

THE COUNCIL

Having regard to Article 13(a) of the Convention for European Economic Co-operation of 16th April 1948;

Having regard to the Report by the Tourism Committee of 5th June 1957 on the International Circulation of Hired Private Road Motor Vehicles [Doc. No. C(57)104];

Considering that provision should be made for the application by all Member countries of certain rules to facilitate the circulation on their territories of private road motor vehicles used by tourists under a temporary hire contract;

Considering that such measures would meet the needs of a large number of tourists and, in particular, of United States tourists in Europe;

DECIDES :

1. Member countries shall take the necessary internal measures so that, by 1st July 1957, facilities for the circulation of hired private road motor vehicles shall not be less favourable than the facilities provided for in the Regulation attached to this Decision.
2. The measures provided for in paragraph 1 of this Decision shall be without prejudice to the taxation requirements applying in each Member country to the contracts relating to such vehicles (hire contracts, contracts of services, etc.); to the provisions governing circulation taxes (internal regulations pursuant to the country's own legislation or to international conventions), or to the Highway Codes in force in the Member countries.
3. (a) Any Member country which implements the provisions of paragraph 3 of Section II of the Regulation attached to this Decision need not accord the benefit of such provisions to vehicles registered in Member countries which do not implement them.

(b) The German, Danish, Greek, Italian and Swedish Governments will not apply the Provisions of paragraph 3 of Section II of the Regulation attached to this Decision. They shall inform the Organisation by 31st December 1957 whether they are able to apply these provisions.

In adopting this Decision, the Council TOOK NOTE of the statements by the Delegates for Denmark and Ireland reserving their position as regards various sections of the Regulation.

ANNEX
Regulations governing the International Circulation
of Hired Private Road Motor Vehicles

The following provisions apply only to motor cars for private use with seats for a maximum of 8 persons excluding the driver. They do not apply to public service vehicles, including motor cars carrying passengers who pay separate fares.

I. *Chauffeur-driven hired private road motor vehicles* (in these cases the chauffeur is the servant of the firm from which the vehicle is hired; the transaction is, therefore, a contract of service).

1. There shall be complete freedom of circulation for any such vehicle, being a vehicle registered in a Member country and hired under a regular contract by a person who satisfies the requisite conditions for benefiting from the temporary importation regulations, which arrives for a temporary visit in the territory of another Member country carrying its hirer.

2. If such a vehicle is not carrying its hirer when it arrives in the territory of the country of temporary importation, it shall still be free to circulate subject to the following conditions :

(a) The vehicle must travel to its destination by the speediest route;

(b) The hire contract must be concluded before the hirer arrives in the country to which the vehicle is travelling.

3. If the countries of transit or destination so require, the vehicle must carry a trade plate in a standard form similar to that given in the Appendix to this Regulation, issued either by the public authorities or by the organisations authorised to that effect in the country of registration of the vehicle.

II. *Non-chauffeur-driven hired private road motor vehicles* (in these cases the transaction is solely one for the hire of a chattel; a vehicle hired for personal use remains the hirer's responsibility throughout the period of hire).

1. There shall be complete freedom of circulation for any such vehicle being a vehicle registered in a Member country and hired under a regular contract by a person who satisfies the requisite conditions for benefiting from the temporary importation regulations, which arrives for a temporary visit in the territory of another Member country carrying its hirer.

2. If such a vehicle is not carrying its hirer when it arrives in the territory of the country of temporary importation, it shall still be free to circulate subject to the following conditions :

(a) The vehicle must travel to its destination by the speediest route ;

(b) The hire contract must be concluded before the hirer arrives in the country to which the vehicle is travelling.

3. If the terminal point of a journey for which such a vehicle has been hired without a chauffeur is situated in a Member country other than the country of registration of the vehicle, the vehicle may be re-hired subject to the following conditions :

(a) The new hirer must be a person who satisfies the requisite conditions for benefiting from the temporary import regulations in the country in which the new hire is effected and must travel to the country of registration of the vehicle ;

(b) The new hire must be effected through a firm established in the country in which the vehicle is located, and it may be made to be conditional upon the authorisation of the competent Customs authorities.

APPENDIX

Model of trade plate mentioned in paragraph 3
of Section I of the Decision

