



**INTERNATIONAL TRANSPORT FORUM
TRANSPORT MANAGEMENT BOARD**

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Group on Road Transport

Report by FINLAND on Implementation of the QUALITY CHARTER

The application of Finland was approved by the Group on Road Transport under Agenda Item 4 of the meeting held on 4 - 5 October 2016 in Kiev (Ukraine).

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Helsinki 20.9.2016

OECD, International Transport Forum ITF

Group on Road Transport

2 Rue André Pascal

F-75775 PARIS CEDEX 16

Application for recognition of Quality Charter compliance-statement

We declare herewith that Finland is compliant with requirements of the Quality Charter for international road haulage undertaken under the ECMT multilateral Quota.

Compliance with the Charter is usually achieved through European Regulations and the implementation of appropriate European Union Directives. The key legal instruments are Regulation 1071/2009, Regulation 1072/2009, Regulation 561/2006, Regulation 1213/2010 and Directive 2003/59/EC. These regulations are supported by certain national regulations and provisions.

The Check list is submitted with this statement of compliance details the laws and/or administrative processes adhered to ensure that the provisions of the charter in country are met by Finnish holders of ECMT licences. ECMT permits are only issued to an operator with a standard international operator's licence.

Yours, sincerely,

A handwritten signature in blue ink, appearing to read "Kari Wihlman".

Kari Wihlman
Director General
Finnish Transport Safety Agency

A handwritten signature in blue ink, appearing to read "Mikko Västila".

Mikko Västila
Development Manager
Finnish Transport Safety Agency

**REPORT ON IMPLEMENTATION OF QUALITY CHARTER
FOR INTERNATIONAL ROAD HAULAGE OPERATIONS UNDER THE
ECMT MULTILATERAL QUOTA**

COUNTRY: FINLAND

NATIONAL AUTHORITY: FINNISH TRANSPORT SAFETY AGENCY (TRAFI)

DATE OF SUBMISSION: 20 SEPTEMBER 2016

**SECTION 1. PROVISIONS REGARDING TRANSPORT UNDERTAKINGS
(Chapter II of the Charter)**

A) Conditions of establishment (Chapter II, 2)

Implemented

Article 2.2.a)	<p>X Fully</p> <p>Corresponding National Provision:</p> <p>1071/2009 Regulation (EC) of the European parliament and of the Council of 21 October 2009, regulation is supported by domestic legislation: Law on Commercial transport operations (693/2006) 8§</p> <p>Useful Links:</p> <p>http://eur-lex.europa.eu/legal-content/FI/TXT/?qid=1458628567005&uri=CELEX:32009R1071</p> <p>http://finlex.fi/fi/laki/ajantasa/2006/20060693</p>
Article 2.2.b)	<p>X Fully</p> <p>Corresponding National Provision:</p> <p>1071/2009 Regulation (EC) of the European parliament and of the Council of 21 October 2009, regulation is supported by domestic legislation: Law on Commercial transport operations (693/2006), §25</p> <p>Useful Links:</p> <p>http://eur-lex.europa.eu/legal-content/FI/TXT/?qid=1458628567005&uri=CELEX:32009R1071</p> <p>http://finlex.fi/fi/laki/ajantasa/2006/20060693</p>
Article 2.2.c)	<p>X Fully</p> <p>Corresponding National Provision:</p> <p>1071/2009 Regulation (EC) of the European parliament and of the Council of 21 October 2009, regulation is directly implemented.</p> <p>Useful Links:</p> <p>http://eur-lex.europa.eu/legal-content/FI/TXT/?qid=1458628567005&uri=CELEX:32009R1071</p>

Request for recognition of equivalence, if appropriate, in relation to one or more provisions listed above:

Provision of the Charter: [Chapter, article]	Corresponding National Provision: -
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Any other comments:	
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B) Good Repute (Chapter II, 3)**Implemented**

Article 3.1.	<p>X Fully</p> <p>Corresponding National Provision:</p> <p>1071/2009 Regulation (EC) of the European parliament and of the Council of 21 October 2009, regulation is supported by domestic legislation: Law on Commercial transport operations (693/2006) 9§ and 9a§</p> <p>Useful Links: http://eur-lex.europa.eu/legal-content/FI/TXT/?qid=1458628567005&uri=CELEX:32009R1071 http://finlex.fi/fi/laki/ajantasa/2006/20060693</p>
<p>Article 3.2., incl:</p> <p>- points a) to e);</p> <p>- list of most serious infringements: point d), items i - vii;</p>	<p>X Fully</p> <p>Corresponding National Provision:</p> <p>1071/2009 and 1072/2009 Regulation (EC) of the European parliament and of the Council of 21 October 2009, regulations directly implemented</p> <p>Useful Links: http://eur-lex.europa.eu/legal-content/FI/TXT/?qid=1458628567005&uri=CELEX:32009R1071 http://eur-lex.europa.eu/legal-content/FI/TXT/?qid=1458629302820&uri=CELEX:32009R1072</p>
Article 3.3.	<p>X Fully</p> <p>Corresponding National Provision:</p> <p>1071/2009 and 1072/2009 Regulation (EC) of the European parliament and of the Council of 21 October 2009, regulations directly implemented</p> <p>Useful Links: http://eur-lex.europa.eu/legal-content/FI/TXT/?qid=1458628567005&uri=CELEX:32009R1071 http://eur-lex.europa.eu/legal-content/FI/TXT/?qid=1458629302820&uri=CELEX:32009R1072</p>

Request for recognition of equivalence, if appropriate, in relation to one or more provisions listed above:

Provision of the Charter: [Chapter, article]	Corresponding National Provision: -
Any other comments:	

C) Professional competence (Chapter II, 4)**Implemented**

<p>Article 4.2, incl.:</p> <p>- List of knowledge (4.2.a); b); cf.annex1)</p> <p>- Examination required: oral; written; exempted (cf. 4.2.c))</p>	<p>X Fully</p> <p>Corresponding National Provision: -</p> <p>1071/2009 and 1072/2009 Regulation (EC) of the European parliament and of the Council of 21 October 2009, regulations directly implemented</p> <p>- written</p> <p>Useful Links:</p> <p>http://eur-lex.europa.eu/legal-content/FI/TXT/?qid=1458628567005&uri=CELEX:32009R1071</p> <p>http://eur-lex.europa.eu/legal-content/FI/TXT/?qid=1458629302820&uri=CELEX:32009R1072</p>
<p>Article 4.3., incl.:</p> <p>- Examinations procedure (4.3.a); cf. annex 2)</p> <p>- approval of examination bodies (4.3.b))</p> <p>- pre-training (4.3.c))</p>	<p>X Fully</p> <p>Corresponding National Provision: 1071/2009 and 1072/2009 Regulation (EC) of the European parliament and of the Council of 21 October 2009 , regulations directly implemented</p> <p>Useful Links: http://eur-lex.europa.eu/legal-content/FI/TXT/?qid=1458628567005&uri=CELEX:32009R1071</p> <p>http://eur-lex.europa.eu/legal-content/FI/TXT/?qid=1458629302820&uri=CELEX:32009R1072</p>
<p>Article 4.4. CPC, incl.:</p> <p>- National certificate (4.4.a); cf. Annex 3)</p> <p>- IRU Academy CPC (4.4.b))</p>	<p>X Fully</p> <p>Implemented by: 1071/2009 and 1072/2009 Regulation (EC) of the European parliament and of the Council of 21 October 2009, regulations directly implemented</p> <p>- Name of National Authority or duly approved body [please attach the model] : - Finnish Transport Safety Agency</p> <p>- Name of the IRU accredited institution, authorised nationally [please attach the model] : - Not applicable</p> <p>Useful Links: http://eur-lex.europa.eu/legal-content/FI/TXT/?qid=1458640679656&uri=CELEX:32009R1071</p> <p>http://eur-lex.europa.eu/legal-content/FI/TXT/?qid=1458629302820&uri=CELEX:32009R1072</p>

Request for recognition of equivalence, if appropriate, in relation to one or more provisions listed above:

Provision of the Charter: [Chapter, article]	Corresponding National Provision: -
Any other comments:	

D) Financial standing (Chapter II, 5)

Implemented

Article 5.2., including Capital required for: - first vehicle - each additional vehicle	X Fully Corresponding National Provision: 1071/2009 Regulation (EC) of the European parliament and of the Council of 21 October 2009, regulation directly implemented - [EUR Equivalent] 9000€ - [EUR Equivalent] 5000€ Useful Links: http://eur-lex.europa.eu/legal-content/FI/TXT/?qid=1458628567005&uri=CELEX:32009R1071
Article 5.3 & 5.4	X Fully Corresponding National Provisions: 1071/2009 Regulation (EC) of the European parliament and of the Council of 21 October 2009 , regulation directly implemented Useful Links: http://eur-lex.europa.eu/legal-content/FI/TXT/?qid=1458628567005&uri=CELEX:32009R1071
Article 5.5.	X Fully Corresponding National Provision: 1071/2009 Regulation (EC) of the European parliament and of the Council of 21 October 2009. regulation directly implemented Useful Links: http://eur-lex.europa.eu/legal-content/FI/TXT/?qid=1458628567005&uri=CELEX:32009R1071

Request for recognition of equivalence, if appropriate, in relation to one or more provisions listed above:

Provision of the Charter: [Chapter, article]	Corresponding National Provision: -
Any other comments:	

SECTION 2. PROVISIONS REGARDING THE DRIVERS
(Chapter III of the Charter)

A) Driving times and rest periods(Chapter III, 1):

- **EC (561/2006) on driving times and rest periods**
- **Traffic Code Chapter 6A (267/1981), (2005/401)**

All 43 Member Countries participating in the ECMT Multilateral Quota are parties to the European Agreement concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR) dated 1 July 1970. In the course of any international road haulage operation carried out under an ECMT licence, the undertaking and members of the crew must comply with the provisions laid down by the AETR with regard to the duration of driving and rest times and crew composition [*It is understood that compliance with these provisions are monitored through National procedures, established for the purpose of implementing the AETR or equivalent regulations*].

Any Comments: -

B) Driver training (Chapter III, 2)

Implemented

<p>Article 2.1:</p>	<p>X Fully</p> <p>Corresponding National Provision: 2003/59/EC and this directive is applied with national Law (273/2007) on Professional Competence of Drivers of Heavy Goods Vehicles and Buses.</p> <p>Useful Links: http://eur-lex.europa.eu/legal-content/FI/TXT/?qid=1458629727850&uri=CELEX:32003L0059 http://finlex.fi/fi/laki/ajantasa/2007/20070273</p>
<p>Article 2.2.a) - Initial qualification , incl: - List of knowledge (cf.annex4) - Course + test, or, a test only - exemptions</p>	<p>X Fully</p> <p>Corresponding National Provision: 2003/59/EC and this directive is applied with national Law (273/2007) on Professional Competence of Drivers of Heavy Goods Vehicles and Buses.</p> <p>- Course + test</p> <p>- exemptions are carried out in national legislation to which there is link below, exemptions are implemented according to directive mentioned below</p> <p>Useful Links: http://eur-lex.europa.eu/legal-content/FI/TXT/?qid=1458629727850&uri=CELEX:32003L0059 http://finlex.fi/fi/laki/ajantasa/2007/20070273</p>

<p>Article 2.2.b) - Periodic training, incl:</p> <ul style="list-style-type: none"> - List of knowledge (cf.annex4) - Number of hours (35) - Periodicity (every 5 years) - first periodic training to be completed by [31 Dec 2019] 	<p>X Fully</p> <p>Corresponding National Provision: [2003/59/EC and this directive is applied with national Law (273/2007) on Professional Competence of Drivers of Heavy Goods Vehicles and Buses.</p> <p>-35</p> <p>- every 5 years</p> <p>-10.9. 2014 for the drivers of heavy goods vehicles and 10.9.2013 for the drivers of buses</p> <p>Useful Links: http://eur-lex.europa.eu/legal-content/FI/TXT/?qid=1458629727850&uri=CELEX:32003L0059 http://finlex.fi/fi/laki/ajantasa/2007/20070273</p>
<p>Articles 2.3; 2.4 - approval of training centres</p>	<p>X Fully</p> <p>Corresponding National Provision: 2003/59/EC and this directive is applied with national Law (273/2007) on Professional Competence of Drivers of Heavy Goods Vehicles and Buses.</p> <p>Useful Links: http://eur-lex.europa.eu/legal-content/FI/TXT/?qid=1458629727850&uri=CELEX:32003L0059 http://finlex.fi/fi/laki/ajantasa/2007/20070273</p>
<p>Article 2.6 - CPC proof, incl.:</p> <ul style="list-style-type: none"> - Sign affixed on driver licence (permit) - Driver Qualification card (cf. annex 5) - IRU Academy CPC 	<p>X Fully</p> <p>Implemented by: 2003/59/EC and this directive is applied with national Law (273/2007) on Professional Competence of Drivers of Heavy Goods Vehicles and Buses.</p> <ul style="list-style-type: none"> - Name of National Authority or duly approved body [please attach the model] – Finnish Transport Safety Agency - Name of National Authority or duly approved body [please attach the model] - Finnish Transport Safety Agency/ both: the Sign and the Card are available - Name of the IRU accredited institution, authorised nationally [please attach the model] - Not applicable <p>Useful Links: http://eur-lex.europa.eu/legal-content/FI/TXT/?qid=1458629727850&uri=CELEX:32003L0059 http://finlex.fi/fi/laki/ajantasa/2007/20070273</p>

Request for recognition of equivalence, if appropriate, in relation to one or more provisions listed above:

Provision of the Charter: [Chapter, article]	Corresponding National Provision: -
Any other comments:	

C) Conditions of employment (Chapter III, 3)

Implemented

Article 3.1	<p>X Fully</p> <p>Corresponding National Provision: Generally binding nationally, Collective Agreement of the field of Transportation of Goods/Passengers</p> <p>Useful Links:</p> <p><i>below links are available on the website of Finnish Employers' Federation of Road Transport (documents are in Finnish language).</i></p> <p>http://www.alt.fi/document/1/972/f1a5299b0ce874dd5f764c93f742a6ef/Kuorma_autoalan_tyoesopimus_2014_2016.pdf</p> <p>http://www.alt.fi/document/1/973/44d99a9fb9ca70b52a976c690d87fb45/Linja_autohenkilokunnan_tyoesopimus_2014_2016.pdf</p> <p><i>(to be used through the browser)</i></p>
Any other comments:	

SECTION 3. PROVISIONS REGARDING CHECKS AND PENALTIES
(Chapter IV of the Charter)

A) Competent authorities and mutual assistance (Chapter IV, 1)

Implemented

<p>1.2.1: re. provisions on undertakings, incl.:</p> <ul style="list-style-type: none"> - authorisations - training/examinations - CPC 	<p>X Fully</p> <p>Corresponding National Provision [designated National Authority (ies)]: Law on Commercial transport operations (693/2006)</p> <ul style="list-style-type: none"> - Finnish Transport Safety Agency - Finnish Transport Safety Agency - Finnish Transport Safety Agency <p>Useful Links: http://finlex.fi/fi/laki/ajantasa/2006/20060693</p>
<p>1.2.2: re. provisions on drivers, incl.:</p> <ul style="list-style-type: none"> - training/ examinations - CPC 	<p>X Fully</p> <p>Corresponding National Provision [designated National Authority (ies)]: Law on Professional Competence of drivers of heavy goods vehicles and buses</p> <ul style="list-style-type: none"> - Finnish Transport Safety Agency - Finnish Transport Safety Agency <p>Useful Links: http://finlex.fi/fi/laki/ajantasa/2007/20070273</p>
<p>Articles 1.2.3- 1.2.4.</p>	<p>X Fully</p> <p>[Authority(ies)] : Finnish Transport Safety Agency</p> <p>Useful Links: http://eur-lex.europa.eu/legal-content/FI/TXT/?qid=1458628567005&uri=CELEX:32009R1071</p> <p>http://eur-lex.europa.eu/legal-content/FI/TXT/?qid=1458629302820&uri=CELEX:32009R1072</p> <p>http://eur-lex.europa.eu/legal-content/FI/TXT/?qid=1458802423686&uri=CELEX:32010R1213</p> <p>http://eur-lex.europa.eu/legal-content/FI/TXT/?qid=1458629727850&uri=CELEX:32003L0059</p>
<p>Article 1.2.5</p>	<p>X Fully</p> <p>[penalties, Authority (ies)]: Finnish Transport Safety Agency</p> <p>Law on Commercial transport operations (693/2006)</p> <p>Useful Links: http://finlex.fi/fi/laki/ajantasa/2006/20060693</p>

Article 1.3.	Undergoing (a list of hauliers to establish, etc) Authority (ies): Finnish Transport Safety Agency / ITF Useful Links: -
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Any other comments in relation to one or more provisions listed above:

Provision of the Charter: [article]	[comment]
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B) Checks (Chapter IV, 2)

Implemented

Article 2.1. - checks re. Drivers , incl: - 2.1.1. Driving times and rest periods (cf. also. Annex 6):	X Fully Corresponding National Provisions: Regulation (EC) No 561/2006 of the European Parliament and of the Council of 15 March 2006, regulation directly implemented - [designated National Authority/Body (ies)]: Police Useful Links: http://eur-lex.europa.eu/legal-content/FI/TXT/?qid=1458630021228&uri=CELEX:32006R0561
Article 2.2. - Checks re. Undertakings, incl:	X Fully Corresponding National Provisions: Regulation EC (1071/2009), regulation directly implemented - [designated National Authority/Body (ies)]: EPO-ELY Useful Links: http://eur-lex.europa.eu/legal-content/FI/TXT/?qid=1458628567005&uri=CELEX:32009R1071

Request for recognition of equivalence, if appropriate, in relation to one or more provisions listed above:

Provision of the Charter: [Chapter, article]	Corresponding National Provision: -
Any other comments:	

*C) Classification of Infringements (Chapter IV, 3)***Implemented**

Article 3.1. re. driving times and rest periods (cf. also. Annex 7)	<p>X Fully</p> <p>Corresponding National Provisions: Regulation (EC) No 561/2006 of the European Parliament and of the Council of 15 March 2006 EC (1071/2009),), regulation directly implemented</p> <p>Useful Links: http://eur-lex.europa.eu/legal-content/FI/TXT/?qid=1458630021228&uri=CELEX:32006R0561 http://eur-lex.europa.eu/legal-content/FI/TXT/?qid=1458628567005&uri=CELEX:32009R1071</p>
Article 3.2. re. undertakings, incl:	<p>X Fully</p> <p>Corresponding National Provisions: Regulation EC(1071/2009) , regulation directly implemented</p> <p>Useful Links: http://eur-lex.europa.eu/legal-content/FI/TXT/?qid=1458628567005&uri=CELEX:32009R1071</p>

Request for recognition of equivalence, if appropriate, in relation to one or more provisions listed above:

Provision of the Charter: [Chapter, article]	Corresponding National Provision: -
Any other comments:	

D) Penalties (Chapter IV, 4)**Implemented**

Article 4.1.	<p>X Fully</p> <p>Corresponding National Provisions: Regulation (EC) No 561/2006 of the European Parliament and of the Council of 15 March 2006, National Criminal Law</p> <p>Useful Links: http://eur-lex.europa.eu/legal-content/FI/TXT/?qid=1458630021228&uri=CELEX:32006R0561</p> <p>Link to: http://www.finlex.fi/fi/laki/ajantasa/1889/18890039001#L23 <i>(to be used through the browser)</i></p>
<p>Article 4.2.on drivers Incl, infringements re:</p> <ul style="list-style-type: none"> - 4.2.1. AETR rules - 4.2.2. driver training 	<p>X Fully</p> <p>Corresponding National Provisions: Regulation (EC) No 561/2006 of the European Parliament and of the Council of 15 March 2006, National Criminal Law</p> <p>Useful Links: http://eur-lex.europa.eu/legal-content/FI/TXT/?qid=1458630021228&uri=CELEX:32006R0561</p> <p>Link to http://www.finlex.fi/fi/laki/ajantasa/1889/18890039001#L23 <i>(to be used through the browser)</i></p>
<p>Article 4.3. on under- takings:</p> <ul style="list-style-type: none"> - 4.3.1. - 4.3 2. 	<p>X Fully</p> <p>Corresponding National Provisions : Regulation (EC) No 1071/2009, regulation directly implemented</p> <p>Useful Links: http://eur-lex.europa.eu/legal-content/FI/TXT/?qid=1458628567005&uri=CELEX:32009R1071</p>

Any other comments in relation to one or more provisions listed above:

Provision of the Charter: [article]	[comment]
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ANNEX 1. Model of National CPC in international freight and passenger transport

FIN ⁽¹⁾ **Liikenteen turvallisuusvirasto ⁽²⁾**

Todistus ammatillisesta pätevydestä maanteiden kansallisessa ja kansainvälisessä tavaraliikenteessä/henkilöliikenteessä ⁽³⁾

N:o _____

todistaa, että ⁽⁴⁾ _____

Syntymäpaikka ja -aika _____


on läpäissyt kokeet (_____) ⁽⁵⁾, jotka vaaditaan maanteiden tavaraliikenteen/ henkilöliikenteen ⁽³⁾ harjoittajien ammatillista pätevyyttä koskevan todistuksen saamiseksi, maantieliikenteen harjoittajan ammatin harjoittamisen edellytyksenä koskevista yhteisistä säännöistä 21 päivänä lokakuuta 2009 annetun Euroopan parlamentin ja neuvoston asetuksen (EY) N:o 1071/2009 ⁽⁶⁾ mukaisesti.

Tämä todistus on riittävä osoitus Euroopan parlamentin ja neuvoston asetuksen (EY) N:o 1071/2009 21 artiklassa tarkoitetusta ammatillisesta pätevydestä.

Annettu ⁽⁷⁾ _____

⁽¹⁾ Jäsenvaltion tunnus
⁽²⁾ Euroopan yhteisön jäsenvaltion todistuksen antamista varten ennalta nimeämä viranomainen tai laitos
⁽³⁾ Tarpeeton yliviivataan
⁽⁴⁾ Sukunimi ja etunimi; syntymäpaikka ja -aika
⁽⁵⁾ Tutkinnon tunnistetiedot
⁽⁶⁾ EUVL L 300, 14.11.2009, s. 51
⁽⁷⁾ Todistuksen antavan toimivaltaisen viranomaisen tai laitoksen leima ja allekirjoitus

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ANNEX 2. Model of national Driver qualification card.

