Agreement
between the Government of the Republic of Poland
and the Government of Georgia
on international road transport

The Government of the Republic of Poland and the Government of Georgia, hereinafter referred to as Contracting Parties,

Anxious to contribute to the development of road transport of passengers and goods between their States and in transit through their state territories.

Have agreed and decided as follows:

Scope of application

Article 1

1. This Agreement applies to international road transport of passengers and goods between the Republic of Poland and Georgia, in transit through their state territories and between the state territory of a third country and the state territory of either Contracting Party and back, by means of vehicles registered on the state territory of either Contracting Party.

2. The operators of one Contracting Party shall not be entitled to perform transport of passengers and goods between two points located on the state territory of the other Contracting Party.

Article 2

For the purpose of this Agreement:

1) “Carrier” means any natural person, any legal person, any organisational unit or group of persons without legal personality, residing or seated either in the Republic of Poland or in Georgia, exercising international road transport according to the national regulations of the country.
2) “Vehicle” means a transport motor vehicle which, by virtue of its construction, is intended for the carriage of goods or passengers by road, or for pulling a trailer without a motor intended for the carriage of goods.

3) “Bus” means a motor vehicle which, by virtue of its construction, is suitable for the carriage by road of more than nine persons, including the driver, and is intended for that purpose.

4) “Regular road transport of passengers” means the carriage of passengers by bus along specified routes according to a timetable and set fares previously established and published.

5) “Shuttle road transport of passengers” means repeated journeys of organised groups of passengers outward and return, between a single place of departure and a single place of destination, provided that the following additional conditions are fulfilled:

a) each group consisting of the passengers who made the outward journey, shall be carried back to the place of departure,

b) the first return journey and the last outward journey in the series of shuttles shall be made unladen.

Place of departure and destination, respectively, means 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 kilometres.

6) “Occasional road transport of passengers” means carriage other than that defined in points 4 and 5 of this Article.

7) “State territory” means:

- in relation to the Republic of Poland - the territory of the Republic of Poland within the state borders of the Republic of Poland, including land area, internal waters and territorial sea, subsoil within and air space above them, in respect of which the Republic of Poland exercises its sovereignty and jurisdiction.

- in relation to Georgia - the territory of Georgia and the territory recognized by the international community within the state borders of Georgia, including land area, internal waters and territorial sea, subsoil within and air space above them, in respect of which Georgia exercises its sovereignty and jurisdiction.

8) “Competent authority” means:

- in relation to the Republic of Poland – the Minister of Transport, Construction and Maritime Economy.
in relation to Georgia – the Ministry of Economic and Sustainable Development or the Land Transport Agency,

In the case of any change in the name or competences of these competent authorities, the Contracting Parties shall inform each other through diplomatic channels.

**Transport of passengers**

**Article 3**

1. The regular transport of passengers by bus is subject to a system of permits under the appropriate internal regulations of the Contracting Parties.

2. The permits for regular transport of passengers are issued, on the basis of joint agreement, by the competent authorities of the Contracting Parties, for a part of the transport operation carriage, which is performed on their state territories.

3. Sending a bus with no passengers to replace a broken one and to pick up passengers on the state territory of a Contracting Party or a third state does not require any permit.

**Article 4**

1. Occasional and shuttle road transport of passengers by bus does not require any permit.

2. The bus driver performing transport services described in paragraph 1 of this Article is required to hold a control document in the format stipulated by the Protocol which is mentioned in Article 11 of this Agreement.

**Transport of goods**

**Article 5**

1. The transport of goods shall be performed under the system of permits provided for in appropriate internal regulations of the Contracting Parties, except for transport services set forth in paragraphs 1 and 2 of Article 6 of this Agreement, which are exempted from any permit requirement.

2. Each carriage and each vehicle should obtain relevant individual permit. The permit authorises to make one outward and return run. Runs of unladen vehicles also require permits.

3. The competent authorities of the Contracting Parties exchange an agreed number of blank permit forms every year.

4. The permits are valid for the period of one calendar year.
Article 6

1. The following categories of transport are exempted from permit requirement:

1) movable property,

2) materials and accessories, including works of art intended for fairs, exhibitions or non-commercial events,

3) means of transport, livestock, accessories and sport equipment,

4) theatrical decorations and sets, musical instruments, materials and accessories used only for publicity and information purposes, and those intended for radio recording, or film or television productions or circus performance,

5) mortal remains, corpse or ashes,

6) undertaken for humanitarian, medical aid and emergency relief, or natural disasters,

7) undertaken with the use of vehicles carrying less than 3.5 t payload or less than 6.0 t total laden weight.

2. The following categories of runs are exempted from permit requirement:

1) unladen runs of goods vehicles sent to replace a vehicle which has broken down and to pick up goods from such a vehicle on the state territory of either Contracting Party,

2) runs of road assistance vehicles.

3. The Joint Committee, referred to in Article 12 of this Agreement, may motion for an exemption of any category of transport, other than that specified in paragraphs 1 and 2 of this Article, from the permit requirement.

Article 7

1. The transport performed by the vehicle total gross laden weight, axle loads or dimensions of which exceed limits in force on the state territory of the other Contracting Party needs a special permit (recommendation), applied for in advance, based on the appropriate internal regulations of that Contracting Party.

2. The special permit (recommendation), referred to in paragraph 1 of this Article, may limit the journey of such vehicle to a certain route or impose any other requirements or limitations.

3. The transport of dangerous goods is regulated in accordance with the national legislation of the Contracting Party on the state territory of which such transport takes place.
Common provisions

Article 8

The permits and other documents required under this Agreement, as well as under internal regulations of the Contracting Parties, should be kept on the vehicles and shown on the request of control authorities.

Article 9

The transport of passengers and goods covered by the terms of this Agreement is subject to the duties, taxes and any other charges levied under internal regulations of each Contracting Parties.

Article 10

1. The equipment and stock required to operate vehicles, including fuel contained in the standard tanks permanently fixed on the vehicle by the manufacturer, as well as lubricants, shall be exempted from all import duties, taxes and other charges on the state territory of the host Contracting Party under its appropriate internal regulations.

2. The spare parts, temporarily imported for the repair of a vehicle damaged on the state territory of one Contracting Party, shall be exempted from all import duties, taxes and other charges, if appropriate internal regulations of the host Contracting Party provide for such exemption. The spare parts not used and the replaced ones should be re-exported from the state territory of the other Contracting Party.

Article 11

The Protocol to this Agreement is its internal part and it defines:

1) procedures and conditions for issuing permits for transport of passengers,

2) categories of permits for transport of goods as well as conditions and ways of using them,

3) competent entities of the Contracting Parties responsible for the implementation and enforcement of the relevant provisions of this Agreement,

4) any other issues related to applications of this Agreement.
Article 12

1. The competent authorities of the Contracting Parties shall establish a Joint Committee to provide for implementation of provisions of this Agreement and for settling any dispute, which might arise.

2. The Joint Committee shall convene as needed, alternately on the state territories of the Contracting Parties.

Article 13

1. In the event of infringement of the provisions of this Agreement committed by a carrier of one Contracting Party on the state territory of the other Contracting Party, competent authorities of that other Contracting Party shall notify thereof the competent authorities of the Contracting Party concerned, where the vehicle is registered.

2. The competent authorities of the Contracting Party on the state territory of which the infringement was committed may request the competent authorities of the other Contracting Party to:

   1) issue a warning to the carrier who committed the infringement,

   2) temporarily, partially or in the whole suspend the right of the carrier to perform road transport activity in the Contracting Party on whose state territory the infringement occurred.

3. The competent authorities of the Contracting Parties shall notify each other on the measures taken under the provisions of paragraph 2 of this Article.

Article 14

The carriers of one Contracting Party, as well as the vehicle crews, on the state territory of the other Contracting Party, have to comply with internal regulations of that other Contracting Party in general and in particular with traffic and road transport regulations.

Article 15

Any other issues not regulated under this Agreement or international agreements, binding both Contracting Parties, shall be settled under relevant internal regulations of each Contracting Parties.
Final Provisions

Article 16

This Agreement may be amended with the mutual agreement of the Contracting Parties, which must be done in separate protocol that is an integral part of this Agreement and enters into force in accordance with the rules set forth in paragraph 1 of Article 17 of this Agreement.

Article 17

1. This Agreement shall enter into force on the thirtieth day after the date of receipt of the last diplomatic note by which each Contracting Parties notify other Contracting Party on completion of its relevant internal procedures.

2. The Agreement is concluded for an unlimited period of time. It may be terminated by either Contracting Party upon giving termination note to other Contracting party through diplomatic channels; in such case this Agreement shall expire six months after the receipt of the termination note.

IN WITNESS WHEREOF the undersigned duly authorised thereto by their respective Governments, have signed this Agreement.

Done in Tbilisi on ........................., in two originals, each in Polish, Georgian and English languages, all the text being equally authentic; In case of any divergence in interpretations the English text shall prevail.

For the Government of the Republic of Poland

[Signature]

For the Government of Georgia

[Signature]
Executive Protocol

to the Agreement between the Government of the Republic of Poland and the Government of Georgia on international road transport

According to Article 11 of the Agreement between the Government of the Republic of Poland and the Government of Georgia on international road transport signed in Tbilisi on ......./2.../200... to provide its execution, the Contracting Parties have agreed and decided as follows:

Article 1

1. The application for the issue of a permit for the execution of regular transport of passengers shall be submitted by the carrier to the competent authority of the Republic of Poland or Georgia, which, after having received a permit issued by the competent authority of the other Contracting Party, shall issue such permit for the carrier.

2. The application should contain the following:

   1) the name and address of the carrier,
   2) the timetable approved by the foreign road carrier, assumed for conducting regular transport of passengers on a given regular line, taking into account the stops, the hours of departures and arrivals, border crossings and the length of the regular line provided in kilometers and the distances between particular stops,
   3) a copy of the agreement with the foreign road carrier regarding the regular line conducted mutually,
   4) drivers’ working time and rest periods schedule,
   5) scheme of communication links with the communication line and stops marked,
   6) the price list.

3. Permits issued pursuant to paragraph 1 of this Article shall be applied by the carrier who received these permits exclusively. The permits shall not be passed to other carriers.

Article 2

1. A “passenger waybill” drawn up according to the model specified in annex 3 to the Agreement on the international occasional carriage of passengers by coach and bus, done in Brussels on 11 December 2000 (Interbus Agreement) shall be applied to shuttle and occasional road transport of passengers.
2. The passenger waybill shall also be applied to entry of the bus without passengers as well as to regular transit drives whereby no passenger may be taken up or set down during the journey.

**Article 3**

1. Models of permits for transport of goods shall be established by the competent authority each of the Contracting Parties.

2. The permits for transport of goods shall be issued by:
   - the Polish Party:
     Biuro do spraw Transportu Międzynarodowego
     Główny Inspektorat Transportu Drogowego
     ul. Prosta 69, 00-838 Warsaw,
     tel. (+48 22) 572 97 11, fax (+48 22) 572 97 06
   - the Georgian Party:
     Land Transport Agency of the Ministry of Economy and Sustainable Development of Georgia
     16 Vazha-Pshavela ave., Tbilisi, GEO-0160, Georgia
     tel. (+995 32) 2 510 671; fax (+995 32) 2 510 664

3. The permit quota for the following year shall be issued by each Contracting Party up to November 30 of the preceding year.

**Article 4**

1. The following categories of permits for the transport of goods shall be used: bilateral permits, transit permits and permits for transport to or from third countries.

2. The permit forms shall be numbered in order, their expiry date shall be established for a given calendar year.

3. A permit issued for a carrier shall not be sold or alienated to other carriers(s)/person(s).

**Article 5**

1. An application for the issue of special permit (recommendation) referred to in Article 7 paragraph 1 of the Agreement shall contain:

   1) the name and address of the carrier,
   2) the date and exact addresses of the starting point and point of destination of the carriage as well as the name of the border crossing on the route,
   3) the type of the load and its mass,
   4) the label, type, registration number, date of the first registry, unladen mass, the permissible load of the vehicle, the number of axles and the number of wheels of the each axle; in the case of a combination of vehicles, this data shall be provided separately for the motor vehicle and the trailer including a semi-trailer,
   5) the size and complete mass of a single vehicle or a combination of vehicles with and without their loads,
   6) the wheelbase and pressure of each vehicle axle with and without its load,
7) in the case of non-standardized vehicles with actual complete mass exceeding the permissible complete mass or with excessive axle pressures – a statement of the sender of the load justifying the fact that this particular load cannot be divided,
8) information whether the vehicle is equipped with pneumatic or hydro-pneumatic suspension.

2. In the case of transport of goods with non-standardized vehicles on the territory of the Republic of Poland, the total permissible loaded mass, axle pressure or dimension of which, exceed the restrictions effective on the territory of the country:

1) Application for the issue of special permit for the single carriage within a defined deadline on a specific route shall be submitted at the following address:

Generalna Dyrekcja Dróg Krajowych i Autostrad
ul. Żelazna 59, 00-848 Warsaw
tel. (+48 22) 375 88 88, fax (+48 22) 375 87 68

2) Special permit for a single carriage on national roads, within a defined deadline with a vehicle crossing the national border shall be issued at the entrance in the Republic of Poland by the Head of the customs office on the basis of an oral application.

3) Special permits for single carriage of a non-standardized vehicle on national roads within a defined deadline, the total permissible loaded mass, axle pressures or size of which exceed the restrictions effective on the territory of the country, shall be issued for a non-standardized vehicle crossing the national border and meeting one of the following conditions:

   a) the height, complete mass and axle pressure, subject to provisions of letter d are standardized;
   b) complete width – does not exceed 3 m;
   c) complete length – up to 2 m higher than the permissible length;
   d) single axle pressure or the sum of pressures of constitutive axle pressures or both elements cumulatively – surpass the permissible values up to 15%.

3. In the case of travels of a non-standardized vehicle on the territory of Georgia, the total permissible loaded mass, axle pressures or dimension of which exceed the restrictions effective on the territory of the country a written application for the issue of specific permit (recommendation) for carriage on the preliminary established route within a defined deadline shall be submitted at the following address no later than 3 working days prior to starting the carriage.

The Patrol Police of the Ministry of Internal Affairs of Georgia
38, Kakheti Highway, Tbilisi, Georgia
tel. (+995 32) 2 41 85 60, fax (+995 32) 2 41 85 02
Article 6

The present protocol shall be effective upon the date the Agreement between the Government of the Republic of Poland and the Government of Georgia on international road transport comes into force.

Done in Tbilisi on ......................... in two originals, each in Polish, Georgian and English languages, all the text being equally authentic; In the case of any divergence in interpretation, the English text shall prevail.

For the Government of the Republic of Poland

[Signature]

For the Government of Georgia

[Signature]