

**AGREEMENT
BETWEEN
THE GOVERNMENT OF THE REPUBLIC OF LITHUANIA
AND
THE GOVERNMENT OF THE REPUBLIC OF MACEDONIA
ON INTERNATIONAL TRANSPORT BY ROAD**

The Government of the Republic of Lithuania and the Government of the Republic of Macedonia, hereinafter referred to as the "Contracting Parties", desiring to promote the carriage of passengers and goods by vehicles between and in transit through the territories of the Republic of Lithuania and the Republic of Macedonia (hereinafter referred to as "the States"),

have agreed as follows:

I. GENERAL PROVISIONS

**Article 1
Definitions**

1. The term "home country" means the territory of the State in which a vehicle is registered.
2. The term "host country" means the territory of the State in which a vehicle is being used in transport operations, but other than the vehicle's country of registration.
3. The term "carrier" means a physical or legal person who is authorized in accordance with the respective national laws and regulations of the States to perform international transport of passengers or goods by road for reward or on own account.

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 States;
- b) in the carriage of goods - any power driven road vehicle which is registered in the territory of either States and adapted for the transport goods. For the purposes of this Agreement the term "vehicle" also applies to any vehicle with a trailer or semitrailer, disregarding the place of registration of the trailer or semi-trailer, as well as to any combination of road vehicles.

5. The term "regular passenger service" means passenger transport between or in transit through the territories of the States along routes and according to schedules agreed in advance by the and whereby passengers are taken up or set down at predetermined stops.

6. The term "cabotage" means the transport of passengers or goods between two points within the territory of one State carried out by a carrier of the other State.

Article 2

Scope

This Agreement applies to international road transport operations of passengers and goods from the territory of one State to the territory of the other State or in transit through its territory, also between the territory of a host country and a third country that is carried out by a carrier of a home country.

Article 3

Compliance with National Legislation

Carriers performing road transport operations in the territory of the host country must comply with the national laws and legislation in force in the territory of the host country.

Article 4

Joint Committee and Responsible Authorities

1. Under this Agreement, the responsible authorities shall be:
 - In the Republic of Lithuania – the Ministry of Transport and Communications of the Republic of Lithuania;
 - In the Republic of Macedonia – the Ministry of Transport and Communications of the Republic of Macedonia.

2. For the application of the provisions of this Agreement, the responsible authorities of both States shall establish a Joint Committee, which is formed by the delegates designated by these authorities.

3. This Joint Committee shall meet at the request of responsible authorities of either State; the meetings shall be held alternately in the territories of both States.

4. Any issue concerning the interpretation or application of this Agreement shall be solved by the Joint Committee.

II. PASSENGER TRANSPORT

Article 5

Regular Passenger Services

1. Regular services shall be established on a basis of reciprocity. The competent authority of each State shall issue permits to provide regular passenger services for the section of the route covering the territory of that State.

2. Carriers must address applications for authorizations for regular passenger services to the competent authority of their home country. If that competent authority of their home country approves the application, it forwards the said application to the competent authority of the other State. If the latter agrees, the competent authorities of both States issue a permit for the section of the route that covers the territory of the State.

3. The authorization shall be used only by the carrier to whom it is issued and shall not be transferable. The authorization must be kept in the vehicle during the whole journey so that it can be produced at the request of any authorized control officials.

4. The Joint Committee shall:

- a) establish the conditions and requirements that must be fulfilled by the applications;
- b) seek the agreement of both sides of the Joint Committee before the terms stated on the applications for regular services can be modified;
- c) designate competent authorities of both States.

Article 6

Occasional and Shuttle Services

Occasional and shuttle services are defined and shall be performed in accordance with the provisions of the Agreement on the International Occasional Carriage of Passengers by Coach and Bus (Interbus Agreement).

III. GOODS TRANSPORT

Article 7

Regulation of Permits

1. The carriers shall perform goods transport operations between the territories of the States as well as in transit through their territories without permits.

2. If not otherwise provided for by the Joint Committee, carriers may perform goods transport operations 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 transférable. 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 States shall annually exchange a jointly approved number of permits mentioned in paragraph 2 of this Article.

IV. OTHER PROVISIONS

Article 8

Cabotage

Cabotage is prohibited, unless a special permit of the competent authority of the host country has been granted.

Article 9

Infringements

1. In the event that a carrier of one of the States has not complied with the legislation in force in the territory of the host country, or the provisions of this Agreement or the conditions provided in the permit, the competent authority of the home country may, at the demand of the competent authority of the host country, take the following measures:
 - a) issue a warning for the carrier who committed the violation;
 - b) cancel or withdraw temporarily the permits allowing the carrier to perform transport operations in the territory of the State where the violation was committed.
2. The competent authority of the home country notifies the competent authority of the host country of the measures that have been taken in relation to the violation.
3. The provisions of this Article shall not exclude the lawful sanctions which may be applied by the courts or administrative authorities of the States where the violation was committed.

Article 10

Taxation

1. The vehicles which are temporarily imported, during transport of passengers or goods under the present Agreement, into the territory of the host country in accordance with the customs and fiscal legislation in force in that territory shall be exempted from duties and taxes, except for the exceptions provided in paragraph 3 of this Article.
2. Fuel contained in standard fuel tanks of vehicles shall be exempted from value-added tax, duties and excises in line with legislation in force in the territory of the State. A standard fuel tank shall mean a tank attached by the manufacturer to a bus or goods vehicle from which fuel can be directly used for motion and, where appropriate, for the operation of the refrigeration and other systems during transportation. Lubricants contained in the standard tanks of the vehicles, as well as spare parts intended for the repair service of a damaged vehicle performing road transport operations shall be exempted from all the import duties and taxes in the territory of the host country. Non-used spare parts and replaced old parts shall be exported or treated in accordance with customs regulations of the host country.
3. When performing road transport operations under this Agreement, vehicles registered in the territory of a State, shall be exempted, according to the reciprocity principle, from the taxes and charges levied on the ownership and operation of vehicles and from taxes and charges levied on transport operations carried out in the territory of the host country to the extent permitted by the national legislation of the host country. However, this exemption shall not apply to the payment of road tolls, road user charges or other similar charges which are the same or not higher than road tolls, road user charges or other similar charges and related requirements to which the carriers of the host country may be subjected.

Article 11

Carriage of Dangerous or Perishable Goods

Vehicles carrying dangerous or perishable goods must be fitted and equipped in accordance with the requirements of the European Agreement Concerning the International Carriage of Dangerous Goods by Road (ADR) or the Agreement on the International Carriage of Perishable Foodstuffs and on the Special Equipment to Be Used for Such Carriage (ATP).

Article 12

Weights and Dimensions

1. With respect to the weights and dimensions of vehicles, each State undertakes not to impose on vehicles registered in the territory of the other State conditions which are more restricted than those imposed on vehicles registered within its own territory.
2. If the weights and (or) dimensions of the vehicle with or without load used in transport operations exceed the maximum permissible limits in force in the territory of the host country, a special permit issued by the competent authority of that State is needed. The carrier should fully comply with the requirements specified in such permit.

Article 13

International Obligations

The provisions of this Agreement shall not affect the rights or obligations of the States contained in international agreements which apply to the States.

V. FINAL PROVISIONS

Article 14

Entry into Force and Duration

1. The Agreement shall come into force on the thirtieth day of the receipt of the last diplomatic Note by which the Contracting Parties notify each other that all the respective internal legal procedures of the States, necessary for the entry into force of this Agreement, have been fulfilled.
2. The Contracting Parties, on the base of mutual agreement, can make amendments and additions to this Agreement, which shall be legalized by separate Protocols. These Protocols shall become an integral part of this Agreement and enter into force according to paragraph 1 of this Article.
3. In case any dispute arises between the Contracting Parties relating to the interpretation or application of this Agreement, the Contracting Parties solve it by negotiation.
4. This Agreement shall remain in force unless it is terminated through diplomatic channels by one of the Contracting Parties. In that case, the termination of the Agreement shall take effect six months after the other Contracting Party has been notified about it.

IN WITNESS WHEREOF, the undersigned being duly authorized thereto by the respective Contracting Parties, have signed the present Agreement.

Done at Skopje on 28 January 2019 in 2 (two) copies in the Lithuanian, Macedonian 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 LITHUANIA



FOR THE GOVERNMENT

OF THE REPUBLIC OF MACEDONIA

