

**1998 AGREEMENT ON THE RECOGNITION OF COMMERCIAL
VEHICLE INSPECTION CERTIFICATES FOR GOODS VEHICLES
AND PUBLIC SERVICE VEHICLES ISSUED BY ASEAN MEMBER
COUNTRIES**

Adopted in Singapore on 10 September 1998

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The Governments of Brunei Darussalam, the Republic of Indonesia, the Lao People's Democratic Republic, Malaysia, the Union of Myanmar, the Republic of the Philippines, the Republic of Singapore, the Kingdom of Thailand and the Socialist Republic of Vietnam (hereinafter referred to singularly as "Contracting Party" and collectively as "Contracting Parties");

BEING members of the Association of Southeast Asian Nations (hereinafter referred to as "ASEAN");

DESIRING to accelerate and intensify the implementation of the aims and purposes of ASEAN as embodied in the ASEAN Declaration;

AND CONSIDERING the desirability of facilitating cross-border movement of commercial vehicles with regard to goods vehicles and public service vehicles, among Contracting Parties by recognizing commercial vehicle inspection certificates issued by the respective Contracting Parties.

DO HEREBY AGREE AS FOLLOWS:

ARTICLE 1

- (a) The Contracting Parties agree to recognize the valid commercial vehicle inspection certificate (hereinafter referred to as the "Certificate") with respect to goods vehicle and public service vehicle (hereinafter referred to as the "vehicle") issued by the designated authorities or agencies of the Contracting Party or by any person authorized or licensed by the Contracting Party.
- (b) The recognition provided under paragraph (a) shall not apply to the Certificate with respect to any vehicle carrying dangerous goods.
- (c) For the purposes of this Agreement:

"commercial vehicle" means public service vehicle and goods vehicle;

"public service vehicle" means a motor vehicle used for carrying passengers for hire or reward or for any other consideration;

"goods vehicle" means any motor vehicle constructed or adapted for use for the carriage of goods but does not include a private motor car drawing a trailer.

"dangerous goods" means those substances and articles which may affect the interest of environment, health, safety and national security.

ARTICLE 2

By virtue of the recognition of the Certificate, any commercial vehicle intended to be brought into and used in the territory of any of the Contracting Party may not be required to undergo any roadworthiness inspection in the host Contracting Party.

ARTICLE 3

Any Certificate if not drawn up in English shall be accompanied by a certified translation in English issued by the relevant competent authority.

ARTICLE 4

The Certificate shall inter-alia contain the following particulars:

- (i) the vehicle registration number;
- (ii) the vehicle chassis number;
- (iii) the vehicle engine number;
- (iv) the Certificate serial number;
- (v) the period of validity of the Certificate; and
- (vi) the date of inspection of the vehicle.

ARTICLE 5

The Certificate and a certified translation in English (if necessary) shall be carried on the vehicle at all times when the vehicle is in the host Contracting Party and the said Certificate shall be made available for inspection upon demand by the relevant authorities.

ARTICLE 6

Notwithstanding Article 1, a Certificate which is determined to be invalid by the designated authorities or agencies of the Contracting Party or by any person

authorized or licensed by the Contracting Party, or is rendered invalid pursuant to the laws of the Contracting Party which issued that Certificate, or is expired, shall not be recognized for the purposes of this Agreement.

ARTICLE 7

Notwithstanding Article 2, the holder of a Certificate shall not be absolved from ensuring that the vehicle be maintained to the standard and conditions of roadworthiness as applicable in the host Contracting Party. Any failure to do so shall subject the holder to penalties in accordance with appropriate laws of the host Contracting Party.

ARTICLE 8

This Agreement shall be deposited with the Secretary-General of ASEAN who shall promptly transmit certified true copies thereof to the Contracting Parties.

ARTICLE 9

Notwithstanding Article 1;

- a) Sufficient copies of the Certificate issued by each Contracting Party shall be deposited with the Secretary-General of ASEAN who shall promptly transmit a copy of the same to the Contracting Parties.
- b) In the event that a Contracting Party makes any changes to the format of its Certificate (hereinafter referred to as the "new format Certificate"), then the Contracting Party shall notify the Secretary-General of ASEAN of the new format Certificate and particulars of the changes. The Secretary-General of ASEAN shall promptly transmit copies of the new format Certificate to the Contracting Parties.
- c) The recognition of the new format Certificate is conditional upon such notification.

ARTICLE 10

Any amendment to this Agreement may be made by consensus of all Contracting Parties.

ARTICLE 11

The Contracting Parties shall deposit their Instruments of Ratification or Acceptance with the Secretary-General of ASEAN who shall promptly inform each Contracting Party of such deposit. This Agreement shall enter into force on the date of the last deposit of the Instrument of Ratification or Acceptance.

ARTICLE 12

Any Contracting Party may withdraw from this Agreement by giving the other Contracting Parties at least 6 months written notice prior to such withdrawal.

ARTICLE 13

Any dispute between the Contracting Parties arising out of the interpretation or implementation of this Agreement shall be settled amicably through consultation or negotiation.

ARTICLE 14

New Members of ASEAN shall accede to this Agreement by depositing their Instruments of Accession with the Secretary-General of ASEAN who shall promptly inform each Contracting Party of such deposit. This Agreement shall bind the New Member on the date such accession has been deposited and the Contracting Parties being informed.

IN WITNESS WHEREOF, the undersigned, being duly authorised to sign on behalf of their respective Governments, have signed this Agreement on the Recognition of Commercial Vehicle Inspection Certificates for Goods Vehicles and Public Service Vehicles Issued by ASEAN Member Countries.

DONE at Singapore in the English language this 10th day of September 1998.

For the Government of Brunei Darussalam: **PEHIN DATO HAJI ZAKARIA SULAIMAN**, Minister of Communications

For the Government of the Republic of Indonesia: **GIRI S. HADIHARDJONO**, Minister of Communications

For the Government of the Lao People's Democratic Republic: **PHAO BOUNNAPHOL**, Minister of Communication, Transport, Post and Construction

For the Government of Malaysia: **DATUK WIRA MOHD. ALI BIN MOHD. RUSTAM**, Deputy Minister of Transport

For the Government of the Union of Myanmar: **LT. GEN. TIN NGWE**, Minister of Transport

For the Government of the Republic of the Philippines: **VICENTE C. RIVERA, JR.**, Secretary of Transportation and Communications

For the Government of the Republic of Singapore: **MAH BOW TAN**, Minister for Communications

For the Government of the Kingdom of Thailand: **SUTHEP THAUGSUBAN**, Minister of Transport and Communications

For the Government of the Socialist Republic of Vietnam: **LE NGOC HOAN**, Minister of Transport