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**Latvia
and
Portugal**

Agreement between the Republic of Latvia and the Portuguese Republic concerning the International Transport of Passengers and Goods by Road. Warsaw, 20 May 1999

Entry into force: 20 November 2000 by notification, in accordance with article 19

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**Lettonie
et
Portugal**

Accord entre la République de Lettonie et la République portugaise relatif au transport international de passagers et de marchandises par route. Varsovie, 20 mai 1999

Entrée en vigueur : 20 novembre 2000 par notification, conformément à l'article 19

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A G R E E M E N T

**between
the Republic of Latvia
and
the Portuguese Republic
Concerning the International Transport
of Passengers and Goods by Road**

The Republic of Latvia and the Portuguese Republic, hereinafter referred to as the "Contracting Parties";

wishing to contribute to the development of the transport of passengers and goods by road between the two countries, as well as in transit through their territories;

taking into account the need to establish at an European level a policy directed towards the progressive liberalization of transport services, in connection with harmonization of competition conditions, environmental protection and safety in road traffic;

Have agreed as follows:

I · INTRODUCTORY PROVISIONS

Article 1 Scope

Without prejudice to the provisions of paragraph 2 of article 7, this Agreement entitles carriers established in either Contracting Party to transport passengers or goods by road between the territories of the Contracting Parties or in transit through them.

Article 2

Definitions

For the purpose of this Agreement:

- a) a "*carrier*" is any physical or juridical person duly authorized either in the Republic of Latvia or in the Portuguese Republic:
 - 1) to engage in the international transport of passengers or goods by road for hire or reward;
 - 2) to perform transport on his own account;
- b) a "*vehicle*" is:
 - 1) in the case of transport of passengers, any motor vehicle intended for carriage of passengers with more than 9 seats – including the driver's seat – as well as trailers for transport of passenger luggage, provided that the trailer is registered in the same Contracting Party as the motor vehicle;
 - 2) in the case of transport of goods, any lorry, tractor, trailer or semi-trailer, as well as any articulated vehicle or a combination of lorry and trailer, provided that at least the motor vehicle is registered in the territory of either Contracting Party;
- c) "*transit*" is the transport performed by a carrier established in one of the Contracting Parties through the territory of the other Contracting Party without taking or leaving there any passengers or goods.

II TRANSPORT OF PASSENGERS

Article 3

Types of Services

- 1) The transport services of passengers to be performed under the provisions of this Agreement may be:
 - a) regular services;
 - b) shuttle services;
 - c) occasional services.

2. *"Regular services"* are services which provide for the carriage of passengers on specified routes, according to previously determined itinerary, schedule, fares and stopping points for collecting and setting down passengers.

3. *"Shuttle services"* are services whereby, by means of several outward and return journeys, groups of passengers assembled in advance are carried from the same area of departure to the same area of destination.

"Area of departure" and *"area of destination"* mean respectively the place where the journey begins and the place where the journey ends, as well as, in each case, all localities within a radius of 50 kms.

Besides transport, shuttle services should include the accommodation of passengers in the area of destination for a period of at least two nights.

Without prejudice to the provisions of paragraph 3 b) of article 4 of this Agreement, in shuttle services:

- each group of passengers having made the outward journey together is carried back to the starting point together in a later journey;
- passengers shall not be collected or set down outside the areas of departure and destination;
- the first return journey and the last outward journey are empty runs.

4. *"Occasional services"* are services which do not fall within the definition of regular services nor within the definition of shuttle services.

Article 4 **Regime of Authorization**

1. Apart from the exceptions referred to in paragraph 1 of article 5, any passenger transport services performed under this Agreement are subject to an authorization granted by the competent authority of the other Contracting Party on the basis of reciprocity.

2. In what regards regular services:

- a) the establishment of a regular service, as well as the modification of the operating conditions thereof, will be authorized by common agreement between the competent authorities of the Contracting Parties, provided that an approval is obtained from the competent authorities of the transit countries, whenever necessary;

- b) an authorization granted by the competent authority of a Contracting Party will be valid only in that part of the route which is situated in the territory of the same Contracting Party;
 - c) in principle, the authorization for each regular service will be granted on a basis of reciprocity;
 - d) the term of validity of an authorization cannot exceed five years.
3. In what concerns shuttle services:
- a) the term of validity of an authorization cannot exceed six months;
 - b) authorization may be granted to allow for:
 - in a given percentage, passengers having been carried in the outward journey within a certain group to be carried in the return journey within another group;
 - passengers to be taken or set down at a maximum of three places outside the areas of departure and three places outside the area of destination.

Article 5

Transport Services Exempted from Authorization

1. The following occasional services do not require authorization:
- a) *"closed door tours"*, i.e., services whereby the same vehicle carries the same group of passengers throughout the journey and brings them back to the place of departure, provided that the place of departure and destination is situated in the territory of the Contracting Party where the vehicle is registered;
 - b) services involving a laden journey from a place of departure situated in the territory of the Contracting Party where the vehicle is registered to a place of destination situated in the territory of the other Contracting Party, followed by an empty journey back to the place of departure;
 - c) services including an unladen journey entering the territory of the other Contracting Party, followed by a laden journey, provided that all passengers are picked up in the same place and:
 - that they are grouped by a transport contract concluded before they enter the territory of the other Contracting Party; or