

89. Zakon o ratifikaciji Sporazuma med Vlado Republike Slovenije in Svetom ministrom Republike Albanije o mednarodnem cestnem prevozu potnikov in blaga (BALCP)

Na podlagi druge alineje prvega odstavka 107. člena in prvega odstavka 91. člena Ustave Republike Slovenije izdajam

U K A Z**o razglasitvi Zakona o ratifikaciji Sporazuma med Vlado Republike Slovenije in Svetom ministrom Republike Albanije o mednarodnem cestnem prevozu potnikov in blaga (BALCP)**

Razglašam Zakon o ratifikaciji Sporazuma med Vlado Republike Slovenije in Svetom ministrom Republike Albanije o mednarodnem cestnem prevozu potnikov in blaga (BALCP), ki ga je sprejel Državni zbor Republike Slovenije na seji 19. novembra 2009.

Št. 003-02-10/2009-4

Ljubljana, dne 27. novembra 2009

dr. Danilo Türk l.r.
Predsednik
Republike Slovenije

Z A K O N**O RATIFIKACIJI SPORAZUMA MED VLADO REPUBLIKE SLOVENIJE IN SVETOM MINISTROM REPUBLIKE ALBANIJE O MEDNARODNEM CESTNEM PREVOZU POTNIKOV IN BLAGA (BALCP)**

1. člen

Ratificira se Sporazum med Vlado Republike Slovenije in Svetom ministrom Republike Albanije o mednarodnem cestnem prevozu potnikov in blaga, sklenjen v Ljubljani 17. julija 2007.

2. člen

Besedilo sporazuma se v izvirniku v angleškem jeziku in v prevodu v slovenskem jeziku glasi:

A G R E E M E N T**BETWEEN****THE GOVERNMENT OF REPUBLIC OF SLOVENIA AND THE COUNCIL OF MINISTERS OF REPUBLIC OF ALBANIA ON INTERNATIONAL TRANSPORT OF PASSENGERS AND GOODS BY ROAD**

The Council of Ministers of the Republic of Albania and the Government of the Republic of Slovenia, hereinafter referred to as the Contracting Parties;

Anxious to contribute to the development of trade and economic relations between the two countries;

Determined to promote collaboration in road transport within the framework of the market economy;

Concerned about environment and people protection, the rational use of energy, road safety and the improvement of drivers' working conditions;

Aiming towards the development of transport intermodality;

Recognising the mutual advantage of development of road transport;

Have agreed as follows:

PART I – GENERAL PROVISIONS**Article 1****SCOPE**

The provisions of this Agreement shall apply to the carriage of goods and passengers by road between the territories of the Contracting Parties, in transit through their territories and to or from third countries performed by carriers established on the territory of one of the Contracting Parties.

The present Agreement does not affect the rights and obligations arising from the other international agreements the Contracting Parties have signed.

S P O R A Z U M**M E D****VLADO REPUBLIKE SLOVENIJE IN SVETOM MINISTROM REPUBLIKE ALBANIJE O MEDNARODNEM CESTNEM PREVOZU POTNIKOV IN BLAGA**

Vlada Republike Slovenije in Svet ministrom Republike Albanije (v nadaljevanju: pogodbenici) sta se

v želji prispevati k razvoju trgovinskih in gospodarskih odnosov med državama,

odločeni spodbujati sodelovanje v cestnem prevozu v okviru tržnega gospodarstva,

v skrbi za varstvo okolja in ljudi, racionalno uporabo energije, varnost na cesti in izboljšanje delovnih pogojev voznikov,

v prizadevanju za razvoj različnih načinov prevoza in

ob priznavanju medsebojne koristi razvoja cestnega prometa

sporazumeli o naslednjem:

I. DEL – SPLOŠNE DOLOČBE**1. člen****Področje uporabe**

Določbe tega sporazuma se uporabljajo za cestni prevoz blaga in potnikov med ozemljema pogodbenic, tranzit čez njuni ozemlji in v tretje države ali iz njih, opravljajo pa ga prevozniki, ki imajo sedež podjetja na ozemlju ene od pogodbenic.

Ta sporazum ne vpliva na pravice in obveznosti, ki izhajajo iz drugih mednarodnih sporazumov, ki sta jih podpisali pogodbenici.

Article 2 Definitions

The terms used in this Agreement have the following meaning:

1. **“Transport Operator”** means any natural or legal person established on the territory of one of the Contracting Parties and authorised to carry out transport of passengers or goods.

2. **“Vehicle”** means a motor vehicle or a combination of vehicles of which at least the motor vehicle is registered in the country of either Contracting Party and which is used and equipped exclusively for the carriage of passengers or goods.

3. **“Transport”** means the runs of a vehicle, either laden or unladen even if the vehicle, trailer or semi-trailer is carried by train or boat for part of the journey.

4. **“Cabotage”** means the transport of passengers or goods carried out by a transport operator of the country of one Contracting Party between individual places within the territory of the other Contracting Party.

5. **“Territory of a Contracting Party”** means respectively the territory of the Republic of Slovenia and the territory of the Republic of Albania.

6. **“Country of establishment”** means the territory of a Contracting Party within which the transport operator is established and the vehicle registered.

7. **“Host country”** means the territory of a Contracting Party in which the transport operator is operating without its vehicle being registered there and without the transport operator being established there.

8. **“Bus”** means a vehicle registered on the territory of one of the Contracting Parties and by virtue of construction and equipment suitable and intended for the transport of passengers, which have, in addition to the driver's seat, more than eight sitting places.

9. **“Regular passenger service”** means a service whereby passengers are carried over a specified route, according to a timetable and rates set and published in advance. Passengers are picked up or set down at predetermined stopping points.

10. **“Shuttle service”** means a service 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 place of destination. Each group, consisting of the passengers who made the outward journey, is carried back to the place of departure on a later journey. Place of departure and place of destination respectively means the place where the journey begins and the place where the journey ends, together with, in each case, the surrounding locality within a 50 km radius.

A shuttle service may include accommodation of passengers at its destination and, if needed, during the journey.

The first return journey and the last outward journey in a series of shuttles are made unladen.

11. **“Occasional service”** means a service falling neither within the definition of a regular passenger service nor within the definition of a shuttle service. The frequency or number of services does not affect their classification as an occasional service.

12. **“Control document”** means the passenger waybill for buses, which is in conformity with the specimen agreed upon by the Joint Committee referred to in Article 14 of the present Agreement.

13. **“Authorisation/Permit”** means the document, issued by the competent authorities of either Contracting Party which shall grant the right/possibility to the vehicle registered in the territory of the other Contracting Party to perform a journey to or through the territory of the Contracting Party which has issued the authorisation/permit.

2. člen Opredelitev izrazov

Izrazi v tem sporazumu pomenijo:

1. **»prevoznik«** je katera koli fizična ali pravna oseba, ki ima sedež podjetja na ozemlju ene od pogodbenic in je pooblaščen za prevoz potnikov ali blaga;

2. **»vozilo«** je motorno vozilo ali kombinacija vozil, od katerih je vsaj motorno vozilo registrirano v državi ene ali druge pogodbenice in se uporablja ter je opremljeno izključno za prevoz potnikov ali blaga;

3. **»prevoz«** je vožnja s polnim ali praznim vozilom, tudi če se vozilo, priklopnik ali polpriklopnik del vožnje prevažata z vlakom ali ladjo;

4. **»kabotaža«** je prevoz potnikov ali blaga, ki ga prevoznik države ene pogodbenice opravlja med posameznimi kraji na ozemlju druge pogodbenice;

5. **»ozemlje pogodbenice«** je ozemlje Republike Slovenije oziroma ozemlje Republike Albanije;

6. **»država, v kateri je sedež podjetja«** je ozemlje pogodbenice, na katerem ima prevoznik sedež svojega podjetja in kjer je vozilo registrirano;

7. **»država gostiteljica«** je ozemlje pogodbenice, po katerem prevoznik opravlja prevoz, ne da bi imel na njem registrirano vozilo in sedež svojega podjetja;

8. **»avtobus«** je vozilo, ki je registrirano na ozemlju ene od pogodbenic in je po konstrukciji in opremljenosti primerno in namenjeno prevozu potnikov ter ima poleg voznikovega sedeža več kot osem sedežev;

9. **»linijski prevoz potnikov«** je prevoz potnikov na določeni progi, ki se opravlja v skladu z vnaprej določenim in objavljenim voznim redom in tarifami. Potniki vstopajo ali izstopajo na vnaprej določenih postajališčih;

10. **»izmenični prevoz«** je prevoz, pri katerem se vnaprej oblikovane skupine potnikov prevažajo z več vožnjami tja in nazaj iz istega odhodnega kraja v isti namembni kraj. Vsaka skupina, sestavljena iz potnikov, ki so odpotovali skupaj, je pozneje pripeljana nazaj v odhodni kraj. Odhodni oziroma namembni kraj pomeni kraj, kjer se vožnja začne oziroma kraj, kjer se vožnja konča, pri čemer so v vsakem primeru vključeni okoliški kraji v polmeru 50 km.

Izmenični prevoz lahko vključuje nastanitev potnikov v namembnem kraju in, če je potrebno, med vožnjo.

V nizu izmeničnih voženj se prva vožnja nazaj v odhodni kraj in zadnja vožnja v namembni kraj opravita s praznim vozilom.

11. **»občasni prevoz«** je prevoz, ki ni opredeljen niti kot linijski prevoz potnikov niti kot izmenični prevoz. Pogostost ali število prevozov ne vpliva na njihovo uvrstitev v občasni prevoz;

12. **»kontrolni dokument«** je potniška spremnica za avtobuse, ki je skladna z vzorcem, o katerem se dogovori skupni odbor, naveden v 14. členu tega sporazuma;

13. **»dovoljenje/dovolilnica«** je dokument, ki ga izdaja pristojna organa pogodbenic. Ta dokument zagotavlja pravico/možnost, da lahko vozilo, ki je registrirano na ozemlju druge pogodbenice, potuje na ozemlje pogodbenice, ki je izdala dovoljenje/dovolilnico, ali čezenj;

14. "Transit" means the transport of passengers and/or goods by a vehicle registered in the territory of one Contracting Party through the territory of the other Contracting Party.

15. The term "Dangerous goods" means the goods which by virtue of properties and features inherent to them, while being transported, loaded, unloaded and stored, can be the cause of damage to hardware, equipment, buildings and constructions, as well as of death, injury or sickness of people, animals, and damage to environment.

Part II – PASSENGER TRANSPORT

Article 3

Regular service

1. Regular passenger services operated between the territories of the Contracting Parties or in transit through their territories are subject to a system of authorisations issued by the competent authority of the Contracting Parties.

2. The authorisation application should be made to the competent authority in the country of establishment of the transport operator. If the competent authority approves the application, the authorisation is communicated to the competent authority of the other Contracting Party.

The Joint Committee set up under Article 14 of the present Agreement hereof decides on the form that the authorisation application takes and the supporting documents required.

3. Authorisations are issued by the competent authorities of the Contracting Parties by joint agreement.

The decision to grant or refuse the issue of an authorisation is taken within a period of three months unless there are special circumstances.

Authorisations are valid for a maximum of five years. They set out the operating conditions, including environmental and safety standards which vehicles must meet.

4. Changes in operating conditions and the cancellation of the service are decided under the procedure set out in paragraph 2 and 3 of this Article.

If there is no longer any demand for the service, the operator can cancel it, giving a three months notice to the competent authorities which issued the authorisations and to customers.

Article 4

Occasional and shuttle services

1. The occasional and the shuttle passenger services operated between the territories of the Contracting Parties and in transit through their territories are subject to a system of permits issued by the competent authorities of the Contracting Parties.

The Joint Committee set under Article 14 of the present Agreement hereof agrees upon technical, environmental and safety standards requirements that the vehicles carrying out the transport stipulated by this article must comply with.

2. As an exception to paragraph 1 of this Article, the services listed below are exempt from permit system on the territory of the host country:

- a) closed-door tours whereby the same vehicle is used to carry the same group of passengers throughout the journey and to bring them to the place of departure;
- b) services which make the outward journey laden and the return journey unladen;
- c) services which make the outward journey unladen and the return journey laden, provided that passengers have been previously brought by the same carrier to the territory of the Contracting Party where they are picked up again and carried to the territory of the country of establishment.

3. The picking up of passengers on a liberalised service journey is not permitted unless special permit is granted.

14. »tranzit« je prevoz potnikov in/ali blaga čez ozemlje druge pogodbenice z vozilom, ki je registrirano na ozemlju ene pogodbenice;

15. izraz »nevarne snovi« so snovi, ki lahko glede na svoje lastnosti in značilnosti med prevozom, natovarjanjem, raztovarjanjem in skladiščenjem povzročijo škodo na strojni opremi, opremi, stavbah ali konstrukcijah kakor tudi smrt, poškodbe ali boleznj ljudi in živali ter škodo v okolju.

II. DEL – PREVOZ POTNIKOV

3. člen

Linijski prevoz

1. Za linijski prevoz potnikov, ki se opravlja med ozemljema pogodbenic ali tranzitno čez njuni ozemlji, velja sistem dovoljenj, ki jih izda pristojni organ pogodbenic.

2. Vlogo za dovoljenje je treba predložiti pristojnemu organu v državi, v kateri ima prevoznik sedež svojega podjetja. Če pristojni organ vlogo odobri, se dovoljenje pošlje pristojnemu organu druge pogodbenice.

O obliki vloge za dovoljenje in dokumentih, ki ji morajo biti priloženi, odloča skupni odbor, ustanovljen po 14. členu tega sporazuma.

3. Dovoljenja izdana na podlagi skupnega dogovora pristojna organa pogodbenic.

Odločitev, da se dovoljenje odobri ali zavrne, se sprejme v treh mesecih, razen v posebnih okoliščinah.

Dovoljenja veljajo največ pet let. Določajo pogoje opravljanja prevozov, tudi okoljevarstvene in varnostne standarde, ki jih morajo vozila izpolnjevati.

4. O spremembah pogojev opravljanja prevozov in odpovedi linije se odloča po postopku, določenem v drugem in tretjem odstavku tega člena.

Če ni več povpraševanja po liniji, jo lahko prevoznik odpove s trimesečnim odpovednim rokom pristojnima organoma, ki sta dovoljenja izdala, in strankam.

4. člen

Občasni in izmenični prevozi

1. Za občasne in izmenične prevoze, ki se opravljajo med ozemljema pogodbenic in tranzitno čez njuni ozemlji, velja sistem dovolilnic, ki sta jih izdala pristojna organa pogodbenic.

Skupni odbor, ustanovljen po 14. členu tega sporazuma, se dogovori o zahtevanih tehničnih, okoljevarstvenih in varnostnih standardih, ki veljajo za vozila, ki opravljajo prevoz po tem členu.

2. Kot izjema k prvemu odstavku so spodaj navedeni prevozi oproščeni sistema dovolilnic na ozemlju države gostiteljice:

- a) krožne vožnje zaprtih vrat, pri katerih se isto vozilo uporablja za prevoz iste skupine potnikov ves čas potovanja in jo tudi pripelje nazaj v odhodni kraj,
- b) prevoz s polnim vozilom v namembni kraj in s praznim vozilom nazaj v odhodni kraj,
- c) prevoz s praznim vozilom v namembni kraj in s polnim vozilom nazaj v odhodni kraj pod pogojem, da je potnike prej pripeljal isti prevoznik na ozemlje pogodbenice, na katerem jih spet prevzame in odpelje na ozemlje države, na katerem ima sedež svojega podjetja.

3. Med potovanjem z liberaliziranim prevozom ni dovoljeno sprejemati potnikov v vozilo, razen če je za to izdana posebna dovolilnica.

The Joint Committee set up under Article 14 of the present Agreement hereof may extend the permit exemption to other categories of occasional services.

4. The permit application should be made to the competent authority in the host country.

The Joint Committee set up under Article 14 of the present Agreement hereof decides on the form that the permit application takes and the supporting documents required.

5. The occasional services exempted from permit requirements and operated by using buses must be covered by a control document. The conditions of use and the content of the control document are laid down by the Joint Committee referred to in Article 14 of the present Agreement hereof.

Article 5

Provisions common to passenger services

1. Transport permits are not transferable to other transport operators.

2. The running of cabotage services is prohibited.

PART III – GOODS TRANSPORT

Article 6

Permit system

1. Transport operators established on the territory of a Contracting Party may, under the system of universal permits, undertake:

a) transport between the territories of the two Contracting Parties;

b) transit transport;

c) transport between a point on the territory of the other Contracting Party and a point on the territory of a third country, if the itinerary passes through the territory of the country of where the vehicle is registered.

2. Transport between a point on the territory of the other Contracting Party and a point on the territory of the third country is performed with a special permit if the itinerary does not pass through the territory of the country of the registration.

3. Cabotage is only permitted with the special authorisation of the host country.

4. The Joint Committee set up under Article 14 of the present Agreement lays down other types of permits. If necessary it may put forward proposals on the running of transport without permits.

Article 7

Exemption from permit requirements

1. Permits referred to in Article 6 of the present Agreement are not required for:

a) transport by vehicles whose Total Permissible Laden Weight [TPLW], including trailers, does not exceed 6 tons, or when the permitted payload, including trailers, does not exceed 3.5 tons;

b) transport on an occasional basis, to or from airports, in case air services are diverted;

c) transport of vehicles which are damaged or have broken down and the runs of breakdown repair vehicles;

d) unladen runs by a goods vehicle sent to replace a vehicle which has broken down in another country, and also the return run, after repair of the vehicle that had broken down;

e) transport of medical supplies and equipment needed for emergencies, more particularly in response to natural disasters and also a humanitarian aid;

f) transport of works and objects of art for fairs and exhibitions or for non-commercial purposes;

g) transport for non-commercial purposes of properties, accessories and animals to or from theatrical, musical, film, sports or circus performances and fairs, and those intended for radio recordings, or for film or television production;

Skupni odbor, ustanovljen po 14. členu tega sporazuma, lahko dopolni vrste občasnega prevoza, za katere dovolilnice niso potrebne.

4. Vlogo za dovolilnico je treba predložiti pristojnemu organu v državi gostiteljici.

Skupni odbor, ustanovljen po 14. členu tega sporazuma, odloča o obliki vloge za dovolilnico in o dokumentih, ki ji morajo biti priloženi.

5. Za občasn prevoz, ki je oproščen dovolilnic in se opravlja z avtobusi, je potreben kontrolni dokument. Pogoje za uporabo in vsebino kontrolnega dokumenta določi skupni odbor, naveden v 14. členu tega sporazuma.

5. člen

Skupne določbe za prevoz potnikov

1. Dovolilnice za prevoz niso prenosljive na druge prevoznike.

2. Opravljanje kabotaže je prepovedano.

III. DEL – PREVOZ BLAGA

6. člen

Sistem dovolilnic

1. Prevozniki, katerih sedež podjetja je na ozemlju ene od pogodbenic, lahko na podlagi sistema univerzalnih dovolilnic opravljajo:

a) prevoz med ozemljema pogodbenic,

b) tranzit,

c) prevoz med krajem na ozemlju druge pogodbenice in krajem na ozemlju tretje države, če itinerar poteka čez ozemlje države, v kateri je vozilo registrirano.

2. Prevoz med krajem na ozemlju druge pogodbenice in krajem na ozemlju tretje države se opravlja s posebno dovolilnico, če itinerar ne poteka čez ozemlje države registracije.

3. Kabotaža je dovoljena samo s posebnim dovoljenjem države gostiteljice.

4. Skupni odbor, ustanovljen po 14. členu tega sporazuma, določa druge tipe dovolilnic. Če je potrebno, lahko daje predloge za opravljanje prevoza brez dovolilnice.

7. člen

Prevoz, za katerega dovolilnice niso potrebne

1. Dovolilnice iz 6. člena tega sporazuma niso potrebne za:

a) prevoz z vozili, katerih skupna dovoljena masa, skupaj s priklopniki, ne presega 6 ton ali katerih dovoljena nosilnost, skupaj s priklopniki, ne presega 3,5 tone,

b) občasen prevoz na letališča ali z njih, kadar je letalski prevoz preusmerjen,

c) prevoz poškodovanih ali pokvarjenih vozil in prevoz servisnih vozil,

d) vožnje praznega tovornega vozila, poslanega kot zamenjava za vozilo, ki se je pokvarilo v drugi državi in po popravilu tudi povratna vožnja vozila, ki se je pokvarilo,

e) prevoz medicinskih potrebščin in opreme za nujne primere, zlasti ob naravnih nesrečah in človekoljubnih potrebah,

f) prevoz umetniških del in predmetov za sejme in razstave ali za nekomercialne namene,

g) prevoz gledaliških rekvizitov, pripomočkov in živali na gledališke, glasbene, filmske, športne ali cirkuške predstave, sejme ali praznovanja ter z njih v nekomercialne namene in tistih, ki so namenjeni za radijska snemanja ali filmsko ali televizijsko produkcijo,

h) removals of household appliances carried out by enterprises with special staff and equipment for this purpose;

i) funeral transport;

j) transport of mail.

2. The Joint Committee set up under Article 14 of the present Agreement hereof may add to, or remove from, the list of transport categories exempted from the permit requirements.

Article 8

Common provisions for goods transport

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

The permits shall be valid up to 31 January of the successive of calendar year.

2. Permits are not transferable to other transport operators.

3. Permit can only be used for one vehicle at a time. In the case of combination of vehicles, the motor vehicle is the determining factor in permit issue or exemption.

4. The Joint Committee set up under Article 14 of the present Agreement hereof determines the quota, category and any further conditions governing permit use.

PART IV – COMMON PROVISIONS

Article 9

Taxes and duties

1. Vehicles performing international road transport of goods, passengers and luggage and registered on the territory of the Contracting Party and temporarily located on the territory of the other Contracting Party under the terms of this Agreement are exempt from payment of all taxes related to the ownership, registration and running of the vehicle.

2. The fuel (no more than 200 litres for goods transport vehicles and no more than 600 litres for buses) contained in the normal, by the manufacturer built-in fixed tanks of the vehicle intended to drive the vehicle, as well as lubricants and spare parts are exempt from all customs duties in compliance with national legislation of the host country.

Unused spare parts must be exported from the country, and substituted parts must be exported or eliminated in presence of the Customs officials of the respective Contracting Party.

3. The transport covered by the terms of this Agreement is subject to the road user charges, tolls and other duties levied for the use of the road network or bridges in the host country. The tolls and other charges are levied on transport operators of the countries of both Contracting Parties indiscriminately.

Article 10

Weights and dimensions

1. The permissible maximum weight, axle weight and dimensions of vehicles must not exceed those entered in the registration documents nor the upper permissible limits in force in the host country.

2. The use of vehicles whose weight and dimensions exceed the upper permissible limits is permitted in the host country only with a special authorisation applied for in advance.

Article 11

Equipment and other characteristics

1. Vehicles carrying dangerous goods must be fitted out and equipped in accordance with the requirements of the European Agreement Concerning the International Carriage of Dangerous Goods by Road of 30 September 1957, as modified (ADR).

h) selitveni prevoz, ki ga opravlja podjetje s posebno opremo in osebjem v ta namen,

i) prevoz posmrtnih ostankov,

j) prevoz pošte.

2. Skupni odbor, ustanovljen po 14. členu tega sporazuma, lahko razširi ali skrči seznam vrst prevoza, za katere dovolilnice niso potrebne.

8. člen

Skupne določbe za prevoz blaga

1. Pristojna organa pogodbenic si vsako leto izmenjata dogovorjeno število neizpolnjenih obrazcev dovolilnic.

Dovolilnice veljajo do 31. januarja prihodnjega koledarskega leta.

2. Dovolilnice niso prenosljive na druge prevoznike.

3. Dovolilnica se lahko hkrati uporablja samo za eno vozilo. Pri kombinaciji vozil je motorno vozilo odločilen dejavnik pri izdaji ali oprostitvi dovolilnice.

4. Skupni odbor, ustanovljen po 14. členu tega sporazuma, določi kvoto, vrsto in vse dodatne pogoje za uporabo dovolilnic.

IV. DEL – SKUPNE DOLOČBE

9. člen

Davčne določbe

1. Vozila, s katerimi se opravlja mednarodni cestni prevoz blaga, potnikov in prtljage, registrirana na ozemlju druge pogodbenice po določilih tega sporazuma, so oproščena plačila vseh dajatev v zvezi z lastništvom, registracijo in upravljanjem vozila.

2. Gorivo (ne več kot 200 litrov za tovorna vozila in ne več kot 600 litrov za avtobuse), ki je v serijsko vgrajenih, standardnih rezervoarjih vozila in je namenjeno pogonu vozila, ter maziva in rezervni deli so oproščeni vseh carinskih dajatev v skladu z notranjo zakonodajo države gostiteljice.

Neuporabljeni rezervni deli se izvozijo iz države ali uničijo v navzočnosti carinskih uradnikov pogodbenice.

3. Za prevoz, za katerega veljajo določila tega sporazuma, se v državi gostiteljici plačujejo cestne pristojbine, cestnine in druge dajatve za uporabo cestnega omrežja ali mostov. Cestnine in druge pristojbine se prevoznikom držav pogodbenic zaračunavajo brez razlikovanja.

10. člen

Mase in dimenzije

1. Največja dovoljena masa, osna obremenitev in dimenzije vozila ne smejo presežati tistih, ki so vpisane v registrajskih dokumentih, niti ne zgornjih meja, veljavnih v državi gostiteljici.

2. Uporaba vozil, katerih masa in dimenzije presežajo dovoljeno zgornjo mejo, je v državi gostiteljici dovoljena le s posebnim dovoljenjem, ki se pridobi vnaprej.

11. člen

Oprema in druge značilnosti

1. Vozila za prevoz nevarnega blaga morajo biti opremljena v skladu z zahtevami Evropskega sporazuma o mednarodnem prevozu nevarnih snovi po cesti z dne 30. septembra 1957, kot je bil spremenjen (ADR).

2. Equipment used to monitor crew driving and rest time on vehicles must comply with the provisions of the European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport of 1 July 1970, as modified (AETR).

3. The Contracting Parties undertake to promote, within the framework of this Agreement, the use of vehicles meeting safety and emission standards.

Article 12

Control

The permits, authorisations, control documents and other papers under this Agreement, as well as the consignment note, passenger waybills, insurance certificates, training certificates and all other papers required under international agreements of the countries of the Contracting Parties have signed and/or under legislations of the countries of the Contracting Parties must be kept in vehicles and be produced at the request of authorised officials.

Article 13

Obligations of transport operators and infringements

1. The transport operators of the country of a Contracting Party and the crews of their vehicles must, when on the territory of the other Contracting Party, comply with national legislation in force in that country.

2. In the event of any infringement of the provisions of this Agreement by a transport operator of the country of a Contracting Party, the Competent Authority of the Contracting Party on whose territory the infringement occurred shall, without prejudice to the legal proceedings of its country, notify the competent authority of the other Contracting Party which will take such steps as provided for by the national legislation of its country. In particularly serious cases, the competent authority of the host country may temporarily prohibit access to the territory of its country pending a decision by the competent authority in the country of establishment. The competent authorities of the Contracting Parties shall keep each other mutually informed on decisions taken.

Article 14

Joint Committee

1. For the purpose of proper implementation of the present Agreement and to handle the issues related to it a Joint Committee shall be set up from the representatives of the competent authorities of the Contracting Parties.

2. When necessary representatives of other authorities may also participate.

Article 15

Competent Authorities

The Competent Authorities for the implementation of the present Agreement are:

In the Republic of Slovenia: the Ministry of Transport of the Republic of Slovenia.

In the Republic of Albania: The Ministry of Public Works, Transport and Telecommunication

In case of changes of competent authorities indicated in this paragraph the names of competent authorities are communicated to the other Contracting Party through diplomatic channels.

PART V – FINAL PROVISIONS

Article 16

Entry into force and duration of the Agreement

1. The present Agreement shall enter into force on the date of the receipt of the last written notification by which the Contracting Parties notify each other that their internal legal procedures necessary for its entry into force have been completed.

2. Oprema, ki je v vozilih nameščena za spremljanje in nadzorovanje časa vožnje in časa počitka posadke, mora biti v skladu z določbami Evropskega sporazuma o delu posadk vozil, ki opravljajo mednarodne cestne prevoze, z dne 1. julija 1970, kot je bil spremenjen (AETR).

3. Pogodbenici se zavezuje, da bosta v okviru tega sporazuma spodbujali uporabo vozil, ki izpolnjujejo stroge varnostne in emisijske standarde.

12. člen

Nadzor

Dovolilnice, dovoljenja, kontrolni in drugi dokumenti po tem sporazumu kot tudi tovorni list, potniške spremnice, potrdila o zavarovanju, potrdila o usposobljenosti in vsi drugi dokumenti, potrebni po večstranskih ali dvostranskih sporazumih ali po notranji zakonodaji držav pogodbenic, morajo biti v vozilih in jih je treba pokazati na zahtevo pooblaščenih uradnih oseb.

13. člen

Obveznosti prevoznikov in kršitve

1. Prevozniki države pogodbenice in posadke njihovih vozil morajo na ozemlju druge pogodbenice spoštovati notranjo zakonodajo te države.

2. Če prevoznik države pogodbenice krši določbe tega sporazuma, pristojni organ pogodbenice, na katere ozemlju je bila storjena kršitev, brez vpliva na pravne postopke svoje države uradno obvesti pristojni organ druge pogodbenice, ki bo ukrepal tako, kakor določa notranja zakonodaja njegove države. V posebno hudih primerih lahko pristojni organ države gostiteljice začasno prepove vstop na ozemlje svoje države do sprejetja odločitve pristojnega organa v državi, v kateri ima prevoznik svoj sedež. Pristojna organa pogodbenic se medsebojno obveščata o sprejetih odločitvah.

14. člen

Skupni odbor

1. Za pravilno izvajanje tega sporazuma in reševanje vprašanj v zvezi z njim se ustanovi skupni odbor iz predstavnikov pristojnih organov pogodbenic.

2. Če je potrebno, lahko sodelujejo tudi predstavniki drugih organov.

15. člen

Pristojna organa

Pristojna organa za izvajanje tega sporazuma sta:

v Republiki Sloveniji: Ministrstvo za promet;

v Republiki Albaniji: Ministrstvo za javna dela, promet in telekomunikacije.

Če je pristojni organ, naveden v tem odstavku, zamenjan, se imena pristojnih organov sporočijo po diplomatski poti drugi pogodbenici.

V. DEL – KONČNE DOLOČBE

16. člen

Začetek veljavnosti in trajanje sporazuma

1. Ta sporazum začne veljati z dnem prejema zadnjega pisnega obvestila po diplomatski poti, s katerim se pogodbenici uradno obvestita, da so končani njihovi notranjepravni postopki, potrebni za začetek veljavnosti sporazuma.

2. This Agreement shall remain in force for an indefinite period of time. Either of the Contracting Parties may terminate it by written notice. The Agreement shall expire three months following the date of the receipt of such notification.

In witness whereof the undersigned, being duly authorised thereto, have signed this Agreement.

Done in Ljubljana on 17 July 2007 in two original copies in English.

For the Government of
the Republic of Slovenia
Dimitrij Rupel (s)

For the Council of Ministers of
the Republic of Albania
Lulzim Basha (s)

Za Vlado
Republike Slovenije
Dimitrij Rupel l.r.

Za Vlado
Republike Albanije
Lulzim Basha l.r.

2. Ta sporazum velja za nedoločen čas. Ena ali druga pogodbenica ga lahko odpove s pisnim obvestilom o odpovedi. Sporazum preneha veljati tri mesece po dnevu prejema takega uradnega obvestila.

V potrditev tega sta podpisana, ki sta bila za to pravilno pooblaščenca, podpisala ta sporazum.

Sklenjeno v Ljubljani dne 17. julija 2007 v dveh izvornikih v angleškem jeziku.

3. člen

Za izvajanje sporazuma skrbi Ministrstvo za promet.

4. člen

Ta zakon začne veljati petnajsti dan po objavi v Uradnem listu Republike Slovenije – Mednarodne pogodbe.

Št. 326-07/09-55/11
Ljubljana, dne 19. novembra 2009
EPA 475-V

Državni zbor
Republike Slovenije
dr. Pavel Gantar l.r.
Predsednik