

The Agreement was
previously published as
Netherlands No. 1
(1972), Cmnd. 4851

NETHERLANDS



Treaty Series No. 66 (1972)

Agreement

between the Government of the
United Kingdom of Great Britain and Northern Ireland
and the Government of the Kingdom of the Netherlands
on the International Carriage of
Passengers by Road

London, 4 November 1971

[The Agreement entered into force on 19 May 1972]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
July 1972*

LONDON

HER MAJESTY'S STATIONERY OFFICE

5p net

Cmnd. 5007

AGREEMENT
BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM
OF GREAT BRITAIN AND NORTHERN IRELAND AND THE
GOVERNMENT OF THE KINGDOM OF THE NETHERLANDS
ON THE INTERNATIONAL CARRIAGE OF PASSENGERS BY ROAD

The Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Kingdom of the Netherlands;

Desiring to promote the development of road passenger transport between their two countries in the interest of their economic relations;

Have agreed as follows:

ARTICLE 1

For the purposes of this Agreement:

- (a) the term "carrier" shall mean any physical or legal person who, in either the Netherlands or the United Kingdom, is authorised in accordance with the laws and regulations of one of the two Countries to carry passengers by road for hire or reward;
- (b) the term "passenger vehicle" shall mean any mechanically propelled road vehicle which:
 - (i) is constructed or adapted for use on the roads for the carriage of passengers;
 - (ii) has at least eight seats in addition to that of the driver;
 - (iii) is registered in the territory of one Contracting Party and owned or operated by or on behalf of any carrier authorised in that territory to carry passengers.

ARTICLE 2

(1) A carrier authorised in the territory of one Contracting Party shall be permitted to carry out the following forms of international passenger transport without being required to be licensed for that purpose in accordance with the law of the other Contracting Party:

- (a) "closed-door" tours; that is, services to or through the territory of the other Contracting Party on which a passenger vehicle enters and leaves that territory without any passengers being picked up or set down in that territory;
- (b) "inward services"; that is, services on which a group of passengers is brought into the territory of the other Contracting Party for a temporary stay and the passenger vehicle leaves that territory empty, or on a service covered by (c) below;

(c) "outward services"; that is, services on which a passenger vehicle is used to enter the territory of the other Contracting Party empty or on a service covered by (b) above and carries to the territory in which the carrier is authorised a group of passengers each of whom:

(i) has been carried to the territory of the other Contracting Party by that carrier; and

(ii) before being so carried, had concluded a contract for both journeys in the territory of the Contracting Party in which the carrier is authorised.

(2) The replacement by another passenger vehicle of a passenger vehicle which has become unserviceable while engaged on any of the above services shall also be permitted without the need for a licence.

ARTICLE 3

A passenger transport operation, other than one of those referred to in Article 2 of this Agreement, which is performed by a carrier authorised in the territory of one Contracting Party in the territory of the other Contracting Party shall be subject to licensing in accordance with the national laws and regulations in force in that territory.

ARTICLE 4

(1) In the event of any infringement of the laws and regulations concerning road transport and road traffic in force in the territory of one Contracting Party the appropriate authority of the other Contracting Party shall, at the request of the appropriate authority of the Contracting Party in whose territory the infringement occurred, take such measures as it considers appropriate in respect of such infringement.

(2) The provisions of this Article shall be without prejudice to any lawful sanctions which may be applied by the Courts or enforcement authorities in the territory in which the infringement occurred.

ARTICLE 5

The appropriate authorities of the Contracting Parties shall consult each other on all problems arising from the implementation of this Agreement.

ARTICLE 6

(1) With respect to the Kingdom of the Netherlands, this Agreement shall apply only to the territory of the Kingdom in Europe.

(2) With respect to the United Kingdom of Great Britain and Northern Ireland, this Agreement shall apply to England, Wales, Scotland and Northern Ireland.

ARTICLE 7

(1) This Agreement shall enter into force on the thirtieth day after the Contracting Parties have informed each other in writing that the measures necessary to give effect to the Agreement in their respective territories have been taken.⁽¹⁾

(2) The Agreement shall remain in force for a period of one year after its entry into force, and shall continue in force from year to year unless denounced by one of the Contracting Parties. A Contracting Party desirous of terminating the Agreement shall give three months' notice thereof to the other Contracting Party.

In witness whereof the undersigned, being duly authorised thereto by their respective Governments, have signed this Agreement.

Done in duplicate at London, this 4th day of November, 1971 in the English language.

For the Government of the United Kingdom of Great Britain and Northern Ireland:

LOTHIAN

For the Government of the Kingdom of the Netherlands:

W. J. G. GEVERS

⁽¹⁾ The Agreement entered into force on 19 May, 1972.