

Uradni list

Republike Slovenije



Mednarodne pogodbe

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Št. **14** (Uradni list RS, št. 49)

Ljubljana, sreda **5. 6. 2002**

ISSN 1318-0932

Leto XII

47. Zakon o ratifikaciji Sporazuma o mednarodnih občasnih avtobusnih prevozih potnikov (Sporazum INTERBUS) (MSMOAP)

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 O MEDNARODNIH OBČASNIH AVTOBUSNIH PREVOZIH POTNIKOV (SPORAZUM INTERBUS) (MSMOAP)

Razlašam Zakon o ratifikaciji Sporazuma o mednarodnih občasnih avtobusnih prevozih potnikov (Sporazum INTERBUS) (MSMOAP), ki ga je sprejel Državni zbor Republike Slovenije na seji 14. maja 2002.

Št. 001-22-45/02
Ljubljana, 22. maja 2002

Predsednik
Republike Slovenije
Milan Kučan l. r.

Z A K O N

O RATIFIKACIJI SPORAZUMA O MEDNARODNIH OBČASNIH AVTOBUSNIH PREVOZIH POTNIKOV (SPORAZUM INTERBUS) (MSMOAP)

1. člen

Ratificira se Sporazum o mednarodnih občasnih avtobusnih prevozih potnikov (Sporazum INTERBUS), podpisan 22. decembra 2000 v Bruslju.

2. člen

Sporazum se v izvirniku v angleškem jeziku in v slovenskem prevodu glasi:

A G R E E M E N T ON THE INTERNATIONAL OCCASIONAL CARRIAGE OF PASSENGERS BY COACH AND BUS (INTERBUS AGREEMENT)

THE CONTRACTING PARTIES:

HAVING REGARD to the desire to promote the development of international transport in Europe and especially to facilitate the organisation and operation thereof;

HAVING REGARD to the desire to facilitate tourism and cultural exchange between the Contracting Parties;

WHEREAS the Agreement on the international Carriage of Passengers by Road by means of Occasional Coach and Bus Services (ASOR), signed in Dublin on the 26 May 1982 does not provide for any scope for the accession of new Parties;

WHEREAS the experience and the liberalisation achieved by this latter Agreement should be maintained;

S P O R A Z U M O MEDNARODNIH OBČASNIH AVTOBUSNIH PREVOZIH POTNIKOV (SPORAZUM INTERBUS)

Pogodbenice so se
v želji pospešiti razvoj mednarodnega prometa v Evropi
in zlasti olajšati organizacijo in opravljanje prevozov;

v želji pospešiti turistično in kulturno izmenjavo med
pogodbenicami;

ker Sporazum o mednarodnem prevozu potnikov po
cesti z občasnimi avtobusnimi prevozi (ASOR), podpisan
26. maja 1982 v Dublinu, v nobenem delu ne predvideva
pristopa novih pogodbenic;

ker je treba ohraniti pridobljene izkušnje in liberalizaci-
jo iz omenjenega sporazuma;

WHEREAS it is desirable to provide for harmonised liberalisation of certain international occasional services by coach and bus and the transit operations thereof;

WHEREAS it is desirable to provide for certain harmonised rules of procedure for non-liberalised international occasional services, that are thus still subject to authorisation;

WHEREAS it is necessary to provide for a high degree of harmonisation of the technical conditions applying to buses and coaches carrying out international occasional services between Contracting Parties in order to improve road safety and protection of the environment;

WHEREAS it is necessary that Contracting Parties should apply uniform measures concerning the work of the crews of buses and coaches engaged in international road transport;

WHEREAS it is desirable to provide for harmonisation of the conditions for access to the occupation of road passenger transport operator;

WHEREAS the principle of non-discrimination on grounds of nationality or the place of establishment of the transport operator, and of the origin or destination of the bus or coach, should be considered to be a basic condition applying to the provision of international transport services;

WHEREAS it is necessary to provide for uniform models for transport documents such as the control document for liberalised occasional services and also the authorisation and the application form for non-liberalised services in order to facilitate and simplify inspection procedures;

WHEREAS it is necessary to provide for certain harmonised measures on the enforcement of the Agreement, especially as far as control procedures, penalties and mutual assistance are concerned;

WHEREAS it is appropriate to establish certain procedures for the management of the Agreement in order to ensure proper enforcement and to permit some technical adaptation of the Annexes;

WHEREAS the Agreement should be open for accession to future Members of the European Conference of Ministers of Transport and to certain other European countries;

HAVE DECIDED to establish uniform rules for the international occasional carriage of passengers by coach and bus,

HAVE AGREED AS FOLLOWS:

SECTION I SCOPE AND DEFINITIONS

ARTICLE 1 Scope

1. This Agreement shall apply:

(a) to the international carriage of passengers, of any nationality, by road by means of occasional services:

- between the territories of two Contracting Parties, or starting and finishing on the territory of the same Contracting Party and, should the need arise during such services, in transit through the territory of another Contracting Party or through the territory of a non-Contracting State;
- carried out by transport operators for hire or reward established in a Contracting Party in accordance with its law and holding a licence to undertake carriage by means of international occasional services by coach and bus;
- using buses and coaches registered in the Contracting Party where the transport operator is established.

ker je zaželeno zagotoviti usklajeno liberalizacijo določenih mednarodnih občasnih avtobusnih prevozov in tranzita;

ker je zaželeno zagotoviti določne usklajene postopke za mednarodne občasne prevoze, za katere je še vedno potrebno posebno dovoljenje;

ker je treba zagotoviti visoko raven usklajenosti tehničnih zahtev za avtobuse, s katerimi se opravljajo mednarodni občasni prevozi med pogodbenicami, da bi izboljšali varnost cestnega prometa in varstvo okolja;

ker je nujno, da pogodbenice uporabljajo enotne ukrepe za delo posadk v avtobusih, s katerimi se opravljajo mednarodni cestni prevozi;

ker je zaželen uskladitev pogojev za opravljanje poklica cestnega prevoznika v potniškem prometu;

ker bi moralo biti načelo nediskriminacije glede državljanstva ali sedeža prevoznika ter porekla ali mesta prihoda avtobusa temeljni pogoj za opravljanje mednarodnih prevozov;

ker je treba zagotoviti enotne obrazce za prevozne listine, kot sta kontrolna listina za prevoze brez posebnega dovoljenja ter prošnja za dovoljenje za olajšanje in poenostavitev kontrolnih postopkov;

ker je treba predvideti določene usklajene ukrepe za uveljavitev tega sporazuma, zlasti glede kontrolnih postopkov, kazni in medsebojnega sodelovanja;

ker je treba vzpostaviti določene postopke za izvajanje sporazuma, da bi zagotovili pravilno izvajanje in omogočili potrebne tehnične spremembe prilog;

ker mora biti sporazum na voljo za pristop prihodnjih članic Evropske konference ministrov za promet in določenih drugih evropskih držav;

odločile uvesti enotna pravila za mednarodne občasne avtobusne prevoze potnikov

IN SKLENILE:

I. DEL PODROČJE UPORABE IN POMEN IZRAZOV

1. člen Področje uporabe

1. Ta sporazum se uporablja:

a) za mednarodne občasne cestne prevoze potnikov s kakršnim koli državljanstvom:

– med ozemljema dveh pogodbenic ali z odhodom in prihodom na ozemlje iste pogodbenice, ali če je potrebno med takim prevozom, tranzitno čez ozemlje druge pogodbenice ali čez ozemlje države, ki ni pogodbenica;

– ki jih opravljajo prevozniki s sedežem v eni od pogodbenic v skladu z njeno zakonodajo in z licenco za opravljanje mednarodnih občasnih avtobusnih prevozov za najem ali plačilo;

– z avtobusi, registriranimi v pogodbenici, v kateri ima prevoznik sedež;

(b) to unladen journeys of the buses and coaches concerned with these services.

2. None of the provisions of this Agreement may be interpreted as providing the possibility to operate national occasional services in the territory of a Contracting Party by operators established in another Contracting Party.

3. The use of buses and coaches designed to carry passengers for the transport of goods for commercial purposes shall be excluded from the scope of this Agreement.

4. This Agreement does not concern own-account occasional services.

ARTICLE 2

Non-discrimination

Contracting Parties shall ensure that the principle of non-discrimination on the grounds of the nationality or the place of establishment of the transport operator, and of the origin or destination of the bus or coach, is applied, in particular with regard to fiscal provisions as established in Section VI as well as control and penalties as established in Section IX.

ARTICLE 3

Definitions

For the purposes of this Agreement, the following definitions shall apply:

1. "Buses and coaches" are vehicles which, by virtue of their construction and their equipment, are suitable for carrying more than nine persons, including the driver, and are intended for that purpose.

2. "International occasional services" are services between the territory of at least two Contracting Parties falling within neither the definition of regular services or special regular services nor the definition of a shuttle service. Such services may be operated with some degree of frequency without thereby ceasing to be occasional services.

3. "Regular Services" are services which provide for the carriage of passengers according to a specified frequency and along specified routes, whereby passengers may be taken up or set down at predetermined stopping points. Regular services can be subject to the obligation to respect previously established timetables and tariffs.

4. "Special Regular Services" are services, by whomsoever organised, which provide for the carriage of specified categories of passengers to the exclusion of other passengers, insofar as such services are operated under the conditions specified in point 3. Special regular services shall include:

- the carriage of workers between home and work;
- the carriage of school pupils and students to and from the educational institution.

The fact that a special regular service may be varied according to the needs of users shall not affect its classification as a regular service.

5. (1) "Shuttle services" are services 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 destination. Each group, consisting of the passengers who made the outward journey, shall be carried back to the place of departure on a later journey by the same transport operator.

Place of departure and destination shall mean, respectively, 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 km.

(2) In the course of shuttle services, no passenger may be taken up or set down during the journey.

b) za vožnje s praznimi avtobusi v zvezi s temi prevozi.

2. Nobene določbe tega sporazuma ni mogoče razlagati kot možnost, da bi občasne notranje prevoze na ozemlju ene pogodbenice opravljali prevozniki s sedežem v drugi pogodbenici.

3. Ta sporazum izključuje uporabo avtobusov, namenjenih za prevoz potnikov, za prevoz blaga v komercialne namene.

4. Ta sporazum ne ureja občasnih prevozov za lastne potrebe.

2. člen

Nediskriminacija

Države pogodbenice zagotovijo spoštovanje načela nediskriminacije glede državljanstva ali kraja sedeža prevoznika in porekla ali mesta prihoda avtobusa, zlasti v zvezi z določbami o davščinah iz VI. dela ter kontrolo in kaznimi iz IX. dela.

3. člen

Pomen izrazov

V tem sporazumu se uporabljajo ti izrazi:

1. "avtobusi" so vozila, ki so konstruirana in opremljena za prevoz več kot devetih oseb, vključno z voznikom, in se uporabljajo v ta namen;

2. "mednarodni občasni prevoz" je občasni prevoz med ozemljema vsaj dveh pogodbenic, ki ni opredeljen niti kot linijski prevoz ali posebni linijski prevoz niti kot prevoz z izmeničnimi vožnjami. Prevoz se lahko opravlja z določeno pogostostjo, ne da bi s tem prenehal biti občasni prevoz;

3. "linijski prevoz" je prevoz, ki zagotavlja prevoz potnikov v določenih časovnih presledkih na določenih linijah, pri čemer potniki vstopajo in izstopajo na vnaprej določenih postajališčih. Linijski prevoz mora potekati po vnaprej določenem voznem redu in prevoznih tarifah;

4. "posebni linijski prevoz" v organizaciji kogar koli je prevoz določene vrste potnikov in izključuje druge potnike, če je tak prevoz usklajen s pogoji iz 3. točke. Posebni linijski prevoz obsega:

- prevoz delavcev na delo in domov;
- prevoz učencev in študentov do izobraževalnih ustanov in nazaj.

Dejstvo, da se lahko posebni linijski prevoz spreminja glede na potrebe uporabnikov, ne vpliva na njegovo razvrstitev kot linijski prevoz;

5. 1) "prevoz z izmeničnimi vožnjami" je prevoz predhodno sestavljenih skupin potnikov v določenih časovnih presledkih v obe smeri z enega samega mesta odhoda na eno samo mesto prihoda. Vsako skupino, ki jo sestavljajo potniki z že opravljenim potovanjem na cilj, prepelje nazaj na mesto odhoda v kasnejši vožnji isti prevoznik.

Mesto odhoda in mesto prihoda sta mesti, na katerih se potovanje začne in konča, pri čemer vključujeta tudi okolico s polmerom 50 km;

2) med prevozom z izmeničnimi vožnjami potniki ne smejo vstopati ali izstopati;

(3) The first return journey and the last outward journey in a series of shuttles shall be made unladen.

(4) However, the classification of a transport operation as a shuttle service shall not be affected by the fact that, with the agreement of the competent authorities in the Contracting Party or Parties concerned:

- passengers, notwithstanding the provisions of subparagraph 1, make the return journey with another group or another transport operator;
- passengers, notwithstanding the provisions of subparagraph 2, are taken up or set down along the way;
- the first outward journey and the last return journey of the series of shuttles are, notwithstanding the provisions of subparagraph 3, made unladen.

6. "Contracting Parties" are those signatories that have consented to be bound by this Agreement and for which this Agreement is in force.

This Agreement applies to those territories where the Treaty establishing the European Community is applied and under the conditions laid down in that Treaty and to BOSNIA-HERZEGOVINA, BULGARIA, CROATIA, THE CZECH REPUBLIC, ESTONIA, HUNGARY, LATVIA, LITHUANIA, MOLDOVA, POLAND, ROMANIA, SLOVAKIA, SLOVENIA and TURKEY, as far as they have concluded this Agreement.

7. "Competent Authorities" are those authorities designated by the Member States of the Community and by the other Contracting Parties to carry out the tasks set out in Sections V, VI, VII, VIII and IX of this Agreement.

8. "Transit" means the part of a transport operation through the territory of a Contracting Party without passengers being picked up or set down.

SECTION II CONDITIONS APPLYING TO ROAD PASSENGER TRANSPORT OPERATORS

ARTICLE 4

1. Contracting Parties which have not yet done so shall apply provisions equivalent to those established by the European Community Directive referred to in Annex 1.

2. Concerning the condition on the appropriate financial standing referred to in Article 3, paragraph 3 of such Directive, Contracting Parties may apply a minimum available capital and reserves lower than the amount established in point (c) of the said paragraph (3), up to the date of 1 January 2003 or even to 1 January 2005 under condition in the latter case that a corresponding declaration be made at the time of the ratification of the Agreement, without prejudice to the provisions included in the Europe Agreement establishing an association between the European Communities and their Member States and certain Contracting Parties of the present Agreement.

SECTION III TECHNICAL CONDITIONS APPLYING TO VEHICLES

ARTICLE 5

The buses and coaches used to carry out the international occasional services covered by this Agreement shall comply with the technical standards laid down in Annex 2.

3) v nizu prevozov mora biti vozilo pri prvi povratni vožnji in zadnji vožnji tja prazno;

4) v soglasju s pristojnimi oblastmi v pogodbenici ali pogodbenicah, v katerih taki prevozi potekajo, pa na razvrstitev prevozov kot prevozov z izmeničnimi vožnjami ne vpliva:

– če ne glede na določbe prvega pododstavka potniki potujejo nazaj z drugo skupino ali drugim prevoznikom,

– če ne glede na določbe drugega pododstavka potniki med potjo vstopajo in izstopajo,

– če je ne glede na določbe tretjega pododstavka v nizu prevozov z izmeničnimi vožnjami vozilo na prvi vožnji tja in na zadnji povratni vožnji prazno;

6. "pogodbenice" so tiste podpisnice, ki pristanejo, da jih zavezuje ta sporazum, in za katere velja ta sporazum.

Sporazum velja za ozemlja, na katerih velja Pogodba o ustanovitvi Evropske skupnosti, in pod pogoji iz te pogodbe tudi za BOLGARIJO, BOSNO IN HERCEGOVINO, ČEŠKO, ESTONIJO, HRVAŠKO, LATVIJO, LITVO, MADŽARSKO, MOLDOVO, POLJSKO, ROMUNIJO, SLOVAŠKO, SLOVENIJO in TURČIJO, če sklenejo ta sporazum;

7. "pristojni organi" so tisti organi, ki jih imenujejo države članice Skupnosti in druge pogodbenice za opravljanje nalog iz V., VI., VII., VIII. in IX. dela tega sporazuma;

8. "tranzit" je del prevozne poti čez ozemlje pogodbenice, med katerim potniki niti ne vstopajo niti ne izstopajo.

II. DEL POGOJI ZA PREVOZNIKE V CESTNEM POTNIŠKEM PROMETU

4. člen

1. Pogodbenice, ki tega še niso storile, uvedejo določbe, enakovredne določbam direktive Evropske skupnosti iz Priloge 1.

2. Glede pogoja o ustreznem finančnem stanju iz tretjega odstavka 3. člena te direktive imajo lahko pogodbenice do 1. januarja 2003 ali celo do 1. januarja 2005, če ob ratifikaciji sporazuma tako izjavijo, nižji minimalni razpoložljivi kapital in rezerve, kot je znesek iz točke c) omenjenega tretjega odstavka, kar pa ne vpliva na določbe Evropskega sporazuma o povezavi Evropskih skupnosti in njihovih držav članic z določenimi pogodbenicami tega sporazuma.

III. DEL TEHNIČNI POGOJI ZA VOZILA

5. člen

Autobusi, ki se uporabljajo za opravljanje mednarodnega občasnega prevoza po tem sporazumu, morajo biti skladni s tehničnimi standardi iz Priloge 2.

SECTION IV
ACCESS TO THE MARKET

ARTICLE 6

Liberalised occasional services

The following occasional services shall be exempted from authorisation on the territory of any Contracting Party other than that in which the transport operator is established:

1. Closed-door tours, that is to say services whereby the same bus or coach is used to carry the same group of passengers throughout the journey and to bring them back to the place of departure. The place of departure is in the territory of the Contracting Party in which the transport operator is established.

2. Services which make the outward journey laden and the return journey unladen. The place of departure is in the territory of the Contracting Party in which the transport operator is established.

3. Services during which the outward journey is made unladen and all the passengers are taken up in the same place, provided that one of the following conditions is met:

(a) passengers constitute groups, on the territory of a non-Contracting Party or of a Contracting Party other than that in which the transport operator is established or that where the passengers are taken up, that have been formed under contracts of carriage made before their arrival in the territory of the latter Contracting Party. Passengers are carried on the territory of the Contracting Party in which the transport operator is established;

(b) passengers have been previously brought, by the same transport operator in the circumstances provided for under point 2, into the territory of the Contracting Party where they are taken up again and carried into the territory of the Contracting Party in which the transport operator is established;

(c) passengers have been invited to travel into the territory of another Contracting Party, the cost of transport being borne by the person issuing the invitation. Such passengers must constitute a homogeneous group, which has not been formed solely with a view to undertaking that particular journey and which is brought into the territory of the Contracting Party in which the transport operator is established.

The following shall also be exempted from authorisation:

4. Transit operations through the territory of Contracting Parties in conjunction with occasional services that are exempted from authorisation.

5. Unladen buses and coaches to be used exclusively for the replacement of a bus or a coach damaged or broken down, while performing an international service covered by this Agreement.

For services provided by transport operators established within the European Community, the points of departure and/or destination of the services can be in any Member State of the European Community, independently of the Member State in which the bus or coach is registered or the Member State in which the transport operator is established.

ARTICLE 7

Non-liberalised occasional services

1. Occasional services other than those referred to in Article 6 shall be subject to authorisation in accordance with Article 15.

IV. DEL
DOSTOP DO TRGA

6. člen

Občasni prevoz brez dovolilnice

Na ozemlju pogodbenice, ki ni pogodbenica, v kateri ima prevoznik sedež, dovolilnica ni potrebna za te občasne prevoze:

1. krožno vožnjo "zaprtih vrat", to je za prevoze, pri katerih se z istim avtobusom prevaža ista skupina potnikov na celotnem potovanju in se pripelje nazaj na mesto odhoda; mesto odhoda je v pogodbenici, v kateri ima prevoznik sedež;

2. prevoze, pri katerih je vozilo na potovanju tja polno, na potovanju nazaj pa prazno; mesto odhoda je na ozemlju pogodbenice, v kateri ima prevoznik sedež;

3. prevoze, pri katerih je vozilo na potovanju tja prazno in prevzame vse potnike na istem mestu, če je izpolnjen eden od teh pogojev:

a) potniki sestavljajo skupine na ozemlju nepogodbenice ali pogodbenice, ki ni tista, v kateri ima prevoznik sedež ali v kateri je bilo mesto odhoda, v skladu s pogodbo o prevozu, ki je bila sklenjena pred njihovim prihodom na ozemlje te druge pogodbenice; potniki se prepeljejo na ozemlje pogodbenice, v kateri ima prevoznik sedež;

b) potnike je isti prevoznik predhodno pripeljal na ozemlje pogodbenice v skladu z drugo točko, kjer jih spet prevzame in jih prepelje na ozemlje pogodbenice, v kateri ima prevoznik sedež;

c) potniki so bili povabljeni na pot na ozemlje druge pogodbenice, pri čemer stroške prevoza krije oseba, ki jih je povabila; taki potniki morajo sestavljati enovito skupino, ki ni nastala samo zaradi tega potovanja in se prepelje na ozemlje pogodbenice, v kateri ima prevoznik sedež.

Dovolilnica prav tako ni potrebna:

4. za tranzitne prevoze čez ozemlje pogodbenice v zvezi z občasnim prevozom brez dovolilnice;

5. za prazne avtobuse, ki se uporabljajo izključno za zamenjavo poškodovanega ali pokvarjenega avtobusa med opravljanjem mednarodnega prevoza iz tega sporazuma.

Za prevoze, ki jih opravljajo prevozniki s sedežem v Evropski skupnosti, sta lahko mesto odhoda in/ali mesto prihoda v kateri koli državi članici Evropske skupnosti ne glede na državo članico, v kateri je avtobus registriran, ali državo članico, v kateri ima prevoznik sedež.

7. člen

Občasni prevoz z dovolilnico

1. Za občasne prevoze, razen za prevoze iz 6. člena, je potrebna dovolilnica v skladu s 15. členom.

2. For services provided by transport operators established within the European Community, the points of departure and/or destination of the services can be in any Member State of the European Community, independently of the Member State in which the bus or coach is registered or the Member State in which the transport operator is established.

SECTION V SOCIAL PROVISIONS

ARTICLE 8

The Contracting Parties to this Agreement which have not yet done so shall accede to the European Agreement concerning the work of Crews of Vehicles engaged in International Road Transport (AETR) of 1 July 1970, as subsequently amended, or shall apply Community Regulations 3820/85 and 3821/85 as in force at the entry into force of this Agreement.

SECTION VI CUSTOM AND FISCAL PROVISIONS

ARTICLE 9

1. Buses and coaches that are engaged in transport operations in accordance with this Agreement shall be exempted from all vehicle taxes and charges levied on the circulation or possession of vehicles as well as from all special taxes or charges levied on transport operations in the territory of the other Contracting Parties.

Buses and coaches shall not be exempted from payment of taxes and charges on motor fuel, Value Added Tax on transport services, road tolls and user charges levied on the use of infrastructure.

2. Contracting Parties shall ensure that tolls and any other form of user charges may not be imposed at the same time for the use of a single road section. However, Contracting Parties may also impose tolls on networks where user charges are levied, for the use of bridges, tunnels and mountain passes.

3. The fuel for buses and coaches, contained in the fuel tanks established by the manufacturer for this purpose, and in any case not more than 600 litres, as well as the lubricants contained in buses and coaches for the sole purpose of their operation, shall be exempted from import duties and any other taxes and payments imposed in other Contracting Parties.

4. The Joint Committee established in Article 23 will draft a list of the taxes concerning road transport of passengers by bus and coach levied in each Contracting Party. This list will indicate the taxes falling under the provisions of paragraph 1, first subparagraph, of this Article that can only be levied in the Contracting Party of registration of the vehicle. This list will also indicate the taxes falling under the provisions of paragraph 1, second subparagraph, of this Article that may be levied in Contracting Parties other than the Contracting Party of registration of the vehicle. Contracting Parties which replace any tax included in the lists referred to with another tax of the same or a different kind shall notify the Joint Committee in order to make the necessary amendments.

2. Za prevoze, ki jih opravljajo prevozniki s sedežem v Evropski skupnosti, sta lahko mesto odhoda in/ali mesto prihoda v kateri koli državi članici Evropske skupnosti ne glede na državo članico, v kateri je avtobus registriran, ali državo članico, v kateri ima prevoznik sedež.

V. DEL SOCIALNE DOLOČBE

8. člen

Pogodbenice tega sporazuma, ki tega še niso storile, pristopijo k Evropskemu sporazumu o delu posadk vozil, ki opravljajo mednarodne cestne prevoze (AETR), z dne 1. julija 1970 z vsemi spremembami ali uporabljajo Uredbi Skupnosti št. 3820/85 in 3821/85, kot veljata ob začetku veljavnosti tega sporazuma.

VI. DEL CARINSKE DAJATVE IN DAVŠČINE

9. člen

1. Avtobusi, ki se uporabljajo za prevoze v skladu s tem sporazumom, so oproščeni plačevanja vseh davščin in dajatev za promet ali posest vozila kakor tudi vseh posebnih davščin in drugih dajatev za prevoze na ozemlju drugih pogodbenic.

Oprostitev ne velja za davke in prispevke za gorivo, davek na dodano vrednost za prevozne storitve, cestnine in druge dajatve za uporabo infrastrukture.

2. Pogodbenice zagotovijo, da se na istem odseku ne zaračunavajo hkrati cestnine in druge dajatve za uporabo cest. Pogodbenice pa lahko zaračunavajo cestnine hkrati z dajatvami za uporabo mostov, predorov in gorskih prelazov.

3. Gorivo za avtobuse v rezervoarjih, ki jih je vgradil proizvajalec v ta namen, in v nobenem primeru ne več kot 600 litrov, ter motorno olje, potrebno izključno za delovanje avtobusa, sta oproščeni uvoznih dajatev ter vseh drugih dajatev in plačil, ki se plačujejo v drugih pogodbenicah.

4. Skupni odbor iz 23. člena bo pripravil seznam dajatev v posamezni pogodbenici v zvezi s cestnimi avtobusnimi prevozi potnikov. V tem seznamu bodo navedene dajatve iz prvega pododstavka prvega odstavka tega člena, ki se lahko zaračunavajo samo v pogodbenici, v kateri je vozilo registrirano. V tem seznamu bodo navedene tudi dajatve iz drugega pododstavka prvega odstavka tega člena, ki jih lahko zaračunavajo druge pogodbenice, kot je pogodbenica, v kateri je vozilo registrirano. Pogodbenica, ki katero koli dajatev iz seznama nadomesti z drugo dajatvijo iste ali druge vrste, o tem obvesti skupni odbor, da ta ustrezno spremeni seznam.

5. Spare parts and tools imported for the repair of a damaged bus or coach while performing an international road transport operation shall be exempted from customs duty and from all taxes and charges at the time of importation into the territory of the other Contracting Party under the conditions laid down in its provisions concerning temporary admission of such goods. The spare parts which are replaced should be re-exported or destroyed under the control of the competent customs authority of the other Contracting Party.

SECTION VII CONTROL DOCUMENTS FOR OCCASIONAL SERVICES EXEMPTED FROM AUTHORISATION

ARTICLE 10

The provision of services referred to in Article 6 shall be carried out under cover of a control document issued by the competent authorities or by any duly authorised agency of the Contracting Party in which the transport operator is established.

ARTICLE 11

1. The control document shall consist of detachable passenger waybills in duplicate in books of 25. The control document shall conform to the model shown in Annex 3 to this Agreement.

2. Each book and its component passenger waybills shall bear a number. The passenger waybills shall also be numbered consecutively, running from 1 to 25.

3. The wording on the cover of the book and that on the passenger waybills shall be printed in the official language or several official languages of the Contracting Party in which the transport operator is established.

ARTICLE 12

1. The book referred to in Article 11 shall be made out in the name of the transport operator; it shall not be transferable.

2. The top copy of the passenger waybill shall be kept on the bus or coach throughout the journey to which it refers.

3. The transport operator shall be responsible for seeing that passenger waybills are duly and correctly completed.

ARTICLE 13

1. The passenger waybill shall be completed in duplicate by the transport operator for each journey before the start of the journey.

2. For the purpose of providing the names of passengers, the transport operator may use a previously completed list on a separate sheet, which shall be annexed to the passenger waybill. The transport operator's stamp or, where appropriate, the transport operator's signature or that of the driver of the bus or coach shall be placed both on the list and on the passenger waybill.

3. For the services involving an outward unladen journey referred to in Article 6(3), the list of passengers may be completed as provided for in paragraph 2 at the time when the passengers are taken up.

5. Rezervni deli in orodje, ki se uvozijo za popravilo pokvarjenega avtobusa med opravljanjem mednarodnega cestnega prevoza, so pri uvozu na ozemlje druge pogodbenice v skladu s predpisi o začasnem uvozu takšnega blaga oproščeni carinskih dajatev in vseh davščin in drugih dajatev. Zamenjani rezervni deli se izvozijo ali uničijo pod nadzorom pristojnega carinskega organa druge pogodbenice.

VII. DEL KONTROLNE LISTINE ZA OBČASNI PREVOZ BREZ DOVOLILNICE

10. člen

Prevozni iz 6. člena se opravljajo na podlagi kontrolne listine, ki jo izda pristojni organ v pogodbenici, v kateri ima prevoznik sedež, ali katera koli uradno pooblaščenca agencija v tej pogodbenici.

11. člen

1. Kontrolna listina je potniška spremnica v dvojniku v knjižici s 25 spremnicami, ki se dajo iztrgati. Kontrolna listina mora biti skladna z vzorcem iz Priloge 3 k temu sporazumu.

2. Vsaka knjižica in potniške spremnice v njej so označene s serijsko številko. Potniške spremnice so označene tudi z zaporednimi številkami od 1 do 25.

3. Besedilo na platnicah knjižice in na potniških spremnicah je natisnjeno v uradnem jeziku ali uradnih jezikih pogodbenice, v kateri ima prevoznik sedež.

12. člen

1. Knjižica iz 11. člena se izda na ime prevoznika in ni prenosljiva.

2. Zgornji izvod potniške spremnice mora biti v avtobusu ves čas potovanja, na katero se nanaša.

3. Prevoznik je odgovoren za točno in pravilno izpolnjevanje potniške spremnice.

13. člen

1. Prevoznik izpolni potniško spremnico v dvojniku pred začetkom vsakega potovanja.

2. Imena potnikov lahko prevoznik zagotovi tudi tako, da vnaprej pripravljen seznam potnikov na posebnem listu pripne k potniški spremnici. Prevoznik žigosa seznam potnikov in potniško spremnico, ali če se tako zahteva, prevoznik ali voznik podpiše seznam potnikov in potniško spremnico.

3. Za vožnjo tja s praznim vozilom iz tretje točke 6. člena se lahko seznam potnikov izpolni v skladu z drugim odstavkom, ko potniki vstopijo.

ARTICLE 14

The competent authorities of two or more Contracting Parties may agree that the list of passengers need not be drawn up. In that case, the number of passengers must be shown on the control document.

The Joint Committee established in Article 23 shall be informed of these agreements.

SECTION VIII

AUTHORISATION FOR NON-LIBERALISED OCCASIONAL SERVICES

ARTICLE 15

1. An authorisation for each occasional service which has not been liberalised under the provisions of Article 6 shall be issued, in mutual agreement by the competent authorities of the Contracting Parties where passengers are picked up or set down as well as by the competent authorities of the Contracting Parties, crossed in transit. When the point of departure or destination is situated in a Member State of the European Community, the transit through other Member States of this Community will not be subject to authorisation.

2. The authorisation shall conform to the model laid down in Annex 5.

ARTICLE 16

Application for authorisation

1. The application for authorisation shall be submitted by the transport operator to the competent authorities of the Contracting Party on whose territory the point of departure is situated.

Applications shall conform to the model laid down in Annex 4.

2. Transport operators shall fill in the application form and attach evidence that the applicant is licensed to perform carriage by means of international occasional services by coach and bus referred to in Article 1(1)(a), second indent.

3. The competent authorities of the Contracting Party in whose territory the place of departure is situated shall examine the application for authorisation of the service concerned and, in the case of its approval, shall forward it to the competent authorities of the Contracting Party(ies) of destination as well as the competent authorities of the Contracting Parties in transit.

4. As a derogation from Article 15 paragraph 1, Contracting Parties whose territories are crossed in transit may decide that their agreement is no longer necessary for services envisaged in this Section. In this case, the Joint Committee established in Article 23 shall be informed of this decision.

5. The competent authorities of the Contracting Party(ies) whose agreement has been requested shall issue the authorisation within one month, without discrimination as to the nationality or place of establishment of the transport operator. If these authorities do not agree on the terms of the authorisation they shall inform the competent authorities of the Contracting Party(ies) concerned of the relevant reasons.

ARTICLE 17

The competent authorities of two or more Contracting Parties may agree to simplify the authorisation procedure, the model of application for authorisation and the model of authorisation for the occasional services carried out between these Contracting Parties. The Joint Committee established in Article 23 shall be informed of these agreements.

14. člen

Pristojni organi dveh ali več pogodbenic se lahko dogovorijo, da seznam potnikov ni potreben. V tem primeru je treba v kontrolno listino vpisati število potnikov.

O takih dogovorih se obvesti skupni odbor iz 23. člena.

VIII. DEL

DOVOLILNICA ZA OBČASNI PREVOZ

15. člen

1. Dovolilnico za vsak posamezen občasni prevoz, ki se v skladu s 6. členom ne more opraviti brez dovolilnice, po dogovoru izdajo pristojni organi pogodbenice, v kateri potniki vstopajo ali izstopajo, in pristojni organi pogodbenice, ki se prečka v tranzitu. Če je mesto odhoda ali prihoda v državi članici Evropske skupnosti, za tranzit čez druge države članice Skupnosti dovolilnica ni potrebna.

2. Dovolilnica mora biti skladna z vzorcem iz Priloge 5.

16. člen

Prošnja za dovolilnico

1. Prevoznik vloži prošnjo za dovolilnico pri pristojnem organu pogodbenice, na ozemlju katere je mesto odhoda.

Prošnja mora biti skladna z vzorcem iz Priloge 4.

2. Prevoznik izpolni obrazec prošnje in priloži dokazilo, da ima licenco za opravljanje mednarodnih občnih avtobusnih prevozov iz druge alineje točke a) prvega odstavka 1. člena.

3. Pristojni organ pogodbenice, na ozemlju katere je mesto odhoda, pregleda prošnjo za dovolilnico za prevoz in jo, če je odobri, pošlje pristojnemu organu pogodbenice (pogodbenic), v kateri (katerih) je mesto prihoda, in pristojnim organom tranzitnih pogodbenic.

4. Kot odstopanje od prvega odstavka 15. člena se lahko pogodbenice, katerih ozemlja se prečkajo v tranzitu, odločijo, da za prevoze iz tega dela njihovo soglasje ni več potrebno. O svoji odločitvi obvestijo skupni odbor iz 23. člena.

5. Pristojni organi pogodbenice (pogodbenic), katere (katerih) soglasje se zaprosi, izdajo dovolilnico v enem mesecu brez diskriminacije glede na državljanstvo ali sedež prevoznika. Če ti organi ne soglašajo s pogoji za izdajo dovolilnice, svoje razloge sporočijo pristojnemu organu pogodbenice (pogodbenic).

17. člen

Pristojni organi dveh ali več pogodbenic se lahko dogovorijo za poenostavitev postopka izdaje dovolilnic, obrazca prošnje za dovolilnico in obrazca dovolilnice za občasne prevoze med temi pogodbenicami. O dogovoru obvestijo skupni odbor iz 23. člena.

SECTION IX
CONTROLS, PENALTIES AND MUTUAL ASSISTANCE

ARTICLE 18

The control documents referred to in Article 10 and the authorisations referred to in Article 15 shall be carried on the bus or coach and shall be presented at the request of any authorised inspecting officer.

ARTICLE 19

The competent authorities in the Contracting Parties shall ensure that transport operators comply with the provisions of this Agreement.

ARTICLE 20

A certified true copy of the licence to perform carriage by means of international occasional services by bus and coach referred to in Article 1(1)(a), second indent, shall be kept on the bus or coach and shall be presented at the request of any authorised inspecting officer.

The Joint Committee established in Article 23 shall be informed about the models of such a document issued by the competent authorities of the Contracting Parties.

ARTICLE 21

The competent authorities of the Contracting Parties shall lay down a system of penalties for breaching this Agreement. The penalties thus provided for shall be effective, proportionate and dissuasive.

ARTICLE 22

1. Where serious or repeated infringements of regulations concerning road transport, especially those concerning driving and resting time and road safety, have been committed by non-resident transport operators and might lead to withdrawal of the licence to practise as a road passenger transport operator, the competent authorities of the Contracting Party concerned shall provide the competent authorities of the Contracting Party in which such a transport operator is established with all of the information in their possession concerning those infringements and the penalties that they have imposed.

2. The competent authorities of the Contracting Party in whose territory the serious or repeated infringement of regulations concerning road transport, especially those concerning driving and resting time and road safety have occurred, may temporarily deny access for the transport operator concerned to the territory of this contracting party.

As far as the European Community is concerned, the competent authority of a Member State may only temporarily deny access to the territory of that Member State.

Competent authorities of the Contracting Party of establishment of the transport operator and the Joint Committee established in Article 23 shall be informed of such measures.

3. Where serious or repeated infringements of regulations concerning road transport, especially those concerning driving and resting time and road safety, have been committed by a transport operator, the competent authorities of the Contracting Parties where the transport operator is established shall take the appropriate measures to avoid repetition of those infringements; these measures may include the suspension or the withdrawal of the licence to practise as a road passenger transport operator. The Joint Committee established in Article 23 shall be informed of such measures.

4. Contracting Parties shall guarantee the right of the transport operator to appeal against the sanctions imposed.

IX. DEL
KONTROLE, KAZNI IN MEDSEBOJNA POMOČ

18. člen

Kontrolne listine iz 10. člena in dovolilnice iz 15. člena morajo biti v avtobusu in jih je treba na zahtevo katerega koli pooblaščenega kontrolnega organa pokazati.

19. člen

Pristojni organi pogodbenic zagotovijo, da prevozniki upoštevajo določbe tega sporazuma.

20. člen

Potrjeni izvod licence za opravljanje mednarodnih občasnih avtobusnih prevozov iz druge alineje točke a) prvega odstavka 1. člena je treba hraniti v avtobusu in ga pokazati na zahtevo katerega koli pooblaščenega kontrolnega organa.

Skupni odbor iz 23. člena se obvesti o obrazcih listin, ki jih izdajajo pristojni organi pogodbenic.

21. člen

Pristojni organi pogodbenic predpišejo kazni za kršenje tega sporazuma. Tako določene kazni morajo biti učinkovite, sorazmerne in odvračajoče.

22. člen

1. Če je prevoznik, ki nima sedeža v določeni državi, resno ali ponovno kršil cestnoprometne predpise, posebej predpise o trajanju vožnje in počitku voznika ter o varnosti v cestnem prometu, zaradi česar mu je lahko odvzeta licenca za delo prevoznika v cestnem potniškem prometu, pristojni organi te pogodbenice sporočijo pristojnim organom pogodbenice, v kateri ima prevoznik sedež, vse informacije o kršitvah in naloženih kaznih.

2. Pristojni organi pogodbenice, na ozemlju katere je prevoznik resno ali ponovno kršil cestnoprometne predpise, posebej predpise o trajanju vožnje in počitku voznika ter o varnosti v cestnem prometu, lahko prevozniku začasno preprečijo opravljati prevoze na ozemlju te pogodbenice.

Za Evropsko skupnost velja, da lahko pristojni organ posamezne države članice prevozniku samo začasno prepreči dostop na ozemlje te države članice.

O teh ukrepih se obvestijo pristojni organi pogodbenice, v kateri ima prevoznik sedež, in skupni odbor iz 23. člena.

3. Če je prevoznik resno ali ponovno kršil cestnoprometne predpise, posebej predpise o trajanju vožnje in počitku voznika ter o varnosti v cestnem prometu, pristojni organi pogodbenice, v kateri ima prevoznik sedež, sprejmejo ustrezne ukrepe za preprečitev ponovnih kršitev; taki ukrepi lahko vključujejo tudi začasni ali trajni odvzem licence za delo prevoznika v cestnem potniškem prometu. O teh ukrepih se obvesti skupni odbor iz 23. člena.

4. Pogodbenice prevozniku jamčijo pravico do pritožbe zoper naložene kazni.

SECTION X
THE JOINT COMMITTEE

ARTICLE 23

1. In order to facilitate the management of this Agreement, a Joint Committee is hereby established. This Committee shall be made up of representatives of the Contracting Parties.

2. The Joint Committee shall meet for the first time within six months of the entry into force of this Agreement.

3. The Joint Committee shall establish its own rules of procedure.

4. The Joint Committee shall meet at the request of at least one Contracting Party.

5. The Joint Committee may adopt decisions only when two thirds of the Contracting Parties, including the European Community, are represented in the Joint Committee meetings.

6. In so far as the Joint Committee is required to take decisions, unanimity of the Contracting Parties represented shall be required. In the event that unanimity cannot be achieved, the competent authorities concerned shall, following a request by one or more of the Contracting Parties concerned, meet for consultation within a period of six weeks.

ARTICLE 24

1. The Joint Committee shall ensure proper implementation of this Agreement. The Committee will be informed of any measure adopted or to be adopted in order to implement the provisions of this Agreement.

2. The Joint Committee shall in particular:

(a) on the basis of the information provided by the Contracting Parties, draw up a list of competent authorities of the Contracting Parties responsible for the tasks referred to in Sections V, VI VII, VIII and IX of this Agreement;

(b) amend or adapt the control documents and other models of documents established in the Annexes to this Agreement;

(c) amend or adapt the Annexes concerning the technical standards applying to buses and coaches, as well as Annex 1 regarding the conditions applying to road passenger transport operators referred to in Article 4, in order to incorporate future measures taken within the European Community;

(d) on the basis of the information provided by the Contracting parties, draw up a list, for information, of all customs duties, taxes and charges referred to in Article 9, paragraphs 4 and 5;

(e) amend or adapt the requirements concerning the social provisions referred to in Article 8 in order to incorporate future measures taken within the European Community;

(f) resolve any dispute which may arise over the implementation and interpretation of this Agreement;

(g) recommend further steps towards the liberalisation of those occasional services still subject to authorisation.

3. The Contracting Parties shall take the measures necessary to enforce any decisions adopted by the Joint Committee in accordance, where necessary, with their own internal procedures.

4. If an agreement cannot be reached to settle a dispute in accordance with paragraph 2, point (f) of this Article, the Contracting Parties concerned may submit the case to an arbitration panel. Each Contracting Party concerned shall appoint an arbitrator. The Joint Committee itself shall also appoint an arbitrator.

X. DEL
SKUPNI ODBOR

23. člen

1. Za lažje izvajanje tega sporazuma se ustanovi skupni odbor. Skupni odbor sestavljajo predstavniki pogodbenic.

2. Skupni odbor se prvič sestane v šestih mesecih od začetka veljavnosti tega sporazuma.

3. Skupni odbor sprejme svoj poslovnik.

4. Skupni odbor se sestane na zahtevo vsaj ene pogodbenice.

5. Skupni odbor lahko sprejema sklepe le, če sta na sestanku skupnega odbora navzoči dve tretjini pogodbenic, vključno z Evropsko skupnostjo.

6. Sklepe skupnega odbora morajo soglasno sprejeti vsi navzoči predstavniki pogodbenic. Če soglasja ni mogoče doseči, se na zahtevo ene ali več pogodbenic v šestih tednih pristojni organi sestanejo na posvet.

24. člen

1. Skupni odbor zagotavlja pravilno izvajanje tega sporazuma. Odbor mora biti obveščen o vsakem ukrepu, ki se sprejme ali naj bi se sprejel za izvajanje določb tega sporazuma.

2. Skupni odbor predvsem:

a) na podlagi podatkov pogodbenic pripravi seznam pristojnih organov pogodbenic za izvajanje nalog iz V., VI., VII., VIII. in IX. dela tega sporazuma;

b) spreminja ali prilagaja kontrolne listine in druge obrazce dokumentov iz prilog k temu sporazumu;

c) spreminja ali prilagaja priloge, ki se nanašajo na tehnične standarde za avtobuse, in Prilogo 1 v zvezi s pogoji, ki veljajo za cestni prevoz potnikov iz 4. člena, zaradi vključitve ukrepov, ki bodo sprejeti v Evropski skupnosti;

d) na podlagi podatkov pogodbenic pripravi informativni seznam vseh carinskih dajatev, davščin in drugih dajatev iz četrtega in petega odstavka 9. člena;

e) spreminja ali prilagaja zahteve glede socialnih določb iz 8. člena zaradi vključitve ukrepov, ki bodo sprejeti v Evropski skupnosti;

f) rešuje vsa nesoglasja, ki nastanejo pri izvajanju in razlagi tega sporazuma;

g) predlaga nadaljnje ukrepe za liberalizacijo tistih občasnih prevozov, za katere je še potrebna dovolilnica.

3. Pogodbenice ukrepejo vse potrebno za uveljavitev sklepov skupnega odbora, če je potrebno, skladno s svojimi notranjepravnimi postopki.

4. Če spora ni mogoče rešiti v skladu s točko f) drugega odstavka tega člena, lahko pogodbenice v sporu zadevo predložijo razsodišču. Vsaka pogodbenica v sporu imenuje po enega razsodnika. Enega razsodnika imenuje tudi skupni odbor.

The arbitrators' decisions shall be taken by majority vote.

Contracting Parties involved in the dispute shall take the steps required to implement the arbitrators' decisions.

SECTION XI GENERAL AND FINAL PROVISIONS

ARTICLE 25

Bilateral Agreements

1. The provisions of this Agreement shall replace those relevant provisions of the agreements concluded between Contracting Parties. As far as the European Community is concerned, this provision applies to agreements concluded between any Member State and a Contracting Party.

2. Contracting Parties other than the European Community may agree not to apply Article 5 and Annex 2 of this Agreement and apply other technical standards to buses and coaches executing occasional services between these Contracting Parties including transit of their territories.

3. Notwithstanding the provisions of Article 6 of Annex 2, the provisions of this Agreement shall replace those relevant provisions of the agreements concluded between the Member States of the European Community and other Contracting Parties.

However, the provisions granting an exemption from authorisation contained in existing bilateral agreements between Member States of the European Community and other Contracting Parties for occasional services mentioned in Article 7 may be maintained and renewed. In that case, the Contracting Parties concerned will immediately inform the Joint Committee established in Article 23.

ARTICLE 26

Signature

This Agreement shall be open for signature at Brussels from 14 April 2000 to 31 December 2000, at the General Secretariat of the Council of the European Union which shall act as the depositary of the Agreement.

ARTICLE 27

Ratification or Approval and Depositary of the Agreement

This Agreement shall be approved or ratified by the signatories in accordance with their own procedures. The instruments of approval or ratification shall be deposited by Contracting Parties with the General Secretariat of the Council of the European Union, which shall notify all other signatories.

ARTICLE 28

Entry into force

1. This Agreement shall enter into force for the Contracting Parties that have approved or ratified it, when four Contracting Parties including the European Community have approved or ratified it, on the first day of the third month following the date on which the fourth instrument of approval or ratification is deposited, or even on the first day of the sixth month, under condition in the latter case that a corresponding declaration be made at the time of the ratification of the Agreement.

2. This Agreement shall enter into force, for each Contracting Party that approves or ratifies it after the entry into force provided for in paragraph 1, on the first day of the third month following the date on which the Contracting Party concerned has deposited its instrument of approval or ratification.

Razsodišče odloča z večino glasov svojih članov.

Pogodbenice v sporu morajo ukreniti vse potrebno za izvedbo sklepov razsodišča.

XI. DEL SPLOŠNE IN KONČNE DOLOČBE

25. člen

Dvostranski sporazumi

1. Določbe tega sporazuma nadomestijo ustrezne določbe sporazumov, sklenjenih med pogodbenicami. V zvezi z Evropsko skupnostjo se ta določba uporablja za sporazume, sklenjene med katero koli državo članico in katero koli pogodbenico.

2. Pogodbenice, razen Evropske skupnosti, se lahko dogovorijo, da ne bodo uporabljale 5. člena in Priloge 2 tega sporazuma in da bodo uporabljale drugačne tehnične standarde za avtobuse, s katerimi se opravljajo občasni prevozi med temi pogodbenicami, vključno s tranzitom čez njihova ozemlja.

3. Ne glede na določbe 6. člena in Priloge 2 določbe tega sporazuma nadomeščajo ustrezne določbe sporazumov, sklenjenih med državami članicami Evropske skupnosti in drugimi pogodbenicami.

Lahko pa se ohranijo ali podaljšajo določbe iz obstoječih dvostranskih sporazumov med državami članicami Evropske skupnosti in drugimi pogodbenicami, ki dovoljujejo občasne prevoze iz 7. člena brez dovolilnice. O tem pogodbenice nemudoma obvestijo skupni odbor iz 23. člena.

26. člen

Podpis

Ta sporazum je na voljo za podpis v Bruslju od 14. aprila 2000 do 31. decembra 2000 pri generalnem sekretariatu Sveta Evropske unije, ki je depozitar sporazuma.

27. člen

Ratifikacija ali potrditev in depozitar sporazuma

Ta sporazum podpisnice potrdijo ali ratificirajo v skladu s svojimi notranjepravnimi postopki. Listine o potrditvi ali ratifikaciji pogodbenice deponirajo pri generalnem sekretariatu Sveta Evropske unije, ki o tem obvesti vse druge podpisnice.

28. člen

Začetek veljavnosti

1. Sporazum začne veljati za pogodbenice, ki so ga potrdile ali ratificirale, ko ga potrdijo ali ratificirajo štiri pogodbenice, vključno z Evropsko skupnostjo, prvi dan tretjega meseca od datuma deponiranja četrte listine o potrditvi ali ratifikaciji ali celo prvi dan šestega meseca, in to le če je dana ustrezna izjava ob ratifikaciji sporazuma.

2. Ta sporazum začne veljati za vsako pogodbenico, ki ga potrdi ali ratificira po začetku veljavnosti iz prvega odstavka, prvi dan tretjega meseca od datuma, ko ta pogodbenica deponira svojo listino o potrditvi ali ratifikaciji.

ARTICLE 29

Duration of the Agreement – evaluation of the functioning of the Agreement

1. This Agreement shall be concluded for a period of five years, dating from its entry into force.

2. The duration of this Agreement shall be automatically extended for successive periods of five years among those Contracting Parties who do not express their wish not to do so. In the latter case the Contracting Party concerned shall notify the Depository of its intention according to Article 31.

3. Before the end of each period of five years, the Joint Committee shall evaluate the functioning of this Agreement.

ARTICLE 30

Accession

1. After its entry into force, this Agreement shall be open to accession by countries which are full members of the European Conference of Ministers of Transport (ECMT). In the event of the accession to this Agreement by countries that are members of the Agreement on the European Economic Area, this Agreement shall not apply among the Contracting Parties of the Agreement on the European Economic Area.

2. This Agreement shall also be open to accession by the Republic of San Marino, the Principality of Andorra and the Principality of Monaco.

3. For each State acceding to this Agreement after the entry into force provided for in Article 28, the Agreement shall enter into force on the first day of the third month after deposit by such State of its instrument of accession.

4. Each State acceding to this Agreement after the entry into force provided for in Article 28 may be granted a period of three years maximum for the adoption of provisions equivalent to the directive(s) referred to in Annex 1. The Joint Committee shall be informed of any such measures adopted.

ARTICLE 31

Denunciation

Each Contracting Party may, for its part, denounce this Agreement with one year's notice by simultaneous notification of the other Contracting Parties through the Depository of the Agreement. The Joint Committee shall also be informed of the reasons of the denunciation. However, the Agreement cannot be denounced during the first four years which follow its entry into force, as provided for under Article 28.

If the Agreement is denounced by one or more Contracting Parties, and the number of Contracting Parties falls below the number agreed for the original entry into force as provided for in Article 28, the Agreement shall remain in force unless the Joint Committee, comprising the remaining Contracting Parties, decides otherwise.

ARTICLE 32

Termination

A Contracting Party that has acceded to the European Union shall cease to be treated as a Contracting Party from the date of such accession.

ARTICLE 33

Annexes

Annexes to this Agreement shall constitute an integral part thereof.

29. člen

Veljavnost sporazuma – ocena izvajanja sporazuma

1. Ta sporazum se sklene za pet let od datuma začetka veljavnosti.

2. Veljavnost tega sporazuma se samodejno podaljšuje za naslednja obdobja petih let za tiste pogodbenice, ki ne izrazijo nasprotne želje. Pogodbenica, ki sporazuma ne želi podaljšati, o svoji nameri obvesti depozitarja v skladu z 31. členom.

3. Pred koncem vsakega obdobja petih let skupni odbor oceni izvajanje tega sporazuma.

30. člen

Pristop

1. Po začetku veljavnosti je ta sporazum na voljo za pristop državam, ki so polnopravne članice Evropske konference ministrov za promet (ECMT). Če k temu sporazumu pristopijo države članice Sporazuma o evropskem gospodarskem prostoru, se ta sporazum ne uporablja med pogodbenicami Sporazuma o evropskem gospodarskem prostoru.

2. Sporazum je tudi na voljo za pristop Republiki San Marino, Kneževini Andori in Kneževini Monako.

3. Za vsako državo, ki pristopi k temu sporazumu po začetku veljavnosti iz 28. člena, začne ta sporazum veljati prvi dan tretjega meseca po deponiranju listine o pristopu te države.

4. Vsaki državi, ki pristopi k temu sporazumu po začetku veljavnosti iz 28. člena, se lahko dovoli največ tri leta za sprejetje predpisov, enakovrednih direktivi (direktivam) iz Priloge 1. O vsakem takšnem sprejetem ukrepu se obvesti skupni odbor.

31. člen

Odpoved

Vsaka pogodbenica lahko z enoletnim odpovednim rokom odpove ta sporazum s hkratnim obvestilom drugim pogodbenicam po depozitarju sporazuma. O razlogih za odpoved obvesti tudi skupni odbor. Sporazuma pa ni mogoče odpovedati v prvih štirih letih po začetku veljavnosti sporazuma iz 28. člena.

Če ta sporazum odpove ena ali več pogodbenic in se število pogodbenic zmanjša pod dogovorjeno število za začetek veljavnosti iz 28. člena, sporazum še naprej velja, razen če se skupni odbor, ki ga sestavljajo preostale pogodbenice, odloči drugače.

32. člen

Prenehanje članstva

Pogodbenica, ki pristopi k Evropski uniji, se z datumom pristopa preneha šteti za pogodbenico.

33. člen

Priloge

Priloge k temu sporazumu so njegov sestavni del.

ARTICLE 34

Languages

This Agreement, drawn up in the English, French and German languages, these texts being authentic, shall be deposited in the archives of the General Secretariat of the Council of the European Union, which shall transmit a certified true copy to each of the Contracting Parties.

Each Contracting Party shall ensure a proper translation of this Agreement in its official language or official languages. A copy of this translation shall be deposited in the archives of the General Secretariat of the Council of the European Union.

A copy of all translations of the Agreement and the Annexes will be sent by the Depository to all Contracting Parties.

IN WITNESS WHEREOF the undersigned plenipotentiaries have signed this Agreement.

34. člen

Jeziki

Ta sporazum, katerega besedila v angleškem, francoskem in nemškem jeziku so enako verodostojna, se shrani v arhivu generalnega sekretariata Sveta Evropske unije, ki vsaki pogodbenici pošlje overjen izvod.

Vsaka pogodbenica zagotovi pravilen prevod tega sporazuma v svoj uradni jezik ali uradne jezike. Izvod tega prevoda se shrani v arhivu generalnega sekretariata Sveta Evropske unije.

Depozitar pošlje kopije vseh prevodov sporazuma in prilog vsem pogodbenicam.

V potrditev tega so podpisani pooblaščenči podpisali ta sporazum.

ANNEX**ANNEX 1****The conditions applying to road passenger transport operators referred to in Article 4**

The European Community Directive referred to in Article 4 is the following:

Council Directive 96/26/EC of 29 April 1996 on admission to the occupation of road haulage operator and road passenger transport operator and mutual recognition of diplomas, certificates and other evidence of formal qualification intended to facilitate for these operators the right to freedom of establishment in national and international transport operations (Official Journal of the European Communities L 124, 23. 5. 1996, p. 1) as last amended by Council Directive 98/76/EC of 1 October 1998 (Official Journal of the European Communities L 277, 14. 10. 1998 p.17).

ANNEX 2**Technical standards applying to buses and coaches**

ARTICLE 1

As from the date of entry into force for each Contracting Party of the INTERBUS Agreement, buses and coaches carrying out international occasional carriage of passengers shall comply with the rules established in the following legal texts:

(a) Council Directive 96/96/EC of 20 December 1996 on the approximation of the laws of the Member States relating to roadworthiness tests for motor vehicles and their trailers (Official Journal of the European Communities L 46, 17. 2. 1997, p.1).

(b) Council Directive 92/6/EEC of 10 February 1992 on the installation and use of speed limitation devices for certain categories of motor vehicles in the Community (Official Journal of the European Communities L 57, 2. 3. 1992, p.27).

(c) Council Directive 96/53/EC of 25 July 1996 laying down for certain road vehicles circulating within the Community the maximum authorised dimensions in national and international traffic and the maximum authorised weights in international traffic (Official Journal of the European Communities L 235, 17. 9. 1996, p.59).

PRILOGA**PRILOGA 1****Pogoji za prevoznike v cestnem potniškem prometu iz 4. člena**

Direktiva Evropske skupnosti iz 4. člena je:

Direktiva Sveta 96/26/ES z dne 29. aprila 1996 o dostopu do poklica prevoznika v cestnem tovornem in cestnem potniškem prometu ter o vzajemnem priznavanju diplom, potrdil in drugih dokazil o formalni usposobljenosti zaradi lažjega uresničevanja pravice teh prevoznikov do prostega ustanavljanja na področju notranjih in mednarodnih prevozov (Uradni list Evropskih skupnosti L 124, 23. 5. 1996, str. 1), kot je bila nazadnje spremenjena z Direktivo Sveta 98/76/ES z dne 1. oktobra 1998 (Uradni list Evropskih skupnosti L 277, 14. 10. 1998, str. 17).

PRILOGA 2**Tehnični standardi za avtobuse**

1. člen

Od datuma, ko sporazum INTERBUS začne veljati za vsako pogodbenico, morajo biti avtobusi, ki se uporabljajo za mednarodne občasne prevoze potnikov, usklajeni s pravili iz teh pravnih besedil:

a) Direktive Sveta 96/96/ES z dne 20. decembra 1996 o približevanju zakonodaje držav članic o preverjanju tehnične ustreznosti motornih vozil in njihovih priklopnikov (Uradni list Evropskih skupnosti L 46, 17. 2. 1997, str. 1),

b) Direktive Sveta 92/6/EGS z dne 10. februarja 1992 o namestitvi in uporabi priprav za omejevanje hitrosti za določene kategorije motornih vozil v Skupnosti (Uradni list Evropskih skupnosti L 57, 2. 3. 1992, str. 27),

c) Direktive Sveta 96/53/EGS z dne 25. julija 1996 o določitvi največjih dovoljenih dimenzij v notranjem in mednarodnem prometu ter največje dovoljene mase v mednarodnem prometu za določena cestna vozila, s katerimi se opravljajo prevozi v Skupnosti (Uradni list Evropskih skupnosti L 235, 17. 9. 1996, str. 59),

(d) Council Regulation (EEC) No 3821/85 of 20 December 1985 on recording equipment in road transport (Official Journal of the European Communities L 370 of 31. 12. 1985, p.8) as last amended by Commission Regulation (EC) No 2135/98 of 24. 9. 1998 (Official Journal of the European Communities L 274, 9. 10. 1998, p.1) or equivalent rules established by AETR Agreement including its Protocols.

ARTICLE 2

As from the date of entry into force of the INTERBUS Agreement for each Contracting Party, Contracting Parties other than the European Community shall comply, for buses and coaches carrying out international occasional carriage of passengers, with the technical requirements of the following Community Directives or equivalent UN-ECE Regulations on uniform provisions concerning the type-approval for new vehicles and their equipment.

Item	UN-ECE Regulation / last amendment	EC-Directive (original-latest)	Date of implementation within the EU
Exhaust emission	49/01	-88/77	01/10/1993
	49/02, approval A	-91/542 step 1	01/10/1996
	49/02, approval B	-91/542 step 2 -96/1	
Smoke	24/03	72/306	02/08/1972
Noise emission	51/02	-70/157	01/10/1989
		-84/424	01/10/1996
		-92/97	
Brake system	13/09	-71/320	01/10/1991
		-88/194	01/10/1994
		-91/422	
		-98/12	
Tyres	54	92/23	01/01/1993
Light installation	48/01	-76/756	01/01/1994
		-91/663	
		-97/28	

ARTICLE 3

The buses and coaches carrying out the following services:

- (a) services from any Member State of the Community (except Greece) to any Contracting Party of INTERBUS;
- (b) services from any Contracting Party of INTERBUS to any Member State of the Community (except Greece);

(c) services from any Contracting Party of INTERBUS to Greece in transit through any other Member State of the Community carried out by transport operators established in any Contracting Party of INTERBUS;

shall be subject to the following rules:

1. Buses and coaches first registered before 1. 1. 1980 cannot be used for the occasional services covered by the INTERBUS Agreement.
2. Buses and coaches first registered between 1. 1. 1980 and 31. 12. 1981 can be used only until 31. 12. 2000.
3. Buses and coaches first registered between 1. 1. 1982 and 31. 12. 1983 can be used only until 31. 12. 2001.

d) Uredbe Sveta (EGS) št. 3821/85 z dne 20. decembra 1985 o napravah za zapisovanje v cestnem prometu (Uradni list Evropskih skupnosti L 370, 31. 12. 1985, str. 8), kot je bila nazadnje spremenjena z Uredbo Komisije (ES) št. 2135/98 z dne 24. 9. 1998 (Uradni list Evropskih skupnosti L 274, 9. 10. 1998, str. 1), ali enakovrednih pravil iz sporazuma AETR in njegovih protokolov.

2. člen

Od datuma, ko sporazum INTERBUS začne veljati za vsako pogodbenico, morajo pogodbenice, razen Evropske skupnosti, za avtobuse, s katerimi se opravlja mednarodni občasni prevoz potnikov, upoštevati tehnične zahteve iz naslednjih direktiv Skupnosti ali enakovrednih uredb Gospodarske komisije ZN za Evropo (UN-ECE) o enotnih določbah glede homologacije novih vozil in njihove opreme.

Vrsta	Uredba (zadnja sprememba) UN-ECE	Direktiva ES (izvirnik – zadnji)	Datum začetka izvajanja v EU
Emisije izpušnih plinov	49/01	-88/77	1. 10. 1993
	49/02, soglasje A	-91/542 1. korak	1. 10. 1996
	49/02, soglasje B	-91/542 2. korak -96/1	
Dim	24/03	72/306	2. 8. 1972
Emisije hrupa	51/02	-70/157	1. 10. 1989
		-84/424	1. 10. 1996
		-92/97	
Zavorni sistem	13/09	-71/320	1. 10. 1991
		-88/194	1. 10. 1994
		-91/422	
		-98/12	
Pnevmatike	54	92/23	1. 1. 1993
Svetlobne in svetlobnosignalne naprave	48/01	-76/756	1. 1. 1994
		-91/663	
		-97/28	

3. člen

Za avtobuse, s katerimi se opravljajo ti prevozi:

- a) prevozi iz katere koli države članice Skupnosti (razen Grčije) v katero koli pogodbenico sporazuma INTERBUS;
- b) prevozi iz katere koli pogodbenice sporazuma INTERBUS v katero koli državo članico Skupnosti (razen Grčije);

c) prevozi iz katere koli pogodbenice sporazuma INTERBUS v Grčijo tranzitno čez katero koli drugo državo članico Skupnosti, ki jih opravlja prevoznik s sedežem v kateri koli pogodbenici sporazuma INTERBUS,

veljajo ta pravila:

1. Avtobusi, ki so bili prvič registrirani pred 1. 1. 1980, se ne smejo uporabljati za občasne prevoze iz sporazuma INTERBUS.
2. Avtobusi, ki so bili prvič registrirani med 1. 1. 1980 in 31. 12. 1981, se lahko uporabljajo samo do 31. 12. 2000.
3. Avtobusi, ki so bili prvič registrirani med 1. 1. 1982 in 31. 12. 1983, se lahko uporabljajo samo do 31. 12. 2001.

4. Buses and coaches first registered between 1. 1. 1984 and 31. 12. 1985 can be used only until 31. 12. 2002.

5. Buses and coaches first registered between 1. 1. 1986 and 31. 12. 1987 can be used only until 31. 12. 2003.

6. Buses and coaches first registered between 1. 1. 1988 and 31. 12. 1989 can be used only until 31. 12. 2004.

7. Only buses and coaches first registered as from 1. 1. 1990 (EURO 0) can be used from 1. 1. 2005.

8. Only buses and coaches first registered as from 1. 10. 1993 (EURO 1) can be used from 1. 1. 2007.

ARTICLE 4

Buses and coaches carrying out the following services:

(a) services from Greece to Contracting Parties of INTERBUS;

(b) services from Contracting Parties of INTERBUS to Greece;

shall be subject to the following rules:

1. Buses and coaches first registered before 1. 1. 1980 cannot be used for the occasional services covered by the INTERBUS Agreement.

2. Buses and coaches first registered between 1. 1. 1980 and 31. 12. 1981 can be used only until 31. 12. 2000.

3. Buses and coaches first registered between 1. 1. 1982 and 31. 12. 1983 can be used only until 31. 12. 2001.

4. Buses and coaches first registered between 1. 1. 1984 and 31. 12. 1985 can be used only until 31. 12. 2003.

5. Buses and coaches first registered between 1. 1. 1986 and 31. 12. 1987 can be used only until 31. 12. 2005.

6. Buses and coaches first registered between 1. 1. 1988 and 31. 12. 1989 can be used only until 31. 12. 2007.

7. Only buses and coaches first registered as from 1. 1. 1990 (EURO 0) can be used from 1. 1. 2008.

8. Only buses and coaches first registered as from 1. 10. 1993 (EURO 1) can be used from 1. 1. 2010.

ARTICLE 5

Community buses and coaches used in bilateral traffic between Greece and other Member States of the Community in transit through Contracting Parties of the INTERBUS Agreement are not covered by present rules on technical standards, but are subject to European Community rules.

ARTICLE 6

1. The rules on technical standards included in bilateral agreements or arrangements between Member States of the Community and Contracting Parties of the INTERBUS Agreement, concerning bilateral traffic and transit, which are stricter than the rules established in this Agreement may be applied until 31 December 2006.

2. Member States of the Community and Contracting Parties of the INTERBUS Agreement concerned shall inform the Joint Committee established in Article 23 of the Agreement on the contents of such bilateral agreements or arrangements.

4. Avtobusi, ki so bili prvič registrirani med 1. 1. 1984 in 31. 12. 1985, se lahko uporabljajo samo do 31. 12. 2002.

5. Avtobusi, ki so bili prvič registrirani med 1. 1. 1986 in 31. 12. 1987, se lahko uporabljajo samo do 31. 12. 2003.

6. Avtobusi, ki so bili prvič registrirani med 1. 1. 1988 in 31. 12. 1989, se lahko uporabljajo samo do 31. 12. 2004.

7. Po 1. 1. 2005 se lahko uporabljajo samo avtobusi, ki so bili prvič registrirani po 1. 1. 1990 (EURO 0).

8. Po 1. 1. 2007 se lahko uporabljajo samo avtobusi, ki so bili prvič registrirani po 1. 10. 1993 (EURO 1).

4. člen

Za avtobuse, s katerimi se opravljajo ti prevozi:

a) prevozi iz Grčije v pogodbenice sporazuma INTERBUS;

b) prevozi iz pogodbenic sporazuma INTERBUS v Grčijo,

veljajo ta pravila:

1. Avtobusi, ki so bili prvič registrirani pred 1. 1. 1980, se ne smejo uporabljati za občasne prevoze iz sporazuma INTERBUS.

2. Avtobusi, ki so bili prvič registrirani med 1. 1. 1980 in 31. 12. 1981, se lahko uporabljajo samo do 31. 12. 2000.

3. Avtobusi, ki so bili prvič registrirani med 1. 1. 1982 in 31. 12. 1983, se lahko uporabljajo samo do 31. 12. 2001.

4. Avtobusi, ki so bili prvič registrirani med 1. 1. 1984 in 31. 12. 1985, se lahko uporabljajo samo do 31. 12. 2003.

5. Avtobusi, ki so bili prvič registrirani med 1. 1. 1986 in 31. 12. 1987, se lahko uporabljajo samo do 31. 12. 2005.

6. Avtobusi, ki so bili prvič registrirani med 1. 1. 1988 in 31. 12. 1989, se lahko uporabljajo samo do 31. 12. 2007.

7. Po 1. 1. 2008 se lahko uporabljajo samo avtobusi, ki so bili prvič registrirani po 1. 1. 1990 (EURO 0).

8. Po 1. 1. 2010 se lahko uporabljajo samo avtobusi, ki so bili prvič registrirani po 1. 10. 1993 (EURO 1).

5. člen

Za avtobuse iz Skupnosti, ki se uporabljajo za dvostanski promet med Grčijo in drugimi državami članicami Skupnosti tranzitno čez pogodbenice sporazuma INTERBUS in jih ta pravila o tehničnih standardih ne zajemajo, veljajo pravila Evropske skupnosti.

6. člen

1. Pravila o tehničnih standardih, vključena v dvostranske sporazume ali dogovore med državami članicami Skupnosti in pogodbenicami sporazuma INTERBUS o dvostranskem prometu in tranzitu, ki so strožja od pravil iz tega sporazuma, se lahko uporabljajo do 31. decembra 2006.

2. Države članice Skupnosti in pogodbenice sporazuma INTERBUS obvestijo skupni odbor iz 23. člena sporazuma o vsebini takšnih dvostranskih sporazumov ali dogovorov.

ARTICLE 7

1. A document proving the date of the vehicle's first registration shall be kept on board and shall be presented at the request of any authorised inspecting officer. For the purpose of this Annex, the terms "date of vehicle's first registration" shall refer to the first registration of the vehicle after its manufacture. When this date of registration is not available, it will be referred to as the date of construction.

2. Where the original bus engine has been replaced by a new engine, the document referred to in paragraph 1 of this Article shall be substituted by a document proving the compliance of the new engine with the relevant type-approval rules mentioned in Article 3.

ARTICLE 8

1. Notwithstanding the provision referred to in paragraph (a) of Article 1 of this Annex, Contracting Parties may establish random inspections in order to control that the buses and coaches concerned comply with the provisions of Directive 96/96/EC. For the purpose of this Annex "random inspections" shall mean an unscheduled and therefore unexpected inspection of a bus or coach circulating on the territory of a Contracting Party carried out by the authorities at the roadside.

2. In order to carry out the roadside inspection provided for in this Annex, competent authorities of Contracting Parties shall use the checklist included in Annex II a and II b. A copy of this checklist drawn up by the authority which carried it out shall be given to the driver of the bus or coach and presented on request in order to simplify or avoid, where possible, subsequent inspections within a short and unreasonable period.

3. If the vehicle examiner considers that the deficiency in the maintenance of the bus or coach justifies further examination, the bus or coach may be subjected to a roadworthiness test at an approved testing centre in accordance with Article 2 of Directive 96/96/EC.

4. Without prejudice to other penalties which may be imposed, if the consequence of the random inspection is that the bus or coach does not comply with the provisions of Directive 96/96/EC and therefore is considered to present a serious risk to its occupants or other road users, the bus or coach may be banned immediately from use on public roads.

5. Roadside checks shall be carried out without discrimination on the grounds of nationality, residence or registration of buses and coaches and drivers respectively.

7. člen

1. Dokument, ki dokazuje datum prve registracije vozila, je treba hraniti v vozilu in ga na zahtevo katerega koli pooblaščenega kontrolnega organa pokazati. V tej prilogi se "datum prve registracije vozila" nanaša na prvo registracijo po izdelavi vozila. Če datum prve registracije ni znan, se upošteva datum izdelave.

2. Če se prvotni motor avtobusa zamenja z novim motorjem, se dokument iz prvega odstavka tega člena nadomesti z dokumentom, ki dokazuje skladnost novega motorja s predpisi o homologaciji iz 3. člena.

8. člen

1. Ne glede na določbe odstavka a) 1. člena te priloge lahko pogodbenica uvede občasne kontrolne preglede zaradi preverjanja avtobusov glede skladnosti z določbami Direktive 96/96/ES. V tej prilogi "občasni kontrolni pregledi" pomenijo nenačrtovane in zato nepričakovane preglede avtobusov, s katerimi se opravljajo prevozi na ozemlju pogodbenice, in jih izvedejo organi na cesti.

2. Pri opravljanju kontrolnih pregledov na cesti iz te priloge pristojni organi pogodbenic uporabljajo kontrolni seznam iz Prilog II a in II b. Kopija tega kontrolnega seznama, ki ga izpolni organ, ki je opravil pregled, se izroči vozniku avtobusa in jo voznik na zahtevo pokaže zaradi poenostavitve nadaljnjih pregledov oziroma da se ne bi neposredno po pregledu ali v nerazumno kratkem času po pregledu pregled opravljal ponovno.

3. Če pregledovalec vozila meni, da pomanjkljivosti pri vzdrževanju avtobusa opravičujejo dodatni pregled, lahko avtobus napoti na pregled tehnične ustreznosti vozila v pooblaščen center za tehnične preglede v skladu z 2. členom Direktive Skupnosti 96/96/ES.

4. Brez vpliva na druge kazni, ki se lahko izrečejo, če se pri naključnem pregledu ugotovi, da avtobus ni v skladu z določbami Direktive 96/96/ES, in se zato šteje, da pomeni resno nevarnost za potnike ali druge udeležence v cestnem prometu, se lahko takoj prepove nadaljnja vožnja avtobusa po javnih cestah.

5. Kontrolni pregledi na cesti se opravljajo brez diskriminacije glede na državljanstvo, sedež ali registracijo avtobusa oziroma voznikov.

ANNEX II a**CHECKLIST**

1. Place of check 2. Date 3. Time
 4. Vehicle nationality mark and registration number
 5. Class of vehicle
☐ Coach¹
 6. Name and address of transport operator carrying out transport
.....
 7. Nationality
 8. Driver
 9. Consignor, address, place of loading
 10. Consignee, address, place of unloading
 11. Gross mass of unit
 12. Reason for failure:
 - Braking system and components
 - Steering linkages
 - Lamps, lighting and signalling devices
 - Wheels/hubs /tyres
 - Exhaust system
 - Smoke opacity (diesel)
 - Gaseous emissions (petrol)
 13. Miscellaneous/remarks
 14. Authority/officer having carried out the inspection
 15. Result of inspection
 - pass
 - passed with minor defects
 - serious defects
 - immediate prohibition
- Signature of testing inspector/Authorisation

¹ Motor vehicle with at least four wheels used for the carriage of passengers, comprising more than eight seats in addition to the driver's seat (categories M2, M3).

ANNEX II b**Technical standards of the roadside check**

Buses and coaches as defined in Article 3 of this Agreement shall be maintained in such a condition that they can be deemed as roadworthy by the inspection authorities.

The items that shall be inspected will include those that are considered to be important for the safe and clean operation of the bus or coach. As well as simple functional checks (lighting, signalling, tyre condition etc.), specific tests and/or inspections shall be carried out on the vehicle's brakes and the motor vehicle's emissions in the following manner:

1. Brakes

Every part of the braking system and its means of operation shall be maintained in good and efficient working order and be properly adjusted.

The bus or coach's brakes shall be capable of performing the following three braking functions:

(a) For buses and coaches and their trailers and semi-trailers, a service brake capable of slowing down the vehicle and of stopping it safely, rapidly and efficiently, whatever its conditions of loading and whatever the upward or downward gradient of the road on which it is moving;

(b) For buses and coaches and their trailers and semi-trailers a parking brake capable of holding the bus or coach stationary, whatever its condition of loading, on a noticeable upward or downward gradient, the operative surfaces of the brake being held in the braking position by a device whose action is purely mechanical;

PRILOGA II a**SEZNAM**

1. Kraj pregleda 2. Datum 3. Ura
 4. Oznaka države in registrska številka vozila
 5. Vrsta vozila
☐ avtobus¹
 6. Ime in naslov prevoznika, ki opravlja prevoz
.....
 7. Državljanstvo
 8. Voznik
 9. Pošiljatelj, naslov, mesto vstopa
 10. Prejemnik, naslov, mesto izstopa
 11. Bruto masa vozila
 12. Razlog za tehnično neustreznost:
 - zavorni sistem in sestavni deli
 - sistem za upravljanje
 - svetlobne in svetlobnosignalne naprave
 - kolesa/osi/pnevmatike
 - izpušni sistem
 - vsebnost saj v dimu (dizel)
 - plinaste emisije (bencin)
 13. Razno/pripombe
 14. Organ/pregledovalec
 15. Rezultat kontrolnega pregleda
 - vozilo je tehnično ustrezno
 - vozilo je tehnično ustrezno z manjšimi pomanjkljivostmi
 - vozilo ima hujše pomanjkljivosti
 - takojšnja prepoved vožnje
- Podpis pregledovalca/potrditev

¹ Motorno vozilo z najmanj štirimi kolesi, ki se uporablja za prevoz potnikov in ima poleg voznikovega sedeža več kot osem sedežev (kategoriji M2, M3).

PRILOGA II b**Tehnični standardi pri kontrolnem pregledu na cesti**

Avtobuse, kot so opredeljeni v 3. členu tega sporazuma, je treba vzdrževati v takem stanju, da jih lahko kontrolni organi ocenijo za tehnično ustrezne.

Preverjajo se tisti deli vozila, ki se štejejo za pomembne za varno in brezhibno delovanje avtobusa. Poleg enostavnih pregledov delovanja (svetlobne in svetlobnosignalne naprave, stanje pnevmatik itd.) se lahko opravijo tudi posebni testi in/ali kontrolni pregledi zavornega sistema vozila ter emisij motornega vozila:

1 Zavore

Vsak del zavornega sistema mora biti dobro vzdrževan in pravilno nastavljen.

Zavorni sistem avtobusa mora biti tak, da omogoča tri zavorne naloge:

a) pri avtobusih ter njihovih priklopnikih in polpriklopnikih mora delovna zavora zmanjšati hitrost vozila ter zanesljivo, hitro in učinkovito ustaviti vozilo ne glede na obremenitev ter vzpon ali nagib ceste, po kateri vozi;

b) pri avtobusih ter njihovih priklopnikih in polpriklopnikih mora parkirna zavora omogočiti, da ostane avtobus v nepremičnem položaju ne glede na obremenitev pri opaznem vzponu ali nagibu, pri tem pa morajo ostati njegove zavorne površine v zavrttem položaju s pomočjo ustrezne mehanske naprave;

(c) For buses and coaches, a secondary (emergency) brake capable of slowing down and stopping the bus or coach, whatever its condition of loading, within a reasonable distance, even in the event of failure of the service brake.

Where the maintenance condition of the bus or coach is in doubt, the inspection authorities may test the bus or coach's braking performance in accordance with some or all of the provisions of Directive 96/96/EC Annex II, item I.

2. Exhaust Emissions

2.1 Exhaust emission

2.1.1 Buses and coaches equipped with positive-ignition (petrol) engines.

(a) Where the exhaust emissions are not controlled by an advanced emission control system such as a three-way catalytic converter which is lambda-probe controlled:

1. Visual inspection of the exhaust system in order to check that there is no leakage.

2. If appropriate, visual inspection of the emission control system in order to check that the required equipment has been fitted.

After a reasonable period of engine conditioning (taking account of the bus or coach manufacturer's recommendations) the carbon monoxide (CO) content of the exhaust gases is measured when the engine is idling (no load).

The maximum permissible CO content in the exhaust gases is that stated by the bus or coach manufacturer. Where this information is not available or where Member States' competent authorities decide not to use it as a reference value, the CO content must not exceed the following:

– for buses and coaches registered or put into service for the first time between the date from which Contracting Parties required the buses and coaches to comply with Directive 70/220/EEC¹ and 1 October 1986: CO – 4,5% vol.

– for buses and coaches registered or put into service for the first time after 1 October 1986: CO – 3,5% vol.

(b) Where the exhaust emissions are controlled by an advanced emission control system such as a three-way catalytic converter which is lambda-probe controlled:

1. Visual inspection of the exhaust system in order to check that there are no leakages and that all parts are complete.

2. Visual inspection of the emission control system in order to check that the required equipment has been fitted.

3. Determination of the efficiency of the bus or coach's emission control system by measuring the lambda value and the CO content of the exhaust gases in accordance with Section 4 or with the procedures proposed by the manufacturers and approved at the time of type-approval. For each of the tests, the engine is conditioned in accordance with the bus or coach manufacturer's recommendations.

c) pri avtobusih mora pomožna zavora po primerni zavori poti zmanjšati hitrost in ustaviti avtobus ne glede na obremenitev, tudi če delovna zavora odpove.

Če kontrolni organ sumi, da vozilo ni ustrezno vzdrževano, lahko preizkusi delovanje zavor avtobusa v skladu z nekaterimi ali vsemi določbami prve točke Priloge II k Direktivi 96/96/ES.

2 Emisije izpušnih plinov

2.1 Emisije izpušnih plinov

2.1.1 Avtobusi z bencinskim motorjem na prisilni vžig

a) Če se emisije izpušnih plinov ne nadzirajo s sodobnim sistemom za zmanjševanje emisij, kot je trismerni katalizator z lambda senzorjem:

1. Vidno preverjanje, če izpušni sistem pušča.

2. Po potrebi vidno preverjanje, če je nameščena zahtevana oprema sistema za zmanjševanje emisij.

Po razumnem času za utekanje motorja (ob upoštevanju priporočil proizvajalca avtobusa) se izmeri vsebnost ogljikovega monoksida (CO) v izpušnih plinih, ko je motor v prostem teku (brez obremenitve).

Najvišja dovoljena vsebnost CO v izpušnih plinih je vsebnost, ki jo je navedel proizvajalec avtobusa. Če ta podatek ni na voljo ali če se pristojni organi držav članic odločijo, da te vrednosti ne bodo uporabljali kot referenčno vrednost, vsebnost CO ne sme presežati teh vrednosti:

– za avtobuse, prvič registrirane ali dane v uporabo po datumu, od katerega je država članica zahtevala skladnost vozil z Direktivo 70/220/EGS¹, in do 1. oktobra 1986: CO – 4,5 vol.%;

– za avtobuse, prvič registrirane ali dane v uporabo po 1. oktobru 1986: CO – 3,5 vol.%;

b) Če se emisije izpušnih plinov nadzirajo s sodobnim sistemom za zmanjševanje emisij, kot je trismerni katalizator z lambda senzorjem:

1. Vidno preverjanje, če izpušni sistem pušča in če so vsi deli nameščeni.

2. Vidno preverjanje, če je nameščena zahtevana oprema sistema za zmanjševanje emisij.

3. Ugotavljanje učinkovitosti sistema za zmanjševanje emisij avtobusa z meritvami vrednosti lambda in vsebnosti CO v izpušnih plinih v skladu s 4. členom ali s postopkom, ki ga je priporočil proizvajalec in je bil odobren pri homologaciji. Za vsako preizkušanje se motor uteče v skladu s priporočili proizvajalca avtobusa.

¹ Council Directive 70/220/EEC of 20 March 1970 on the approximation of the laws of the Member States relating to measures to be taken against air pollution by emissions from motor vehicles (OJ L 76, 9.3.1970, p.1) and corrigendum (OJ L 81, 11.4.1970, p. 15), as last amended by European Parliament and Council Directive 94/12/EC (OJ L 100, 19.4.1994, p. 42).

¹ Direktiva Sveta 70/220/EGS z dne 20. marca 1970 o približevanju zakonodaje držav članic glede ukrepov proti onesnaževanju zraka z emisijami iz motornih vozil (OJ L 76, 9. 3. 1970, str. 1) in popravek (OJ L 81, 11. 4. 1970, str. 15), kot je bila nazadnje spremenjena z Direktivo Evropskega parlamenta in Sveta 94/12/ES (OJ L 100, 19. 4. 1994, str. 42).

4. Exhaust pipe emissions – limit values

Measurement at engine idling speed:

The maximum permissible CO content in the exhaust gases is that stated by the bus or coach manufacturer. Where this information is not available, the maximum CO content must not exceed 0,5% vol.

Measurement at high idle speed, engine speed to be at least 2 000 min⁻¹:

CO content: maximum 0,3% vol.

Lambda: $1 \pm 0,03$ in accordance with the manufacturer's specifications.

2.1.2 Buses and coaches equipped with compression ignition (diesel) engines.

Measurement of exhaust gas opacity with free acceleration (no load from idling up to cut-off speed). The level of concentration must not exceed the level recorded on the plate pursuant to Directive 72/306/EEC². Where this information is not available or where Contracting Parties' competent authorities decide not to use it as a reference, the limit values of the coefficient of absorption are as follows:

Maximum coefficient of absorption for:

naturally aspirated diesel engines = 2,5 m⁻¹,turbo-charged diesel engines = 3,0 m⁻¹

or equivalent values where use is made of equipment of a type different from that used for EC type-approval.

2.1.3 Test equipment

Buses' and coaches' emissions are tested using equipment designed to establish accurately whether the limit values prescribed or indicated by the manufacturer have been complied with.

2.2 Where appropriate, a check on the correct functioning of the On Board Diagnostic (OBD) emission monitoring system.

4. Emisije iz izpušne cevi – mejne vrednosti

Merjenje pri prostem teku motorja:

največja dovoljena vsebnost CO v izpušnih plinih je vsebnost, ki jo je navedel proizvajalec avtobusa. Če ta podatek ni na voljo, največja dovoljena vsebnost CO ne sme presegati 0,5 vol. %.

Merjenje pri visokih obratih motorja v prostem teku, hitrost obratov je najmanj 2000 min⁻¹:

vsebnost CO: največ 0,3 vol. %,

lambda: $1 \pm 0,03$ v skladu z navodili proizvajalca.

2.1.2 Avtobusi z motorjem na kompresijski vžig (dizel)

Merjenje vsebnosti saj v izpušnih plinih v prostem teku (brez obremenitve od prostega teka do najvišjih obratov). Koncentracija ne sme biti večja od vrednosti, ki je na tablici proizvajalca v skladu z Direktivo 72/306/EGS². Če ta podatek ni na voljo ali če se pristojni organi pogodbenic odločijo, da te vrednosti ne bodo uporabljali kot referenčno vrednost, so lahko mejne vrednosti absorpcijskega faktorja take:

Najvišja dovoljena vrednost absorpcijskega faktorja za:

klasični dizelski motor (sesalni motor) = 2,5 m⁻¹,dizelski motor s predpolnilnikom = 3,0 m⁻¹

ali enakovredna vrednost, če se uporablja drugačna oprema kot pri ES-homologaciji.

2.1.3 Testna oprema

Emisije iz avtobusov se preverjajo z opremo, ki je konstruirana tako, da se lahko natančno ugotovi, ali so bile upoštevane predpisane mejne vrednosti ali vrednosti, ki jih je navedel proizvajalec.

2.2 Po potrebi se pravilnost delovanja preveri v laboratoriju (On Board Diagnostic (OBD) emission monitoring system).

² Council Directive 72/306/EEC of 2 August 1972 on the approximation of the laws of the Member States relating to the measures to be taken against the emission of pollutants from diesel engines for use in vehicles (OJ L 190, 20.8.1972, p.1), Directive as last amended by Commission Directive 89/491/EEC (OJ L 238, 15.8.1989, p. 43).

² Direktiva Sveta 72/306/EGS z dne 2. avgusta 1972 o približevanju zakonodaje držav članic glede ukrepov proti emisijam onesnažujočih snovi iz dizelskih motorjev, ki se uporabljajo v vozilih (OJ L 190, 20. 8. 1972, str. 1), kot je bila nazadnje spremenjena z Direktivo Komisije 89/491/EGS (OJ L 238, 15. 8. 1989, str. 43).

ANNEX 3**Model of Control Document for occasional services exempted from authorisation**

(green-coloured paper: DIN A4 + 29.7 x 21 cm)

(Front cover - recto)

(To be worded in the official language(s) or one of the official languages
of the Contracting Party where the transport operator is established)State in which the control document is issued
- Distinguishing sign of the country ⁻¹Competent authority or duly authorised
agency

Book No

INTERBUS**BOOK OF PASSENGER WAYBILLS**

For the international carriage of passengers by road by means of occasional coach and bus services established pursuant to:

- Articles 6 and 10 of the Agreement on the International Occasional Carriage of Passengers by Coach and Bus - INTERBUS Agreement.

Name or trade name of the transport operator :

.....

Address :

.....

.....
(Place and issue of book).....
(Signature and stamp of the authority issuing the book)

¹ Belgium (B), Denmark (DK), Germany (D), Greece (GR), Spain (E), France (F), Ireland (IRL), Italy (I), Luxembourg (L), Netherlands (NL), Portugal (P), United Kingdom (UK), Finland (FIN), Austria (A), Sweden (S), Bulgaria (BG), Czech Republic (CZ), Estonia (EST), Hungary (H), Lithuania (LT), Latvia (LV), Poland (PL), Romania (RO), Slovak Republic (SK), Slovenia (SLO) to be completed.

PRILOGA 3**Vzorec kontrolne listine za opravljanje občasnih prevozov brez dovolilnice**

(papir zelene barve: DIN A4 + 29,7 x 21 cm)

(platnice – sprednja stran)

(v uradnem jeziku (jezikih) ali enem od uradnih jezikov
pogodbenice, v kateri ima prevoznik sedež)

Država izdaje kontrolne listine – oznaka
države¹

Pristojni organ ali pooblaščenca agencija

Serijska št.

INTERBUS**KNJIŽICA POTNIŠKIH SPREMNIC**

za opravljanje mednarodnih občasnih avtobusnih prevozov potnikov v skladu s

6. in 10. členom Sporazuma o mednarodnih občasnih avtobusnih prevozi potnikov – sporazum INTERBUS

Ime ali trgovsko ime prevoznika:

.....
.....

Naslov:

.....
..........
(kraj in datum izdaje knjižice).....
(podpis in pečat pristojnega organa, ki je izdal knjižico)

¹ Belgija (B), Danska (DK), Nemčija (D), Grčija (GR), Španija (E), Francija (F), Irska (IRL), Italija (I), Luksemburg (L), Nizozemska (NL), Portugalska (P), Velika Britanija (UK), Finska (FIN), Avstrija (A), Švedska (S), Bolgarija (BG), Češka republika (CZ), Estonija (EST), Madžarska (H), Litva (LT), Latvija (LV), Poljska (PL), Romunija (RO), Slovaška republika (SK), Slovenija (SLO).

(green-coloured paper : DIN A4 = 29.7 x 21 cm)

(Flyleaf of the book of waybills - recto)

(To be worded in the official language(s) or one of the official languages of the Contracting Party where the transport operator is established)

IMPORTANT NOTICE**1. Services covered by the INTERBUS Agreement are the following:**

- 1) International carriage of passengers of any nationality, by road by means of occasional services :
 - between the territories of two Contracting Parties, or starting and finishing in the territory of the same Contracting Party, and should the need arise during such service, in transit through the territory of another Contracting Party or through the territory of a non-Contracting State;
 - carried out by transport operators for hire or reward established in a Contracting Party in accordance with its law and holding a licence to undertake carriage by means of international occasional services by coach and bus;
 - using buses and coaches registered in the territory of the Contracting Party where the transport operator is established which by virtue of their construction and their equipment, are suitable for carrying more than nine persons, including the driver, and are intended for that purpose.
- 2) Unladen journeys of the buses and coaches concerned with these services.
- 3) For the purposes of the INTERBUS Agreement, the term 'territory of a Contracting Party' covers, as far as the European Community is concerned, those territories where the Treaty establishing that Community is applied and under the conditions laid down in that Treaty.
- 4) The possibility to operate national occasional services in a Contracting Party by operators established in another Contracting Party is excluded from the scope of the INTERBUS Agreement.
- 5) The use of buses and coaches designed to carry passengers, for the transport of goods for commercial purposes is excluded from the scope of this Agreement.
- 6) the INTERBUS Agreement does not concern own account occasional services.

2. International occasional Services exempted from authorisation on the territory of any Contracting Party other than that in which the transport operator is established, under the terms of Article 6 of the INTERBUS Agreement are the following:

1. **Closed-door tours**, that is to say services whereby the same bus or coach is used to carry the same group of passengers throughout the journey and to bring them back to the place of departure. The place of departure is in the territory of the Contracting Party in which the transport operator is established.
2. **Services which make the outward journey laden and the return journey unladen.** The place of departure is in the territory of the Contracting Party in which the transport operator is established.
3. **Services during which the outward journey is made unladen** and all the passengers are taken up in the same place, provided that one of the following conditions is met:
 - a) passengers constitute groups, on the territory of a non-Contracting Party or a Contracting Party other than that in which the transport operator is established or that where the passengers are taken up, that have been formed under contracts of carriage made before their arrival in the territory of the latter Contracting Party. Passengers are carried on the territory of the Contracting Party in which the transport operator is established.
 - b) passengers have been previously brought, by the same transport operator in the circumstances provided for under point 2, into the territory of the Contracting Party where they are taken up again and carried into the territory of the Contracting Party in which the transport operator is established.
 - c) passengers have been invited to travel into the territory of another Contracting Party, the cost of transport being borne by the person issuing the invitation. Such passengers must constitute a homogeneous group, which has not been formed solely with a view to undertaking that particular journey and which is brought into the territory of the Contracting Party in which the transport operator is established.
4. **transit operations** through Contracting Parties in conjunction with occasional services that are exempted from authorisation shall also be exempted from authorisation.
5. Unladen buses and coaches to be used exclusively for the replacement of a damaged or broken down bus or coach, performing an international service covered by this Agreement shall also be exempted from authorisation.

For services provided by transport operators established within the European Community, the points of departure and/or destination of the services can be in any Member State of the European Community, independently of the Member State in which the bus or coach is registered or the Contracting Party in which the transport operator is established.

3. Conditions applicable to buses and coaches

Buses and coaches used to carry out international occasional services covered by the INTERBUS Agreement shall comply with the technical standards according to Article 5 and Annex 2 of such Agreement

4. Information concerning the completion of the waybill.

1. For each journey carried out as an occasional service the transport operator must complete a passenger waybill in duplicate, before the start of the journey.

For the purpose of providing the names of passengers, the transport operator may use a list previously completed on a separate sheet, which shall be annexed to the passenger waybill. The transport operator's stamp or, where appropriate, the transport operator's signature or that of the driver of the vehicle must be placed both on the list and on the passenger waybill.

For services where the outward journey is made unladen, the list of passengers may be completed as provided above at the time when the passengers are taken up.

The top copy of the passenger waybill must be kept on board the bus or coach throughout the journey and be produced whenever required by any authorised inspecting officer.

2. For services where the outward journey is made unladen, referred to in point 4C of the waybill, the transport operator must attach the following supporting documents to the passenger control document.

- in cases mentioned under 4 C1: the copy of the contract of carriage in so far as some countries require it, or any other equivalent document which establishes the essential data of this contract (especially place, country and date of conclusion, place, country and date when passengers are taken up, place and country of destination);
- in the case of services falling within 4 C2 : the passenger waybill which accompanied the bus or coach during the corresponding journey made by the transport operator outward laden/return unladen in order to bring the passengers into the territory of the Contracting Party where they are taken up again;
- in the case of services falling within 4 C3 : the letter of invitation from the person issuing the invitation or a photocopy thereof.

3. In the course of occasional services no passenger may be taken up or set down during the journey, save for exemption authorised by the competent authorities. In that case an authorisation is needed.
4. The transport operator is responsible for seeing that passenger waybills are duly and correctly completed. They shall be completed in block letters and in indelible ink.
5. The book of waybills is not transferable.

(papir zelene barve: DIN A4 + 29,7 x 21 cm)

(platnice – hrbtna stran)

(v uradnem jeziku (jezikih) ali enem od uradnih jezikov pogodbenice, v kateri ima
prevoznik sedež)**OPOMBE****1. Prevozi, zajeti v sporazumu INTERBUS:**

1. mednarodni občasni cestni prevozi potnikov s kakršnim koli državljanstvom:
 - med ozemljema dveh pogodbenic ali z odhodom in prihodom na ozemlje iste pogodbenice, ali če je potrebno med takim prevozom, tranzitno čez ozemlje druge pogodbenice ali čez ozemlje države, ki ni pogodbenica;
 - ki jih opravljajo prevozniki s sedežem v eni od pogodbenic v skladu z njeno zakonodajo z licenco za opravljanje mednarodnih občasnih avtobusnih prevozov za najem ali plačilo;
 - z avtobusi, registriranimi v pogodbenici, v kateri ima prevoznik sedež, ter konstruiranimi in opremljenimi za prevoz več kot devetih oseb, vključno z voznikom, in se uporabljajo v ta namen;
2. vožnje s praznimi avtobusi v zvezi s temi prevozi;
3. v sporazumu INTERBUS izraz "ozemlje pogodbenice" v primeru Evropske skupnosti pomeni ozemlja, na katerih se uporablja Pogodba o ustanovitvi Skupnosti in veljajo pogoji, določeni s to pogodbo;
4. sporazum INTERBUS ne dopušča možnosti, da bi prevozniki iz ene pogodbenice opravljali občasne notranje prevoze v drugi pogodbenici;
5. ta sporazum izključuje uporabo avtobusov, namenjenih za prevoz potnikov, za prevoz blaga v komercialne namene;
6. sporazum INTERBUS ne ureja občasnih prevozov za lastne potrebe.

2. Mednarodni občasni prevozi, za katere v skladu s 6. členom sporazuma INTERBUS ni potrebna dovolilnica na ozemlju pogodbenice, ki ni pogodbenica, v kateri ima prevoznik sedež:

1. krožna vožnja "zaprtih vrat", to je prevoz, pri katerem se z istim avtobusom prevaža ista skupina potnikov na celotnem potovanju in se pripelje nazaj na mesto odhoda; mesto odhoda je v pogodbenici, v kateri ima prevoznik sedež;
2. prevoz, pri katerem je vozilo na potovanju tja polno, na potovanju nazaj pa prazno; mesto odhoda je v pogodbenici, v kateri ima prevoznik sedež;
3. prevoz, pri katerem je vozilo na potovanju tja prazno in prevzame vse potnike na istem mestu, če je izpolnjen eden od teh pogojev:
 - a) potniki sestavljajo skupine na ozemlju nepogodbenice ali pogodbenice, ki ni tista, v kateri ima prevoznik sedež ali v kateri je bilo mesto odhoda, v skladu s pogodbo o prevozu, ki je bila sklenjena pred njihovim prihodom na ozemlje te druge pogodbenice; potniki se prepeljejo na ozemlje pogodbenice, v kateri ima prevoznik sedež;
 - b) potnike je isti prevoznik predhodno pripeljal na ozemlje pogodbenice v skladu z drugo točko, kjer jih spet prevzame in jih prepelje na ozemlje pogodbenice, v kateri ima prevoznik sedež;
 - c) potniki so bili povabljeni na pot na ozemlje druge pogodbenice, pri čemer stroške prevoza krije oseba, ki jih je povabila; taki potniki morajo sestavljati enovito skupino, ki ni nastala samo zaradi tega potovanja in se prepelje na ozemlje pogodbenice, v kateri ima prevoznik sedež;
4. za tranzitne prevoze čez ozemlje pogodbenice v zvezi z občasnim prevozom brez dovolilnice;
5. za prazne avtobuse, ki se uporabljajo izključno za zamenjavo poškodovanega ali pokvarjenega avtobusa med opravljanjem mednarodnega prevoza iz tega sporazuma.

Za prevoze, ki jih opravljajo prevozniki s sedežem v Evropski skupnosti, sta lahko mesto odhoda in/ali mesto prihoda v kateri koli državi članici Evropske skupnosti ne glede na državo članico, v kateri je avtobus registriran, ali državo članico, v kateri ima prevoznik sedež.

3. Tehnični pogoji za vozila

Avtobusi, ki se uporabljajo za opravljanje mednarodnega občasnega prevoza po sporazumu INTERBUS, morajo biti skladni s tehničnimi standardi iz 5. člena in Priloge 2 tega sporazuma.

4. Informacije, povezane z izpolnjevanjem potniške spremenice

1. Prevoznik izpolni potniško spremenico v dvojniku pred začetkom vsakega potovanja.

Imena potnikov lahko prevoznik zagotovi tudi tako, da vnaprej pripravljen seznam potnikov na posebnem listu pripne k potniški spremenici. Prevoznik žigosa seznam potnikov in potniško spremenico, ali če se tako zahteva, prevoznik ali voznik podpiše seznam potnikov in potniško spremenico.

Za prevoze, pri katerih je vozilo pri potovanju tja prazno, se lahko seznam potnikov izpolni v skladu z zgornjimi navodili, ko potniki vstopijo.

Zgornji izvod potniške spremenice mora biti v avtobusu ves čas potovanja, na katero se nanaša, in jo je treba na zahtevo katerega koli pooblaščenega kontrolnega organa pokazati.

2. Za prevoze, pri katerih je vozilo pri potovanju tja prazno, iz točke 4 C na obrazcu spremenice mora prevoznik k potniški kontrolni listini priložiti te dokumente:

- v primerih pod 4 C1: kopijo pogodbe o prevozu, če jo katera država zahteva, ali drug enakovreden dokument, ki vsebuje bistvene podatke iz pogodbe (zlasti kraj, državo in datum sklenitve, mesto, državo in datum prevzema potnikov, mesto in državo prihoda);

- v primerih pod 4 C2: potniško spremenico za ustrezno potovanje, pri katerem je avtobus na poti tja poln, na poti nazaj pa prazen, da bi potnike prepeljal na ozemlje pogodbenice, v kateri jih spet prevzame;

- v primerih pod 4 C3: vabilo osebe, ki je potnike povabila, ali fotokopijo vabila.

3. Pri občasnem prevozu potniki med potovanjem ne smejo izstopati ali vstopati, razen v primerih, ki jih odobri pristojni organ. V tem primeru je potrebna dovolilnica.

4. Prevoznik je odgovoren za točno in pravilno izpolnjevanje potniške spremenice. Potniško spremenico je treba izpolniti s neizbrisnimi tiskanimi črkami.

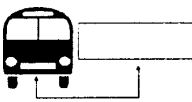
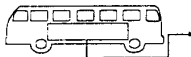
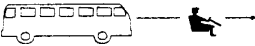
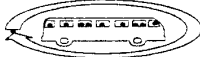
5. Knjižica s potniškimi spremenici ni prenosljiva.

INTERBUS

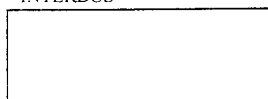
(PASSENGER WAYBILL - RECTO) (Green coloured paper- DIN A4 = 29.7 X 21 cm)

(To be worded in the official language(s) or one of the official languages of the Contracting Party where the transport operator is established)

Book No.....
Waybill No.....(State in which the document is issued)
- Distinguishing sign of the country

		
	Vehicle Registration Number	Number of Passenger seats available
2		
	Name or Trade name of transport operator	
3		1 2 3
	Name of Driver or Drivers	
Type of service (put a cross in the appropriate box and add the required supplementary information)		
A		
	Closed-Door Tours	B Outward journey laden/ Return journey unladen ☉ Locality where passengers are set down and distinguishing sign of the country.....
C	Outward journey unladen and all the passengers are taken up in the same place and transported to the country in which the transport operator is established. ☉ Locality where passengers are picked up and distinguishing sign of the country.....	
		
4	C1 a) The passengers were grouped together, under a contract of carriage made on (Date) With (travel agency, association, etc.) b) The passengers were grouped together on the territory of : a) non contracting Party (Name of this country) b) Contracting Party other than that in which the transport operator is established (Name of this country) c) Place and Contracting Party where the Passengers have been taken up (Name of this country) d) To be carried to the Contracting Party of establishment of the transport operator (Name of this country) o Copy of the contract of carriage or equivalent document is attached (cf. Important notice point 4).	
	C2 Passengers have previously been brought by the same transport operator on a service referred to in B, to the contracting Party in which they are to be taken up again and carried out into the territory of the Contracting Party in which the transport operator is established o The passenger waybill for the previous outward laden journey and unladen return journey is attached.	
	C3 Passengers have been invited to travel to (Name of the place and country) Cost of transport being borne by the person issuing the invitation and the passengers constitute a homogeneous group which has not been formed solely with a view to undertaking that particular journey. The letter of invitation (or a photocopy thereof) is attached. The group is brought into the territory of the Contracting Party where the transport operator is established.	

INTERBUS



(Država izdaje listine)
– oznaka države

(POTNIŠKA SPREMNICA – PRVA STRAN)

(papir zelene barve: DIN A4 + 29,7 x 21 cm)

(v uradnem jeziku (jezikih) ali v enem od uradnih jezikov
pogodbenice, v kateri ima prevoznik sedež)

Serijska št.

Spremnica št.

1		
	Registrska številka vozila	Število razpoložljivih potniških sedežev
2		
	Ime ali trgovsko ime prevoznika	
3		1 2 3
	Ime voznika ali voznikov	
Vrsta prevoza (s križcem označite ustrezni kvadrata in navedite dodatne podatke)		
A		
	Krožna vožnja "zaprtih vrat"	Prevoz potnikov, pri katerem je vozilo na potovanju tja polno, na potovanju nazaj pa prazno ☒ Mesto prihoda in oznaka države prihoda
C	Prevoz potnikov, pri katerem je vozilo na potovanju tja prazno, vsi potniki vstopijo na istem mestu in se prepeljejo v državo, v kateri ima prevoznik sedež. ☒ Mesto, kjer potniki vstopijo, in oznaka države	
4	C1 a) Potniki sestavljajo skupino po pogodbi o prevozu z dne (datum) s/z (turistična agencija, združenje itd.) b) Skupina potnikov je bila sestavljena na ozemlju: a) nepogodbenice (ime države) b) pogodbenice, ki ni tista, v kateri ima prevoznik sedež (ime države) c) Mesto in pogodbenica, kjer potniki vstopijo (ime države) d) Prevoz v pogodbenico, v kateri ima prevoznik sedež (ime države) o Kopija pogodbe o prevozu ali enakovreden dokument (glej četrto točko Opomb)	
	C2 Potnike je isti prevoznik s prevozom iz točke B predhodno prepeljal v pogodbenico, v kateri se potniki spet prevzamejo in prepeljejo nazaj na ozemlje pogodbenice, v kateri ima prevoznik sedež. o V prilogi je potniška spremnica za predhodni prevoz, pri katerem je bilo vozilo na poti tja polno, na poti nazaj pa prazno.	
	C3 Potniki so bili povabljeni na pot v (mesto in država) Potne stroške krije oseba, ki je potnike povabila; taki potniki morajo sestavljati enovito skupino, ki ni nastala samo zaradi tega potovanja. V prilogi je vabilo (ali fotokopija vabila). Skupina se prepelje na ozemlje pogodbenice, v kateri ima prevoznik sedež.	

(Passenger waybill - verso)

	Itinerary		Daily Stages			
	Dates	from Locality / Country	to Locality / Country	Km Laden	Km Unladen	Border-crossing points
5						
6	List of passengers					
	1	22		43		
	2	23		44		
	3	24		45		
	4	25		46		
	5	26		47		
	6	27		48		
	7	28		49		
	8	29		50		
	9	30		51		
	10	31		52		
	11	32		53		
	12	33		54		
	13	34		55		
	14	35		56		
	15	36		57		
	16	37		58		
	17	38		59		
	18	39		60		
	19	40		61		
	20	41		62		
	21	42		63		
7	Date of completion of waybill			Signature of the transport operator		
8	Unforeseen changes					
9	Control stamps if any					

(Item 6, if necessary, can be completed on a separate sheet that will be firmly stuck to this document)

(Potniška spremnica – zadnja stran)

5	Program potovanja	Dnevne etape				
	Datumi	Od mesto/država	Do mesto/država	Km polno vozilo	Km prazno vozilo	Mejni prehodi
6	Seznam potnikov					
	1	22	43			
	2	23	44			
	3	24	45			
	4	25	46			
	5	26	47			
	6	27	48			
	7	28	49			
	8	29	50			
	9	30	51			
	10	31	52			
	11	32	53			
	12	33	54			
	13	34	55			
	14	35	56			
	15	36	57			
	16	37	58			
	17	38	59			
	18	39	60			
	19	40	61			
	20	41	62			
	21	42	63			
7	Datum izpolnitve spremnice			Podpis prevoznika		
8	Nepredvidljive spremembe					
9	Kontrolni pečati					

(Podatki iz šeste točke se lahko pripravijo na posebnem listu, ki se pripne k tej listini.)

ANNEX 4

Model of application for an authorisation for an international occasional service

(White paper - A4)

To be worded in the official language(s) or one of the official languages of the Contracting Parties where the request is made

**APPLICATION FOR AN AUTHORISATION
TO START AN INTERNATIONAL OCCASIONAL SERVICE**

carried out by coach or bus
between Contracting Parties
in accordance with Article 7 of the Agreement on the International
Occasional Carriage of Passengers by Coach or Bus
(INTERBUS Agreement)

(Competent authority of the Contracting Party from which the service departs,
namely, the first pick up point for passengers)

1. Information concerning the applicant for authorisation:

Name or trade name:.....

Address:.....

Country

Tel.:

Fax:

PRILOGA 4

Vzorec prošnje za dovolilnico za opravljanje mednarodnih občasnih avtobusnih prevozov

(Bel papir – A4)

(v uradnem jeziku (jezikih) ali v enem od uradnih jezikov
pogodbenice, v kateri se vloži prošnja)

PROŠNJA ZA DOVOLILNICO ZA OPRAVLJANJE MEDNARODNIH OBČASNIH PREVOZOV,

ki se opravljajo z avtobusi, med pogodbenicami
v skladu s 7. členom Sporazuma o mednarodnih občasnih
avtobusnih prevozi potnikov
(sporazum INTERBUS)

(pristojni organ pogodbenice, v kateri se prevoz začne oziroma v kateri potniki prvič vstopijo)

1. Podatki o prosilcu za dovolilnico:

Ime ali trgovsko ime:

Naslov:

Država:

Tel.:

Telefaks:

(Second page of the application)

2. Purpose, reasons and description of the occasional service:

.....
.....
.....
.....

3. Information concerning the route:

(a) Place of departure of service: Country

(b) Place of destination of service: Country

Principal route of service and border crossing points

.....
.....
.....
.....

Countries whose territory is crossed without passengers being picked up or set down

.....	
.....	
.....	

4. Date of carrying out of service:

5. Number of registration of bus(es) or coach (es)

.....
.....

6. Any additional information:

.....
.....
.....
.....

7.

(Place and date)

.....

(signature of applicant)

(Druga stran prošnje)

2. Namen, razlogi in opis občasnega prevoza:

.....
.....
.....

3. Podatki o načrtu potovanja:

a) Mesto odhoda: Država:.....

b) Mesto prihoda: Država:.....

Glavne točke na potovanju in mejni prehodi

.....
.....
.....

Države, katerih ozemlja se prečkajo, ne da bi potniki vstopali ali izstopali

.....
.....
.....

4. Trajanje potovanja:

5. Registrska številka avtobusa(ov)

.....
.....

6. Dodatni podatki:

.....
.....
.....

7.

(kraj in datum)

.....

(podpis prosilca)

(Third page of the application)

Important notice

1. Transport operators shall fill in the application form and attach evidence that the applicant has a licence to undertake carriage by means of international occasional services by coach and bus referred to in Article 1 (1) (a) second indent of the INTERBUS agreement.
2. Occasional services other than those referred to in Article 6 of the INTERBUS agreement shall be subject to authorisation namely, services other than the following:
 1. **Closed-door tours**, that is to say services whereby the same bus or coach is used to carry the same group of passengers throughout the journey and to bring them back to the place of departure. The place of departure is in the territory of the Contracting Party in which the transport operator is established.
 2. **Services which make the outward journey laden and the return journey unladen**. The place of departure is in the territory of the Contracting Party in which the transport operator is established.
 3. **Services during which the outward journey is made unladen** and all the passengers are taken up in the same place, provided that one of the following conditions is met :
 - a) passengers constitute groups, on the territory of a non-Contracting Party or of a Contracting Party other than that in which the transport operator is established or that where the passengers are taken up, that have been formed under contracts of carriage made before their arrival in the territory of the latter Contracting Party. Passengers are carried on the territory of the Contracting Party in which the transport operator is established.
 - b) passengers have been previously brought, by the same transport operator in the circumstances provided for under point 2, into the territory of the Contracting Party where they are taken up again and carried into the territory of the Contracting Party in which the transport operator is established.
 - c) passengers have been invited to travel into the territory of another Contracting Party, the cost of transport being borne by the person issuing the invitation. Such passengers must constitute a homogeneous group, which has not been formed solely with a view to undertaking that particular journey and which is brought into the territory of the Contracting Party in which the transport operator is established.
 4. Transit operations through Contracting Parties in conjunction with occasional services that are exempted from authorisation shall also be exempted from authorisation.
 5. Unladen buses and coaches to be used exclusively for the replacement of a bus or coach damaged or broken down while performing an international service covered by this Agreement shall also be exempted from authorisation.

For services provided by transport operators established within the European Community, the points of departure and/or destination of the services can be in any Member State of the European Community, independently of the Member State in which the bus or coach is registered or the Member State in which the transport operator is established

3. The application shall be made to the competent authority of the Contracting Party in which the service departs, namely, the first pick-up point for passengers.
4. The buses and coaches to be used shall be registered on the territory of the Contracting Party of establishment of the transport operator.
5. The buses and coaches used to carry out international occasional services covered by the INTERBUS Agreement shall comply with the technical standards laid down in Annex 2 of that agreement.

(Tretja stran prošnje)

Opombe

1. Prevoznik izpolni obrazec prošnje in priloži dokazila, da ima licenco za opravljanje mednarodnih občasnih avtobusnih prevozov iz druge alineje točke a) prvega odstavka 1. člena sporazuma INTERBUS.
2. Za občasne prevoze, razen za prevoze iz 6. člena sporazuma INTERBUS, je potrebna dovolilnica, torej za vse prevoze, razen:
 1. **za krožno vožnjo "zaprtih vrat"**, to je za prevoz, pri katerem se z istim avtobusom prevaža ista skupina potnikov na celotnem potovanju in se pripelje nazaj na mesto odhoda; mesto odhoda je na ozemlju pogodbenice, v kateri ima prevoznik sedež;
 2. **za prevoz, pri katerem je vozilo na potovanju tja polno, na potovanju nazaj pa prazno**; mesto odhoda je na ozemlju pogodbenice, v kateri ima prevoznik sedež;
 3. **za prevoz, pri katerih je vozilo na potovanju tja prazno** in prevzame vse potnike na istem mestu, če je izpolnjen eden od teh pogojev:
 - a) potniki sestavljajo skupine na ozemlju nepogodbenice ali pogodbenice, ki ni tista, v kateri ima prevoznik sedež ali v kateri je bilo mesto odhoda, v skladu s pogodbo o prevozu, ki je bila sklenjena pred njihovim prihodom na ozemlje te druge pogodbenice; potniki se prepeljejo na ozemlje pogodbenice, v kateri ima prevoznik sedež;
 - b) potnike je isti prevoznik predhodno pripeljal na ozemlje pogodbenice v skladu z drugo točko, kjer jih spet prevzame in jih prepelje na ozemlje pogodbenice, v kateri ima prevoznik sedež;
 - c) potniki so bili povabljeni na pot na ozemlje druge pogodbenice, pri čemer stroške prevoza krije oseba, ki jih je povabila; taki potniki morajo sestavljati enovito skupino, ki ni nastala samo zaradi tega potovanja in se prepelje na ozemlje pogodbenice, v kateri ima prevoznik sedež;
 4. **za tranzitne prevoze čez ozemlje pogodbenice v zvezi z občasnim prevozom brez dovolilnice;**
 5. **za prazne avtobuse, ki se uporabljajo izključno za zamenjavo poškodovanega ali pokvarjenega avtobusa med opravljanjem mednarodnega prevoza iz tega sporazuma.**

Za prevoze, ki jih opravljajo prevozniki s sedežem v Evropski skupnosti, sta lahko mesto odhoda in/ali mesto prihoda v kateri koli državi članici Evropske skupnosti ne glede na državo članico, v kateri je avtobus registriran, ali državo članico, v kateri ima prevoznik sedež.

3. Prošnja se vloži pri pristojnem organu pogodbenice, na ozemlju katere je mesto odhoda, to je, kjer potniki prvič vstopijo.
4. Uporabljajo se lahko avtobusi, ki so registrirani na ozemlju pogodbenice, v kateri ima prevoznik sedež.
5. Avtobusi, ki se uporabljajo za opravljanje mednarodnih občasnih prevozov po sporazumu INTERBUS, morajo biti skladni s tehničnimi standardi iz Priloge 2 k temu sporazumu.

ANNEX 5

Model of authorisation for non-liberalised occasional services

(First page of authorisation)
(Pink paper - A4)

To be worded in the official language(s) or one of the official languages
of the Contracting Parties issuing the authorisation

ISSUING CONTRACTING PARTY

- International distinguishing sign - ¹

COMPETENT AUTHORITY

(Stamp)

AUTHORISATION N°.....

for an international occasional service
carried out by coach
or bus between Contracting Parties
in accordance with Article 7 of the Agreement on the
International Occasional Carriage of Passengers by
Coach and Bus
(INTERBUS Agreement)

to:
(Surname, first name or trade name of transport operator)

Address:

Country:

Tel:

Fax:

.....
(Place and date of issue)

.....
(Signature and stamp of
issuing authority)

¹ Belgium (B), Denmark (DK), Germany (D), Greece (GR), Spain (E), France (F), Ireland (IRL), Italy (I), Luxembourg (L), Netherlands (NL), Portugal (P), United Kingdom (UK), Finland (FIN), Austria (A), Sweden (S), Bulgaria (BG), Czech Republic (CZ), Estonia (EST), Hungary (H), Lithuania (LT), Latvia (LV), Poland (PL), Romania (RO), Slovak Republic (SK), Slovenia (SLO) to be completed.

PRILOGA 5**Vzorec dovolilnice za opravljanje občasnih prevozov**

(Prva stran dovolilnice)

(papir rožnate barve – A4)

(v uradnem jeziku (jezikih) ali v enem od uradnih jezikov
pogodbenice, ki izda dovolilnico)

POGODBENICA IZDAJATELJICA

– mednarodna oznaka države¹

PRISTOJNI ORGAN

(pečat)

DOVOLILNICA ŠT.

za opravljanje mednarodnih občasnih prevozov, ki se opravljajo z avtobusi,
med pogodbenicami
v skladu s 7. členom Sporazuma o mednarodnih občasnih
avtobusnih prevozi potnikov
(sporazum INTERBUS)

za:

(priimek, ime in trgovsko ime prevoznika)

Naslov:

Država:

Tel.:

Telefaks:

.....

(kraj in datum izdaje)

.....

(podpis in pečat organa, ki je izdal
dovolilnico)¹

Belgija (B), Danska (DK), Nemčija (D), Grčija (GR), Španija (E), Francija (F), Irska (IRL), Italija (I), Luksemburg (L), Nizozemska (NL), Portugalska (P), Velika Britanija (UK), Finska (FIN), Avstrija (A), Švedska (S), Bolgarija (BG), Češka republika (CZ), Estonija (EST), Madžarska (H), Litva (LT), Latvija (LV), Poljska (PL), Romunija (RO), Slovaška republika (SK), Slovenija (SLO).

(Second page of authorisation)

1. Purpose, reasons and description of the occasional service:

.....
.....
.....
.....

2. Information concerning the route:

(a) Place of departure of service: Country

(b) Place of destination of service: Country

Principal route of service and border crossing points

.....
.....
.....
.....

3. Date of provision of the service:

4. Registration number of the bus(es) or coach(es):

.....
.....

5. Other conditions:

.....
.....

6. Passenger list attached.

.....
(Stamp of authority issuing authorisation)

(Druga stran dovolilnice)

1. Namen, razlogi in opis občasnega prevoza:

.....
.....
.....
.....

2. Podatki o načrtu potovanja:

a) Mesto odhoda: Država:

b) Mesto prihoda: Država:

Glavne točke na potovanju in mejni prehodi

.....
.....
.....
.....

3. Trajanje potovanja:

4. Registrska številka avtobusa(ov)

.....
.....

5. Drugi pogoji:

.....
.....
.....

6. Seznam potnikov je v prilogi.

.....
(pečat organa, ki je izdal dovolilnico)

(Third page of authorisation)

To be worded in the official language(s) or one of the official languages of the
Contracting Parties issuing the authorisation

Important notice

1. The authorisation is valid for the entire journey. It may only be used by a transport operator whose name and registration number of the bus or coach is indicated thereon.
2. The authorisation shall be kept on the bus or coach for the duration of the journey and shall be presented whenever enforcement officials so request.
3. The list of passengers is to be annexed to this authorisation.

(Tretja stran dovolilnice)

(v uradnem jeziku (jezikih) ali v enem od uradnih jezikov pogodbenice, ki izda dovolilnico)
--

Opombe

1. Dovolilnica velja za celotno potovanje. Uporablja jo lahko samo prevoznik, katerega ime in registrska številka avtobusa sta navedena v dovolilnici.
2. Dovolilnico je treba hraniti v avtobusu med celotnim potovanjem in jo je treba pokazati na zahtevo kontrolnih organov.
3. Seznam potnikov se pripne k dovolilnici.

MODEL OF DECLARATION
TO BE MADE BY INTERBUS CONTRACTING PARTIES
CONCERNING ARTICLE 4 AND ANNEX 1

Conditions applying to road passenger transport operators

DECLARATION BY(Name of the Contracting Party) CONCERNING ARTICLE 4 AND ANNEX 1

1. The three conditions established in Title I of Council Directive 96/26/EC of 29 April 1996 on admission to the occupation of road haulage operator and road passenger transport operator and mutual recognition of diplomas, certificates and other evidence of formal qualification intended to facilitate for these operators the right to freedom of establishment in national and international transport operations (Official Journal of the European Communities L 124 of 23.5.1996, p. 1), as last amended by Council Directive 98/76/EC of 1 October 1998, (Official Journal of the European Community L 277 of 14.1.1998. p.17).
 - (a) have been introduced in the national legislation by (reference to the Law);
 - (b) will be introduced in the national legislation (date).
2. As far as the condition concerning the "appropriate financial standing" is concerned, the existing legislation establishes that the transport operator must have available capital and reserves of at least:
 - EUR (or equivalent in national currency) per vehicle used or
 - EUR (or equivalent in national currency) per seat of the passenger transport buses or coaches used by the transport operator.

It is envisaged that the amount of the "appropriate financial standing" will be adapted to the requirements of Directive 96/26/EC on (date, or no later than 1.1.2005).

VZOREC IZJAVE POGODBENIC SPORAZUMA INTERBUS V ZVEZI S 4. ČLENOM IN
PRILOGO 1

Pogoji za prevoznike v cestnem potniškem prometu

IZJAVA (ime pogodbenice)
V ZVEZI S 4. ČLENOM IN PRILOGO 1

1. Vsi trije pogoji iz I. naslova Direktive Sveta 96/26/ES z dne 29. aprila 1996 o dostopu do poklica prevoznika v cestnem tovornem in cestnem potniškem prometu ter o vzajemnem priznavanju diplom, potrdil in drugih dokazil o formalni usposobljenosti zaradi lažjega uresničevanja pravice teh prevoznikov do prostega ustanavljanja na področju notranjih in mednarodnih prevozov (Uradni list Evropskih skupnosti L 124, 23. 5. 1996, str. 1), kot je bila nazadnje spremenjena z Direktivo Sveta 98/76/ES z dne 1. oktobra 1998 (Uradni list Evropskih skupnosti L 277, 14. 10. 1998, str. 17):

a) so bili uvedeni v notranjo zakonodajo z
..... (naslov predpisa);

b) bodo uvedeni v notranjo zakonodajo
..... (datum).

2. Glede pogoja o "primernem finančnem položaju" obstoječa zakonodaja določa, da mora imeti prevoznik razpoložljiv kapital in rezerve v višini vsaj:

- EUR (ali enakovreden znesek v državni valuti) na uporabljeno vozilo ali
- EUR (ali enakovreden znesek v državni valuti) na sedež v avtobusu, ki ga prevoznik uporablja.

Višina "primerne finančnega položaja" bo usklajena z zahtevami Direktive 96/26/ES predvidoma (datum ali najpozneje 1. 1. 2005).

3. člen

Za izvajanje tega sporazuma skrbi Ministrstvo za promet.

4. člen

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

Št. 326-07/02-32/1

Ljubljana, dne 14. maja 2002

Predsednik
Državnega zbora
Republike Slovenije
Borut Pahor l. r.

48. Uredbo o ratifikaciji Protokola o spremembah Protokola B o pravilih o poreklu blaga k Sporazumu o prosti trgovini med Republiko Slovenijo in Republiko Latvijo

Na podlagi tretje alineje petega odstavka 75. člena Zakona o zunanjih zadevah (Uradni list RS, št. 45/01) izdaja Vlada Republike Slovenije

U R E D B O**O RATIFIKACIJI PROTOKOLA O SPREMEMBAH PROTOKOLA B O PRAVILIH O POREKLU BLAGA K SPORAZUMU O PROSTI TRGOVINI MED REPUBLIKO SLOVENIJO IN REPUBLIKO LATVIJO****1. člen**

Ratificira se Protokol o spremembah Protokola B o pravilih o poreklu blaga k Sporazumu o prosti trgovini med Republiko Slovenijo in Republiko Latvijo, ki je bil sklenjen v Rigi 30. decembra 1998.

2. člen

Protokol se v izvirniku v angleškem jeziku in v prevodu v slovenskem jeziku glasi:

**THE PROTOCOL
ON AMENDMENTS TO THE PROTOCOL B
ON RULES OF ORIGIN TO THE
FREE TRADE AGREEMENT BETWEEN
THE REPUBLIC OF LATVIA AND
THE REPUBLIC OF SLOVENIA**

The Republic of Latvia (hereinafter called Latvia) and the Republic of Slovenia (hereinafter called Slovenia),

Having regard to the Free Trade Agreement between the Republic of Slovenia, of the one part, and the Republic of Latvia, of the other part, signed in Riga on 22 April 1996, and in particular Article 38 thereof,

Whereas within this Protocol B the definition of the term "originating products" needs to be amended to ensure the proper operation of the extended system of cumulation which permits the use of materials originating in the European Community, the Republic of Poland, the Republic of Hungary, the Czech Republic, the Slovak Republic, the Republic of Bulgaria, Romania, the Republic of Latvia, the Republic of Lithuania, the Republic of Estonia, the Republic of Slovenia, the European Economic Area, Iceland, Norway and Switzerland;

Whereas it would seem advisable to maintain in operation by 31 December 2000 the system of flat rate charges provided for in Article 15 of this Protocol B in connection with the prohibition of drawback and exemption from customs duty;

Whereas it would also be appropriate to extend the cumulation system to such products originating in the Republic of Turkey;

Whereas to facilitate and simplify administrative tasks it would be desirable to amend the wording of Articles 3, 4 and 12 of Protocol B;

Whereas taking into account of changes in processing techniques and shortages of certain raw materials, some corrections must be made to the list of working and processing requirements which non-originating materials have to fulfill to qualify for originating status,

HAVE DECIDED AS FOLLOWS:

Article 1

Protocol B concerning the definition of the concept of "originating products" and methods of administrative cooperation is hereby amended as follows:

1. Paragraph 1(i) of Article 1 shall be replaced by:

"(i) "added value" shall be taken to be the ex-works price minus the customs value of each of the materials incorporated which originate in the other countries referred to in Articles 3 and 4 or, where the customs value is not known or cannot be ascertained, the first price verifiably paid for the products in Latvia or Slovenia."

2. Articles 3 and 4 shall be replaced by the following:**"Article 3****Cumulation in Slovenia**

1. Without prejudice to the provisions of Article 2, products shall be considered as originating in Slovenia if such products are obtained there, incorporating materials originating in the European Community, the Republic of Bulgaria, the Republic of Poland, the Republic of Hungary, the Czech Republic, the Slovak Republic, Romania, the Republic of Lithuania, the Republic of Latvia, the Republic of Estonia, the Republic of Slovenia, Iceland, Norway, Switzerland (including Liechtenstein)* or the Republic of Turkey ** in accordance with the provisions of the Protocol on rules of origin annexed to the Agreements between Slovenia and each of these countries, provided that the working or processing carried out in Slovenia goes beyond that referred to in Article 7 of this Protocol. It shall not be necessary that such materials have undergone sufficient working or processing.

2. Where the working or processing carried out in Slovenia does not go beyond the operations referred to in Article 7, the product obtained shall be considered as originating in Slovenia only where the value added there is greater than the value of the materials used originating in any one of the other countries referred to in paragraph 1. If this is not so, the product obtained shall be considered as originating in the country which accounts for the highest value of originating materials used in the manufacture in Slovenia.

* The principality of Liechtenstein has a customs union with Switzerland, and is a Contracting party to the Agreement on the European Economic Area.

** Cumulation as provided for this Article does not apply to materials originating in Turkey which are mentioned in the list at Annex V to this Protocol.

3. Products, originating in one of the countries referred to in paragraph 1, which do not undergo any working or processing in Slovenia, retain their origin if exported into one of these countries.

4. The cumulation provided for in this Article may only be applied to materials and products which have acquired originating status by an application of rules of origin identical to those given in this Protocol.

Article 4

Cumulation in Latvia

1. Without prejudice to the provisions of Article 2, products shall be considered as originating in Latvia, if such products are obtained there, incorporating materials originating in the European Community, the Republic of Bulgaria, the Republic of Poland, the Republic of Hungary, the Czech Republic, the Slovak Republic, Romania, the Republic of Lithuania, the Republic of Latvia, the Republic of Estonia, the Republic of Slovenia, Iceland, Norway, Switzerland (including Liechtenstein)* or the Republic of Turkey** in accordance with the provisions of the Protocol on rules of origin annexed to the Agreements between Latvia and each of these countries, provided that the working or processing carried out in Latvia goes beyond that referred to in Article 7 of this Protocol. It shall not be necessary that such materials have undergone sufficient working or processing.

2. Where the working or processing carried out in Latvia does not go beyond the operations referred to in Article 7, the product obtained shall be considered as originating in Latvia only where the value added there is greater than the value of the materials used originating in any one of the other countries referred to in paragraph 1. If this is not so, the product obtained shall be considered as originating in the country which accounts for the highest value of originating materials used in the manufacture in Latvia.

3. Products, originating in one of the countries referred to in paragraph 1, which do not undergo any working or processing in Latvia, retain their origin if exported into one of these countries.

4. The cumulation provided for in this Article may only be applied to materials and products which have acquired originating status by an application of rules of origin identical to those given in this Protocol."

3. Article 12 shall be replaced by the following:

"Article 12

Principle of territoriality

1. Except as provided the Articles 3 and 4, and paragraph 3 of this Article, the conditions for acquiring originating status set out in Title II must continue to be fulfilled at all times in Latvia or Slovenia.

2. Except as provided for in Articles 3 and 4, where originating goods exported from one of Latvia or Slovenia to another country return, they must be considered as non-originating, unless it can be demonstrated to the satisfaction of the customs authorities that:

(a) the returning goods are the same as those that were exported; and

(b) they have not undergone any operation beyond that necessary to preserve them in good condition while in that country or while being exported.

3. The acquisition of originating status in accordance with the conditions set out in Title II shall not be affected by working or processing done outside Latvia or Slovenia on materials exported from one of Latvia or Slovenia and subsequently reimported there, provided:

(a) the said materials are wholly obtained in Latvia or Slovenia or have undergone working or processing beyond the insufficient operations listed in Article 7 prior to being exported; and

(b) it can be demonstrated to the satisfaction of the customs authorities that:

i) the reimported goods have been obtained by working or processing the exported materials; and

ii) the total added value acquired outside Latvia or Slovenia by applying the provisions of this Article does not exceed 10% of the ex-works price of the end product for which originating status is claimed.

4. For the purposes of paragraph 3, the conditions for acquiring originating status set out in Title II shall not apply to working or processing done outside Latvia or Slovenia. But where, in the list in Annex II, a rule setting a maximum value for all the non-originating materials incorporated is applied in determining the originating status of the end product, the total value of the non-originating materials incorporated in the territory Latvia or Slovenia concerned, taken together with the total added value acquired outside Latvia or Slovenia by applying the provisions of this Article, shall not exceed the stated percentage.

5. For the purposes of applying the provisions of paragraphs 3 and 4, "total added value" shall be taken to mean all costs arising outside Latvia or Slovenia, including the value of the materials incorporated there.

6. The provisions of paragraphs 3 and 4 shall not apply to products which do not fulfill the conditions set out in the list in Annex II or which can be considered sufficiently worked or processed only if the general values fixed in Article 6(2) are applied.

7. The provisions of paragraphs 3 and 4 shall not apply to products coming under Chapters 50 to 63 of the Harmonised System.

8. Any working or processing of the kind covered by the provisions of this Article and done outside Latvia or Slovenia shall be done under the outward processing arrangements, or similar arrangements."

4. In Articles 13, 14, 15, 17, 21, 27, 30, 32 the phrase "referred to in Article 4" shall be replaced by "referred to in Articles 3 and 4";

5. In the last paragraph of Article 15(6) the date "31 December 1998" shall be replaced by the new date "31 December 2000".

6. In Article 26 (1) the reference C2/CP3" shall be replaced by the new reference CN22/CN23".

7. In Annex I Note 5.2:

(a) between the indents

– "artificial man-made filaments" and

– synthetic man-made staple fibres of polypropylene",

the following shall be inserted:

– "current conducting filaments";

(b) the fifth Example ("A carpet with tufts. ... are met") shall be deleted;

* The principality of Liechtenstein has a customs union with Switzerland, and is a Contracting party to the Agreement on the European Economic Area.

** Cumulation as provided for this Article does not apply to materials originating in Turkey which are mentioned in the list at Annex V to this Protocol.

8. In Annex II shall be amended as follows:

a) Between the rules for HS headings 2202 and 2208 the rule of the following text shall be inserted:

HS Heading No (1)	Description of product (2)	Working or processing of non-originating materials that confers originating status (3) (4)	
2207	Undenatured ethyl alcohol of an alcoholic strength by volume of 80% vol. or higher; ethyl alcohol and other spirits, denatured, of any strength.	Manufacture: using materials not classified in headings 2207 or 2208	

(b) In Annex II the text of the rule for Chapter 57 shall be replaced by:

Chapter 57	Carpets and other textile floor coverings: - Of needleloom felt - Of other felt - Other	Manufacture from ¹: - natural fibres or - chemical materials or textile pulp However: - polypropylene filament of heading 5402, - polypropylene fibres of heading 5503 or 5506, - polypropylene filament tow of heading 5501, of which the denomination in all cases of a single filament or fibre is less than 9 decitex, may be used provided their value does not exceed 40% of the ex-works price of the product - jute fabric may be used as backing Manufacture from ¹: - natural fibres not carded or combed or otherwise processed for spinning, or - chemical materials or textile pulp Manufacture from ¹: - coir or jute yarn - synthetic or artificial filament yarn, - natural fibres, or - man-made staple fibres not carded or combed or otherwise processed for spinning But jute fabric may be used as backing	
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(c) In Annex II the text of the rule for HS heading 7006 shall be replaced by:

“

7006	Glass of headings 7003, 7004 or 7005, bent, edgeworked, engraved, drilled, enamelled or otherwise worked, but not framed or fitted with other materials : - Glass plate substrate coated with dielectric thin film, semiconductor grade, in accordance with SEMII standards¹ - Other	Manufacture from materials (substrates) of heading 7006 Manufacture from materials of heading 7001	
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”

¹ SEMII-Semiconductor Equipment and Materials Institute Incorporated.”

(d) In Annex II the text of the rule for HS heading 7601 shall be replaced by:

7601	Unwrought aluminium	Manufacture in which: - all the materials used are classified within a heading other than that of the product; and - the value of all the materials used does not exceed 50 % of the ex-works price of the product or Manufacture by thermal or electrolytic treatment from unalloyed aluminium or waste and scrap of aluminium	
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”

9. In Annex IV, the Slovenian version of the invoice declaration shall be replaced by the following text:

“Izvoznik blaga, zajetega s tem dokumentom (pooblastilo carinskih organov št.....(1)) izjavljam, da, razen če ni drugače jasno navedeno, ima to blago preferencialno(2) poreklo.”

Article 2

1. The Protocol shall enter into force on the date of the last notification on the fulfillment of internal legal require-

ments for its entry into force.

2. The Republic of Latvia and the Republic of Slovenia shall apply this Protocol provisionally from the first day of the month following the date of the signature.

Done at Riga, this 30th day of December 1998, in two originals in the English language.

For the Republic of Latvia
Jānis Vanags, (s)

For the Republic of Slovenia
Boris Frlec, (s)

**PROTOKOL
O SPREMEMBAH PROTOKOLA B
O PRAVILIH O POREKLU BLAGA
K SPORAZUMU O PROSTI TRGOVINI
MED REPUBLIKO LATVIJO IN
REPUBLIKO SLOVENIJO**

Republika Latvija (v nadaljevanju Latvija) in Republika Slovenija (v nadaljevanju Slovenija) sta

ob upoštevanju Sporazuma o prosti trgovini med Republiko Slovenijo na eni strani in Republiko Latvijo na drugi strani, podpisanega v Rigi dne 22. aprila 1996, in še posebej njegovega 38. člena,

ker je v okviru tega protokola B treba spremeniti definicijo pojma "izdelki s poreklom", da bi se zagotovilo pravilno delovanje razširjenega sistema kumulacije, ki dovoljuje uporabo materialov s poreklom iz Evropske skupnosti, Republike Poljske, Republike Madžarske, Češke republike, Slovaške republike, Republike Bolgarije, Romunije, Republike Latvije, Republike Litve, Republike Estonije, Republike Slovenije, Evropskega gospodarskega prostora, Islandije, Norveške in Švice;

ker se zdi priporočljivo ohraniti v uporabi do 31. decembra 2000 sistem dajatev po enotni tarifi, kot je to zagotovljeno v 15. členu tega protokola B v zvezi s prepovedjo povračila carine ali opustitve plačila carine;

ker je primerno razširiti sistem kumulacije na take izdelke s poreklom iz Republike Turčije,

ker je zaradi lajšanja in poenostavitve upravnih nalog zaželeno spremeniti besedilo 3., 4. in 12. člena protokola B;

ker je ob upoštevanju sprememb postopkov predelave in pomanjkanja določenih surovin treba popraviti seznam zahtevanih obdelav ali predelav, ki jih je treba izpolniti za materiale brez porekla, da bi lahko pridobili status blaga s poreklom,

SKLENILI, KOT SLEDI:

1. člen

Protokol B v zvezi z definicijo pojma "izdelki s poreklom" in načinih upravnega sodelovanja se spremeni in dopolni v naslednjem:

1. Točka i) prvega odstavka 1. člena se nadomesti z:
- "i) 'dodana vrednost' pomeni ceno izdelka franko tovarna, zmanjšano za carinsko vrednost vsakega od vključenih materialov s poreklom iz drugih držav, omenjenih v 3. in 4. členu, ali če carinska vrednost ni znana ali se ne da ugotoviti, prvo ceno, ki se za izdelke dokazljivo plačuje v Latviji ali Sloveniji."

2. 3. in 4. člen se nadomestita z naslednjima:

"3. člen

Kumulacija v Sloveniji

1. Ne glede na določbe 2. člena izdelki veljajo za izdelke s poreklom iz Slovenije, če so bili tam pridobljeni in vključujejo materiale s poreklom iz Evropske skupnosti, Republike Bolgarije, Republike Poljske, Republike Madžarske, Češke republike, Slovaške republike, Romunije, Republike Litve, Republike Latvije, Republike Estonije, Republike Slovenije, Islandije, Norveške, Švice (vključno z Liechtensteinom)* ali Republike Turčije* v skladu z določbami Protokola

la o pravilih o poreklu, priloženega k sporazumom med Slovenijo in vsako od teh držav, pod pogojem, da obdelava ali predelava, opravljena v Sloveniji, presega tisto, omenjeno v 7. členu tega protokola. Ni treba, da bi bili taki materiali zadosti obdelani ali predelani.

2. Če obdelava ali predelava, ki se opravlja v Sloveniji, ne presega postopkov, omenjenih v 7. členu, se šteje, da ima pridobljeni izdelek poreklo iz Slovenije samo, kadar je tam dodana vrednost višja od vrednosti uporabljenih materialov s poreklom iz katere koli od držav, omenjenih v prvem odstavku. Če to ni tako, se pridobljeni izdelek šteje za izdelek s poreklom iz države, ki je prispevala največjo vrednost uporabljenih materialov s poreklom pri proizvodnji v Sloveniji.

3. Izdelki s poreklom iz ene od držav, omenjenih v prvem odstavku, ki niso obdelani ali predelani v Sloveniji, ohranijo svoje poreklo, če se izvozijo v eno od teh držav.

4. V tem členu predvidena kumulacija se lahko uporablja samo za materiale in izdelke, ki so pridobili status blaga s poreklom z uporabo pravil o poreklu, ki so enaka kot pravila v tem protokolu.

4. člen

Kumulacija v Latviji

1. Ne glede na določbe 2. člena izdelki veljajo za izdelke s poreklom iz Latvije, če so bili tam pridobljeni in vključujejo materiale s poreklom iz Evropske skupnosti, Republike Bolgarije, Republike Poljske, Republike Madžarske, Češke republike, Slovaške republike, Romunije, Republike Litve, Republike Latvije, Republike Estonije, Republike Slovenije, Islandije, Norveške, Švice (vključno z Liechtensteinom)* ali Republike Turčije* v skladu z določbami Protokola o pravilih o poreklu, priloženega k sporazumom med Latvijo in vsako od teh držav, pod pogojem, da obdelava ali predelava, opravljena v Latviji, presega tisto, omenjeno v 7. členu tega protokola. Ni treba, da bi bili taki materiali zadosti obdelani ali predelani.

2. Če obdelava ali predelava, ki se opravlja v Latviji, ne presega postopkov, omenjenih v 7. členu, se šteje, da ima pridobljeni izdelek poreklo iz Latvije samo, kadar je tam dodana vrednost višja od vrednosti uporabljenih materialov s poreklom iz katere koli od držav, omenjenih v prvem odstavku. Če to ni tako, se pridobljeni izdelek šteje za izdelek s poreklom iz države, ki je prispevala največjo vrednost uporabljenih materialov s poreklom pri proizvodnji v Latviji.

3. Izdelki s poreklom iz ene od držav, omenjenih v prvem odstavku, ki niso obdelani ali predelani v Latviji, ohranijo svoje poreklo, če se izvozijo v eno od teh držav.

4. V tem členu predvidena kumulacija se lahko uporablja samo za materiale in izdelke, ki so pridobili status blaga s poreklom z uporabo pravil o poreklu, ki so enaka kot pravila v tem protokolu."

3. 12. člen se nadomesti z naslednjim:

"12. člen

Načelo teritorialnosti

1. Razen v primerih iz 3. in 4. člena in tretjega odstavka tega člena morajo biti pogoji za pridobitev statusa blaga s poreklom, določeni v II. oddelku, v Latviji ali Sloveniji izpolnjeni neprekinjeno.

* Kneževina Liechtenstein ima carinsko unijo s Švico in je pogodbenica Sporazuma o evropskem gospodarskem prostoru.

** Kumulacija, predvidena v tem členu, ne velja za materiale s poreklom iz Turčije, ki so omenjeni v Prilogi V.

* Kneževina Liechtenstein ima carinsko unijo s Švico in je pogodbenica Sporazuma o evropskem gospodarskem prostoru.

** Kumulacija, predvidena v tem členu, ne velja za materiale s poreklom iz Turčije, ki so omenjeni v Prilogi V.

2. Razen v primerih iz 3. in 4. člena se blago s poreklom, izvoženo iz Latvije ali Slovenije v drugo državo, ko se vrne, šteje za blago brez porekla, razen če se carinskim organom lahko zadovoljivo dokaže:

(a) da je blago, ki se vrača, isto blago, kot je bilo izvoženo, in

(b) da na njem, medtem ko je bilo v tisti državi ali med izvozom, niso bili opravljeni nikakršni postopki, razen tistih, ki so potrebni, da se ohrani v dobrem stanju.

3. Na pridobitev statusa blaga s poreklom v skladu s pogoji, določenimi v II. oddelku, ne bo vplivala obdelava ali predelava, opravljena zunaj Latvije ali Slovenije na materialih, izvoženih iz Latvije ali Slovenije in nato ponovno tja uvoženih, pod pogojem, da:

(a) so omenjeni materiali v celoti pridobljeni v Latviji ali Sloveniji ali so bili pred izvozom obdelani ali predelani bolj, kot so nezadostni postopki, navedeni v 7. členu, in

(b) se carinskim organom zadovoljivo dokaže, da:

i) je bilo ponovno uvoženo blago pridobljeno z obdelavo ali predelavo izvoženih materialov in

ii) skupna dodana vrednost, pridobljena zunaj Latvije ali Slovenije ob uporabi določb tega člena, ne presega 10 odstotkov cene končnega izdelka franko tovarna, za katerega se ugotavlja status blaga s poreklom.

4. Za namene tretjega odstavka se pogoji za pridobitev statusa blaga s poreklom, določeni v II. oddelku, ne uporabljajo za obdelavo ali predelavo, opravljeno zunaj Latvije ali Slovenije. Vendar kjer se v seznamu v Prilogi II za določitev statusa blaga s poreklom za končni izdelek uporablja pravilo, ki določa najvišjo vrednost vseh vključenih materialov brez porekla, skupna vrednost materialov brez porekla, vključenih na ozemlju Latvije ali Slovenije, upoštevana skupaj s skupno dodano vrednostjo, pridobljeno zunaj Latvije ali Slovenije z uporabo določb tega člena, ne sme presežati navedenega odstotka.

5. Za namene uporabe določb tretjega in četrtega odstavka se šteje, da "skupna dodana vrednost" pomeni vse

stroške, nastale zunaj Latvije ali Slovenije, vključno z vrednostmi tam vključenih materialov.

6. Določbe tretjega in četrtega odstavka se ne uporabljajo za izdelke, ki ne izpolnjujejo pogojev, določenih v seznamu Priloge II, in ki se lahko štejejo za zadosti obdelane ali predelane samo ob uporabi splošne tolerance, določene v drugem odstavku 6. člena.

7. Določbe tretjega in četrtega odstavka se ne uporabljajo za izdelke, ki se uvrščajo v 50. do 63. poglavje Harmoniziranega sistema.

8. Vsaka obdelava ali predelava, ki je zajeta z določbami tega člena, opravljena zunaj Latvije ali Slovenije, se opravi v skladu s postopki o začasnem izvozu na oplemenitenje ali podobnimi postopki."

4. V 13., 14., 15., 17., 21., 27., 30. in 32. členu se besedilo "omenjeno v 4. členu" nadomesti z "omenjeno v 3. in 4. členu".

5. V zadnjem pododstavku šestega odstavka 15. člena se datum "31. december 1998" nadomesti z "31. december 2000".

6. V prvem odstavku 26. člena se sklicevanje na "C2/CP3" nadomesti z novo navedbo "CN22/CN23".

7. V Prilogi I, opomba 5.2:

(a) se med navedbama:

– "umetni filamenti" in

– "sintetična rezana vlakna iz polipropilena" vstavi naslednje:

– "prevodni filamenti";

(b) peti primer ("Taftana preproga, ... pogoj glede teže.") se črta.

8. V Prilogi II se spremeni, in dopolni, kot sledi:

(a) med pravila za tarifni številki 2202 in 2208 HS se vstavi naslednje besedilo:

"

Tar. št. HS	Poimenovanje blaga	Obdelava ali predelava, opravljena na materialih brez porekla, ki jim da status blaga s poreklom	
(1)	(2)	(3)	ali (4)
2207	Nedenaturirani etanol z vsebnostjo alkohola 80 vol. % ali več; etanol in druga žganja, denaturirana, s katerokoli vsebnostjo alkohola	Izdelava iz: - materialov, ki niso uvrščeni v tar. št. 2207 ali 2208.	

"

(b) v Prilogi II se pravilo za 57. poglavje nadomesti z:

57. pgl.	Preproge in druga tekstilna talna prekrivala: - Iz iglane klobučevine - Iz druge klobučevine - Drugo	Izdelava iz:¹ - naravnih vlaken ali - kemičnih materialov ali tekstilne kaše. Lahko se uporabljajo: - preja iz polipropilenskega filameta iz tar. št. 5402, - polipropilenska vlakna iz tar. št. 5503 ali 5506, - filamentni trak iz polipropilena iz tar. št. 5501, pri katerih je v vseh primerih vsebina vsakega filameta ali vlakna manjša od 9 decitekov, pod pogojem, da njihova vrednost ne presega 40 % cene izdelka franko tovarna. Tkanina iz jute se lahko uporablja kot podloga. Izdelava iz:¹ - naravnih vlaken, nemikanih ali nečesanih ali kako drugače pripravljenih za predenje, ali - kemičnih materialov ali tekstilne kaše. Izdelava iz:¹ - preje iz kokosovega vlakna ali jute*, - preje iz sintetičnih ali umetnih filamentov, - naravnih vlaken ali - sintetičnih ali umetnih rezanih vlaken, nemikanih ali nečesanih ali kako drugače predelanih za predenje. Tkanina iz jute se lahko uporablja kot podloga.	
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(c) v Prilogi II se pravilo za tarifno številko 7006 HS nadomesti z:

"

7006	Steklo iz tar. št. 7003, 7004 ali 7005, upognjeno, z obdelanimi robovi, gravirano, luknjano, emajlirano ali drugače obdelano, toda neuokvirjeno in nespojeno z drugimi materiali: - Podlaga iz steklene plošče, prevlečena s tanko izolacijsko prevleko polprevodniške vrste v skladu s standardi SEMII¹ - Drugo	Izdelava iz materialov (podlage) iz tar. št. 7006. Izdelava iz materialov iz tar. št. 7001.	
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¹ SEMII – Registrirani inštitut za polprevodniško opremo in materiale.

"

(d) v Prilogi II se pravilo za tarifno številko 7601 HS nadomesti z:

"

7601	Aluminij, surovi	Izdelava, pri kateri: - se vsi uporabljeni materiali uvrščajo v drugo tar. št., kot je tar. št. izdelka, in - vrednost vseh uporabljenih materialov ne presega 50 % cene izdelka franko tovarna ali Izdelava s toplotno ali elektrolitsko obdelavo iz nelegiranega aluminija ali iz aluminijevih odpadkov in ostankov.	
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"

9. V Prilogi IV se besedilo slovenske inačice izjave na računu nadomesti z besedilom, ki se glasi:

“Izvoznik blaga, zajetega s tem dokumentom (pooblastilo carinskih organov št. ... (1)) izjavljam, da, razen če ni drugače jasno navedeno, ima to blago preferencialno ... (2) poreklo.”

2. člen

1. Protokol začne veljati z datumom zadnjega uradnega obvestila o izpolnitvi notranjepravnih zahtev za začetek njegove veljavnosti.

2. Republika Latvija in Republika Slovenija začasno uporabljata ta protokol od prvega dneva meseca, ki sledi datumu podpisa.

Sestavljeno v Rigi tridesetega decembra 1998 v dveh izvornikih v angleškem jeziku.

Za Republiko Latvijo
Jānis Vanags l.r.

Za Republiko Slovenijo
Boris Frlec l.r.

3. člen

Za izvajanje protokola skrbi Ministrstvo za finance – Carinska uprava Republike Slovenije.

4. člen

Ta uredba začne veljati naslednji dan po objavi v Uradnem listu Republike Slovenije – Mednarodne pogodbe.

Št. 333-08/2000-7

Ljubljana, dne 21. maja 2002

Vlada Republike Slovenije

dr. Janez Drnovšek l. r.
Predsednik

49. Uredba o ratifikaciji Protokola o spremembah Protokola B o pravilih o poreklu blaga k Sporazumu o prosti trgovini med Republiko Slovenijo in Republiko Latvijo

Na podlagi tretje alinee petega odstavka 75. člena Zakona o zunanjih zadevah (Uradni list RS, št. 45/01) izdaja Vlada Republike Slovenije

U R E D B O

O RATIFIKACIJI PROTOKOLA O SPREMEMBAH PROTOKOLA B O PRAVILIH O POREKLU BLAGA K SPORAZUMU O PROSTI TRGOVINI MED REPUBLIKO SLOVENIJO IN REPUBLIKO LATVIJO

1. člen

Ratificira se Protokol o spremembah Protokola B o pravilih o poreklu blaga k Sporazumu o prosti trgovini med Republiko Slovenijo in Republiko Latvijo, ki je bil sklenjen v Rigi 13. decembra 1999.

2. člen

Protokol se v izvirniku v angleškem jeziku in v prevodu v slovenskem jeziku glasi:

**THE PROTOCOL
ON AMENDMENTS TO THE PROTOCOL B
ON RULES OF ORIGIN TO THE
FREE TRADE AGREEMENT BETWEEN
THE REPUBLIC OF SLOVENIA AND
THE REPUBLIC OF LATVIA**

The Republic of Slovenia (hereinafter called Slovenia) and the Republic of Latvia (hereinafter called Latvia),

Having regard to the Free Trade Agreement between the Republic of Slovenia, of the one part, and the Republic of Latvia, of the other part, signed in Riga on 22 April 1996, and in particular Article 31 thereof,

Whereas the definition of the term "originating products" needs to be amended to ensure the proper operation of the extended system of cumulation which permits the use of materials originating in the European Community, Poland, Hungary, the Czech Republic, the Slovak Republic, Bulgaria, Romania, Latvia, Lithuania, Estonia, Slovenia, Turkey, the European Economic Area (hereinafter referred to as the EEA), Iceland, Norway and Switzerland;

Whereas it would seem advisable to revise the Articles concerning the amounts in order fully to take into consideration the entry into force of the euro;

Whereas, to take account of changes in processing techniques and shortages of certain raw materials, some corrections must be made to the list of working and processing requirements which non-originating material have to fulfil to qualify for originating status,

HAVE DECIDED AS FOLLOWS:

Article 1

Protocol B concerning the definition of the concept of "originating products" and methods of administrative cooperation is hereby amended as follows:

1. In Articles 21 and 26 the word "ECUs" shall be replaced by "euro".

2. Article 30 shall be replaced by the following:

"Article 30

Amounts expressed in euro

1. Amounts in the national currency of the exporting country equivalent to the amounts expressed in euro shall be fixed by the exporting country and communicated to the importing country.

2. When the amounts exceed the corresponding amounts fixed by the importing country, the latter shall accept them if the products are invoiced in the currency of the exporting country. When the products are invoiced in the currency of another country referred to in Articles 3 and 4, the importing country shall recognise the amount notified by the country concerned.

3. The amounts to be used in any given national currency shall be the equivalent in that national currency of the amounts expressed in euro as at the first working day of October 1999.

4. The amounts expressed in euro and their equivalents in the national currencies of Latvia and Slovenia shall be reviewed by the Joint Committee at the request of Latvia or Slovenia. When carrying out this review, the Joint Committee shall ensure that there will be no decrease in the amounts to be used in national currency and shall furthermore consider the desirability of preserving the effects of the limits concerned in real terms. For this purpose, it may decide to modify the amounts expressed in euro."

3. Annex II shall be amended as follows:

(a) the entry for HS heading 1904 shall be replaced by:

1904	Prepared foods obtained by the swelling or roasting of cereal or cereal products (for example, corn flakes); cereals (other than maize (corn)) in grain form or in the form of flakes or other worked grains (except flour and meal), pre-cooked, or otherwise prepared, not elsewhere specified or included	Manufacture: - from materials not classified within heading No 1806; - in which all the cereals and flour (except durum wheat and its derivatives and <i>Zea indurata</i> maize) used must be wholly obtained;^a - in which the value of any materials of Chapter 17 used does not exceed 30% of the ex-works price of the product	
¹ The exception concerning the <i>Zea indurata</i> maize is applicable until 31.12.2002.			

(b) the entry for HS heading 2207 shall be replaced by:

2207	Undenatured ethyl alcohol of an alcoholic strength by volume of 80 % vol or higher; ethyl alcohol and other spirits, denatured, of any strength	Manufacture: - from materials not classified within heading Nos 2207 or 2208, - in which all the grapes or any material derived from grapes used must be wholly obtained or if all the other materials used are already originating, arrack may be used up to a limit of 5% by volume	
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(c) the entry for HS Chapter 57 shall be replaced by:

Chapter 57	Carpets and other textile floor coverings: - Of needleloom felt	Manufacture from a: - natural fibres or - chemical materials or textile pulp However: - polypropylene filament of heading No 5402, or - polypropylene fibres of heading Nos 5503 or 5506, or - polypropylene filament tow of heading No 5501, of which the denomination in all cases of a single filament or fibre is less than 9 decitex, may be used provided their value does not exceed 40% of the ex-works price of the product Jute fabric may be used as backing	
	- Of other felt	Manufacture from a: - natural fibres not carded or combed or otherwise processed for spinning, or - chemical materials or textile pulp	
	- Of other textiles materials	Manufacture from a: - coir or jute yarn, - synthetic or artificial filament yarn, - natural fibres, or - man-made staple fibres not carded or combed or otherwise processed for spinning Jute fabric may be used as backing	
¹ For special conditions relating to products made of a mixture of textile materials, see Introductory Note 5.			

(d) the entry for HS heading 8401 shall be replaced by:

ex 8401	Nuclear fuel elements	Manufacture in which all the materials used are classified within a heading other than that of the product ¹	Manufacture in which the value of all the materials does not exceed 30% of the ex-works price of the final product
¹ This rule shall apply until 31 December 2005.			

(e) the following shall be inserted between the entries for HS heading Nos 9606 and 9612:

9608	Ball-point pens; felt-tipped and other porous-tipped pens and markers; fountain pens, stylograph pens and other pens; duplicating stylos; propelling or sliding pencils; pen-holders, pencil-holders and similar holders; parts (including caps and clips) of the foregoing articles, other than those of heading No 9609	Manufacture in which all the materials used are classified within a heading other than that of the product. However, nibs or nib-points classified within the same heading may be used	
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Article 2

This Protocol shall enter into force on the date of entering into force of the Free Trade Agreement between the Republic of Slovenia and the Republic of Latvia.

If this Protocol cannot enter into force before 1 January 2000, it shall be applied provisionally from that date.

Done at Riga this 13 day of December 1999 in two authentic copies in the English language.

The Representative of the Republic of Slovenia:	The Representative of the Republic of Latvia:
Boris Frlec (s)	Ilgā Preimate (s)

**PROTOKOL
O SPREMEMBAH PROTOKOLA B
O PRAVILIH O POREKLU BLAGA K SPORAZUMU
O PROSTI TRGOVINI MED
REPUBLIKO SLOVENIJO IN
REPUBLIKO LATVIJO**

Republika Slovenija (v nadaljevanju Slovenija) in Republika Latvija (v nadaljevanju Latvija) sta

ob upoštevanju sporazuma o prosti trgovini med Republiko Slovenijo na eni strani in Republiko Latvijo na drugi strani, podpisanega v Rigi 22. aprila 1996, in še posebej njegovega 31. člena,

ker je treba spremeniti opredelitev pojma "izdelki s poreklom", da bi se zagotovilo pravilno delovanje razširjenega sistema kumulacije, ki dovoljuje uporabo materialov s poreklom iz Evropske skupnosti, Poljske, Madžarske, Češke republike, Slovaške republike, Bolgarije, Romunije, Latvije, Litve, Estonije, Slovenije, Turčije, Evropskega gospodarskega prostora (v nadaljevanju EEA), Islandije, Norveške in Švice,

ker se zdi priporočljivo spremeniti člene, v katerih so omenjeni zneski, da bi se v celoti upoštevala uveljavitev evra,

ker je, ob upoštevanju sprememb v postopkih predelave in pomanjkanja določenih surovin, treba nekoliko popraviti seznam zahtevanih obdelav in predelav, ki jih je treba izpolniti za materiale brez porekla, da lahko pridobijo status blaga s poreklom,

SKLENILI:

1. člen

Protokol B o opredelitvi pojma "izdelki s poreklom" in načinih upravnega sodelovanja se spremeni, kot sledi:

1. V 21. in 26. členu se beseda "ekujev" nadomesti z "evrov".

2. 30. člen se nadomesti z:

"30. člen

Zneski, izraženi v evrih

1. Zneske v valuti države izvoznice, ki so protivrednosti zneskov, izraženih v evrih, določi država izvoznica in jih sporoči državi uvoznici.

2. Kadar so zneski višji od ustreznih zneskov, ki jih je določila država uvoznica, jih mora slednja sprejeti, če so izdelki zaračunani v valuti države izvoznice. Kadar so izdelki zaračunani v valuti ene od drugih držav, omenjenih v 3. in 4. členu, mora država uvoznica priznati zneske, ki jih je ta država uradno sporočila.

3. Zneski, ki se uporabljajo v valuti katere koli države, so protivrednosti zneskov, izraženih v evrih, v valuti te države po tečaju na prvi delovni dan v oktobru 1999.

4. Skupni odbor na zahtevo Latvije ali Slovenije pregleda v evrih izražene zneske in njihovo protivrednost v domačih valutah Latvije in Slovenije. Skupni odbor ob tem pregledu zagotovi, da se zneski v domači valuti, ki jih je treba uporabljati, ne bodo znižali, in poleg tega upošteva zaželeno ohranjanje dejanskih učinkov teh omejitev. V ta namen se lahko odloči za spremembo zneskov, izraženih v evrih."

3. Priloga II se spremeni, kot sledi:

(a) vpis za tarifno številko 1904 HS se nadomesti z:

1904	Pripravljena živila, dobljena z nabrekanjem ali praženjem žit ali žitnih izdelkov (npr. koruzni kosmiči); žita (razen koruze (zrna)) v zrnju ali v obliki kosmičev ali druga obdelana zrna (razen moke in zdroba), predkuhana ali drugače pripravljena, ki niso omenjena in ne zajeta na drugem mestu	Izdelava: - iz materialov, ki niso uvrščeni v tar. št. 1806; - pri kateri morajo biti vsa uporabljena žita in moka (razen pšenice vrste "durum" in njenih izdelkov in koruze Zea indurata) v celoti pridobljeni; ¹ - pri kateri vrednost katerega koli uporabljenega materiala iz 17. poglavja ne presega 30 % cene izdelka franko tovarna.
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¹ Izjema za koruzo Zea indurata se uporablja do 31.12.2002.

(b) vpis za tarifno številko 2207 HS se nadomesti z:

2207	Nedenaturirani etanol z vsebnostjo alkohola 80 vol. % ali več; etanol in druga žganja, denaturirana, s katero koli vsebnostjo alkohola	Izdelava: - iz materialov, ki niso uvrščeni v tar. št. 2207 ali 2208: - pri kateri mora biti vse uporabljeno grozdje ali kateri koli material, dobljen iz grozdja, v celoti pridobljen, ali če so vsi drugi uporabljeni materiali že s poreklom, se lahko uporabi arak do višine 5 vol. %.	
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(c) vpis za 57. poglavje HS se nadomesti z:

57. pgl.	Preproge in druga tekstilna talna prekrivala: - Iz iglane klobučevine	Izdelava iz: ¹ - naravnih vlaken ali - kemičnih materialov ali tekstilne kaše. Lahko pa se uporabljajo: - preja iz polipropilenskega filamenta iz tar. št. 5402 ali - polipropilenska vlakna iz tar. št.	-
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		5503 ali 5506 ali - filamentni trak iz polipropilena iz tar. št. 5501, pri katerih je v vseh primerih vsebina vsakega filameta ali vlakna manjša od 9 deciteksov, pod pogojem, da njihova vrednost ne presega 40 % cene izdelka franko tovarna. Tkanina iz jute se lahko uporablja kot podloga.	
	- Iz druge klobučevine	Izdelava iz:¹ - naravnih vlaken, nemikanih ali nečesanih ali kako drugače pripravljenih za predenje, ali - kemičnih materialov ali tekstilne kaše.	
	- Iz drugih tekstilnih materialov	Izdelava iz:¹ - preje iz kokosovega vlakna ali jute, - preje iz sintetičnih ali umetnih filamentov, - naravnih vlaken ali - sintetičnih ali umetnih rezanih vlaken, nemikanih ali nečesanih ali kako drugače predelanih za predenje. Tkanina iz jute se lahko uporablja kot podloga.	
¹ Posebni pogoji, ki veljajo za izdelke iz mešanice tekstilnih materialov, so navedeni v uvodni opombi 5.			

(d) vpis za tarifno številko 8401 HS se nadomesti z:

ex 8401	Gorilni elementi (polnjenja) za jedrske reaktorje	Izdelava, pri kateri so vsi uporabljeni materiali uvrščeni v drugo tar. št., kot je tar. št. izdelka. ¹	Izdelava, pri kateri vrednost vseh uporabljenih materialov ne presega 30 % cene končnega izdelka franko tovarna.
¹ To pravilo se uporablja do 31. decembra 2005.			

(e) med vpisa za tarifni številki 9606 in 9612 HS se doda naslednje:

9608	Kemični svinčniki; flomastri in označevalniki z vrhom iz polsti ali drugega poroznega materiala; nalivna peresa in podobna peresa; peresa za kopiranje; patentni svinčniki; peresniki, držala za svinčnike in podobna držala; deli (vključno kapice in ščipalke) navedenih izdelkov, razen tistih iz tar. št. 9609	Izdelava, pri kateri se vsi uporabljeni materiali uvrščajo v drugo tar. št., kot je tar. št. izdelka. Lahko pa se uporabljajo peresa in njihove konice iz iste tar. št.	
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2. člen

Ta protokol začne veljati z datumom začetka veljavnosti Sporazuma o prosti trgovini med Republiko Slovenijo in Republiko Latvijo.

Če ta protokol ne more začeti veljati pred 1. januarjem 2000, se začasno uporablja od tega datuma.

Sestavljeno v Rigi 13. decembra 1999 v dveh verodostojnih izvodih v angleškem jeziku.

Predstavnik
Republike Slovenije:
Boris Frlec l.r.

Predstavnik
Republike Latvije:
Ilga Preimate l.r.

3. člen

Za izvajanje protokola skrbi Ministrstvo za finance – Carinska uprava Republike Slovenije.

4. člen

Ta uredba začne veljati naslednji dan po objavi v Uradnem listu Republike Slovenije -Mednarodne pogodbe.

Št. 333-08/2000-8

Ljubljana, dne 21. maja 2002

Vlada Republike Slovenije

dr. Janez Drnovšek l. r.
Predsednik

50. Uredba o ratifikaciji Dodatnega protokola o spremembah Protokola B o pravilih o poreklu blaga k Sporazumu o prosti trgovini med Republiko Slovenijo in Republiko Latvijo

Na podlagi tretje alinee petega odstavka 75. člena Zakona o zunanjih zadevah (Uradni list RS, št. 45/01) izdaja Vlada Republike Slovenije

U R E D B O

O RATIFIKACIJI DODATNEGA PROTOKOLA O SPREMENBAH PROTOKOLA B O PRAVILIH O POREKLU BLAGA K SPORAZUMU O PROSTI TRGOVINI MED REPUBLIKO SLOVENIJO IN REPUBLIKO LATVIJO

1. člen

Ratificira se Dodatni protokol o spremembah Protokola B o pravilih o poreklu blaga k Sporazumu o prosti trgovini med Republiko Slovenijo in Republiko Latvijo, ki je bil sklenjen v Rigi 18. decembra 2000.

2. člen

Dodatni protokol se v izvirniku v angleškem jeziku in v prevodu v slovenskem jeziku glasi:

**THE ADDITIONAL PROTOCOL
ON AMENDMENTS TO THE PROTOCOL B
ON RULES OF ORIGIN TO THE
FREE TRADE AGREEMENT BETWEEN
THE REPUBLIC OF SLOVENIA AND
THE REPUBLIC OF LATVIA**

The Republic of Slovenia (hereinafter called Slovenia) and the Republic of Latvia (hereinafter called Latvia);

Having regard to the Free Trade Agreement between the Republic of Slovenia, of the one part, and the Republic of Latvia, of the other part, signed in Riga on 22 April 1996, and in particular Article 31 thereof;

Whereas some technical amendments are proposed in order to correct the text;

Whereas the list of insufficient working and processing needs to be amended to ensure the proper interpretation and to take account of the need to include some operations not covered previously by this list;

Whereas the need has arisen to provide for a system of accounting segregation of originating and non-originating materials, subject to authorisation granted by customs authorities;

Whereas the provisions concerning the amounts expressed in Euro need to be revised in order to clarify the procedure and to provide greater stability for the level of the amounts in national currencies;

Whereas to take account of the lack of production of certain material within Slovenia or Latvia, a correction must be made to the list of working and processing requirements which non-originating materials have to fulfil to qualify for originating status

HAVE DECIDED AS FOLLOWS:

Article 1

Protocol B concerning the definition of the concept of 'originating products' and methods of administrative cooperation is hereby amended as follows:

1. Article 1 (i) shall be replaced by:

"(i) 'added value' shall be taken to be the ex-works price minus the customs value of each of the materials incorporated which originate in the other countries referred to in Articles 3 and 4 or, where the customs value is not known or cannot be ascertained, the first verifiable price paid for the materials in Slovenia or Latvia."

2. Article 7 shall be replaced by:

"Article 7

Insufficient working or processing

1. Without prejudice to paragraph 2, the following operations shall be considered as insufficient working or processing to confer the status of originating products, whether or not the requirements of Article 6 are satisfied:

- (a) preserving operations to ensure that the products remain in good condition during transport and storage;
- (b) breaking-up and assembly of packages;
- (c) washing, cleaning; removal of dust, oxide, oil, paint or other coverings;
- (d) ironing or pressing of textiles;
- (e) simple painting and polishing operations;
- (f) husking, partial or total bleaching, polishing, and glazing of cereals and rice;
- (g) operations to colour sugar or form sugar lumps;
- (h) peeling, stoning and shelling, of fruits, nuts and vegetables;
- (i) sharpening, simple grinding or simple cutting;
- (j) sifting, screening, sorting, classifying, grading, matching; (including the making-up of sets of articles);
- (k) simple placing in bottles, cans, flasks, bags, cases, boxes, fixing on cards or boards and all other simple packaging operations;
- (l) affixing or printing marks, labels, logos and other like distinguishing signs on products or their packaging;
- (m) simple mixing of products, whether or not of different kinds;
- (n) simple assembly of parts of articles to constitute a complete article or disassembly of products into parts;
- (o) a combination of two or more operations specified in subparagraphs (a) to (n);
- (p) slaughter of animals.

2. All operations carried out in either Slovenia or Latvia on a given product shall be considered together when determining whether the working or processing undergone by that product is to be regarded as insufficient within the meaning of paragraph 1."

3. In Article 15, the final sentence in paragraph 6 shall be replaced by:

"The provisions of this paragraph shall apply until 31 December 2001."

4. The following article shall be inserted after Article 20 and a reference to this article shall be added in the Table of Contents:

*"Article 20a**Accounting segregation*

1. Where considerable cost or material difficulties arise in keeping separate stocks of originating and non-originating materials which are identical and interchangeable, the customs authorities may, at the written request of those concerned, authorise the so-called "accounting segregation" method to be used for managing such stocks.

2. This method must be able to ensure that, for a specific reference-period, the number of products obtained which could be considered as originating is the same as that which would have been obtained if there had been physical segregation of the stocks.

3. The customs authorities may grant such authorisation, subject to any conditions deemed appropriate.

4. This method is recorded and applied on the basis of the general accounting principles applicable in the country where the product was manufactured.

5. The beneficiary of this facilitation may issue or apply for proofs of origin, as the case may be, for the quantity of products which may be considered as originating. At the request of the customs authorities, the beneficiary shall provide a statement of how the quantities have been managed.

6. The customs authorities shall monitor the use made of the authorisation and may withdraw it at any time whenever the beneficiary makes improper use of the authorisation in any manner whatsoever or fails to fulfil any of the other conditions laid down in this Protocol."

5. In Article 22, paragraph 1, first sentence, the following shall be inserted after "exporter": "hereinafter referred to as "approved exporter","

6. Article 30 shall be replaced by:

*"Article 30**Amounts expressed in Euro*

1. For the application of the provisions of Article 21(1)(b) and Article 26(3) in cases where products are invoiced in a currency other than Euro, amounts in the national currencies of the countries referred to in Articles 3 and 4 equivalent to the amounts expressed in Euro shall be fixed annually by each of the countries concerned.

2. A consignment shall benefit from the provisions of Article 21(1)(b) or Article 26(3) by reference to the currency in which the invoice is drawn up, according to the amount fixed by the country concerned.

3. The amounts to be used in any given national currency shall be the equivalent in that currency of the amounts expressed in Euro as at the first working day of October and shall apply from 1 January the following year. Slovenia and Latvia shall be notified of the relevant amounts.

4. A country may round up or down the amount resulting from the conversion into its national currency of an amount expressed in Euro. The rounded-off amount may not differ from the amount resulting from the conversion by more than 5 per cent. A country may retain unchanged its national currency equivalent of an amount expressed in Euro if, at the time of the annual adjustment provided for in paragraph 3, the conversion of that amount, prior to any rounding-off, results in an increase of less than 15 per cent in the national currency equivalent. The national currency equivalent may be retained unchanged if the conversion would result in a decrease in that equivalent value.

5. The amounts expressed in Euro shall be reviewed by the Joint Committee at the request of Slovenia or Latvia. When carrying out this review, the Joint Committee shall consider the desirability of preserving the effects of the limits concerned in real terms. For this purpose, it may decide to modify the amounts expressed in Euro."

7. Annex II shall be amended as follows:

a) the entry for HS heading 5309 to 5311 shall be replaced by:

"

5309 to 5311	Woven fabrics of other vegetable textile fibres; woven fabrics of paper yarn: - Incorporating rubber thread - Other	Manufacture from single yarn (1) Manufacture from (1): - coir yarn, - jute yarn, - natural fibres, - man-made staple fibres not carded or combed or otherwise prepared for spinning, - chemical materials or textile pulp, or - paper or Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerising, heat setting, raising, calendering, shrink resistance processing, permanent finishing, decatizing, impregnating, mending and burling) where the value of the unprinted fabric does not exceed 47,5% of the ex-works price of the product	
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(1) For special conditions relating to products made of a mixture of textile materials, see Introductory Note 5. "

c) The entry for Chapter 57 shall be replaced by:

Chapter 57	Carpets and other textile floor coverings: - Of needleloom felt - Of other felt: - Of other textile materials	Manufacture from (1): - natural fibres, or - chemical materials or textile pulp. However: - polypropylene filament of heading No 5402, - polypropylene fibres of heading Nos 5503 or 5506, or - polypropylene filament tow of heading No 5501, of which the denomination in all cases of a single filament or fibre is less than 9 decitex may be used provided their value does not exceed 40 % of the ex-works price of the product. Jute fabric may be used as backing. Manufacture from (1): - natural fibres not carded or combed or otherwise processed for spinning, or - chemical materials or textile pulp Manufacture from (1): - coir or jute yarn, - synthetic or artificial filament yarn, - natural fibres, or - man-made staple fibres not carded or combed or otherwise processed for spinning. Jute fabric may be used as backing.	
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(1) For special conditions relating to products made of a mixture of textile materials, see Introductory Note 5. "

Article 2

1. This Additional Protocol shall enter into force on 1 January 2001 provided that before this date Parties shall exchange the diplomatic notes confirming approval in accordance with the internal legal requirements of the Parties.

2. If this Additional Protocol cannot enter into force in accordance with the paragraph 1 of this Article, it shall enter into force on the first day of the month following a receipt of

the latter diplomatic note confirming its approval in accordance with the internal legal requirements of the Parties.

Done at Ljubljana, this 18th day of December 2000 in two authentic copies in the English language.

For the Republic of Slovenia
Dimitrij Rupel (s)

For the Republic of Latvia
Kaspars Gerhards (s)

**DODATNI PROTOKOL
O SPREMEMBAH PROTOKOLA B
O PRAVILIH O POREKLU BLAGA
K SPORAZUMU O PROSTI TRGOVINI MED
REPUBLIKO SLOVENIJO IN
REPUBLIKO LATVIJO**

Republika Slovenija (v nadaljevanju Slovenija) in Republika Latvija (v nadaljevanju Latvija) sta

ob upoštevanju sporazuma o prosti trgovini med Republiko Slovenijo na eni strani in Republiko Latvijo na drugi strani, podpisanega v Rigi 22. aprila 1996, in še posebej njegovega 31. člena,

ker so predlagane nekatere tehnične spremembe zaradi popravka besedila,

ker je treba seznam nezadostnih postopkov obdelave in predelave spremeniti zato, da se zagotovi pravilna razlaga in da se upoštevajo potrebe po vključitvi nekaterih postopkov, ki prej niso bili vključeni v ta seznam,

ker je nastala potreba po zagotovitvi sistema ločenega knjigovodskega izkazovanja materialov s poreklom in brez njega ob pogoju pridobitve dovoljenja carinskih organov,

ker je treba pregledati določbe v zvezi z zneski, izraženi v evrih, zato da se pojasni postopek in zagotovi večja stabilnost višine zneskov v domačih valutah,

ker je treba ob upoštevanju pomanjkanja proizvodnje določenega materiala v Sloveniji ali Latviji popraviti seznam zahtevanih obdelav in predelav, ki jih je treba izpolniti za materiale brez porekla, da lahko dobijo status blaga s poreklom,

SKLENILI:

1. člen

Protokol B o opredelitvi pojma "izdelki s poreklom" in načinih upravnega sodelovanja se spremeni, kot sledi:

1. Točka i) 1. člena se nadomesti z:

"i) 'dodana vrednost' pomeni ceno izdelka franko tovarna, zmanjšano za carinsko vrednost vsakega vključenega materiala s poreklom iz drugih držav, omenjenih v 3. in 4. členu, ali če carinska vrednost ni znana ali se ne da ugotoviti, prvo preverljivo ceno, plačano za materiale v Sloveniji ali v Latviji."

2. 7. člen se nadomesti z:

"7. člen

Nezadostni postopki obdelave ali predelave

1. Brez vpliva na drugi odstavek se šteje, da so naslednji postopki obdelave ali predelave nezadostni, da bi izdelek pridobil status izdelka s poreklom, ne glede na to, ali je zadoščeno zahtevam iz 6. člena:

(a) postopki za ohranitev blaga v dobrem stanju med prevozom in skladiščenjem;

(b) razstavljanje in sestavljanje pošiljk;

(c) pranje, čiščenje; odstranjevanje prahu, oksida, olja, barve ali drugih snovi za prekrivanje;

(d) likanje tekstila;

(e) preprosti postopki barvanja in loščenja;

(f) luščenje, beljenje, delno ali v celoti, poliranje in glaziranje žit in riža;

(g) postopki barvanja sladkorja ali oblikovanje sladkornih kock;

(h) lupljenje, razkoščičanje in luščenje sadja, oreščkov in zelenjave;

(i) ostrenje, preprosto brušenje ali preprosto rezanje;

(j) sejanje, prebiranje, razvrščanje, usklajevanje (vključno s sestavljanjem garnitur izdelkov);

(k) preprosto pakiranje v steklenice, konzerve, čutare, vrečke, zaboje, škatle, pritrjevanje na kartone ali plošče in vsi drugi preprosti postopki pakiranja;

(l) pritrjevanje ali tiskanje oznak, nalepk, logotipov in drugih podobnih znakov za razlikovanje na izdelke ali njihovo embalažo;

(m) preprosto mešanje izdelkov ne glede na to, ali so različnih vrst ali ne;

(n) preprosto sestavljanje delov izdelkov v popoln izdelek ali razstavljanje izdelkov na dele;

(o) kombinacija dveh ali več postopkov, opisanih v pododstavkih a) do n);

(p) zakol živali.

2. Pri ugotavljanju, ali se predelava ali obdelava, opravljena na posameznem izdelku, šteje za nezadostno v smislu prvega odstavka, se skupno upoštevajo vsi postopki, opravljeni na tem izdelku v Sloveniji ali Latviji."

3. V 15. členu se zadnji stavek šestega odstavka nadomesti z:

"Določbe tega odstavka se uporabljajo do 31. decembra 2001."

4. Za 20. členom se doda naslednji člen in se navede v pregledu vsebine:

"20. a člen

Ločeno knjigovodsko izkazovanje

1. Če pri ločenem skladiščenju zalog izdelkov s poreklom in izdelkov brez porekla, ki so enaki ali med seboj zamenljivi, nastanejo precejšnji stroški ali bistvene težave, lahko carinski organi na pisno zahtevo prizadetih strank za vodenje teh zalog dovolijo tako imenovano metodo "ločene-ga knjigovodskega izkazovanja".

2. Ta metoda mora zagotoviti, da je število pridobljenih izdelkov v določenem referenčnem obdobju, ki se lahko štejejo za izdelke s poreklom, enako, kot bi ga dobili, če bi bile zaloge fizično ločene.

3. Carinski organi lahko tako dovoljenje izdajo pod katerimi koli pogoji, za katere menijo, da so ustrezni.

4. Ta metoda se evidentira in uporablja na podlagi splošnih računovodskih načel, ki veljajo v državi, v kateri je bil izdelek narejen.

5. Uporabnik te poenostavitve lahko izda ali zaprosi za dokazilo o poreklu, odvisno od primera, za tiste količine izdelkov, ki se lahko štejejo za izdelke s poreklom. Na zahtevo carinskega organa uporabnik da izjavo o načinu vodenja zalog.

6. Carinski organi nadzorujejo uporabo dovoljenja in ga lahko kadar koli odvzamejo, če ga uporabnik kakor koli nepravilno uporablja ali ne izpolnjuje katerega koli od pogojev, določenih v tem protokolu."

5. V prvem stavku prvega odstavka 22. člena se za besedo "izvoznika" vstavi:

"v nadaljevanju "pooblaščenega izvoznika", "

6. 30. člen se nadomesti z:

"30. člen

Zneski, izraženi v evrih

1. Za uporabo določb pododstavka b) prvega odstavka 21. člena in tretjega odstavka 26. člena v primerih, ko se za izdelke izda račun v drugi valuti kot evro, vsako leto vsaka od držav, omenjenih v 3. in 4. členu, določi zneske v domači valuti v protivrednosti zneskov, izraženih v evrih.

2. Za pošiljko se lahko uveljavljajo ugodnosti v skladu s pododstavkom b) prvega odstavka 21. člena ali s tretjim odstavkom 26. člena s sklicevanjem na valuto, v kateri se izda račun, glede na znesek, ki ga je določila ta država.

3. Zneski, ki jih je treba uporabiti v kateri koli dani domači valuti, morajo biti protivrednosti zneskov, izraženih v evrih, po tečaju na prvi delovni dan v oktobru in se uporabljajo od 1. januarja naslednjega leta. O ustreznih zneskih morata biti Slovenija in Latvija uradno obveščeni.

4. Država lahko znesek, ki ga dobi pri preračunu zneska, izraženega v evrih, v domačo valuto, zaokroži navzgor ali navzdol. Zaokroženi znesek se od zneska, ki se dobi pri preračunu, ne sme razlikovati za več kot 5 odstotkov. Država

lahko obdrži nespremenjeno protivrednost v domači valuti za znesek, izražen v evrih, če se ob letni uskladitvi iz tretjega odstavka pri zamenjavi tega zneska preračunana protivrednost v domači valuti pred kakršno koli zaokrožitvijo poveča za manj kot 15 odstotkov. Protivrednost v domači valuti lahko ostane nespremenjena, če bi se zaradi preračuna zmanjšala protivrednost v tej domači valuti.

5. Skupni odbor na zahtevo Slovenije ali Latvije pregleda v evrih izražene zneske. Skupni odbor pri tem pregledu upošteva zaželeno ohranjanje dejanskih učinkov teh omejitev. V ta namen se lahko odloči za spremembo zneskov, izraženih v evrih."

7. Priloga II se spremeni, kot sledi:

a) vpis za tarifno številko HS 5309 do 5311 se nadomesti z:

"

5309 do 5311	Tkanine iz drugih rastlinskih tekstilnih vlaken; tkanine iz papirne preje:	Izdelava iz enojne preje.¹ Izdelava iz:¹ – preje iz kokosovih vlaken, – preje iz jute, – naravnih vlaken, – umetnih ali sintetičnih rezanih vlaken, nemikanih ali nečesanih ali kako drugače pripravljenih za predenje, – kemičnih materialov ali tekstilne kaše ali – papirja ali Tiskanje, spremljano z najmanj dvema pripravljalnima ali končnima operacijama (kot so razmaščevanje, beljenje, merceriziranje, termostabiliziranje, dviganje, kalandriranje, obdelava za odpornost proti krčenju, trajna končna obdelava, obogatitev, impregnacija, popravljanje in odstranjevanje vozlov), če vrednost uporabljene netiskane tkanine ne presega 47,5 % cene izdelka franko tovarna.	
	– Z vtkanimi gumijastimi nitmi – Druge		

¹ Posebni pogoji, ki veljajo za izdelke iz mešanice tekstilnih materialov, so navedeni v uvodni opombi 5. "

b) vpis za tarifno številko 5602 se nadomesti z:

11

5602	Klobučevina, vštrevši impregnirano, prevlečeno ali laminirano:	Izdelava iz: ¹
	– Iglana klobučevina	– naravnih vlaken, – kemičnih materialov ali tekstilne kaše. Lahko pa se uporabljajo: — preja iz polipropilenskega filamenta iz tar. št. 5402, — polipropilenska vlakna iz tar. št. 5503 ali 5506 ali — filamentni trak iz polipropilena iz tar. št. 5501, pri katerih je v vseh primerih vsebina vsakega filamenta ali vlakna manjša od 9 deciteksov, pod pogojem, da njihova vrednost ne presega 40 % cene izdelka franko tovarna.
	– Drugo	Izdelava iz:¹ – naravnih vlaken, – umetnih ali sintetičnih rezanih vlaken, pridobljenih iz kazeina, ali – kemičnih materialov ali tekstilne kaše.

¹ Posebni pogoji, ki veljajo za izdelke iz mešanice tekstilnih materialov, so navedeni v uvodni opombi 5. "

c) vpis za 57. poglavje se nadomesti z:

99

57. pgl.	Preproge in druga tekstilna talna prekrivala: - Iz iglane klobučevine - Iz druge klobučevine - Iz drugih tekstilnih materialov	Izdelava iz:¹ - naravnih vlaken ali - kemičnih materialov ali tekstilne kaše. Lahko pa se uporabljajo: - preja iz polipropilenskega filamenta iz tar. št. 5402, - polipropilenska vlakna iz tar. št. 5503 ali 5506 ali - filamentni trak iz polipropilena iz tar. št. 5501, pri katerih je v vseh primerih vsebina vsakega filameta ali vlakna manjša od 9 deciteksov, pod pogojem, da njihova vrednost ne presega 40 % cene izdelka franko tovarna. Tkanina iz jute se lahko uporablja kot podloga. Izdelava iz:¹ - naravnih vlaken, nemikanih ali nečesanih ali kako drugače pripravljenih za predenje, ali - kemičnih materialov ali tekstilne kaše. Izdelava iz:¹ - preje iz kokosovih vlaken ali jute, - preje iz sintetičnih ali umetnih filamentov, - naravnih vlaken ali - sintetičnih ali umetnih rezanih vlaken, nemikanih ali nečesanih ali kako drugače predelanih za predenje. Tkanina iz jute se lahko uporablja kot podloga.
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¹ Posebni pogoji, ki veljajo za izdelke iz mešanice tekstilnih materialov, so navedeni v uvodni opombi 5. "

2. člen

1. Ta dodatni protokol začne veljati 1. januarja 2001, če pogodbenici pred tem datumom izmenjata diplomatski noti, s katerima se potrjuje odobritev v skladu z notranjepravnimi zahtevami pogodbenic.

2. Če ta dodatni protokol ne more začeti veljati v skladu s prvim odstavkom tega člena, začne veljati prvi dan meseca, ki sledi prejemu zadnje diplomatske note, s katero se potrjuje odobritev v skladu z notranjepravnimi zahtevami pogodbenic.

Sestavljeno v Ljubljani 18. decembra 2000 v dveh verodostojnih izvodih v angleškem jeziku.

Za Republiko Slovenijo
Dimitrij Rupel l. r.

Za Republiko Latvijo
Kaspars Gerhards l. r.

3. člen

Za izvajanje dodatnega protokola skrbi Ministrstvo za finance – Carinska uprava Republike Slovenije.

4. člen

Ta uredba začne veljati naslednji dan po objavi v Uradnem listu Republike Slovenije -Mednarodne pogodbe.

Št. 333-08/2000-9

Ljubljana, dne 21. maja 2002

Vlada Republike Slovenije

dr. Janez Drnovšek l. r.
Predsednik

51. Uredba o ratifikaciji Sporazuma o sodelovanju v kulturi in izobraževanju med vlado Republike Slovenije in Vlado Italijanske republike

Na podlagi petega odstavka 75. člena Zakona o zunanjih zadevah (Uradni list RS, št. 45/2001) izdaja Vlada Republike Slovenije

U R E D B O
O RATIFIKACIJI SPORAZUMA O SODELOVANJU V KULTURI IN IZOBRAŽEVANJU MED VLADO
REPUBLIKE SLOVENIJE IN VLADO ITALIJANSKE REPUBLIKE

1. člen

Ratificira se Sporazum o sodelovanju v kulturi in izobraževanju med Vlado Republike Slovenije in Vlado Italijanske republike, podpisan v Rimu 8. marca 2000.

2. člen

Sporazum se v izvirniku v slovenskem in italijanskem jeziku glasi:

S P O R A Z U M
O SODELOVANJU V KULTURI
IN IZOBRAŽEVANJU
MED VLADO REPUBLIKE SLOVENIJE
IN VLADO ITALIJANSKE REPUBLIKE

Vlada Republike Slovenije in Vlada Italijanske republike (v nadaljnjem besedilu "pogodbenici") sta se

v želji po krepitvi prijateljskih vezi med državama ter medsebojnega razumevanja in poznavanja ne le na politični ravni, ampak tudi na podlagi razvitejšega sodelovanja v kulturi in izobraževanju,

v prepričanju, da takšno sodelovanje lahko pripomore k medsebojnemu razumevanju in h krepitvi odnosov med državama,

ob upoštevanju načel helsinške Sklepne listine Konference o varnosti in sodelovanju v Evropi, Pariške listine za novo Evropo in Dunajske deklaracije Sveta Evrope,

ob upoštevanju pomembnosti in utrjevanja sodelovanja v večstranskih integracijah na evropski ravni ter regionalnega sodelovanja, zlasti v okviru Srednjeevropske pobude, in predvsem v pričakovanju polnopravnega članstva Republike Slovenije v Evropski uniji,

v prepričanju, da olajševanje stikov na kulturnem področju za pripadnike narodnih manjšin z obeh strani državne meje prispeva h krepitvi dobrososedskih odnosov,

ter v želji, da bi s tem prispevali k vsestranskemu razvoju italijanske narodne skupnosti v Sloveniji in slovenske manjšine v Italiji,

in ob upoštevanju Sporazuma med Vlado Republike Slovenije in Vlado Republike Italije o znanstvenotehnološkem sodelovanju, podpisanega 4. februarja 1998, ki ureja sodelovanje med državama na omenjenih področjih,

dogovorili o naslednjem:

A C C O R D O
DI COLLABORAZIONE NEI SETTORI DELLA
CULTURA E DELL'ISTRUZIONE TRA IL GOVERNO
DELLA REPUBBLICA DI SLOVENIA E
IL GOVERNO DELLA REPUBBLICA ITALIANA

Il Governo della Repubblica di Slovenia e il Governo della Repubblica Italiana (in seguito denominate: "Parti contraenti")

desiderosi di rafforzare i legami di amicizia tra i due Paesi e la reciproca comprensione e conoscenza non solo a livello politico, ma anche attraverso più sviluppate relazioni nel campo della cultura e dell'istruzione,

convinti che tale collaborazione possa contribuire a rafforzare la reciproca comprensione e i rapporti tra i due Paesi,

considerando i principi dell'Atto finale della Conferenza per la Sicurezza e la Cooperazione in Europa di Helsinki, della Carta di Parigi per la nuova Europa e della Dichiarazione di Vienna del Consiglio d'Europa,

tenuto conto dell'importanza e del rafforzamento della collaborazione nelle integrazioni multilaterali a livello europeo e della collaborazione regionale, in particolare in ambito INCE, soprattutto in vista dell'ingresso a pieno titolo della Repubblica di Slovenia nell'Unione Europea,

convinti che, agevolando le relazioni culturali tra le minoranze dall'una e dall'altra parte dei rispettivi confini di Stato, si possano rafforzare i rapporti di buon vicinato,

desiderosi di contribuire con ciò ad uno sviluppo generale a favore della minoranza italiana in Slovenia e della minoranza slovena in Italia,

tenuto conto dell'Accordo tra il Governo della Repubblica di Slovenia e il Governo della Repubblica Italiana sulla cooperazione scientifica e tecnologica, firmato il 4 febbraio 1998, che regola la collaborazione tra i due Paesi nei suddetti settori,

hanno convenuto quanto segue:

1. člen

Namen tega sporazuma je pospeševanje in izvajanje dejavnosti, ki spodbujajo sodelovanje v kulturi in izobraževanju med državama.

2. člen

Pogodbenici bosta še nadalje spodbujali stike med pristojnimi ministrstvi in institucijami ter na podlagi dogovorov med njimi podpirali sodelovanje osnovnošolskih, srednješolskih in visokošolskih zavodov ter univerz obeh držav, skupne raziskave, izmenjavo informacij, publikacij, dijakov, študentov in učiteljev, organizacijo tečajev poklicnega usposabljanja in gostovanja profesorjev. Pogodbenici bosta spodbujali tudi sodelovanje med institucijami obeh držav v okviru tekočih evropskih programov.

3. člen

Vsaka pogodbenica bo na svojih univerzah in drugih visokošolskih zavodih ter v šolskih zavodih vseh vrst in stopenj še nadalje spodbujala razvoj učenja in poučevanja jezika in kulture druge pogodbenice, posebna skrb pa bo v tem smislu namenjena območjem, na katerih živita italijanska narodna skupnost v Sloveniji in slovenska manjšina v Italiji.

4. člen

Pogodbenici bosta podeljevali štipendije študentom in diplomantom druge pogodbenice za študij in raziskave na univerzitetni in podiplomski ravni.

5. člen

Pogodbenici bosta sodelovali pri analizi vsebine učbenikov zgodovine in zemljepisa in podpirali srečanja strokovnjakov obeh držav na tem področju.

6. člen

Enakovrednost diplom ureja Memorandum o soglasju o vzajemnem priznavanju slovenskih in italijanskih diplom in strokovnih naslovov z dne 10. julija 1995 v povezavi s Sporazumom med Socialistično federativno republiko Jugoslavijo (poimenovanje v veljavi ob podpisu Sporazuma) in Republiko Italijo o vzajemnem priznavanju diplom in strokovnih naslovov, doseženih na univerzah in visokošolskih ustanovah z dne 18. februarja 1983, dokler ne začnejo veljati novi dogovori.

Pogodbenici potrujeta potrebo in se obvezujeta v kratkem roku urediti to področje v skladu s svojima univerzitetnima zakonodajama.

7. člen

Pogodbenici bosta spodbujali sodelovanje v založništvu, zlasti s pospeševanjem prevodov ter objavljanjem književnih del druge pogodbenice.

Art. 1

Il presente Accordo ha lo scopo di promuovere e realizzare attività che favoriscano la cooperazione nel campo della cultura e dell'istruzione tra i due Paesi.

Art. 2

Le parti contraenti continueranno a favorire i rapporti tra i competenti Ministeri ed enti, sostenendo, tramite intese, la cooperazione tra gli Istituti di istruzione elementare, media e superiore e le Università dei due Paesi, l'avvio di ricerche scientifiche congiunte, lo scambio di informazioni, di pubblicazioni, di scolari, studenti e docenti, organizzando corsi di apprendistato professionale e corsi condotti da professori fuori sede.

Le parti contraenti favoriranno inoltre le collaborazioni fra le istituzioni dei due Paesi nell'ambito dei programmi europei in corso.

Art. 3

Ciascuna delle Parti contraenti continuerà a favorire lo sviluppo dello studio e dell'insegnamento della lingua e cultura dell'altra Parte contraente nelle proprie Università e negli altri Istituti di istruzione superiore, nonché negli istituti scolastici di ogni ordine e grado, con particolare riguardo ai territori in cui vivono le minoranze italiana in Slovenia e slovena in Italia.

Art. 4

Le Parti contraenti offriranno borse di studio a studenti e laureati dell'altra Parte contraente per studi e ricerche a livello universitario e postuniversitario.

Art. 5

Le Parti contraenti collaboreranno alle analisi dei testi di storia e geografia e favoriranno le riunioni degli esperti di entrambi i Paesi in questi settori.

Art. 6

L'equipollenza dei diplomi è regolata, fino all'entrata in vigore di nuove intese, dal Memorandum d'Intesa sul reciproco riconoscimento dei diplomi e dei titoli accademici sloveni e italiani del 10 luglio 1995 e dal connesso Accordo tra la Repubblica Socialista Federativa di Jugoslavia e la Repubblica Italiana (denominazione in vigore al tempo della firma dell'Accordo) sul reciproco riconoscimento dei titoli conseguiti presso le Università e Istituti di Istruzione Superiore del 18 febbraio 1983.

Le Parti contraenti confermano l'esigenza e l'impegno a regolare, in tempi brevi, tutta la materia in armonia con le rispettive legislazioni universitarie.

Art. 7

Le Parti contraenti solleciteranno la collaborazione in campo editoriale, incoraggiando in particolare le traduzioni e la pubblicazione di opere letterarie dell'altra Parte contraente.

8. člen

Vsaka pogodbenica bo na svojem ozemlju sporazumno in v skladu s svojimi možnostmi spodbujala dejavnost kulturnih institucij in odpiranje kulturnih inštitutov v drugi državi.

Pogodbenici se zavezujeata zagotoviti največje možne olajšave za začetek in delovanje zgoraj omenjenih pobud.

9. člen

Pogodbenici si bosta periodično izmenjavali razstave na visoki ravni, ki bodo predstavile umetnostno in kulturno dediščino vsake države pogodbenice.

10. člen

Pogodbenici bosta po diplomatski poti pospeševali sodelovanje na področju glasbe, plesa, vizualnih umetnosti, gledališča in filma z izmenjavo informacij, dokumentacije in umetnikov ter z medsebojno udeležbo na festivalih in drugih pomembnih prireditvah v obeh državah.

11. člen

Pogodbenici bosta v skladu z veljavno zakonodajo podpirali sodelovanje med arhivi, knjižnicami in muzeji obeh držav na podlagi izmenjave gradiva, informacij in strokovnjakov na teh področjih in na področju arheologije. Pogodbenici bosta raziskovalcem druge države olajšali raziskave v kulturnih in znanstvenih institucijah, knjižnicah, arhivih in muzejih.

Vsaka pogodbenica bo v skladu z veljavno zakonodajo omogočila dostop do gradiva, ki se nanaša na zgodovino druge države in dovolila njegovo prepisovanje, tehnično snemanje in mikrofilmiranje dokumentov.

12. člen

Pogodbenici bosta pospeševali sodelovanje na področju varstva kulturne krajine in omogočali izmenjavo informacij in izkušenj pri ohranjanju in obnovi kulturne krajine.

13. člen

Pogodbenici bosta sodelovali pri preprečevanju nezakonitega uvoza, izvoza in prenosa umetniških del in drugih kulturnih dobrin ter upoštevali možnost vračanja kulturnih dobrin, ki so bile nezakonito prinesene na ozemlju pogodbenic.

14. člen

Pogodbenici bosta spodbujali sodelovanje, podpirali izmenjavo informacij in izkušenj na področju športa in mladine ter olajševali mladinske izmenjave.

15. člen

Pogodbenici bosta spodbujali sodelovanje med časopisnimi organizacijami in tiskovnimi agencijami obeh držav, stike med založniki časopisov in revij ter izmenjavo novinarjev in dopisnikov.

Art. 8

Ciascuna delle Parti contraenti favorirà sul proprio territorio, di comune accordo e nella misura delle proprie disponibilità, le attività delle istituzioni culturali e l'apertura di istituti di cultura nell'altro Paese.

Le Parti contraenti si impegnano a garantire le migliori facilitazioni possibili per l'avvio ed il funzionamento delle predette iniziative.

Art. 9

Le Parti contraenti si scambieranno periodicamente mostre ad alto livello, rappresentative del patrimonio artistico e culturale di ciascuno dei due Paesi.

Art. 10

Le Parti contraenti favoriranno, per le vie diplomatiche, la collaborazione nei settori della musica, della danza, delle arti visive, del teatro e del cinema attraverso lo scambio di informazioni, documentazioni di rilievo che si tengono nei due Paesi.

Art. 11

Le Parti contraenti incoraggeranno la collaborazione tra archivi, biblioteche e musei dei due Paesi, attraverso lo scambio, in accordo con le rispettive legislazioni, di materiale, informazioni e esperti in questi settori e nel settore archeologico. Le Parti contraenti faciliteranno la ricerca negli istituti culturali e scientifici, nelle biblioteche, negli archivi e nei musei ai ricercatori dell'altro Paese.

Ciascuna delle Parti contraenti faciliterà, in accordo con la legislazione vigente, l'accesso al materiale inerente la storia dell'altro Paese, permettendo di trascrivere, riprodurre e microfilmare i documenti.

Art. 12

Le Parti contraenti promuoveranno la cooperazione nel settore della tutela dei beni ambientali, favorendo lo scambio di informazioni e esperienze nel settore della conservazione e del recupero del paesaggio culturale.

Art. 13

Le Parti contraenti collaboreranno al fine di impedire l'illecita importazione, esportazione e trasferimento di opere d'arte e di altri beni culturali e prenderanno in considerazione la possibilità di favorire la restituzione dei beni culturali illegalmente trasferiti nei territori dei due Paesi.

Art. 14

Le Parti contraenti incoraggeranno la collaborazione ed appoggeranno lo scambio di informazioni ed esperienze nei settori dello sport e della gioventù e faciliteranno gli scambi giovanili.

Art. 15

Le Parti contraenti promuoveranno la collaborazione tra gli organismi e le agenzie stampa dei due Paesi, i contatti tra editori di giornali e riviste, nonché lo scambio di giornalisti e corrispondenti.

16. člen

Pogodbenici bosta prispevali k širitvi stikov in sodelovanja med organizacijami radiotelevizije v skladu z veljavno zakonodajo ene in druge države.

17. člen

Pogodbenici bosta namenjali posebno pozornost nadaljevanju sodelovanja na področju izobraževanja, namenjenega ohranjanju jezikovne identitete italijanske narodne skupnosti v Sloveniji in slovenske manjšine v Italiji.

Pogodbenici bosta v ta namen ustanovili mešano podkomisijo, ki se bo sestajala redno, izmenično v Sloveniji in Italiji, na datume, za katere se bosta pogodbenici sporazumeli po diplomatski poti.

18. člen

Vsaka pogodbenica bo v skladu z zakoni in predpisi, ki veljajo na njenem ozemlju, omogočila vstop, bivanje in odhod oseb druge pogodbenice ter uvoz materiala in opreme, potrebne za izvajanje programov ali izmenjav v skladu s tem sporazumom.

19. člen

Pogodbenici bosta ustanovili mešano komisijo, ki se bo dogovarjala o izvedbenih programih tega sporazuma in spremljala njihovo izvajanje.

Mešana komisija, sestavljena paritetno iz predstavnikov pristojnih ministrstev obeh držav, se bo sestajala vsaj vsaka tri leta, izmenično v Sloveniji in Italiji, na datume, za katere se bosta pogodbenici sporazumeli po diplomatski poti.

20. člen

Določbe tega sporazuma ne vplivajo na pravice in obveznosti, ki izhajajo iz mednarodnih pogodb, ki sta jih pogodbenici sklenili s tretjimi državami.

Morebitne spore pri izvajanju ali razlagi tega sporazuma bosta pogodbenici reševali po diplomatski poti.

21. člen

Ta sporazum začne veljati 60 dni po izmenjavi ratifikacijskih listin.

22. člen

Trajanje tega sporazuma ni omejeno. Vsaka pogodbenica ga lahko odpove kadar koli po diplomatski poti. Odpoved začne veljati šest mesecev po obvestilu drugi pogodbenici in ne bo vplivala na izvajanje že začelih programov, ki so bili dogovorjeni v času, ko je sporazum še veljal, razen če pogodbenici ne določita drugače.

Z dnem, ko začne veljati ta sporazum, preneha v odnosih med Republiko Slovenijo in Italijansko republiko veljati Kulturni sporazum med Vlado Federativne ljudske republike Jugoslavije (poimenovanje v veljavi ob podpisu Sporazuma) in Vlado Italijanske republike, podpisan v Rimu 3. decembra 1960. Programi sodelovanja, sklenjeni na njegovi podlagi, se dokončajo tako, kot je bilo dogovorjeno.

Art. 16

Le Parti contraenti promuoveranno lo sviluppo dei contatti e della collaborazione tra gli organismi radiotelevisivi, in conformità con la legislazione vigente nei rispettivi Paesi.

Art. 17

Le Parti contraenti dedicheranno particolare attenzione al proseguimento della cooperazione nel settore dell'istruzione mirata alla conservazione dell'identità linguistica degli appartenenti alla minoranza italiana in Slovenia e della minoranza slovena in Italia.

A tal fine le Parti contraenti istituiranno una sottocommissione mista che si riunirà periodicamente, alternativamente in Slovenia e in Italia, in date da concordarsi per le vie diplomatiche.

Art. 18

Ciascuna Parte contraente faciliterà, ai sensi delle leggi e regolamenti vigenti sul proprio territorio, l'ingresso, il soggiorno e il ritorno delle persone dell'altra Parte contraente, nonché l'importazione del materiale e delle attrezzature necessarie alla realizzazione di programmi o degli scambi in conformità al presente Accordo.

Art. 19

Le Parti contraenti istituiranno una Commissione mista al fine di concordare i Programmi esecutivi del presente Accordo, nonché di esaminarne l'applicazione.

Questa Commissione, costituita pariteticamente da rappresentanti dei Ministeri competenti dei due Paesi, si riunirà almeno ogni tre anni, alternativamente in Slovenia e in Italia, in date da concordare per le vie diplomatiche.

Art. 20

Le disposizioni del presente Accordo non pregiudicano i diritti e gli impegni delle Parti contraenti derivanti da Convenzioni internazionali da esse stipulate con Paesi terzi.

Le eventuali controversie relative all'attuazione o all'interpretazione del presente Accordo verranno risolte per via diplomatica tra le Parti contraenti.

Art. 21

Il presente Accordo entrerà in vigore 60 giorni dopo lo scambio degli strumenti di ratifica.

Art. 22

Il presente Accordo avrà durata illimitata. Ognuna delle Parti contraenti potrà denunciarlo in qualsiasi momento per le vie diplomatiche. La denuncia avrà effetto sei mesi dopo la notifica all'altra Parte contraente e non inciderà sull'esecuzione dei programmi in corso concordati durante il periodo di vigenza dell'Accordo, salvo che entrambe le Parti contraenti decidano diversamente.

Con l'entrata in vigore del presente Accordo cessa di valere nei rapporti tra la Repubblica di Slovenia e la Repubblica Italiana l'Accordo culturale tra il Governo della Repubblica Federale Popolare di Jugoslavia e il Governo della Repubblica Italiana (denominazione in vigore al tempo della firma dell'Accordo), firmato a Roma il 3 dicembre 1960. I programmi di collaborazione concordati in base ad esso saranno portati a termine come convenuto.

Da bi to potrdila, sta predstavnika, ki ju je pravilno pooblastila njuna vlada, podpisala ta sporazum.

In fede di che, i sottoscritti rappresentanti, debitamente autorizzati dai rispettivi Governi, hanno firmato il presente Accordo.

Sestavljeno v Rimu dne 8. marca 2000 v dveh izvirnikih v slovenskem in italijanskem jeziku, pri čemer sta besedili enako verodostojni.

Fatto a Roma il 8 marzo 2000 in due originali, in lingua slovena e italiana, entrambi i testi facenti egualmente fede.

ZA VLADO
REPUBLIKE SLOVENIJE
Dimitrij Rupel l.r.

ZA VLADO
ITALIJANSKE REPUBLIKE
Lamberto Dini l.r.

PER IL GOVERNO DELLA REPUBBLICA DI SLOVENIA
Dimitrij Rupel m.p.

PER IL GOVERNO DELLA REPUBBLICA ITALIANA
Lamberto Dini m.p.

3. člen

Za izvajanje sporazuma skrbijo Ministrstvo za zunanje zadeve, Ministrstvo za šolstvo, znanost in šport ter Ministrstvo za kulturo.

4. člen

Ta uredba začne veljati naslednji dan po objavi v Uradnem listu Republike Slovenije – Mednarodne pogodbe.

Št. 681-08/2002-3

Ljubljana, dne 21. maja 2002

Vlada Republike Slovenije

dr. Janez Drnovšek l. r.
Predsednik

- Obvestilo o začetku veljavnosti mednarodne pogodbe

O B V E S T I L O
o začetku veljavnosti mednarodne pogodbe

Dne 27. marca 2002 je začel veljati Sporazum med Vlado Republike Slovenije in Vlado Kraljevine Švedske o zračnem prometu, sklenjen v Stockholmu 5. 10. 1999 in objavljen v Uradnem listu Republike Slovenije – Mednarodne pogodbe, št. 9/02 (Uradni list Republike Slovenije, št. 31/02).

Ministrstvo
za zunanje zadeve
Republike Slovenije

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