



# Economic and Social Council

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## Economic Commission for Europe

### Inland Transport Committee

#### Working Party on Road Transport

##### 108<sup>th</sup> session

Geneva, 28-30 October 2013

Item 8 (b) of the provisional agenda

##### **Facilitation of international road transport:**

**Proposal for a global multilateral agreement on the international regular transport of passengers by coach and bus (OmniBUS)**

### **Harmonization of requirements concerning international road transport and facilitation of its operation**

#### **Proposal for a global multilateral agreement on the international regular transport of passengers**

##### **Submitted by Switzerland**

##### **Corrigendum**

1. Page 9, paragraphs 9-12

For the existing text *substitute*

9. Authorization shall be granted unless:

(a) the applicant is unable to provide the service, which is the subject of the application, with the equipment available to him;

(b) the applicant, or carriers, whose services he is subcontracting or he is using in the case of undertakings associated for the purpose of operating a regular service, have not complied with national or international legislation on road transport, and in particular the conditions and requirements relating to authorizations for international passenger services by road, or have committed serious or repeated minor infringements of the legislation in regard to road safety, in particular to the international or, if relevant, national rules applicable to vehicles and to driving times and rest periods for drivers;

(c) the applicant, or carriers, whose services he is subcontracting or he is using in the case of undertakings associated for the purpose of operating a regular service, do not

comply with the applicable national legal requirements of insurance concerning liability towards third parties, the passengers, the driver, and the vehicle;

(d) in the case of an application for a renewal of an authorization, the conditions of authorization have not been complied with;

(e) a competent authority of a Contracting Party decides, on the basis of a detailed analysis, that the principal purpose of the service is other than to carry passengers between stops located in different Contracting Parties;

(f) the applicant, or carriers, whose services he is subcontracting or he is using in the case of undertakings associated for the purpose of operating a regular service, do not comply with the national legal requirements concerning cabotage;

(g) a competent authority of a Contracting Party decides on the basis of a detailed analysis that the service concerned would seriously affect the viability of a comparable service covered by one or more public service contracts;

(h) the applicant has supplied inaccurate information concerning the data which were required for the issuance of the authorization.

10. The fact that a carrier offers higher/lower prices than those offered by other carriers or the fact that the link in question is already operated by other carriers shall not in itself constitute a justification for rejecting the application. However, in the interest of fair competition and the quality of the service, the Authorizing authority or the competent authority of the host countries, may require that the schedule be changed.

11. The authorization to carry out cabotage in the host Contracting Party in the course of a regular international service, carried out in accordance with the provisions of this Agreement, shall only be granted if it is permitted by the national legislation of the host country and with the consent of its competent authority. It shall be specifically included in the authorization. The fact that, in its reply, a host country does not grant permission to carry out cabotage on its territory shall not constitute a refusal to grant an authorization for the relevant international line.

12. The competent authorities of all the Contracting Parties involved in the procedure to reach the agreement provided for in Article 7.1 may refuse applications only on the basis of reasons provided for in this Agreement.

2. Page 10, paragraphs 12-16

For the existing text *substitute*

13. Having completed the procedure lay down in this Article, the Authorizing authority without undue delay shall grant the authorization or formally refuse the application.

14. Decisions refusing an application shall state the reasons on which they are based.

15. Contracting Parties shall ensure that applicants are given the opportunity to appeal in the event of their application being refused.

16. The Authorizing authority shall inform all the competent authorities whose agreement is requested of its decision by sending them a copy of any decision.

17. If the procedure for reaching the agreement referred to in this Article does not enable the Authorizing authority to decide on an application, the matter may be referred to the Administrative Committee for information and, if necessary, for other measures to be taken in the framework of competences of this Committee.