



Azerbaijan No. 1 (2023)

# Agreement

between the United Kingdom of Great Britain and Northern Ireland and the  
Government of the Republic of Azerbaijan on International Road Transport

Baku, 23 February 2023

[The Agreement has not yet entered into force]

*Presented to Parliament  
by the Secretary of State for Foreign, Commonwealth and Development Affairs  
by Command of His Majesty  
July 2023*



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# **AGREEMENT BETWEEN THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF THE REPUBLIC OF AZERBAIJAN ON INTERNATIONAL ROAD TRANSPORT**

The Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Azerbaijan (hereinafter referred to as the “Contracting Parties”),

Considering the importance of development of bilateral economic and trade relations between the States of the Contracting Parties,

Desiring to regulate and develop the international road transport performed between the territories of the States of the Contracting Parties and in transit through the territories of their States, as well as to or from third countries,

Have agreed as follows:

## **I. GENERAL PROVISIONS**

### ARTICLE 1

#### **Scope and Application**

This Agreement shall regulate the international road transport between the territories of the States of the Contracting Parties and in transit through the territories of their States, as well as to or from a third country performed by the carriers registered in the territory of the State of one of the Contracting Parties.

### ARTICLE 2

#### **Definitions**

For the purposes of this Agreement:

1. **“International road transport”** shall mean transport of passengers or goods by road for hire or reward or on own account between the territories of the States of the Contracting Parties and in transit through the territories of their States, as well as to or from a third country performed by the carriers registered in the territory of the State of one of the Contracting Parties.
2. **“Carrier”** shall mean any natural or legal person that:
  - a) is registered in the territory of the State of one of the Contracting Parties,

- b) is authorised to perform international road transport for hire or reward, or on own account in accordance with the relevant national legislation of the country of registration.

3. **“Road vehicle”** shall mean any power-driven vehicle manufactured for transport of passengers or goods by motor roads and registered in the territory of the State of one of the Contracting Parties at the disposal of a carrier.

4. **“Goods vehicle”** shall mean any power-driven vehicle manufactured for transport of goods by road and registered in the territory of the State of one of the Contracting Parties, or a coupled combination of vehicles the motor vehicle of which at least is registered in the territory of one of the Contracting Parties. Coupled combination of vehicles shall mean joint combination of any trailer or semi-trailer belonging to the movement composition of a road vehicle with a road tractor regardless of the state territory of registration of the trailer or semi-trailer.

5. **“Bus”** shall mean any power-driven vehicle manufactured for transport of passengers with more than nine seats, including the driver’s seat; and registered in the territory of the State of one of the Contracting Parties.

6. **“Regular transport of passengers”** shall mean transport of passengers by bus between the territories of the States of the Contracting Parties and in transit through the territories of their States performed over a previously agreed route, schedule and tariffs with predetermined pick-up and drop-off points.

7. **“Irregular transport of passengers”** shall mean any other transport of passengers by bus outside the definition of “Regular transport of passengers” set out in paragraph 6 of this Article and performed on the basis of an order contract.

8. **“Transport in transit”** shall mean international road transport performed by a goods vehicle or a bus registered in the territory of the State of one of the Contracting Parties through the territory of the State of the other Contracting Party in transit to/from third countries.

9. **“Territory”:**

- a) with respect to the Republic of Azerbaijan: the territory of the Republic of Azerbaijan, including its internal and territorial waters and area beyond its territorial waters, including any waters, a belt of sea and sector of the seabed and subsoil thereof, in the Caspian Sea, with respect to which the Republic of Azerbaijan exercises sovereign rights or jurisdiction in accordance with international law;
- b) with respect to the United Kingdom of Great Britain and Northern Ireland: England, Wales, Scotland and Northern Ireland, and includes Gibraltar for whose international relations the United Kingdom of Great Britain and Northern Ireland is responsible.

10. Notwithstanding paragraph 9(b) of this Article, where this Agreement is extended pursuant to Article 19, the term “territory” shall be expanded to include those territories to which this Agreement shall apply.

11. “**Permit**” shall mean a document issued by the competent authority of one of the Contracting Parties granting the right to perform international road transport under this Agreement.

12. “**Special Permit**” shall mean a permit issued by the competent authority of one of the Contracting Parties which grants a large-sized and/or heavy-loaded goods vehicle registered in the territory of the State of one of the Contracting Parties exceeding the permitted limits of overall mass (weight), laden mass (weight) per axle, dimensions and other parameters to enter and/or exit the territory of the State of the other Contracting Party or to run in transit through the territory of its State to or from third countries by public roads, as well as for the transport of dangerous goods in accordance with the national legislation of the host country.

13. “**Country of registration**” shall mean the State of the Contracting Party in which a carrier or a goods vehicle or a bus is registered.

14. “**Host country**” shall mean the State of the Contracting Party where a carrier, a goods vehicle or a bus is not registered, but performs transport operations.

15. “**Third country**” shall mean a State, which is not party to this Agreement.

16. “**Cabotage**” shall mean transport of passengers or goods performed by a carrier registered in the territory of the State of one of the Contracting Parties between points located in the territory of the State of the other Contracting Party.

17. “**Dangerous goods**” shall mean goods and substances, whose transport by road is regulated by the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR).

18. “**Perishable goods**” shall mean goods, whose transport by road is regulated by the Agreement on International Carriage of Perishable Foodstuffs and on the Special Equipment to be used for Such Carriage (ATP).

## **II. TRANSPORT OF PASSENGERS**

### ARTICLE 3

#### **Regular Transport of Passengers by Bus**

1. Regular transport of passengers between the territories of the States of the Contracting Parties or in transit through the territories of their States shall be performed by mutual consent of the competent authorities of the Contracting Parties.

2. Competent authorities of the Contracting Parties shall grant written consent for the part of a route passing through the territories of their States. A competent authority may grant written consent for the part of a route passing through the territory of its State in respect of similar services to and from third countries.

3. Proposals for regular transport of passengers shall be submitted in advance to each other by the competent authorities of the Contracting Parties. These proposals shall include following information:

- a) Name of the carrier;
- b) Route of the transport, in particular locations of departure and destination, border crossing points, stopping points where the passengers are picked up and dropped-off;
- c) Schedule;
- d) Estimated period and frequency of transport;
- e) Tariffs;
- f) Terms of transport.

4. Further permission is not required for the replacement of a bus which has become unserviceable by a serviceable one.

#### ARTICLE 4

##### **Irregular Transport of Passengers by Bus**

1. Irregular transport of passengers between the territories of the States of the Contracting Parties or in transit through the territories of their States, as well as to or from third countries, shall be performed on the basis of permits issued by the competent authorities of the Contracting Parties except for the types of transport set out in paragraph 4 of this Article. A permit shall be issued by the competent authorities of the Contracting Parties for the part of the route passing through the territories of their States.

2. Competent authorities of the Contracting Parties shall exchange a mutually agreed number of blank permits for irregular transport of passengers through diplomatic channels or in accordance with the terms defined by the Joint Committee as foreseen in Article 15 of this Agreement. These blank permits must be stamped and signed by the competent authorities of the Contracting Parties issuing them.

3. A permit shall be used only by the carrier to whom it has been issued and is not transferable to other carriers.

4. A permit shall not be required for the following types of irregular transport of passengers:

- a) Shuttle transport of the same group of passengers (excursions of tourists, transport of delegations attending cultural events, etc.) from the location of departure in the territory of State of one of the Contracting Parties to the location of destination in the territory of the State of the other Contracting Party and carrying them back to the location of departure by the same bus;
- b) Laden run of a bus from the territory of the country of registration to the territory of the host country, on condition that the bus leaves the territory of the host country unladen;
- c) Unladen run of a bus from the territory of the country of registration to the territory of the host country to carry back the passengers previously carried by the same bus;
- d) “Closed door” carriage of the same group of passengers throughout the journey by the same bus where the transport begins and ends in the territory of the country of registration;
- e) First unladen run of a newly purchased bus;
- f) The replacement of a bus which has become unserviceable by a serviceable one.

5. The list of passengers properly filled and signed by the carrier at the country of registration must be kept on board during the irregular transport of passengers set out in paragraph 4 of this Article and must be presented by the bus crew at the request of the authorised representatives of the control authorities of the host country.

6. The Joint Committee as foreseen in Article 15 of this Agreement is entitled to amend the list of irregular transport of passengers exempted from permit set out in paragraph 4 of this Article and to determine additional documents that must be carried on board during such transports.

### **III. TRANSPORT OF GOODS**

#### **ARTICLE 5**

##### **Permit System for Transport of Goods**

1. The carrier of one of the Contracting Parties shall have a permit for temporary admission of empty or loaded goods vehicles to the territory of the State of the other Contracting Party for the following types of carriage of goods including transporting goods on the return journey except for the types of transport set out in Article 6 of this Agreement:

- a) between any point within the territory of the State of one of the Contracting Parties and any point within the territory of the State of the other Contracting Party;
- b) in transit through the territory of the State of other Contracting Party;
- c) between any point within the territory of the State of the other Contracting Party and any point within the territory of a third country and vice versa.

2. The competent authorities of the Contracting Parties shall exchange a mutually agreed number of blank permits for the transport of goods set out in paragraph 1 of this Article through diplomatic channels or in accordance with the terms defined by the Joint Committee as foreseen in Article 15 of this Agreement. The quantity of Permits shall be mutually agreed each year by the competent authorities of the Contracting Parties.

3. The blank permits shall be stamped and signed by the competent authority of the Contracting Party issuing them.

4. Permits issued in the course of each year shall be valid until January 31 of the following year.

5. A permit shall be used only by the carrier to whom it has been issued and is not transferable to other carriers.

6. The form and content of permits and any other systems of administrative procedure concerning the implementation of permits shall be agreed by the Joint Committee as foreseen in Article 15 of this Agreement.

7. Permits issued by the competent authorities of the Contracting Parties are not required when transport of goods is performed on the basis of the permits of the International Transport Forum (journals of European Conference of Ministers of Transport).



## ARTICLE 6

### **Permit Exemption**

1. The permits specified in Article 5 of this Agreement shall not be required for:
  - a) transport of goods by goods vehicles with Total Permissible Laden Weight (TPLW), including trailers, does not exceed 6 tonnes, or goods vehicles whose maximum permitted payload including on trailers, does not exceed 3.5 tonnes;
  - b) transport of goods on an occasional basis, to or from airports, in cases where flights are diverted;
  - c) transport of necessary medical equipment and supplies for medical aid, as well as humanitarian cargo in case of emergencies, particularly in response to natural disasters;
  - d) unladen run of a road vehicle sent to replace or carry back the damaged or broken goods vehicle, entrance and exit of technical service vehicles, also road vehicles sent to carry spare parts and to return of damaged parts;
  - e) transport of spare parts to repair ships and aircraft;
  - f) transport of artworks, exhibits and artefacts to be exhibited at fairs and exhibitions for non-commercial purposes;
  - g) transport of equipment, decors, accessories and animals required for theatrical, musical, film, sports or circus performances, exhibition, fairs or other events, as well as production equipment for radio recordings, or for film or for television programs for non-commercial purposes;
  - h) first unladen run of a newly purchased goods vehicle;
  - i) transport of corpses, remains and ashes of deceased persons;
  - j) transport of postal consignments;
  - k) transport of movable properties during resettlement;
  - l) transport of livestock in purpose built vehicles;
  - m) own account.
  
2. The Joint Committee as foreseen in Article 15 of this Agreement is entitled to amend the list of transport types exempted from permits set out in paragraph 1 of this Article and determine additional documents that must be carried on board during such transports.

## ARTICLE 7

### **Transport of Dangerous or Perishable Goods**

1. Transport of dangerous goods by road between the territories of the States of the Contracting Parties and in transit through the territories of their States, as well as to or from a third country by carriers registered in the territory of the State of one of the Contracting Parties shall be regulated in accordance with the provisions of the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR) dated 30 September 1957 and national legislation of the host country.
2. Transport of perishable goods by road between the territories of the States of the Contracting Parties and in transit through the territories of their States, as well as to or from a third country by carriers registered in the territory of the State of one of the Contracting Parties shall be regulated in accordance with the provisions of the Agreement on International Carriage of Perishable Foodstuffs and on the Special Equipment to be used for Such Carriage (ATP) dated 1 September 1970 and national legislation of the host country.
3. During transport of dangerous or perishable goods, border and customs control procedures shall be carried out on a priority basis in accordance with the national legislations of the States of the Contracting Parties or the international agreements to which the States of the Contracting Parties are party.

## ARTICLE 8

### **Special Permits**

1. Permissible overall mass (weight), laden mass (weight) per axle, dimensions and other parameters of the goods vehicle used for performing international road transport under this Agreement, must comply with the national legislation of the host country and official registration documents of the goods vehicle.
2. If the overall mass (weight), laden mass (weight) per axle, dimensions and other parameters of the goods vehicle exceeds the permitted limits declared in the host country, the carrier must obtain a special permit in advance from the competent authority of that Contracting Party in accordance with the national legislation in force in the territory of its State.
3. Competent authorities of the Contracting Parties must respond to the request for special permit after receiving a relevant request.
4. If a certain route has been specified for a journey of a goods vehicle in the special permit set out in paragraph 2 of this Article, transport must be performed in pre-defined route.

5. A special permit may be required for the transport of dangerous goods in accordance with the national legislation of the host country.

#### **IV. OTHER PROVISIONS**

##### ARTICLE 9

##### **Prohibition of Cabotage**

Carriers registered in the territory of the State of one of the Contracting Parties shall not be allowed to perform transport of passengers or goods between points located in the territory of the State of the other Contracting Party.

##### ARTICLE 10

##### **Taxes and Duties**

1. In the framework of this Agreement, fees and charges for usage and maintenance of motor roads, as well as taxes and duties for usage of toll roads, highways, bridges, tunnels and other transport facilities, including the road taxes for goods vehicles and buses of foreign States under the Tax Code of the Republic of Azerbaijan and the UK Heavy Goods Vehicle Road User Levy (or any successor or replacement fees and charges, at the appropriate rates), shall be applied to the goods vehicles and buses registered in the territory of the State of one of the Contracting Parties performing international road transport in the territory of the State of the other Contracting Party, in accordance with the national legislation of the host country. Provisions of the Agreement on the elimination of double taxation between States of the Contracting Parties if such an Agreement is in force between the Contracting Parties apply.

2. Vehicles, that are engaged in transport in accordance with this Agreement, shall be mutually exempted from all taxes and charges levied on the circulation or possession of vehicles. Taxes and charges on motor fuel, Value Added Tax on transport services, tolls and user charges shall not be exempted.

3. The following items and materials brought in a goods vehicle or a bus registered in the territory of the State of one of the Contracting Parties while performing international road transport in the territory of the State of the other Contracting Party under this Agreement are reciprocally exempted from taxes and customs duties:

- a) permitted amount of fuel contained in manufacturer-made fuel tanks intended for the power supply system of the engine;
- b) lubricants in a reasonable quantity required for the routine maintenance of a goods vehicle or a bus during international road transport;

- c) temporarily imported spare parts and tools required for repairing a road vehicle damaged or broken in the course of international road transport.
4. Unused or replaced spare parts and tools set out in paragraph 3(c) of this Article must be returned back or destroyed under customs control in accordance with the national legislation of the host country.

## ARTICLE 11

### **Documents of a Driver and a Vehicle**

1. A driver of a goods vehicle or a bus shall be in possession of a driving licence valid for the category of the vehicle used for performing international road transport under this Agreement, as well as the registration documents of the goods vehicle or bus.
2. The goods vehicle or the bus used for performing international road transport under this Agreement shall have a state registration plate of the country of registration. Trailers and semi-trailers may have a state registration plate of the country of registration or a third country.
3. National driving licence and international driving licence and registration documents of the goods vehicle or the bus used for performing international road transport under this Agreement shall comply with the requirements set out in the Vienna Convention on Road Traffic dated 8 November 1968 or superseding agreements to which both States of the Contacting Parties are party.
4. The carriers shall have a valid mandatory certificate of third party civil liability insurance for the goods vehicles or buses used for performing international road transport under this Agreement. The provisions of this paragraph shall not be applicable to the cases of the civil liability of the owners of goods vehicles or buses regulated by the International Green Card Agreement in the territory of the State of the other Contracting Party.
5. The permits and other documents that are required for performing international road transport under this Agreement shall be kept on board of the road vehicle and shall be presented at the request of the authorised representatives of the control authorities of the host country.
6. The Contracting Parties shall mutually recognise the valid driving licences, registration documents of the road vehicles and state registration plates issued by the competent authorities of their States.

## ARTICLE 12

### **Monitoring of Driving and Rest Period**

Driving and rest periods of drivers operating the goods vehicles and buses used for performing international road transport under this Agreement, as well as the requirements for the use of the equipment to monitor the driving and rest periods shall be regulated in accordance with the provisions of the European Agreement concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR Agreement) dated 1 July 1970.

## ARTICLE 13

### **Compliance with National Legislation**

1. Drivers and crews of goods vehicles or buses registered in the territory of the State of one of the Contracting Parties must comply with the obligations arising from the national legislation of the host country while performing international road transport in the territory of the State of the other Contracting Party.
2. Neither of the Contracting Parties shall impose on goods vehicles or buses registered in the territory of the State of the other Contracting Party requirements, which are more restrictive than those applied by the national legislation on its own goods vehicles or buses.

## ARTICLE 14

### **Infringements and Measures**

1. If a carrier or the crew on board of a goods vehicle or a bus registered in the territory of the State of one of the Contracting Parties have not complied with the national legislation of the host country, provisions of this Agreement or conditions set out in the permit while performing international road transport in the territory of the State of other Contracting Party, the competent authority of the host country may request the competent authority of the other Contracting Party to take the following measures:
  - a) issue a warning to the carrier which committed the infringement;
  - b) issue such a warning together with a notification that a subsequent infringement will lead to a temporary, partial or permanent exclusion of vehicles owned or operated by the carrier from the territory of the State of the Contracting Party in which the infringement occurred; or
  - c) issue a notice of such exclusion.

2. The competent authorities of the Contracting Parties shall inform each other of any measure taken in accordance with the provisions of paragraph 1 of this Article.

3. The provisions of this Article do not exclude adoption of legal measures by the competent authorities or courts of the State of the Contracting Party in which the infringement was committed.

4. The provisions of this Agreement shall not affect the rights of the Contracting Parties to apply restrictions on international road transport that may harm the national security of their States. Competent authorities of the Contracting Parties shall exchange of information on relevant restrictions.

## **V. FINAL PROVISIONS**

### ARTICLE 15

#### **Competent Authorities and Joint Committee**

1. For the purposes of this Agreement the competent authorities shall be:
  - a) For the Government of the Republic of Azerbaijan - Ministry of Digital Development and Transport of the Republic of Azerbaijan;
  - b) For the Government of the United Kingdom of Great Britain and Northern Ireland - as respects England, Wales and Scotland - the Department for Transport and as respects Northern Ireland - the Department of Infrastructure in Northern Ireland. As respects Gibraltar it shall be the Driver and Vehicle Licensing Department of the Government of Gibraltar.
2. A Joint Committee composed of representatives of the competent authorities of the Contracting Parties shall be established for the implementation of the provisions of this Agreement and resolution of issues that may arise.
3. The Joint Committee shall meet alternately in the territories of the States of the Contracting Parties at the request of the competent authority of one of the Contracting Parties. A protocol shall be signed on discussed issues and adopted decisions at the meeting of the Joint Committee.
4. The Joint Committee shall be granted the right to determine the quota of permits for performing transport operations under this Agreement and to propose amendments to this Agreement.

## ARTICLE 16

### **International Obligations**

The provisions of this Agreement shall not affect the rights and obligations of the Contracting Parties arising from other international treaties to which the States of the Contracting Parties are party.

## ARTICLE 17

### **Settlement of Disagreements**

Any disagreement arising from the interpretation or implementation of this Agreement shall be settled between the Contracting Parties by negotiations and consultations through diplomatic channels.

## ARTICLE 18

### **Amendments**

This Agreement may be amended by written mutual consent of the Contracting Parties. Such amendments shall be made in a form of separate protocols being an integral part of this Agreement and shall enter into force in accordance with the provisions of Article 20 of this Agreement.

## ARTICLE 19

### **Extension of the Territorial Scope of the Agreement**

1. The provisions of this Agreement may be extended to the territory of the Bailiwick of Guernsey, the Bailiwick of Jersey and the Isle of Man by exchange of notes.
2. Where this Agreement is extended to a territory under paragraph 1 of this Article, this Agreement shall apply to that territory from the date agreed by exchange of notes.

## ARTICLE 20

### **Entry into Force, Duration and Termination**

1. The Contracting Parties shall ratify or approve this Agreement in accordance with their internal procedures. Each Contracting Party shall notify the other Contracting Party through diplomatic channels of the completion of those procedures.

2. This Agreement shall enter into force on the date of receipt of the later of Contracting Parties' notifications confirming the completion of their internal procedures.

3. This Agreement shall remain in force unless either of the Contracting Party notifies through diplomatic channels the other Contracting Party in writing of its intention to terminate this Agreement. In that case, this Agreement shall be terminated six months after the date of receipt such written notice.

Done at Baku, on this twenty-third day of February, 2023, in two original copies, each in the English and Azerbaijani languages, all texts being equally authentic.

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

**LEO DOCHERTY**

**For the Government of  
the Republic of Azerbaijan:**

**RASHAD NABIYEV**



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