the definition of a regular service nor within the definition of a shuttle service.

Article 2: Scope

This Agreement applies to international road transport operations performed by the carrier who in his home country according to its national legislation is entitled to perform international road transport operations, on hire and reward or on own account, and may perform such operations to, from, or in transit through the other country's territory.

Article 3: Compliance with national legislation

Carriers and their staff must comply with national laws and provisions in force in the territory of the host country while performing road transport operations within the host country's territory.

Article 4: Joint Committee and competent authorities

1. For the application and implementation of the provisions of this Agreement, the Competent Authorities of both Parties establish a Joint Committee, which is formed from the delegates designated by these authorities.
2. This Joint Committee shall meet at the request of competent authorities of the either Contracting Party at meetings that will be held alternately in the territories of the Contracting Parties.
3. Under this Agreement, the competent authorities shall be:
 - For the Republic of Latvia, the Ministry of Transport;
 - For the Republic of Albania, the Ministry of Public Works, Transport and Telecommunication.

II: Passenger Transport

Article 5: Authorization

Passenger transport operations by motor vehicles between the territories of the Contracting Parties and in transit through them that are mentioned in Article 6 must have the respective authorization issued by the competent authority of the Host country.

Article 6: Regular and shuttle services

1. Regular and shuttle services operated between the territories of the Contracting Parties or in transit through them shall be approved jointly by their competent authority in advance.
2. Carriers must address applications for authorizations for regular and shuttle services to the competent authority of their home country. If that competent authority approves the application, it forwards the said application to the competent authority of the host country along with a recommendation.
3. The Joint Committee should:
 - a) establish the conditions and requirements that must be fulfilled by the applications;
 - b) define the concepts of place of departure and destination on shuttle services.

Article 7: Occasional Services

While carrying out occasional services, carriers who are registered in the territories of either Contracting parties must comply with the provisions of the Agreement on the international occasional carriage of passengers by coach and bus (INTERBUS Agreement).

III: Goods: Transport

Article 8: Regime of permits

1. Carriers may, by virtue of previously obtained permits issued by the competent authority of the Host country, perform goods transport between the territories of the Contracting unless otherwise decided by the Joint Committee. The transit transport of goods through them will be carried out without permits.
2. Carriers may perform goods transport between the territories of the Host country and third countries only if they have previously obtained permits issued by the competent authority of the Host country.
3. The permit shall be used only by the carrier to whom it is issued and shall not be transferable. The permit must be kept in the vehicle during the whole journey and must be produced at the request of any authorized control officials.
4. The competent authorities of both Contracting Parties shall annually exchange a jointly approved number of permits for goods transport.

Article 9: Exemption from permit requirements

1. The following categories of transport shall be exempted from permit requirements:
 - a) transport by vehicles whose Total Permissible Laden Weight (TPLW), including trailers, does not exceed 6 tonnes, or when the permitted payload, including trailers, does not exceed 3,5 tonnes;
 - b) transport of vehicles which are damaged or have broken down and the transport of breakdown repair vehicles;
 - c) unladen runs by a goods vehicle sent to replace a vehicle which has broken down in another country, and also the return run, after repair, of the vehicle that had broken down;
 - d) transport of medical supplies and equipment needed for emergencies, more particularly in response to natural disasters and humanitarian aid;
 - e) transport of works and objects of art for fairs and exhibitions for non-commercial purposes;
 - f) transport for non-commercial purposes of properties, accessories and animals to or from theatrical, musical, film, sports or circus performances, fair or fetes, and those intended for radio recordings, or for film or television production;
 - g) first unladen run of newly-purchased motor vehicles.
2. The Joint Committee is entitled to amend the list of transport categories exempted from the permit requirements set out in paragraph 1 of the present Article, and to agree upon documents to be carried on the board when performing the above mentioned transports.

IV: Other Provisions

Article 10: Cabotage

Carriers cannot perform cabotage transport in the territory of the Host country.

Article 11: Infringements

1. In the event that a carrier or the staff on board of a vehicle registered in one Contracting Party have not observed the legislation in force on the territory of the Host country, or the provisions of this Agreement or the conditions mentioned in the permit, the competent authority of the Home country could, at the demand of the competent authority of the Host country, take the following measures:
 - a) to issue a warning for the carrier who committed the infringement;
 - b) to cancel or withdraw temporarily the permits allowing the carrier to perform transports in the territory of the Contracting Party where the infringement was committed.
2. The competent authority which has adopted such a measure shall notify it to the competent authority of

the Host country which had proposed it.

3. The provisions of this Article shall not exclude the lawful sanctions which may be applied by the courts or administration authorities of the country where the infringement was committed.

Article 12: Taxation

1. Vehicles which are registered in the territory of one Contracting Party and are temporarily imported into the territory of the Host country to perform transport services in accordance with this Agreement shall be exempt, according to the reciprocity principle, from the taxes and charges levied on the circulation or possession of vehicles and from taxes and charges levied on transport operations carried out in the territory of the Host country.

2. However, this exemption shall not apply to the payment of road tolls, bridge tolls and other similar charges, which shall always be required on the basis of the principle of non discrimination.

3. On the vehicles mentioned in the paragraph 1 of this Article customs duties shall be exempted on:

a) the vehicles;

b) lubricants and fuel contained in the ordinary supply tanks of the vehicles and in tanks for the refrigerating equipment;

c) spare parts imported into the territory of the Host country, intended for the breakdown service of a vehicle. Replaced parts shall be re-exported or destroyed, under the supervision of the competent customs authorities.

Article 13: Dangerous goods

When transporting dangerous goods internationally, carriers who are registered in the territories of either Contracting Parties must comply with the provisions of the European Agreement concerning the International Carriage of Dangerous Goods by road (ADR).

Article 14: Weights and dimensions

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

2. If weights and dimensions of the vehicle with or without load used in transport operations exceed the maximum permissible limits being in force in the territory of the Host country, a special permit issued by the competent authority of that country is needed.

The carrier should fully comply with the requirements specified in such permit.

Article 15: International obligations

The provisions of this Agreement shall not affect the rights or obligations of the Contracting Parties contained in International Conventions, Agreements and Regulations which apply to them.

Article 16: Entry into force and duration

1. The Agreement shall be provisionally applied from the date of its signature and shall come into force on the date of the receipt of the last notification through diplomatic channels by which the Contracting Parties notify each other that the conditions required by their respective national legislation for entry into force of the Agreement have been fulfilled.

2. This Agreement shall remain in force for an undefined period of time unless it is denounced through diplomatic channels by one of the Contracting Parties. In that case the Agreement shall be terminated six months after the other Contracting Party has been notified about it.

Done in two originals at Riga, on 28 March 2006, each in the Latvian, Albanian and English languages, each text being equally authentic. In case of divergence of interpretation, the English text shall prevail.

For the Government of the Republic of Latvia:

For the Council of the Ministers of the Republic:

[ALBANIAN TEXT – TEXTE ALBANAIS]

Qeveria e Republikës së Letonisë dhe Këshilli i Ministrave i Republikës së Shqipërisë (më poshtë të quajtura “Palë Kontraktuese”) me dëshirën për të nxitur transportin e udhëtarëve dhe mallrave me automjete ndërmjet dhe në transit përmes territoreve të të dy vendeve, kanë rënë dakord si më poshtë:

I.DISPOZITA TË PËRGJITHSHME

Neni 1 Përkufizime

1. Termi “vend amtar” nënkupton territorin e Palës Kontraktuese në të cilën është regjistruar një mjet;
2. Termi “vend pritës” nënkupton territorin e një Palë Kontraktuese në të cilin një mjet përdoret në operimet e transportit por, që është i ndryshëm nga vendi i regjistrimit të mjetit;
3. Termi “transportues” nënkupton çdo person fizik ose juridik, i vendosur në territoret e Palëve Kontraktuese dhe i autorizuar në përputhje me ligjet dhe rregullat përkatëse kombëtare, të kryejë transport ndërkombëtar rrugor të udhëtarëve dhe mallrave.
4. Termi “mjet” nënkupton:
 - a) Në transportin e udhëtarëve – çdo mjet motorik rrugor i cili është përshtatur për transportin e udhëtarëve, ka më shumë se nëntë karrige, përfshirë ndenjësen e shoferit dhe është regjistruar në territorin e një nga Palëve Kontraktuese;
 - b) Në transportin e mallrave – çdo mjet motorik rrugor, i cili është regjistruar në territorin e një Palë Kontraktuese dhe i përshtatur dhe i përdorur normalisht për transportin e mallrave. Për qëllimet e kësaj Marrëveshjeje termi “mjet” zbatohet gjithashtu për çdo trajler ose gjysmë-trajler, i lidhur me ndonjë automjet pavarësisht vendit të regjistrimit të trajlerit ose gjysmë-trajlerit si dhe çdo kombinim të mjeteve rrugore.
5. Termi “shërbim i rregullt” nënkupton transportin e udhëtarëve përgjatë linjave dhe në përputhje me oraret e rëna dakord më parë dhe me anë të të cilëve udhëtarët mund të merren ose zbriten në stacione të paracaktuara. Këto shërbime të rregullta duhet të vendosen mbi bazën e reciprocitetit. Çdo autoritet kompetent lëshon lejet për seksionin e itinerarit që operohet në territorin e tij.