

**AGREEMENT BETWEEN THE GOVERNMENT OF
THE PEOPLE'S REPUBLIC OF CHINA
AND THE GOVERNMENT OF THE
LAO PEOPLE'S DEMOCRATIC REPUBLIC
CONCERNING INTERNATIONAL
ROAD TRANSPORT**

The Government of the People's Republic of China and the Government of the Lao People's Democratic Republic (hereinafter called "the Contracting Parties"),

With a view to strengthening the traditional friendship between the two countries and developing the bilateral trade and economic relations,

Desiring to develop on the basis of reciprocity road passenger and goods transport between both countries,

Have agreed through friendly consultations upon the following:

Article 1

In accordance with this Agreement the regular and non-regular road transportation of passengers, including tourists, and of goods between both countries shall be carried out on the roads and the border-line land ports open to each other for international road transport by road transport vehicles registered in the People's Republic of China or in the Lao People's Democratic Republic.

Article 2

2.1. Regular transportation of passengers by coach shall be organized by agreement between the competent bodies of the Contracting Parties.

2.2. Proposal for the organization of such transportation shall be passed to each other by the competent bodies of the Contracting Parties in good time. These proposals must contain data concerning the name of the carrier (the firm), routes to be taken, movement timetables, tariffs, stopping points at which the carrier shall embark and disembark passen-

gers, and also the intended period and frequency of carrying out the transportation.

Article 3

3.1. The operation of non-regular transportation of passengers by coach between both countries with the exception of the transport operations envisaged in Article 4 of this Agreement, shall require permits issued by the competent bodies of the Contracting Parties.

3.2. The competent bodies of the Contracting Parties shall issue permits for that part of the route which passes through their territory.

3.3. For each non-regular transportation of passengers by coach a separate permit must be issued which confers the right to make one journey outward and return, unless otherwise stipulated in that permit.

3.4. The competent bodies of the Contracting Parties shall send each other annually a mutually agreed number of permit forms for the non-regular transportation of passengers. These forms must have the stamp and signature of the competent body which has issued the permit.

3. 5. The competent bodies of the Contracting Parties shall agree between themselves the method of exchanging permit forms.

Article 4

A permit mentioned in Article 3 of this Agreement shall not be required for the replacement of a faulty coach by another coach.

Article 5

5. 1. The transportation of goods between both countries, with the exception of the operations, envisaged in Article 6 of this Agreement, shall be carried out by goods vehicles with or without trailers or by towing vehicles with semitrailers on the basis of permits issued by the competent bodies of the Contracting Parties.

5. 2. For each transportation of goods a separate permit must be issued which confers the right to make one journey outward and return unless otherwise stipulated on that permit.

5. 3. The competent bodies of the Contracting

Parties shall send each other annually a mutually agreed number of permit forms for the transportation of goods. These forms must have the stamp and signature of the competent body which has issued the permits.

5. 4. The competent bodies of the Contracting Parties shall agree between themselves the method of exchanging permit forms.

Article 6

6.1. The permits mentioned in Article 5 of this Agreement shall not be required for the transportation of:

- a) exhibits, equipment and materials for fairs and exhibitions;
- b) vehicles, animals and also various equipment and property intended for use in holding sports events and cultural activities;
- c) bodies or ashes of the dead;
- d) mails;
- e) damaged road transport vehicles;
- f) personal estate when moved;
- g) goods for the transportation of which in accor-

dance with Article 7 of this Agreement a special permit has been obtained.

6.2. Permits shall not be required also for the passage of technical assistance vehicle.

Uniform transport documents issued by the internal competent bodies of each country shall be required for the above-mentioned transportation.

Article 7

7.1. When the dimensions of the weight of a road transport vehicle travelling with or without cargo exceed the standards established in the territory of the other Contracting Party and also when hazardous goods are being carried, the carrier must obtain a special permit from the competent bodies of the other Contracting Party.

7.2. If the permit referred to in paragraph (1) of this Article provides for the movement of a road transport vehicle by a definite route, the transportation must take place along that route.

Article 8

8.1. The transport operations envisaged in this Agreement may be performed only by carriers who, in conformity with the internal legislation of their country are permitted to carry out international transport operations.

8.2. Road transport vehicles involved in international transport operations must have a vehicle registration plate and the distinguishing mark of their country.

Article 9

The arrangement of transportation of goods and passengers in the border-line operations is mutually agreed upon by the competent bodies of the Contracting Parties.

Article 10

10.1. A carrier shall not be permitted to transport passengers or goods between two points on the

territory of the other Contracting Party.

10.2. A carrier may carry out transport operations from the territory of the other Contracting Party to the territory of a third country and also from the territory of a third country to the territory of the other Contracting Party, if he has obtained a special permit for that purpose from the competent body of the other Contracting Party.

Article 11

Transportation of goods provided for in this Agreement must be undertaken under consignment notes of each of the Contracting Parties, the form of which observes the generally accepted international model.

Article 12

12.1. The driver of a coach or of a goods vehicle must have a national or an international drivers' licence corresponding to the category of road transport vehicle he is driving, and national registration documents for the road transport vehicle.

12.2. Permits and any other documents required in accordance with the provisions of this Agreement must be carried in the road transport vehicle to which they relate and be produced upon the request of the competent control bodies.

Article 13

Practical matters connected with carrying out the transportation of passengers and goods envisaged in this Agreement may be settled directly between organizations and enterprises of the Contracting Parties.

Article 14

Payment effected within the framework of this Agreement shall be made in accordance with stipulations on payments agreed upon by both governments for a certain period of time, or with agreement on payments between the authorized bodies of the Contracting Parties.

Article 15

15.1. In the performance of transport operations on the basis of this Agreement the following items brought on to the territory of the other Contracting Party shall be mutually exempt from customs taxes and duties and from authorizations:

a) fuel held in the tanks of road transport vehicle and which are linked with the engine's feed system;

b) lubricants in quantities necessary for use during the transport operation;

c) spare parts and tools designed for the repair of a road transport vehicle, performing a transport operation between both countries.

15.2. Unused spare parts shall be subject to being taken back out of the country while spare parts that have been replaced should be either taken out of the country or destroyed or handed in the manner prescribed in the territory of the Contracting Party concerned.

Article 16

Transportation of passengers and goods on the basis of this Agreement shall be performed under third party, liability insurance. The carrier shall be obliged to insure in advance each road vehicle undertaking the said transport operation.

Article 17

In relation to border, customs and quarantine, the provisions of international agreements to which both Contracting Parties are party, or the bilateral agreements between the Contracting Parties, shall be applied, and in deciding matters which are not regulated by these agreements the national legislation of each of the Contracting Parties shall be applied.

Article 18

Border, customs and quarantine shall give priority attention to seriously ill patients who are being transported, to passengers carried by regular coach

services, and also to animals and perishable goods being transported.

Article 19

Carriers of one Contracting Party are obliged to observe the traffic laws and other laws and regulations of the other Contracting Party, while their vehicles are situated on the territory of this Contracting Party.

Article 20

For the purpose of ensuring fulfilment of this Agreement the competent bodies of the Contracting Parties shall carry out direct contacts and, at the suggestion of one of the Contracting Parties, hold consultations to decide matters connected with the system of permits for the transportation of passengers and goods, and shall also exchange experience and information on the use of permits that are issued.

Article 21

Matters which are not regulated by this Agree-

ment or other bilateral agreements, or by international treaties to which both of the Contracting Parties are party, shall be decided according to the national legislation of each of the Contracting Parties.

Article 22

The Contracting Parties shall settle all contentious matters which may arise in connection with the interpretation or application of this Agreement, through negotiations and consultations.

Article 23

This Agreement shall not affect the rights and obligations of the Contracting Parties arising from other international treaties which they have concluded.

Article 24

The Implementation Rules of this Agreement shall be further agreed upon by the competent authorities of the Contracting Parties.

Article 25

This Agreement shall enter into force on the date of signing and remain in force for two years. Its validity shall be automatically extended for another two years unless terminated by either Party by giving notice of termination in writing six months in advance of its expiry. During the term of validity, should one Contracting Party wish to revise this Agreement, it shall be conducted through the consultations between the competent authorities of the Contracting Parties.

Done at Beijing on Dec. 3 in the year 1993 in duplicate, in Chinese, Laotian and English, the three texts being equally authentic.

In case of any differences in interpretation, the English text shall prevail.

For the Government of
the People's Republic
of China

黄镇东

For the Government of
the Lao People's
Democratic Republic

