

## قرار رئيس جمهورية مصر العربية

رقم ٣٩٦ لسنة ٢٠٢٠

بشأن الموافقة على انضمام جمهورية مصر العربية للاتفاقية الجمركية  
المتعلقة بالنقل الدولى للبضائع والموقعة فى جنيف بتاريخ ١٩٧٥/١١/١٤  
وعلى الإعلان بشأن التحفظ على الفقرات من (٢) إلى (٦)  
من المادة (٥٧) من الاتفاقية

رئيس الجمهورية

بعد الاطلاع على نص المادة (١٥١) من الدستور ؛

وبعد موافقة مجلس الوزراء ؛

**قرر :**

( مادة وحيدة )

ووفقاً على انضمام جمهورية مصر العربية للاتفاقية الجمركية المتعلقة بالنقل الدولى  
للبنائن والموقعة فى جنيف بتاريخ ١٩٧٥/١١/١٤ وعلى الإعلان بشأن التحفظ على الفقرات  
من (٢) إلى (٦) من المادة (٥٧) من الاتفاقية ، وذلك مع التحفظ بشرط التصديق .

صدر برئاسة الجمهورية فى ٢٣ ذى القعدة سنة ١٤٤١ هـ

( الموافق ١٤ يوليو سنة ٢٠٢٠ م ) .

**عبد الفتاح السيسى**

وافق مجلس النواب على هذا القرار بجلسته المعقودة فى ٢٨ ذى الحجة سنة ١٤٤١ هـ

( الموافق ١٨ أغسطس سنة ٢٠٢٠ م ) .

**CUSTOMS CONVENTION ON THE INTERNATIONAL  
TRANSPORT OF GOODS  
UNDER COVER OF TIR CARNETS  
(TIR CONVENTION)**

**DONE AT GENEVA ON 14 NOVEMBER 1975**

**CONVENTION DOUANIÈRE RELATIVE AU  
TRANSPORT INTERNATIONAL  
DE MARCHANDISES SOUS LE COUVERT  
DE CARNETS TIR (CONVENTION TIR)**

**EN DATE, À GENÈVE DU 14 NOVEMBRE 1975**

**UNITED NATIONS**



**NATIONS UNIES**

**ОРГАНИЗАЦИЯ ОБЪЕДИНЕННЫХ НАЦИЙ**

**ТАМОЖЕННАЯ КОНВЕНЦИЯ О МЕЖДУНАРОДНОЙ ПЕРЕВОЗКЕ  
ГРУЗОВ С ПРИМЕНЕНИЕМ КНИЖКИ МДП  
(КОНВЕНЦИЯ МДП)**

**СОВЕРШЕНО В ЖЕНЕВЕ 14 НОЯБРЯ 1975 ГОДА**

**CUSTOMS CONVENTION ON THE INTERNATIONAL  
TRANSPORT OF GOODS  
UNDER COVER OF TIR CARNETSs (TIR CONVENTION)**

THE CONTRACTING PARTIES,

DESIRING to facilitate the international carriage of goods by road vehicle,

CONSIDERING that the improvement of the conditions of transport constitutes one of the factors essential to the development of co-operation among them,

DECLARING themselves in favour of a simplification and a harmonization of administrative formalities in the field of international transport, in particular at frontiers,

HAVE AGREED as follows:

**Chapter I**

**GENERAL**

**(a) DEFINITIONS**

**Article ( 1 )**

For the purposes of this Convention:

- (a) The term "TIR operation" shall mean the transport of goods from a Customs office of departure to a Customs office of destination under the procedure, called the "TIR procedure", Laid down in this Convention;
- (b) the term "import or export duties and taxes" shall mean Customs duties and all other duties, taxes, fees and other charges which are collected on, or in connexion with, the import or export of goods, but not including fees and charges limited in amount to the approximate cost of services rendered;
- (c) the term "road vehicle" shall mean not only any power--driven road vehicle but also, any trailer or semi-trailer designed to be coupled thereto;

- (d) the term "combination of vehicles" shall mean coupled vehicles which travel on the road as a unit;
- (e) the term "container" shall mean an article of transport equipment (lift-van, movable tank or other similar structure):
  - (i) fully or partially enclosed to constitute a compartment intended for containing goods;
  - (ii) of a permanent character and accordingly strong enough to be suitable for repeated use;
  - (iii) specially designed to facilitate the transport of goods by one or more modes of transport without intermediate reloading;
  - (iv) designed for ready handling, particularly when being transferred from one mode of transport to another;
  - (v) designed to be easy to fill and to empty; and
  - (vi) having an internal volume of one cubic meter or more;
- "Demountable bodies" are to be treated as containers;
- (f) the term "Customs office of departure" shall mean any Customs office of a Contracting Party where the international transport of a load or part-load of goods under the TIR procedure begins;
- (g) the term "Customs office of destination" shall mean any Customs office of a Contracting Party where the international transport of a load or part-load of goods under the TIR procedure ends;
- (h) the term "Customs office en route" shall mean any Customs office of a Contracting Party through which a road vehicle, combination of vehicles or container is imported or exported in the course of a TIR operation;
- (j) the term "person" shall mean both natural and legal persons;
- (k) the term "heavy or bulky goods" shall mean any heavy or bulky object which because of its weight, size or nature is not normally carried in a closed road vehicle or closed container;
- (l) the term "guaranteeing association" shall mean an association approved by the Customs authorities of a Contracting Party to act as surety for persons using the TIR procedure.

**(b) SCOPE****Article ( 2 )**

This Convention shall apply to the transport of goods without intermediate reloading, in road vehicles, combination of vehicles or in containers, across one or more frontiers between a Customs office of departure of one Contracting Party and a Customs office of destination of another or of the same Contracting Party, provided that some portion of the journey between the beginning and the end of the TIR operation is made by road.

**Article ( 3 )**

For the provisions of this Convention to become applicable:

(a) the transport operations must be performed:

(i) by means of road vehicles, combinations of vehicles or containers previously approved under the conditions set forth in Chapter III (a);

or

(ii) by means of other road vehicles, other combinations of vehicles or other containers under the conditions set forth in Chapter III (o);

(b) the transport operations must be guaranteed by associations approved in accordance with the provisions of article 6 and must be performed under cover of a TIR carnet, which shall conform to the model reproduced in annex 1 to this Convention.

**(c) PRINCIPLES****Article ( 4 )**

Goods carried under the TIR procedure shall not be subjected to the payment or deposit of import or export duties and taxes at Customs offices en route.

### **Article ( 5 )**

1- Goods carried under the TIR procedure in sealed road vehicles, combinations of vehicles or containers shall not as a general rule be subjected to examination at Customs offices en route.

2- However, to prevent abuses, Customs authorities may in exceptional cases, and particularly when irregularity is suspected, carry out an examination of the goods at such offices.

## **Chapter II**

### **ISSUE OF TIR CARNETS**

#### **LIABILITY OF GUARANTEEING ASSOCIATIONS**

### **Article ( 6 )**

1- Subject to such conditions and guarantees as it shall determine each Contracting Party may authorize associations to issue TIR carnets, either directly or through corresponding associations, and to act as guarantors.

2- An association shall not be approved in any country unless its guarantee also covers the liabilities incurred in that country in connexion with operations under cover of TIR carnets issued by foreign associations affiliated to the same international organization as that to which it is itself affiliated.

### **Article ( 7 )**

TIR carnet forms sent to the guaranteeing associations by the corresponding foreign associations or by international organizations shall not be liable to import and export duties and taxes and shall be free of import and export prohibitions and restrictions.

### **Article ( 8 )**

1- The guaranteeing association shall undertake to pay the import or export duties and taxes, together with any default interest, due under the Customs laws and regulations of the country in which an irregularity has been noted in connexion with a TIR operation. It shall be liable, jointly and severally with the persons from whom the sums mentioned above are due, for payment of such sums.

2- In cases where the laws and regulations of a Contracting Party do not provide for payment of import or export duties and taxes as provided for in paragraph 1 above, the guaranteeing association shall undertake to pay, under the same conditions, a sum equal to the amount of the import or export duties and taxes and any default interest.

3- Each Contracting Party shall determine the maximum sum per TIR carnet, which may be claimed from the guaranteeing association on the basis of the provisions of paragraphs 1 and 2 above.

4- The liability of the guaranteeing association to the authorities of the country where the Customs office of departure is situated shall commence at the time when the TIR carnet is accepted by the Customs office. In the succeeding countries through which goods are transported under the TIR procedure, this liability shall commence at the time when the goods are imported or, where the TIR operation has been suspended under article 26, paragraphs 1 and 2, at the time when the TIR carnet is accepted by the Customs office where the TIR operation is resumed.

5- The liability of the guaranteeing association shall cover not only the goods which are enumerated in the TIR carnet but also any goods which, though not enumerated therein, may be contained in the sealed section of the road vehicle or in the sealed container. It shall not extend to any other goods.

6- For the purpose of determining the duties and taxes mentioned in paragraphs 1 and 2 of this article, the particulars of the goods as entered in the TIR carnet shall, in the absence of evidence to the contrary, be assumed to be correct.

7- When payment of sums mentioned in paragraphs 1 and 2 of this article becomes due, the competent authorities shall so far as possible require payment from the person or persons directly liable before making a claim against the guaranteeing association.

### Article ( 9 )

1- The guaranteeing association shall fix the period of validity of the TIR carnet by specifying a final date of validity after which the carnet may not be presented for acceptance at the Customs office of departure.

2- Provided that it has been accepted by the Customs office of departure on or before the final date of validity, as provided for in paragraph 1 of this article, the carnet shall remain valid until the termination of the TIR operation at the Customs office of destination.

### Article ( 10 )

1- The TIR carnet may be discharged unconditionally or conditionally; where discharge is conditional this shall be on account of fact connected with the TIR operation itself. These facts shall be clearly indicated in the TIR carnet.

2- When the Customs authorities of a country have discharged a TIR carnet unconditionally they can no longer claim from the guaranteeing association payment of the sums mentioned in article 8, paragraphs 1 and 2, unless the certificate of discharge was obtained in an improper or fraudulent manner.

### Article ( 11 )

1- Where a TIR carnet has not been discharged or has been discharged conditionally, the competent authorities shall not have the right to claim payment of the sums mentioned in article 8, paragraphs 1 and 2, from the guaranteeing association unless, within a period of one year from the date of acceptance of the TIR carnet by those authorities, they have notified the association in writing of the non-discharge or conditional discharge. The same provision shall apply where the certificate of discharge was obtained in an improper or fraudulent manner, save that the period shall be two years.



2- The claim for payment of the sums referred to in article 8, paragraphs 1 and 2, shall be made to the guaranteeing association at the earliest three months after the date on which the association was informed that the carnet had not been discharged or had been discharged conditionally or that the certificate of discharge had been obtained in an improper or fraudulent manner and at the latest not more than two years after that date. However, in cases which, during the above-mentioned period of two years, become the subject of legal proceedings, any claim for payment shall be made within one year of the date on which the decision of the court becomes enforceable.

3- The guaranteeing association shall have a period of three months, from the date when a claim for payment is made upon it, in which to pay the amounts claimed. The sums paid shall be reimbursed to the association if, within the two years following the date on which the claim for payment was made, it has been established to the satisfaction of the Customs authorities that no irregularity was committed in connexion with the transport operation in question.

### **Chapter III**

#### **TRANSPORT OF GOODS UNDER TIR CARNET**

##### **(a) APPROVAL OF VEHICLES AND CONTAINERS**

##### **Article ( 12 )**

In order to fall within the provisions of sections (a) and (b) of this Chapter, every road vehicle must as regards its construction and equipment fulfil the conditions set out in annex 2 to this Convention and must have been approved according to the procedure laid down in annex 3 to this Convention. The certificate of approval shall conform to the specimen reproduced in annex 4.

### Article ( 13 )

1- To fall within the provisions of sections (a) and (b) of this Chapter, containers must be constructed in conformity with the conditions laid down in Part I of annex 7 and must have been approved according to the procedure laid down in Part II of that annex.

2- Containers approved for the transport of goods under Customs seal in accordance with the Customs Convention on Containers, 1956, the agreements arising therefrom concluded under the auspices of the United Nations, the customs Convention on Containers, 1972 or any international instruments that may supersede or modify the latter Convention, shall be considered as complying with the provisions of paragraph 1 above and must be accepted for transport under the TIR procedure without further approval.

### Article ( 14 )

1- Each Contracting Party reserves the right to refuse to recognize the validity of the approval of road vehicles or containers which do not meet the conditions set forth in articles 12 and 13 above. Nevertheless, Contracting Parties shall avoid delaying traffic when the defects found are of minor importance and do not involve any risk of smuggling.

2- Before it is used again for the transport of goods under Customs seal, any road vehicle or container which no longer meets the conditions which justified its approval, shall be either restored to its original state, or presented for reapproval.

## (b) PROCEDURE FOR TRANSPORT UNDER COVER OF A TIR CARNET

### Article ( 15 )

1- No special Customs document shall be required in respect of the temporary importation of a road vehicle, combination of vehicles or container carrying goods under cover of the TIR procedure. No guarantee shall be required for the road vehicle or combination of vehicles or container.

2- The provisions of paragraph 1 of this article shall not prevent a Contracting Party from requiring the fulfilment at the Customs office of destination of the formalities laid down by its national regulation to ensure that, once the TIR operation has been completed, the road vehicle, the combination of vehicles or the container will be re-exported.

#### **Article ( 16 )**

When a road vehicle or combination of vehicles is carrying out a TIR operation, one rectangular plate bearing the inscription "TIR" and conforming to the specifications given in annex 5 to this Convention, shall be affixed to the front and another to the rear of the road vehicle or combination of vehicles. These plates shall be so placed as to be clearly visible and shall be removable.

#### **Article ( 17 )**

A single TIR carnet shall be made out in respect of each road vehicle or container. However, a single TIR carnet may be made out in respect of a combination of vehicles or for several containers loaded on to a single road vehicle or on to a combination of vehicles. In that case the TIR manifest of the goods covered by the TIR carnet shall list separately the contents of each vehicle in the combination of vehicles or of each container.

2- The TIR carnet shall be valid for one journey only. It shall contain at least the number of detachable vouchers for Customs acceptance and for discharge which are necessary for the transport operation in question.

#### **Article ( 18 )**

A TIR operation may involve several Customs offices of departure and destination, but, save as may otherwise be authorized by the Contracting Party or Parties concerned,

- (a) the Customs offices of departure shall be situated in only one country;
- (b) the Customs offices of destination shall be situated in not more than two countries
- (c) the total number of Customs offices of departure and destination shall not exceed four.

### Article ( 19 )

The goods and the road vehicle, the combination of vehicles or the container shall be produced with the TIR carnet at the Customs office of departure. The Customs authorities of the country of departure shall take such measures as are necessary for satisfying themselves as to the accuracy of the goods manifest and either for affixing the Customs seals or for checking Customs seals affixed under the responsibility of the said Customs authorities by duly authorized persons.

### Article ( 20 )

For journeys in the territory of their county, the Customs authorities may fix a time-limit and require the road vehicle, the combination of vehicles or the container to follow a prescribed route.

### Article ( 21 )

At each Customs office en route and at Customs offices of destination, the road vehicle, the combination of vehicles or the container shall be produced for purposes of control to the Customs authorities together with the load and the TIR carnet relating thereto.

### Article ( 22 )

1- As a general rule and except when they examine the goods in accordance with article 5, paragraph 2, the Customs authorities of the Customs offices en route of each of the Contracting Parties shall accept the Customs seals of other Contracting Parties, provided that they are intact. The said Customs authorities may, however, if control requirements make it necessary, add their own seals.

2- The Customs seals thus accepted by & Contracting Party shall have in the territory of that Contracting Party the benefit of the same legal protection as is accorded to the national seals.

**Article ( 23 )**

The Customs authorities shall not:

require road vehicles, combinations of vehicles or containers to be escorted at the carriers' expense on the territory of their country

require examination en route of road vehicles, combinations of vehicles or containers and their loads except in especial cases.

**Article ( 24 )**

If the Customs authorities conduct an examination of the load of a road vehicle, combination of vehicles or container in the course of the journey or at a Customs office en route, they shall record on the TIR carnet vouchers used in their country, on the corresponding counterfoil, and on the vouchers remaining in the TIR carnet, particulars of the new seals affixed and of the controls carried out.

**Article ( 25 )**

If the Customs seals are broken en route otherwise than in the circumstance of articles 24 and 35, or if any goods are destroyed or damaged without breaking of such seals, the procedure laid down in annex 1 to this Convention for the use of the TIR carnet shall, without prejudice to the possible application of the provisions of national law, be followed, and the certified report in the TIR carnet shall be completed.

**Article ( 26 )**

1- When transport under cover of a TIR Carnet takes place in part in the territory of a State which is not a Contracting Party to this Convention, the TIR operation shall be Suspended during that part of the journey. In that case, the Customs authorities of the Contracting Party on whose territory the journey continues shall accept the TIR carnet for the resumption of the TIR operation, provided that the Customs seals and/or identifying marks have remained intact.

2. The same shall apply where for a part of the journey the TIR carnet is not used by the holder of the carnet in the territory of a Contracting Party because of the existence of simpler Customs transit procedures or when the use of a Customs transit régime is not necessary.

3- In such cases the Customs offices where the TIR operation is suspended or resumed shall be deemed to be Customs offices of exit en route and Customs offices of entry en route respectively.

### **Article ( 27 )**

Subject to the provisions of this Convention and in particular of article 18, another Customs office of destination may be substituted for a Customs office of destination originally indicated.

### **Article ( 28 )**

On arrival of the load at the Customs office of destination, and provided that the goods are then placed under another system of Customs control or are cleared for home use, discharge of the TIR carnet shall take place without delay.

## **(c) PROVISIONS CONCERNING TRANSPORT OF HEAVY OR BULKY GOODS**

### **Article ( 29 )**

1- The provisions of this section apply only to the transport of heavy or bulky goods as defined in article 1, subparagraph (k), of this Convention.

2- Where the provisions of this section apply, heavy or bulky goods may, if the authorities at the Customs office of departure so decide, be carried by means of non-sealed vehicles or containers.

3- The provisions of this section shall apply only if, in the opinion of the authorities at the Customs office of departure, the heavy or bulky goods carried and any accessories carried with them can be easily identified by reference to the description given, or can be provided with Customs seals and/or identifying marks so as to prevent any substitution, or removal of the goods, without it being obvious.

**Article ( 30 )**

All the provisions of this Convention, save those to which the special provisions of this section make an exception, shall apply to the transport of heavy or bulky goods under the TIR procedure.

**Article ( 31 )**

The liability of the guaranteeing association shall cover not only the goods enumerated in the TIR carnet, but also any goods which, though not enumerated in the carnet, are on the load platform or among the goods enumerated in the TIR carnet.

**Article ( 32 )**

The cover and all vouchers of the TIR carnet shall bear the endorsement "heavy or bulky goods" in bold letters in English or in French.

**Article ( 33 )**

The Authorities at the Customs office of departure may require such packing lists, photographs, drawings, etc., as are necessary for the identification of the goods carried to be appended to the TIR carnet. In this Case they shall endorse these documents, one copy of the said documents shall be attached to the inside of the cover page of the TIR carnet, and all the manifests of the TIR carnet shall Include a reference to such documents.

**Article ( 34 )**

The authorities at the Customs offices en route of each of the Contracting Parties shall accept the Customs seals and/or identifying marks affixed by the competent authorities of other Contracting Parties. They may, however, affix additional seals and/or identifying marks; they shall record particulars of the new seals and/or identifying marks on the vouchers of the TIR carnet used in their country, on the corresponding counterfoils and on the vouchers remaining in the TIR carnet.

### **Article ( 35 )**

If Customs authorities conducting an examination of the load at a Customs office en route or in the course of the journey are obliged to break seals and/or remove identifying marks, they shall record the new seals and/or identifying marks on the vouchers of the TIR carnet used in their country, on the corresponding counterfoils and on the vouchers remaining in the TIR carnet.

## **Chapter IV**

### **IRREGULARITIES**

### **Article ( 36 )**

Any breach of the provisions of this Convention shall render the offender liable, in the country where the offence was committed, to the penalties prescribed by the law of that country.

### **Article ( 37 )**

When it is not possible to establish in which territory an irregularity was committed, it shall be deemed to have been committed in the territory of the Contracting Party where committed it is detected.

### **Article ( 38 )**

1- Each of the Contracting Parties shall have the right to exclude temporarily or permanently from the operation of this Convention any person guilty of a serious offence against the Custom laws or regulations applicable to the international transport of Goods.

2- This exclusion shall be notified immediately to the Customs authorities of the Contracting Party on whose territory the person concerned is established or resident, and also to the guaranteeing association(s) in the country where the offence has been committed.



**Article ( 39 )**

When TIR operations are accepted as being otherwise in order:

1- The Contracting Parties shall disregard minor discrepancies in the observance of time-limited or routes prescribed.

2- Likewise, discrepancies between the particular on the goods manifest of the TIR carnet and the actual content of a road vehicle, combination of vehicles or container shall not be considered as infringements of the Convention by the holder of the TIR carnet when evidence is produced to the satisfaction of the competent authorities that the se discrepancies were not due to mistakes committed knowingly or through negligence at the time when the goods were loaded or dispatched or when the manifest was made out.

**Article ( 40 )**

The Customs administrations of the countries of departure and of destination shall not consider the holder of the TIR carnet responsible for the discrepancies which may be discovered in those countries, when the discrepancies in fact relate to the Customs procedures which preceded or followed a TIR operation and in which the holder was not involved.

**Article ( 41 )**

When it is established to the satisfaction of the Customs authorities that goods specified on the manifest of a TIR carnet have been destroyed or have been irrecoverably lost by accident or force majeure or that they are short by reason of their nature, payment of the duties and taxes normally due shall be waived.

**Article ( 42 )**

On receipt from a Contracting Party of a request giving the relevant reasons, the competent authorities of the Contracting Parties concerned in a TIR operation shall furnish that Contracting Party with all the available information needed for implementation of the provisions of articles 39, 40 and 41 above.

## **Chapter V** **EXPLANATORY NOTES**

### **Article ( 43 )**

The Explanatory Notes set out in annex 6 and annex 7, Part III, interpret certain provisions of this Convention and its annexes. They also describe certain recommended practices.

## **Chapter VI** **MISCELLANEOUS PROVISIONS**

### **Article ( 44 )**

Each Contracting Party shall provide the guaranteeing associations concerned with facilities for:

- (a) the transfer of the currency necessary for the sums claimed by the authorities of Contracting Parties by virtue of the provisions of article 8 of this Convention; and
- (b) the transfer of currency for payment for TIR carnet forms sent to the guaranteeing associations by the corresponding foreign associations or by the international organizations.

### **Article ( 45 )**

Each Contracting Party shall cause to be published the List of the Customs offices of departure, Customs offices on route and Customs offices of destination approved by it for accomplishing TIR operations. The Contracting Parties or adjacent territories shall consult each other to agree upon corresponding frontier offices and upon their opening hours.

### **Article ( 46 )**

1- No charge shall be made for Customs attendance in connexion with the Customs operations mentioned in this Convention, save where it is provided on days or at times or places other than those normally appointed for such operations.

2- Contracting Parties shall arrange to the fullest extent possible for customs operations concerning perishable goods at Customs offices to be facilitated.

**Article ( 47 )**

1- The provisions of this Convention shall preclude neither the application of restrictions and controls imposed under national regulations on grounds of public morality, public security, hygiene or public health, or for veterinary or Phytopathological reasons, nor the levy of dues chargeable by virtue of such regulations.

2- The provisions of this Convention shall not preclude the supplication of other provisions either national or international governing transport.

**Article ( 48 )**

Nothing in this Convention shall prevent Contracting Parties which form a Customs or economic union from enacting special provisions in respect of transport operations commencing or terminating in, or passing through, their territories, provided that such provisions do not attenuate the facilities provided for by this Convention.

**Article ( 49 )**

This Convention shall not prevent the application of greater facilities which Contracting Parties grant or may wish to grant either by unilateral provisions or by virtue of bilateral or multilateral agreements provided that such facilities do not impede the application of the provisions of this Convention, and in particular, TIR operations.

**Article ( 50 )**

The Contracting Parties shall communicate to one another, on request, information necessary for implementing the provisions of this Convention, and particularly information relating to the approval of road vehicle or container and to the technical characteristics of their design.

**Article ( 51 )**

The annexes to this Convention form an integral part of the Convention.

## **Chapter VII**

### **FINAL CLAUSES**

#### **Article ( 52 )**

##### **Signature, ratification, acceptance, approval and accession**

1- All States Members of the United Nations or members of any of the specialized agencies or of the International Atomic Energy Agency or parties to the Statute of the International Court of Justice, and any other State invited by the General Assembly of the United Nations, may become Contracting Parties to this Convention:

- (a) by signing it without reservation of ratification, acceptance or approval,
- (b) by depositing an instrument of ratification, acceptance or approval after signing it subject to ratification, acceptance or approval, or
- (c) by depositing an instrument of accession.

2- This Convention shall be open from 1 January 1976 until 31 December 1976 inclusive for signature at the Office of the United Nations at Geneva by the States referred to in paragraph 1 of this article. Thereafter it shall be open for their accession.

3- Customs or economic unions may, together with all their member States or at any time after all their member States have become Contracting Parties to this Convention, also become Contracting Parties to this Convention in accordance with the provisions of paragraphs 1 and 2 of this article. However, these unions shall not have the right to vote.

4- The instruments of ratification, acceptance, approval or accession shall be deposited with the Secretary-General of the United Nations.

**Article ( 53 )****Entry into force**

1- This Convention shall enter into force six months after the date on which five States referred to in article 52, paragraph 1, have signed it without reservation of ratification, acceptance or approval or have deposited their instruments of ratification, acceptance, approval or accession.

2- After five States referred to in Article 52, paragraph 1, have signed it without reservation of ratification, acceptance or approval, or have deposited their instruments of ratification, acceptance, approval or accession, this Convention shall enter into force for further Contracting Parties six months after the date of the deposit of their instruments of ratification, acceptance, approval or accession.

3- Any instrument of ratification, acceptance, approval or accession deposited after the entry into force of an amendment to this Convention shall be deemed to apply to this Convention as amended.

4- Any such instrument deposited after an amendment has been accepted but before it has entered into force shall be deemed to apply to this Convention as amended on the date when the amendment enters into force.

**Article ( 54 )****Denunciation**

1- Any Contracting Party may denounce this Convention by so notifying the Secretary General of the United Nations.

2- Denunciation shall take effect fifteen months after the date of receipt by the Secretary General of the notification of denunciation.

3- The validity of TIR carnets accepted by the Customs office of departure before the date when the denunciation takes effect shall not be affected thereby and the guarantee of the guaranteeing association shall hold good in accordance with the provisions of this Convention.

## **Article ( 55 )**

### **Termination**

If, after the entry into force of this Convention, the member of States which are Contracting Parties is for any period of twelve consecutive months reduced to less than five, the Convention shall cease to have effect from the end of the twelve-month period.

## **Article ( 56 )**

### **Termination of the operation of the TIR Convention, 1959**

1- Upon its entry into force, this Convention shall terminate and replace, in relations between the Contracting Parties to this Convention, the TIR Convention, 1959.

2- Certificates of approval issued in respect of road vehicles and containers under the conditions of the TIR Convention, 1959, shall be accepted during the period of their validity or any extension thereof for the transport of goods under Customs seal by Contracting Parties to this Convention, provided that such vehicles and containers continue to fulfil the conditions under which they were originally approved.

## **Article ( 57 )**

### **Settlement of disputes**

1- Any dispute between two or more Contracting Parties concerning the interpretation or application of this Convention shall, so far as possible, be settled by negotiation between them or other means of settlement.

2- Any dispute between two or more Contracting Parties concerning the interpretation or application of this Convention which cannot be settled by the means indicated in paragraph 1 of this article shall, at the request of one of them, be referred to an arbitration tribunal composed as follows: each party to the dispute shall appoint an arbitrator and these arbitrators shall appoint another arbitrator, who shall be chairman. If, three months after receipt of a request, one of the parties has failed to appoint an arbitrator or if the arbitrators have failed to elect the chairman, any of the parties May request the Secretary General of the United Nations to appoint an arbitrator or the chairman of the arbitration tribunal.

3- The decision of the arbitration tribunal established under the provisions of paragraph 2 shall be binding on the parties to the dispute.

4- The arbitration tribunal shall determine its own rules of procedure.

5- Decisions of the arbitration tribunal shall be taken by majority vote.

6- Any controversy which may arise between the parties to the dispute as regards the interpretation and execution of the award may be submitted by any of the parties for judgment to the arbitration tribunal which made the award.

### **Article ( 58 )**

#### **Reservations**

1- Any State may, at the time of signing, ratifying or acceding to this Convention, declare that it does not consider itself bound by article 57, paragraphs 2 to 6, of this Convention. Other Contracting Parties shall not be bound by these paragraphs in respect of any Contracting Party which has entered such a reservation.

2- Any Contracting Party having entered a reservation as provided for in paragraph 1 of this article may at any time withdraw such reservation by notifying the Secretary General of the United Nations.

3- Apart from the reservations provided for in paragraph 1 of this article, no reservation to this Convention shall be permitted.

### **Article ( 59 )**

#### **Procedure for amending this Convention**

1- This Convention, including its annexes, may be amended upon the proposal of a Contracting Party by the procedure specified in this article.

2- Any proposed amendment to this Convention shall be considered in an Administrative Committee composed of all the Contracting Parties in accordance with the rules of procedure set out in annex 8. Any such amendment considered or prepared during the meeting of the Administrative

Committee and adopted by it by a two-thirds majority of the members present and voting shall be communicated by the Secretary General of the United Nations to the Contracting Parties for their acceptance.

3- Except as provided for under article 60, any proposed amendment communicated in accordance with the preceding paragraph shall come into force with respect to all Contracting Parties three months after the expiry of a period of twelve months following the date of communication of the proposed amendment during which period no objection to the proposed amendment has been communicated to the Secretary General of the United Nations by a State which is a Contracting Party.

4- If an objection to the proposed amendment has been communicated in accordance with paragraph 3 of this article, the amendment shall be deemed not to have been accepted and shall have no effect whatsoever.

#### **Article ( 60 )**

##### **Special procedure for amending annexes 1, 2, 3, 4, 5, 6 and 7**

1- Any proposed amendment to annexes 1, 2, 3, 4, 5, 6 and 7 considered in accordance with paragraphs 1 and 2 of article 59 shall come into force on a date to be determined by the Administrative Committee at the time of its adoption, unless by a prior date determined by the Administrative Committee at the same time, one-fifth or five of the States which are Contracting Parties, whichever number is less, notify the Secretary-General of the United Nations of their objection to the amendment. Determination by the Administrative Committee of the dates referred to in this paragraph shall be by a two-thirds majority of those present and voting.

2- On entry into force, any amendment adopted in accordance with the procedures set out in paragraph 1 above shall for all Contracting Parties replace and supersede any previous provisions to which the amendment refers.



**Article ( 61 )****Requested, communication and objections**

The Secretary General of the United Nations shall inform all Contracting Parties and all States referred to in article 52, paragraph 1, of this Convention of any request, communication or objection under articles 59 and 60 above and of the date on which any amendment enters into force.

**Article ( 62 )****Review Conference**

1- Any State which is a Contracting Party may, by notification to the Secretary General of the United Nations, request that a conference be convened for the purpose of reviewing this Convention.

2- A review conference to which all Contracting Parties and all States referred to in article 52, paragraph 1, shall be invited, shall be convened by the Secretary General of the United Nations if, within a period of six months following the date of notification by the Secretary General, not less than one-fourth of the States which are Contracting Parties notify him of their concurrence with the request.

3- A review conference to which all Contracting Parties and all States referred to in article 52, paragraph 1, shall be invited shall also be convened by the Secretary General of the United Nations upon notification of a request by the Administrative Committee, The Administrative Committee, shall make a request if agreed to by a majority of those present and voting in the Committee.

4- If a conference is convened in pursuance of paragraphs 1 or 3 of this article, the Secretary-General of the United Nations shall so advise all the Contracting Parties and invite them to submit, within a period of three months, the proposals which they wish the conference to consider.

The Secretary-General of the United Nations shall circulate to all Contracting Parties the provisional agenda for the conference, together with the texts of such proposals, at least three months before the date on which the conference is to meet.

### **Article ( 63 )**

#### **Notifications**

In addition to the notifications and communications provided for in articles 61 and 62, the Secretary General of the United Nations shall notify all the States referred to in article 52 of the following:

- (a) signatures, ratifications, acceptances, approvals and accessions under article 52;
- (b) the dates of entry into force of this Convention in accordance with article 53;
- (c) denunciations under article 54;
- (a) the termination of this Convention under article 55;
- (e) reservations under article 58.

### **Article ( 64 )**

#### **Authentic text**

After 31 December 1976, the original of this Convention shall be deposited with the Secretary General of the United Nations, who shall transmit certified true copies to each of the Contracting Parties and to the States referred to in article 52, paragraph 1, which are not Contracting Parties.

IN WITNESS WHEREOF, the undersigned, being fully authorized thereto, have signed this Convention.

DONE at Geneva, this fourteenth day of November one thousand nine hundred and seventy-five, in a single copy in the English, French and Russian languages, the three texts being equally authentic.