PROTOCOL NO. 5

TRANSPORT OF GOODS BY RAIL

Article 1: Application

Pursuant to Article 10.13 of the Central Corridor Transit Transport Facilitation Agency Agreement, the Corridor Member States agree to apply the provisions of this Protocol related to transport of goods by rail in transit and in interstate trade, which is an integral part of the Agreement.

Article 2: Content of the Protocol

This Protocol governs the use by the Corridor Member States of the railways in their territories.

Article 3: Definitions

For the purpose of this Protocol and in addition to the definitions included in Article 1 of the Central Corridor Transit Transport Facilitation Agency Agreement, the following expressions shall have the meanings hereby assigned to them:

"Border"; Means the point at which the lines of the Corridor Member States Railways meet the lines of the Railway, roads of waterways of the other Corridor Member States, and vice versa.

"Border station"; Means the railway station at the border.

"Connecting and transit services"; Means all railway activities required for the transfer of goods, coaches, wagons and vans, containers and loading devices from a rail carrier of one Corridor State to a rail carrier of the other Corridor Member States .

"Frontier connecting line"; Means the railway line which connects the State frontier and the interchange station.

"Frontier line"; Means the railway line which connects the State frontier and the border station.

"Frontier Section"; Means Section of the railway line which connects two border stations situated on both sides of a State frontier.

"Interchange Station"; Means rail ways station or rail wagon ferry terminal at which connecting and transit services are performed.

"Rail and Transit Traffic"; Means rail traffic proceeding between railway stations of one Corridor State to railway stations on the territory of another Corridor State.

SECTION I: OPERATIONAL ARRANGEMENTS

Article 4: Connecting and Transit Services

Connecting and transit services on railway lines connecting the territories of the Corridor Member state shall be performed at designated interchange stations.

Article 5: Establishment and operation of border and interchange stations

a. Connecting and transit services shall be operated by the rail carriers of Corridor Member States at the border and interchange stations specified in Annex I to Protocol 5;

b. At the border stations the rail carrier of the neighboring States shall hand over wagons, goods and documents to the rail carrier responsible for their onward movement;

c. At the interchange stations the rail carrier concerned shall hand over, as appropriate, wagons, goods and documents to the carriers responsible for their onward movement.

Article 6: Technical inspection of rolling stock

Each Corridor State shall hand over to the other all rolling stock destined for destination beyond the border, loaded or empty, in good and running order. Any technical inspection of these rolling stocks shall be in accordance with any relevant operational agreement between rail carriers of the Corridor Member States concerned.

Article 7: Inspection of Goods in rail transit or transfer traffic

Inspection of goods carried in transit or transfer by rail shall be conducted at the designated border and interchange stations by the relevant authorities of the States where the station is situated. Such inspection shall be conducted in a manner that ensures that wagons in transit or transfer are not unduly detained.

Article 8: Carriage of Dangerous Goods

Carriage of Dangerous Goods shall be governed by the provisions of Article 10.14 of the Central Corridor Transit Transport Agency Agreement and Protocol 10, on the Handling of Dangerous Goods.

Article 9: Removal of obstacles on frontier connecting lines

Where obstacles to traffic arise on a frontier connecting line, they shall be removed by the Corridor Member States in whose territory they are located. The rail carriers of the Corridor Member States shall, so far as they can and upon request, assist each other in removing obstacles to rail traffic in transit or engage in inter-state transport of goods, in particular by providing the necessary equipment, vehicles, materials and labour, against reimbursement for the actual cost of providing such assistance, in accordance with any relevant provision of any operational agreement between the rail carriers of the Corridor Member States concerned.

SECTION II: LIABILITY OF RAIL CARRIER

Article 10: Liability to third persons

Liability to third persons for damage occurring in transit, transfer or in inter-State transport shall rest with the rail carrier that causes the damage. If it has not been proved that such damage has been caused by a particular rail carrier, liability shall rest with the rail carrier of the Corridor Member State on whose territory the damage was detected.

Article 11: Assertion of claims

The assertion of claims between the rail carriers of the Corridor Member State shall be governed by the following principles:

a) Liability for damage caused by the fault of railway employees shall rest with the employing rail carrier;

b) Liability for damage resulting from the unsatisfactory condition of structures and installations used for purposes of rail traffic or to ensure the safety of such traffic shall rest with the rail carrier responsible for the maintenance and reconstruction of the structures and installations;

c) Liability for damage resulting from the unsatisfactory technical condition of rolling stock shall rest with the rail carrier which last accepted the rolling stock for technical handling;

d) Where damage was caused jointly by the rail carriers of both Corridor Member States or by employees of the said carriers, or where it is impossible to determine which carrier, or the employees of which carrier caused the damage or on whose territory the damage occurred, liability shall rest proportionately with the two carriers to the extent of the damage caused

Article 12: Application of liability provisions

Details relating to the provisions of Article 11, as well as the method of conducting inquiries to determine the cause and extent of damage shall be regulated by an agreement to be entered between the rail carriers of the Corridor Member States and Parties to this Protocol.

PROTOCOL NO. 6

TRANSPORT OF GOODS BY ROAD

Article 1: Application

a. Pursuant to Article 10.13 of the Central Corridor Transit Transport Facilitation Agency Agreement, the Corridor Member States agree to apply the provisions of this Protocol related to transport by road of goods in transit, which is an integral part of the Agreement, and which is divided into three separate parts;

b. The provisions of this Protocol shall not preclude the application of the provisions of the Protocol under any Regional or sub regional instruments which the Corridor Member States are a party to, have ratified or have otherwise formally approved.

Article 2: Content of the Protocol

The Corridor Member States agree to apply the provisions of this Protocol to those aspects of inter-state traffic and traffic in transit by road connected with regulations concerning inter-state traffic and road transit or transfer transport, the technical requirements of vehicles and transport contracts and the liability of road carriers.

Article 3: Definitions

For the purpose of this Protocol, and in addition to the definitions included in Article 1 of the Central Corridor Transit Transport Facilitation Agency Agreement, the following expressions shall have the meanings hereby assigned to them:

"Axle load"; Means weight transmitted on road by an axle bearing two or more pneumatic tyres ;

"Laden weight"; Means the actual weight of the vehicle as loaded, with crew and cargo on board;

"Permissible maximum weight"; Means the maximum weight of the laden vehicle, declared permissible by the competent authority of the State in which the vehicle is registered;

"Unladen weight"; Means the weight of the vehicle without crew, passengers or load, but with full supply of fuel and with the tools which the vehicle normally carries.

SECTION 1: REGULATIONS CONCERNING ROAD TRANSPORT

Article 4: Compliance with National law

The Corridor Member States agree that goods or vehicles engaged in inter-state traffic , transfer or in transit operations shall comply with the national laws and regulations of the Corridor Member State on whose territory the operation is being carried out.

Article 5: Mutual Recognition of Transit Goods Licenses

a. The Corridor Member States hereby grant to each other mutual recognition of road transport licenses for the transit of goods issued by their respective transport licensing authorities;

b. A vehicle bearing a valid transit goods license for the transit of goods issued by the Transport Licensing Authority of any of the Corridor Member State shall have the right of entry into the territory of any of the other Corridor Member State while it is engaged in inter-state transport or in transit traffic of goods by road.

Article 6: Competent authorities

Each Member State shall put in place a competent authority which shall issue transit goods licenses for the transport of transit goods. Other Corridor Member States shall be informed of the existence of these designated authorities through the Secretariat of the Central Corridor Transit Transport Facilitation Agency.

Article 7: Contents of the form of Transit Goods Truck Road License

Transit goods Licenses shall include the following particulars:

i. registration number of the vehicle;

ii. name and address of the registered owner;

iii. date of expiry of the License ;

iv. Engine and chassis number;

v. Description of the vehicle;

vi. Colour of the vehicle.

Article 8: Priority to certain consignments

The Corridor Member States agree, as far as possible, to grant priority to consignments of live animals, of perishable goods and of other urgently needed goods for which rapid transport is essential.

Article 9: Carriage of dangerous goods and of perishable goods

a. Carriage of dangerous goods shall be governed by the provisions in Article 10.14 of the Central Corridor Transit Transport Facilitation Agency Agreement and in Protocol 10 on the handling of handling dangerous goods.

b. Carriage of perishable goods shall be governed by the provisions in Article 10 of the Central Corridor Transit Transport Facilitation Agency Agreement.

Article 10: Infringements

In the event of any infringement in the territory of one of the Corridor Member States of the provisions of this Protocol related to regulations concerning inter-State or transit transport by road, the competent authority of that Corridor Member State, shall, take appropriate measures under its national laws and regulations and notify the competent authority of another Corridor Member State in which the vehicle is registered of the measures taken.

Article 11: Further simplification efforts

Corridor Member States agree to pursue efforts towards gradually eliminating regulations, procedure and documents which affect interstate and transit transport by road.

SECTION II: TECHNICAL REQUIREMENTS FOR ROAD VEHICLES

Article 12: Acceptance of vehicles

The Corridor Member States shall admit vehicles which fulfill the technical requirements applied in the territories of other Corridor Member States where the vehicles are registered and which carries a Certificate of Fitness, or corresponding document, issued by the competent certifying body in the country of registration.

Article 13: Adaptation of vehicles for Customs transit

Vehicles intended to be used for international carriage of goods by road under this Protocol shall be constructed so as to meet the specified requirements for carriage under Customs transit in accordance with Article 11 of the Customs Control and Operations.

Article 14: Maximum axle load and gross vehicle weights

a. The maximum permissible axle loads, applicable to axles with four-wheel per axle, shall be those specified and agreed by any Regional and sub-regional groups to which any Member of the Corridor Member States has ratified, but in any case shall not exceed:

i.	-	for steering axle:	8 tonnes;
ii.	-	for single axles:	10 tonnes;
iii.	-	for tandem axles:	16 tonnes;
iv.	-	for triple axles:	24 tonnes;

b. The total Gross Vehicle Weight of any vehicle shall in no case exceed 56 tonnes;

c. The maximum number of axles for carriage of goods in transit shall not exceed seven axles.

Article 15: Maximum Dimensions of Vehicles

The dimensions of motor vehicles and trailer including when laden used for the carriage of goods in transit shall not exceed:

i. Over all widths: 2.6m;

ii. Over all height 4.6m from the road surface;

iii. Overall length of rigid vehicle 12.5m;

iv. Overall length of articulated vehicles 17.0m;

v. Overall length of any combination of vehicles 22.0m.

Article 16: Implementation

The Corridor Member States agree that the implementation of rules regarding the weights, dimensions and other technical standards of vehicles stipulated in this Protocol shall not preclude the application of rules resulting from the provisions of positions agreed by a Corridor State Member in a regional or sub regional position it has ratified.

The foregoing, notwithstanding the Corridor Member States commit themselves to the implementation of this Protocol to the fullest extent possible in accordance with the the provisions of Articles 14 and 15 of this Protocol

SECTION III: TRANSPORT CONTRACT AND LIABILITY OF ROAD CARRIERS

Article 17: Declaration

The Corridor Member States, having recognized the desirability of standardizing the conditions governing the contract for the international carriage of goods by road, particularly with respect to the documents used for such carriage and to the carriers' liability, agree that the provisions mentioned herein below and related to inter-state and traffic in transit by road shall apply on their respective territories.

Article 18: Conclusion of the contract of carriage

a. The contract of carriage shall be confirmed by the making out of a Consignment Note;

b. The Consignment note shall be made out in three or more original copies signed by the sender or his agent and by the carrier. These signatures may be printed or replaced by the stamps of the sender and the carrier if the law of the country in which the Consignment note has been made out so permits. The first copy shall be handed to the sender, the second shall accompany the goods and the third shall be retained by the carrier and the rest as required;

c. When the goods which are to be carried have to be loaded in different vehicles, or are of different kinds or are divided into different lots, the sender or the carrier shall have the right to require a separate Consignment note to be made out for each vehicle used, or for each kind or lot of goods.

Article 19: Provisions of the Consignment Note

a. The Consignment Note shall contain the following particulars:

   i. The date of the Consignment note and the place at which it is made out;

   ii. The name and address of the sender;

   iii. The name and address of the carrier;

   iv. The place and the date of taking over of the goods and the place designated for delivery;