



**INTERNATIONAL TRANSPORT FORUM
TRANSPORT MANAGEMENT BOARD**

ITF/TMB/TR(2016)3/ADD6/FINAL
For Official Use

Group on Road Transport

Report by POLAND on Implementation of the QUALITY CHARTER

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

*The Report is complemented by the National Law on Road Transport (in Polish language)
[cf. ITF/TMB/TR(2016)3/ADD6/APP1]*

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REPUBLIC OF POLAND
MINISTRY
OF INFRASTRUCTURE AND CONSTRUCTION

Warsaw, 23 September, 2016

Undersecretary of State

Jerzy Szmit

DTD.I.0720.14^{KL}.16

Mr Jose Viegas
Secretary General
International Transport Forum

Dear Mr Viegas,

I declare hereby that the Republic of Poland is compliant with the requirements of the Quality Charter for international road haulage operations undertaken under the ECMT Multilateral Quota.

Compliance with the Quality Charter is usually achieved through the European Union regulations and through the implementations of the appropriate European Union directives. The key international legal instruments are the Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009 establishing common rules concerning the conditions to be complied with to pursue the occupation of a road transport operator and repealing the Council Directive No 96/26/EC, Regulation EC/1072/2009 of the European Parliament and of the Council of 21 October 2009 on common rules for access to the international road haulage market, Regulation (EC) No 561/2006 of the of the European Parliament and of the Council of 15 March 2006 on the harmonization of certain social legislation relating to road transport and amending Council Regulations No (EEC) 3821/85 and (EC) 2135/98 and repealing the Council Regulation (EEC) No 3820/85, the Council Regulation (EEC) 3821/85 of 20 December 1985 on recording equipment in road transport, the Directive 2002/15/EC of the European Parliament and of the Council of 15 March 2006 on minimum conditions for the implementation of the Council Regulations (EEC) No 3820/85 and (EEC) 3821/85 concerning social legislation relating to road transport activities and repealing the Council Directive No 88/599/EEC.

In support of these laws, the Ministry of Infrastructure and Construction of the Republic of Poland manages the ECMT permit allocations. The General Inspectorate of Road Transport responsible to the Ministry of Infrastructure and Construction of the Republic of Poland ensures that undertakings seeking permits meet all the requirements of the Quality Charter prior to the issue of permits.

The check list submitter together with this letter of compliance details the laws and the administrative processes involved to insure that the provisions of the Charter in the Country are met by the Polish holders of the ECMT licenses. The ECMT licenses are only issued to an operator with a standard international operator's license.

Yours sincerely,

Enclosure: Country Report

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

COUNTRY: POLAND

NATIONAL AUTHORITY: MINISTRY OF INFRASTRUCTURE AND CONSTRUCTION
THE GENERAL INSPECTORATE OF ROAD TRANSPORT

DATE OF SUBMISSION: 23 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><input type="checkbox"/> Fully</p> <p>ACT No 125 Position 1371 of 6 September 2001 on road transport, as amended and published under Journal of Laws No.: 2003.149.1452, 2004.204.208, 2005.180.1497, 2007.125.874, 2012.1265, 2011.30.151, 2013.567, 2013.1414, <i>Art. 5, Art. 5a par.1 pt. 1, Art. 7a par.1.</i></p> <p>Issues connected with provision of art. 5 of EU Regulation 1071/2009 and 4 par. 1 and 6 par. 1 of EU Regulation 1072/2009 are reflected in national law in above-mentioned articles. Poland fulfils the provisions of aforementioned EU Regulations both in practical (verification by national authorities) and theoretical way (in appropriate national regulations).</p> <p>Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009 establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator and repealing Council Directive 96/26/EC (OJ EU L 300, 14. 11. 2009), Article 3 (1) a), Article 5 a);</p> <p><input type="checkbox"/> Useful Links: http://www.lex.pl (Collection of Laws of the Republic of Poland)</p>
Article 2.2.b)	<p><input type="checkbox"/> Fully</p> <p>ACT No 125 Position 1371 of 6 September 2001 on road transport, as amended and published under Journal of Laws No.: 2003.149.1452, 2004.204.208, 2005.180.1497, 2007.125.874, 2012.1265, 2011.30.151, 2013.567, 2013.1414, <i>Art. 5, Art. 5a par.1 pt. 1, Art. 7a par.1.</i></p> <p>Issues connected with provision of art. 5 of EU Regulation 1071/2009 and 4 par. 1 and 6 par. 1 of EU Regulation 1072/2009 are reflected in national law in above-mentioned articles. Poland fullfils the provisions of aforementioned EU Regulations both in practical (verification by national authorities) and theoretical way (in appropriate national regulations).</p> <p>Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009 establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator and repealing Council Directive 96/26/EC (OJ EU L 300, 14. 11. 2009), Article 3 (1) a), Article 5 a) ;</p> <p><input type="checkbox"/> Useful Links: http://www.lex.pl (Collection of Laws of the Republic of Poland).</p>

Article 2.2.c)	<p><input type="checkbox"/> Fully</p> <p>ACT No 125 Position 1371 of 6 September 2001 on road transport, as amended and published under Journal of Laws No.: 2003.149.1452, 2004.204.208, 2005.180.1497, 2007.125.874, 2012.1265, 2011.30.151, 2013.567, 2013.1414, <i>Art. 5, Art. 5a par.1 pt. 1, Art. 7a par.1.</i></p> <p>Issues connected with provision of art. 5 of EU Regulation 1071/2009 and 4 par. 1 and 6 par. 1 of EU Regulation 1072/2009 are reflected in national law in above-mentioned articles. Poland fulfils the provisions of aforementioned EU Regulations both in practical (verification by national authorities) and theoretical way (in appropriate national regulations);</p> <p>Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009 establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator and repealing Council Directive 96/26/EC (OJ EU L 300, 14. 11. 2009).</p> <p><input type="checkbox"/> Useful Links: http://www.lex.pl (Collection of Laws of the Republic of Poland).</p>
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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: 0
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Any other comments:	
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B) Good Repute (Chapter II, 3)**Implemented**

Article 3.1.	<p><input type="checkbox"/> Fully</p> <p>ACT No 125 Position 1371 of 6 September 2001on road transport, as amended and published under Journal of Laws No.: 2003.149.1452, 2004.204.208, 2005.180.1497, 2007.125.874, 2012.1265, 2011.30.151, 2013.567, 2013.1414, <i>Art. 7d.</i></p> <p>Issues connected with provision of art. 6 of EU Regulation 1071/2009 are reflected in national law in above-mentioned article. Poland fulfils the provisions of aforementioned EU Regulation</p> <p>Transposition of art 6 of EU Regulation into the national law system gives an efficient instrument to make effective verification of good repute.</p> <p>Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009 establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator and repealing Council Directive 96/26/EC (OJ EU L 300, 14. 11. 2009).</p> <p><input type="checkbox"/> Useful Links: http://www.lex.pl (Collection of Laws of the Republic of Poland).</p>
Article 3.2., incl: - points a) to e); - list of most serious infringements: point d), items i - vii;	<p><input type="checkbox"/> Fully</p> <p>ACT No 125 Position 1371 of 6 September 2001on road transport, as amended and published under Journal of Laws No.: 2003.149.1452, 2004.204.208, 2005.180.1497, 2007.125.874, 2012.1265, 2011.30.151, 2013.567, 2013.1414, <i>Art. 7d.</i></p> <p>Issues connected with provision of art. 6 of EU Regulation 1071/2009 are reflected in national law in above-mentioned article. Poland fulfils the provisions of aforementioned EU Regulation]</p> <p>Transposition of art 6 of EU Regulation into the national law system gives an efficient instrument to make effective verification of good repute</p> <p>Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009 establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator and repealing Council Directive 96/26/EC (OJ EU L 300, 14. 11. 2009),</p> <p><input type="checkbox"/> Useful Links: http://www.lex.pl (Collection of Laws of the Republic of Poland).</p>
Article 3.3.	<p><input type="checkbox"/> Fully</p> <p>ACT No 125 Position 1371 of 6 September 2001on road transport, as amended and published under Journal of Laws No.: 2003.149.1452, 2004.204.208, 2005.180.1497, 2007.125.874, 2012.1265, 2011.30.151, 2013.567, 2013.1414, <i>Art. 7d.</i></p>

	<p>Issues connected with provision of art. 6 of EU Regulation 1071/2009 are reflected in national law in above-mentioned article. Poland fulfils the provisions of aforementioned EU Regulation]</p> <p>Transposition of art 6 of EU Regulation into the national law system gives an efficient instrument to make effective verification of good repute.</p> <p>Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009 establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator and repealing Council Directive 96/26/EC (OJ EU L 300, 14. 11. 2009),</p> <p><input type="checkbox"/> Useful Links: http://www.lex.pl (Collection of Laws of the Republic of Poland).</p>
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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: 0
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Any other comments:	
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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><input type="checkbox"/> Fully</p> <p>ACT No 125 Position 1371 of 6 September 2001 on road transport, as amended and published under Journal of Laws No.: 2003.149.1452, 2004.204.208, 2005.180.1497, 2007.125.874, 2012.1265, 2011.30.151, 2013.567, 2013.1414; <i>Art. 37-39, Art. 5c par. 1 pt. 2.</i></p> <p>Provisions provided by art. 8 and 9 of EU Regulation 1071/2009 are reflected in national law in the above-mentioned article. Poland fulfils the provisions of aforementioned EU Regulation</p> <p>Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009 establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator and repealing Council Directive 96/26/EC (OJ EU L 300, 14. 11. 2009),</p> <p>-Written exam; no exemptions</p> <p>ACT No 125 Position 1371 of 6 September 2001,on road transport, as amended and published under Journal of Laws No.: 2003.149.1452, 2004.204.208, 2005.180.1497, 2007.125.874, 2012.1265, 2011.30.151, 2013.567, 2013.1414, <i>Art. 37-39.</i></p> <p><input type="checkbox"/> Useful Links: http://www.lex.pl (Collection of Laws of the Republic of Poland).</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><input type="checkbox"/> Fully</p> <p>ACT No 125 Position 1371 of 6 September 2001,on road transport, as amended and published under Journal of Laws No.: 2003.149.1452, 2004.204.208, 2005.180.1497, 2007.125.874, 2012.1265, 2011.30.151, 2013.567, 2013.1414, <i>Art. 37-39, Art. 5c par. 1 pt. 2.</i></p> <p>Issues connected with provision of art. 8 and 9 of EU Regulation 1071/2009 are reflected in national law in above-mentioned article. Poland fulfils the provisions of aforementioned EU Regulation</p> <p>Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009 establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator and repealing Council Directive 96/26/EC (OJ EU L 300, 14. 11. 2009),</p> <p><input type="checkbox"/> Useful Links: : http://www.lex.pl (Collection of Laws of the Republic of Poland).</p>

<p>Article 4.4. CPC, incl.:</p> <p>- National certificate (4.4.a); cf. Annex)</p> <p>- IRU Academy CPC (4.4.b))</p>	<p><input type="checkbox"/> Fully</p> <p>ACT No 125 Position 1371 of 6 September 2001, on road transport, as amended and published under Journal of Laws No.: 2003.149.1452, 2004.204.208, 2005.180.1497, 2007.125.874, 2012.1265, 2011.30.151, 2013.567, 2013.1414, <i>Art. 37-39, Art. 5c par. 1 pt. 2.</i></p> <p>Issues connected with provision of art. 8 and 9 of EU Regulation 1071/2009 are reflected in national law in above-mentioned article. Poland fulfils the provision of aforementioned EU Regulation</p> <p>Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009 establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator and repealing Council Directive 96/26/EC (OJ EU L 300, 14. 11. 2009),</p> <p>- Responsible authority – Motor Transport Institute</p> <p>ACT No 125 Position 1371 of 6 September 2001 on road transport, as amended and published under Journal of Laws No.: 2003.149.1452, 2004.204.208, 2005.180.1497, 2007.125.874, 2012.1265, 2011.30.151, 2013.567, 2013.1414, <i>Art. 38.</i></p> <p><input type="checkbox"/> Useful Links: : http://www.lex.pl (Collection of Laws of the Republic of Poland).</p> <p>- Not applicable</p>
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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: 0</p>
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<p>Any other comments:</p>	
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**D) Financial standing (Chapter II, 5)
Implemented**

<p>Article 5.2., including</p> <p>Capital required for:</p> <p>- first vehicle</p> <p>- each additional vehicle</p>	<p><input type="checkbox"/> Fully</p> <p>ACT No 125 Position 1371 of 6 September 2001, on road transport, as amended and published under Journal of Laws No.: 2003.149.1452, 2004.204.208, 2005.180.1497, 2007.125.874, 2012.1265, 2011.30.151, 2013.567, 2013.1414; <i>Art. 7b, Art. 5c par. 1 pt. 3 and Art. 5c par. 2 and par.3.</i></p> <p>Issues connected with provision of art. 7 of EU Regulation 1071/2009 are reflected in national law in above-mentioned articles. Poland fulfils the provisions of aforementioned EU Regulation both in practical (verification by national authorities) and theoretical way (in appropriate national regulations)</p> <p>Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009 establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator and repealing Council Directive 96/26/EC (OJ EU L 300, 14. 11. 2009),</p> <p>- 9.000 [EUR]</p> <p>- 5.000 [EUR]</p> <p><input type="checkbox"/> Useful Links: : http://www.lex.pl (Collection of Laws of the Republic of Poland).</p>
<p>Article 5.3 & 5.4</p>	<p><input type="checkbox"/> Fully</p> <p>ACT No 125 Position 1371 of 6 September 2001, on road transport, as amended and published under Journal of Laws No.: 2003.149.1452, 2004.204.208, 2005.180.1497, 2007.125.874, 2012.1265, 2011.30.151, 2013.567, 2013.1414: <i>Art. 7b, Art. 5c par. 1 pt. 3 and Art. 5c par. 2 and par. 3.</i></p> <p>Issues connected with provision of art. 7 of EU Regulation 1071/2009 are reflected in national law in above-mentioned articles. Poland fulfils the provision of aforementioned EU Regulation both in practical (verification by national authorities) and theoretical way (in appropriate national regulations)</p> <p>Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009 establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator and repealing Council Directive 96/26/EC (OJ EU L 300, 14. 11. 2009),</p> <p><input type="checkbox"/> Useful Links: http://www.lex.pl (Collection of Laws of the Republic of Poland).</p>

Article 5.5.	<p><input checked="" type="checkbox"/> Fully</p> <p>ACT No 125 Position 1371 of 6 September 2001 on road transport, as amended and published under Journal of Laws No.: 2003.149.1452, 2004.204.208, 2005.180.1497, 2007.125.874, 2012.1265, 2011.30.151, 2013.567, 2013.141; <i>Art. 7b, Art. 5c par. 1 pt. 3 and Art. 5c par. 2 and par. 3.</i></p> <p>Issues connected with provision of art. 7 of EU Regulation 1071/2009 are reflected in national law in above-mentioned articles. Poland fulfils the provisions of aforementioned EU Regulation both in practical (verification by national authorities) and theoretical way (in appropriate national regulations)</p> <p>Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009 establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator and repealing Council Directive 96/26/EC (OJ EU L 300, 14. 11. 2009),</p> <p><input type="checkbox"/> Useful Links: http://www.lex.pl (Collection of Laws of the Republic of Poland).</p>
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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: 0
Any other comments:	

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:

The Act No 92 Position 879 of 16 April 2004 on the Working Time of Drivers and on Amendments to the Act.

- a) minimum requirements in relation to the organisation of working time in transport,
- b) performances of the roadside inspections and the inspections in the transport undertaking premises,
- c) competence of the State Administration Bodies in the matters of the check of organisation of working time in transport.

Useful Links: <http://www.lex.pl> (Collection of Laws of the Republic of Poland).

B) Driver training (Chapter III, 2)

Implemented

Article 2.1:	<p><input type="checkbox"/> Fully</p> <p>ACT No 125 Position 1371 of 6 September 2001 on road transport, as amended and published under Journal of Laws No.: 2003.149.1452, 2004.204.208, 2005.180.1497, 2007.125.874, 2012.1265, 2011.30.151, 2013.567, 2013.1414; <i>Art. 39a par. 1 pt. 1.</i></p> <p>Poland complies with this provision through implementation of the Directive 2003/59/EC of the European Parliament and of the Council of 15 July 2003 on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers, amending Council Regulation (EEC) No 3820/85 and Council Directive 91/439/EEC and repealing Council Directive 76/914/EEC</p> <p><input type="checkbox"/> Useful Links: http://www.lex.pl (Collection of Laws of the Republic of Poland).</p>
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<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><input type="checkbox"/> Fully</p> <p>ACT No 125 Position 1371 of 6 September 2001,on road transport, as amended and published under Journal of Laws No.: 2003.149.1452, 2004.204.208, 2005.180.1497, 2007.125.874, 2012.1265, 2011.30.151, 2013.567, 2013.1414, <i>Art. 39a – 39c</i>.</p> <p>Poland complies with this provision through implementation of the Directive 2003/59/EC of the European Parliament and of the Council of 15 July 2003 on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers, amending Council Regulation (EEC) No 3820/85 and Council Directive 91/439/EEC and repealing Council Directive 76/914/EEC</p> <p>- <i>Course + written test</i></p> <p>ACT No 125 Position 1371 of 6 September 2001,on road transport, as amended and published under Journal of Laws No.: 2003.149.1452, 2004.204.208, 2005.180.1497, 2007.125.874, 2012.1265, 2011.30.151, 2013.567, 2013.1414, <i>Art. 39b par. 3</i>.</p> <p>- <i>There are exemptions as provided by the Directive 2003/59/EC</i></p> <p>ACT No 125 Position 1371 of 6 September 2001,on road transport, as amended and published under Journal of Laws No.: 2003.149.1452, 2004.204.208, 2005.180.1497, 2007.125.874, 2012.1265, 2011.30.151, 2013.567, 2013.1414, <i>Art 39a par.3</i>.</p> <p><input type="checkbox"/> Useful Links: http://www.lex.pl (Collection of Laws of the Republic of Poland).</p>
<p>Article 2.2.b) - Periodic training, incl.:</p> <p>- List of knowledge (cf.annex4)</p> <p>- Number of hours)</p> <p>- Periodicity</p> <p>- first periodic training to be completed</p>	<p><input type="checkbox"/> Fully</p> <p>ACT No 125 Position 1371 of 6 September 2001,on road transport, as amended and published under Journal of Laws No.: 2003.149.1452, 2004.204.208, 2005.180.1497, 2007.125.874, 2012.1265, 2011.30.151, 2013.567, 2013.1414, <i>Art. 39d – 39e</i>.</p> <p>Poland complies with this provision through implementation of the Directive 2003/59/EC of the European Parliament and of the Council of 15 July 2003 on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers, amending Council Regulation (EEC) No 3820/85 and Council Directive 91/439/EEC and repealing Council Directive 76/914/EEC</p> <p>- <i>35 hours</i></p> <p>- <i>every 5 years</i></p> <p>Regulation of Minister of Infrastructure on 01.04.2010 regarding of training of drivers carrying out the road haulage. Journal of Laws, No.: 2014 pos.1005 with later amendments</p> <p>- <i>by 10.09.2014</i></p>

	<p>- Act amending the Road Transport Act and changed the Traffic Act – art.3 par.2. O.J No 235 pos.1701 of 17.11.2006.</p> <p><input type="checkbox"/> Useful Links: http://www.lex.pl (Collection of Laws of the Republic of Poland).</p>
Articles 2.3; 2.4 - approval of training centres	<p><input type="checkbox"/> Fully</p> <p>ACT No 125 Position 1371 of 6 September 2001 on road transport, as amended and published under Journal of Laws No.: 2003.149.1452, 2004.204.208, 2005.180.1497, 2007.125.874, 2012.1265, 2011.30.151, 2013.567, 2013.1414, <i>Art. 39f – 39h</i></p> <p>Poland complies with this provision through implementation of the Directive 2003/59/EC of the European Parliament and of the Council of 15 July 2003 on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers, amending Council Regulation (EEC) No 3820/85 and Council Directive 91/439/EEC and repealing Council Directive 76/914/EEC</p> <p><input type="checkbox"/> Useful Links: http://www.lex.pl (Collection of Laws of the Republic of Poland).</p>
<p>Article 2.6 - CPC proof, incl.:</p> <p>- Sign affixed on driver licence (permit)</p> <p>- Driver Qualification card (cf. annex 5)</p> <p>- IRU Academy CPC</p>	<p><input type="checkbox"/> Fully</p> <p>ACT No 125 Position 1371 of 6 September 2001, on road transport, as amended and published under Journal of Laws No.: 2003.149.1452, 2004.204.208, 2005.180.1497, 2007.125.874, 2012.1265, 2011.30.151, 2013.567, 2013.1414, <i>Art. 39 f par. 1.</i></p> <p>Poland complies with this provision through implementation of the Directive 2003/59/EC of the European Parliament and of the Council of 15 July 2003 on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers, amending Council Regulation (EEC) No 3820/85 and Council Directive 91/439/EEC and repealing Council Directive 76/914/EEC</p> <p>- <i>Sign affixed on driver licence (permit)</i> <i>responsible authority : self-governmental local authorities - (Starosta)</i></p> <p>ACT No 125 Position 1371 of 6 September 2001, on road transport, as amended and published under Journal of Laws No.: 2003.149.1452, 2004.204.208, 2005.180.1497, 2007.125.874, 2012.1265, 2011.30.151, 2013.567, 2013.1414, <i>Art. 39 f par. 1.</i></p> <p>- Not applicable</p> <p>- Not applicable</p> <p><input type="checkbox"/> Useful Links: http://www.lex.pl (Collection of Laws of the Republic of Poland).</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: 0
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Any other comments:	
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C) Conditions of employment (Chapter III, 3)

Implemented

Article 3.1	<input checked="" type="checkbox"/> Fully The Law of 26 June 1974. - Labor Code (consolidated text, Official Journal 2014., pos. 1502). <input type="checkbox"/> Useful Links: http://www.lex.pl (Collection of Laws of the Republic of Poland).
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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> <p>- authorisations</p> <p>- training/examinations</p> <p>- CPC</p>	<p><input type="checkbox"/> Fully</p> <p>Poland complies with this provision through Article 3 of EU Regulation 1071/2009 which defines conditions relating to the requirement of the conditions of establishment, good repute, professional competence and financial standing.</p> <p>- General Inspectorate of Road Transport</p> <p>- self-governmental local authorities - (Starosta)</p> <p>- Motor Transport Institute</p> <p>- Motor Transport Institute</p>
<p>1.2.2: re. provisions on drivers, incl.:</p> <p>- training/ examinations</p> <p>- CPC</p>	<p><input type="checkbox"/> Fully</p> <p>Poland complies with this provision through implementation of the Directive 2006/22/EC of the European Parliament and of the Council of 15 March 2006 on minimum conditions for the implementation of Council Regulations (EEC) No 3820/85 and (EEC) No 3821/85 concerning social legislation relating to road transport activities and repealing Council Directive 88/599/EEC (Text with EEA relevance).</p> <p>- <i>Trainings are carried out by private training centres entrepreneurs supervised by Voivodships.</i></p> <p>- <i>Examinations are carried out by Voivodships.</i></p> <p>- <i>CPC are issued by self-governmental local authorities - (Starosta)</i></p> <p>The Act on vehicle drivers on 05.01.2011– art 15 par.1 . Official Journal on 2011 no: 30 pos. 151.</p>
<p>Articles 1.2.3- 1.2.4.</p>	<p><input type="checkbox"/> Fully</p> <p>ACT No 125 Position 1371 of 6 September 2001 on road transport, as amended and published under Journal of Laws No.: 2003.149.1452, 2004.204.208, 2005.180.1497, 2007.125.874, 2012.1265, 2011.30.151, 2013.567, 2013.1414; <i>Art. 4 pkt. 19, Art. 18 ust. 1 pkt. 2, Art. 25, art. 25a, Art. 26, Art. 27, Art. 29, Art. 30, Art. 89a¹.</i></p> <p><input type="checkbox"/> Useful Links : http://www.lex.pl (Collection of Laws of the Republic of Poland).</p>

Article 1.2.5	<input type="checkbox"/> Fully ACT No 125 Position 1371 of 6 September 2001 on road transport , as amended and published under Journal of Laws No.: 2003.149.1452, 2004.204.208, 2005.180.1497, 2007.125.874, 2012.1265, 2011.30.151, 2013.567, 2013.1414; <i>Art. 4 pkt. 19, Art. 18 ust. 1 pkt. 2, Art. 25, Art. 25a, Art. 26, art. 27, Art. 29, art. 30, Art. 89a¹.</i> <input type="checkbox"/> Useful Links: http://www.lex.pl (Collection of Laws of the Republic of Poland).
Article 1.3.	<input type="checkbox"/> Fully <i>Undergoing</i> <input type="checkbox"/> Useful Links:

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

Provision of the Charter: [article]	
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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><input type="checkbox"/> Fully</p> <p>ACT No 125 Position 1371 of 6 September 2001 on road transport, as amended and published under Journal of Laws No.: 2003.149.1452, 2004.204.208, 2005.180.1497, 2007.125.874, 2012.1265, 2011.30.151, 2013.567, 2013.1414, <i>Art. 25.</i></p> <p>Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009 establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator and repealing Council Directive 96/26/EC (OJ EU L 300, 14. 11. 2009), art. 54 par. 2 pt. 5-10, art. 89 par. 3,4,5</p> <p>Control condition 3% of days worked by drivers of vehicles falling within the scope of AETR is satisfied (approx. 50% of the control on the road and 50% in the control of the company)</p> <p><input type="checkbox"/> Useful Links: http://www.lex.pl (Collection of Laws of the Republic of Poland)</p>
<p>Article 2.2. - Checks re. Undertakings, incl:</p>	<p><input type="checkbox"/> Fully</p> <p>ACT No 125 Position 1371 of 6 September 2001 on road transport, as amended and published under Journal of Laws No.: 2003.149.1452, 2004.204.208, 2005.180.1497, 2007.125.874, 2012.1265, 2011.30.151, 2013.567, 2013.1414, <i>Art. 83-91.</i></p> <p>Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009 establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator and repealing Council Directive 96/26/EC (OJ EU L 300, 14. 11. 2009),</p> <p><i>Checks at least every 5 years.</i></p> <p>Poland complies with this provision through Article 12 of EU Regulation 1071/2009 which defines conditions relating to the requirement to be met by undertaking</p> <p><input type="checkbox"/> Useful Links: http://www.lex.pl (Collection of Laws of the Republic of Poland)</p>

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

Provision of the Charter:	Corresponding National Provision: 0
Any other comments:	

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

<p>Article 3.1. re. driving times and rest periods (cf. also. Annex 7)</p>	<p><input type="checkbox"/> Fully</p> <p>Poland complies with this provision through implementation of the Directive 2006/22/EC of the European Parliament and of the Council of 15 March 2006 on minimum conditions for the implementation of Council Regulations (EEC) No 3820/85 and (EEC) No 3821/85 concerning social legislation relating to road transport activities and repealing Council Directive 88/599/EEC (Text with EEA relevance).</p> <p>Polish Road Transport Act on 6 September 2001, <i>Art. 89 par. 5</i>. <i>Annex no 3</i> to Polish Road Transport Act on 6 September 2001</p> <p><input type="checkbox"/> Useful Links: http://www.lex.pl (Collection of Laws of the Republic of Poland)</p>
<p>Article 3.2. re. undertakings, incl:</p>	<p><input type="checkbox"/> Fully</p> <p>Poland complies with this provision through implementation of the Directive 2006/22/EC of the European Parliament and of the Council of 15 March 2006 on minimum conditions for the implementation of Council Regulations (EEC) No 3820/85 and (EEC) No 3821/85 concerning social legislation relating to road transport activities and repealing Council Directive 88/599/EEC (Text with EEA relevance).</p> <p><i>Annex no 3</i> to Polish Road Transport Act on 6 September 2001</p> <p><input type="checkbox"/> Useful Links: http://www.lex.pl (Collection of Laws of the Republic of Poland)</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: 0</p>
<p>Any other comments:</p>	

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

Article 4.1.	<input type="checkbox"/> Fully Poland complies with this provision through implementation of the Directive 2006/22/EC of the European Parliament and of the Council of 15 March 2006 on minimum conditions for the implementation of Council Regulations (EEC) No 3820/85 and (EEC) No 3821/85 concerning social legislation relating to road transport activities and repealing Council Directive 88/599/EEC (Text with EEA relevance). <i>Appendixes</i> to Polish Road Transport Act on 6 September 2001 <input type="checkbox"/> Useful Links: http://www.lex.pl (Collection of Laws of the Republic of Poland)
Article 4.2.on drivers incl, infringements re: - 4.2.1. AETR rules - 4.2.2. driver training	<input type="checkbox"/> Fully Poland complies with this provision through implementation of the Directive 2006/22/EC of the European Parliament and of the Council of 15 March 2006 on minimum conditions for the implementation of Council Regulations (EEC) No 3820/85 and (EEC) No 3821/85 concerning social legislation relating to road transport activities and repealing Council Directive 88/599/EEC (Text with EEA relevance). <i>Appendixes</i> to Polish Road Transport Act on 6 September 2001 - ACT No 227 Position 1367 of 19 August 2011, on transport of dangerous goods as amended and published under Journal of Laws No. 2011.244.1454 <input type="checkbox"/> Useful Links: http://www.lex.pl (Collection of Laws of the Republic of Poland)
Article 4.3. on undertakings: - 4.3.1. - 4.3 2.	<input type="checkbox"/> Fully Poland complies with this provision through implementation of the Directive 2006/22/EC of the European Parliament and of the Council of 15 March 2006 on minimum conditions for the implementation of Council Regulations (EEC) No 3820/85 and (EEC) No 3821/85 concerning social legislation relating to road transport activities and repealing Council Directive 88/599/EEC (Text with EEA relevance). <i>Appendixes</i> to Polish Road Transport Act on 6 September 2001 <input type="checkbox"/> Useful Links: http://www.lex.pl (Collection of Laws of the Republic of Poland)

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

Provision of the Charter: [article]	[comment]
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