

22. Zakon o ratifikaciji Sporazuma med Vlado Republike Slovenije in Vlado Republike Turčije o mednarodnem cestnem prevozu potnikov in blaga (BTUMCP)

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

U K A Z

O RAZGLASITVI ZAKONA O RATIFIKACIJI SPORAZUMA MED VLADO REPUBLIKE SLOVENIJE IN VLADO REPUBLIKE TURČIJE O MEDNARODNEM CESTNEM PREVOZU POTNIKOV IN BLAGA (BTUMCP)

Razglašam Zakon o ratifikaciji Sporazuma med Vlado Republike Slovenije in Vlado Republike Turčije o mednarodnem cestnem prevozu potnikov in blaga (BTUMCP), ki ga je sprejel Državni zbor Republike Slovenije na seji 20. aprila 2005.

Št. 001-22-24/05
Ljubljana, 28. april 2005

dr. Janez Drnovšek I. r.
Predsednik
Republike Slovenije

Z A K O N

O RATIFIKACIJI SPORAZUMA MED VLADO REPUBLIKE SLOVENIJE IN VLADO REPUBLIKE TURČIJE O MEDNARODNEM CESTNEM PREVOZU POTNIKOV IN BLAGA (BTUMCP)

1. člen

Ratificira se Sporazum med Vlado Republike Slovenije in Vlado Republike Turčije o mednarodnem cestnem prevozu potnikov in blaga, sestavljen v Ankari 11. junija 2002.

2. člen

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

A G R E E M E N T

BETWEEN THE GOVERNMENT OF THE REPUBLIC OF SLOVENIA AND THE GOVERNMENT OF THE REPUBLIC OF TURKEY ON INTERNATIONAL TRANSPORT OF PASSENGERS AND GOODS BY ROAD

The Government of the Republic of Slovenia and the Government of the Republic of Turkey;

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

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

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

Aiming towards the development of transport intermodality;

Recognising the mutual advantage and interest of an agreement on road transport;

Have agreed and decided as follows:

SECTION I – GENERAL PROVISIONS

Article 1

Scope

1. The provisions of this Agreement shall apply to the international carriage of passengers and goods by road, from or to the territory of one Contracting Party, and in transit through the territory of the other Contracting Party by using vehicles registered in the territory of the former Contracting Party.

S P O R A Z U M

MED VLADO REPUBLIKE SLOVENIJE IN VLADO REPUBLIKE TURČIJE O MEDNARODNEM CESTNEM PREVOZU POTNIKOV IN BLAGA

Vlada Republike Slovenije in Vlada Republike Turčije sta se

v želji, da bi prispevali k razvoju trgovine in gospodarskih odnosov med državama,

odločeni, da spodbujata sodelovanje pri cestnem prevozu v okviru tržnega gospodarstva,

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

v prizadevanju za razvoj različnih načinov prevoza,

ob priznavanju medsebojne prednosti in koristi sporazuma o cestnem prevozu

sporazumeli in odločili, kot sledi:

I. DEL – SPLOŠNE DOLOČBE

1. člen

Obseg

1. Določbe tega sporazuma se uporabljajo za mednarodni prevoz potnikov in blaga po cesti z ozemlja ali na ozemlje ene pogodbenice in tranzitno čez ozemlje druge pogodbenice z uporabo vozil, ki so registrirana na ozemlju prve pogodbenice.

2. The present Agreement does not affect the rights and obligations arising from the other international commitments of the two parties nor does it affect European Union law or the agreements between the European Union and non-member States.

Article 2

Definitions

In this Agreement:

1. »**Transport Operator**« means any natural person or legal person established on the territory of one of the Contracting Parties and registered to carry out transport operations of passengers or goods.

2. »**Vehicle**« means a vehicle registered in the territory of one of the Contracting Parties and by virtue of its construction and equipment intended for the transport of passengers or goods.

3. »**Registration**« means the allocation of an identification number (Registration plate) to the vehicle by a competent authority of the Contracting Party.

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

5. »**Cabotage**« means the transport of passengers or goods carried out by a transport operator of one Contracting Party between individual places within the territory of the other Contracting Party.

6. »**Combined transport**« means the transport of goods whereby the vehicle or trailer, semi-trailer, swap body, container, with or without tractor, use the road for the initial or terminal leg of the journey, which is as short as possible, and travel by rail, waterway or sea for a part of the journey.

7. »**Territory of a Contracting Party**« means respectively the territory of the Republic of Slovenia and the territory of the Republic of Turkey.

8. »**Country of establishment**« means the territory of a Contracting Party within which the transport operator is established and the vehicle registered.

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

10. »**Bus**« and »**Coach**« mean vehicles registered in the territory of one of the Contracting Parties and by virtue of construction and equipment suitable and intended for the transport of passengers, which have, in addition to the driver's seat, more than eight sitting places.

11. »**Regular passenger service**« means a service which carries passengers over a specified route, between the countries or in transit, according to a timetable and rates set and published in advance. Passengers are picked up or set down at predetermined stopping points according to the itinerary.

12. »**Shuttle service**« means a service whereby, by means of repeated outward and return journeys, previously formed groups of passengers are carried from a single place of departure to a single destination. Each group, consisting of the passengers who made the outward journey, is carried back to the place of departure on a later journey. Place of departure and destination respectively mean the place where the journey begins and the place where the journey ends, together with, in each case, the surrounding locality within a 50 km radius.

A shuttle service may include accommodation of passengers at its destination and, if need be, on the journey.

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

2. Ta sporazum ne vpliva na pravice in obveznosti, ki izhajajo iz drugih mednarodnih obvez obeh pogodbenic, niti ne na pravo Evropske unije ali sporazume med Evropsko unijo in državami ne članicami.

2. člen

Pomen izrazov

V tem sporazumu:

1. »**prevoznik**« pomeni katero koli fizično ali pravno osebo, ki ima sedež podjetja na ozemlju ene od pogodbenic in je registrirana za opravljanje prevoza potnikov ali blaga;

2. »**vozilo**« pomeni vozilo, registrirano na ozemlju ene od pogodbenic in je po konstrukciji in opremi namenjeno prevozu potnikov ali blaga;

3. »**registracija**« pomeni, da pristojni organ pogodbenice dodeli vozilu identifikacijsko številko (registrsko številko);

4. »**prevoz**« pomeni vožnjo s polnim ali praznim vozilom, tudi če se vozilo, priklopnik ali polpriklonik na delu vožnje prevaža z vlakom ali ladjo;

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

6. »**kombinirani prevoz**« pomeni prevoz blaga, pri čemer vozilo ali priklopnik, polpriklonik, zamenljivo tovorisko, zabožnik z vlečnim vozilom ali brez njega uporablja cesto za začetno ali končno etapo vožnje, ki je čim krajsa, in del poti poteka po železnicni, vodni poti ali morju;

7. »**ozemlje pogodbenice**« pomeni ozemlje Republike Slovenije oziroma ozemlje Republike Turčije;

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

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

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

11. »**linijski prevoz potnikov**« pomeni prevoz potnikov po določeni progi, ki se opravlja med državami ali tranzitno v skladu z vnaprej določenim in objavljenim voznim redom in tarifami. Potniki vstopajo ali izstopajo na vnaprej določenih postajališčih v skladu z itinerarjem;

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

Izmenični prevoz lahko vključuje nastanitev potnikov v namembnem kraju in po potrebi med vožnjo.

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

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

14. »**Control document**« means the waybill for buses and coaches, conforming to the specimen laid down in ASOR Agreement.

SECTION II – PASSENGER TRANSPORT

Article 3

Regular services

1. Regular services operated by bus or coach are subject to a system of authorisations issued by the competent authority in the country of departure, destination or transit.

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

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

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

The decision to grant or refuse an authorisation is taken within a period of three months.

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

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

If there is no longer any demand for transport operations, the operator can cancel the service by submitting an application to the competent authorities which issued the authorisations and to customers. The competent authorities shall decide on the application in three months' time from its receipt.

Article 4

Occasional and shuttle services

1. The occasional services and the shuttle services operated by bus or coach are subject to a system of authorisations or permits issued by the competent authority in the country of departure, destination or transit.

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

a) closed-door tours whereby the same vehicle is used to carry the same group of passengers throughout the journey and to bring them back to the place of departure;

b) services which make the outward journey laden and the return journey unladen;

c) services which make the outward journey unladen and the return journey laden, provided that passengers have been previously brought by the same carrier into the territory of the Contracting Party where they are picked up again and carried into the territory of the country of establishment, according to the control document.

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

The Joint Committee set up under Article 14 hereof may extend the authorisation or permit exemption to other categories of occasional services and shuttle services.

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

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

14. »**kontrolni dokument**« pomeni potniško spremnico za avtobuse, ki je v skladu z vzorcem, določenim v sporazumu ASOR.

II. DEL – PREVOZ POTNIKOV

3. člen

Linijski prevoz

1. Za linijski prevoz, ki se opravlja z avtobusom, velja sistem dovoljenj, ki jih izda pristojni organ v državi odhoda, namembni državi ali državi tranzita.

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

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

3. Dovoljenja se izdajo na podlagi doseženega soglasja pristojnih organov pogodbenic.

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

Dovoljenja veljajo največ pet let. Določajo pogoje opravljanja prevozov, vključno z okoljevarstvenimi in varnostnimi standardi, ki jih morajo izpolnjevati vozila.

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

Če ni več povpraševanja po prevozih, lahko prevoznik linijo odpove s predložitvijo vloge pristojnim organom, ki so dovoljenja izdali, in strankam. Pristojni organi odločajo o vlogi v treh mesecih po njenem prejetju.

4. člen

Občasni in izmenični prevoz

1. Za občasni in izmenični prevoz, ki se opravlja z avtobusom, velja sistem dovoljenj ali dovolilnic, ki jih izda pristojni organ v državi odhoda, namembni državi ali državi tranzita.

2. Kot izjema k prvemu odstavku je spodaj navedeni prevoz oproščen sistema dovoljenj ali dovolilnic na ozemlju države gostiteljice:

a) krožne vožnje zaprtih vrat, pri katerih se isto vozilo uporablja za prevoz iste skupine potnikov ves čas potovanja in jo tudi pripelje nazaj v odhodni kraj,

b) prevoz s polnim vozilom v namembni kraj in s praznim vozilom nazaj v odhodni kraj,

c) prevoz s praznim vozilom v namembni kraj in s polnim vozilom nazaj v odhodni kraj pod pogojem, da je potnike predhodno pripeljal isti prevoznik na ozemlje pogodbenice, na katerem jih spet prevzame in odpelje na ozemlje države, na katerem ima sedež svojega podjetja, v skladu s kontrolnim dokumentom.

3. Med potovanjem z liberaliziranim prevozom ni dovoljeno sprejemati potnikov v vozilo, razen če je za to izданo posebno dovoljenje.

Skupni odbor, ustanovljen po 14. členu tega sporazuma, lahko dopolni vrste občasnega in izmeničnega prevoza, za katere dovoljenja ali dovolilnice niso potrebni.

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

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

The decision to grant or refuse an authorisation or a permit is taken within a period of one month.

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

Article 5

Provisions common to passenger services

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

2. The running of cabotage services is prohibited. Local trips organised solely for a group of passengers brought to that location by the same transport operator are not deemed to be cabotage services provided that they are entered on the waybill and approved by the competent authority.

SECTION III – GOODS TRANSPORT

Article 6

Permit system

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

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

b) transport between a point on the territory of the other Contracting Party and a point on the territory of a third State, providing that the journey includes the country of establishment. This restriction does not apply to unladen runs;

c) transit transport.

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

Article 7

Exemption from permit requirements

1. As an exception to Article 6, the following categories of transport are exempted from permit requirements:

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

b) Transport on an occasional basis, to or from airports, in cases where air services are diverted.

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

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

e) Transport of spare parts and provisions for ships and aircraft.

f) Transport of medical supplies and equipment needed for emergencies, more particularly in response to natural disasters and humanitarian needs.

g) Transport of works and objects of art for fairs and exhibitions or for non-commercial purposes.

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

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

Odločitev, da se dovoljenje ali dovolilnica odobri ali zavrne, se sprejme v enem mesecu.

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

5. člen

Skupne določbe za prevoz potnikov

1. Dovolilnice za prevoz niso prenosljive na druge prevoznike.

2. Opravljanje kabotaže je prepovedano. Lokalni izleti, organizirani izključno za skupino potnikov, ki jih v ta kraj pripelje isti prevoznik, se ne štejejo za kabotažo pod pogojem, da so vpisani v potniški spremnici in jih odobri pristojni organ.

III. DEL – PREVOZ BLAGA

6. člen

Sistem dovolilnic

1. Prevozniki, katerih sedež podjetja je na ozemlju pogodbenice, lahko na podlagi sistema dovolilnic na ozemlju druge pogodbenice opravljajo:

a) prevoz med ozemljema pogodbenic,

b) prevoz med krajem na ozemlju druge pogodbenice in krajem na ozemlju tretje države pod pogojem, da vožnja vključuje državo, v kateri ima prevoznik sedež svojega podjetja. Ta omejitev ne velja za vožnje praznega vozila,

c) tranzitni prevoz.

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

7. člen

Prevoz, za katerega dovolilnice niso potrebne

1. Kot izjema k 6. členu so naslednje vrste prevoza oproščene dovolilnic:

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

b) občasen prevoz na letališča ali z njih v primerih, ko je letalski prevoz preusmerjen,

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

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

e) prevoz rezervnih delov in potrebščin za ladje in letala,

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

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

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

i) Removals carried out by enterprises with special staff and equipment for this purpose.

j) Funeral transport.

k) Transportation of mail.

2. The Joint Committee referred to in Article 14 hereof may add to, or remove from, the list of transport categories exempted from the permit requirements

Article 8

Common provisions for goods transport

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

Permits for the transport of goods are valid 13 months from the beginning of each calendar year.

2. Permits are not transferable.

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

4. The Joint Committee referred to in Article 14 hereof determines the quota, category and any further conditions governing permit use.

5. The running of cabotage services is prohibited except where specially authorised by the competent authority in the host country.

SECTION IV – COMMON PROVISIONS

Article 9

Tax provisions

1. Transport by means of vehicles registered on the territory of a Contracting Party temporarily operating on the territory of the other Contracting Party under the terms of this Agreement is exempt from payment of all tax related to the ownership, registration and running of the vehicle.

2. The fuel contained in the normal, by the manufacturer built-in fixed tanks of the vehicle intended to drive the vehicle and the lubricants required for the running of the motor vehicle are exempt from all import duty in the territory of the host country provided that the transport operator complies with the relevant customs regulations.

3. The transport covered by the terms of this Agreement is subject in the host country to the road user charges (expressed as ton kilometers) and tolls levied for the use of the road network or bridges. The tolls are levied on transport operators of both Contracting Parties indiscriminately.

Article 10

Weights and dimensions

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

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

Article 11

Equipment and other characteristics

1. Equipment used to monitor crew driving and rest time on vehicles must comply with the provisions of the AETR Agreement.

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

The Joint Committee referred to in Article 14 can, when deciding on quotas and future liberalisation, give more favourable treatment to vehicles that meet the most modern safety and emission standards.

i) selitveni prevoz, ki ga opravljajo podjetja s posebnim osebjem in opremo v ta namen,

j) prevoz posmrtnih ostankov,

k) prevoz pošte.

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

8. člen

Skupne določbe za prevoz blaga

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

Dovolilnice za prevoz blaga veljajo 13 mesecev od začetka vsakega koledarskega leta.

2. Dovolilnice niso prenosljive.

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

4. Skupni odbor, naveden v 14. členu tega sporazuma, določi kvoto, vrsto in kakršne koli dodatne pogoje za uporabo dovolilnic.

5. Opravljanje kabotaže je prepovedano, razen če jo posebej dovoli pristojni organ v državi gostiteljici.

IV. DEL – SKUPNE DOLOČBE

9. člen

Davčne določbe

1. Prevoz z vozili, registriranimi na ozemlju ene pogodbenice, ki se začasno opravlja na ozemlju druge pogodbenice po določilih tega sporazuma, je oproščen plačila vseh davkov v zvezi z lastništvom, registracijo in upravljanjem vozil.

2. Gorivo, ki je v serijsko vgrajenih, standardnih rezervoarjih vozila in je namenjeno pogonu vozila, ter maziva, potrebna za delovanje motornega vozila, so na ozemlju države gostiteljice oproščena vseh uvoznih carin pod pogojem, da prevoznik upošteva ustrezne carinske predpise.

3. Za prevoz, za katerega veljajo določila tega sporazuma, se v državi gostiteljici plačujejo cestne pristojbine (izražene kot tonski kilometri) in cestnine za uporabo cestnega omrežja ali mostov. Cestnine se prevoznikom pogodbenic zaračunavajo brez razlikovanja.

10. člen

Mase in dimenzijs

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

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

11. člen

Oprema in druge značilnosti

1. Oprema, ki je v vozilih nameščena za spremljanje in nadzorovanje časa vožnje in časa počitka posadke, mora biti v skladu z določbami sporazuma AETR.

2. Pogodbenici se zavezujeta, da bosta v okviru tega sporazuma spodbujali uporabo vozil, ki izpolnjujejo stroge varnostne standarde in standarde glede emisij.

Skupni odbor, naveden v 14. členu, lahko pri odločjanju o kvotah in prihodnjih liberalizacijah ugodnejše obravnava vozila, ki izpolnjujejo najsdobnejše varnostne standarde in standarde glede emisij.

Article 12 Control

The permits, authorisations, control documents and other papers required under bilateral agreements concluded between the two Contracting Parties or under national law, must be kept in vehicles and be produced at the request of control officials. The Joint Committee set up under Article 14 hereof shall determine the type of documents.

Article 13

Obligations of transport operators and penalties

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

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

Article 14

Collaboration and Joint Committee

1. The competent authorities of the Contracting Parties shall take the necessary steps to implement and apply this Agreement and pass on any useful information to each other. The competent authorities shall also keep each other mutually informed of any change in national law affecting the application hereof. The competent authorities shall afford each other mutual assistance for the purpose of implementing this Agreement. Personal data passed on within the framework of co-operation between the Contracting Parties shall be confidential and cannot be used for any purpose other than the one for which they were communicated.

2. A Joint Committee shall be set up by the Contracting Parties for the purpose of the implementation of this Agreement and to handle the issues related to this Agreement.

3. Both Contracting Parties will spend their best efforts for the liberalisation of transport. Within this context the Joint Committee may decide which forms of transport do not require any permits.

SECTION V – FINAL PROVISIONS

Article 15

Entry into force and length of the Agreement

1. This Agreement shall enter into force when the Contracting Parties have notified each other that the constitutional requirements pertaining to the entry into force of international agreements have been fulfilled.

2. This Agreement shall remain in force for an indefinite period of time; either Contracting Party may cancel it by written notice given no later than three months prior to the end of the calendar year.

Done at Ankara on 11th June 2002 in two originals in the English language.

For the Government
of the Republic of Slovenia
Jakob Presečnik (s)

For the Government
of the Republic of Turkey
dr. Oktay Vural (s)

12. člen Nadzor

Dovolilnice, dovoljenja, kontrolni in drugi dokumenti, potrebeni po dvostranskih sporazumih, sklenjenih med pogodbenicama, ali po notranjem pravu, morajo biti v vozilih in jih je treba pokazati na zahtevo uradnih oseb, ki opravljajo nadzor. Skupni odbor, ustanovljen po 14. členu tega sporazuma, določi vrsto dokumentov.

13. člen

Obveznosti prevoznikov in kazni

1. Prevozniki pogodbenice in posadke njihovih vozil morajo na ozemlju druge pogodbenice spoštovati veljavne zakone in predpise v tej pogodbenici.

2. Če prevoznik pogodbenice krši določbe tega sporazuma, pogodbenica, na katere ozemlju je bila storjena kršitev, brez vpliva na svoje lastne pravne postopke uradno obvesti drugo pogodbenico, ki bo ukrepala tako, kot je določeno v njeni notranji zakonodaji. V posebej hujih primerih lahko pristojni organ države gostiteljice začasno prepove vstop, dokler organ v državi, v kateri ima prevoznik svoj sedež, ne sprejme odločitve. Pogodbenici se medsebojno obveščata o sprejetih odločitvah.

14. člen

Sodelovanje in skupni odbor

1. Pristojna organa pogodbenic ukreneta vse potrebno za izvajanje in uporabo tega sporazuma in si izmenjavata vse koristne informacije. Medsebojno se tudi obveščata o kakršni koli spremembi v notranji zakonodaji, ki bi vplivala na uporabo tega sporazuma. Pristojna organa si medsebojno pomagata pri izvajaju tega sporazuma. Osebni podatki, izmenjeni v okviru sodelovanja med pogodbenicama, so zaujni in se ne smejo uporabiti za kakršen koli drug namen kot za tistega, za katerega so bili sporočeni.

2. Za izvajanje tega sporazuma in reševanje vprašanj v zvezi s tem sporazumom pogodbenici ustanovita skupni odbor.

3. Pogodbenici si po svojih najboljših močeh prizadevata za liberalizacijo prevoza. Pri tem lahko skupni odbor odloči, za katere oblike prevoza dovolilnice niso potrebne.

V. DEL – KONČNE DOLOČBE

15. člen

Začetek veljavnosti in trajanje sporazuma

1. Ta sporazum začne veljati, ko se pogodbenici medsebojno uradno obvestita, da so izpolnjene ustavne zahteve, ki se nanašajo na začetek veljavnosti mednarodnih sporazumov.

2. Ta sporazum velja za nedoločen čas; ena ali druga pogodbenica ga lahko odpove s pisnim obvestilom o odpovedi najpozneje tri mesece pred koncem koledarskega leta.

Sestavljen v Ankari 11. junija 2002 v dveh izvirnikih v angleškem jeziku.

Za Vlado
Republike Slovenije
Jakob Presečnik l. r.

Za Vlado
Republike Turčije
dr. Oktay Vural l. r.

3. člen

Za izvajanje sporazuma skrbi Ministrstvo za promet.

4. člen

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

Št. 326-03/05-20/1

Ljubljana, dne 20. aprila 2005

EPA 189-IV

Predsednik
Državnega zбора
Republike Slovenije
France Cukjati, dr. med. l. r.

- 23. Zakon o ratifikaciji Sporazuma med Vlado Republike Slovenije in Vlado Romunije o sodelovanju v zdravstvu in medicini (BROZM)**

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

U K A Z**O RAZGLASITVI ZAKONA O RATIFIKACIJI SPORAZUMA MED VLADO REPUBLIKE SLOVENIJE
IN VLADO ROMUNIJE O SODELOVANJU V ZDRAVSTVU IN MEDICINI (BROZM)**

Razglašam Zakon o ratifikaciji Sporazuma med Vlado Republike Slovenije in Vlado Romunije o sodelovanju v zdravstvu in medicini (BROZM), ki ga je sprejel Državni zbor Republike Slovenije na seji 20. aprila 2005.

Št. 001-22-16/05
Ljubljana, 28. april 2005

dr. Janez Drnovšek l. r.
Predsednik
Republike Slovenije

Z A K O N**O RATIFIKACIJI SPORAZUMA MED VLADO REPUBLIKE SLOVENIJE IN VLADO ROMUNIJE
O SODELOVANJU V ZDRAVSTVU IN MEDICINI (BROZM)**

1. člen

Ratificira se Sporazum med Vlado Republike Slovenije in Vlado Romunije o sodelovanju v zdravstvu in medicini, podpisani v Ljubljani 6. julija 2004.

2. člen

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

A G R E E M E N T

BETWEEN THE GOVERNMENT OF
THE REPUBLIC OF SLOVENIA AND
THE GOVERNMENT OF ROMANIA ON
CO-OPERATION IN THE FIELDS OF HEALTH
AND MEDICINE

THE GOVERNMENT OF THE REPUBLIC OF SLOVENIA AND THE GOVERNMENT OF ROMANIA (hereinafter referred to as the »Contracting Parties«),

HAVING in view the friendly relations between the two countries,

S P O R A Z U M

MED VLADO REPUBLIKE SLOVENIJE
IN VLADO ROMUNIJE O SODELOVANJU
V ZDRAVSTVU IN MEDICINI

VLADA REPUBLIKE SLOVENIJE IN VLADA ROMUNIJE (v nadalnjem besedilu pogodbenici) sta se

GLEDE NA prijateljske odnose med državama,