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Forum International des Transports International Transport Forum

Group on Road Transport

Report by GEORGIA on implementation of the QUALITY CHARTER

ITF/TMB/TR(2016)3/ADD12/FINAL

30-Aug-2018

English - Or. English

INTERNATIONAL TRANSPORT FORUM TRANSPORT MANAGEMENT BOARD

ITF/TMB/TR(2016)3/ADD12/FINAL For Official Use

The application of Georgia was approved by the Group on Road Transport under Agenda item 5 of the meeting held on 22-23 March 2018 in Paris, France.

The report is complemented with appendices:

- ITF/TMB/TR(2016)3/ADD12/APP1/REV2: I. Checklist on Implementation of CPC Manager and CPC Driver (initial and periodic training); II. Checklist on training capacity

- ITF/TMB/TR(2016)3/ADD12/APP2: Order №65 of Minister of Education of Georgia of March 10, 2000 on Approval of State Standard for Professional Training and Retraining of drivers of Power-Driven Vehicles (extracts)

- *ITF/TMB/TR*(2016)3/ADD12/APP3: Crime and administrative offence types and categories, defined by Georgian legislation

JT03435176

This document, as well as any data and map included herein, are without prejudice to the status of or sovereignty over any territory, to the delimitation of international frontiers and boundaries and to the name of any territory, city or area.



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საქართველოს ეკონომიკისა და მდგრადი განვითარების სამინისტრო



MINISTRY OF ECONOMY AND SUSTAINABLE DEVELOPMENT OF GEORGIA

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02 / March / 2018

Mr. Young Tae Kim Secretary General International Transport Forum OECD/ITF 2, rue Andre Pascal F-75775 Paris Cedex 16 France

Subject: Quality Charter compliance under the ECMT Multilateral Quota

Country: GEORGIA

National Authority: Ministry of Economy and Sustainable Development /Land Transport Agency

Dear Secretary General,

We herewith declare that Georgia 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 European Regulations and implementation of appropriate European Union Directives. The key international legal instruments are Regulation 1071/2009, Regulation 561/2006, Regulation 3821/85, Directive 2002/15, Directive 2006/22/EC and Directive 2003/59.

The provisions of the EU are supported by domestic legislation based on the "Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Georgia, of the other part" of 16 June 2014.

In support of these laws, the Land Transport Agency under the Ministry of Economy and Sustainable Development Georgia manages the ECMT permit allocations and ensures that undertakings seeking permits meet all the requirements of the Quality Charter prior to the issue of permits.

The ECMT permits are only issued to an operator having a Licence for the international carriage of goods by road for hire or reward.

The Report submitted with this statement of compliance details the laws and/or administrative processes adhered to ensure that the provisions of the Charter in the Country are met by Georgian holders of the ECMT licences.

Enclosure: Report on Implementation of Quality Charter for International Road Haulage Operations under the ECMT Multilateral Quota by Georgia on 38 pages.

Yours sincerely,

Deputy Minister

8. handler

Giorgi Cherkezishvili

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

COUNTRY: GEORGIA

NATIONAL AUTHORITY: LAND TRANSPORT AGENCY MINISTRY OF ECONOMY AND SUSTAINABLE DEVELOPMENT

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

A) Conditions of establishment (Chapter II, 2)

Implemented	
Article 2.2.a)	⊠ Fully
	Corresponding National Provision:
	Law of Georgia N1775-RS of 06.24.2005 "On Licenses and
	Permits", with subsequent amendments. Chapter VII, Article 25.
	Note: The company must be registered in Georgia, and have specific address and communications.
	https://matsne.gov.ge/en/document/view/26824
	Activities:
	Order of the Minister of Economy and Sustainable Development
	\mathbb{N} 1-1 / 2511 from 30.11.2011, "Rules of the issuance of multiple
	permits for international road transportation".
	Useful Links:
	http://lta.gov.ge/wp-content/docs/cesebi/danatri_1.pdf
	Ordinance of the Government of Georgia No 32 of January 3, 2014, on approval Technical Regulation concerning cargo transportation rules (Article 13. Point 5). Useful Links:
	http://lta.gov.ge/wp-content/docs/teqnikuri%20reglamenti/32.pdf
	Law of Georgia of on Administration And Regulation in the Field of Transportation (Chapter 3. Article 7. Point 4.d). Useful Links:
	https://matsne.gov.ge/ka/document/view/23692?impose=translateEn
	Administrative Offences Code of Georgia
	https://matsne.gov.ge/en/document/view/28216?publication=345
	According to above mentioned legal enactments, the carrier which
	carries out or intends to carry out international transport operations of goods in the territory of ECMT member states has obligation to
	correspond to the Regulation No. 1071/2009 of the European
	Parliament and of the Council of Europe on 21 October 2009 (EC), and
	consequently the provisions of the Charter . Accordingly, the carrier is
	obliged to have an office for operational activities. The existence of the
	office is confirmed by an extract from the entrepreneurs national
	register (See annex1) that the carrier must present together with other
	documents to obtain permission. Above mentioned registration document is the evidence that the carrier is registered as an
	entrepreneurial entity in Georgia at the relevant legal address, where the
	carrier is requested to maintain documentation related to its activities
	(accounting documents, personnel management documents, documents

	containing information relating to driving and rest times and other
	documents significant to perform the activities).
	Georgian carrier conducting international transportation of goods by the vehicle is also required to complete declaration of compliance (see annex 1bis) which confirms its compliance with the technical regulations in the field, including technical regulation N32, specifically article 13 paragraph 5 in which is stipulated that the Georgian carrier, which carries out or intends to carry out international transportation of goods in the territory of ECMT member states, has legal obligation to correspond to the Regulation No. 1071/2009 of the European Parliament and of the Council of Europe on 21 October 2009 (EC). Failure by the carrier to submit the mentioned document will lead to refusal in permission for a carrier.
Article 2.2.b)	⊠ Fully Corresponding National Provision:
	Law of Georgia N700-IIC of 04.04.1995 "On Road Transport", with subsequent amendments. Chapter 5 ³ , Article a).
	https://matsne.gov.ge/en/document/view/37540
	Order of the Minister of Economy and Sustainable Development №1-1/2511 from 30.11.2011, "Rules of the issuance of multiple permits for international road transportation", chapter 5, Article a).
	Useful Links: <u>https://matsne.gov.ge/en/document/view/1518310</u>
	In accordance with the above mentioned established norms, the carrier is a natural or legal person who owns or uses a motor vehicle under lease agreement in accordance with the Georgian legislation and carries out transportation. Therefore, for obtaining permits, carrier must submit an authorized document for the ownership of one or several vehicles registered in Georgia. Failure by the carrier to submit the mentioned document will lead to refusal in permission for a carrier.
Article 2.2.c)	
	Corresponding National Provision:
	Law of Georgia N1775-RS of 06.24.2005 "On Licenses and Permits", with subsequent amendments. Chapter VII, Article 25.
	Note: The company must be registered in Georgia, and have specific address and communications.
	□ Useful Links: <u>https://matsne.gov.ge/en/document/view/26824</u>
	Resolution of the Georgian Government N12 of 03.01.2014 "Service procedure for the road vehicles". Chapter 6,7,8,9. Annex 1, 2. Useful Links: https://matsne.gov.ge/ka/document/view/2189451

Resolution of the Georgian Government N30 of 03.01.2014
"Technical requirements to the vehicles, for establishment of
compliance of which, the roadworthiness test is performed and the
methods of its performance". Chapter II, III, IV. Annex 1, 2, and 3.
\Box Useful Links:
https://matsne.gov.ge/ka/document/view/2189243
https://mushe.gov.ge/ku/uocument/vew/210/240
Resolution of the Georgian Government N37 of 03.01.2014
"Frequency of tests of the various categories of road vehicles".
Chapter 4, 5. Annex 1, 2.
Useful Links:
https://matsne.gov.ge/ka/document/view/2189748
Ordinance of the Government of Georgia No 32 of January 3, 2014,
on approval Technical Regulation concerning cargo transportation
rules (Article 13. Point 5).
Useful Links:
http://lta.gov.ge/wp-content/docs/teqnikuri%20reglamenti/32.pdf
Note: Above mentioned legal enactments obliges carrier to conducts

B) Good Repute (Chapter II, 3)

Article 3.1.	⊠ Fully
	Corresponding National Provision:
	Order of the Minister of Economy and Sustainable Development №1- 1 / 2511 from 30.11.2011, "Rules of the issuance of multiple permits for international road transportation". Chapter 5, 6.
	Useful Links: <u>https://matsne.gov.ge/en/document/view/1518310</u>
	According to the above-mentioned regulatory norms, the carrier is required to submit a certificate of conviction of a person responsible for transport operations (Director/Manager/Driver) of a company and a written confirmation.
Article 3.2., incl:	⊠ Fully
	Corresponding National Provision:
- points a) to e);	Order of the Minister of Economy and Sustainable Development №1- 1 / 2511 from 30.11.2011, "Rules of the issuance of multiple permits

- list of most serious infringements: point d), items i - vii;	for international road transportation''. Chapter 5, 6. Useful Links: <u>https://matsne.gov.ge/en/document/view/1518310</u>
	Ordinance of the Government of Georgia No 32 of January 3, 2014, on approval Technical Regulation concerning cargo transportation rules (Amended: Article 13. Point 5). Useful Links: <u>http://lta.gov.ge/wp-content/docs/teqnikuri%20reglamenti/32.pdf</u>
	Law of Georgia of on Administration And Regulation in the Field of Transportation (Chapter 3. Article 7. Point 4.d).
	https://matsne.gov.ge/ka/document/view/23692?impose=translateEn
	Administrative Offences Code of Georgia Useful Links: https://matsne.gov.ge/en/document/view/28216?publication=345
	Criminal Code of Georgia Useful Links:
	https://matsne.gov.ge/ka/document/view/16426
	According to the above mentioned legal enactments Certificate of conviction and written confirmation defines if a person responsible for transport (Director/Manager/Driver) of a carrier was convicted of a grave criminal offense or a particularly grave crime or were deemed responsible for violating commercial law, insolvency law, pay and employment conditions in the profession, road traffic law, environmental law, rules regarding driving and rest times of a driver, professional liability, safety of a vehicle, trafficking in human beings or drugs and etc. Crime and administrative offence categories, defined by above mentioned
	legal enactments of Georgian legislation are provided in document ITF/TMB/TR(2016)3/ADD12/APP3.
Article 3.3.	⊠ Fully
	Corresponding National Provision:
	Order of the Minister of Economy and Sustainable Development №1- 1 / 2511 from 30.11.2011, "Rules of the issuance of multiple permits for international road transportation". Chapter 5, 6. □ Useful Links: <u>https://matsne.gov.ge/en/document/view/1518310</u>
	Order of the Director of the Land Transport Agency №46 from 28.12.15 "CPC Managers Preparation Training Process" Useful Links:
	http://lta.gov.ge/doc/cesebi/46.PDF
	Ordinance of the Government of Georgia No 32 of January 3, 2014, on approval Technical Regulation concerning cargo transportation

rules (Amended: Article 13. Point 5).
Useful Links: http://lta.gov.ge/wp-content/docs/teqnikuri%20reglamenti/32.pdf
Law of Georgia of on Administration And Regulation in the Field of Transportation (Chapter 3. Article 7. Point 4.d).
https://matsne.gov.ge/ka/document/view/23692?impose=translateEn
Administrative Offences Code of Georgia Useful Links: https://matsne.gov.ge/en/document/view/28216?publication=345
The specified norms demand that the manager of a carrier is a competent person in the transport sphere and has good reputation. Document confirming qualification of a manager and a certificate of conviction are documents that is demanded by the competent Authority prior to issuing permit for a carrier, failing to submit mentioned documents is the precondition for refusing to be issued a permit for a carrier at all.

C) Professional competence (Chapter II, 4) Implemented

Article 4.2, incl.:	⊠ Fully
- List of knowledge (4.2.a); b); cf.annex1)	Corresponding National Provision:
- Examination required: oral; written; exempted	Order of the Director of the Land Transport Agency №46 from 28.12.15 "CPC Managers Preparation Training Process"
(cf. 4.2.c))	Useful Links:
	http://lta.gov.ge/doc/cesebi/46.PDF
Article 4.3., incl.:	⊠ Fully
	Corresponding National Provision:
- Examinations procedure (4.3.a); cf. annex 2)	- The Exams are being held in written forms that involve tests and case studies.
(, , , ,	The duration of each is 2 hours.
- approval of examination bodies (4.3.b))	- Above mentioned Forms of Teaching, syllabuses and Methods of examinations are approved by the order of the Director of Land Transport Agency.
- pre-training (4.3.c))	- Training Course consists from 6 modules and covers 120 hours.
	Accreditation by IRU Academy
	Order of Minister of Economy and Sustainable Development of

	Georgia N 1-1/584 from 14/04/2011 "Regulations on Land Transport Agency»
	Useful Links:
	http://lta.gov.ge/wp-content/docs/debuleba/debuleba.pdf
Article 4.4. CPC, incl.:	⊠ Fully
	- Name of National Authority or duly approved body Land transport Agency
- National certificate (4.4.a); cf.Annex3)	- Name of the IRU accredited institution, authorised nationally: Qualification Centre of LEPL - Land Transport Agency (cf. Annex 2 bis)
- IRU Academy CPC (4.4.b))	IRU-academy diplomas are being issued, which contains authorised persons signatures of IRU-academy, Ministry of Economy and Sustainable Development of Georgia and the Land Transport Agency. (see Annex 2)
	Mentioned legal regulations govern conditions / procedures for attaining CPC Manager (IRU Diplomas), including number of hours delivered for the candidates of CPC Manager, conditions for passing exams / exam procedure, training programs (syllabuses) and training fees.
	NOTE: Other university diplomas may be recognised as an equivalent after examination of the curriculum of an educational institution that issued a diploma.

D) Financial standing (Chapter II, 5)

Article 5.2., including Capital required for:	I Fully
- first vehicle	- 9 000 EURO
- each additional vehicle	- 5 000 EURO
	Ordinance of the Government of Georgia No 32 of January 3, 2014, on approval Technical Regulation concerning cargo transportation rules (Amended: Article 13. Point 5).
	□ Useful Links:
	http://lta.gov.ge/wp-content/docs/teqnikuri%20reglamenti/32.pdf
	Law of Georgia of on Administration And Regulation in the Field of Transportation (Chapter 3. Article 7. Point 4.d).
	□ Useful Links: <u>https://matsne.gov.ge/ka/document/view/23692?impose=translateEn</u>

	Administrative Offences Code of Georgia
	□ Useful Links:
	https://matsne.gov.ge/en/document/view/28216?publication=345
	According to above mentioned legal enactments, the carrier, which carries out or intends to carry out international transportation of goods in the territory of ECMT member states, has obligation to correspond to the Regulation No. 1071/2009 of the European Parliament and of the Council of Europe on 21 October 2009 (EC). Therefore, carrier is obliged to fulfil requirements regarding financial standing demanded by Georgian legislation; in case of Carrier's failure to meet requirement of financial standing, Land Transport Agency has power to impose fines, on the carrier and ask to comply with the requirement of financial standing. In case of failure to comply with the requirement Land Transport Agency is empowered to suspend or withdraw a permission to pursue the occupation of international road haulage operator.
	pursue the occupation of micritational road natinage operator.
Article 5.3 & 5.4	⊠ Fully
	Corresponding National Provision:
	Order of the Minister of Economy and Sustainable Development №1- 1 / 2511 from 30.11.2011, "Rules of the issuance of multiple permits for international road transportation". Chapter 6, article i)
	Useful Links: <u>https://matsne.gov.ge/en/document/view/1518310</u>
Article 5.5.	⊠ Fully
	Corresponding National Provision:
	Order of the Minister of Economy and Sustainable Development №1- 1 / 2511 from 30.11.2011, "Rules of the issuance of multiple permits for international road transportation". Chapter 6, article a)
	Useful Links: <u>https://matsne.gov.ge/en/document/view/1518310</u>
	The financial resource in the mentioned specified norm is defined as the annual financial reports of the person, the available funds (including the cash in the bank), any assets (including the property), the minimum capital in its disposal and bank guarantee in the amount specified by legislation.

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: Georgia become the member of AETR – "European Agreement concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), done in Geneva on 1 July 1970" agreement on April 7, 2011 and had 2 years tolerance period until finally implementation. After negotiation with Polish printing company (PWPW) in 2013, Land Transport Agency began to issue Digital Tachograph Cards for: Company, Workshop, Driver and Control bodies, which are involved in International Road Transport field. Training for drivers and managers was free of charge till 2016. After training they are passing exams with electronic way.

Council Regulation (EEC) No 3821/85 of 20 December 1985 on recording equipment in road transport and Regulation (EC) No 561/2006 of the European Parliament and of the Council of 15 March 2006 on the harmonisation of certain social legislation relating to road transport and amending Council Regulations (EEC) No 3821/85 and (EC) No 2135/98 and repealing Council Regulation (EEC) No 3820/85 are corresponding in National Legislation named by: "Operation procedure of recording equipment (tachographs) for road vehicles".

Useful Links: https://matsne.gov.ge/ka/document/view/2188678

B) Driver training (Chapter III, 2)

Article 2.1:	⊠ Fully
	Order of the Minister of Economy and Sustainable Development $N_{1-1/591}$ from 15.04. 2011 "The types and terms of services provided by the LEPL Land Transport Agency, as well as the fees for payment and the approval of the terms and conditions for returning the fees paid".
	Useful Links: <u>http://lta.gov.ge/wp-content/docs/cesebi/danatri_2.pdf</u>

	Order of the Director of the Land Transport Agency №39 From 04.10.17 "CPC Drivers Preparation Training Process" □ Useful Links: http://lta.gov.ge/doc/cesebi/39.PDF Order of Minister of Economy and Sustainable Development of Georgia N 1-1/584 from 14/04/2011 "Regulations on Land Transport Agency» □ Useful Links: http://lta.gov.ge/wp-content/docs/debuleba/debuleba.pdf
Article 2.2.a) - Initial qualification , incl:	 ☑ Fully Order of the Director of the Land Transport Agency №39 From 04.10.17 "CPC Drivers Preparation Training Process"
- List of knowledge (cf. annex 4)	Useful Links: <u>http://lta.gov.ge/doc/cesebi/39.PDF</u>
- Course + test, or, a test only	- Training course covers Course (theory and practice) + test (theory and practice)
- exemptions	- Exemptions not exist. Order of Minister of Economy and Sustainable Development of Georgia N 1-1/584 from 14/04/2011 "Regulations on Land Transport Agency»
	Useful Links: <u>http://lta.gov.ge/wp-content/docs/debuleba/debuleba.pdf</u>
Article 2.2.b) - Periodic training, incl:	 ☑ Fully Order of the Director of the Land Transport Agency №39 From 04.10.17 "CPC Drivers Preparation Training Process"
- List of knowledge (cf.annex4)	Useful Links: <u>http://lta.gov.ge/doc/cesebi/39.PDF</u>
- Number of hours (35)	- For initial training it is necessary to cover 80 hours (60+80=140).
- Periodicity (every 5	- Periodicity every 5 years 35-hour training.
years) - first periodic training to be completed by [31 Dec 2019]	- First Periodic Training must be completed periodically step by step till 31 December of 2019 year.
	Order of Minister of Economy and Sustainable Development of Georgia N 1-1/584 from 14/04/2011 "Regulations on Land Transport Agency»
	Useful Links: <u>http://lta.gov.ge/wp-content/docs/debuleba/debuleba.pdf</u>

Articles 2.3; 2.4 -approval of training centres	🖾 Fully
	Order of the Director of the Land Transport Agency №39 From 04.10.17 "CPC Drivers Preparation Training Process"
	Useful Links: http://lta.gov.ge/doc/cesebi/39.PDF
	Order of Minister of Economy and Sustainable Development of Georgia N 1-1/584 from 14/04/2011 "Regulations on Land Transport Agency»
	http://lta.gov.ge/wp-content/docs/debuleba/debuleba.pdf
Article 2.6 - CPC proof,	⊠ Fully
incl.:	Order of the Director of the Land Transport Agency №39 From 04.10.17 "CPC Drivers Preparation Training Process"
	Useful Links: http://lta.gov.ge/doc/cesebi/39.PDF
- Sign affixed on driver licence (permit)	- No
- Driver Qualification card (cf. annex 5)	- The CPC Driver card design currently approved by the Ministry of Economy and Sustainable development of Georgia (<i>see Annex 4</i>)
	Order of Minister of Economy and Sustainable Development of Georgia N 1-1/584 from 14/04/2011 "Regulations on Land Transport Agency»
- IRU Academy CPC	- Land Transport Agency Training Centre, see Annex 3
	NOTE: The preparation of two groups has already been completed.
	Useful Links: <u>http://lta.gov.ge/wp-content/docs/debuleba/debuleba.pdf</u>
	Mentioned legal regulations govern conditions / procedures for attaining CPC Driver (IRU Diplomas), including number of hours delivered for the candidates of CPC Driver, conditions for passing exams / exam procedure, training programs (syllabuses) and training fees.

Any other comments:		Transport	••••	0				
ing other comments.	accrea	litation from	the IRU Ac	cademy for	driver tr	aining	in accorde	ance
	with L	Directive 200	03/59 / EC	of the Eur	opean P	arliam	ent and of	f the
	Counc	il of 15 July	2003 from	the end of 2	2016. (Se	e Anne	ex 3 Bis)	

C) Conditions of employment (Chapter III, 3) Implemented

Article 3.1	⊠ Fully
Alucie 5.1	
	Corresponding National Provision:
	Law of Georgia 1995 N700-IIC of 04.04.1995 "On Road Transport", with subsequent amendments. Chapter 5^3 , Article a, b, c.).
	Useful Links: https://matsne.gov.ge/ka/document/view/28510
	Order of the Minister of Economy and Sustainable Development №1-1 / 2511 from 30.11.2011, "Rules of the issuance of multiple permits for international road transportation". Chapter 5. Article a).
	Useful Links: https://matsne.gov.ge/en/document/view/1518310
	According to above regulations, carrier, in order to receive permission to the occupation, is obliged to submit to the Land Transport Agency along with other required documents the copies of Driving licenses of the drivers employed in the company. Failure by the carrier to submit copies of the driver licences, as well as other required documents, i.e. contract of employment will lead to refusal in permission for a carrier. Land Transport Agency has the full online access of the database of the Ministry of the Internal Affairs for double checking.

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

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

1.2.1: re. provisions on undertakings, incl.:	⊠ Fully Corresponding National Provision:
- authorisations	Order of Minister of Economy and Sustainable Development of Georgia N 1-1/584 from 14/04/2011 "Regulations on Land Transport Agency »
- training/ examinations	 [Authority(ies)] Land Transport Agency Ministry of Economy and Sustainable Development
- CPC	- [Authority (ies)] Land Transport Agency Ministry of Economy and Sustainable Development
	 [Authority(ies)] Land Transport Agency Ministry of Economy and Sustainable Development Useful Links: https://matsne.gov.ge/en/document/view/1293335
	Order of the Minister of Economy and Sustainable Development №1-1 / 2511 from 30.11.2011, "Rules of the issuance of multiple permits for international road transportation". Useful Links:
	http://lta.gov.ge/wp-content/docs/cesebi/danatri_1.pdf Law of Georgia "General Administrative Code of Georgia" □ Useful Links: https://matsne.gov.ge/ka/document/view/16270?impose=translateEn
	Law of Georgia on Licences and Permits Useful Links: <u>http://lta.gov.ge/wp-</u> <u>content/docs/sakanonmdeblo%20aqtebi/licenzia.pdf</u>
1.2.2: re. provisions on drivers, incl.:	⊠ Fully Corresponding National Provision:
- training/ examinations	Order of Minister of Economy and Sustainable Development of Georgia N 1-1/584 from 14/04/2011 "Regulations on Land Transport Agency »
	Land Transport Agency Ministry of Economy and Sustainable Development Useful Links: https://matsne.gov.ge/en/document/view/1293335
	https://matshc.gov.go/ch/uocument/view/1275555

	Administrative Offences Code of Georgia Useful Links: <u>https://matsne.gov.ge/en/document/view/28216?publication=345</u>
Articles 1.2.3- 1.2.4.	Image: Second Se
	Order of Minister of Economy and Sustainable Development of Georgia N 1-1/584 from 14/04/2011 "Regulations on Land Transport Agency» Land Transport Agency Ministry of Economy and Sustainable Development Useful Links: <u>https://matsne.gov.ge/en/document/view/1293335</u>
	Administrative Offences Code of Georgia Useful Links: https://matsne.gov.ge/en/document/view/28216?publication=345
	Law of Georgia on Licences and Permits Useful Links: http://lta.gov.ge/wp-content/docs/sakanonmdeblo%20aqtebi/licenzia.pdf
Article 1.2.5	⊠ Fully [penalties, Authority (ies)]
	Authority: Land Transport Agency of Ministry of Sustainable Development of Georgia.
	Order of Minister of Economy and Sustainable Development of Georgia N 1-1/584 from 14/04/2011 "Regulations on Land Transport Agency»
	https://matsne.gov.ge/en/document/view/1293335
	Administrative Offences Code of Georgia Useful Links: <u>https://matsne.gov.ge/en/document/view/28216</u>
	Law of Georgia on Licences and Permits Useful Links: http://lta.gov.ge/wp-content/docs/sakanonmdeblo%20aqtebi/licenzia.pdf
	Mentioned rules regulate Land Transport Agency's, as competent administrative body's main functions, including process of receiving application, refusal to review application, issuing or refusing to issue or cancelling permits for carriers in the land transport sphere, supervise and control the conformity with the legislation of the carriers, organizing trainings, issuing certificates, diplomas and cards, and cooperation with the international organizations.

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Article 1.3.	⊠ Fully
	[procedures adopted, Authority (ies)]
	Georgia is ready to provide details of undertakings holding ECMT
	licences.
	Providing such information compliag with notional logislation on data
	Providing such information complies with national legislation on data
	confidentiality.
	In Georgia issues related to ECMT licences are entrusted to the
	8
	national contact point – Road Transport Department of Land
	Transport Agency, Ministry of Sustainable Development of Georgia.
	Responsible persons:
	Mr. Zaza Avaliani
	e-mail: <u>zavaliani@lta.gov.ge</u>
	Mrs. Maia Guledani
	e-mail: <u>mguledani@lta.gov.ge</u>
	P/F: +995 32 510662;
	Useful Links:
	https://matsne.gov.ge/en/document/view/1293335
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B) Checks (Chapter IV, 2)

Article 2.1 Checks re. Drivers , incl:	⊠ Fully Corresponding National Provisions:
	Administrative Offences Code of Georgia
- 2.1.1. Driving times and rest periods (cf. also. Annex 6):	Article 127 (1) item 7, 8.
	- Ministry of Internal Affair. (Police is checking drivers on the road)
	□ Useful Links: https://matsne.gov.ge/ka/document/view/28216#!
	The European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR) Useful Links: <u>http://lta.gov.ge/?page_id=2371</u>
	Ordinance of the Government of Georgia No 407 of December 31, 2013 on approval Technical Regulation concerning the work of crews of vehicles engaged in international road transport Useful Links:
	http://lta.gov.ge/wp-content/docs/teqnikuri%20reglamenti/407.pdf

	NOTE: According to this Regulation during each calendar year, a minimum of 3% of the days worked by the drivers of vehicles shall be checked. Not less than 30% of the total number of the working days checked shall be checked at the roadside and not less than 50% shall be checked at the premises of undertakings.
	Ordinance of the Government of Georgia No 426 of December 31, 2013 on approval Technical Regulation concerning the vehicles setting control equipment (tachograph) operation rule
	Useful Links:
	http://lta.gov.ge/wp-content/docs/teqnikuri%20reglamenti/426.pdf
	In accordance with the above mentioned rules in Georgia, Land Transport Agency as a responsible body carries out monitoring and analytical functions through Analysis and Monitoring Department, including carrying out checks driving and rest times of a driver according to AETR Agreement at the office and delivers reports in the United Nation. Roadside checks of the driving and rest times of a driver in the road are made by the competent authorities under the Ministry of Internal Affair. In case of Failing to comply with the requirement Land Transport Agency is empowered to suspend or withdraw a permission to pursue the occupation of international road haulage operator.
Article 2.2 Checks re.	⊠ Fully
Undertakings, incl:	Corresponding National Provisions:
	Administrative Offences Code of Georgia
	Article 127 (1) item 8
	- LELP Land Transport Agency, Under the Ministry of Economy and Sustainable Development of Georgia. (Monitoring Department is checking in AETR infringements in companies)
	Useful Links:
	https://matsne.gov.ge/ka/document/view/28216#!
	Order of Minister of Economy and Sustainable Development of Georgia N 1-1/584 from 14/04/2011 "Regulations on Land Transport Agency»
	Useful Links: <u>http://lta.gov.ge/wp-content/docs/debuleba/debuleba.pdf</u>
	The Land Transport Agency before issuing permits for the carrier, annually conducts checks in the carrier's premises, including examination of the carrier's reputation, professional competence and financial standing. The Agency also once during the calendar year carries out control of the transport operators regarding compliance with the permit requirements by the carrier.

C) Classification of Infringements (Chapter IV, 3)

Article 2.1 Do Driving	⊠ Partially
Article 3.1. Re. Driving times and rest periods (cf. also. Annex 7)	
	Administrative Offences Code of Georgia
	Useful Links: https://matsne.gov.ge/en/document/view/28216?publication=345
	The mentioned norm takes into account the penalty sanctions imposed on drivers in violating driving and rest time under as it is stipulated in the AETR. Whenever minor infringement has a place, the driver is given administrative alert (warning), in case of a serious infringement of the rules on driving and rest periods and on the use of the tachograph, provided by mentioned existing legal norm, is provided a single fine - 500 GEL, which in our opinion is more stringent than provided for by the quality Charter. In case of imposing administrative fine, the Patrol Police under the Ministry of the Internal Affairs informs Land Transport Agency, which specific infringement has occurred, therefore Land Transport Agency notifies partner countries about that infringements.
	<i>Additional note:</i> In the near future, it is planned to introduce legislative norms, according to Appendix 7 of the Quality Charter.
Article 3.2. Re.	⊠ Fully
undertakings, incl:	Order of the Minister of Economy and Sustainable Development №1-1 / 2511 from 30.11.2011, "Rules of the issuance of multiple permits for international road transportation".
	Useful Links: http://lta.gov.ge/wp-content/docs/cesebi/danatri_1.pdf
	Administrative Offences Code of Georgia
	Useful Links:
	https://matsne.gov.ge/en/document/view/28216?publication=345
	Order of Minister of Economy and Sustainable Development of Georgia N 1-1/584 from 14/04/2011 "Regulations on Land Transport Agency» □ Useful Links: <u>http://lta.gov.ge/wp-content/docs/debuleba/debuleba.pdf</u> Regarding the infringement specified in the article 3.2 of Chapter II of the Quality Charter, Georgian legislation provides certain criminal, civil and administrative responsibilities [see ITF/TMB/TR(2016)3/ADD12/APP3]

D) Penalties (Chapter IV, 4)

Article 4.1.	⊠ Fully
	Administrative Offences Code of Georgia
	Useful Links: https://matsne.gov.ge/en/document/view/28216?publication=345
	nups.//matsne.gov.ge/en/document/view/20210: publication=545
	Law of Georgia on Licences and Permits
	Useful Links:
	http://lta.gov.ge/wp-content/docs/sakanonmdeblo%20aqtebi/licenzia.pdf
	ECMT Multilateral Quota User Guide (2014)
	Useful Links:
	http://lta.gov.ge/doc/satvirto%20gadazidvebi/2014%20RU.pdf
	Order of Minister of Economy and Sustainable Development of Georgia N 1-1/584 from 14/04/2011 "Regulations on Land Transport Agency»
	http://lta.gov.ge/wp-content/docs/debuleba/debuleba.pdf
	http://td.gov.ge/wp-content/docs/debuleba/debuleba.put
Article 4.2.on drivers incl, infringements re:	I Fully
men, miningements re.	Corresponding National Provisions:
- 4.2.1. AETR rules	Administrative Offences Code of Georgia
	Article 127 (1) item 7, 8
	Useful Links:
	https://matsne.gov.ge/ka/document/view/28216#!
- 4.2.2. driver training	Order of Minister of Economy and Sustainable Development of Georgia N 1-1/584 from 14/04/2011 "Regulations on Land Transport Agency»
	Useful Links:
	http://lta.gov.ge/wp-content/docs/debuleba/debuleba.pdf
	Land Transport Agency is entitled to monitor training centre with regard to
	the resources used and the proper running of training courses and tests. This
	approval may be withdrawn or suspended if the conditions of approval are
	no longer complied with.

Article 4.3. on under-	⊠ Fully
takings:	
4.2.1	Corresponding National Provisions :
- 4.3.1.	
	- [Competent Authority/Body(ies);]
	Land Transport Agency
	Ministry of Economy and Sustainable Development
	Law of Georgia N700-IIC of 04.04.1995 "On Road Transport", with subsequent amendments. Chapter 5 ³ , Article a).
	Useful Links:
	https://matsne.gov.ge/ka/document/view/28510
	Order of the Minister of Economy and Sustainable Development №1-1 / 2511 from 30.11.2011, "Rules of the issuance of multiple permits for international road transportation". Chapter 5. Article a).
	Useful Links:
	https://matsne.gov.ge/en/document/view/1518310
	Law of Georgia on Licences and Permits Useful Links: http://lta.gov.ge/wp-content/docs/sakanonmdeblo%20aqtebi/licenzia.pdf
- 4.3.2.	Order of Minister of Economy and Sustainable Development of Georgia N 1-1/584 from 14/04/2011 "Regulations on Land Transport Agency»
	Useful Links:
	http://lta.gov.ge/wp-content/docs/debuleba/debuleba.pdf
	Mentioned rules specify the exact sanctions that may be imposed on the carrier conducting the international transportation of goods by vehicles. Failing to comply with the requirement Land Transport Agency is empowered to impose administrative fines, suspend or withdraw a permission to pursue the occupation of international road haulage operator.
	According to the article 139 ³ of the Code of Administrative Offenses , violation of the obligation to comply with the Declaration on compliance results in fine up to 5000 GEL.

ANNEX 1. Extract from the Entrepreneurs National Register



Ministry of Justice of Georgia LEPL National Agency of Public Registry

Extract from Registry of Entrepreneurs and Non-Entrepreneurial (Non-Commercial) Legal Entities

Serial number of the application registration, date of preparation: B18001038, 08/01/2018 10:27:36

	Subject
Firm Name:	Desert Rose Capital LLC
Legal Form:	Limited Liability Company
Identification Number:	404550277
Number and Date of Registration:	08/01/2018
Registering Authority:	LEPL National Agency of Public Registry
Legal Address:	Georgia, City Tbilisi, Mtatsminda district, Aragvis str., 4
Additional Information:	
E-mail:	zenidrc@gmail.com
Telephone:	599791919
The provider of the information shall be liabl	e for the validity of the additional information

. .

Information about Liquidation/ Reorganisation/ Insolvency Proceedings

Not registered

Governing body

Partners' Meeting

Managers / Official Representatives

Director - 01008007368, Giorgi Gugunishvili

Partners

http://public.reestri.gov.ge

Owner	Share	Manager of a Share
01008048419, Zezva Gugunishvili	50%	
01008048420, Niko Gugunishvili	50%	
Not registered	Obligatio	n
Not registered	Pledge	
Seizure/Injunction		
Not registered		
Tax Lien/Mortgage		
Not registered		
Pledge/Leasing on Intang	ible or Movable P	roperty
Not registered		
Debtor Registry		
Not registered		

- The authenticity of the document can be verified through the official web-page of the National Agency of Public Registry www.napr.gov.ge;
- The extract can be obtained through the web-page www.napr.gov.ge, at any territorial registration office, Public Service Halls and authorised persons of the Agency;
- In case of technical discrepancy in the extract, contact us at 2405405 or personally fill out an application on the web-page;
- Consultations are available through the hotline of the Public Service Hall at 2405405;
- In case of unlawful actions on the part of the staff, contact us at 08 009 009 09;
- Email us at info@napr.gov.ge regarding any issue.

ANNEX 1bis. Declaration on Compliance

1. # (Registration number)

2. Person presenting the declaration:

(Position, surname, name, address, contact details)

3. Object of the declaration:

(Registration data in the Registry of Entrepreneurial Legal Entities)

International transportation of good by vehicles

(List of service types, code)

4. The above object is compatible with the following Legal documents:

#	Document #	Name	Edition / Publication date
1.	Law of Georgia N1775-RS of 06.24.2005	"On Licenses and Permits"	Webpage 18/07/2005 Registration code 300.310.000.05.001.001.914
2.	Law of Georgia 1995 N700- IIC of 04.04.1995	"On Road Transport"	Webpage 30/11/1994 Registration code 310.090.000.05.001.000.089
3.	Ordinance of the Government of Georgia No 32 of January 3, 2014	Technical Regulation concerning cargo transportation rules	Webpage 13/01/2014 Registration code 300160070. 10. 003. 017613
4.	Ordinance of the Government of Georgia No 12 of January 3, 2014	Technical Regulation concerning vehicle service procedure	Webpage 13/01/2014 Registration code 300160070. 10.003.017594
5.	Georgian national standard	Compliance Assessment according to supplier's declaration on compliance	Standard ISO 17050-1-2006
6.	Ordinance of the Government of Georgia No 407 of December 31, 2013	Technical Regulation concerning the work of crews of vehicles engaged in international road transport	Webpage 13/01/2014 Registration code 300160070. 10. 003. 017620
7.	Ordinance of the Government of Georgia No 426 of December 31, 2013	Technical Regulation concerning the vehicles setting control equipment (tachograph) operation rule	Webpage 10/01/2014 Registration code 300160070.10.003. 017651

5. Additional Information:

The basis for the declaration:_____

(Act, Protocol, Certificate, Data of Conformity Body)

6. Date of Receipt of the Declaration:

..... 2018 Year

7. Responsible Person

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M. b. A.A. Mr Umberto DE PRETTO Secretary General International Road Transport Union (IRU) SWIDERIAN Markaterian

	IEU Acade	emy 👘
CPC	DIPI	LOMA
	warded with Distinction on 10 July 2017 with Certificate ID L ⁻	
	Born in Tbilisi, Georgia, on 01 November 1987, certifying q	
Cert	fica <mark>te o</mark> f P <mark>rofessional</mark> Comp	petence (CPC)
	for the Road Transport M	anager
	- National and International Road	Haulage -
Possession of this qualifi This certificate is	cation is confirmed by the IRU Academy on its web site under valid until the expiry date indicated on the CPC Certificate	Graduate Viewing Code: 3865983/J1 or /P1.
This cou in accorda establishing c and the s	rse is conducted by the IRU Academy Accredited Training Insti nce with Regulation (EC) No 1071/2009 of the European Parli ammon rules concerning the conditions to be complied with to trict criteria fixed by the IRU Academy, endorsed by its high level, on, training and examination to provide and ensure the highest pr	itute Land Transport Agency iament and of the Council of 21 October 2009 pursue the occupation of road transport operator
N.b.A.A.	4π	www.iru.org/academy
Mr Umberto DE PRETTO Secretary General	Mrs Ketevan SALUKVADZE Head of TLDPD - Ministry of	Mr Mikheil KHMALADZE Director of Land Transport Agency
International Road Transport Union (IRU Switzerland	Economy and Sustainable Development Georgia	Land Transport Agency Georgia
		Academy
ANNEX 2bis. IRU A	A T I F I	Manager training Programme
	Authorises	
	FION CENTER OF LEPL LAND TR FECONOMY AND SUSTAINABL As an IRU Academy Accredited Training I to conduct training for the	E DEVELOPMENT OF GEORGIA
CERTIFIC	ATE OF PROFESSIONAL COMPE ROAD TRANSPORT TRAINING	
of 21 October 2009 establishir international best practices a	ertificates, in full compliance with Regulation (EC) No 10 ig common rules concerning the conditions to be complie ind the strict criteria fixed by the IRU Academy, endorsed Training and the Examination to provide and ensure the I	d with to pursue the occupation of road transport operator, by its high level Advisory Committee, regarding Instructor

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Mrs Larisse Debrukha Chairperson AAC



ANNEX 3. Certificate of professional competence - CPC Driver

ANNEX 3bis. IRU Accreditation certificate for CPC Driver training programmes









ANNEX 4. Driver Qualification Card Model

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	DRIVER QUALIFICATION GARD		C1	95. 06.11.2022
	1. ᲚᲣᲚᲣᲜᲘᲨᲕᲘᲚᲘ / GUGUNISHVILI		С	95. 06.11.2022
	2.	国旗修理	D1	
1 alla	3. 21.09.1976	1. 33360/Surname 2. babgero/First name	D	
-	4a. 06.11.2017 4b. 06.11.2022	 დამადების თარიღი და ადგილი Date and place of birth 4a. გაცემის თარიღი 	C1E	95. 06.11.2022
T	4c. ᲡᲐᲮᲛᲔᲦᲔᲗᲝ ᲢᲮᲐᲜᲡᲞᲝᲮᲢᲘᲡ ᲡᲐᲐᲑᲔᲜᲢᲝ LAND TRANSPORT AGENCY	Date of issue 4b. ადმანსტრაციული მოქმედემის ვადა Administrative expiry date 4c. a skindta mén simultemed by	CE	95. 06.11.2022
. GE00005	5a. AH4316896 7. 5	4c. გამცემი ორგანო/Issued by 5s. მართვის უფლების N/ License N 5b. სერთული N/Serial N 7. მალიპლის Neurilethiata	D1E	
C1, C, C1E, CE	54. ANY 51050 7. 1	 მელობელის ხელმოწერა Signature of the holder ევროგაერთანების კოდი და იარიღი Community code and date 	DE	