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**Belgium
and
Albania**

Agreement on international road transport between the Government of the Kingdom of Belgium and the Government of the Republic of Albania. Tirana, 25 April 2006

Entry into force: *1 February 2016, in accordance with article 13*

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**Belgique
et
Albanie**

Accord entre le Gouvernement du Royaume de Belgique et le Gouvernement de la République d'Albanie sur le transport routier international. Tirana, 25 avril 2006

Entrée en vigueur : *1^{er} février 2016, conformément à l'article 13*

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[ENGLISH TEXT – TEXTE ANGLAIS]

**AGREEMENT
ON INTERNATIONAL ROAD TRANSPORT
BETWEEN
THE GOVERNMENT OF THE KINGDOM OF BELGIUM
AND
THE GOVERNMENT OF THE REPUBLIC OF ALBANIA**

THE GOVERNMENT OF THE KINGDOM OF BELGIUM

AND

THE GOVERNMENT OF THE REPUBLIC OF ALBANIA,

called hereafter the Contracting Parties,

STRIVING to create better opportunities for the development of trade relations between their countries and to develop satisfactory transport facilities for goods and passengers;

TAKING ACCOUNT of the European liberalization process which contributes to the free flow of goods and services and to the free movement of persons;

CONSIDERING the basic standpoint of the protection of the environment and traffic safety, have agreed as follows;

PART I. - GENERAL PROVISIONS

Article 1

SCOPE

1. The provisions of this Agreement shall apply to the international carriage of goods and passengers by road for hire or reward or on own account between the territories of the Contracting Parties, in transit through their territories and to or from third countries, performed by transport operators established on the territory of one of the Contracting Parties.
2. The Contracting Parties shall ensure the rights and obligations arising from the agreements concluded between the European Union and the Republic of Albania and of other multilateral agreements signed by both parties.

Article 2

DEFINITIONS

For the purpose of this Agreement:

1. The term "transport operator" means a person (including a legal person), who is established on the territory of a Contracting Party and legally admitted in the country of establishment to the international transport market of goods or passengers by road for hire or reward or on his own account in accordance with the relevant national laws and regulations.
2. The term "vehicle" means a motor vehicle registered in the territory of one of the Contracting Parties or a combination of vehicles of which at least the motor vehicle is registered in the territory of one of the Contracting Parties and which is used and equipped exclusively for the carriage of goods or the carriage of passengers.
3. The term "bus" means a vehicle for the carriage of passengers which is suitable by virtue of its construction and equipment for the carriage of more than nine persons, including the driver, and is intended for that purpose.
4. The term "transport" means the conveyance of laden or unladen vehicles by road, even if for a part of the journey the vehicle, trailer or semi-trailer is using railways or waterways.
5. The term "regular service" means a bus service which provides for the carriage of passengers according to a specified frequency and along a specified route, whereby passengers may be taken up or set down at predetermined stopping points. A regular service can be subject to the obligation to respect previously established timetables and tariffs. A regular service shall be open to all, subject, when appropriate, to compulsory reservation.
6. The term "special regular service" means a bus service, by whomsoever organized, which provides for the carriage of a specified category of passengers to the exclusion of other passengers, insofar such a service is operated under the conditions specified under point 5. Special regular services shall include:
 - the carriage of workers between home and work;
 - the carriage of school pupils and students to and from the educational institution.

The fact that a special regular service may be varied according to the needs of users shall not affect its classification as a regular service.

7. The term "shuttle service" means a bus service whereby, by means of repeated outward and return journeys, previously formed groups of passengers are carried from a single place of departure to a single destination. Each group, consisting of the passengers who made the outward journey, shall be carried back to the place of departure on a later journey by the same transport operator. Place of departure and destination shall mean, respectively, the place where the journey begins and the place where the journey ends, together with, in each case, the surrounding localities within a radius of 50 km.

In the course of a shuttle service, no passengers may be taken up or set down during the journey.

The first return journey and the last outward journey in a series of shuttles shall be made unladen.

"Shuttle services with accommodation" include, in addition to transport accommodation for at least 80% of the passengers with or without meals, at the place of destination and, where necessary, during the journey. Passengers shall stay at the place of destination for at least two nights.

Shuttle services with accommodation may be provided by a group of transport operators acting on behalf of the same contractor and passengers may:

- either make the return journey with a different carrier, of the same group, from the outward journey;
- or catch a connection "en route", with a different carrier, of the same group.

8. The term "occasional service" means a bus service between the territories of the Contracting Parties falling neither within the definition of a regular service or a special regular service nor the definition of a shuttle service. Such a service may be operated with some degree of frequency without thereby ceasing to be an occasional service.

The occasional services include:

- a) Closed door tours, that is to say services, whereby the same vehicle is used to carry the same group of passengers throughout the journey and to bring them back to the place of departure, which is the country where the vehicle is registered.
- b) Services, which make the outward journey loaded and the return journey, unloaded.
- c) Services which make the outward journey unloaded and the return journey loaded with passengers picked up at the same point of the country where the vehicle is not registered, provided that passengers:
 - constitute a previously formed group under a contract of carriage concluded before their arrival in the territory of the Contracting Party where they are picked up, or
 - have been previously brought by the same carrier under the terms of case b, and provided that they are picked up again and carried back to the territory of the country of establishment of the transport operator,
 - have been invited to travel into the territory of the country of establishment of the transport operator, the cost of transport being borne by the person issuing the invitation. Such passengers must constitute a homogeneous group, which has been formed only for this particularly journey.
- d) Services organized for specific events, as conferences, seminars or sports and cultural performances which do not comply with the provisions of letters a), b) and c).

9. The term “transport on own account” means:
- a) In the case of passenger transport, that the transport is carried out for non-commercial and non-profit-making purposes by the transport operator, provided that:
 - the transport activity is only an ancillary activity for that transport operator;
 - the motor vehicles used are owned by the transport operator or put at its disposal through a hiring or leasing contract and are driven by members of the personnel of the transport operator or by the transport operator himself;
 - b) In the case of goods transport, that the transported goods are the property of the transport operator or have been sold, bought, let out on hire or hired, produced, extracted, processed or repaired by the transport operator. The purpose of the transport must be to transport the goods to or from the premises of the transport operator or to move them, either inside the premises of the transport operator or outside for its own requirements. The motor vehicles used for such transport must be driven by members of the personnel of the transport operator or the transport operator himself and must be owned by the transport operator or put at its disposal through a hiring or leasing contract. The transport must be an ancillary activity of the transport operator.

Article 3

ACCESS TO THE MARKET

Each Contracting Party shall allow any transport operator established in the territory of the other Contracting Party to carry out any transport of goods or passengers:

- a) between any point in its territory and any point outside that territory, and
- b) in transit through its territory,
subject to permits or authorizations, to be issued by the competent authorities of each Contracting Party.

Article 4

WEIGHTS AND DIMENSIONS

1. Weights and dimensions of vehicles shall be in accordance with the official registration of the vehicle and may not exceed the limits in force in the host country.
2. A special permit issued by a competent authority is required if the weights and/or dimensions of a laden or unladen vehicle when engaged in transport under the provisions of this Agreement exceed the permissible maximum in the territory of the other Contracting Party.