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DRAFT CUSTOMS CONVENTION ON THE INTERNATIONAL TRANSPORT  
OF GOODS BY ROAD PREPARED BY THE SUB-COMMITTEE ON  
ROAD TRANSPORT OF THE INLAND TRANSPORT COMMITTEE  
OF THE ECONOMIC COMMISSION FOR EUROPE

Note by the Secretary-General

The annexed draft Customs Convention on the International Transport of Goods by Road which was prepared by the Sub-Committee on Road Transport of the Economic Commission for Europe is transmitted to the Governments invited to the United Nations Conference on Road and Motor Transport in conjunction with item 5 of the draft provisional agenda - "Discussion of other problems in the field of road transport which may require international action." The views of the Sub-Committee concerning the urgency of reaching practical conclusions with respect to the question of customs formalities in the field of road transport and found in the Sub-Committee's Explanatory Memorandum which is contained in Working Paper I for the Conference (document E/CONF.8/3). The Secretary-General is bringing this question, together with others discussed in Conference document E/CONF.8/5 - "International Road Transport - Further Problems", to the attention of the Conference in order to have the views of the assembled experts on the further steps which should be taken internationally in the field of road transport.

ANNEX 1

DRAFT CUSTOMS CONVENTION ON THE INTERNATIONAL  
TRANSPORT OF GOODS BY ROAD

(Documents E/ECE/87, E/ECE/TRANS/SC.1/34, 8 February 1949)

Prepared by the Sub-Committee on Road Transport of the  
Inland Transport Committee of the Economic  
Commission for Europe

.....

Desiring to facilitate the international transport of goods by road by  
reducing Customs requirements at frontiers, have decided to conclude a  
Convention for this purpose, and have appointed as their Plenipotentiaries

.....

.....

who, after having communicated their full powers, found to be in good  
and due form, have agreed as follows:

CHAPTER I

DEFINITIONS

Article 1

For the purposes of the present Convention:

(a) the term "Customs office of departure" shall be taken to mean  
the inland or frontier Customs office of the Contracting State

where the international transport of goods by road starts;

(b) the term "Customs office of destination" shall be taken to  
mean the inland or frontier Customs office of the Contracting  
State where the international transport of goods by road ends;

(c) the term "Customs offices en route" shall be taken to mean  
the Customs offices at frontiers which vehicles merely cross en  
route in the course of the international transport;

(d) the term "Carrier" shall be taken to mean the natural or legal  
person who is responsible for the international transport, vis-à-vis  
the Customs, and in whose name the T.I.R. carnet is made out;

(e) the term "Vehicle" shall be taken to mean any motor lorry or  
trailer used for the international transport of goods by road;

(f) the terms "import or export duties and import or export taxes",  
shall mean not only Customs duties but also all duties and taxes  
whatever chargeable by reason of importation or exportation other  
than any fees which may be chargeable for sanitary inspection and  
charges in the nature of statistical fees.

/CHAPTER II

CHAPTER II  
TERMS AND CONDITIONS OF APPLICATION

Article 2

The provisions of this Convention shall apply to the international transport of goods by road under the terms of this Convention without breaking of bulk across one or more frontiers, from a Customs office of departure of one Contracting State and a Customs office of destination of another Contracting State, or of the same State.

Article 3

Except in the case of suspicion of abuse, and subject to the conditions with the conditions and requirements laid down in the following provisions, goods transported by road in sealed vehicles or containers shall not be subjected to Customs examination at offices en route and import or export duties and import or export taxes shall not be required at such offices.

Article 4

The provisions of this Convention shall apply only to carriers who:

- (a) comply with the Customs laws and regulations of their own countries and of the countries through which the goods are carried;
- (b) use such vehicles and containers as have been previously approved in accordance with the provisions of Chapter III;
- (c) are guaranteed by a guarantor approved by the Customs authorities of their own country.

Article 5

1. Subject to such guarantees and conditions as it shall determine, each of the Contracting States may authorize associations such as those affiliated to an international organization to issue directly or through corresponding associations the temporary importation papers covered by this Convention.
2. A condition of the approval of a guarantor shall be that the guarantee which he gives to the Customs authorities of his own State shall cover the liabilities incurred in that State under their undertakings by all carriers who transport goods under the terms of this Convention in the territory of that State.

Article 6

The guarantor, jointly and severally with the carrier, shall undertake to pay on demand the import or export duties and import or export taxes, any interest due thereon and any pecuniary penalties which may be imposed under the Customs laws of the country in which an offence has been committed.

Article 7

Article 7

1. Goods shall be transported under cover of a special document called "T.I.R. Carnet", conforming to the standard form shown in Annex 1 of this Convention and subject to the rules prescribed for its use therein.
2. This document must be made out for each vehicle or container. It shall be valid for one journey only and shall contain detachable pages with Customs control and discharge forms for each country concerned.

Article 8

1. At the Customs office of departure the load shall be produced to the Customs authorities for examination and sealing together with the T.I.R. carnet or carnets.
2. At each Customs office en route and at the Customs office of destination, the vehicle or container shall be produced to the Customs authorities, together with the T.I.R. carnet relating to the consignment, for the purpose of fulfilling the Customs requirements.

Article 9

Unless abuse is suspected, the Customs authorities of the offices en route of each of the Contracting State shall respect the seals affixed by the Customs authorities of the other Contracting States, but reserve the right to affix additional seals of their own.

Article 10

The itinerary to be followed by the vehicle shall be subject to approval for each country concerned by the Customs office of departure ~~on route~~ on route which will assign a reasonable time-limit for the journey.

Article 11

Each Contracting State may, if it deems fit:

- (a) require the vehicles engaged in international transport of goods by road to be escorted at the carriers' expense over the whole or part of the route lying in its territory;
- (b) require inspections of the vehicles and their loads to be carried out en route. Drivers must comply with instructions given to them in this connection and produce to the inspecting authorities the T.I.R. carnet, the approval certificate or certificates and all other documents relating to the transport.

Article 12

In the event of the seals breaking en route, the procedure laid down in the rules for the use of the T.I.R. Carnet shown in Annex 1 to this Convention shall be followed.

/Article 13

Article 13

1. The carrier and the guarantor shall be released from their undertaking to the Customs authorities for each country if the goods carried have been duly exported or have otherwise been accounted for to the satisfaction of the Customs authorities.
2. When goods have been destroyed owing to force majeure and the loss is established to the satisfaction of the Customs authorities, the carrier and the guarantor may be exempted from payment of taxes and fines to which they may be legally liable.

Article 14

1. Each of the Contracting States reserves the right to exclude temporarily or permanently from the benefits of the provisions of the Convention any carrier guilty of, or responsible through his servants for, any serious abuse committed in connection with international transport of goods by road.
2. Such exclusion shall be notified immediately to the Customs authorities of the State of which the carrier concerned is a national, and also to the guarantor in the country where the abuse has been committed.

CHAPTER III

SPECIAL PROVISIONS

Article 15

Copies of the T.I.R. carnet sent to the authorized customs authorities of their corresponding associations or federations or by the Customs authorities of the Contracting States and which are to be used by the carriers under the terms of this Convention shall be admitted free of import duties and import taxes.

Article 16

1. The conditions as regards construction and equipment with which vehicles and containers shall comply in order to be approved are defined in Annex 2.
2. Approval shall be granted by the competent authorities of the State in which the vehicle is registered; approval of containers shall be granted by the competent authorities in the State where the containers are first to be used for international transport of goods by road; the approval shall be valid for all Contracting States.
3. A certificate of approval conforming to the standard form shown in Annex 3 to this Convention shall be issued for each vehicle or container, specifying the date and number of the decision and the particulars of the  
/vehicle or

vehicle or container to which it applies. This certificate, which must accompany the vehicle or container, must be produced at any time at the request of the authorities of any Contracting State.

4. The vehicles must be produced every two years to the authorities referred to in paragraph 2 of this Article for purposes of inspection and renewal of approval where necessary.

5. The approval shall lapse if there is any material change in any of the particulars of the vehicle or container.

#### Article 17

Vehicles or combinations of vehicles engaged in international transport of goods by road under the terms of this Convention shall carry on the front and rear a rectangular plate bearing the letters T.I.R. of the dimensions and colours laid down in Annex 4. This plate shall be movable and placed on the vehicle in such a manner that it can be sealed by the Customs authorities.

#### Article 18

1. Each Contracting State in agreement with the adjacent countries shall draw up a list of the points at which its frontiers may be crossed and of the frontier Customs offices authorized to deal with international transport of goods by road.

2. Each Contracting State shall bring to the knowledge of the other Contracting States the list referred to in paragraph 1 of this Article and a list of the inland Customs offices it may authorize to deal with international transport of goods by road.

#### Article 19

Each Contracting State may levy or authorize the levying of fair and reasonable charges in return for services rendered.

#### Article 20

For the purpose of this Convention, each Contracting State undertakes to abstain from any discrimination based on the nationality of the carrier or the registration or ownership of the vehicle.

As regards goods carried under the régime established by this Convention, the Contracting States undertake not to enforce prohibitions other than those which, under their law, are of general application.

#### PROTOCOL

On signing this Convention, the Contracting States make the following declaration:

1. The provisions of this Convention shall not prejudice the application of national or conventional provisions concerning road traffic.

/2. Contracting States

2. Contracting States will endeavour to synchronize the office hours of their corresponding Customs offices and to provide them as far as is practicable with personnel, equipment and installations adequate for carrying out Customs procedure with the requisite regularity and speed. Whenever possible, adjacent States should establish frontier Customs offices in the same place and, if possible, in the same building.
3. As far as is practicable, the Contracting States shall:
  - (a) facilitate the Customs clearance of perishable goods on days other than working days and outside the Customs offices' official working hours;
  - (b) authorize, as far as their law permits, vehicles to cross the frontier and to load or unload outside working days and Customs offices' official working hours.
4. It is understood that the Contracting States will take all necessary measures to ensure the greatest possible degree of uniformity in their regulations, procedure and documents relating to international transport of goods by road and to reduce customs requirements at the frontier to a minimum.

Ad Article 6

1. In cases where the Customs office of departure or of entry en route has not received from the Customs office of destination or the exit Customs office en route the sheet establishing that the undertakings subscribed by the carrier have been fulfilled, there is no suspicion of abuse and where a reasonable period may be allowed for the guarantor to prove that the undertakings have actually been fulfilled.
2. When an exit visa has been omitted from, or has been irregularly appended to, a carnet, the visa entered thereon by the Customs authorities may be taken into account for the purpose of discharging that carnet.

Ad Article 11

It is understood that the escorts and inspections en route provided for in this Article shall only be required in exceptional cases and must be justified by special circumstances.

Ad Article 12

The Customs authorities of each Contracting State shall take the provisions referred to in this Article fully into account for the settlement of disputes that may result from accidents en route.

Ad Article 14

Nothing in this Article shall be construed to prevent the application  
/by any

by any Contracting State of its penal laws against either carriers or drivers of vehicles.

Ad Article 18

Contracting States will endeavour to authorize as many Customs offices as possible to deal with international transport of goods by road.

Ad Article 19

The charges referred to in this Article include those for services rendered such as use of premises or equipment and also for attendance of staff outside working hours.

ANNEX 2

MODEL OF T.I.R. CARNET

The T.I.R. carnet shall be printed in the language of the country of issue and in French, except the rules for the use of the carnet, which shall be printed in the language of the country of issue only.

INTERNATIONAL FEDERATION .....

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T.I.R. CARNET

(International transport of goods by road)

No. ....

Valid up to and including .....

Issued by .....(name of guarantor)

to .....(name of carrier)

Business address .....

Valid for transport from (Customs : This carnet may be used  
office and country of departure) : in the following countries  
..... : under the guarantee of the  
to (Customs office and country of : following associations:  
destination) ..... :

..... : AUSTRIA: .....  
..... : BELGIUM: .....  
..... : DENMARK: .....  
Customs document for vehicle .... : etc. : .....

..... :  
Certificate of approval of :  
vehicle or container :  
..... dated ..... :

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Total value of goods as shown  
in the manifest ,

(page 2 of the cover)

I the undersigned ..... duly empowered by  
..... hereby declare that  
(name and business address of carrier)  
the goods specified on the attached manifest have been loaded on the vehicle  
specified overleaf, and for the destination there indicated, and that I  
undertake under the guarantee of the guarantor, under pain of the penalties  
prescribed by the laws and regulations in force in the countries through  
which the goods are carried, to produce the said goods in full and with  
seals intact, together with this carnet, within a period to be fixed, at  
the Customs offices en route and of destination after following the route  
laid down.

I also undertake, with my guarantor, to conform to the Customs laws  
and regulations of the countries through which the goods are carried.

At ..... on ..... 19...

The Carrier  
(Signature and seal)

The Guarantor  
(Signature and seal)

/T.I.R. Carnet



Goods Menu 1987

THIS FORM MUST BE DETACHED AT THE OFFICE OF EXIT EN ROUTE OR OFFICE OF DESTINATION, AS THE CASE MAY BE, AND SENT, AFTER COMPLETION, TO THE OFFICE (OF THE SAME COUNTRY) WHERE GOODS WERE TAKEN UNDER CUSTOMS CONTROL.

(page 3 of the cover)

RULES FOR THE USE OF THE T.I.R. CARNET

1. The manifest shall be completed in the language of the country of departure, but the Customs authorities of other countries entered shall have the right to require translation into their own language.
2. In order to avoid unnecessary delay which might result from this requirement, carriers are advised to supply the driver of the vehicle with the requisite translation.
3. It is particularly recommended that the manifest shall be typed or multigraphed in such a way that all the forms are clearly legible. Each lot of goods must be listed with on a separate line. In this manifest it is forbidden to declare as one unit several complete packages which have been joined together.
4. Weights, numbers and measurements shall be expressed in units of the metric system and values in the currency of the country of departure.
5. The carnet shall not contain any erasures or over-writing not approved by the persons responsible for such erasures or over-writing and stamped by the Customs authorities.  
Each form shall be dated and signed in ink by the carrier.
6. The carnet must be produced together with the load at the Customs office of departure, at the Customs offices en route, and at the Customs office of destination, and whenever required by the authorities of the country through which the goods are carried.
7. The driver of the vehicle is advised to make sure that a volet of the carnet is detached by the Customs at each of these offices. If this is not done, the validity of the carnet may be suspended until it is regularized.
8. The forms shall be used in numerical order. Those with odd numbers are intended for the Customs office of departure and the Customs offices of entry en route. Those with even numbers are intended for the Customs offices of exit en route and the Customs office of destination.
9. The Customs office of departure shall complete, visa and stamp form and counterfoil No. 1 and the certificate for goods taken under control in form No. 2. It shall affix its

/signature and

FIRST  
SEVEN  
PARA-  
GRAPHS  
IN  
BOLD-  
FACE  
TYPE

(page 3 of the cover) (continued)

signature and its stamp at the foot of the manifest on all the forms to be used for the journey and keep in its own possession form No. 1<sup>(1)</sup>.

10. The first office of exit en route shall complete, sign and stamp form and counterfoil No. 2; it should detach the said form and despatch it immediately to the Customs office of departure, after completion of the certificate of acknowledgment.

11. The Customs offices of entry of the various countries en route shall proceed in the same way as the Customs office of departure as regards the forms with odd numbers 3, 5, 7,....., but they are not required to sign and stamp the manifests.

12. The Customs offices of exit en route and the office of destination shall proceed in the same way as the first office of exit en route as regards the forms with even numbers 4, 6, 8,.....,<sup>(2)</sup> but despatch them immediately to the Customs office of entry into their country.

13. Before carrying out this procedure, the Customs authorities should satisfy themselves that the papers are in good order, and determine or check the time-limit for the journey and the itinerary to be followed. They should inspect the vehicle and, if necessary, the load.

14. 1. In the event of the seals breaking en route, a certified report shall be drawn up, either by the Customs authorities, if near at hand, or by any other competent authorities of the country where the vehicle is located. The authorities concerned shall seal the vehicle or container and shall describe in the certified report on the back of the T.I.R. carnet the method of sealing used.

2. (a) In the event of an accident necessitating the transfer of the load to another vehicle, this shall only be effected in the presence of

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(1) Where the office of departure is also an office of exit, it should retain in its possession forms No. 1 and No. 2.

(2) Where the office of destination is also an office of entry, it should retain in its possession the corresponding forms with odd and even numbers.

(page 3 of the cover) (continued)

one of the authorities mentioned in the first paragraph which shall testify, in the report, to the regularity of the use of the substitute vehicle or container and to the sealing being described in the report.

(b) If the load has been transferred is not one which is approved in accordance with the above.

The Customs authorities of the port of destination and the countries concerned may refuse to accept the vehicle or container unless it has been given temporary approval by the Customs authorities of the State where the accident occurred.

3. In the event of imminent danger to the load, the driver may take action on his own initiative, requesting or awaiting the intervention of the authorities mentioned above.

He shall furnish adequate proof of his responsibility to take such action in the interests of the safety of the load. Having taken such preventive measures as the emergency may necessitate, he shall report the facts on the back of the T.I.R. carnet and notify the Customs authorities in order that the facts may be verified, the load checked and a certified report drawn, which will also describe the method of sealing used.

4. In any of the various contingencies referred to in this Article, the authorities concerned must mention the certified report on the back of the T.I.R. carnet. The certified report must be attached to the T.I.R. carnet and accompany the load to the Customs office of destination.

(page 4 of the cover)

INCIDENTS OR ACCIDENTS EN ROUTE

ANNEX 3

REGULATIONS CONCERNING THE CONSTRUCTION AND EQUIPMENT OF  
VEHICLES AND CONTAINERS INTENDED FOR THE INTERNATIONAL  
TRANSPORT OF GOODS BY ROAD

CHAPTER I

General Provisions

Article 1

Approval for the international transport of goods by road may be granted only for vehicles and containers constructed and equipped in such a manner that:

- (i) seals can be simply and effectively affixed thereto;
- (ii) no goods can be removed from or introduced into the sealed part of the vehicle or into the container without obvious damage to it or without breaking the seals;
- (iii) they contain no concealed spaces where goods may be hidden.

CHAPTER II

Type of construction of vehicles

Article 2

General

1. Vehicles must be so constructed that all spaces in the form of compartments or containers which are capable of holding goods are readily accessible for Customs inspection.
2. Should any empty spaces be formed by the different layers of the wall, the inside surface must be firmly fixed, solid and unbroken and incapable of being dismantled without leaving obvious traces.

Article 3

Loading space

1. The sides, floor and roof of the vehicle must be constructed of welded or riveted metal plates or of grooved boards of adequate thickness so arranged that none can be removed without damage. The various parts of the loading compartment must fit each other exactly and be so arranged that it is impossible either to move or remove them without damaging the seals or leaving visible traces of damage.
2. Essential joints, such as pins, bolts and rivets must be seated on the outside, protrude on the inside and be riveted, bolted or welded in a satisfactory manner.

/3. Apertures for

3. Apertures for ventilation up to 40 cm. across shall be allowed. They must be covered with gauze or perforated metal screens (with holes not more than 2 mm. across) and protected by welded metal lattice work, with holes not more than 1 cm. across. It shall not be possible to remove these devices from outside the vehicle.

#### Article 4

##### Closing Systems

1. Doors and all other closing systems of vehicles must be fitted with a device which will permit simple and effective sealing. This device must either be welded to the sides of doors where these are of metal, or secured by a bolt, the nut of which is riveted on the inside.
2. Hinges must be so made and fitted, that doors and other closing systems cannot be lifted off the hinges. The screws, bolts and other fasteners must be welded to the outer parts of the hinges.
3. Wooden doors shall also be flanged with flat metal bands to cover all interstices and ensure complete and effective closure.
4. The flanges (filler caps), drain cocks and manholes of tank wagons must be so constructed as to allow simple and effective Customs sealing.
5. A device for protecting the Customs seal must be fitted.

#### Article 5

##### Refrigerator Vehicles, Tanker Vehicles and Furniture Vans

The foregoing conditions apply to refrigerator vehicles, tanker vehicles and furniture vans insofar as they are compatible with the technical requirements which such vehicles must fulfil in accordance with their use.

#### Article 6

##### Vehicles with tilts

1. Where applicable, the provisions of Articles 2 to 4 above apply to vehicles with tilts. Moreover, these vehicles shall conform to the following conditions.
2. The boards of the floor, as well as those of the four sides, must be grooved and fixed in such a manner that they cannot be removed from the outside. They may be secured either by screws or by bolts, the nuts of which must be riveted on the inside. These screws must not be visible or accessible from the outside.
3. The sides and tail-boards must be at least 35 cm. high for vehicles of which the maximum pay load is 5 tons. For larger capacities they must be at least 50 cm. high.
4. The tilt must be of strong canvas and fashioned in one piece; if the tilt is torn, the tear must be completely covered by a patch sewn on the /inside.

inside. Where, in exceptional cases, the covering has to be made up from several large sheets, each section must overlap the next by at least 30 cm., and the two edges must be sewn together with a double seam. The covering must be in good condition and made up in such a way that once the cordage has been secured, it is impossible to gain access to the load without leaving obvious traces. It must cover the sides and head- and tail-boards so as to render the load inaccessible. The interval between eyelets or rings must not exceed 20 cm.

5. Only the following shall be used for the cordage; flexible steel wire rope of at least 3 mm. in diameter; hemp or sisal rope at least 6 mm thick. Such fastenings must be made in one piece and fitted at both ends with metal tips and eyelets to take the sealing cord after the ends have been tied.

6. Eyelets in the covering must be reinforced with metal or leather.

7. Securing rings must be so fitted that they cannot be removed from the outside.

8. The hoops supporting the covering must be so fixed that they can not be removed from the outside.

9. A framework of slats must be fixed to the hoops, the same length as the loading compartment of the vehicle and reaching at least to a point 20 cm. above the upper edge of the side walls. The interval between the slats must not exceed 20 cm. The surface of the head-board, of which the height must be the same as that of the hoops, must be unbroken.

#### Article 7

##### Containers

Containers must fulfil the conditions laid down in Articles 2 - 4 above and must be capable of being secured to the floor in such a way that they can be sealed by the Customs.

#### Article 8

##### Transitional Provisions

In the case of vehicles already in use when the present regulations come into force, the following dispensations will be allowed until .....

- (a) Wooden boards (Article 3, paragraph 1 and Article 6, paragraph 2) may be ungrooved;
- (b) The device for protecting the Customs seal (Article 4, paragraph 5) will not be obligatory;
- (c) A minimum height of 35 cm. for the side walls of vehicles of over 5 tons will be allowed;
- (d) The 30 cm. overlap in the case of tilts made up of

/several

Several sheets will not be obligatory, provided that the beams are on the inside;

(c) A maximum interval of 30 cm. between eyelets or rings will be allowed (Article 6, paragraph 4);

(f) A maximum interval of 40 cm. between the slats will be allowed (Article 6, paragraph 9);

(g) The surface of the head-board of a motor vehicle may be broken, provided that it fulfils the same conditions as those laid down for the side walls.

ANNEX 4

CERTIFICATE OF APPROVAL

CERTIFICATE No. ....

to the effect that the vehicle/container specified below fulfils the conditions required for admission to international transport of goods by road.

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Valid until .....

This certificate must be returned to the Office of issue when the vehicle/container is taken off the road, or on change of ownership of the vehicle on expiry of the period of validity of the certificate or if there is any material change in any of the particulars of the vehicle.

Type .....

Name and business address of carrier . . . . .

Name or trade mark of the maker . . . . .

The maker's identification or serial number . . . . .

The maker's engine number of vehicle . . . . .

Registration Number of vehicle . . . . .

The above-mentioned vehicle/container was presented at . . . . .  
for the examination prescribed (Article 16 of the Convention) and was found to fulfil the conditions required for admission to international transport of goods by road.

. . . . . 19 . . . .

Stamp and signature of  
Issuing Office at  
. . . . .

## ANNEX 5

### T.I.R. PLATE

1. The dimensions of the plates shall be 25 cm. by 40 cm.
2. They shall be placed approximately in the middle of the front and of the back of the vehicles in such a manner as to be clearly visible.
3. The letters T.I.R. in capital Latin characters shall be 20 cm. high and their strokes at least 20 mm. wide. The letters shall be white on a blue ground.

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