



Treaty Series No. 80 (1990)

Exchange of Notes

between the Government of the
United Kingdom of Great Britain and Northern Ireland
and the Government of the Republic of Ireland

amending and prolonging the Agreement
on the International Carriage of Goods by Road,
signed at Dublin on 9 April 1980

Dublin, 2 May and 11 June 1990

[The Exchange of Notes entered into force on 11 June 1990]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
November 1990*

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**EXCHANGE OF NOTES
BETWEEN THE GOVERNMENT OF THE
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
AND THE GOVERNMENT OF THE REPUBLIC OF IRELAND
AMENDING AND PROLONGING THE AGREEMENT ON THE
INTERNATIONAL CARRIAGE OF GOODS BY ROAD,
SIGNED AT DUBLIN ON 9 APRIL 1980**

No. 1

*Her Majesty's Ambassador at Dublin to the
Minister for Foreign Affairs of the Republic of Ireland*

*British Embassy
Dublin
2 May 1990*

Sir

I have the honour to refer to the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Ireland on the International Carriage of Goods by Road signed at Dublin on 9 April 1980¹ and the Exchange of Notes dated 4 July and 15 August 1985² prolonging that Agreement and to propose that, pursuant to the above Exchange of Notes, the Agreement shall continue in force for a further period of five years from 1 July 1990, unless it is terminated by either Party giving six months' notice thereof in writing to the other Party. Thereafter it shall continue in force if both Parties agree and for such further period as they specify. I also propose that the following amendments should be made to the Agreement with effect from 1 January 1990:

1. The titles "Part I General provisions", and "Part II Provisions relating to existing reciprocal arrangements on cross-border haulage of goods", shall be deleted.

2. After Article 1(d) the following shall be added:

"(e) the term "appropriate documents" shall mean:

- (a) For a carrier using vehicles authorised in the territory of the Republic of Ireland, a copy of the international road freight carrier's licence and vehicle plate in respect of the vehicle, granted in accordance with the relevant national laws and regulations or an own-account document.
- (b) For a carrier using vehicles authorised in the territory of the United Kingdom of Great Britain and Northern Ireland:
 - (i) in respect of Northern Ireland, an international road freight vehicle licence, granted in accordance with the national laws and regulations, or an own-account document;
 - (ii) in respect of Great Britain, an operator's licence disc being either a standard international operator's licence disc or a restricted operator's licence disc, in respect of the vehicle granted in accordance with the relevant national laws and regulations".

3. Article 4 shall read as follows:

"Carriage of goods

Subject to the provisions of Articles 5 and 10, each of the Contracting Parties shall allow the international carriage of goods by road within the scope of this Agreement as defined by Article 2 of this Agreement without any special licence for the transport of goods".

¹Treaty Series No. 74 (1980), Cmnd. 8015.

²Treaty Series No. 54 (1985), Cmnd. 9651.

4. Article 5 shall read as follows:

“ Documentation

Nothing in this Agreement shall be held to permit a carrier authorised in the territory of one Party to undertake international carriage of goods in the territory of the other Party unless in possession of the appropriate documents defined in Article 1 of this Agreement, unless exempt from the necessity of having these documents under national laws and regulations”.

5. Article 8 shall read as follows:

“ Infringements

(1) In the event of serious or repeated infringements of this Agreement by a carrier of one Party while in the territory of the other Party, the competent authority for the territory in which the infringement or infringements occurred may decide:

- (a) to issue a warning to the carrier;
- (b) to issue such a warning together with a notification that any subsequent infringement may lead to the temporary or permanent exclusion of vehicles owned or operated by that carrier from the territory in which the infringement occurred;
- (c) to issue a notice of such exclusion;

and may request that competent authority for the other Party to convey any such decision to the carrier.

(2) The competent authority of the Party receiving any such request shall as soon as reasonably practicable comply therewith and shall inform the competent authority of the other Party of the action taken.

(3) The provisions of this Article shall be without prejudice to any lawful sanctions which may be applied by the courts or by the competent authority of the country in which the infringement occurred”.

6. In Article 10, the words “ permit and ” and “ other ” shall be deleted so that the beginning of Article 10 reads: “ Any documents required . . . ”

7. Articles 12 and 13 shall be deleted.

If the foregoing proposals are acceptable to the Government of the Republic of Ireland, I have the honour to propose that this Note, together with your reply to that effect, shall constitute an Agreement between our two Governments which shall enter into force on the date of your reply.

I avail myself of this opportunity to renew to you, Sir, the assurances of my highest consideration.

NICHOLAS FENN

No. 2

*The Minister for Foreign Affairs of the Republic of Ireland
to Her Majesty's Ambassador at Dublin*

*Office of the Minister for
Foreign Affairs
Dublin
11 June 1990*

Sir,

I have the honour to refer to the Agreement between our two Governments on the International Carriage of Goods by Road, signed at Dublin on 9th April 1980, and the Exchange of Notes dated 4th July and 15th August 1985 prolonging that Agreement. I have the honour to inform you that the Government of Ireland confirm that the Agreement shall continue in force for a further period of five years from 1st July 1990 unless it is terminated by either Party giving six months' notice thereof in writing to the other Party, and that thereafter it shall continue in force if both Parties agree and for such further period as they specify. The Government of Ireland also confirm that the amendments to the Agreement proposed in your Excellency's Note, of 2nd May 1990 are acceptable and shall have effect from 1st January 1990.

The Government of Ireland also confirm that this Note, together with your Excellency's Note, constitutes an Agreement between our two Governments which shall enter into force on the date of this Note.

I avail myself of this opportunity to renew to you, Sir, the assurance of my highest consideration.

GERARD COLLINS

