



**INTERNATIONAL TRANSPORT FORUM  
TRANSPORT MANAGEMENT BOARD**

**ITF/TMB/TR(2016)3/ADD19/FINAL  
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**Group on Road Transport**

**Report by The NETHERLANDS on Implementation of QUALITY CHARTER**

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

**JT03409553**

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**English - Or. English**



Kwaliteit in transport begint bij de NIWO

Mr. José Viegas  
Secretary General  
International Transport Forum  
Group on Road Transport  
2, rue André Pascal  
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date:

1 September 2016

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Regarding **Compliance statement**

Dear Secretary General,

The Netherlands are compliant with the requirements of the Quality Charter for international road haulage operations undertaken under the ECMT Multilateral Quota.

Compliance with the Charter is usually achieved through European Union Regulations and the implementation of appropriate 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 and Directive 2003/59.

The EU Regulations are supported by domestic legislation, especially the Law on road haulage, the Labor Law, the Decision on Road Transport Driving and Resting Times and the Penalty Provision Policy.

In support of these laws, the Dutch Road Haulage Organisation (NIWO) manages the Dutch ECMT permit allocations. NIWO ensures that undertakings seeking permits meet all the requirements of the Quality Charter prior to the issue of permits.

The check list 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 Dutch holders of ECMT licences. ECMT permits are only issued to an operator with a standard international operator's licence.

Sincerely yours,

Dutch Road Haulage Organisation (NIWO)

Mr. G.J. Olthoff LL.M.,  
Director.

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

**COUNTRY:** THE NETHERLANDS

**NATIONAL AUTHORITY:** MINISTRY OF INFRASTRUCTURE AND ENVIRONMENT /  
DUTCH ROAD HAULAGE ORGANISATION (NIWO)

**DATE OF SUBMISSION:** 1 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 checked="" type="checkbox"/> Fully</p> <p>EU-Law: article 5 of Regulation 1071/2009/EG, date of enforcement 4 December 2011,  <a href="http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32009R1071&amp;from=NL">http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32009R1071&amp;from=NL</a></p> <p>National Law: Article 2.1 of the Law on road haulage, date of enforcement 29 June 2013  <a href="http://wetten.overheid.nl/BWBR0024800/geldigheidsdatum_14-12-2015">http://wetten.overheid.nl/BWBR0024800/geldigheidsdatum_14-12-2015</a></p> <p>Administrative Arrangement: of the Community licensing policy of the Dutch Road Haulage Organisation for National and International Transport, date of enforcement 1 January 2013, Article 2  <a href="http://www.niwo.nl/images/html/Wetten_en_regels/Beleidsregel_vergunningverlening_van_de_NIWO.pdf">http://www.niwo.nl/images/html/Wetten_en_regels/Beleidsregel_vergunningverlening_van_de_NIWO.pdf</a></p> <p><input type="checkbox"/> Useful Links: <i>see above</i></p>
Article 2.2.b)	<p><input checked="" type="checkbox"/> Fully</p> <p>EU-Law: article 5 of Regulation 1071/2009/EG, date of enforcement 4 December 2011,  <a href="http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32009R1071&amp;from=NL">http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32009R1071&amp;from=NL</a></p> <p>National Law: Article 2.1 of the Law on road haulage, date of enforcement 29 June 2013  <a href="http://wetten.overheid.nl/BWBR0024800/geldigheidsdatum_14-12-2015">http://wetten.overheid.nl/BWBR0024800/geldigheidsdatum_14-12-2015</a></p> <p>Administrative Arrangement: of the Community licensing policy of the Dutch Road Haulage Organisation for National and International Transport, date of enforcement 1 January 2013, Article 2  <a href="http://www.niwo.nl/images/html/Wetten_en_regels/Beleidsregel_vergunningverlening_van_de_NIWO.pdf">http://www.niwo.nl/images/html/Wetten_en_regels/Beleidsregel_vergunningverlening_van_de_NIWO.pdf</a></p> <p><input type="checkbox"/> Useful Links: <i>see above</i></p>
Article 2.2.c)	<p><input checked="" type="checkbox"/> Fully</p> <p>EU-Law: article 5 of Regulation 1071/2009/EG, date of enforcement 4 December 2011,  <a href="http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32009R1071&amp;from=NL">http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32009R1071&amp;from=NL</a></p>

	<p>National Law: Article 2.1 of the Law on road haulage, date of enforcement 29 June 2013  <a href="http://wetten.overheid.nl/BWBR0024800/geldigheidsdatum_14-12-2015">http://wetten.overheid.nl/BWBR0024800/geldigheidsdatum_14-12-2015</a></p> <p>Administrative Arrangement of the Community licensing policy of the Dutch Road Haulage Organisation for National and International Transport, date of enforcement 1 January 2013, Article 2  <a href="http://www.niwo.nl/images/html/Wetten_en_regels/Beleidsregel_vergunningverlening_van_de_NIWO.pdf">http://www.niwo.nl/images/html/Wetten_en_regels/Beleidsregel_vergunningverlening_van_de_NIWO.pdf</a></p> <p><input type="checkbox"/> Useful Links: <i>see above</i></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: <i>Not applicable</i>
<b>Any other comments:</b>	

**B) Good Repute (Chapter II, 3)****Implemented**

Article 3.1.	<p><input checked="" type="checkbox"/> Fully</p> <p>EU-Law: articles 4 and 6of Regulation 1071/2009/EG, date of enforcement 4 December 2011  <a href="http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32009R1071&amp;from=NL">http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32009R1071&amp;from=NL</a></p> <p>National Law: Articles 2.1, 2.8, 2.8a and 7.1 of the Law on road haulage, date of enforcement 29 June 2013  <a href="http://wetten.overheid.nl/BWBR0024800/geldigheidsdatum_14-12-2015">http://wetten.overheid.nl/BWBR0024800/geldigheidsdatum_14-12-2015</a></p> <p>Administrative Arrangement: Community licensing policy of the Dutch Road Haulage Organisation for National and International Transport, date of enforcement 1 January 2013, Articles 3 and 5  <a href="http://www.niwo.nl/images/html/Wetten_en_regels/Beleidsregel_vergunningverlening_van_de_NIWO.pdf">http://www.niwo.nl/images/html/Wetten_en_regels/Beleidsregel_vergunningverlening_van_de_NIWO.pdf</a></p> <p><input type="checkbox"/> Useful Links: <i>see above</i></p>
<p>Article 3.2., incl:</p> <p>- points a) to e);</p> <p>- list of most serious infringements: point d), items i - vii;</p> <p>Article 3.3.</p>	<p><input checked="" type="checkbox"/> Fully</p> <p>EU-Law: articles 4 and 6of Regulation 1071/2009/EG, date of enforcement 4 December 2011  <a href="http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32009R1071&amp;from=NL">http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32009R1071&amp;from=NL</a></p> <p>National Law: Articles 2.8 and 2.8a of the Law on road haulage, date of enforcement 29 June 2013  <a href="http://wetten.overheid.nl/BWBR0024800/geldigheidsdatum_14-12-2015">http://wetten.overheid.nl/BWBR0024800/geldigheidsdatum_14-12-2015</a></p> <p>Administrative Arrangement: Community licensing policy of the Dutch Road Haulage Organisation for National and International Transport, date of enforcement 1 January 2013, Article 3  <a href="http://www.niwo.nl/images/html/Wetten_en_regels/Beleidsregel_vergunningverlening_van_de_NIWO.pdf">http://www.niwo.nl/images/html/Wetten_en_regels/Beleidsregel_vergunningverlening_van_de_NIWO.pdf</a></p> <p>Administrative Arrangement: Policy Rule on proportionality test and penalties in the event of loss of good repute with regard to transport of goods by road, of the Dutch Road Haulage Organisation for National and International Transport, Date of enforcement 1 May 2013  <a href="http://www.niwo.nl/images/html/Wetten_en_regels/Beleidsregel-NIWO-ERRU.pdf">http://www.niwo.nl/images/html/Wetten_en_regels/Beleidsregel-NIWO-ERRU.pdf</a></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>
<b>Any other comments:</b>	

**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 checked="" type="checkbox"/> Fully</p> <p>EU-Law: Article 8 of Regulation 1071/2009/EG which defines conditions relating to the requirement of professional competence. Date of enforcement 4 December 2011 <a href="http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32009R1071&amp;from=NL">http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32009R1071&amp;from=NL</a></p> <p>National Law: Article 2.1 and of the Law on road haulage, date of enforcement 29 June 2013 <a href="http://wetten.overheid.nl/BWBR0024800/geldigheidsdatum_14-12-2015">http://wetten.overheid.nl/BWBR0024800/geldigheidsdatum_14-12-2015</a></p> <p>Administrative Arrangement: Community licensing policy of the Dutch Road Haulage Organisation for National and International Transport, Article 5. Date of enforcement 1 January 2013 <a href="http://www.niwo.nl/images/html/Wetten_en_regels/Beleidsregel_vergunningverlening_van_de_NIWO.pdf">http://www.niwo.nl/images/html/Wetten_en_regels/Beleidsregel_vergunningverlening_van_de_NIWO.pdf</a></p> <p>The Netherlands complies with this provision through Article 8, Article 9 and Annex I of EU Regulation 1071/2009 which defines conditions relating to the requirements for professional competence.</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><input checked="" type="checkbox"/> Fully</p> <p>EU-Law: article 8 of EU Regulation 1071/2009/EG, date of enforcement 4 December 2011 <a href="http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32009R1071&amp;from=NL">http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32009R1071&amp;from=NL</a></p> <p>National Law: Article 2.10 of the Law on road haulage, date of enforcement 29 June 2013 <a href="http://wetten.overheid.nl/BWBR0024800/geldigheidsdatum_14-12-2015">http://wetten.overheid.nl/BWBR0024800/geldigheidsdatum_14-12-2015</a></p> <p>The approved examination body for the CPC exams in the Netherlands is CBR.</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><input checked="" type="checkbox"/> Fully</p> <p>EU-Law: article 8 of EU Regulation 1071/2009/EG, date of enforcement 4 December 2011,  <a href="http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32009R1071&amp;from=NL">http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32009R1071&amp;from=NL</a></p> <p>National Law: article 2.10 of the Law on road haulage, date of enforcement 29 June 2013 and Article 5 of the ministerial regulation on road haulage, date of enforcement 1 January 2013.</p> <p>The above mentioned articles define conditions relating to the requirement of professional competence and examinations in accordance to Annex I of 1071/2009/EG of the EU Regulation.  <a href="http://wetten.overheid.nl/BWBR0024800/geldigheidsdatum_14-12-2015">http://wetten.overheid.nl/BWBR0024800/geldigheidsdatum_14-12-2015</a>  <a href="http://wetten.overheid.nl/BWBR0025704/geldigheidsdatum_15-12-2015#Hoofdstuk6">http://wetten.overheid.nl/BWBR0025704/geldigheidsdatum_15-12-2015#Hoofdstuk6</a></p> <p>- Central Office for Driver Licensing</p> <p>- not applicable</p> <p><input type="checkbox"/> Useful Links: <i>see above</i></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: <i>Not applicable</i></p>
<p><b>Any other comments:</b></p>	



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

<p>Article 5.2., ( including Capital required for - first vehicle , - each additional vehicle)</p> <p>Article 5.3 &amp; 5.4</p> <p>Article 5.3 &amp; 5.4</p>	<p><input checked="" type="checkbox"/> Fully</p> <p>EU-Law: Article 7 of Regulation 1071/2009/EG, date of enforcement 4 December 2011 <a href="http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32009R1071&amp;from=NL">http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32009R1071&amp;from=NL</a></p> <p>National Law: Articles 2.1 and 7.1 of the Law on road haulage, date of enforcement 29 June 2013 and article 6 of the ministerial road haulage, date of enforcement 1 January 2013 <a href="http://wetten.overheid.nl/BWBR0024800/geldigheidsdatum_14-12-2015">http://wetten.overheid.nl/BWBR0024800/geldigheidsdatum_14-12-2015</a> <a href="http://wetten.overheid.nl/BWBR0025704/geldigheidsdatum_15-12-2015#Hoofdstuk6">http://wetten.overheid.nl/BWBR0025704/geldigheidsdatum_15-12-2015#Hoofdstuk6</a></p> <p>Administrative Arrangement: Community licensing policy of the Dutch Road Haulage Organisation for National and International Transport, Article 4, date of enforcement 1 January 2013 <a href="http://www.niwo.nl/images/html/Wetten_en_regels/Beleidsregel_vergunning_verlening_van_de_NIWO.pdf">http://www.niwo.nl/images/html/Wetten_en_regels/Beleidsregel_vergunning_verlening_van_de_NIWO.pdf</a></p> <p>The above mentioned articles define the conditions relating to the requirement of financial standing:</p> <p>This means that the undertaking shall demonstrate on the basis of annual accounts certified by an auditor or a duly accredited person, that, every year, it has at its disposal capital and reserves totalling at least <b>EUR 9 000</b> when only one vehicle is used and <b>EUR 5 000</b> for each additional vehicle used.</p> <p><input type="checkbox"/> Useful Links: <i>see above</i></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: <i>Not applicable</i>
<b>Any other comments:</b>	

**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:	<input checked="" type="checkbox"/> Fully Corresponding National Provision: Directive 2003/59/EC of the European Parliament and of the Council on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers.  Implemented in: “Chapter 7A Road Traffic Act”; “Chapter 7A ministerial Regulation driver licences” and “ministerial regulation professional competence drivers”  <input checked="" type="checkbox"/> Useful Links: <a href="http://wetten.overheid.nl/BWBR0006622/2016-03-15">http://wetten.overheid.nl/BWBR0006622/2016-03-15</a> <a href="http://wetten.overheid.nl/BWBR0008074/2016-01-01">http://wetten.overheid.nl/BWBR0008074/2016-01-01</a> <a href="http://wetten.overheid.nl/BWBR0031458/2016-07-01">http://wetten.overheid.nl/BWBR0031458/2016-07-01</a>
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<p>Article 2.2.a) - Initial qualification , incl:</p> <ul style="list-style-type: none"> <li>- List of knowledge (cf.annex4)</li> <li>- Course + test, or, a test only</li> <li>- exemptions</li> </ul>	<p><input checked="" type="checkbox"/> Fully</p> <p>Corresponding National Provisions:</p> <ul style="list-style-type: none"> <li>- “Chapter 2 ministerial regulation professional competence drivers”</li> <li>- “Annex 1 until 5 ministerial regulation professional competence drivers”</li> </ul> <p>- Test only</p> <p>- Drivers who have obtained their driver’s license before September 10th 2009 are exempted. They do not need to have an initial qualification.</p> <p><input checked="" type="checkbox"/> Useful Links:</p> <p><a href="http://wetten.overheid.nl/BWBR0031458/2016-07-01#HoofdstukII">http://wetten.overheid.nl/BWBR0031458/2016-07-01#HoofdstukII</a></p> <p><a href="http://wetten.overheid.nl/BWBR0031458/2016-07-01#Bijlage1">http://wetten.overheid.nl/BWBR0031458/2016-07-01#Bijlage1</a></p> <p><a href="http://wetten.overheid.nl/BWBR0031458/2016-07-01#Bijlage2">http://wetten.overheid.nl/BWBR0031458/2016-07-01#Bijlage2</a></p> <p><a href="http://wetten.overheid.nl/BWBR0031458/2016-07-01#Bijlage3">http://wetten.overheid.nl/BWBR0031458/2016-07-01#Bijlage3</a></p> <p><a href="http://wetten.overheid.nl/BWBR0031458/2016-07-01#Bijlage4">http://wetten.overheid.nl/BWBR0031458/2016-07-01#Bijlage4</a></p> <p><a href="http://wetten.overheid.nl/BWBR0031458/2016-07-01#Bijlage5">http://wetten.overheid.nl/BWBR0031458/2016-07-01#Bijlage5</a></p>
<p>Article 2.2.b) - Periodic training, incl:</p> <ul style="list-style-type: none"> <li>- List of knowledge (cf.annex4)</li> <li>- Number of hours (35)</li> <li>- Periodicity (every 5 years)</li> <li>- first periodic training to be completed by</li> </ul>	<p><input checked="" type="checkbox"/> Fully</p> <p>- “Chapter 3 Regeling vakbekwaamheid bestuurders 2012 Raamwerk nascholingscursussen code 95”</p> <p>The program and the content of the courses must be based on the subjects which are mentioned in EU directive 2003/59. Drivers can chose the courses which are approved by the legal authority (CBR/CCV).</p> <p>- 35 hours</p> <p>- 5 years</p> <p>- drivers who obtained their driving licence before September 10th 2009 have to complete the first periodic training before September 10th 2016.</p> <p><input checked="" type="checkbox"/> Useful links:</p> <p><a href="http://wetten.overheid.nl/BWBR0033798/2013-08-31">http://wetten.overheid.nl/BWBR0033798/2013-08-31</a></p>

Articles 2.3; 2.4 -approval of training centres	<input checked="" type="checkbox"/> Fully <ul style="list-style-type: none"> <li>- Article 26 “ministerial regulation professional competence drivers”</li> <li>- Article 156 S and 156 Z ministerial Regulation driver licences”</li> </ul> <input checked="" type="checkbox"/> Useful Links: <ul style="list-style-type: none"> <li><a href="http://wetten.overheid.nl/BWBR0031458/2015-07-01#HoofdstukIII">http://wetten.overheid.nl/BWBR0031458/2015-07-01#HoofdstukIII</a></li> <li><a href="http://wetten.overheid.nl/BWBR0008074/2016-01-01#HoofdstukVIIa_Artikel156a">http://wetten.overheid.nl/BWBR0008074/2016-01-01#HoofdstukVIIa_Artikel156a</a></li> <li><a href="http://wetten.overheid.nl/BWBR0008074/2016-01-01#HoofdstukVIIa_Paragraaf10_Artikel156z">http://wetten.overheid.nl/BWBR0008074/2016-01-01#HoofdstukVIIa_Paragraaf10_Artikel156z</a></li> </ul>
Article 2.6 - CPC proof, incl.:  - Sign affixed on driver licence (permit)  - Driver Qualification card  - IRU Academy CPC	<input checked="" type="checkbox"/> Partially <ul style="list-style-type: none"> <li>- Implemented by: “Road Traffic Act 151g lid 3”</li> <li>- <i>Name of National Authority or duly approved body</i> : Department of Road Transport (RDW)</li> <li>- Code 95</li> <li>- A driver qualification card is issued by KIWA on the basis of Regulation (EC) No 165/2014 and ministerial Regulation on tachographs. The Netherlands comply with this provision through Annex II of Directive 2003/59/EC which defines the model requirements of the Drive Qualification Card.</li> <li>- Not applicable</li> </ul> <input checked="" type="checkbox"/> Useful Links: <ul style="list-style-type: none"> <li><a href="http://wetten.overheid.nl/BWBR0006622/2016-03-15#HoofdstukVIIA_Paragraaf2_Artikel151g">http://wetten.overheid.nl/BWBR0006622/2016-03-15#HoofdstukVIIA_Paragraaf2_Artikel151g</a></li> <li><a href="https://www.kiwaregister.nl/digitale_tachograafkaarten/bestuurderskaart/">https://www.kiwaregister.nl/digitale_tachograafkaarten/bestuurderskaart/</a></li> </ul>

**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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<b>Any other comments:</b>	General comment:  <i>A driving licence or a driver qualification card issued in conformity with the Directive 2003/59 on the professional competence of drivers by the competent Authority of a Member state of the European Union, and provided with the Community code, shall be recognized as a certificate of professional competence provided that the code did not lose its validity.</i>  <i>According to Directive 2003/59: “The driver qualification card issued by Member States shall be mutually recognised.”</i>
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***C) Conditions of employment (Chapter III, 3)*****Implemented**

Article 3.1	<input checked="" type="checkbox"/> Fully  Corresponding National Provision: “Book 7 of the (new) Civil Code, Title 10 (Employment contract)”  <input checked="" type="checkbox"/> Useful Links: <a href="http://wetten.overheid.nl/BWBR0005290/2016-08-01#Boek7_Titeldeel10">http://wetten.overheid.nl/BWBR0005290/2016-08-01#Boek7_Titeldeel10</a>
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<b>Any other comments:</b>	
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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 checked="" type="checkbox"/> Fully</p> <p>National Authorities: Dutch Road Organisation for National and International Road Transport (NIWO) (responsible for the authorisations) and Central Office for Driver Licensing (CBR) (responsible for examinations for the CPC).</p> <p>- Dutch Road Organisation for National and International Road Transport (NIWO)</p> <p>- Central Office for Driver Licensing (CBR)</p> <p>- Central Office for Driver Licensing (CBR). The Netherlands comply with this provision through Annex III of Regulation 1071/2009 which defines the model requirements of the certificate of professional competence.</p> <p><input checked="" type="checkbox"/> Useful Links:</p> <p><a href="https://www.niwo.nl">https://www.niwo.nl</a></p> <p><a href="https://www.cbr.nl">https://www.cbr.nl</a></p>
<p>1.2.2: re. provisions on drivers, incl.:</p> <p>- training/ examinations</p> <p>- CPC</p>	<p><input checked="" type="checkbox"/> Fully</p> <p>National Authorities: Human Environment and Transport Inspectorate and Road Transport Police</p> <p>- Central Office for Driver Licensing (CBR)</p> <p>- Central Office for Driver Licensing (CBR)</p> <p><input checked="" type="checkbox"/> Useful Links:</p> <p><a href="https://www.ilent.nl">https://www.ilent.nl</a></p> <p><a href="https://www.cbr.nl">https://www.cbr.nl</a></p>
<p>Articles 1.2.3- 1.2.4.</p>	<p><input checked="" type="checkbox"/> Fully</p> <p>Authority(ies): Dutch Road Organisation for National and International Road Transport (NIWO) and Human Environment and Transport Inspectorate and Road Transport Police</p> <p><input checked="" type="checkbox"/> Useful Links:</p> <p><a href="https://www.niwo.nl">https://www.niwo.nl</a></p> <p><a href="https://www.ilent.nl">https://www.ilent.nl</a></p>

Article 1.2.5	<input checked="" type="checkbox"/> Fully  Authority: Dutch Road Organisation for National and International Road Transport (NIWO)  <input checked="" type="checkbox"/> Useful Links: <a href="https://www.niwo.nl">https://www.niwo.nl</a>
Article 1.3.	<input checked="" type="checkbox"/> Fully  Authority: Dutch Road Organisation for National and International Road Transport (NIWO)  <input checked="" type="checkbox"/> Useful Links: <a href="https://www.niwo.nl">https://www.niwo.nl</a>

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

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

<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 checked="" type="checkbox"/> Fully</p> <p>Corresponding National Provisions: Labour Law (ATW), Decision on Road Transport Driving and Resting Times (ATBv), Penalty Provision Policy (Policy rule ATW en ATBv)</p> <p>Authorities: Human Environment and Transport Inspectorate, Road Transport Police</p> <p>Scope of the Roadside checks: (1), (2), (3), (4), cf. Annex 6; Scope of checks at the premises of undertakings: (1), (2), (3), cf. Annex 6</p> <p><input checked="" type="checkbox"/> Useful Links:</p> <p><a href="http://wetten.overheid.nl/BWBR0007671/2016-01-01">http://wetten.overheid.nl/BWBR0007671/2016-01-01</a></p> <p><a href="http://wetten.overheid.nl/BWBR0009386/2016-03-02">http://wetten.overheid.nl/BWBR0009386/2016-03-02</a></p> <p><a href="http://wetten.overheid.nl/BWBR0037741/2016-03-22">http://wetten.overheid.nl/BWBR0037741/2016-03-22</a></p>
<p>Article 2.2. - Checks re. Undertakings</p>	<p><input checked="" type="checkbox"/> Fully</p> <p>Corresponding National Provisions: Labour Law (ATW), Decision on Road Transport Driving and Resting Times (ATBv), Penalty Provision Policy (Beleidsregel ATW en ATBv)</p> <p>Authority(ies): Human Environment and Transport Inspectorate</p> <p>Frequency of checks - every 5 years</p> <p><input checked="" type="checkbox"/> Useful Links:</p> <p><a href="http://wetten.overheid.nl/BWBR0007671/2016-01-01">http://wetten.overheid.nl/BWBR0007671/2016-01-01</a></p> <p><a href="http://wetten.overheid.nl/BWBR0009386/2016-03-02">http://wetten.overheid.nl/BWBR0009386/2016-03-02</a></p> <p><a href="http://wetten.overheid.nl/BWBR0037741/2016-03-22">http://wetten.overheid.nl/BWBR0037741/2016-03-22</a></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><b>Any other comments:</b></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)	<input checked="" type="checkbox"/> Fully Corresponding National Provisions: Penalty Provision Policy (Policy Rule ATW en ATBv)  <input checked="" type="checkbox"/> Useful Links: <a href="http://wetten.overheid.nl/BWBR0037741/2016-03-22">http://wetten.overheid.nl/BWBR0037741/2016-03-22</a>
Article 3.2. re. undertakings	<input checked="" type="checkbox"/> Fully Corresponding National Provisions: Penalty Provision Policy (Policy Rule ATW en ATBv)  <input checked="" type="checkbox"/> Useful Links: <a href="http://wetten.overheid.nl/BWBR0037741/2016-03-22">http://wetten.overheid.nl/BWBR0037741/2016-03-22</a>

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

Provision of the Charter: [Chapter, article]	Corresponding National Provisions: - <i>Not applicable</i>
<b>Any other comments:</b>	National Laws relevant for this section (Chapter IV,3): <ul style="list-style-type: none"> <li>- Labor Law (ATW),</li> <li>- Decision on Road Transport Driving and Resting Times (ATBv),</li> <li>- Penalty Provision Policy (Beleidsregel Boeteoplegging ATW en ATBv)</li> </ul>

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

Article 4.1.	<input checked="" type="checkbox"/> Fully Corresponding National Provisions: Articles 2.3, 3.3, 3.6 Law on road haulage (regarding the withdrawal of the ECMT-licence).  <input checked="" type="checkbox"/> Useful Links: <a href="http://www.niwo.nl/images/html/Wetten_en_regels/Wet_wegvervoer_goederen.pdf">http://www.niwo.nl/images/html/Wetten_en_regels/Wet_wegvervoer_goederen.pdf</a>
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: Penalty Provision Policy (Policy rule ATW en ATBv)  <input checked="" type="checkbox"/> Useful Links: <a href="http://wetten.overheid.nl/BWBR0037741/2016-03-22">http://wetten.overheid.nl/BWBR0037741/2016-03-22</a>
Article 4.3. on undertakings:  - 4.3.1.  - 4.3 2.	<input checked="" type="checkbox"/> Fully  Corresponding National Provisions: Articles 2.3, 3.3, 3.6 Law on road haulage (regarding the withdrawal of the ECMT-licence).  Corresponding National Provisions: Articles 2.5, 3.4, 4.10 and 5.7 Administrative Arrangement of the Community licensing policy of the Dutch Road Haulage Organisation for National and International Transport, date of enforcement 1 October 2015  <input checked="" type="checkbox"/> Useful Links: <a href="http://www.niwo.nl/images/html/Wetten_en_regels/Beleidsregel_vergunningverlening_van_de_NIWO.pdf">http://www.niwo.nl/images/html/Wetten_en_regels/Beleidsregel_vergunningverlening_van_de_NIWO.pdf</a>

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

Provision of the Charter: [article]	[comment]
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