

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(81) 617 final.

Brussels, 27 November 1981

PROPOSAL FOR A COUNCIL DECISION

concluding the Agreement on the International Carriage of
Passengers by Road by means of Occasional Coach and Bus
Services (ASOR)

(submitted to the Council by the Commission)

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the International Carriage of Passengers by Road by means
of Occasional Coach and Bus Services (ASOR)

EXPLANATORY MEMORANDUM

BACKGROUND

1. Article 4(2) and (3) of Council Regulation No 117/66/EEC of 28 July 1966 on the introduction of common rules for the international carriage of passengers by coach and bus¹ states:

"The Community shall enter into any negotiations with third countries which may be found necessary for the purpose of implementing this Regulation.

When the common rules provided for in Articles 7 and 8 have been laid down, the Council shall, as soon as possible and on a proposal from the Commission, lay down the common rules necessary in order to enable application of this Regulation to be extended to international carriage of passengers by road to or from third countries."

The common rules provided for in Articles 7 (regular services) and Article 8 (shuttle services) were adopted in Council Regulations Nos 517/72 and 516/72 of 28 February 1972², so that the Council, by its decisions of 15 October 1975³, then authorized the Commission to negotiate with Austria, Greece, Norway, Portugal, Spain, Sweden, Switzerland, Turkey and Yugoslavia for the conclusion of an Agreement establishing uniform rules for the international carriage of passengers by road by means of coach and bus services. The Council added Finland to the third countries listed above by its Decision of 15 March 1976⁴. The abovementioned decisions have since been amended by the Council Decisions of 20 February 1978⁵ and 26 March 1980⁶ in order to solve problems which arose in the course of negotiations.

¹OJ No 147, 9.8.1966, p. 2688.

²OJ No L 67, 20.3.1972, p. 19 and p. 13.

³Doc. R/2386/75 (TRANS 86 and TRANS 87).

⁴Doc. R/629/76 (TRANS 26).

⁵Doc. R/47/78 (TRANS 4).

⁶Doc. 5000/80 (TRANS 19).

2. On the basis of the abovementioned Council Decisions of 15 October 1975, the Commission opened negotiations with the third countries in question on 11 March 1976.

Six plenary sessions have been held in all, chaired alternately by the Head of the European Community Delegation and by the Head of the Swiss Delegation, the latter being appointed by the third countries concerned.

A Drafting Committee has been set up comprising representatives of the delegations of the European Community, Switzerland, Sweden and Austria (the Secretary-General of the ECMT, who took part in the negotiations as an observer, likewise participated as an observer in the work of the Drafting Committee); the Committee's remit was to prepare for the plenary sessions and in particular to put forward proposals for solving the problems on which the plenary session has not reached agreement. The Committee held seven meetings which again were chaired alternately by a member of the European Community Delegation and by a member of the Swiss Delegation.

On each occasion the Member States were invited to take part in the plenary sessions; some Member States were also invited to take part in the meetings of the Drafting Committee where these meetings were devoted to consideration of particular problems relating to the control document to be introduced under the ASOR.

It should also be pointed out that the Community delegation conducted the negotiations in close and permanent contact with the Member States; both the plenary sessions and (in general) the meetings of the Drafting Committee were preceded by coordinating meetings between the Member States and the Community Delegation to determine the position which the latter would adopt vis-à-vis the third countries.

THIRD COUNTRIES CONCERNED

3. The choice of the third countries with which the Agreement is to be concluded was made having due regard either to their geographical situation or to the volume of occasional services between them and the Member States. The determining factor was the mutual interest in the establishment of common rules.

A list of these third countries - which are all members of the European Conference of Ministers of Transport (ECMT) - is given below:

Austria,
Finland,
Norway,
Portugal,
Spain,
Sweden,
Switzerland,
Turkey,
Yugoslavia.

In accordance with the negotiating directives adopted by the Council, negotiations were also conducted with Greece. However, since Greece acceded to the Community on 1 January 1981, the signing of the ASOR by the Council of the European Economic Community also covers Greece as a Member State.

NATURE AND SCOPE OF THE ASOR

4. It should be pointed out that when the Council adopted its negotiating directive of 15 October 1970, it did not consider it necessary for the negotiations with the third countries to cover regular and special services in view of their lesser significance but that they should be confined to occasional services.

As regards an extension of the application of the provisions of Regulation No 117/66/EEC to transport services from or to a third country, the Community could - by invoking Article 4(3) of this Regulation - have had the legal option of introducing on a unilateral basis provisions governing such services and in respect only of that part of the journey carried out on Community territory. But from the point of view of the economic situation of undertakings and the provision of services, there is no doubt that in practice the establishment of common rules applicable to the entire journey carried out on both Community territory and on the territory of the third countries concerned will make for more effective and more rational organization of the services involved; it will also facilitate checks and ease administrative formalities.

In the light of these considerations, it was decided to agree on common rules with the third countries involved covering entire journeys. From a legal point of view, the Community could have concluded separate bilateral agreements with each of the third countries. But this procedure would have been extremely cumbersome and could have led to difficulties, particularly with regard to transit sections of journeys.

In conclusion, the Council decided - with the backing of all the third countries involved - to adopt the formula of a multilateral agreement which would apply not only to journeys made between the Community and the third countries concerned but also to journeys made between the third countries themselves. With regard to journeys carried out between the Member States by carriers established in one of these Member States, the relevant Community provisions already adopted (Regulations Nos 117/66/EEC, 1016/68/EEC, 516/72/EEC, 517/72/EEC, together with various amending Regulations) will remain in force.

In conclusion, it can be seen that the numerous rules - some enshrined in bilateral agreements, others in ECMT resolutions - which currently govern occasional services between the Contracting Parties to the ASOR and which frequently vary from one route to another will be replaced by uniform definitions of the various forms of service and of the minimum degree of liberalization required. What is more, the plethora of control documents currently in existence will be superseded by a single standard document covering all occasional services, whether liberalized or still subject to authorization.

OBJECTIVES OF THE ASOR AND THE MEANS PROVIDED TO ACHIEVE THEM

5. The ASOR applies only to transport by coach or bus, i.e. by vehicles designed and equipped to carry more than nine persons, including the driver, used specifically for that purpose and registered in one of the Contracting States.

The aim of the Agreement is to eliminate the differences between the various sets of legal arrangements governing occasional international services between the Contracting Parties and thereby to make it easier to operate such services, to allow more efficient and more rational organization of the services, to simplify controls and to cut down administrative formalities.

More specifically, this will take the form of liberalization measures designed to further the development of occasional services and, consequently, promote tourism.

Finally, the conclusion of the ASOR is the first step towards closer collaboration between the Contracting Parties. For the European Economic Community in particular the ASOR is of special political significance, since it is the first measure taken under the common transport policy to transcend the geographical limits of the Community, to lay down binding arrangements with third countries and where the Community put its case as a single entity, under the procedure provided for by Article 228.

6. The text of the draft Agreement conforms with the negotiating directives issued by the Council, on which the Commission based its talks with the third countries concerned. The basic contents of the Agreement are as follows:

- (i) definition of its scope;
- (ii) definitions of the various forms of service (occasional services, regular services and shuttle services) (these are based on the definitions agreed by the Community for transport services between Member States);
- (iii) liberalization measures affecting certain occasional services (these measures are more limited than those taken for transport between Member States);
- (iv) the introduction of a control document for occasional services and details of its use; a model standard control document is annexed to the Agreement (the Community will also pass legislation introducing the same model for services between Member States);
- (v) general and final provisions.

7. The ECMT will assume responsibility for some of the administrative work arising from the Agreement, notably for arranging meetings to look into any problems which may arise when the Agreement is implemented, for convening conferences to revise the Agreement whenever necessary and for acting as a depository for the instruments for the approval or ratification of the Agreement by the Contracting Parties. The fact that the ECMT has been assigned these tasks will help to improve contacts between the Contracting Parties and also between the European Economic Community and the ECMT.

8. The general and final provisions lay down, inter alia, that the Agreement:

- (i) shall enter into force when five Contracting Parties, including the European Economic Community, have approved and ratified it;
- (ii) may be revised after it has been in force for three years;
- (iii) is concluded for a period of five years and each Contracting Party may terminate it by giving one year's notice; unless terminated by five Contracting Parties, including the European Economic Community, the period of validity of the Agreement is automatically extended for successive periods of five years;
- (iv) is drawn up in the French language; only this text is authentic.

9. Over and above this, the Community's delegation obtained the Member States' approval for three declarations on the section on liberalization measures; these have been annexed to the ASOR, namely:

- (i) declaration by the Contracting Parties on the application of the Agreement (the liberalization measures provided for under Article 5(2) shall only be enforceable between Contracting Parties who apply the AETR or equivalent provisions);
- (ii) declaration by the European Economic Community (passengers picked up in another Contracting State by a transport operator established within the Community must be carried to the Member State where the vehicle concerned is registered);
- (iii) declaration by the Contracting Parties on the future development of the Agreement (the Contracting Parties will strive to extend the scope of the liberalization measures in the light of the progress made in harmonizing the conditions of competition and of the experience gained; furthermore, they undertake to simplify the procedure for issuing those authorizations which are still required for the non-liberalized occasional services).

10. The text of the ASOR is annexed to the proposal for a Decision discussed in this document.

LEGAL BASIS FOR THE CONCLUSION OF THE ASOR

11. Article 75 of the EEC Treaty provides the legal basis for entering into negotiations with the third countries concerned and for concluding the ASOR.

The procedural aspects are covered by Article 228 of the EEC Treaty.

CONCLUSIONS

Having regard to the considerations outlined above the Commission proposes that the Council adopt the annexed proposal for a Decision.

Proposal for a Council Decision

concluding the Agreement .

on the International Carriage of Passengers by Road by means
of Occasional Coach and Bus Services (ASOR)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and
in particular Article 75 thereof,

Having regard to the proposal from the Commission,

Having regard to the Opinion of the European Parliament,

Having regard to the Opinion of the Economic and Social Committee,

Whereas the Agreement on the International Carriage of Passengers by Road by
means of Occasional Coach and Bus Services (ASOR) negotiated between the
European Economic Community, Austria, Finland, Norway, Portugal, Spain, Sweden,
Switzerland, Turkey and Yugoslavia, is a first step towards harmonizing the
definitions of services for the international carriage of passengers by road
and the conditions under which occasional services are operated in Western
Europe;

Whereas the ASOR will help to facilitate the operation of occasional services and will stimulate tourism in the abovementioned geographical area;

Whereas the ASOR should consequently be approved on behalf of the European Economic Community;

Whereas the Commission has negotiated the Agreement in accordance with the negotiating directives issued by the Council,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement between the European Economic Community, Austria, Finland, Norway, Portugal, Spain, Sweden, Switzerland, Turkey and Yugoslavia on the International Carriage of Passengers by Road by means of Occasional Coach and Bus Services (ASOR) is hereby approved on behalf of the Community.

The text of the Agreement and the declarations annexed to it are annexed to this Decision.

Article 2

The President of the Council shall deposit the acts provided for in Article 18 of the Agreement.

Article 3

This Decision shall be published in the Official Journal of the European Communities¹.

Done at Brussels,

For the Council
The President

¹The Secretariat-General of the Council shall publish in the Official Journal of the European Communities the date on which the ASOR enters into force.

The Council of the European Communities,
The Federal President of the Republic of Austria,
The Government of Spain,
The President of the Republic of Finland,

The Government of the Kingdom of Norway,
The Government of the Portuguese Republic,
The Swiss Federal Council,
The Government of Sweden,
The President of the Republic of Turkey,
The President of the Socialist Federal Republic of Yugoslavia,

DESIRING to promote the development of international transport and especially to facilitate the organization and operation thereof;

WHEREAS some international carriage of passengers by road by means of occasional coach and bus services are liberalized as far as the European Economic Community is concerned, by the Council Regulation No 117/66/EEC of 28 July 1966 concerning the introduction of common rules for the international carriage of passengers by coach and bus⁽¹⁾ and by Regulation (EEC) No 1016/68 of the Commission of 9 July 1968 prescribing the model control documents referred to in Articles 6 and 9 of Council Regulation No 117/66/EEC⁽²⁾;

WHEREAS, in addition, the European Conference of Ministers of Transport has adopted Resolution No 20 of 16 December 1969 concerning the introduction of general rules for international coach and bus transport⁽³⁾ which also concerns the liberalization of some international carriage of passengers by road by means of occasional coach and bus services;

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(1) OJ of the EC No 147 of 9 August 1966, p. 2688

(2) OJ of the EC No L 173 of 22 July 1968, p. 8.

(3) Volume of ECMT Resolutions, 1969, p. 67
Volume of ECMT Resolutions, 1971, p. 133

WHEREAS it is desirable to provide for harmonized liberalization measures for occasional international services for passengers by road and to simplify inspection procedures by introducing a single document;

WHEREAS it is desirable to assign some administrative tasks concerned with the Agreement to the Secretariat of the European Conference of Ministers of Transport;

HAVE DECIDED TO ESTABLISH UNIFORM RULES
FOR THE INTERNATIONAL CARRIAGE OF PASSENGERS BY ROAD,
BY MEANS OF OCCASIONAL COACH AND BUS SERVICES

and to this end have designated as their Plenipotentiaries :

The Council of the European Communities:

The Federal President of the Republic of Austria:

The Government of Spain:

The President of the Republic of Finland:

The Government of the Kingdom of Norway:

The Government of the Portuguese Republic:

The Swiss Federal Council:

The Government of Sweden:

The President of the Republic of Turkey:

The President of the Socialist Federal Republic of Yugoslavia:

WHO, having exchanged their Full Powers, found in good and due form,

HAVE AGREED AS FOLLOWS:

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SECTION I
SCOPE AND DEFINITIONS

Article 1

1. This Agreement shall apply :

a) to the international carriage of passengers by road by means of occasional services effected :

- between the territories of two Contracting Parties or
- starting and finishing in the territory of the same Contracting Party, and should the need arise during such services, in transit through the territory of another Contracting Party or through the territory of a non-contracting State, and
- using vehicles registered in the territory of a Contracting Party which by virtue of their construction and their equipment, are suitable for carrying more than nine persons, including the driver, and are intended for that purpose;

b) to unladen journeys of the vehicles concerned with these services.

2. For the purpose of this Agreement international services are understood to be services which cross the territory of at least two Contracting Parties.

3. For the purposes of this Agreement, the term "territory of a Contracting Party" covers, as far as the European Economic Community is concerned, those territories where the Treaty establishing that Community is applied under the conditions laid down in that Treaty.

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Article 2

1. For the purposes of this Agreement occasional services shall mean services falling neither within the definition of a regular service in Article 3 nor within the definition of a shuttle service in Article 4.

They 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;
- b) services which make the outward journey laden and the return journey unladen;
- c) all other services.

2. Save for exemptions authorized by the competent authorities in the Contracting Party concerned, in the course of occasional services no passenger may be taken up or set down during the journey. Such services may be operated with some degree of frequency without thereby ceasing to be occasional services.

Article 3

1. For the purposes of this Agreement regular services shall mean services which provide for the carriage of passengers according to a specified frequency and along specified routes, whereby passengers may be taken up and set down at predetermined stopping points. Regular services can be subject to the obligation to respect previously established timetables and tariffs.

2. For the purposes of this Agreement, services, by whomsoever organized, which provide for the carriage of specified categories of passengers to the exclusion of other passengers, insofar as such services are operated under the conditions specified in paragraph 1, shall be deemed to be regular services. Such services, in particular those providing for the carriage of workers to and from their place of work or of school-children to and from school, are called "special regular services".

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

Article 4

1. For the purposes of this Agreement shuttle services shall mean services 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.

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 locality.

2. In the course of shuttle services, no passenger may be taken up or set down during the journey.

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

4. However, the classification of a transport operation as a shuttle service shall not be affected by the fact that, with the agreement of the competent authorities in the Contracting Party or Parties concerned:

- passengers, notwithstanding the provisions of paragraph 1, make the return journey with another group,
- passengers, notwithstanding the provisions of paragraph 2, are taken up or set down along the way,
- during the first outward journey and the last return journey, notwithstanding the provisions of paragraph 3, no passengers are carried.

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SECTION II

LIBERALIZATION MEASURES

Article 5

1. The occasional services referred to in Article 2, paragraph 1, (a) and (b) shall be exempted from authorization on the territory of any Contracting Party other than that in which the vehicle is registered.

2. The occasional services referred to in Article 2, paragraph 1 (c) shall be exempted from authorization on the territory of any Contracting Party other than that in which the vehicle is registered under the following conditions :

- if the outward journey is made unladen and all the passengers are taken up in the same place and if
- the passengers

a)-constitute groups, in the territory of a non-contracting state or a Contracting Party other than that in which the vehicle is registered or the passengers board, formed under contracts of carriage made before their arrival in the territory of the Contracting Party; and

-are carried in the territory of the Contracting Party in which the vehicle is registered; or

b)-were previously brought, by the same carrier in the circumstances provided for under Article 2 paragraph 1 (b), into the territory of the Contracting Party where they are taken up again and are carried into the territory of the Contracting Party in which the vehicle is registered; or

c)-have been invited to travel into the territory of another Contracting Party, the cost of transport being borne by the person issuing the invitation. Such passengers must constitute a homogeneous group, which has not been formed solely with a view to undertaking that particular journey and which returns to the territory of the Contracting Party where the vehicle is registered.

3. Where, in the case of occasional services falling within Article 2, paragraph 1 (c), the conditions laid down in paragraph 2 of this Article are not satisfied, such services may be made subject to authorization in the territory of the Contracting Party concerned.

SECTION III

CONTROL DOCUMENT

Article 6

Carriers operating occasional services within the meaning of this Agreement shall, whenever required to do so by any authorized inspecting officer, produce a passenger waybill which forms part of a control document issued by the competent authorities in the Contracting Party where the vehicle is registered or by a duly authorized agency. This control document shall replace the existing control documents

Article 7

1. The control document referred to in Article 6 shall consist of detachable passenger waybills in duplicate books of 25. The control document shall conform to the model shown in the Annex to this Agreement. This Annex shall form an integral part of the Agreement.

2. Each book and its component passenger waybills shall bear a number. The passenger waybills shall bear supplementary numbers, running from 1 to 25.

3. The wording on the cover of the book and that on the passenger waybills shall be printed in the official language or languages of the Member State of the European Economic Community or of any other Contracting Party in which the vehicle used is registered.

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Article 8

1. The book referred to in Article 7 shall be made out in the name of the carrier; it shall not be transferable.
2. The top copy of the passenger waybill shall be kept on the vehicle throughout the journey to which it refers.
3. The carrier shall be responsible for seeing that passenger waybills are duly and correctly completed.

Article 9

1. The passenger waybill shall be completed in duplicate by the carrier for each journey before the start of the latter.
2. For the purpose of providing the names of passengers, the carrier may use a list already completed on a separate sheet, which shall be firmly stuck in the place provided for it under item No. 6 in the passenger waybill. The carrier's stamp or, where appropriate, the carrier's signature or that of the driver of the vehicle shall be placed across both the list and the passenger waybill.
3. For the services involving an outward journey unladen referred to in Article 5, paragraph 2 of this Agreement, the list of passengers may be completed as provided in paragraph 2 at the time when the passengers are taken up.

Article 10

The competent authorities in two or more Contracting Parties may agree bilaterally or multilaterally that the list of passengers under item No. 6 of the passenger waybill need not be drawn up. In that case, the number of passengers must be shown.

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Article 11.

1. A model with stiff green covers and containing the text of the model cover page recto verso of the control document shown in the Annex to this Agreement in each official language of all the Contracting Parties must be carried in the vehicle.
2. The following must be printed on the cover of the model in capital letters and in the official language or languages of the State in which the vehicle used is registered :

"Text of the model control document in Danish, Dutch, English, Finnish, French, German, Greek, Italian, Norwegian, Portuguese, Serbo-Croat, Spanish, Swedish and Turkish".
3. This model must be produced whenever required by authorized inspecting officers.

Article 12

Notwithstanding the provisions of Article 6, control documents used before the entry into force of this Agreement may be used during two years after the entry into force of the Agreement referred to in Article 18, paragraph 2.

SECTION IV

GENERAL AND FINAL PROVISIONS

Article 13

1. The competent authorities in the Contracting Parties shall adopt the measures required to implement this Agreement.

Such measures shall cover, in particular:

- the organization, the procedure and the means of control, and penalties for any breach;
- the period of validity of the book;
- the processing and filing of the top copy and duplicate of passenger waybills;
- the designation of the competent authorities referred to in Articles 2, 6, 10 and 14, as well as the organizations referred to in Article 6;
- the stamping, if required, of the passenger waybill by inspecting officers.

2. The measures taken under paragraph 1 shall be communicated to the Secretariat of the European Conference of Ministers of Transport (ECMT), which shall inform the other Contracting Parties of them.

Article 14

The competent authorities in the Contracting Parties shall ensure that the carriers respect the provisions of this Agreement.

They shall inform each other in regard to their respective national legislation of the offences committed in their territory by a carrier from the territory of another Contracting Party and, where necessary, of the penalty imposed.

Article 15

The provisions of Articles 5 and 6 shall not be applied to the extent that Agreements or other arrangements in force or to be concluded between two or more Contracting Parties provide for more liberal treatment. The terms "Agreements or other arrangements in force between two or more Contracting Parties" as far as the European Economic Community is concerned cover the Agreements and other arrangements which have been concluded by the Member States of this Community.

Article 16

1. If the operation of this Agreement or the measures taken under Article 13 should make it necessary any of the Contracting Parties can request that a meeting of the Contracting Parties be convened for the purpose of jointly examining the problems encountered and any solutions proposed.
2. The chairmanship of the meetings referred to in paragraph 1 shall be held alternately by the European Economic Community and another Contracting Party nominated for this purpose.
3. Requests for convening a meeting, as mentioned in paragraph 1, shall be addressed to the ECMT Secretariat.
4. The ECMT Secretariat shall immediately inform the other Contracting Parties of requests as mentioned in paragraph 1; unless such request for convening a meeting is withdrawn within four weeks the ECMT Secretariat, when this period is over shall fix the date and place of the meeting in agreement with the chairman in office since the last plenary meeting and shall convene this meeting at the earliest possible date.

Article 17

1. When signing this Agreement each Contracting Party may declare, by notification to the other Contracting Parties through the ECMT Secretariat, that it does not consider itself bound by Article 5, paragraph 2(b), of the Agreement. In this case the other Contracting Parties shall not be bound by Article 5, paragraph 2(b), with respect to the Contracting Party that has entered such a reservation.
2. The declaration referred to in paragraph 1 may be withdrawn at any time by a notification addressed to the other Contracting Parties through the ECMT Secretariat.

Article 18

1. This Agreement shall be approved or ratified by the Contracting Parties in accordance with their own procedures. The instruments of approval or ratification shall be deposited by the Contracting Parties with the Secretariat of the ECMT.
2. This Agreement shall enter into force, when five Contracting Parties including the European Economic Community have approved or ratified it, on the first day of the third month following the date on which the fifth instrument of approval or ratification is deposited.
3. This Agreement shall enter into force, for each Contracting Party which approve or ratifies it after the entry into force provided for under paragraph 2, on the first day of the third month following the date on which the Contracting Party concerned has deposited its instrument of approval or ratification with the ECMT Secretariat.
4. The provisions of Sections II and III of this Agreement shall be applicable seven months after the entry into force of the Agreement as specified respectively in paragraphs 2 and 3.

Article 19

1. After this Agreement has been in force for three years, under the conditions set out in Article 18, paragraph 2, any Contracting Party may, by means of a notification addressed to the ECMT Secretariat, request the convening of a conference for the purpose of revising the Agreement. The Secretariat shall immediately inform the other Contracting Parties of the request and fix the date and place of the conference in agreement with the Chairman in office since the previous plenary meeting and convene this conference at the earliest possible date. The Chairmanship of these conferences shall be covered by the provisions of Article 16, paragraph 2.

2. As far as the approval or the ratification of the revision of the Agreement between all the Contracting Parties is concerned, as well as the entry into force of the revision, the provisions of Article 18 shall apply.

Article 20

1. This Agreement is concluded for a period of five years from its entry into force.

2. Each Contracting Party may, for its part, withdraw from this Agreement with 12 months notice as from 1 January by simultaneous notification to the other Contracting Parties through the ECMT Secretariat. However, the Agreement cannot be withdrawn during the first four years which follow its entry into force as provided under Article 18, paragraph 2.

3. Unless five Contracting Parties including the European Economic Community have withdrawn the duration of this Agreement shall, on the expiry of the five-year period referred to in paragraph 1, be automatically extended for successive periods of five years.

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Article 21

This Agreement, drawn up in a single original in French, this text being authentic, shall be deposited in the archives of the ECMT Secretariat which shall transmit a certified copy to each of the Contracting Parties.

In witness whereof, the undersigned Plenipotentiaries have signed this Agreement.

Done at

For the Council
of the European Communities

For the Federal President
of the Republic of Austria

For the Government
of Spain

For the President
of the Republic of Finland

For the Government
of the Kingdom of Norway

For the Government
of the Portuguese Republic

For the Swiss
Federal Council

For the Government
of Sweden

For the President
of the Republic of Turkey

For the President
of the Socialist Federal Republic of Yugoslavia

DECLARATION BY THE CONTRACTING PARTIES CONCERNING
THE APPLICATION OF THE AGREEMENT

The Contracting Parties agree that the liberalization measures provided under Article 5, paragraph 2 of the Agreement shall only be enforceable between the Contracting Parties who apply the provisions of the European Agreement concerning the work of crews of vehicles engaged in International Road Transport (AETR) from 1 July 1970, or equivalent conditions to those provided under the AETR, to the occasional services governed by this Agreement.

Each Contracting Party which intends, for the reasons set out above, to adopt measures for the non-application or the suspension of the liberalization provisions under Article 5, paragraph 2 of the Agreement, declares itself ready to consult the relevant Contracting Party before the possible adoption of these measures.

DECLARATION BY THE EUROPEAN ECONOMIC COMMUNITY
CONCERNING ARTICLE 5

With regard to Article 5, the European Economic Community declares that the liberalization measures laid down for the entry of an unladen vehicle into another Contracting Party with a view to taking passengers aboard for the return journey to a destination in the territory of the Contracting Party where the vehicle is registered shall only apply, where the return to the territory of the European Economic Community is concerned, to return journeys to the Member State in which the vehicle used is registered.

DECLARATION BY THE CONTRACTING PARTIES CONCERNING
THE DEVELOPMENT OF THE AGREEMENT

The Contracting Parties declare that the liberalization measures referred to in Article 5 of the Agreement are in line with the desired development of international passenger transport and represent a significant contribution towards the operating of these occasional services. Within the context of this Agreement and bilateral agreements, they will attempt, having regard to progress with the harmonization of the conditions of competition, to extend the scope of this liberalization on the basis of the experience gained. The Contracting Parties further declare that they will make every effort to simplify the procedure for issuing the authorization required for the services referred to in Article 5, paragraph 3, of the Agreement.

FINAL ACT

The Representatives

of the Council of the European Communities,
of the Federal President of the Republic of Austria,
of the Government of Spain,
of the President of the Republic of Finland,

of the Government of the Kingdom of Norway,
of the Government of the Portuguese Republic,
of the Swiss Federal Council,
of the Government of Sweden,
of the President of the Republic of Turkey,
of the President of the Socialist Federal Republic of Yugoslavia,

meeting in on this day of
in the year one thousand nine hundred and

For the signature of Agreement on the International Carriage of Passengers
by Road by means of Occasional Coach and Bus Services (ASOR),

have at the time of signature of this Agreement taken note of and approved
the following declarations :

1. Declaration by the contracting parties concerning the application of the Agreement;

2. Declaration by the European Economic Community concerning Article 5;
3. Declaration by the Contracting Parties concerning the development of the Agreement.

Done at this.....day of in the year one thousand nine hundred and

For the Council of the European Communities

For the Federal President of the Republic of Austria

For the Government of Spain

For the President of the Republic of Finland

For the Government of the Kingdom of Norway

For the Government of the Portuguese Republic

For the Swiss Federal Council

For the Government of Sweden

For the President of the Republic of Turkey

For the President of the Socialist Federal Republic of Yugoslavia

(Front cover - recto)

(green-coloured paper: DIN A4 - 29,7x21 cm)

(To be worded in the official language or one of the official languages of the State where the vehicle is registered)

State in which the central document is issued
-Distinguishing sign of the country-

Competent authority or
duly authorized agency

Book No.

BOOK OF PASSENGER WAYBILLS

for international occasional road passenger services by coach and bus set up by application of the ASOR (Agreement on the International Carriage of Passengers by Road by means of Occasional Coach and Bus Services) and of EEC Regulation 117/66 (Council Regulation on the introduction of common rules for the international carriage of passengers by coach and bus).

Name and Forename of carrier or trade name :

Address :

(Place and date of issue of book)

(Signature and stamp of the authority or agency issuing the book)

(Flyleaf of the book of waybills - recto)

(green-coloured paper: DIN A4 - 29,7x21 cm)

(To be worded in the official language or one of the official languages of the State where the vehicle is registered)

IMPORTANT NOTICE

I. TRANSPORT WITHIN THE JURISDICTION OF THE "ASOR"

In pursuance of Article 5(1) and (2) of ASOR, the following shall not require authorization in the territory of the Contracting Parties other than that in which the vehicle is registered :

a) certain occasional international services carried out by means of a vehicle registered in a Contracting Party

- between the territories of two Contracting Parties, or

- starting and finishing in the territory of the same Contracting Party,

and, should the need arise, during such services, in transit through the territory of another Contracting Party or through the territory of a non-contracting State.

b) unladen journeys of the vehicles concerned with these services.

The occasional services covered by the above provisions are follows :

A. closed-door tours, i.e., services carried out by means of the same vehicle which transports the same group of passengers throughout the journey and returns to the place of departure, this place being situated on the territory of the Contracting Party where the vehicle is registered,

B. outward laden/return unladen services,

II. TRANSPORT WITHIN THE JURISDICTION OF REGULATION No 117/66/EEC.

In pursuance of Article 5(1) and (2) of Council Regulation No 117/66/EEC of 28 July 1966, certain international occasional services whose place of departure is in the territory of a Member State and whose destination is in the territory of the same or another Member State and which are operated using a vehicle registered in a Member State do not require authorization by any Member State other than the State where the vehicle is registered. For journeys in transit over the territory of an ASOR contracting party other than the Community, the ASOR provisions apply.

The occasional services covered by this provision are as follows :

A) closed-door tours, i.e., services carried out by means of the same vehicle which transports the same group of passengers throughout the journey and returns to the place of departure,

B) outward laden/return unladen services,

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B) services where the outward journey is made laden and where

- all the passengers are taken up in the same place and to be carried into the territory in which the vehicle is registered, and
- the passengers :

- C.1. constitute groups on the territory either of a non-Contracting Party or of a Contracting Party other than that in which the vehicle is registered and other than that in which the passengers are taken up, formed under contracts of carriage made before their arrival on the territory of the latter Contracting Party, or
- C.2. have been previously brought, by the same carrier, in the course of a journey coming within B) above, into the territory of the Contracting Party where they are taken up again, or
- C.3. have been invited to travel to the territory of another Contracting Party, the cost of transport being borne by the person issuing the invitation. Such passengers must constitute a homogeneous group, which has not been formed solely with a view to undertaking that particular journey.

C) services where the outward journey is made unladen, provided that all the passengers are taken up in the same place and that the passengers :

- C.1. constitute groups formed under contracts or carriage made before their arrival in the country where they are to be taken up, or
- C.2. have been previously brought by the same carrier, in the course of a journey coming within B) above, into the country where they are taken up, and such passengers are carried out of that country, or
- C.3. have been invited to travel to another Member State, the cost of transport being borne by the person issuing the invitation. The passengers must constitute a single group, which must not have been formed solely with a view to undertaking that particular journey.

III. COMMON PROVISIONS APPLICABLE TO ALL INTERNATIONAL SERVICES WITHIN THE SCOPE OF ASOR OR REGULATION No 117/66/EEC

1. For each journey carried out as an occasional service the carrier must complete a passenger waybill in duplicate, before the start of the journey.

For the purpose of providing the names of passengers, the carrier may use a list already completed on a separate sheet, which must be firmly stuck in the place provided for it under item No 6 in the passenger waybill. The carrier's stamp or, where appropriate, the carrier's signature or that of the driver of the vehicle must be placed across both the list and the passenger waybill.

For services where the outward journey is made unladen, the list of passengers may be completed as provided above at the time when the passengers are taken up.

The top copy of the passenger waybill must be kept on board the vehicle throughout the journey and be produced at the request of any authorized inspecting officer.

2. A model with stiff green covers and containing the text of the model cover page recto/verso, in each official language of all the Contracting Parties to ASOR must be carried in the vehicle.

3. For the services with the outward journey made unladen, referred to in C), the carrier must attach the following supporting documents to the passenger waybill :

- in the case mentioned under C.1. the copy of the contract of carriage in so far as some countries require it, or any other equivalent document which brings out the essential data of this contract (especially place, country and date of signature, place and date when passengers are taken up, place and country of destination);
- in the case of services falling within C.2. : the passenger waybill which accompanied the vehicle during the corresponding journey made by the operator outward laden/return unladen in order to bring the passengers into the territory either of the Contracting Party or the EEC Member State where they are taken up;
- in the case of services falling within C.3. : the letter of invitation or a photocopy thereof.

4. Occasional services not of one of the above types, under points 1 and 11, may be made subject to authorization on the territory of the Contracting Party or of the Member State of the EEC concerned.

For these services, a cross must be placed in the appropriate box, under point 4.D., of the waybill, showing whether an authorization is or is not required. If an authorization is required it must be attached to the waybill. If no authorization is required justification must be given.

5. Save for exemption authorized by the competent authorities in the course of occasional services no passenger may be taken up or set down during the journey. This authorization must also be attached.

6. The carrier is responsible for seeing that passenger waybills are duly and correctly completed. They shall be completed in block letters and in ink or ball-point pen.










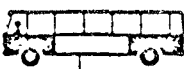

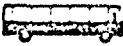


(To be worded the official language or some of the official language of the State of vehicle registration)

(Passenger waybill - recto)


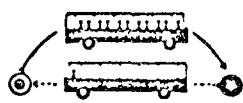
(Green coloured paper - DIN A4 - 29,7x21 cm)

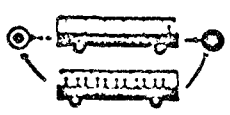
(State in which the document is issued)
-International distinguishing sign-

Book No
Waybill No

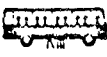
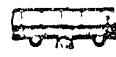

1	 	       	
2	 	<hr/> <hr/> <hr/>	
3	  	1 <hr/> 2 <hr/> 3 <hr/>	

Type of service (put a cross in the appropriate box and add the required supplementary information)

A		B	
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4	<div style="border: 1px solid black; width: 100%; height: 100%; display: flex; align-items: center; justify-content: center;">  </div>	C1	<p>The passengers were assembled, under contract of carriage made on with (travel agency, association, etc.). They arrived on <input type="checkbox"/> In the territory of the Contracting Party where they are taken up, <input type="checkbox"/> In the Member State of the EEC where they are taken up (for EEC vehicles only), <input type="checkbox"/> Copy of the contract of carriage or equivalent document (C.I. Important Notice under 17.3) is attached.</p>
		C2	<p>previously brought by the same carrier during a service covered by B, to the country where they were retaken up. The passenger waybill for the previous outward laden journey and unladen return journey is attached.</p>
		C3	<p>Invited to travel to Cost of transport was paid by the person issuing the invitation and the passengers constitute a homogeneous group which has not been formed solely with a view to undertaking this particular journey. The letter of invitation (or a photocopy of it) is attached.</p>







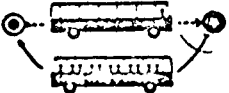

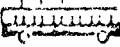
D	Other occasional service (particulars) :		<input type="checkbox"/> - The required authorization is attached <input type="checkbox"/> - Authorization not required because
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Programme of the journey					
Dates	from	to			
		Total			

(Flyleaf of the book of waybills - verso)

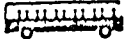
(To be worded in the official language or some of the official languages of the State of registration of the vehicle)

Explanation of symbols used in the passenger waybill and instructions on how to fill it in

1	 <div style="border: 1px solid black; padding: 5px; display: inline-block; margin-left: 20px;">Registration N°</div>	 <div style="border: 1px solid black; padding: 5px; display: inline-block; margin-left: 20px;">Number of seats available</div>												
2		Name and Forename of carrier, or trade name, and address												
3		Name of driver or drivers												
Type of service (Place a cross in the appropriate box and give details)														
A		B												
Closed-door tour														
		Outward journey laden - return journey unladen Locality where passengers be set down and distinguishing sign of the country												
4	C	C1												
Outward journey unladen in order to collect a group of passengers and transport to the country of vehicle registration														
		C2 } See "Important Notice" C3 }												
● - Locality where passengers will be taken up and distinguishing sign of the country ⊙ - Locality where the passengers are set down and distinguishing sign of the country														
D	Other occasional service (particulars)	<input type="checkbox"/> - The required authorization is attached <input type="checkbox"/> - Authorization not required because												
Programme of the journey														
Daily stages														
E	from _____ to _____ Locality, and distinguishing sign of the country from _____ to _____	 Use of vehicle (Indicate the number of kilometres in the relevant column) Laden unladen												
Frontier crossing points														
CUSTOMS														
Passenger list (Surnames and initials)														
F		<table style="width:100%; border-collapse: collapse;"> <tr> <td style="border-bottom: 1px solid black; width: 33%; text-align: center;">1</td> <td style="border-bottom: 1px solid black; width: 33%; text-align: center;">21</td> <td style="border-bottom: 1px solid black; width: 33%; text-align: center;">41</td> </tr> <tr> <td style="border-bottom: 1px solid black;">2</td> <td style="border-bottom: 1px solid black;">22</td> <td style="border-bottom: 1px solid black;">42</td> </tr> <tr> <td style="border-bottom: 1px solid black;">3</td> <td style="border-bottom: 1px solid black;">23</td> <td style="border-bottom: 1px solid black;">43</td> </tr> <tr> <td style="border-bottom: 1px solid black;">21</td> <td style="border-bottom: 1px solid black;">42</td> <td style="border-bottom: 1px solid black;">43</td> </tr> </table>	1	21	41	2	22	42	3	23	43	21	42	43
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21	42	43												

(PASSENGER WAYBILL - VERSO)

5.



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Date of completion

Signature of carrier

7

Unforeseen changes

8

Control stamps if any

9

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