



**INTERNATIONAL TRANSPORT FORUM
TRANSPORT MANAGEMENT BOARD**

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Group on Road Transport

Report by MALTA on Implementation of the QUALITY CHARTER

The application of Malta 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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Transport Malta

28th September 2016

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Secretary General
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Dear Secretary General,

Implementation of ECMT Quality Charter

Malta is compliant with the requirements of the Quality Charter for international road haulage operations undertaken under the ECMT Multilateral Quota.

Compliance with this Charter is usually achieved through European Union Regulations and the implementation of European Union Directives. The key international legal instruments are Regulation 1071/2009, Regulation 1072/2009, Regulation 561/2006, Regulation 165/2014, Regulation 3821/85, Directive 2002/15, Directive 2006/22, Directive 2006/1 and Directive 2003/59.

The EU Regulations are supported by domestic legislation, especially through the Traffic Regulation Ordinance (Cap. 65) and the Authority for Transport in Malta Act (Cap. 499) of the Maltese laws, and subsidiary legislations created under them.

In support of these laws, Transport Malta manages the Maltese ECMT permit allocations, and participates within the Group on Road Transport within the ITF. Transport Malta ensures that undertakings seeking permits meet all the requirements of the Quality Charter prior to the issue of permits.

The document submitted with this letter details the laws and/or administrative processes implemented to ensure that the provisions of the Quality Charter are met by Maltese holders of ECMT licences, which are only issued to operators who already hold a Community Authorisation for carrying out haulage operations within the territory of the European Union.

Sincerely yours,

Dr Mark Sammut
Chief Officer
Land Transport Directorate

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

COUNTRY: MALTA

NATIONAL AUTHORITY: TRANSPORT MALTA

DATE OF SUBMISSION: 28 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>✓ Fully</p> <p>Corresponding National Provision: Regulations (EC) NO. 1071/2009 and 1072/2009 and the implementation measures included in the the Motor Vehicles (Carriage of Goods by Road) Regulations - S.L. 65.19 of the Laws of Malta</p> <p><input type="checkbox"/> Useful Links: <i>see above</i></p>
Article 2.2.b)	<p>✓ Fully</p> <p>Corresponding National Provision: Regulations (EC) NO. 1071/2009 and 1072/2009 and the implementation measures included in the the Motor Vehicles (Carriage of Goods by Road) Regulations - S.L. 65.19 of the Laws of Malta</p> <p><input type="checkbox"/> Useful Links: <i>see above</i></p>
Article 2.2.c)	<p>✓ Fully</p> <p>Corresponding National Provision: Regulations (EC) NO. 1071/2009 and 1072/2009 and the implementation measures included in the the Motor Vehicles (Carriage of Goods by Road) Regulations - S.L. 65.19 of the Laws of Malta</p> <p><input type="checkbox"/> Useful Links: <i>see above</i></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: <i>Not Applicable</i>
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Any other comments:	
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B) Good Repute (Chapter II, 3)**Implemented**

Article 3.1.	<input checked="" type="checkbox"/> Fully Corresponding National Provision: Regulations (EC) NO. 1071/2009 and 1072/2009 and the implementation measures included in the the Motor Vehicles (Carriage of Goods by Road) Regulations - S.L. 65.19 of the Laws of Malta <input type="checkbox"/> Useful Links: <i>see above</i>
Article 3.2., incl: - points a) to e); - list of most serious infringements: point d), items i - vii;	<input checked="" type="checkbox"/> Fully Corresponding National Provision: Regulations (EC) NO. 1071/2009 and 1072/2009 and the implementation measures included in The Motor Vehicles (Carriage of Goods by Road) Regulations - S.L. 65.19 of the Laws of Malta <input type="checkbox"/> Useful Links: <i>see above</i>
Article 3.3.	<input checked="" type="checkbox"/> Fully Corresponding National Provision: Regulations (EC) NO. 1071/2009 and 1072/2009 and the implementation measures included in The Motor Vehicles (Carriage of Goods by Road) Regulations - S.L. 65.19 of the Laws of Malta <input type="checkbox"/> Useful Links: <i>see above</i>

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: <i>Not Applicable</i>
Any other comments:	Article 3.1 – In Malta’s case, a Transport Manager is also allowed to be a consultant with the undertaking. Proof of good repute is also required.

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>✓ Fully</p> <p>Corresponding National Provision: Regulations (EC) NO. 1071/2009 and 1072/2009 and the implementation measures included in The Motor Vehicles (Carriage of Goods by Road) Regulations - S.L. 65.19 of the Laws of Malta</p> <p>- Annex 1 of Regulation 1071/2009/EC</p> <p>- As per Annex 1 (oral and written exams; exemptions applied)</p> <p><input type="checkbox"/> Useful Links: <i>see above</i></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>✓ Fully</p> <p>Corresponding National Provision: Regulations (EC) NO. 1071/2009 and 1072/2009 and the implementation measures included in The Motor Vehicles (Carriage of Goods by Road) Regulations - S.L. 65.19 of the Laws of Malta</p> <p>- pre-training required</p> <p><input type="checkbox"/> Useful Links: <i>see above</i></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>✓ Fully</p> <p>Implemented by: Regulations (EC) NO. 1071/2009 and 1072/2009 and the implementation measures included in The Motor Vehicles (Carriage of Goods by Road) Regulations - S.L. 65.19 of the Laws of Malta</p> <p>- Transport Malta</p> <p>- Due to very low demand a local CPC Academy is not available. Courses are organised by the competent authority on an irregular basis.</p> <p><input type="checkbox"/> Useful Links: <i>see above</i></p>

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

<p>Provision of the Charter: [Chapter, article]</p>	<p>Corresponding National Provision: <i>Not Applicable</i></p>
<p>Any other comments:</p>	<p>Article 4.4 – In Malta’s case the Certificate for Professional Competence for Transport Managers is issued directly by the Transport Malta as per Regulation No. (EC) 1072/2009</p>

D) Financial standing (Chapter II, 5)**Implemented**

<p>Article 5.2., including Capital required for:</p> <p>- first vehicle</p> <p>- each additional vehicle</p>	<p>✓ Fully</p> <p>Corresponding National Provision: Regulations (EC) NO. 1071/2009 and 1072/2009 and the implementation measures included in The Motor Vehicles (Carriage of Goods by Road) Regulations - S.L. 65.19 of the Laws of Malta</p> <p>- [€9,000]</p> <p>- [€5,000]</p> <p><input type="checkbox"/> Useful Links: <i>see above</i></p>
<p>Article 5.3 & 5.4</p>	<p>✓ Fully</p> <p>Corresponding National Provisions: Regulations (EC) NO. 1071/2009 and 1072/2009 and the implementation measures included in The Motor Vehicles (Carriage of Goods by Road) Regulations - S.L. 65.19 of the Laws of Malta</p> <p><input type="checkbox"/> Useful Links: <i>see above</i></p>
<p>Article 5.5.</p>	<p>✓ Fully</p> <p>Corresponding National Provision: Regulations (EC) NO. 1071/2009 and 1072/2009 and the implementation measures included in The Motor Vehicles (Carriage of Goods by Road) Regulations - S.L. 65.19 of the Laws of Malta</p> <p><input type="checkbox"/> Useful Links: <i>see above</i></p>

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

<p>Provision of the Charter: [Chapter, article]</p>	<p>Corresponding National Provision: <i>Not Applicable</i></p>
<p>Any other comments:</p>	

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

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

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

Article 2.1:	<p>✓ Fully</p> <p>Corresponding National Provision: Directive 2003/59/EC as transposed in The Motor Vehicles (Driving Licences) Regulations - S.L. 65.18 of the Laws of Malta</p> <p><input type="checkbox"/> Useful Links: <i>see above</i></p>
<p>Article 2.2.a) - Initial qualification , incl:</p> <p>- List of knowledge (cf.annex4)</p> <p>- Course + test, or, a test only</p> <p>- exemptions</p>	<p>✓ Fully</p> <p>Corresponding National Provision: Directive 2003/59/EC as transposed in The Motor Vehicles (Driving Licences) Regulations - S.L. 65.18 of the Laws of Malta</p> <p>-As per Annex I of Directive 2003/59/EC</p> <p>-Course + Tests (Multiple Choice, Case Study, Practical)</p> <p>-As per Directive 2003/59/EC</p> <p><input type="checkbox"/> Useful Links: <i>see above</i></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 - first periodic training to be completed by 	<p>✓ Fully</p> <p>Corresponding National Provision: Directive 2003/59/EC as transposed in The Motor Vehicles (Driving Licences) Regulations - S.L. 65.18 of the Laws of Malta</p> <ul style="list-style-type: none"> -As per Annex I of Directive 2003/59/EC -35 -5 years -10 September 2016 <p><input type="checkbox"/> Useful Links: <i>see above</i></p>
<p>Articles 2.3; 2.4 - approval of training centres</p>	<p>✓ Fully</p> <p>Corresponding National Provision: Directive 2003/59/EC as transposed in The Motor Vehicles (Driving Licences) Regulations - S.L. 65.18 of the Laws of Malta</p> <p><input type="checkbox"/> Useful Links: <i>see above</i></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>✓ Fully</p> <p>Implemented by: [Directive 2003/59/EC as transposed in The Motor Vehicles (Driving Licences) Regulations - S.L. 65.18 of the Laws of Malta</p> <ul style="list-style-type: none"> - Code 95 next to the License category - National Authorities: Transport Malta approved training bodies following submission of applications in line with approval guidelines issued by the same authority. - Not issued - <p><input type="checkbox"/> Useful Links: <i>see above</i></p>

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

<p>Provision of the Charter: [Chapter, article]</p>	<p>Corresponding National Provision: <i>Not Applicable</i></p>
<p>Any other comments:</p>	

C) Conditions of employment (Chapter III, 3)

Implemented

Article 3.1	<input checked="" type="checkbox"/> Fully Corresponding National Provision: The Motor Vehicles (Carriage of Goods by Road) Regulations - S.L. 65.19 of the Laws of Malta <input type="checkbox"/> Useful Links: <i>see above</i>
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Any other comments:	
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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>✓ Fully</p> <p>Regulations (EC) NO. 1071/2009 and 1072/2009 and the implementation measures included in The Motor Vehicles (Carriage of Goods by Road) Regulations - S.L. 65.19 of the Laws of Malta</p> <ul style="list-style-type: none"> - <i>Competent Authority</i> : Transport Malta - <i>Competent Authority</i> : Transport Malta - <i>Competent Authority</i> : Transport Malta <p><input type="checkbox"/> Useful Links: <i>see above</i></p>
<p>1.2.2: re. provisions on drivers, incl.:</p> <ul style="list-style-type: none"> - training/examinations - CPC 	<p>✓ Fully</p> <p>Regulations (EC) NO. 1071/2009 and 1072/2009 and the implementation measures included in The Motor Vehicles (Carriage of Goods by Road) Regulations - S.L. 65.19 of the Laws of Malta</p> <ul style="list-style-type: none"> - Transport Malta - Transport Malta <p><input type="checkbox"/> Useful Links: <i>see above</i></p>
<p>Articles 1.2.3- 1.2.4.</p>	<p>✓ Fully</p> <ul style="list-style-type: none"> - Transport Malta <p><input type="checkbox"/> Useful Links: -</p>
<p>Article 1.2.5</p>	<p>✓ Fully</p> <ul style="list-style-type: none"> - Transport Malta <p><input type="checkbox"/> Useful Links: -</p>
<p>Article 1.3.</p>	<p>✓ Fully</p> <p>ERRU – European Register of Road Transport Undertakings; Within the framework of Multilateral Quota – as applicable</p> <p><input type="checkbox"/> Useful Links: -</p>

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

<p>Provision of the Charter: [article]</p>	<p>[comment]</p>
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B) Checks (Chapter IV, 2)**Implemented**

<p>Article 2.1. - checks re. Drivers , incl:</p> <p>- 2.1.1. Driving times and rest periods (cf. also. Annex 6):</p>	<p>✓ Fully</p> <p>Corresponding National Provisions: Regulations (EC) NO. 1071/2009 and 1072/2009 and the implementation measures included in The Motor Vehicles (Carriage of Goods by Road) Regulations - S.L. 65.19 of the Laws of Malta</p> <p><i>Competent Authority</i> : Transport Malta</p> <p><input type="checkbox"/> Useful Links: <i>see above</i></p>
<p>Article 2.2. - Checks re. Undertakings, incl:</p>	<p>✓ Fully</p> <p>Corresponding National Provisions: Regulations (EC) NO. 1071/2009 and 1072/2009 and the implementation measures included in The Motor Vehicles (Carriage of Goods by Road) Regulations - S.L. 65.19 of the Laws of Malta</p> <p><i>Competent Authority</i> : Transport Malta</p> <p><input type="checkbox"/> Useful Links: <i>see above</i></p>

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

<p>Provision of the Charter: [Chapter, article]</p>	<p>Corresponding National Provision: <i>Not Applicable</i></p>
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<p>Any other comments:</p>	
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C) Classification of Infringements (Chapter IV, 3)**Implemented**

Article 3.1. re. driving times and rest periods (cf. also. Annex 7)	<p>✓Fully</p> <p>Corresponding National Provisions: Regulations (EC) NO. 561/2006 and related regulations/directives and the implementation measures included in The Motor Vehicles (Carriage of Goods by Road) Regulations - S.L. 65.19 of the Laws of Malta</p> <p><i>Competent Authority</i> : Transport Malta</p> <p><input type="checkbox"/> Useful Links <i>see above</i></p>
Article 3.2. re. undertakings, incl:	<p>✓ Fully</p> <p>Corresponding National Provisions: Regulations (EC) NO. 561/2006 and related regulations/directives and the implementation measures included in The Motor Vehicles (Carriage of Goods by Road) Regulations - S.L. 65.19 of the Laws of Malta</p> <p><i>Competent Authority</i> : Transport Malta</p> <p><input type="checkbox"/> Useful Links: <i>see above</i></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: <i>Not Applicable</i> :
Any other comments:	

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

Article 4.1.	<input checked="" type="checkbox"/> Fully Corresponding National Provisions: The Motor Vehicles (Carriage of Goods by Road) Regulations - S.L. 65.19 of the Laws of Malta Transport Malta <input type="checkbox"/> Useful Links: <i>see above</i>
Article 4.2.on drivers incl, infringements re: - 4.2.1. AETR rules - 4.2.2. driver training	<input checked="" type="checkbox"/> Fully Corresponding National Provisions: The Motor Vehicles (Carriage of Goods by Road) Regulations - S.L. 65.19 of the Laws of Malta Corresponding National Provision: The Motor Vehicles (Driving Licences) Regulations - S.L. 65.18 of the Laws of Malta <input type="checkbox"/> Useful Links: <i>see above</i>
Article 4.3. on under- takings: - 4.3.1. - 4.3 2.	<input checked="" type="checkbox"/> Fully Corresponding National Provisions : Regulations (EC) NO. 1071/2009 and 1072/2009 and the implementation measures included in The Motor Vehicles (Carriage of Goods by Road) Regulations - S.L. 65.19 of the Laws of Malta <input type="checkbox"/> Useful Links: <i>see above</i>

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

Provision of the Charter: [article]	[comment]
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