



Miscellaneous Series No. 9 (2018)

# Agreement

on the international occasional carriage of passengers by coach and bus (Interbus Agreement)

Brussels, 30 June 2001

And

Decision No 1/2011 of the Joint Committee established under the Interbus Agreement on the international occasional carriage of passengers by coach and bus of 11 November 2011 adopting its rules of procedure and adapting Annex 1 to the Agreement regarding the conditions applying to road passenger transport operators, Annex 2 to the Agreement concerning the technical standards applying to buses and coaches and the requirements concerning the social provisions referred to in Article 8 of the Agreement

Brussels, 11 November 2011

And

The Protocol to the agreement on the international occasional carriage of passengers by coach and bus (Interbus Agreement) regarding the international regular and special regular carriage of passengers by coach and bus

Brussels, 10 July 2018

[The Agreement and Protocol have not been acceded to by the United Kingdom]

*Presented to Parliament  
by the Secretary of State for Foreign and Commonwealth Affairs  
by Command of Her Majesty  
September 2018*

Cm 9699



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## AGREEMENT

### **on the international occasional carriage of passengers by coach and bus (Interbus Agreement)**

#### THE CONTRACTING PARTIES:

Having regard to the desire to promote the development of international transport in Europe and especially to facilitate the organisation and operation thereof,

Having regard to the desire to facilitate tourism and cultural exchange between the Contracting Parties, Whereas:

The Agreement on the international carriage of passengers by road by means of occasional coach and bus services (ASOR), signed in Dublin on 26 May 1982 does not provide for any scope for the accession of new Parties.

The experience and the liberalisation achieved by this latter Agreement should be maintained.

It is desirable to provide for harmonised liberalisation of certain international occasional services by coach and bus and the transit operations thereof.

It is desirable to provide for certain harmonised rules of procedure for non-liberalised international occasional services, that are thus still subject to authorisation.

It is necessary to provide for a high degree of harmonisation of the technical conditions applying to buses and coaches carrying out international occasional services between Contracting Parties in order to improve road safety and protection of the environment.

It is necessary that Contracting Parties should apply uniform measures concerning the work of the crews of buses and coaches engaged in international road transport.

It is desirable to provide for harmonisation of the conditions for access to the occupation of road passenger transport operator.

The principle of non-discrimination on grounds of nationality or the place of establishment of the transport operator, and of the origin or destination of the bus or coach, should be considered to be a basic condition applying to the provision of international transport services.

It is necessary to provide for uniform models for transport documents such as the control document for liberalised occasional services and also the authorisation and the application form for non-liberalised services in order to facilitate and simplify inspection procedures.

It is necessary to provide for certain harmonised measures on the enforcement of the Agreement, especially as far as control procedures, penalties and mutual assistance are concerned.

It is appropriate to establish certain procedures for the management of the Agreement in order to ensure proper enforcement and to permit some technical adaptation of the Annexes.

The Agreement should be open for accession to future members of the European Conference of Ministers of Transport and to certain other European countries,

HAVE DECIDED to establish uniform rules for the international occasional carriage of passengers by coach and bus, and HAVE AGREED AS FOLLOWS:

## SECTION I

### SCOPE AND DEFINITIONS

#### ARTICLE 1

##### **Scope**

1. This Agreement shall apply:
  - (a) to the international carriage of passengers, of any nationality, by road by means of occasional services:
    - between the territories of two Contracting Parties, or starting and finishing on 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,
    - carried out by transport operators for hire or reward established in a Contracting Party in accordance with its law and holding a licence to undertake carriage by means of international occasional services by coach and bus,
    - using buses and coaches registered in the Contracting Party where the transport operator is established;
  - (b) to unladen journeys of the buses and coaches concerned with these services.
2. None of the provisions of this Agreement may be interpreted as providing the possibility of operating national occasional services in the territory of a Contracting Party by operators established in another Contracting Party.
3. The use of buses and coaches designed to carry passengers for the transport of

goods for commercial purposes shall be excluded from the scope of this Agreement.

4. This Agreement does not concern own-account occasional services.

## ARTICLE 2

### **Non-discrimination**

Contracting Parties shall ensure that the principle of non-discrimination on the grounds of the nationality or the place of establishment of the transport operator, and of the origin or destination of the bus or coach, is applied, in particular with regard to fiscal provisions as established in section VI, as well as control and penalties as established in section IX.

## ARTICLE 3

### **Definitions**

For the purposes of this Agreement, the following definitions shall apply:

1. ‘buses and coaches’ are vehicles 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;
2. ‘international occasional services’ are services between the territory of at least two Contracting Parties falling within neither the definition of regular services or special regular services nor the definition of a shuttle service. Such services may be operated with some degree of frequency without thereby ceasing to be occasional services;
3. ‘regular services’ are services which provide for the carriage of passengers according to a specified frequency and along specified routes, whereby passengers may be taken up or set down at predetermined stopping points. Regular services can be subject to the obligation to respect previously established timetables and tariffs;
4. ‘special regular services’ are services, by whomsoever organised, which provide for the carriage of specified categories of passengers to the exclusion of other passengers, in so far as such services are operated under the conditions specified in point 3. 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;

5. (a) ‘shuttle services’ are 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 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;

- (b) in the course of shuttle services, no passenger may be taken up or set down during the journey;
- (c) the first return journey and the last outward journey in a series of shuttles shall be made unladen;
- (d) 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 sub-paragraph 1, make the return journey with another group or another transport operator,
  - passengers, notwithstanding the provisions of sub-paragraph 2, are taken up or set down along the way,
  - the first outward journey and the last return journey of the series of shuttles are, notwithstanding the provisions of subparagraph 3, made unladen;

6. ‘Contracting Parties’ are those signatories that have consented to be bound by this Agreement and for which this Agreement is in force.

This Agreement applies to those territories where the Treaty establishing the European Community is applied and under the conditions laid down in that Treaty and to BOSNIA AND HERZEGOVINA, BULGARIA, CROATIA, THE CZECH REPUBLIC, ESTONIA, HUNGARY, LATVIA, LITHUANIA, MOLDOVA, POLAND, ROMANIA, SLOVAKIA, SLOVENIA and TURKEY, as far as they have concluded this Agreement;

7. ‘competent authorities’ are those authorities designated by the Member States of the Community and by the other Contracting Parties to carry out the tasks set out in sections V, VI, VII, VIII and IX of this Agreement;

8. ‘transit’ means the part of a transport operation through the territory of a Contracting Party without passengers being picked up or set down.

## SECTION II

### **CONDITIONS APPLYING TO ROAD PASSENGER TRANSPORT OPERATORS**

#### ARTICLE 4

1. Contracting Parties which have not yet done so shall apply provisions equivalent to those established by the European Community Directive referred to in Annex 1.
2. Concerning the condition on the appropriate financial standing referred to in Article 3(3) of such Directive, Contracting Parties may apply a minimum available capital and reserves lower than the amount established in point (c) of the said paragraph 3, up to the date of 1 January 2003 or even to 1 January 2005 under condition in the latter case that a corresponding declaration be made at the time of the ratification of the Agreement, without prejudice to the provisions included in the Europe Agreement establishing an association between the European Communities and their Member States and certain Contracting Parties to the present Agreement.

## SECTION III

### **TECHNICAL CONDITIONS APPLYING TO VEHICLES**

#### ARTICLE 5

The buses and coaches used to carry out the international occasional services covered by this Agreement shall comply with the technical standards laid down in Annex 2.

## SECTION IV

### **ACCESS TO THE MARKET**

#### ARTICLE 6

##### **Liberalised occasional services**

The following occasional services shall be exempted from authorisation on the territory of any Contracting Party other than that in which the transport operator is established:

1. closed-door tours, that is to say services whereby the same bus or coach is used to carry the same group of passengers throughout the journey and to bring them back to

the place of departure. The place of departure is in the territory of the Contracting Party in which the transport operator is established;

2. services which make the outward journey laden and the return journey unladen. The place of departure is in the territory of the Contracting Party in which the transport operator is established;

3. services during which the outward journey is made unladen and all the passengers are taken up in the same place, provided that one of the following conditions is met:

- (a) passengers constitute groups, on the territory of a non- Contracting Party or of a Contracting Party other than that in which the transport operator is established or that where the passengers are taken up, that have been formed under contracts of carriage made before their arrival in the territory of the latter Contracting Party. Passengers are carried on the territory of the Contracting Party in which the transport operator is established;
- (b) passengers have been previously brought, by the same transport operator in the circumstances provided for under point 2, into the territory of the Contracting Party where they are taken up again and carried into the territory of the Contracting Party in which the transport operator is established;
- (c) passengers 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 is brought into the territory of the Contracting Party in which the transport operator is established.

The following shall also be exempted from authorisation:

4. transit operations through the territory of Contracting Parties in conjunction with occasional services that are exempted from authorisation;

5. unladen buses and coaches to be used exclusively for the replacement of a bus or a coach damaged or broken down, while performing an international service covered by this Agreement.

For services provided by transport operators established within the European Community, the points of departure and/or destination of the services can be in any Member State of the European Community, independently of the Member State in which the bus or coach is registered or the Member State in which the transport operator is established.

## ARTICLE 7

### **Non-liberalised occasional services**

1. Occasional services other than those referred to in Article 6 shall be subject to authorisation in accordance with Article 15.
2. For services provided by transport operators established within the European Community, the points of departure and/ or destination of the services can be in any Member State of the European Community, independently of the Member State in which the bus or coach is registered or the Member State in which the transport operator is established.

## SECTION V

### **SOCIAL PROVISIONS**

## ARTICLE 8

The Contracting Parties to this Agreement which have not yet done so shall accede to the European Agreement concerning the work of crews of vehicles engaged in international road transport (AETR) of 1 July 1970, as subsequently amended, or shall apply Community Regulations (EEC) No 3820/85 and (EEC) No 3821/85 as in force at the entry into force of this Agreement.

## SECTION VI

### **CUSTOM AND FISCAL PROVISIONS**

## ARTICLE 9

1. Buses and coaches that are engaged in transport operations in accordance with this Agreement shall be exempted from all vehicle taxes and charges levied on the circulation or possession of vehicles as well as from all special taxes or charges levied on transport operations in the territory of the other Contracting Parties.

Buses and coaches shall not be exempted from payment of taxes and charges on motor fuel, value added tax on transport services, road tolls and user charges levied on the use of infra- structure.

2. Contracting Parties shall ensure that tolls and any other form of user charges may not be imposed at the same time for the use of a single road section. However, Contracting Parties may also impose tolls on networks where user charges are levied, for the use of bridges, tunnels and mountain passes.

The fuel for buses and coaches, contained in the fuel tanks established by the manufacturer for this purpose, and in any case not more than 600 litres, as well as the lubricants contained in buses and coaches for the sole purpose of their operation, shall be exempted from import duties and any other taxes and payments imposed in other Contracting Parties.

3. The Joint Committee established in Article 23 will draft a list of the taxes concerning road transport of passengers by bus and coach levied in each Contracting Party. This list will indicate the taxes falling under the provisions of paragraph 1, first subparagraph, of this Article that can only be levied in the Contracting Party of registration of the vehicle. This list will also indicate the taxes falling under the provisions of paragraph 1, second subparagraph, of this Article that may be levied in Contracting Parties other than the Contracting Party of registration of the vehicle. Contracting Parties which replace any tax included in the lists referred to with another tax of the same or a different kind shall notify the Joint Committee in order to make the necessary amendments.

4. Spare parts and tools imported for the repair of a damaged bus or coach while performing an international road transport operation shall be exempted from customs duty and from all taxes and charges at the time of importation into the territory of the other Contracting Party under the conditions laid down in its provisions concerning temporary admission of such goods. The spare parts which are replaced should be re-exported or destroyed under the control of the competent customs authority of the other Contracting Party.

## SECTION VII

### **CONTROL DOCUMENTS FOR OCCASIONAL SERVICES EXEMPTED FROM AUTHORISATION**

#### ARTICLE 10

The provision of services referred to in Article 6 shall be carried out under cover of a control document issued by the competent authorities or by any duly authorised agency of the Contracting Party in which the transport operator is established.

#### ARTICLE 11

1. The control document shall consist of detachable passenger waybills in duplicate in books of 25. The control document shall conform to the model shown in Annex 3 to this Agreement.

2. Each book and its component passenger waybills shall bear a number. The passenger waybills shall also be numbered consecutively, 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 several official languages of the Contracting Party in which the transport operator is established.

#### ARTICLE 12

1. The book referred to in Article 11 shall be made out in the name of the transport operator; it shall not be transferable.

2. The top copy of the passenger waybill shall be kept on the bus or coach throughout the journey to which it refers.

3. The transport operator shall be responsible for seeing that passenger waybills are duly and correctly completed.

#### ARTICLE 13

1. The passenger waybill shall be completed in duplicate by the transport operator for each journey before the start of the journey.

2. For the purpose of providing the names of passengers, the transport operator may use a previously completed list on a separate sheet, which shall be annexed to the passenger waybill. The transport operator's stamp or, where appropriate, the transport operator's signature or that of the driver of the bus or coach shall be placed both on the list and on the passenger waybill.

3. For the services involving an outward unladen journey referred to in Article 6(3), the list of passengers may be completed as provided for in paragraph 2 at the time when the passengers are taken up.

#### ARTICLE 14

The competent authorities of two or more Contracting Parties may agree that the list of passengers need not be drawn up. In that case, the number of passengers must be shown on the control document.

The Joint Committee established in Article 23 shall be informed of these agreements.

## SECTION VIII

### **AUTHORISATION FOR NON-LIBERALISED OCCASIONAL SERVICES**

#### ARTICLE 15

1. An authorisation for each occasional service which has not been liberalised under the provisions of Article 6 shall be issued, in mutual agreement by the competent authorities of the Contracting Parties where passengers are picked up or set down as well as by the competent authorities of the Contracting Parties crossed in transit. When the point of departure or destination is situated in a Member State of the European Community, the transit through other Member States of the Community will not be subject to authorisation.
2. The authorisation shall conform to the model laid down in Annex 5.

#### ARTICLE 16

##### **Application for authorisation**

1. The application for authorisation shall be submitted by the transport operator to the competent authorities of the Contracting Party on whose territory the point of departure is situated.  
  
Applications shall conform to the model laid down in Annex 4.
2. Transport operators shall fill in the application form and attach evidence that the applicant is licensed to perform carriage by means of international occasional services by coach and bus referred to in Article 1(1)(a), second indent.
3. The competent authorities of the Contracting Party in whose territory the place of departure is situated shall examine the application for authorisation of the service concerned and, in the case of its approval, shall forward it to the competent authorities of the Contracting Party(ies) of destination as well as the competent authorities of the Contracting Parties in transit.
4. As a derogation from Article 15(1), Contracting Parties whose territories are crossed in transit may decide that their agreement is no longer necessary for services envisaged in this section. In this case, the Joint Committee established in Article 23 shall be informed of this decision.
5. The competent authorities of the Contracting Party(ies) whose agreement has been requested shall issue the authorisation within one month, without discrimination as to the nationality or place of establishment of the transport operator. If these authorities do not agree on the terms of the authorisation they shall inform the competent authorities of the Contracting Party(ies) concerned of the relevant reasons.

## ARTICLE 17

The competent authorities of two or more Contracting Parties may agree to simplify the authorisation procedure, the model of application for authorisation and the model of authorisation for the occasional services carried out between these Contracting Parties. The Joint Committee established in Article 23 shall be informed of these agreements.

## SECTION IX

### **CONTROLS, PENALTIES AND MUTUAL ASSISTANCE**

## ARTICLE 18

The control documents referred to in Article 10 and the authorisations referred to in Article 15 shall be carried on the bus or coach and shall be presented at the request of any authorised inspecting officer.

## ARTICLE 19

The competent authorities in the Contracting Parties shall ensure that transport operators comply with the provisions of this Agreement.

## ARTICLE 20

A certified true copy of the licence to perform carriage by means of international occasional services by bus and coach referred to in Article 1(1)(a), second indent, shall be kept on the bus or coach and shall be presented at the request of any authorised inspecting officer.

The Joint Committee established in Article 23 shall be informed about the models of such a document issued by the competent authorities of the Contracting Parties.

## ARTICLE 21

The competent authorities of the Contracting Parties shall lay down a system of penalties for breaching this Agreement. The penalties thus provided for shall be effective, proportionate and dissuasive.

## ARTICLE 22

1. Where serious or repeated infringements of regulations concerning road transport, especially those concerning driving and resting time and road safety, have been committed by non-resident transport operators and might lead to withdrawal

of the licence to practise as a road passenger transport operator, the competent authorities of the Contracting Party concerned shall provide the competent authorities of the Contracting Party in which such a transport operator is established with all of the information in their possession concerning those infringements and the penalties that they have imposed.

2. The competent authorities of the Contracting Party in whose territory the serious or repeated infringement of regulations concerning road transport, especially those concerning driving and resting time and road safety have occurred, may temporarily deny access for the transport operator concerned to the territory of this contracting party.

As far as the European Community is concerned, the competent authority of a Member State may only temporarily deny access to the territory of that Member State. Competent authorities of the Contracting Party of establishment of the transport operator and the Joint Committee established in Article 23 shall be informed of such measures.

3. Where serious or repeated infringements of regulations concerning road transport, especially those concerning driving and resting time and road safety, have been committed by a transport operator, the competent authorities of the Contracting Parties where the transport operator is established shall take the appropriate measures to avoid repetition of those infringements; these measures may include the suspension or the withdrawal of the licence to practise as a road passenger transport operator. The Joint Committee established in Article 23 shall be informed of such measures.

4. Contracting Parties shall guarantee the right of the transport operator to appeal against the sanctions imposed.

## SECTION X

### **THE JOINT COMMITTEE**

#### ARTICLE 23

1. In order to facilitate the management of this Agreement, a Joint Committee is hereby established. This Committee shall be made up of representatives of the Contracting Parties.

2. The Joint Committee shall meet for the first time within six months of the entry into force of this Agreement.

3. The Joint Committee shall establish its own Rules of Procedure.

4. The Joint Committee shall meet at the request of at least one Contracting Party.

5. The Joint Committee may adopt decisions only when two thirds of the

Contracting Parties, including the European Community, are represented in the Joint Committee meetings.

6. In so far as the Joint Committee is required to take decisions, unanimity of the Contracting Parties represented shall be required. In the event that unanimity cannot be achieved, the competent authorities concerned shall, following a request by one or more of the Contracting Parties concerned, meet for consultation within a period of six weeks.

#### ARTICLE 24

1. The Joint Committee shall ensure proper implementation of this Agreement. The Committee will be informed of any measure adopted or to be adopted in order to implement the provisions of this Agreement.

2. The Joint Committee shall in particular:

- (a) on the basis of the information provided by the Contracting Parties, draw up a list of competent authorities of the Contracting Parties responsible for the tasks referred to in sections V, VI VII, VIII and IX of this Agreement;
- (b) amend or adapt the control documents and other models of documents established in the Annexes to this Agreement; amend or adapt the Annexes concerning the technical standards applying to buses and coaches, as well as Annex 1 regarding the conditions applying to road passenger transport operators referred to in Article 4, in order to incorporate future measures taken within the European Community;
- (c) on the basis of the information provided by the Contracting parties, draw up a list, for information, of all customs duties, taxes and charges referred to in Article 9(4) and (5);
- (d) amend or adapt the requirements concerning the social provisions referred to in Article 8 in order to incorporate future measures taken within the European Community;
- (e) resolve any dispute which may arise over the implementation and interpretation of this Agreement;
- (f) recommend further steps towards the liberalisation of those occasional services still subject to authorisation.

3. The Contracting Parties shall take the measures necessary to enforce any decisions adopted by the Joint Committee in accordance, where necessary, with their own internal procedures.

4. If an agreement cannot be reached to settle a dispute in accordance with

paragraph 2(f) of this Article, the Contracting Parties concerned may submit the case to an arbitration panel. Each Contracting Party concerned shall appoint an arbitrator. The Joint Committee itself shall also appoint an arbitrator.

The arbitrators' decisions shall be taken by majority vote.

Contracting Parties involved in the dispute shall take the steps required to implement the arbitrators' decisions.

## SECTION XI

### GENERAL AND FINAL PROVISIONS

#### ARTICLE 25

##### **Bilateral agreements**

1. The provisions of this Agreement shall replace those relevant provisions of the agreements concluded between Contracting Parties. As far as the European Community is concerned, this provision applies to agreements concluded between any Member State and a Contracting Party.

2. Contracting Parties other than the European Community may agree not to apply Article 5 of and Annex 2 to this Agreement and apply other technical standards to buses and coaches executing occasional services between these Contracting Parties including transit of their territories.

Notwithstanding the provisions of Article 6 of Annex 2, the provisions of this Agreement shall replace those relevant provisions of the agreements concluded between the Member States of the European Community and other Contracting Parties.

However, the provisions granting an exemption from authorisation contained in existing bilateral agreements between Member States of the European Community and other Contracting Parties for occasional services mentioned in Article 7 may be maintained and renewed. In that case, the Contracting Parties concerned will immediately inform the Joint Committee established in Article 23.

#### ARTICLE 26

##### **Signature**

This Agreement shall be open for signature at Brussels from 14 April 2000 to 31 December 2000, at the General Secretariat of the Council of the European Union which shall act as the depository of the Agreement.

## ARTICLE 27

### **Ratification or approval and depository of the Agreement**

This Agreement shall be approved or ratified by the signatories in accordance with their own procedures. The instruments of approval or ratification shall be deposited by Contracting Parties with the General Secretariat of the Council of the European Union, which shall notify all other signatories.

## ARTICLE 28

### **Entry into force**

1. This Agreement shall enter into force for the Contracting Parties that have approved or ratified it, when four Contracting Parties including the European Community have approved or ratified it, on the first day of the third month following the date on which the fourth instrument of approval or ratification is deposited, or even on the first day of the sixth month, under condition in the latter case that a corresponding declaration be made at the time of the ratification of the Agreement.

2. This Agreement shall enter into force, for each Contracting Party that approves or ratifies it after the entry into force provided for in paragraph 1, 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.

## ARTICLE 29

### **Duration of the Agreement — Evaluation of the functioning of the Agreement**

1. This Agreement shall be concluded for a period of five years, dating from its entry into force.

2. The duration of this Agreement shall be automatically extended for successive periods of five years among those Contracting Parties who do not express their wish not to do so. In the latter case the Contracting Party concerned shall notify the depository of its intention according to Article 31.

3. Before the end of each period of five years, the Joint Committee shall evaluate the functioning of this Agreement.

## ARTICLE 30

### **Accession**

1. After its entry into force, this Agreement shall be open to accession by countries which are full members of the European Conference of Ministers of Transport

(ECMT). In the event of the accession to this Agreement by countries that are members of the Agreement on the European Economic Area, this Agreement shall not apply among the Contracting Parties of the Agreement on the European Economic Area.

2. This Agreement shall also be open to accession by the Republic of San Marino, the Principality of Andorra and the Principality of Monaco.

3. For each State acceding to this Agreement after the entry into force provided for in Article 28, the Agreement shall enter into force on the first day of the third month after deposit by such State of its instrument of accession.

4. Each State acceding to this Agreement after the entry into force provided for in Article 28 may be granted a period of three years maximum for the adoption of provisions equivalent to the directive(s) referred to in Annex 1. The Joint Committee shall be informed of any such measures adopted.

#### ARTICLE 31

##### **Denunciation**

Each Contracting Party may, for its part, denounce this Agreement with one year's notice by simultaneous notification of the other Contracting Parties through the Depository of the Agreement. The Joint Committee shall also be informed of the reasons of the denunciation. However, the Agreement cannot be denounced during the first four years which follow its entry into force, as provided for under Article 28.

If the Agreement is denounced by one or more Contracting Parties, and the number of Contracting Parties falls below the number agreed for the original entry into force as provided for in Article 28, the Agreement shall remain in force unless the Joint Committee, comprising the remaining Contracting Parties, decides otherwise.

#### ARTICLE 32

##### **Termination**

A Contracting Party that has acceded to the European Union shall cease to be treated as a Contracting Party from the date of such accession.

#### ARTICLE 33

##### **Annexes**

Annexes to this Agreement shall constitute an integral part thereto.

ARTICLE 34

**Languages**

This Agreement, drawn up in the English, French and German languages, these texts being authentic, shall be deposited in the archives of the General Secretariat of the Council of the European Union, which shall transmit a certified true copy to each of the Contracting Parties.

Each Contracting Party shall ensure a proper translation of this Agreement in its official language or official languages. A copy of this translation shall be deposited in the archives of the General Secretariat of the Council of the European Union.

A copy of all translations of the Agreement and the Annexes will be sent by the Depository to all Contracting Parties.

IN WITNESS WHEREOF the undersigned plenipotentiaries have signed this Agreement.

Open for signature in Brussels between 14 April 2000 and 30 June 2001  
Ouvert à la signature à Bruxelles entre le 14 avril 2000 et le 30 juin 2001  
Liegt zwischen dem 14. April 2000 und 30. Juni 2001 in Brüssel zur Unterzeichnung auf

For the European Community  
Pour la Communauté européenne  
Für die Europäische Gemeinschaft



22-06-2001

For Bosnia-Herzegovina  
Pour la Bosnie-Herzégovine  
Für Bosnien-Herzegowina



14-06-2001

For the Republic of Bulgaria  
Pour la République de Bulgarie  
Für die Republik Bulgarien



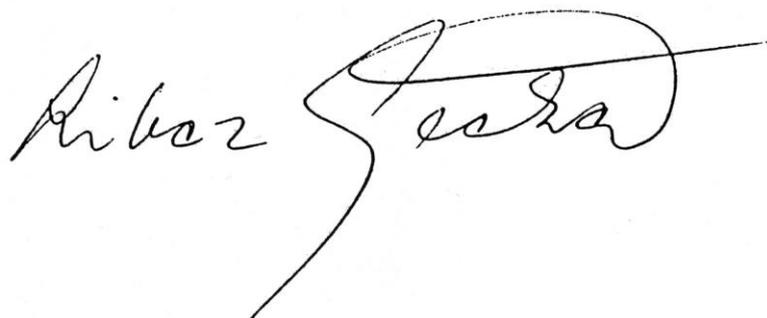
11-12-2000

For the Republic of Croatia  
Pour la République de Croatie  
Für die Republik Kroatien



27-04-2001

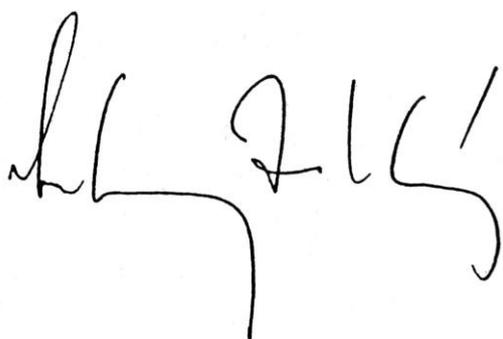
For the Czech Republic  
Pour la République tchèque  
Für die Tschechische Republik



26-06-2001

For the Republic of Estonia  
Pour la République d'Estonie  
Für die Republik Estland

For the Republic of Hungary  
Pour la République de Hongrie  
Für die Republik Ungarn



27 -06- 2001

For the Republic of Latvia  
Pour la République de Lettonie  
Für die Republik Lettland



15 -12- 2000

For the Republic of Lithuania  
Pour la République de Lituanie  
Für die Republik Litauen



29 -09- 2000

For the Republic of Moldova  
Pour la République de Moldova  
Für die Republik Moldau



28 -09- 2000

For the Republic of Poland  
Pour la République de Pologne  
Für die Republik Polen



11 -12- 2000

For Romania  
Pour la Roumanie  
Für Rumänien



02 -10- 2000

For the Slovak Republic  
Pour la République slovaque  
Für die Slowakische Republik



14 -12- 2000

For the Republic of Slovenia  
Pour la République de Slovénie  
Für die Republik Slowenien



22 -12- 2000

For the Republic of Turkey  
Pour la République de Turquie  
Für die Republik Türkei

A handwritten signature in black ink, consisting of a large 'M' followed by a cursive 'L' and a long, wavy horizontal line ending in a vertical stroke.

11-06-2001

## **ANNEX**

### **ANNEX 1**

#### **The conditions applying to road passenger transport operators**

The European Community Directive referred to in Article 4 is the following: Council Directive 96/26/EC of 29 April 1996 on admission to the occupation of road haulage operator and road passenger transport operator and mutual recognition of diplomas, certificates and other evidence of formal qualification intended to facilitate for these operators the right to freedom of establishment in national and international transport operations (Official Journal of the European Communities L 124, 23.5.1996, p. 1), as last amended by Council Directive 98/ 76/EC of 1 October 1998 (Official Journal of the European Communities L 277, 14.10.1998 p. 17).

### **ANNEX 2**

#### **Technical standards applying to buses and coaches**

##### **ARTICLE 1**

As from the date of entry into force for each Contracting Party of the Interbus Agreement, buses and coaches carrying out international occasional carriage of passengers shall comply with the rules established in the following legal texts:

- (a) Council Directive 96/96/EC of 20 December 1996 on the approximation of the laws of the Member States relating to roadworthiness tests for motor vehicles and their trailers (Official Journal of the European Communities L 46, 17.2.1997, p. 1);
- (b) Council Directive 92/6/EEC of 10 February 1992 on the installation and use of speed limitation devices for certain categories of motor vehicles in the Community (Official Journal of the European Communities L 57, 2.3.1992, p. 27);
- (c) Council Directive 96/53/EC of 25 July 1996 laying down for certain road vehicles circulating within the Community the maximum authorised dimensions in national and international traffic and the maximum authorised weights in international traffic (Official Journal of the European Communities L 235, 17.9.1996, p. 59);
- (d) Council Regulation (EEC) No 3821/85 of 20 December 1985 on recording equipment in road transport (Official Journal of the European Communities L 370 of 31.12.1985, p. 8), as last amended by Commission Regulation (EC) No 2135/98 of 24.9.1998 (Official Journal of the European Communities L 274, 9.10.1998, p. 1) or equivalent rules established by the AETR Agreement including its Protocols.

ARTICLE 2

As from the date of entry into force of the Interbus Agreement for each Contracting Party, Contracting Parties other than the European Community shall comply, for buses and coaches carrying out international occasional carriage of passengers, with the technical requirements of the following Community Directives or equivalent UN-ECE Regulations on uniform provisions concerning the type-approval for new vehicles and their equipment.

Item	UN-ECE Regulation/last amendment	EC Directive (original - latest)	Date of implementation within the EU
Exhaust emission	49/01	88/77	1.10.1993
	49/02, approval A	91/542 step 1	1.10.1996
	49/02, approval B	91/542 step 2 96/1	
Smoke	24/03	72/306	2.8.1972
Noise emission	51/02	70/157	1.10.1989
		84/424	1.10.1996
		92/97	
Brake system	13/09	71/320	1.10.1991
		88/194	1.10.1994
		91/422	
		98/12	
Tyres	54	92/23	1.1.1993
Light installation	48/01	76/756	1.1.1994
		91/663	
		97/28	

ARTICLE 3

The buses and coaches carrying out the following services:

- (a) services from any Member State of the Community (except Greece) to any Contracting Party of Interbus;

- (b) services from any Contracting Party of Interbus to any Member State of the Community (except Greece);
- (c) services from any Contracting Party of Interbus to Greece in transit through any other Member State of the Community carried out by transport operators established in any Contracting Party of Interbus;

shall be subject to the following rules.

1. Buses and coaches first registered before 1 January 1980 cannot be used for the occasional services covered by the Interbus Agreement.
2. Buses and coaches first registered between 1 January 1980 and 31 December 1981 can be used only until 31 December 2000.
3. Buses and coaches first registered between 1 January 1982 and 31 December 1983 can be used only until 31 December 2001.
4. Buses and coaches first registered between 1 January 1984 and 31 December 1985 can be used only until 31 December 2002.
5. Buses and coaches first registered between 1 January 1986 and 31 December 1987 can be used only until 31 December 2003.
6. Buses and coaches first registered between 1 January 1988 and 31 December 1989 can be used only until 31.12.2004.
7. Only buses and coaches first registered as from 1 January 1990 (EURO 0) can be used from 1 January 2005.
8. Only buses and coaches first registered as from 1 October 1993 (EURO 1) can be used from 1 January 2007.

#### ARTICLE 4

Buses and coaches carrying out the following services:

- (a) services from Greece to Contracting Parties of Interbus;
- (b) services from Contracting Parties of Interbus to Greece;

shall be subject to the following rules:

1. Buses and coaches first registered before 1 January 1980 cannot be used for the occasional services covered by the Interbus Agreement.
2. Buses and coaches first registered between 1 January 1980 and 31 December 1981 can be used only until 31 December 2000.

3. Buses and coaches first registered between 1 January 1982 and 31 December 1983 can be used only until 31 December 2001.
4. Buses and coaches first registered between 1 January 1984 and 31 December 1985 can be used only until 31 December 2003.
5. Buses and coaches first registered between 1 January 1986 and 31 December 1987 can be used only until 31 December 2005.
6. Buses and coaches first registered between 1 January 1988 and 31 December 1989 can be used only until 31 December 2007.
7. Only buses and coaches first registered as from 1 January 1990 (EURO 0) can be used from 1 January 2008.
8. Only buses and coaches first registered as from 1 January 1993 (EURO 1) can be used from 1 January 2010.

#### ARTICLE 5

Community buses and coaches used in bilateral traffic between Greece and other Member States of the Community in transit through Contracting Parties of the Interbus Agreement are not covered by present rules on technical standards, but are subject to European Community rules.

#### ARTICLE 6

1. The rules on technical standards included in bilateral agreements or arrangements between Member States of the Community and Contracting Parties of the Interbus Agreement, concerning bilateral traffic and transit, which are stricter than the rules established in this Agreement may be applied until 31 December 2006.
2. Member States of the Community and Contracting Parties of the Interbus Agreement concerned shall inform the Joint Committee established in Article 23 of the Agreement on the contents of such bilateral agreements or arrangements.

#### ARTICLE 7

1. A document proving the date of the vehicle's first registration shall be kept on board and shall be presented at the request of any authorised inspecting officer. For the purpose of this Annex, the terms 'date of vehicle's first registration' shall refer to the first registration of the vehicle after its manufacture. When this date of registration is not available, it will be referred to as the date of construction.

2. Where the original bus engine has been replaced by a new engine, the document referred to in paragraph 1 of this Article shall be substituted by a document proving the compliance of the new engine with the relevant type-approval rules mentioned in Article 3.

#### ARTICLE 8

1. Notwithstanding the provision referred to in paragraph (a) of Article 1 of this Annex, Contracting Parties may establish random inspections in order to control that the buses and coaches concerned comply with the provisions of Directive 96/96/EC. For the purpose of this Annex 'random inspections' shall mean an unscheduled and therefore unexpected inspection of a bus or coach circulating on the territory of a Contracting Party carried out by the authorities at the roadside.
2. In order to carry out the roadside inspection provided for in this Annex, competent authorities of Contracting Parties shall use the checklist included in Annex IIa and IIb. A copy of this checklist drawn up by the authority which carried it out shall be given to the driver of the bus or coach and presented on request in order to simplify or avoid, where possible, subsequent inspections within a short and unreasonable period.
3. If the vehicle examiner considers that the deficiency in the maintenance of the bus or coach justifies further examination, the bus or coach may be subjected to a roadworthiness test at an approved testing centre in accordance with Article 2 of Directive 96/96/EC.
4. Without prejudice to other penalties which may be imposed, if the consequence of the random inspection is that the bus or coach does not comply with the provisions of Directive 96/96/EC and therefore is considered to present a serious risk to its occupants or other road users, the bus or coach may be banned immediately from use on public roads.
5. Roadside checks shall be carried out without discrimination on the grounds of nationality, residence or registration of buses and coaches and drivers respectively.

## ANNEX IIa

### CHECKLIST

1. Place of check: ..... 2. Date: ..... 3. Time: .....
4. Vehicle nationality mark and registration number: .....
5. Class of vehicle
  - Coach <sup>(1)</sup>
6. Name and address of transport operator carrying out transport:  
.....
7. Nationality: .....
8. Driver: .....
9. Consignor, address, place of loading: .....
10. Consignee, address, place of unloading: .....
11. Gross mass of unit: .....
12. Reason for failure:
  - braking system and components
  - steering linkages
  - lamps, lighting and signalling devices
  - wheels/hubs /tyres
  - exhaust system
  - smoke opacity (diesel)
  - gaseous emissions (petrol).
13. Miscellaneous/remarks:
14. Authority/officer having carried out the inspection:
15. Result of inspection:
  - pass
  - passed with minor defects
  - serious defects
  - immediate prohibition.

Signature of testing inspector/Authorisation

\_\_\_\_\_

<sup>(1)</sup> Motor vehicle with at least four wheels used for the carriage of passengers, comprising more than eight seats in addition to the driver's seat (categories M2, M3).

## **ANNEX IIb**

### **TECHNICAL STANDARDS OF THE ROADSIDE CHECK**

Buses and coaches as defined in Article 3 of this Agreement shall be maintained in such a condition that they can be deemed as roadworthy by the inspection authorities.

The items that shall be inspected will include those that are considered to be important for the safe and clean operation of the bus or coach. As well as simple functional checks (lighting, signalling, tyre condition, etc.), specific tests and/or inspections shall be carried out on the vehicle's brakes and the motor vehicle's emissions in the following manner:

#### **1. Brakes**

Every part of the braking system and its means of operation shall be maintained in good and efficient working order and be properly adjusted.

The bus or coach's brakes shall be capable of performing the following three braking functions:

- (a) for buses and coaches and their trailers and semi-trailers, a service brake capable of slowing down the vehicle and of stopping it safely, rapidly and efficiently, whatever its conditions of loading and whatever the upward or downward gradient of the road on which it is moving;
- (b) for buses and coaches and their trailers and semi-trailers, a parking brake capable of holding the bus or coach stationary, whatever its condition of loading, on a noticeable upward or downward gradient, the operative surfaces of the brake being held in the braking position by a device whose action is purely mechanical;
- (c) for buses and coaches, a secondary (emergency) brake capable of slowing down and stopping the bus or coach, whatever its condition of loading, within a reasonable distance, even in the event of failure of the service brake.

Where the maintenance condition of the bus or coach is in doubt, the inspection authorities may test the bus' or coach's braking performance in accordance with some or all of the provisions of Directive 96/96/EC Annex II(I).

#### **2. Exhaust emissions**

##### **2.1. Exhaust Emissions**

###### **2.1.1. Buses and coaches equipped with positive-ignition (petrol) engines**

- (a) Where the exhaust emissions are not controlled by an advanced emission

control system such as a three-way catalytic converter which is lambda-probe controlled:

- i. visual inspection of the exhaust system in order to check that there is no leakage;
- ii. if appropriate, visual inspection of the emission control system in order to check that the required equipment has been fitted.

After a reasonable period of engine conditioning (taking account of the bus or coach manufacturer's recommendations) the carbon monoxide (CO) content of the exhaust gases is measured when the engine is idling (no load).

The maximum permissible CO content in the exhaust gases is that stated by the bus or coach manufacturer. Where this information is not available or where Member States' competent authorities decide not to use it as a reference value, the CO content must not exceed the following:

- for buses and coaches registered or put into service for the first time between the date from which Contracting Parties required the buses and coaches to comply with Directive 70/220/EEC <sup>(1)</sup> and 1 October 1986: CO — 4,5 % vol,
  - for buses and coaches registered or put into service for the first time after 1 October 1986: CO — 3,5 % vol.
- (b) Where the exhaust emissions are controlled by an advanced emission control system such as a three-way catalytic converter which is lambda-probe controlled:
- i. visual inspection of the exhaust system in order to check that there are no leakages and that all parts are complete;
  - ii. visual inspection of the emission control system in order to check that the required equipment has been fitted;
  - iii. determination of the efficiency of the bus or coach's emission control system by measuring the lambda value and the CO content of the exhaust gases in accordance with Section 4 or with the procedures proposed by the manufacturers and approved at the time of type-approval. For each of the tests, the engine is conditioned in

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<sup>1</sup> Council Directive 70/220/EEC of 20 March 1970 on the approximation of the laws of the Member States relating to measures to be taken against air pollution by emissions from motor vehicles (OJ L 76, 6.4.1970, p. 1) and corrigendum (OJ L 81, 11.4.1970, p. 15), as last amended by Directive 94/12/EC of the European Parliament and of the Council (OJ L 100, 19.4.1994, p. 42).

accordance with the bus or coach manufacturer's recommendations;

iv. exhaust pipe emissions — limit values:

Measurement at engine-idling speed:

the maximum permissible CO content in the exhaust gases is that stated by the bus or coach manufacturer. Where this information is not available, the maximum CO content must not exceed 0,5 % vol

Measurement at high idle speed,

engine speed to be at least 2 000 min<sup>-1</sup>:

CO content: maximum 0,3 % vol

lambda:  $1 \pm 0,03$  in accordance with the manufacturer's specifications.

### 2.1.2. Buses and coaches equipped with compression ignition (diesel) engines

Measurement of exhaust gas opacity with free acceleration (no load from idling up to cut-off speed). The level of concentration must not exceed the level recorded on the plate pursuant to Directive 72/306/EEC (<sup>1</sup>). Where this information is not available or where Contracting Parties' competent authorities decide not to use it as a reference, the limit values of the coefficient of absorption are as follows:  
maximum coefficient of absorption for:

- naturally aspirated diesel engines = 2,5 m<sup>-1</sup>,
- turbo-charged diesel engines = 3,0 m<sup>-1</sup>

or equivalent values where use is made of equipment of a type different from that used for EC type-approval.

### 2.1.3. Test equipment

Buses' and coaches' emissions are tested using equipment designed to establish accurately whether the limit values prescribed or indicated by the manufacturer have been complied with.

2.2. Where appropriate, a check on the correct functioning of the on-board diagnostic (OBD) emission monitoring system.

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<sup>1</sup> Council Directive 72/306/EEC of 2 August 1972 on the approximation of the laws of the Member States relating to the measures to be taken against the emission of pollutants from diesel engines for use in vehicles (OJ L 190, 20.8.1972, p. 1); Directive as last amended by Commission Directive 89/491/EEC (OJ L 238, 15.8.1989, p. 43).

### ANNEX 3

#### Model of control document for occasional services exempted from authorisation

(green-coloured paper: DIN A4 = 29,7 cm x 21 cm)

(Front cover — recto)

(To be worded in the official language(s) or one of the official languages of the Contracting Party where the transport operator is established )

State in which the control document is issued

Competent authority or duly authorised agency

Book No .....

— Distinguishing sign of the country <sup>(1)</sup>

### INTERBUS

#### BOOK OF PASSENGER WAYBILLS

For the international carriage of passengers by road by means of occasional coach and bus services established pursuant to:

— Articles 6 and 10 of the Agreement on the international occasional carriage of passengers by coach and bus - Interbus Agreement.

Name or trade name of the transport operator: .....

.....

Address: .....

.....

.....

(Place and issue of book)

.....

(Signature and stamp of the authority issuing the book)

<sup>(1)</sup> Belgium (B), Denmark (DK), Germany (D), Greece (GR), Spain (E), France (F), Ireland (IRL), Italy (I), Luxembourg (L), Netherlands (NL), Portugal (P), United Kingdom (UK), Finland (FIN), Austria (A), Sweden (S), Bulgaria (BG), Czech Republic (CZ), Estonia (EST), Hungary (H), Lithuania (LT), Latvia (LV), Poland (PL), Romania (RO), Slovak Republic (SK), Slovenia (SLO) to be completed.

(Flyleaf of the book of waybills — recto)

(To be worded in the official language(s) or one of the official languages of the Contracting Party where the transport operator is established)

### IMPORTANT NOTICE

#### 1. Services covered by the Interbus Agreement are the following.

1. International carriage of passengers of any nationality, by road by means of occasional services:
  - 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 service, in transit through the territory of another Contracting Party or through the territory of a non-Contracting State,
  - carried out by transport operators for hire or reward established in a Contracting Party in accordance with its law and holding a licence to undertake carriage by means of international occasional services by coach and bus,
  - using buses and coaches registered in the territory of the Contracting Party where the transport operator is established 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.
2. Unladen journeys of the buses and coaches concerned with these services.
3. For the purposes of the Interbus Agreement, the term 'territory of a Contracting Party' covers, as far as the European Community is concerned, those territories where the Treaty establishing that Community is applied and under the conditions laid down in that Treaty.
4. The possibility of operating national occasional services in a Contracting Party by operators established in another Contracting Party is excluded from the scope of the Interbus Agreement.
5. The use of buses and coaches designed to carry passengers, for the transport of goods for commercial purposes is excluded from the scope of this Agreement.
6. The Interbus Agreement does not concern own-account occasional services.

#### 2. International occasional services exempted from authorisation on the territory of any Contracting Party other than that in which the transport operator is established under the terms of Article 6 of the Interbus Agreement are the following:

1. Closed-door tours, that is to say services whereby the same bus or coach is used to carry the same group of passengers throughout the journey and to bring them back to the place of departure. The place of departure is in the territory of the Contracting Party in which the transport operator is established.
2. Services which make the outward journey laden and the return journey unladen. The place of departure is in the territory of the Contracting Party in which the transport operator is established.
3. Services during which the outward journey is made unladen and all the passengers are taken up in the same place, provided that one of the following conditions is met:
  - a) passengers constitute groups, on the territory of a non-Contracting Party or a Contracting Party other than that in which the transport operator is established or that where the passengers are taken up, that have been formed under contracts of carriage made before their arrival in the territory of the latter Contracting Party. Passengers are carried on the territory of the Contracting Party in which the transport operator is established;
  - b) passengers have been previously brought, by the same transport operator in the circumstances provided for under point 2, into the territory of the Contracting Party where they are taken up again and carried into the territory of the Contracting Party in which the transport operator is established;

c) passengers 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 is brought into the territory of the Contracting Party in which the transport operator is established.

4. Transit operations through Contracting Parties in conjunction with occasional services that are exempted from authorisation shall also be exempted from authorisation.
5. Unladen buses and coaches to be used exclusively for the replacement of a damaged or broken-down bus or coach, performing an international service covered by this Agreement shall also be exempted from authorisation.

For services provided by transport operators established within the European Community, the points of departure and/or destination of the services can be in any Member State of the European Community, independently of the Member State in which the bus or coach is registered or the Contracting Party in which the transport operator is established.

#### 3. Conditions applicable to buses and coaches

Buses and coaches used to carry out international occasional services covered by the Interbus Agreement shall comply with the technical standards according to Article 5 and Annex 2 of such Agreement.

#### 4. Information concerning the completion of the waybill

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

For the purpose of providing the names of passengers, the transport operator may use a list previously completed on a separate sheet, which shall be annexed to the passenger waybill. The transport operator's stamp or, where appropriate, the transport operator's signature or that of the driver of the vehicle must be placed both on the list and on 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 bus or coach throughout the journey and be produced whenever required by any authorised inspecting officer.

2. For services where the outward journey is made unladen, referred to in point 4C of the waybill, the transport operator must attach the following supporting documents to the passenger control document:
  - in cases mentioned under 4C1: the copy of the contract of carriage in so far as some countries require it, or any other equivalent document which establishes the essential data of this contract (especially place, country and date of conclusion, place, country and date when passengers are taken up, place and country of destination),
  - in the case of services falling within 4C2: the passenger waybill which accompanied the bus or coach during the corresponding journey made by the transport operator outward laden/return unladen in order to bring the passengers into the territory of the Contracting Party where they are taken up again,
  - in the case of services falling within 4C3: the letter of invitation from the person issuing the invitation or a photocopy thereof.
3. In the course of occasional services, no passenger may be taken up or set down during the journey, save for exemption authorised by the competent authorities. In that case an authorisation is needed.
4. The transport operator is responsible for seeing that passenger waybills are duly and correctly completed. They shall be completed in block letters and in indelible ink.
5. The book of waybills is not transferable.

INTERBUS

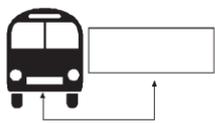
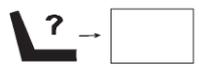
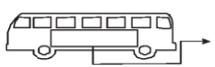
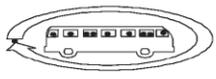
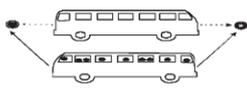
(PASSENGER WAYBILL — RECTO)

(Green coloured paper: DIN A4 = 29,7 cm × 21 cm)

(To be worded in the official language(s) or one of the official languages of the Contracting Party where the transport operator is established)

Book No .....  
Waybill No .....

(State in which the document is issued)  
— Distinguishing sign of the country

		
	Vehicle registration No	Number of passenger seats available
2		..... ..... .....
	Name or trade name of transport operator	
3		1. .... 2. .... 3. ....
	Name of driver or drivers	
Type of service (put a cross in the appropriate box and add the required supplementary information)		
A		B
	Closed-door tours (kørsel uden optagning eller afsætning af passagerer undervejs)	Outward journey laden/ return journey unladen <input checked="" type="checkbox"/> Locality where passengers are set down and distinguishing sign of the country .....
C	Outward journey unladen and all the passengers are taken up in the same place and transported to the country in which the transport operator is established <input checked="" type="checkbox"/> Locality where passengers are picked up and distinguishing sign of the country .....	
4	<p>C1 (a) The passengers were grouped together, under a contract of carriage made on ..... (Date) with ..... (travel agency, association, etc.)</p> <p>(b) The passengers were grouped together on the territory of:</p> <p>(a) non-contracting Party ..... (Country)</p> <p>(b) Contracting Party other than that in which the transport operator is established ..... (Country)</p> <p>(c) Place and Contracting Party where the passengers have been taken up ..... (Country)</p> <p>(d) To be carried to the Contracting Party of establishment of the transport Operator ..... (Country)</p> <p><input type="checkbox"/> Copy of the contract of carriage or equivalent document is attached (cf. Important notice, point 4).</p> <p>C2 Passengers have previously been brought by the same transport operator on a service referred to in B, to the contracting Party in which they are to be taken up again and carried out into the territory of the Contracting Party in which the transport operator is established <input type="checkbox"/> The passenger waybill for the previous outward laden journey and unladen return journey is attached.</p> <p>C3 Passengers have been invited to travel to ..... (Place and country) Cost of transport being borne by the person issuing the invitation and the passengers constitute a homogeneous group which has not been formed solely with a view to undertaking that particular journey. The letter of invitation (or a photocopy thereof) is attached.</p> <p style="text-align: right;">35</p> <p>The group is brought into the territory of the Contracting Party where the transport operator is established.</p>	

(Passenger waybill — verso)

Itinerary	Daily Stages					
	Dates	From locality/country	To locality/country	Km laden	Km unladen	Border-crossing points
5						
List of passengers						
6	1	22		43		
	2	23		44		
	3	24		45		
	4	25		46		
	5	26		47		
	6	27		48		
	7	28		49		
	8	29		50		
	9	30		51		
	10	31		52		
	11	32		53		
	12	33		54		
	13	34		55		
	14	35		56		
	15	36		57		
	16	37		58		
	17	38		59		
	18	39		60		
	19	40		61		
	20	41		62		
	21	42		63		
7	Date of completion of waybill:			Signature of the transport operator:		
8	Unforeseen changes:					
9	Control stamps if any					

(Item 6, if necessary, can be completed on a separate sheet that will be firmly affixed to this document.)

## ANNEX 4

### Model of application for an authorisation for an international occasional service

(White paper — A4)

To be worded in the official language(s) or one of the official languages of the Contracting Parties  
where the request is made

#### APPLICATION FOR AN AUTHORISATION TO START AN INTERNATIONAL OCCASIONAL SERVICE

carried out by coach or bus between Contracting Parties in accordance with Article 7 of the Agreement on the  
international occasional carriage of passengers by coach or bus

(Interbus Agreement)

.....  
(Competent authority of the Contracting Party from which the service departs, namely, the first pick-up point for passengers)

#### 1. Information concerning the applicant for authorisation:

Name or trade name: .....

Address: .....

Country: .....

Tel.: .....

Fax: .....

(Second page of the application)

2. Purpose, reasons and description of the occasional service:

.....  
.....  
.....  
.....

3. Information concerning the route:

(a) Place of departure of service: ..... Country: .....

(b) Place of destination of service: ..... Land: .....

Principal route of service and border crossing points:

.....  
.....  
.....  
.....

Countries whose territory is crossed without passengers being picked up or set down:

.....	.....
.....	.....
.....	.....
.....	.....

4. Date of carrying out of service: .....

5. Registration No of bus(es) or coach (es): .....  
.....  
.....

6. Any additional information:

.....  
.....  
.....  
.....

7. ....  
..... (Place and date) ..... (Signature of applicant)



(Third page of the application)

IMPORTANT NOTICE

1. Transport operators shall fill in the application form and attach evidence that the applicant has a licence to undertake carriage by means of international occasional services by coach and bus referred to in Article 1(1)(a), second indent, of the Interbus Agreement.
2. Occasional services other than those referred to in Article 6 of the Interbus Agreement shall be subject to authorisation namely, services other than the following:
  1. **closed-door tours**, that is to say services whereby the same bus or coach is used to carry the same group of passengers throughout the journey and to bring them back to the place of departure. The place of departure is in the territory of the Contracting Party in which the transport operator is established;
  2. **services which make the outward journey laden and the return journey unladen**. The place of departure is in the territory of the Contracting Party in which the transport operator is established;
  3. **services during which the outward journey is made unladen** and all the passengers are taken up in the same place, provided that one of the following conditions is met:
    - (a) passengers constitute groups, on the territory of a non-Contracting Party or of a Contracting Party other than that in which the transport operator is established or that where the passengers are taken up, that have been formed under contracts of carriage made before their arrival in the territory of the latter Contracting Party. Passengers are carried on the territory of the Contracting Party in which the transport operator is established;
    - (b) passengers have been previously brought, by the same transport operator in the circumstances provided for under point 2, into the territory of the Contracting Party where they are taken up again and carried into the territory of the Contracting Party in which the transport operator is established;
    - (c) passengers 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 is brought into the territory of the Contracting Party in which the transport operator is established;
  4. **transit operations** through Contracting Parties in conjunction with occasional services that are exempted from authorisation shall also be exempted from authorisation;
  5. **unladen buses and coaches** to be used exclusively for the replacement of a bus or coach damaged or broken down while performing an international service covered by this Agreement shall also be exempted from authorisation.

For services provided by transport operators established within the European Community, the points of departure and/or destination of the services can be in any Member State of the European Community, independently of the Member State in which the bus or coach is registered or the Member State in which the transport operator is established.

3. The application shall be made to the competent authority of the Contracting Party in which the service departs, namely, the first pick-up point for passengers.
4. The buses and coaches to be used shall be registered on the territory of the Contracting Party of establishment of the transport operator.
5. The buses and coaches used to carry out international occasional services covered by the Interbus Agreement shall comply with the technical standards laid down in Annex 2 to that agreement.

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## ANNEX 5

### Model of authorisation for non-liberalised occasional services

(First page of authorisation)

(Pink paper — A4)

To be worded in the official language(s) or one of the official languages of the Contracting Parties  
issuing the authorisation

ISSUING CONTRACTING PARTY

— International distinguishing sign <sup>(1)</sup>

COMPETENT AUTHORITY

(Stamp)

AUTHORISATION No ...

for an international occasional service carried out by coach or bus between Contracting Parties in accordance  
with Article 7 of the Agreement on the international occasional carriage of passengers by coach and bus

(Interbus Agreement)

to: .....  
(Surname, first name or trade name of transport operator)

Address: .....

Country: .....

Tel. ....

Fax .....

.....  
(Place and date of issue)

.....  
(Signature and stamp of issuing authority)

<sup>(1)</sup> Belgium (B), Denmark (DK), Germany (D), Greece (GR), Spain (E), France (F), Ireland (IRL), Italy (I), Luxembourg (L), Netherlands (NL), Portugal (P), United Kingdom (UK), Finland (FIN), Austria (A), Sweden (S), Bulgaria (BG), Czech Republic (CZ), Estonia (EST), Hungary (H), Lithuania (LT), Latvia (LV), Poland (PL), Romania (RO), Slovak Republic (SK), Slovenia (SLO) to be completed.

(Second page of authorisation)

1. Purpose, reasons and description of the occasional service:

.....  
.....  
.....  
.....

2. Information concerning the route:

(a) place of departure of service: ..... country: .....

(b) place of destination of service: ..... country: .....

Principal route of service and border crossing points:

.....  
.....  
.....

3. Date of provision of the service: .....

4. Registration No of the bus(es) or coach(es): .....

.....

5. Other conditions:

.....  
.....

6. Passenger list attached

.....  
(Stamp of authority issuing authorisation)

(Third page of authorisation)

To be worded in the official language(s) or one of the official languages of the Contracting Parties  
issuing the authorisation

IMPORTANT NOTICE

1. The authorisation is valid for the entire journey. It may only be used by a transport operator whose name and registration number of the bus or coach is indicated thereon.
2. The authorisation shall be kept on the bus or coach for the duration of the journey and shall be presented whenever enforcement officials so request.
3. The list of passengers is to be annexed to this authorisation.

**Model of declaration to be made by Interbus Contracting Parties concerning Article 4 and Annex 1**

Conditions applying to road passenger transport operators

DECLARATION BY ..... (Name of the Contracting Party)  
CONCERNING ARTICLE 4 AND ANNEX 1

1. The three conditions established in Title I of Council Directive 96/26/EC of 29 April 1996 on admission to the occupation of road haulage operator and road passenger transport operator and mutual recognition of diplomas, certificates and other evidence of formal qualification intended to facilitate for these operators the right to freedom of establishment in national and international transport operations (*Official Journal of the European Communities* L 124 of 23.5.1996, p. 1), as last amended by Council Directive 98/76/EC of 1 October 1998, (*Official Journal of the European Community* L 277 of 14.1.1998, p.17):
  - (a) have been introduced in the national legislation by  
..... (reference to the Law);
  - (b) will be introduced in the national legislation  
..... (date).
2. As far as the condition concerning the 'appropriate financial standing' is concerned, the existing legislation establishes that the transport operator must have available capital and reserves of at least:
  - EUR ..... (or equivalent in national currency) per vehicle used or
  - EUR ..... (or equivalent in national currency) per seat of the passenger transport buses or coaches used by the transport operator.

It is envisaged that the amount of the 'appropriate financial standing' will be adapted to the requirements of Directive 96/26/EC on ..... (date, or no later than 1.1.2005).

\_\_\_\_\_

**DECISION No 1/2011 OF THE JOINT COMMITTEE ESTABLISHED  
UNDER THE INTERBUS AGREEMENT ON THE INTERNATIONAL  
OCCASIONAL CARRIAGE OF PASSENGERS BY COACH AND BUS  
of 11 November 2011 adopting its rules of procedure and adapting Annex 1 to  
the Agreement regarding the conditions applying to road passenger transport  
operators, Annex 2 to the Agreement concerning the technical standards  
applying to buses and coaches and the requirements concerning the social  
provisions referred to in Article 8 of the Agreement**

(2012/25/EU)

THE JOINT COMMITTEE,

Having regard to the Interbus Agreement on the international occasional carriage of passengers by coach and bus (<sup>1</sup>), and in particular Articles 23 and 24 thereof,

Whereas:

(1) Pursuant to Article 23(3) of the Interbus Agreement on the international occasional carriage of passengers by coach and bus (hereinafter referred to as ‘the Agreement’), the Joint Committee is required to establish its rules of procedure.

(2) The Joint Committee is responsible, in accordance with Article 24(2)(c) of the Agreement, for adapting Annex 1 to the Agreement regarding the conditions applying to road passenger transport operators and Annex 2 to the Agreement concerning the technical standards applying to buses and coaches. Furthermore, the Joint Committee is responsible, in accordance with Article 24(2)(e) of the Agreement, for adapting the requirements concerning the social provisions referred to in Article 8 of the Agreement in order to incorporate the new measures taken in the Union,

HAS DECIDED AS FOLLOWS:

ARTICLE 1

The rules of procedure of the Joint Committee as set out in Annex I to this Decision are hereby adopted.

ARTICLE 2

Annex 1 to the Agreement regarding the conditions applying to road passenger transport operators, Annex 2 to the Agreement concerning the technical standards applying to buses and coaches and the requirements concerning the social provisions

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<sup>1</sup> OJ L 321, 26.11.2002, p. 13.

referred to in Article 8 of the Agreement are hereby adapted as set out in Annex II to this Decision.

Done at Brussels, 11 November 2011.

The Chairman Sz. SCHMIDT

The Secretary G. PATRIS

EN L 8/38 Official Journal of the European Union 12.1.2012

## **ANNEX I**

### **Rules of procedure of the Joint Committee established under the Interbus Agreement on the international occasional carriage of passengers by coach and bus**

#### ARTICLE 1

##### **Name of Joint Committee**

The Joint Committee established under Article 23 of the Interbus Agreement on the international occasional carriage of passengers by coach and bus shall hereinafter be referred to as ‘the Committee’.

#### ARTICLE 2

##### **Chairmanship**

1. The Committee shall be chaired by a representative of the European Commission (hereinafter referred to as ‘the Commission’), on behalf of the European Union.
2. The head of the Union delegation, or where necessary his deputy, shall carry out the duties of the Chairman of the Committee.
3. The Chairman shall direct the work of the Committee.

#### ARTICLE 3

##### **Delegations**

1. The parties for which the Agreement has entered into force (hereinafter referred to as ‘the parties’) shall appoint their representatives on the Committee. The Union delegation shall be made up of representatives of the Commission, assisted by representatives of the Member States.
2. Each party shall appoint the head and, where necessary, deputy head of its delegation.
3. Each party may appoint new representatives on the Committee. The Secretary of

the Committee shall be informed forthwith in writing of any such changes.

4. Representatives of the General Secretariat of the Council of the European Union may take part as observers in the meetings of the Committee. The Chairman, with the agreement of the other heads of delegation, may invite persons who are not members of delegations to attend a meeting of the Committee in order to provide information on specific subjects.

5. At least 1 week before the meeting, the parties shall notify the Secretary of the Committee of the composition of their delegation.

#### ARTICLE 4

##### **Secretariat**

1. A representative of the Commission shall provide the secretariat for the Committee. The Secretary shall be appointed by the Chairman of the Committee and shall carry out his duties until a new Secretary is appointed. The Chairman shall notify the name and details of the Secretary to the other parties.

2. The Secretary shall be responsible for communication between the delegations, including the transmission of documents, and shall supervise secretarial duties.

#### ARTICLE 5

##### **Meetings of the Committee**

1. The Committee shall meet at the request of at least one party. It shall be convened by the Chairman.

2. The Chairman shall send the notice of the meeting, together with the draft agenda and the meeting documents, to the heads of the other delegations at least 15 working days before the beginning of the meeting.

3. A party may request the Chairman to shorten the periods of notice referred to in paragraph 2 to take account of the urgency of a particular matter.

4. Unless otherwise decided by the heads of delegations, the meetings of the Committee shall not be public.

5. The Committee shall meet in Brussels, unless the parties agree to meet elsewhere.

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## ARTICLE 6

### **Agenda**

1. The Chairman, assisted by the Secretary, shall draw up the draft agenda for each meeting and shall fix the date and venue of the meeting after consulting the heads of the other delegations. The Chairman shall send the provisional agenda to the other heads of delegation at least 15 working days before the beginning of the meeting. The agenda shall be accompanied by all the necessary working documents.
2. The period of notice laid down in paragraph 1 shall not apply to urgent meetings convened in accordance with Article 5(3).
3. Each party may propose one or more items to be added to the provisional agenda at the latest 24 hours before the beginning of the meeting. Requests to have items added to the agenda shall be sent in writing to the Chairman, indicating the reason therefore.
4. At the beginning of the meeting, the Committee shall adopt the agenda. The Committee may decide to add to the agenda an item which is not contained in the provisional agenda.

## ARTICLE 7

### **Adoption of acts**

1. The decisions of the Committee shall be adopted by unanimous vote of the parties represented, in accordance with Article 23(5) and (6) of the Agreement. The recommendations, and in particular those referred to in Article 24(2)(g) of the Agreement, shall be taken by consensus between the delegations of the parties represented. The decisions and recommendations shall bear the title 'Decision' or 'Recommendation' followed by a serial number, the date of their adoption and an indication of their content.
2. The decisions and recommendations of the Committee shall bear the signature of the Chairman and the Secretary. They shall be sent by the Secretary to the other heads of delegation.
3. Each party may decide to publish any act adopted by the Committee.
4. The acts of the Committee may be adopted by written procedure where this has been agreed by the heads of delegation. The Chairman shall submit the draft act to the other heads of delegation who shall indicate in reply whether or not they accept the draft, whether they propose amendments to the draft or whether they require more time to consider it. If the draft is adopted, the Chairman shall finalise the decision or recommendation in accordance with paragraphs 1 and 2.
5. The recommendations and decisions shall be drawn up in English, French and

German, these texts being authentic. Each party shall be responsible for the correct translation of recommendations and decisions into its official language or languages. Translation into other Union languages shall be carried out by the Commission.

## ARTICLE 8

### **Minutes**

1. The Secretary shall draw up, under the responsibility of the Chairman, draft minutes of each meeting of the Committee within 15 working days following the meeting.
2. The minutes shall, as a general rule, indicate in respect of each item on the agenda:
  - details of the documents submitted to the Committee,
  - statements which a party has asked to be recorded,
  - the decisions taken, recommendations made and conclusions adopted.
3. The draft minutes shall be submitted to the Committee for approval in accordance with the written procedure referred to in Article 7(4). If this procedure is not completed, the minutes shall be adopted by the Committee at its next meeting.
4. Once adopted by the Committee, the minutes shall be signed by the Chairman and the Secretary and kept by the Secretary. A copy shall be sent by the Secretary to the other heads of delegation. EN L 8/40 Official Journal of the European Union 12.1.2012

## ARTICLE 9

### **Confidentiality**

Notwithstanding the provision on the publication of acts laid down in Article 7(3), the deliberations of the meetings and the documents of the Committee shall be governed by professional secrecy.

## ARTICLE 10

### **Expenses**

1. Each party shall bear the expenses it incurs in taking part in the meetings of the Committee.
2. The Committee shall decide on the reimbursement of expenses connected with missions assigned to persons called in by the Chairman in accordance with Article 3(4).

## ARTICLE 11

### **Correspondence**

All correspondence with or from the Chairman of the Committee shall be sent to the Secretary of the Committee. The Secretary shall send a copy of all correspondence relating to the Agreement to all delegations.

## ARTICLE 12

### **Languages**

The languages used in meetings of the Committee and in documents shall be decided by the Committee. There shall be no obligation on the party hosting the meeting to provide interpretation for other languages. EN 12.1.2012 Official Journal of the European Union L 8/41

## **ANNEX II**

### **Adaptation of Annex 1 to the Agreement regarding the conditions applying to road passenger transport operators, of Annex 2 to the Agreement concerning the technical standards applying to buses and coaches and of the requirements concerning the social provisions referred to in Article 8 of the Agreement <sup>(1)</sup>**

1. Adaptation of Annex 1 to the Agreement regarding the conditions applying to road passenger transport operators

The following Union act is added to Annex 1 to the Agreement:

‘Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009 establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator and repealing Council Directive 96/26/EC (OJ L 300, 14.11.2009, p. 51)’.

2. Adaptation of Annex 2 to the Agreement concerning the technical standards applying to buses and coaches

1. In Article 1 of Annex 2 to the Agreement, points (a), (b), (c) and (d) are replaced by the following:

- ‘(a) roadworthiness tests for motor vehicles and their trailers:
  - Directive 2009/40/EC of the European Parliament and of the Council of 6 May 2009 on roadworthiness tests for motor vehicles

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<sup>1</sup> The updating of the acts takes account of the new measures adopted by the European Union up to 31 December 2009.

and their trailers (OJ L 141, 6.6.2009, p. 12),

- Directive 2000/30/EC of the European Parliament and of the Council of 6 June 2000 on the technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Community (OJ L 203, 10.8.2000, p. 1) as amended by Commission Directive 2003/26/EC (OJ L 90, 8.4.2003, p. 37);

(b) speed limitation devices:

- Council Directive 92/6/EEC of 10 February 1992 on the installation and use of speed limitation devices for certain categories of motor vehicles in the Community (OJ L 57, 2.3.1992, p. 27) as last amended by Directive 2002/85/EC of the European Parliament and of the Council (OJ L 327, 4.12.2002, p. 8);

(c) maximum dimensions and maximum weights:

- Council Directive 96/53/EC of 25 July 1996 laying down for certain road vehicles circulating within the Community the maximum authorized dimensions in national and international traffic and the maximum authorized weights in international traffic (OJ L 235, 17.9.1996, p. 59) as last amended by Directive 2002/7/EC of the European Parliament and of the Council (OJ L 67, 9.3.2002, p. 47),
- Directive 97/27/EC of the European Parliament and of the Council of 22 July 1997 relating to the masses and dimensions of certain categories of motor vehicles and their trailers and amending Directive 70/156/EEC (OJ L 233, 25.8.1997, p. 1) as amended by Commission Directive 2003/19/EC (OJ L 79, 26.3.2003, p. 6);

(d) recording equipment in road transport:

- Council Regulation (EEC) No 3821/85 of 20 December 1985 on recording equipment in road transport (OJ L 370, 31.12.1985, p. 8) as last amended by Commission Regulation (EU) No 1266/2009 (OJ L 339, 22.12.2009, p. 3) or equivalent rules established by the AETR Agreement including its Protocols.?

2. Article 2 of Annex 2 to the Agreement is amended as follows:

(a) the following text is inserted after the first paragraph and before the table:

‘Exhaust emissions:

- Council Directive 88/77/EEC of 3 December 1987 on the approximation of the laws of the Member States relating to the

measures to be taken against the emission of gaseous and particulate pollutants from compression ignition engines for use in vehicles, and the emission of gaseous pollutants from positive ignition engines fuelled with natural gas or liquefied petroleum gas for use in vehicles (OJ L 36, 9.2.1988, p. 33) as last amended by Commission Directive 2001/27/EC (OJ L 107, 18.4.2001, p. 10), EN L 8/42 Official Journal of the European Union 12.1.2012

- Directive 2005/55/EC of the European Parliament and of the Council of 28 September 2005 on the approximation of the laws of the Member States relating to the measures to be taken against the emission of gaseous and particulate pollutants from compression-ignition engines for use in vehicles, and the emission of gaseous pollutants from positive-ignition engines fuelled with natural gas or liquefied petroleum gas for use in vehicles (OJ L 275, 20.10.2005, p. 1) as last amended by Commission Directive 2008/74/EC (OJ L 192, 19.7.2008, p. 51),
- Regulation (EC) No 595/2009 of the European Parliament and of the Council of 18 June 2009 on type- approval of motor vehicles and engines with respect to emissions from heavy duty vehicles (EURO VI) and on access to vehicle repair and maintenance information and amending Regulation (EC) No 715/2007 and Directive 2007/46/EC and repealing Directives 80/1269/EEC, 2005/55/EC and 2005/78/EC (OJ L 188, 18.7.2009, p. 1);

#### Smoke:

- Council Directive 72/306/EEC of 2 August 1972 on the approximation of the laws of the Member States relating to the measures to be taken against the emission of pollutants from diesel engines for use in vehicles (OJ L 190, 20.8.1972, p. 1) as last amended by Commission Directive 2005/21/EC (OJ L 61, 8.3.2005, p. 25);

#### Noise emissions:

- Council Directive 70/157/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the permissible sound level and the exhaust system of motor vehicles (OJ L 42, 23.2.1970, p. 16) as last amended by Commission Directive 2007/34/EC (OJ L 155, 15.6.2007, p. 49);

#### Braking devices:

- Council Directive 71/320/EEC of 26 July 1971 on the approximation of the laws of the Member States relating to the braking devices of certain categories of motor vehicles and of their

trailers (OJ L 202, 6.9.1971, p. 37) as last amended by Commission Directive 2002/78/EC (OJ L 267, 4.10.2002, p. 23);

Tyres:

- Council Directive 92/23/EEC of 31 March 1992 relating to tyres for motor vehicles and their trailers and to their fitting (OJ L 129, 14.5.1992, p. 95) as last amended by Commission Directive 2005/11/EC (OJ L 46, 17.2.2005, p. 42);

Lighting and light-signalling devices:

- Council Directive 76/756/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to the installation of lighting and light-signalling devices on motor vehicles and their trailers (OJ L 262, 27.9.1976, p. 1) as last amended by Commission Directive 2008/89/EC (OJ L 257, 25.9.2008, p. 14);

Fuel tank:

- Council Directive 70/221/EEC of 20 March 1970 on the approximation of the laws of the Member States relating to liquid fuel tanks and rear protective devices for motor vehicles and their trailers (OJ L 76, 6.4.1970, p. 23) as last amended by Commission Directive 2006/20/EC (OJ L 48, 18.2.2006, p. 16);

Rear-view mirrors:

- Directive 2003/97/EC of the European Parliament and of the Council of 10 November 2003 on the approximation of the law of the Member States relating to the type-approval of devices for indirect vision and of vehicles equipped with these devices, amending Directive 70/156/EEC and repealing Directive 71/127/EEC (OJ L 25, 29.1.2004, p. 1) as last amended by Commission Directive 2005/27/EC (OJ L 81, 30.3.2005, p. 44);

Safety belts — Installation:

- Council Directive 77/541/EEC of 28 June 1977 on the approximation of the laws of the Member States relating to safety belts and restraint systems of motor vehicles (OJ L 220, 29.8.1977, p. 95) as last amended by Directive 2005/40/EC of the European Parliament and of the Council (OJ L 255, 30.9.2005, p. 146); EN 12.1.2012 Official Journal of the European Union L 8/43

Safety belts — Anchorages for safety belts:

- Council Directive 76/115/EEC of 18 December 1975 on the approximation of the laws of the Member States relating to anchorages for motor-vehicle safety belts (OJ L 24, 30.1.1976, p. 6) as last amended by Directive 2005/41/EC of the European Parliament and of the Council (OJ L 255, 30.9.2005, p. 149);

Seats:

- Council Directive 74/408/EEC of 22 July 1974 on the approximation of the laws of the Member States relating to the interior fittings of motor vehicles (strength of seats and of their anchorages) (OJ L 221, 12.8.1974, p. 1) as last amended by Directive 2005/39/EC of the European Parliament and of the Council (OJ L 255, 30.9.2005, p. 143);

Interior construction (prevention of the risk of fire spreading):

- Directive 95/28/EC of the European Parliament and of the Council of 24 October 1995 relating to the burning behaviour of materials used in the interior construction of certain categories of motor vehicle (OJ L 281, 23.11.1995, p. 1);

Interior arrangement (Emergency exits, accessibility, seating dimension, superstructure resistance, etc.):

- Directive 2001/85/EC of the European Parliament and of the Council of 20 November 2001 relating to special provisions for vehicles used for the carriage of passengers comprising more than eight seats in addition to the driver's seat, and amending Directives 70/156/EEC and 97/27/EC (OJ L 42, 13.2.2002, p. 1).';

(b) the table is replaced by the following table:

Heading	UN-ECE Regulation/last series of amendments	Union act (original latest)
Exhaust emissions	49/01	Directive 88/77/EEC
	49/02, type approval A	Directive 2001/27/EC
	49/02, type approval B	Directive 2005/55/EC
		Directive 2008/74/EC
		Regulation (EC) No 595/2009

Smoke	24/03	Directive 72/306/EEC Directive 2005/21/EC
Noise emissions	51/02	Directive 70/157/EEC Directive 2007/34/EC
Braking devices	13/11	Directive 71/320/EEC Directive 2002/78/EC
Tyres	54	Directive 92/23/EEC Directive 2005/11/EC
Lighting and light-signalling devices	48/01	Directive 76/756/EEC Directive 2008/89/EC
Fuel tank	34/02 67/01 110	Directive 70/221/EEC Directive 2006/20/EC
Rear-view mirrors	46/01	Directive 2003/97/EC Directive 2005/27/EC
Safety belts - Installation	16/06	Directive 77/541/EEC Directive 2005/40/EC
Safety belts - Anchorages	14/07	Directive 76/115/EEC Directive 2005/41/EC
Seats	17/08 80/01	Directive 74/408/EEC Directive 2005/39/EC

Interior construction (prevention of the risk of fire spreading)	118	Directive 95/28/EC
Interior arrangement (emergency exits, accessibility, seating dimension)	107.02	Directive 2001/85/EC
Roll-over protection	66.01	Directive 2001/85/EC'

### 3. Adaptation of the requirements concerning the social provisions referred to in Article 8 of the Agreement

1. Following the inclusion of Directive 2000/30/EC, Article 8 of Annex 2 to the Agreement, Annex IIa to the Agreement and Annex IIb to the Agreement are deleted.

2. The Union acts listed in Article 8 of the Agreement are replaced by the following Union acts <sup>(1)</sup>:

- ‘— Regulation (EC) No 561/2006 of the European Parliament and of the Council of 15 March 2006 on the harmonisation of certain social legislation relating to road transport and amending Council Regulations (EEC) No 3821/85 and (EC) No 2135/98 and repealing Council Regulation (EEC) No 3820/85 (OJ L 102, 11.4.2006, p. 1) as last amended by Regulation (EC) No 1073/2009 (OJ L 300, 14.11.2009, p. 88),
- Council Regulation (EEC) No 3821/85 of 20 December 1985 on recording equipment in road transport (OJ L 370, 31.12.1985, p. 8) as last amended by Commission Regulation (EU) No 1266/2009 (OJ L 339, 22.12.2009, p. 3),
- Directive 2006/22/EC of the European Parliament and of the Council of 15 March 2006 on minimum conditions for the implementation of Council Regulations (EEC) No 3820/85 and (EEC) No 3821/85 concerning social legislation relating to road transport activities and repealing Council Directive 88/599/EEC (OJ L 102, 11.4.2006, p. 35) as last amended by Commission Directive 2009/5/EC (OJ L 29, 31.1.2009, p. 45),
- Directive 2003/88/EC of the European Parliament and of the Council of 4 November 2003 concerning certain aspects of the organisation of working time (OJ L 299, 18.11.2003, p. 9),

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<sup>1</sup> The updating of the acts takes account of the new measures adopted by the European Union up to 31 December 2009.

- Directive 2002/15/EC of the European Parliament and of the Council of 11 March 2002 on the organisation of the working time of persons performing mobile road transport activities (OJ L 80, 23.3.2002, p. 35),
- Directive 2003/59/EC of the European Parliament and of the Council of 15 July 2003 on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers, amending Council Regulation (EEC) No 3820/85 and Council Directive 91/439/EEC and repealing Council Directive 76/914/EEC (OJ L 226, 10.9.2003, p. 4).  
EN 12.1.2012 Official Journal of the European Union L 8/45

**PROTOCOL TO THE AGREEMENT ON THE INTERNATIONAL  
OCCASIONAL CARRIAGE OF PASSENGERS BY COACH AND BUS  
(INTERBUS AGREEMENT) REGARDING THE INTERNATIONAL  
REGULAR AND SPECIAL REGULAR CARRIAGE OF PASSENGERS BY  
COACH AND BUS**

THE CONTRACTING PARTIES,

Having regard to the desire to further develop and promote international passenger transport in Europe and to facilitate its organisation and operation,

Having regard to the increasing importance of tourism and the desire to further promote cultural exchange among the Contracting Parties to this Protocol,

Having regard to the Agreement on the international occasional carriage of passengers by coach and bus (Interbus Agreement)<sup>1</sup>, as subsequently amended, that entered into force on 1 January 2003<sup>2</sup>,

Having regard to the desire to enlarge the scope of transport services contained in the Interbus Agreement to also cover regular and special regular services subject to certain conditions,

Whereas:

(1) The scope of the Interbus Agreement should be enlarged by way of provisions establishing procedures for regular and special regular services subject to authorisation.

(2) This Protocol, which contains such provisions, should be open for accession to the Contracting Parties to the Interbus Agreement.

(3) Other than for partnership arrangements, for the time being, the liberalisation of regular and special regular services subject to authorisation should only apply to services with an origin or destination in the Contracting Party of establishment of the road transport operator where the vehicles of the operator are registered.

(4) While the possibility of operating regular or special regular services with the origin and destination in the same Contracting Party by operators established in another Contracting Party should be excluded, such transport operators should be allowed to pick up or set down passengers at predetermined stopping points as part of a service insofar as they do not transport passengers between two stops within one Contracting Party which is not their Contracting Party of establishment.

(5) The principle of non-discrimination on the grounds of nationality or the place of establishment of the transport operator, and of the origin or destination of the coach and bus and the service provided should apply as one fundament to the

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<sup>1</sup> OJ L 321, 26.11.2002, p. 13.

<sup>2</sup> OJ L 321, 26.11.2002, p. 44.

provision of international road passenger transport services.

(6) It is necessary to provide for uniform models of the application form and authorisation for international regular and special regular services in order to facilitate and simplify procedures. The documents serving as control requirements and kept in the vehicle and presented at the request of any authorised inspecting officer in accordance with this Protocol should be specified in order to avoid divergent interpretations.

(7) The authorisation for international regular or special regular road passenger services approved by the competent authorities of all relevant Contracting Parties or European Union Member States of origin and destination of the service and those en route in accordance with the "authorisation procedure" and granted by the authorising authority of the origin or destination of the service should allow the applicant operator established in the Contracting Party of origin or destination of the service, or to the operator established in the contracting Party of origin or destination and entrusted by the other operators for these purposes or in the case of a partnership or groups, to carry out the service between the origin and destination of the route. This authorisation should constitute the sole authorisation needed to carry out the service. No separate authorisations should be needed to cross the Contracting Parties or European Union Member States or their border as part of the service, irrespective of whether passengers are picked up or set down in the Contracting Party or European Union Member State en route.

(8) Subject to certain conditions, a Contracting Party or European Union Member State should be allowed to decide that international regular or special regular services with origin or destination on its territory should be subject to partnership arrangements between operators of the origin and destination of that service. Operators established in the Contracting Parties or European Union Member States whose territories the service crosses with passengers being picked up and set down should have the right to join such partnerships.

(9) It is appropriate to establish a Joint Committee to manage this Protocol in order to ensure proper and uniform enforcement and to adapt the Annexes in order to reflect technical and legislative progress.

(10) It is necessary that the Contracting Parties apply uniform social measures concerning the work of the crews of buses and coaches engaged in international road transport, governed by the rules enshrined in the Interbus Agreement, to which this Protocol should refer.

(11) The conditions under which regular and special regular services are carried out should be governed by the rules enshrined in the Interbus Agreement, to which this Protocol should refer, subject to specific rules, as specified in Annex 1 to this Protocol.

(12) Harmonisation of the technical conditions applying to buses and coaches carrying out international services between Contracting Parties should be governed

by the rules enshrined in the Interbus Agreement, to which this Protocol should refer, as specified in Annex 2 to this Protocol,

HAVE DECIDED to establish uniform rules for the international regular and special regular carriage of passengers by coach and bus, and

HAVE AGREED AS FOLLOWS:

## **SECTION I**

### **SCOPE AND DEFINITIONS**

#### **ARTICLE 1**

##### **Scope**

1. This Protocol shall apply:
  - (a) to the international carriage of passengers, of any nationality, by road by means of regular and special regular services by coach and bus:
    - (i) between the territories of two Contracting Parties, and, should the need arise during such services, crossing through the territory of another Contracting Party or through the territory of a non-Contracting State,
    - (ii) carried out by one or more transport operator(s) for hire or reward, established in the Contracting Party of the origin or of the destination of the service and, in the case of a partnership, also one or more operator(s) established in Contracting Parties or European Union Member States through which the service crosses with passengers being picked up and set down, if they so decide, in accordance with the applicable law and holding a licence to undertake carriage of passengers by means of international regular and special regular services by coach and bus,
    - (iii) using buses and coaches registered in the Contracting Party where the transport operator is established;
  - (b) to unladen journeys of the buses and coaches concerned with these services.
2. None of the provisions of this Protocol may be interpreted as providing the possibility of operating regular or special regular services with the origin and destination in the same Contracting Party by operators established in another Contracting Party (cabotage).

3. In accordance with paragraph 1 and subject to paragraph 2, where the carriage is part of a service to or from the territory in which the transport operator is established, passengers may be picked up or set down in the territory of any Contracting Party en route that authorises a stop in its territory.

4. This Protocol does not apply to:

- (a) the use of buses and coaches designed to carry passengers for the transport of goods for commercial purposes;
- (b) own-account services.

## ARTICLE 2

### **Non-discrimination**

Contracting Parties shall ensure that the principle of non-discrimination on the grounds of the nationality or the place of establishment of the transport operator, and of the origin or destination of the coach or bus and the service provided, is applied to this Protocol.

## ARTICLE 3

### **Definitions**

1. For the purposes of this Protocol, the definitions in Article 3 of the Interbus Agreement apply.

2. Without prejudice to paragraph 1, for the purposes of this Protocol, the following additional definitions apply:

- (a) "Interbus Agreement" means the Agreement on the international occasional carriage of passengers by coach and bus<sup>1</sup> which entered into force on 1 January 2003<sup>2</sup> as subsequently amended;
- (b) "partnership" means any agreement or other contractual arrangement of whatever type according to which its parties, known as partners, commit to cooperate in respect of the service to be provided;
- (c) "associated undertaking" means an undertaking in which one or more undertakings (the parent undertaking or undertakings) have a participating interest, and over whose operating and financial policies

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<sup>1</sup> OJ L 321, 26.11.2002, p. 11.

<sup>2</sup> OJ L 321, 26.11.2002, p. 44

that other undertaking or those other undertakings exercise significant influence;

- (d) "group" means any of the following:
- (i) one or more associated undertakings and their parent undertaking or undertakings,
  - (ii) one or more associated undertakings which have the same parent undertaking or undertakings.

## **SECTION II**

### **CONDITIONS APPLYING TO ROAD PASSENGER TRANSPORT OPERATORS**

#### **ARTICLE 4**

The Contracting Parties shall apply the provisions referred to in Annex 1.

## **SECTION III**

### **TECHNICAL CONDITIONS APPLYING TO VEHICLES**

#### **ARTICLE 5**

The buses and coaches used to carry out the international regular or special regular services covered by this Protocol shall comply with the technical standards referred to in Annex 2.

## **SECTION IV**

### **ACCESS TO THE MARKET**

#### **ARTICLE 6**

#### **International regular and special regular services subject to authorisation**

1. Regular services shall be open to all, subject to compulsory reservation where appropriate.
2. Regular and special regular services shall be subject to authorisation in

accordance with Section VI.

3. The regular nature of the service shall not be affected by any adjustment to the service operating conditions.

4. The organisation of parallel or temporary services, serving the same public as existing regular services, the non-serving of certain stops and the serving of additional stops on existing regular services shall be governed by the same rules as those applicable to existing regular services.

5. In compliance with the applicable rules on competition, a Contracting Party or European Union Member State may decide, on a case-by-case basis, without discrimination, that international regular and special regular road passenger services with the origin or destination on its territory are subject to partnership arrangements between operators established in the Contracting Party or European Union Member State of the origin and destination of that service.

Operators established in the Contracting Parties and European Union Member States that are crossed en route of the service and where passengers are picked up and set down shall have the right to join such partnerships, if they so decide.

Contracting Parties and European Union Member States concerned shall inform the Joint Committee established in Article 18 of this Protocol of any such decisions taken with their justifications.

6. In compliance with the applicable rules on competition, operators may, on a voluntary basis, form partnerships for the purposes of performing regular or special regular services. The following operators may participate in those partnerships:

- (a) operators established in the Contracting Parties or a European Union Member State of the origin or destination of the service;
- (b) operators established in the Contracting Parties and European Union Member States that are crossed en route of the service and where passengers are picked up and set down.

## **SECTION V**

### **SOCIAL, CUSTOM AND FISCAL PROVISIONS**

#### **ARTICLE 7**

Section V (social provisions) and Section VI (custom and fiscal provisions) of the Interbus Agreement shall apply to this Protocol.

## SECTION VI

### AUTHORISATION FOR INTERNATIONAL REGULAR AND SPECIAL REGULAR SERVICES

#### ARTICLE 8

##### **Nature of authorisation**

1. Authorisations for international regular and special regular passenger services shall be issued by the competent authority of the Contracting Party in whose territory the transport operator is established (hereinafter the "authorising authority").
2. In the case of an operator established in the European Union, the authorising authority shall be the competent authority of the Member State of origin or destination.
3. In the case of a group of operators intending to operate an international regular or special regular services and in the case of a partnership between undertakings (operators) from at least two Contracting Parties in whose territory passengers are picked up and set down, the authorising authority shall be the competent authority to which the application is addressed in accordance with the second subparagraph of Article 9(1).
4. Authorisations shall be issued in the name of the operator and shall be non-transferable. However, an operator who has received an authorisation may, with the consent of the authorising authority, operate the service through a subcontractor, if such a possibility is in line with the law of the Contracting Party. In this case, the name of the subcontractor and its role shall be indicated in the authorisation. The subcontractor shall satisfy the conditions referred to in Articles 1, 4, 5 and, as regards social provisions, in Article 7, as well as in Annexes 1 and 2.

In the case of a group of operators that intend to operate international regular or special regular services, the authorisation shall be issued in the names of all the undertakings of the group and shall state the names of all the operators. It shall be given to the undertaking entrusted by the other operators for these purposes and which has requested it, and certified true copies shall be given to the other undertakings.

In the case of a partnership, originals of the authorisation shall be issued to each partner undertaking, stating each undertaking's name in the authorisation.

In cases where international regular or special regular services are carried out by a group or a partnership, as referred to in the second and third subparagraphs, the decision on the actual split of traffic performances between participating operators shall be left to the discretion of the operators themselves.

5. The period of validity of an authorisation shall not exceed five years. It may be set for a shorter period either at the request of the applicant or by mutual consent of the competent authorities of the Contracting Parties on whose territories passengers are picked up or set down.

6. Authorisations shall specify the following:

- (a) the type of service;
- (b) the route of the service, giving in particular the point of departure and the point of arrival;
- (c) the period of validity of the authorisation;
- (d) the stops and the timetable.

7. Authorisations shall conform to the model set out in Annex 4.

8. Subject to Article 1(2), authorisations shall entitle their holder(s) to operate international regular and/or special regular services in the territories of all Contracting Parties over which the routes of the service pass.

9. The operator of a regular or special regular service may use additional vehicles to deal with temporary and exceptional situations. Such additional vehicles may be used only under the same conditions as set out in the authorisation referred to in paragraph 6.

In this case, in addition to the documents referred to in Article 15, the operator shall ensure that a copy of the contract between the operator of the international regular or special regular service and the undertaking providing the additional vehicles or an equivalent document is carried in the vehicle and presented at the request of any authorised inspecting officer.

## ARTICLE 9

### **Submission of application for authorization for international regular and special regular services**

1. Applications for authorisation of international regular and special regular services shall be submitted by the operator to its competent authorising authority.

For each service, only one application shall be submitted. In the cases referred to in Article 8(3), it shall be submitted by the operator entrusted by the other operators for these purposes.

The application shall be addressed to the authorising authority of the Contracting Party in which the operator submitting it is established.

2. Applications for authorisation shall be submitted on the basis of the model set out in Annex 3.

3. Persons applying for authorisation shall provide any further information which they consider relevant or which is requested by the authorising authority, in particular the documents listed in Annex 3.

## ARTICLE 10

### **Authorisation procedure**

1. Authorisations shall be issued in agreement with the competent authorities of all the Contracting Parties in whose territories passengers are picked up or set down. The authorising authority shall forward to such competent authorities, as well as to the competent authorities of Contracting Parties whose territories are crossed without passengers being picked up or set down, a copy of the application, together with copies of any other relevant documentation, and its assessment.

In respect of the European Union, the competent authorities referred to in the first subparagraph shall be those of the Member States in whose territories passengers are picked up or set down and whose territories are crossed without passengers being picked up or set down.

2. The competent authorities of the Contracting Parties whose agreement has been requested shall notify the authorising authority of their decision regarding the application within four months. This time limit shall be calculated from the date of receipt of the request for agreement which is shown in the acknowledgement of receipt. If the decision received from the competent authorities of the Contracting Party whose agreement has been requested is negative, it shall contain a proper statement of reasons. If the authorising authority does not receive a reply within four months, the competent authorities consulted shall be deemed to have given their agreement and the authorising authority may grant the authorisation.

The competent authorities of the Contracting Parties whose territories are crossed without passengers being picked up or set down may notify the authorising authority of their comments within the time limit laid down in the first subparagraph.

3. The authorising authority shall take a decision on the application no later than six months of the date of submission of the application by the carrier<sup>1</sup>.

4. Authorisation shall be granted unless:

- (a) the applicant is unable to provide the service which is the subject of the application with equipment directly available to him;

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<sup>1</sup> In this Article “operators” are also referred to as “carriers”.

- (b) the applicant has not complied with national or international legislation on road transport, and in particular the conditions and requirements relating to authorisations for international road passenger services, or has committed serious infringements of a Contracting Party's road transport legislation in particular with regard to the rules applicable to vehicles and driving and rest periods for drivers;
- (c) in the case of an application for renewal of authorisation, the conditions of authorisation have not been complied with;
- (d) a Contracting Party decides on the basis of a detailed analysis that the service concerned would seriously affect the viability of a comparable service covered by one or more public service contracts conforming to the Contracting Party's law on the direct sections concerned. In such a case, the Contracting Party shall set up criteria, on a non-discriminatory basis, for determining whether the service applied for would seriously affect the viability of the abovementioned comparable service and shall communicate them to the other Contracting Parties referred to in Article 10(1);
- (e) a Contracting Party decides on the basis of a detailed analysis that the principal purpose of the service is not to carry passengers between stops located in different Contracting Parties.

In the event that an existing international coach and bus service seriously affects the viability of a comparable service covered by one or more public service contracts which conform to a Contracting Party's law on the direct sections concerned, due to exceptional reasons which could not have been foreseen at the time of granting the authorisation, a Contracting Party may, with the agreement of the other Contracting Parties referred to in Article 10(1), suspend or withdraw the authorisation to run the international coach and bus service after having given six months' notice to the carrier.

The fact that a carrier offers lower prices than those offered by other road carriers or the fact that the link in question is already operated by other road carriers shall not in itself constitute justification for rejecting the application.

5. The authorising authority and the competent authorities of all the Contracting Parties involved in the procedure to reach the agreement provided for in paragraph 1 may refuse applications only on the basis of reasons provided for in this Protocol.

6. Having completed the procedure laid down in paragraphs 1 to 5, the authorising authority shall grant the authorisation or formally refuse the application.

Decisions rejecting an application shall state the reasons on which they are based. Contracting Parties shall ensure that transport undertakings are given the opportunity

to make representations in the event of their application being rejected.

The authorising authority shall inform all competent authorities referred to in paragraph 1 of its decision and shall send them a copy of any authorisation.

## ARTICLE 11

### **Renewal and alteration of authorisation**

1. Article 10 shall apply, *mutatis mutandis*, to applications for the renewal of authorisations or for alteration of the conditions under which the services subject to authorisation must be carried out.
2. In the event of a minor alteration to the operating conditions, in particular the adjustment of intervals, fares and timetables, the authorising authority need only supply the other Contracting Parties concerned with information relating to the alteration. Changing the timetables or intervals in a manner that affects the timing of controls at the borders between the Contracting Parties or at third-country borders shall not be considered a minor alteration.
3. The Contracting Parties concerned may agree that the authorising authority alone shall decide on alterations to the conditions under which a service is operated.

## ARTICLE 12

### **Lapse of an authorisation**

1. An authorisation for an international regular and special regular service shall lapse at the end of its period of validity or three months after the authorising authority has received notice from its holder of his or her intention to withdraw the service. Such notice shall contain a proper statement of reasons.
2. Where demand for a service has ceased to exist, the period of notice provided for in paragraph 1 shall be one month.
3. The authorising authority shall inform the competent authorities of the other Contracting Parties concerned that the authorisation has lapsed.
4. The holder of the authorisation shall notify users of the service concerned of its withdrawal one month in advance by means of appropriate publicity.

## ARTICLE 13

### **Obligations of transport operators**

1. Save in the event of force majeure, the operator of an international regular or special regular service shall launch the service without delay and, until the authorisation expires, take all measures to guarantee a transport service that fulfils the standards of continuity, regularity and capacity and complies with the conditions laid down in Article 8(6).
2. The operator shall display the route of the service, the bus stops, the timetable, the fares and the conditions of carriage in such a way as to ensure that such information is readily available to all users.
3. It shall be possible for the Contracting Parties concerned to make changes to the operating conditions governing an international regular or special regular service, by common agreement and in agreement with the holder of the authorisation.

## **SECTION VII**

### **PROVISIONS INTENDED TO ENSURE COMPLIANCE WITH THIS PROTOCOL**

## ARTICLE 14

The competent authorities of the Contracting Parties shall ensure that transport operators comply with the provisions of this Protocol.

## ARTICLE 15

1. Without prejudice to Article 8(9), the authorisation or a certified true copy thereof to carry out international regular or special regular services and the operator's licence of the operator or a certified true copy thereof for the international carriage of passengers by road provided for according to national or European Union legislation shall be kept on the coach or bus and shall be presented at the request of any authorised inspecting officer.
2. Without prejudice to paragraph 1 as well as to Article 8(9), in the case of a special regular service, the contract between the organiser and the transport operator or a copy thereof as well as a document evidencing that the passengers constitute a specific category to the exclusion of other passengers for the purposes of a special regular service shall also serve as control documents, shall be kept in the vehicle and shall be presented at the request of any authorised inspecting officer.

## SECTION VIII

### GENERAL AND FINAL PROVISIONS

#### ARTICLE 16

##### **Duration of the Protocol – Evaluation of the functioning of the Protocol**

1. This Protocol shall be concluded for a period of five years, dating from its entry into force.
2. The duration of this Protocol shall be automatically extended for successive periods of five years among those Contracting Parties who do not express their wish not to do so. In the latter case, the Contracting Party concerned shall notify the Depositary of its intention according to Article 31 of the Interbus Agreement.
3. Before the end of each period of five years, the Joint Committee referred to in Article 18 of this Protocol shall evaluate the functioning of this Protocol, preferably together with the evaluation of the Interbus Agreement itself.

#### ARTICLE 17

##### **Bilateral agreements, ratification or approval and Depositary of the Protocol, entry into force of the Protocol, denunciation and languages**

1. The provisions of Articles 25, 27, 28, 31 and 34 of the Interbus Agreement shall apply mutatis mutandis to this Protocol.
2. The provisions of this Protocol shall replace those relevant provisions of the agreements concluded between the Contracting Parties and between Contracting Parties and European Union Member States.

However, notwithstanding Article 25 of the Interbus Agreement, the relevant provisions of existing agreements between the Contracting Parties and between the Contracting Parties and European Union Member States may be maintained for a period of five years referred to in Article 8(5) calculated from the entry into force of this Protocol for the Contracting Parties concerned.

#### ARTICLE 18

##### **Joint Committee**

1. In order to facilitate the management of this Protocol, a Joint Committee is hereby established. This Committee shall be made up of representatives of the Contracting Parties.
2. Articles 23 and 24 of the Interbus Agreement shall apply mutatis mutandis.

## ARTICLE 19

### **Accession of a non-Union Contracting Party to the European Union**

1. The Joint Committee referred to in Article 18 shall be informed of any request made by a Contracting Party or any third State to become a member of the European Union.
2. The Contracting Parties shall be notified by the European Union of any accession to the Union by a Contracting Party.
3. A Contracting Party to this Protocol that has acceded to the European Union shall be treated as a Member State of the European Union and not as a separate Contracting Party to this Protocol from the date of such accession.
4. The Contracting Parties shall examine the effect of such accession on this Protocol in the context of the Joint Committee. The Joint Committee shall decide on any necessary adjustment or transition measures in this regard.

## ARTICLE 20

### **Signature**

1. This Protocol shall be open for signature at Brussels from 16/07/2018 to 16/04/2019 at the General Secretariat of the Council of the European Union which shall act as the Depositary of the Protocol.
2. A Signatory may not sign, accede to or ratify this Protocol unless it has previously signed and acceded to or ratified the Interbus Agreement. Instruments of signature, accession or ratification shall be deposited with the Depositary, who shall inform the other Contracting Parties thereof.

## ARTICLE 21

### **Accession**

After the entry into force of this Protocol, any Contracting Party to the Interbus Agreement may accede also to this Protocol.

Article 30(3) and (4) of the Interbus Agreement shall apply *mutatis mutandis*.

## ARTICLE 22

### **Annexes**

Annexes to this Protocol shall constitute an integral part thereto.

Done at Brussels,

IN WITNESS WHEREOF the undersigned plenipotentiaries have signed this Protocol.

Open for signature in Brussels between 16/07/2018 and 16/04/2019.

For the European Union

For the Republic of Albania

For Bosnia and Herzegovina

For the former Yugoslav

Republic of Macedonia

For the Republic of Moldova

For Montenegro

For the Republic of Turkey

For Ukraine

## **ANNEX 1**

The conditions applying to road passenger transport operators Annex 1 to the Interbus Agreement shall apply to this Protocol subject to the following:

Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009 establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator and repealing Council Directive 96/26/EC (OJ L 300, 14.11.2009, p. 51), as last amended by Council Regulation (EU) No 517/2013 of 13 May 2013 (OJ L 158, 10.6.2013, p. 1) shall apply to this Protocol with the exclusion of Articles 16(5) to (7), as well as Articles 18 to 21, 23 and 25 to 28. The rights and obligations of the European Union Member States shall apply mutatis mutandis to the Contracting Parties.

Regulation (EU) No 181/2011 of the European Parliament and of the Council of 16 February 2011 concerning the rights of passengers in bus and coach transport and amending Regulation (EC) No 2006/2004 (OJ L 55, 28.2.2011, p. 1) shall apply to this Protocol with the exclusion of Article 3(a) and (b), the last two sentences of Article 12, Articles 18, Article 28(2), Articles 29 and 30, the last sentence of Article 31, and Article 32. The rights and obligations of the European Union Member States shall apply mutatis mutandis to the Contracting Parties.

## **ANNEX 2**

### **Technical standards applying to buses and coaches**

Annex 2 to the Interbus Agreement shall apply to this Protocol.

## **ANNEX 3**

### **Model of application for an authorisation for an international regular and special regular service**

(White paper – DIN A4)

(To be worded in the official language(s) or one of the official languages of the Contracting Party where the request is made)
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#### **APPLICATION FORM FOR AN AUTHORISATION OR RENEWAL OF AN AUTHORISATION TO CARRY OUT AN INTERNATIONAL REGULAR SERVICE OR AN INTERNATIONAL SPECIAL REGULAR SERVICE<sup>(1)</sup>**

- To start a regular service
- To start a special regular service

---

<sup>1</sup> Tick or complete as appropriate.

To renew authorisation for a service   
To alter the conditions of authorisation for a service   
carried out by coach and bus between Contracting Parties in accordance with the  
Protocol on the international regular and special regular carriage of passengers by  
coach and bus to the Agreement on the international occasional carriage of  
passengers by coach and bus (Interbus Agreement).

.....  
(Authorising authority)

1. Name and first name or trade name of the applicant operator; in the case of an  
application by a group of operators or by a partnership, the name of the operator  
entrusted by the other operators for the purposes of submitting the application:

.....  
.....  
2. Services to be carried out<sup>(1)</sup>

By an operator  by a group of operators  by a partnership  by a subcontractor

3. Names and addresses of the operator or, in the case of a group of operators or  
of a partnership, the names of all operators of the group or of the partnership; in  
addition, any subcontractors shall be identified by their names<sup>(2)</sup>

3.1. ....  
tel. ....  
3.2. ....  
tel. ....  
3.3. ....  
tel. ....  
3.4. ....  
tel. ....

(Second page of the application for authorisation or renewal of authorisation)

4. In the case of a special regular service:

4.1. Category of passengers:<sup>(1)</sup> workers  school pupils/students  other

5. Duration of authorisation requested or date on which the service ends:

.....  
.....  
.....  
6. Principal route of service (underline passenger pick-up and set-down points,  
with full addresses):<sup>(2)</sup>

.....  
.....  
.....  
7. Period of operation:

---

<sup>1</sup> Tick or complete as appropriate.

<sup>2</sup> Attach list if applicable.

<sup>1</sup> Tick or complete as appropriate.

<sup>2</sup> The authorizing authority may request a full list of passenger pick up and set-down points  
with full addresses to be attached separately to this application form

.....  
.....  
8. Frequency (daily, weekly, etc.):

.....  
9. Fares ..... Annex attached.

10. Enclose a driving schedule to permit verification of compliance with the international rules on driving times and rest time periods.

11. Number of authorisations or of certified true copies of authorisations requested:<sup>(3)</sup>

.....  
.....  
12. Any additional information:

.....  
(Place and date) (Signature of applicant)  
.....  
.....

The attention of the applicant is drawn to the fact that, since the authorisation or its certified true copy has to be kept on board the vehicle, the number of authorisations or certified true copies, issued by the authorising authority, which the applicant must have should correspond to the number of vehicles needed for carrying out the service requested at the same time.

#### Important notice

In particular the following must be attached to the application:

- (a) the timetable including the time slots for controls at relevant border crossings;
- (b) a certified true copy of the operator's (or operators') licence(s) for the international carriage of passengers by road provided for according to national or Union legislation;
- (c) a map on an appropriate scale on which are marked the route and the stopping points at which passengers are to be taken up or set down;
- (d) a driving schedule to permit verification of compliance with the international rules on driving times and rest periods;
- (e) any appropriate information concerning coach and bus terminals.

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<sup>3</sup> Complete as appropriate.

**ANNEX 4**

**Model of authorisation for an international regular and special regular service  
(First page of authorisation)**

(Orange paper – DIN A4)

(To be worded in the official language(s) or one of the official languages of the  
Contracting Party where the request is made)

Authorisation

In accordance with the Protocol on the international regular and special regular carriage of passengers by coach and bus, between Contracting Parties, to the Agreement on the international occasional carriage of passengers by coach and bus (Interbus Agreement).

ISSUING STATE:

.....

Authorising authority:

.....

Contracting Party's distinguishing sign: ..... <sup>(1)</sup>

AUTHORISATION No.: .....

for a regular service  <sup>(1)</sup>

for a special regular service  <sup>(1)</sup>

by coach and bus between Contracting Parties of the Protocol on the international regular and special regular carriage of passengers by coach and bus (Protocol to the Interbus Agreement)

To:

.....

.....  
Last name, first name or trade name of the operator or of the managing operator in the case of a group of undertakings or in the case of a partnership:

Address:

---

<sup>1</sup> Albania (AL), Austria (A), Belgium (B), Bosnia and Herzegovina (BIH), Bulgaria (BG), Cyprus (CY), Croatia (HR), Czech Republic (CZ), Denmark (DK), Estonia (EST), Finland (FIN), France (F), Germany (D), Greece (GR), Hungary (H), Ireland (IRL), Italy (I), Latvia (LV), Lithuania (LT), Luxembourg (L), the former Yugoslav Republic of Macedonia (MK), Malta (MT), Republic of Moldova (MD), Montenegro (ME), Netherlands (NL), Poland (PL), Portugal (P), Romania (RO), Slovak Republic (SK), Slovenia (SLO), Spain (E), Sweden (S), Turkey (TR), Ukraine (UA), United Kingdom (UK), to be completed.

<sup>1</sup> Tick or complete as appropriate.

<sup>1</sup> Tick or complete as appropriate

.....  
.....  
Telephone and fax or e-mail:  
.....  
.....

(Second page of authorisation)

Name, address, telephone and fax or e-mails of the operator, or, in the case of groups of operators or partnerships, the names of all operators of the group or of the partnership; in addition, names of any subcontractors, to be identified as such:

- (1).....
- (2) .....
- (3) .....
- (4) .....
- (5) .....

List attached, if appropriate

Validity of the authorisation: From: ..... To: .....

Place and date of issue:  
.....

Signature and stamp of the issuing authority or agency:  
.....  
.....

1. Route:.....

(a) Place of departure of service:  
.....  
.....

(b) Place of destination of service:  
.....

Principal itinerary, with passenger pick-up and set-down points underlined:  
.....  
.....  
.....

2. Timetable:  
.....

(attached to this authorisation)

3. Special regular service:

(a) Category of passengers: .....

4. Other conditions or special points

Stamp of authority issuing the authorization

Important notice:

- (1) This authorisation is valid for the entire journey.
- (2) The authorisation or a true copy certified by the issuing authorising authority shall be kept on the vehicle for the duration of the journey and shall be presented to enforcement officials on request.
- (3) The departure or destination shall take place in the territory of the Contracting Party where the operator is established and the coaches and buses registered.

(Third page of authorisation)

#### GENERAL CONSIDERATIONS

- (1) The transport operator shall begin the transport service within the period indicated in the decision of the authorising authority granting the authorisation.
- (2) Except in the event of force majeure, the operator of an international regular or special regular service shall take all measures to guarantee a transport service that complies with the conditions as stipulated in the authorisation.
- (3) The operator shall make the information about the route, the stopping points, the timetable, the fares and the conditions of transport publicly available.
- (4) It shall be possible for the competent authorities of the Contracting Parties concerned, by common agreement and in agreement with the holder of the authorisation, to make changes to the operating conditions governing an international regular and special regular service.
- (5) Without prejudice to documents pertaining to the vehicle and driver (such as the vehicle registration certificate and driving licence), the following documents shall serve as control documents under this Protocol and shall be kept in the vehicle and presented at the request of any authorised inspecting officer:

- the authorisation or a certified true copy thereof to carry out international

regular or special regular services;

- the operator's licence or a certified true copy thereof for the international carriage of passengers by road provided for according to national or European Union legislation;
- when operating an international special regular service, the contract between the organiser and the transport operator or a certified true copy thereof as well as a document evidencing that the passengers constitute a specific category to the exclusion of other passengers for the purposes of a special regular service;
- when the operator of a regular or special regular service uses additional vehicles to deal with temporary and exceptional situations, in addition to the relevant documents mentioned above, a copy of the contract between the operator of the international regular or special regular service and the undertaking providing the additional vehicles or an equivalent document.

(Fourth page of authorisation)

#### GENERAL CONSIDERATIONS (cont.)

(6) Operators operating an international regular service, with the exclusion of special regular service, shall issue transport tickets confirming the rights of the passenger to be transported and serving as a control document evidencing of the conclusion of the contract of carriage between the passenger and the transport operator, either individual or collective. The tickets that can also be electronic shall indicate:

- (a) the name of the operator;
- (b) the points of departure and destination and, if applicable, the return journey;
- (c) the period of validity of the ticket and, if applicable, the date and time of departure;
- (d) the price of transport.

The transport ticket shall be presented, by the passenger, at the request of any authorised inspection officer.

(7) Operators operating international regular or special regular passenger transport services shall allow all inspections intended to ensure that operations are being conducted correctly, in particular as regards driving and rest periods and road safety and emissions.

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